



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

FIRST VOTES AND PROCEEDINGS

Thursday, 14 October, 2021

1. The House met at 11.37 a.m. Mr Speaker read the Prayers.
2. The House recited the National Pledge.
3. **Votes and Proceedings**
Mr Speaker announced that he had examined and approved the *Votes and Proceedings* of Wednesday, 13 October, 2021.

The Votes and Proceedings was adopted by unanimous consent.
4. **Announcement**
Appointment of a New Deputy Chairman:
Mr Speaker announced the appointment of Hon. Chinedu Ogah as the new Deputy Chairman of the Committee on Poverty Alleviation.
5. **Petitions**
 - (i) A petition from Christopher Okoh, on his dismissal from service by the National Drug Law Enforcement Agency (NDLEA), was presented and laid by Hon. Sergius Ogun (*Esan North East/Esan South East Federal Constituency*);
 - (ii) The following Petitions were presented and laid by Hon. Shabba Ibrahim Isah (*Lokoja/Kogi/Koton Karfe Federal Constituency*):
 - (a) Njoku U. C. Njoku & Co. (Legal Practitioners), on behalf of Umuorie-Asa Isimiri Autonomous Community, Ukwu West Local Government Area, Abia State, on alleged marginalization of the community by the Abia State Government;
 - (b) Wilson Legal (Legal Practitioners), on behalf of Bambo Consulting Engineers Limited and 2 others, on the non-payment of the contract sum of ₦30,000,000,000.00 (Thirty Billion Naira) only by the Federal Road Maintenance Agency (FERMA); and

- (c) Sayeed Mohammed Shuaibu, on alleged trespass and destruction of property by the Federal Ministry of Works and Housing.

Petitions referred to the Committee on Public Petitions.

6. **Matters of Urgent Public Importance (Standing Order Eight, Rule 4)**

- (i) **Call for the Intervention of the Federal Government on the Malaria Infestation in Malam Madori and Kaugama Local Government Areas of Jigawa State:**
Hon. Abubakar Makki Yalleman (*Mallam Madori/Kaugama Federal Constituency*) introduced the matter and prayed the House to:

- (a) consider and approve the matter as one of urgent public importance; and
(b) suspend Order Eight, Rule 4 (3) to allow debate on the matter forthwith.

Question that the matter be considered as one of urgent public importance — Agreed to.

Question that the House do suspend Order Eight, Rule 4 (3) to enable it debate the matter forthwith — Agreed to.

Call for the Intervention of the Federal Government on the Malaria Infestation in Malam Madori and Kaugama Local Government Areas of Jigawa State:

The House:

Notes that the Federal Ministry of Health a mandate to amongst others, manage diseases outbreaks in Nigeria, formulate policies on all activities relating to disease management in Nigeria and coordinate the plans and programmes for efficiency and effective response to disasters at all levels of Government, while making concrete efforts to cater for the health needs of Nigerians:

Also notes that equally are an agriculture based society whereby citizens live, work and carry out all their activities, both economic and otherwise in an environment that is surrounded by plants and animals:

Further notes that farming communities such as Malam Madori and Kaugama are always affected by malaria and related diseases, as a result of the presence of biting and piercing insects like mosquitoes, ants, fleas, etc.:

Worried that Mallam Madori/Kaugama Federal Constituency, is being bounded by water and these insects have their habitats in water around the federal constituency:

Concerned that the latest uprising in the number of infected patients that have been affected by malaria in the federal constituency, clearly shows that the federal constituency is in dire need of immediate attention by not just the State Government but seriously by the Federal Government through the Federal Ministry of Health, the National Primary Health Care Agency and other relevant health-related Authorities:

Also concerned that the Federal Constituency has constantly been affected by malaria and the State Government has been helping as much as they can even with the lean resources within her reach. Supplies of antimalarial drugs, mosquito Nets, fumigation, etc. has been done but more is still needed to sufficiently address the malarial infestation of the constituency:

Further concerned that these governments places high value on human lives and as such does not treat with kids gloves any issue that pertains to health. Health sector is a high priority area for this government and currently statistics are becoming increasingly alarming:

Resolves to:

- (i) urge the National Emergency Management Agency (NEMA) to provide Antimalarial drugs, mosquito nets and frequent as well as periodic fumigation of the constituency should be ensured in the federal constituency; and
- (ii) mandate the Committee on Healthcare Services to immediately look into this issue and liaise, urge and ensure that the Ministry of Health and other health related Agencies take immediate steps in order to protect the lives of the good people of Mallam Madori/Kaugama Local Government Areas, Jigawa State from further deaths as a result of the malarial infestation (*Hon. Abubakar Makki Yalleman — Mallam Madori/Kaugama Federal Constituency*).

*Debate.**Agreed to.*

The House:

Noted that the Federal Ministry of Health a mandate to amongst others, manage diseases outbreaks in Nigeria, formulate policies on all activities relating to disease management in Nigeria and coordinate the plans and programmes for efficiency and effective response to disasters at all levels of Government, while making concrete efforts to carter for the health needs of Nigerians;

Also noted that equally are an agriculture based society whereby citizens live, work and carry out all their activities, both economic and otherwise in an environment that is surrounded by plants and animals;

Further noted that farming communities such as Malam Madori and Kaugama are always affected by malaria and related diseases, as a result of the presence of biting and piercing insects like mosquitoes, ants, fleas, etc.;

Worried that Mallam Madori/Kaugama Federal Constituency, is being bounded by water and these insects have their habitats in water around the federal constituency;

Concerned that the latest uprising in the number of infected patients that have been affected by malaria in the federal constituency, clearly shows that the federal constituency is in dire need of immediate attention by not just the State Government but seriously by the Federal Government through the Federal Ministry of Health, the National Primary Health Care Agency and other relevant health-related Authorities;

Also concerned that the Federal Constituency has constantly been affected by malaria and the State Government has been helping as much as they can even with the lean resources within her reach. Supplies of antimalarial drugs, mosquito Nets, fumigation, etc. has been done but more is still needed to sufficiently address the malarial infestation of the constituency;

Further concerned that these governments places high value on human lives and as such does not treat with kids gloves any issue that pertains to health. Health sector is a high priority area for this government and currently statistics are becoming increasingly alarming;

Resolved to:

- (i) urge the National Emergency Management Agency (NEMA) to provide Antimalarial drugs, mosquito nets and frequent as well as periodic fumigation of the constituency should be ensured in the federal constituency; and

- (ii) mandate the Committee on Healthcare Services to immediately look into this issue and liaise, urge and ensure that the Ministry of Health and other health related Agencies take immediate steps in order to protect the lives of the good people of Mallam Madori/Kaugama Local Government Areas, Jigawa State from further deaths as a result of the malarial infestation (**HR. 109/10/2021**).
- (ii) ***Need to Resolve the Debacle between Central Bank of Nigeria (CBN)/Technical Committee on Comprehensive Import Supervision Scheme (CISS) and Adani Mega Systems Ltd Hindering the Take-off of Nigeria Customs Service e-Customs Modernisation Project:***
Hon. Leke Joseph Abejide (*Yagba East/Yagba West/Mopamuro Federal Constituency*) introduced the matter and prayed the House to:
- (a) consider and approve the matter as one of urgent public importance; and
- (b) suspend Order Eight, Rule 4 (3) to allow debate on the matter forthwith.

Question that the matter be considered as one of urgent public importance — Agreed to.

Question that the House do suspend Order Eight, Rule 4 (3) to enable it debate the matter forthwith — Agreed to.

Need to Resolve the Debacle between Central Bank of Nigeria (CBN)/Technical Committee on Comprehensive Import Supervision Scheme (CISS) and Adani Mega Systems Ltd Hindering the Take-off of Nigeria Customs Service e-Customs Modernisation Project:

The House:

Aware that the CBN Technical Committee on Comprehensive Import Supervision Scheme (CISS) had agreement with Adani Mega Systems Ltd to engage the latter as Service Provider/Vendor for screening service infrastructure for the inspection of all inbound and outbound cargo in Nigeria;

Also aware that CBN in the said letter of engagement dated 16 February, 2017, also stated its statutory mandate to manage and supervise the project (as provided in Sections 13 (1), 15 (1), and 5 of Pre-Shipment Inspection of Export Act, and Pre-Shipment Inspect of Imports Act);

Further aware that a Build, Operate, and Own Agreement between the Technical Committee on CISS (on behalf of the Federal Government of Nigeria) and Adani Mega Systems Ltd in relation to the provision of the scanning services infrastructures (scanners) required for all operations was sealed and a certificate of "NO OBJECTION" was granted by the BPP after evaluating the profile of the company;

Concerned that the level of engagement had reached the turning point whereby Adani Mega Systems Ltd had procured necessary equipments to commence the e-Customs projects as provided for in the contract but since 13 July, 2017, the project had stalled without solution in sight, further causing tremendous revenue loss to the Federal Government which according to the Ministry of Finance, Budget and National Planning, had earlier appraised of having the potential of yielding up to \$176 billion over the course of the 20 year concession period;

Also concerned that at the moment Nigeria Customs Service still remain in the analogue era of conducting 100% physical examination which in itself is a major cause of congestion to our Ports and greater loss of revenue to our dear country;

Worried that the dispute between the two parties is at such a time of alarming rate of entry of undetected Arms and Ammunition into the country's Ports and Border Stations as a result of no functional scanners;

Notes that the 2022 Budget provided for ₦3.9 Trillion for debt servicing alone, and this is asides repayment of principal. If the e-Customs is allowed to take off by settling the issues between the FGN and ADANI the issue of borrowing will be reduced to the barest minimum, if not eradicated, because the Nigeria Customs Service would be able to generate twice, if not thrice, of what is currently being generated. Despite all these obstacles there is possibility of NCS to generate over ₦2 Trillion this year 2021;

Also notes that for the interest of the country and to reduce country's debt profile the lingering crisis between the Federal Government through the CBN Technical Committee on CISS and Adani Mega Systems Ltd need to be urgently resolved;

Resolves to:

Mandate the Committees on Customs and Excise, Finance, and Banking and Currency to invite the Governor of Central Bank of Nigeria, the Chairman, CBN Technical Committee on CISS, the Minister of Finance, the Controller General of Nigeria Customs Service, and the Managing Director of Adani Mega Systems Ltd in order to resolve the matter for the take off of the project and report within four (4) weeks (*Hon. Leke Joseph Abejide — Yagba East/West/Mopamuro Federal Constituency*).

Debate.

Agreed to.

The House:

Aware that the CBN Technical Committee on Comprehensive Import Supervision Scheme (CISS) had agreement with Adani Mega Systems Ltd to engage the latter as Service Provider/Vendor for screening service infrastructure for the inspection of all inbound and outbound cargo in Nigeria;

Also aware that CBN in the said letter of engagement dated 16 February, 2017, also stated its statutory mandate to manage and supervise the project (as provided in Sections 13 (1), 15 (1), and 5 of Pre-Shipments Inspection of Export Act, and Pre-Shipments Inspection of Imports Act);

Further aware that a Build, Operate, and Own Agreement between the Technical Committee on CISS (on behalf of the Federal Government of Nigeria) and Adani Mega Systems Ltd in relation to the provision of the scanning services infrastructures (scanners) required for all operations was sealed and a certificate of "NO OBJECTION" was granted by the BPP after evaluating the profile of the company;

Concerned that the level of engagement had reached the turning point whereby Adani Mega Systems Ltd had procured necessary equipments to commence the e-Customs projects as provided for in the contract but since 13 July, 2017, the project had stalled without solution in sight, further causing tremendous revenue loss to the Federal Government which according to the Ministry of Finance, Budget and National Planning, had earlier appraised of having the potential of yielding up to \$176 billion over the course of the 20 year concession period;

Also concerned that at the moment Nigeria Customs Service still remain in the analogue era of conducting 100% physical examination which in itself is a major cause of congestion to our Ports and greater loss of revenue to our dear country;

Worried that the dispute between the two parties is at such a time of alarming rate of entry of undetected Arms and Ammunition into the country's Ports and Border Stations as a result of no functional scanners;

Noted that the 2022 Budget provided for ₦3.9 Trillion for debt servicing alone, and this is besides repayment of principal. If the e-Customs is allowed to take off by settling the issues between the FGN and ADANI the issue of borrowing will be reduced to the barest minimum, if not eradicated, because the Nigeria Customs Service would be able to generate twice, if not thrice, of what is currently being generated. Despite all these obstacles there is possibility of NCS to generate over ₦2 Trillion this year 2021;

Also noted that for the interest of the country and to reduce country's debt profile the lingering crisis between the Federal Government through the CBN Technical Committee on CISS and Adani Mega Systems Ltd need to be urgently resolved;

Resolved to:

Mandate the Committees on Customs and Excise, Finance, and Banking and Currency to invite the Governor of Central Bank of Nigeria, the Chairman, CBN Technical Committee on CISS, the Minister of Finance, the Controller General of Nigeria Customs Service, and the Managing Director of Adani Mega Systems Ltd in order to resolve the matter for the take off of the project and report within four (4) weeks (**HR. 110/10/2021**).

7. **Presentation of Bills**

The following Bills were read the *First Time*:

- (1) Merchant Shipping Act (Repeal and Enactment) Bill, 2021 (HB. 1602).
- (2) Legal Practitioners Act (Repeal and Enactment) Bill, 2021 (HB. 1640).
- (3) Federal University of Health Science and Technology, Kankia (Establishment) Bill, 2021 (HB. 1641).
- (4) Federal College of Nursing, Midwifery and Health Science, Isiala-Mbano, Imo State (Establishment) Bill, 2021 (HB. 1642).

8. **Presentation of Report**

Committee on Aids, Loans and Debt Management:

Motion made and Question proposed, "That the House do receive the Report of the Committee on Aids, Loans and Debt Management on Request for a Resolution of the House of Representatives Concurrent Approval of Donor Fund Projects under the Federal Government Proposed 2018 - 2020 External Borrowing (Rolling Plan) and Addendum to the Request for the House of Representatives' Concurrent Approval of Multilateral Fund Projects Under the 2018 - 2021 Federal Government External Borrowing (Rolling) Plan" (*Hon. John Dyegh — Gboko/Tarka Federal Constituency*).

Agreed to.

Report laid.

9. **A Bill for an Act to Amend the Abubakar Tafawa Balewa University, Bauchi Act, Cap. A1, Laws of the Federation of Nigeria, 2004; and for Related Matters (HB.924) — Third Reading**
Motion made and Question proposed, "That a Bill for an Act to Amend the Abubakar Tafawa Balewa University, Bauchi Act, Cap. A1, Laws of the Federation of Nigeria, 2004; and for Related Matters (HB.924) be now read the Third Time" (*Hon. Benjamin Kalu — Bende Federal Constituency*).

Agreed to.

Bill read the Third Time and passed.

10. **A Bill for an Act to Amend the Usman Dan Fodio University, Sokoto Act, Cap. U14, Laws of the Federation of Nigeria, 2004 (HB.925) — Third Reading**
Motion made and Question proposed, “That a Bill for an Act to Amend the Usman Dan Fodio University, Sokoto Act, Cap. U14, Laws of the Federation of Nigeria, 2004 (HB.925) be now read the Third Time” (*Hon. Benjamin Kalu — Bende Federal Constituency*).

Agreed to.

Bill read the Third Time and passed.

11. **A Bill for an Act to Amend the University of Maiduguri Act, Cap. U10, Laws of the Federation of Nigeria, 2004; and for Related Matters (HB.926) — Third Reading**
Motion made and Question proposed, “That a Bill for an Act to Amend the University of Maiduguri Act, Cap. U10, Laws of the Federation of Nigeria, 2004; and for Related Matters (HB.926) be now read the Third Time” (*Hon. Benjamin Kalu — Bende Federal Constituency*).

Agreed to.

Bill read the Third Time and passed.

12. **A Bill for an Act to Establish the South East Development Commission to serve as a Catalyst to Develop the Commercial Potentials of the South East, Receive and Manage Funds from Allocation of the Federation for the Rehabilitation, Reconstruction and Reparation for Houses and Lost Businesses of Victims of the Civil War, and Address any other Environmental or Developmental Challenges; and for Related Matters — Third Reading**
Motion made and Question proposed, “That a Bill for an Act to Establish the South East Development Commission to serve as a Catalyst to Develop the Commercial Potentials of the South East, Receive and Manage Funds from Allocation of the Federation for the Rehabilitation, Reconstruction and Reparation for Houses and Lost Businesses of Victims of the Civil War, and Address any other Environmental or Developmental Challenges; and for Related Matters be now read the Third Time” (*Hon. Benjamin Kalu — Bende Federal Constituency*).

Agreed to.

Bill read the Third Time and passed.

13. **A Bill for an Act to Establish South-West Development Commission charged with Responsibility, among others, to Receive and Manage Funds from Allocation of the Federation Account, including Donations and Gifts, the Reconstruction and Rehabilitation of Roads, Houses and other Infrastructural Damages Suffered by the Region and the Need to Tackle the Ecological Problems and any other Related Environmental or Developmental Challenges in the South West States; and for Related Matters (HB.597) — Third Reading**
Motion made and Question proposed, “That a Bill for an Act to Establish South-West Development Commission charged with Responsibility, among others, to Receive and Manage Funds from Allocation of the Federation Account, including Donations and Gifts, the Reconstruction and Rehabilitation of Roads, Houses and other Infrastructural Damages Suffered by the Region and the Need to Tackle the Ecological Problems and any other Related Environmental or Developmental Challenges in the South West States; and for Related Matters (HB.597) be now read the Third Time” (*Hon. Benjamin Kalu — Bende Federal Constituency*).

Agreed to.

Bill read the Third Time and passed.

14. A Bill for an Act to Authorise the issue from the Consolidated Revenue Fund of the Federation the total sum of ₦16,391,023,917,692 (Sixteen Trillion, Three Hundred and Ninety-One Billion, Twenty-Three Million, Nine Hundred and Seventeen Thousand, Six Hundred and Ninety-Two Naira) only, of which ₦768,276,616,043 (Seven Hundred and Sixty-Eight Billion, Two Hundred and Seventy-Six Million, Six Hundred and Sixteen Thousand, Forty-Three Naira) only is for Statutory Transfers, ₦3,901,952,981,550 (Three Trillion, Nine Hundred and One Billion, Nine Hundred and Fifty-Two Million, Nine Hundred and Eighty-One Thousand, Five Hundred and Fifty Naira) only, is for Debt Service, ₦6,829,015,483,446 (Six Trillion, Eight Hundred and Twenty-Nine Billion, Fifteen Million, Four Hundred And Eighty-Three Thousand, Four Hundred and Forty-Six Naira) only, is for Recurrent (Non-Debt) Expenditure while the sum of ₦4,891,778,836,654 (Four Trillion, Eight Hundred and Ninety-One Billion, Seven Hundred and Seventy-Eight Million, Eight Hundred and Thirty-Six Thousand, Six Hundred and Fifty-Four Naira) only, is for Contribution to the Development Fund for Capital Expenditure for the year ending 31 December, 2022 (HB. 1632) — *Second Reading*

Motion made and Question proposed, "That the House do resume debate on a Bill for an Act to Authorise the issue from the Consolidated Revenue Fund of the Federation the total sum of ₦16,391,023,917,692 (Sixteen Trillion, Three Hundred and Ninety-One Billion, Twenty-Three Million, Nine Hundred and Seventeen Thousand, Six Hundred and Ninety-Two Naira) only, of which ₦768,276,616,043 (Seven Hundred and Sixty-Eight Billion, Two Hundred and Seventy-Six Million, Six Hundred and Sixteen Thousand, Forty-Three Naira) only, is for Statutory Transfers, ₦3,901,952,981,550 (Three Trillion, Nine Hundred and One Billion, Nine Hundred and Fifty-Two Million, Nine Hundred and Eighty-One Thousand, Five Hundred and Fifty Naira) only, is for Debt Service, ₦6,829,015,483,446 (Six Trillion, Eight Hundred and Twenty-Nine Billion, Fifteen Million, Four Hundred And Eighty-Three Thousand, Four Hundred and Forty-Six Naira) only, is for Recurrent (Non-Debt) Expenditure while the sum of ₦4,891,778,836,654 (Four Trillion, Eight Hundred and Ninety-One Billion, Seven Hundred and Seventy-Eight Million, Eight Hundred and Thirty-Six Thousand, Six Hundred and Fifty-Four Naira) only, is for Contribution to the Development Fund for Capital Expenditure for the year ending 31 December, 2022 (HB. 1632)" (Hon. Benjamin Kalu — Bende Federal Constituency).

Resumption of debate.

Question that the Bill be now read a Second Time — Agreed to.

Bill read the Second Time.

Bill referred to the Committee on Appropriations with all other Standing Committees serving as Sub-Committees.

15. A Bill for an Act to Make Provisions for the Retirement Age for Staff of Legislative Houses in Nigeria; and for Related Matters (HB. 1473) — *Second Reading*

Motion made and Question proposed, "That a Bill for an Act to Make Provisions for the Retirement Age for Staff of Legislative Houses in Nigeria; and for Related Matters (HB. 1473) be read a Second Time" (Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency).

Debate.

Question that the Bill be now read a Second Time — Agreed to.

Bill read the Second Time.

Bill referred to the Committee of the Whole.

16. **A Bill for an Act to Establish North Central Development Commission charged with Responsibility among other things to Receive and Manage Funds from Allocation of the Federation Account for the Reconstruction and Rehabilitation of Roads, Houses and Other Infrastructural damages suffered by the Region as a result of the effects of the Communal Crisis as well as tackle the Ecological Problems and any other Related Environmental or Developmental Challenges in the North Central States; and for Related Matters (HB. 23) — Second Reading**

Motion made and Question proposed, “That a Bill for an Act to Establish North Central Development Commission charged with Responsibility among other things to Receive and Manage Funds from Allocation of the Federation Account for the Reconstruction and Rehabilitation of Roads, Houses and Other Infrastructural damages suffered by the Region as a result of the effects of the Communal Crisis as well as tackle the Ecological Problems and any other Related Environmental or Developmental Challenges in the North Central States; and for Related Matters (HB. 23) be read a Second Time” (*Hon. Simon Davou Mwakwon — Barkin Ladi/Riyom Federal Constituency*).

Debate.

Question that the Bill be now read a Second Time — Agreed to.

Bill read the Second Time.

Bill referred to the Committee of the Whole.

17. **A Bill for an Act to Establish North-West Development Commission charged with the Responsibility, among other things, to receive and Manage Fund from Allocation of the Federation Account and International Donors for the Settlement, Rehabilitation and Reconstruction of Roads, Houses and Business Premises Destroyed by Multinational Crisis as well as Tackling Menace of Poverty, Literacy Level, Ecological Problems and any other Related Environmental or Developmental of Challenge in the North West State; and for Related Matters (HB. 710) — Second Reading**

Motion made and Question proposed, “That a Bill for an Act to Establish North-West Development Commission charged with the Responsibility, among other things, to receive and Manage Fund from Allocation of the Federation Account and International Donors for the Settlement, Rehabilitation and Reconstruction of Roads, Houses and Business Premises Destroyed by Multinational Crisis as well as Tackling Menace of Poverty, Literacy Level, Ecological Problems and any other Related Environmental or Developmental of Challenge in the North West State; and for Related Matters (HB. 710) be read a Second Time” (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency and 78 others*).

Debate.

Question that the Bill be now read a Second Time — Agreed to.

Bill read the Second Time.

Bill referred to the Committee of the Whole.

18. Consideration of Reports

(i) *A Bill for an Act to Establish National Biotechnology Development Agency to Carry out Research, Create and Develop Public awareness in Biotechnology in order to Encourage a Private Sector participation in Biotechnology Industry in Nigeria; and for Related Matters (HB. 163) (Committee of the Whole):*

Motion made and Question proposed, "That the House do consider the Report on a Bill for an Act to Establish National Biotechnology Development Agency to Carry out Research, Create and Develop Public awareness in Biotechnology in order to Encourage a Private Sector participation in Biotechnology Industry in Nigeria; and for Related Matters (HB. 163)" (Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency)

Agreed to.

Question that the House do resolve into the Committee of the Whole to consider the Report — Agreed to.

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

A BILL FOR AN ACT TO ESTABLISH THE NATIONAL BIOTECHNOLOGY DEVELOPMENT AGENCY TO CARRY OUT RESEARCH, CREATE AND DEVELOP PUBLIC AWARENESS IN BIOTECHNOLOGY IN ORDER TO ENCOURAGE A PRIVATE SECTOR PARTICIPATION IN BIOTECHNOLOGY INDUSTRY IN NIGERIA; AND FOR RELATED MATTERS (HB. 163)

PART I — ESTABLISHMENT OF THE NATIONAL BIOTECHNOLOGY DEVELOPMENT AGENCY AND ITS GOVERNING BOARD

Clause 1: Establishment of the National Biotechnology Development Agency.

- (1) There is established the National Biotechnology Development Agency (in this Bill referred to as "the Agency").
- (2) The Agency —
 - (a) is a body corporate with perpetual succession and a common seal;
 - (b) may sue and be sued in its corporate name; and
 - (c) may acquire, hold or dispose of any property, movable or immovable, for the purpose of performing any of its functions under this Bill.
- (3) The headquarters of the Agency shall be in the Federal Capital Territory, Abuja (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

Question that Clause 1 stands part of the Bill — Agreed to.

Clause 2: Establishment and membership of the Governing Board.

- (1) There is established for the Agency a Governing Board (in this Bill referred to as "the Board").
- (2) The Board shall consist of —
 - (a) a Chairman, who shall be —

- (i) appointed by the President on the recommendation of the Minister, and
 - (ii) a person who is capable of making outstanding contribution to the field of biotechnology by reason of his ability, experience or specialised knowledge of biotechnology;
- (b) a representative each of the Federal Ministries responsible for —
- (i) science and technology,
 - (ii) Agriculture and Rural Development,
 - (iii) finance,
 - (iv) health,
 - (iv) environment,
 - (v) industry, trade and investment, and
 - (vii) education;
- (c) two other persons with specialised knowledge in biotechnology; and
- (d) the Director-General of the Agency who shall be the Secretary of the Board.

First Schedule.

- (3) The supplementary provisions set out in the First Schedule to this Bill shall have effect with respect to the proceedings of the Board and other matters as set out (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

Question that Clause 2 stands part of the Bill — Agreed to.

Clause 3: Tenure of office.

A member of the Board, other than an *ex-officio* member and the Director-General, shall hold office for such term as may be specified in his letter of appointment or approved by the President (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

Question that Clause 3 stands part of the Bill — Agreed to.

Clause 4: Cessation of office.

- (1) Notwithstanding the provisions of section 3, a member of the Board ceases to hold office if he —
- (a) resigns his appointment by notice under his hand addressed to the President;
 - (b) becomes of unsound mind;
 - (c) becomes bankrupt or makes a compromise with his creditors;

- (d) is convicted of a felony or of any offence involving dishonesty or corruption; and
 - (e) becomes incapable of carrying out the functions of his office, either arising from an infirmity of mind or body or any other cause.
- (2) Where the President is satisfied that it is not in the interest of the Agency or the public for a member to continue in office, the President may remove that member from the Board.
- (3) Where a vacancy occurs in the membership of the Board, it shall be filled by the appointment of a successor to hold office for the remainder of the term of office of his predecessor and the successor shall represent the same interest as his predecessor (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

Question that Clause 4 stands part of the Bill — Agreed to.

Clause 5: Remuneration of members of the Board.

The Chairman and members of the Board are paid such emoluments, allowances and benefits as may be determined by the Revenue Mobilization, Allocation and Fiscal Commission (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

Question that Clause 5 stands part of the Bill — Agreed to.

Clause 6: Powers and functions of the Board.

The Board shall have power to —

- (a) formulate policies for the Agency;
- (b) approve annual estimates, reports and statements of Accounts of the Agency;
- (c) determine the terms and conditions of service of the employees of the Agency;
- (d) approve the creation of such Departments, Centres and Units as may be required for efficient performance of the functions of the Agency; and
- (e) carry out such other activities as may, in the opinion of the Board, be necessary for the advancement of biotechnology research and development in Nigeria (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

Question that Clause 6 stands part of the Bill — Agreed to.

PART II — FUNCTIONS OF THE AGENCY

Clause 7: Functions of the Agency.

The Agency shall —

- (a) carry out a research and development on biotechnology in priority areas of food, agriculture, health, industry, environment and other strategic sectors for national development, and draw up programmes and policies for biotechnology utilisation in Nigeria;

- (b) promote, co-ordinate and deploy cutting edge biotechnology research and development activities in Nigeria;
- (c) initiate and encourage capacity building in all aspects of biotechnology required for the implementation of the national biotechnology programme;
- (d) publish and disseminate research findings and recommendations of the Agency on biotechnology;
- (e) promote sustenance in the development and application of acceptable and profitable technologies through strategic investments in biotechnology research and development, to support innovation and economic development and ensure Nigeria becomes self-reliant in the development and application of biotechnology-based products and services;
- (f) encourage private sector participation in the biotechnology industry;
- (g) ensure sustainable mechanism for adequate funding of biotechnology activities through national and international funding agencies;
- (h) establish and supervise relevant centres for the purpose of executing the national biotechnology programmes;
- (i) create public awareness and participation in biotechnology development activities through strong advocacy programme, seminars, conferences and workshops;
- (j) collaborate on biotechnology with international research centers, non-governmental organisations, industries, national and international biotechnology agencies and institutions;
- (k) stimulate biotechnology entrepreneurship schemes to effect rapid commercialisation of biotechnology research and development products;
- (l) collaborate with and provide support for universities and other academic institutions in the country for research and development projects relevant to the national biotechnology programme;
- (m) promote sustainable utilisation of biological resources and develop novel products to improve the production of our indigenous plants and animals;
- (n) promote exploration, collection, identification, evaluation, characterisation, storage and conservation of rich stock of both animal and plant germplasm materials;
- (o) encourage acquisition, maintenance, utilisation, exchange and dissemination of information on genetic materials of plants, animals and microbes;
- (p) foster national co-ordination of genetic resources programme and its sustainable utilisation;
- (q) foster relationship with other national satellite genetic research centres located in research institutes, universities and polytechnics as well as other international organisations and centres on programmes concerning genetic resources and biotechnology application;

- (r) coordinate the activities of the National Committee on Naming, Registration and Release of Crop Varieties, Livestock Breed and Fisheries;
- (s) arrest rapid erosion and loss in the country's crop and animal genetic resources caused by cultivation, urbanisation rural development, grazing, desertification, pest outbreak, national catastrophes, etc.;
- (t) document appropriately the germplasm stocks held by the centre, research institutes and relevant organisations;
- (u) co-coordinate all biotechnology activities and ensure easy access to stakeholders in matters relating to bioresources and biotechnology;
- (v) serve as national bio informatics and biotechnology data center;
- (w) be the national focal point for bioethics to which Nigeria subscribe; and
- (x) undertake other activities as are necessary or expedient in the performance of the functions of the Agency and promotion of biotechnology in Nigeria
(*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

Question that Clause 7 stands part of the Bill — Agreed to.

PART III — STRUCTURE OF THE AGENCY

Clause 8:

Departments of the Agency.

- (1) There is established for the Agency the —
 - (a) Departments of —
 - (i) Agricultural Biotechnology;
 - (ii) Environmental Biotechnology;
 - (iii) Medical Biotechnology;
 - (iv) Genomic, Genetics resources and Bioinformatics;
 - (v) Food and Industrial Biotechnology;
 - (b) Human Resource Management;
 - (c) Finance and Accounts; and
 - (d) such other departments as the agency may deem necessary to establish for the efficient performance of its functions under this Bill.
- (2) Each Department shall be headed by a Director.
- (3) The Departments referred to in subsection (1) are the Technical Departments of the Agency (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

Question that Clause 8 stands part of the Bill — Agreed to.

Clause 9: Bio-resources Development Centres (BIODEC), Biotechnology Centres of Excellence and Specialised Centres.

(1) The Agency shall, with the approval of the Board, establish —

Second Schedule.

(a) Bio-resources Development Centres (BIODECS) which shall be located in the geo-ecological zones in Nigeria as contained in the Second Schedule to this Bill;

Second Schedule.

(b) Biotechnology Centres of Excellence which shall be located in the premier universities established in each of the geopolitical zones in Nigeria as contained in the Second Schedule to this Bill; and

(c) Specialised Centres which includes —

(i) National Centre for Genetic Resources and Biotechnology (NACGRAB), Ibadan, Oyo State, and

(ii) other specialised Centres which the Agency may deem necessary to establish for the efficient performance of its functions under this Bill.

(2) An approval to establish a Centre under this Bill may contain supplementary or incidental provisions relating to —

(a) the designation of the Centre;

(b) the fields where the Centre will carry out its activities;

(c) man-power training where required;

(d) the transfer to the Centre, by mutual agreement, of any existing Federal, State and Local Government facilities; and

(e) a suitable association and collaboration of the Centre with relevant institutions including academic institutions and commercial sector.

Second Schedule.

(3) The supplementary provisions set out in the Second Schedule to this Bill shall apply to the Centres established under this Bill (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

Question that Clause 9 stands part of the Bill — Agreed to.

PART IV — STAFF OF THE AGENCY

Clause 10: Director-General.

(1) There shall be for the Agency a Director-General who shall be appointed by the President on the recommendation of the Minister.

(2) The Director-General shall be —

(a) the Chief Executive and Accounting Officer of the Agency;

- (b) a person with a minimum of 15 years demonstrable research experience in science and technology and knowledgeable in the field of biotechnology;
 - (c) a holder of at least a PhD in biological sciences or other related field;
 - (d) responsible for the execution of the policy, programmes and administration of the Agency;
 - (e) responsible for general direction and superintendence of the affairs of the Centers established under this Bill;
 - (f) the Secretary to the Board, and in this regard, shall —
 - (i) prepare minutes of meetings of the Board and its Committees,
 - (ii) keep and secure the records of the Board, and
 - (iii) issue notices and other correspondence as may be directed by the Board;
 - (g) ensure proper dissemination of the decisions of the Board to the appropriate persons, institutions or authorities; and
 - (h) perform such other functions and discharge duties as the Board may assign to him.
- (3) The Director-General shall hold office —
- (a) for a term of five years and may be re-appointed for a further term of five years and no more; and
 - (b) on such terms and conditions as may be specified in his letter of appointment (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

Question that Clause 10 stands part of the Bill — Agreed to.

Clause 11: Directors of Technical Departments.

- (1) The Board shall, on the recommendation of the Director-General appoint Directors who shall be in charge of the Technical Departments provided under section 8 (1).
- (2) A Director who is in charge of a Technical Department shall have —
 - (a) a degree or its equivalent in the relevant discipline; and
 - (b) relevant expertise and experience required for the efficient performance of the functions of the Department.
- (3) A Director in a Technical Department shall —
 - (a) be the head of the Technical Department of the Agency which he directs;

- (b) supervise other staff of the Department;
- (c) prepare draft expenditure estimates and development plan of the Department he heads; and
- (d) perform such other functions as may be assigned to him by the Director-General (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

Question that Clause 11 stands part of the Bill — Agreed to.

Clause 12: Director of Finance and Account.

- (1) The Board shall, on the recommendation of the Director-General, appoint a person with a university degree or its equivalent and a minimum of 12 years' experience in the field of finance, account, as the Director of Finance and Account.
- (2) The Director of Finance and Administration shall —
 - (a) be the head of the Finance and Accounts Department of the Agency;
 - (b) prepare draft expenditure, estimates and budget; and
 - (c) perform other functions as may be assigned to him by the Director-General (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

Question that Clause 12 stands part of the Bill — Agreed to.

Clause 13: Director of Bioresource Development Centres.

- (1) The Board shall, on the recommendation of the Director-General, appoint a Director to head each of the Centres established under this Bill.
- (2) A Director of a Centre appointed under this section shall superintend the activities of the Centre and shall have expertise and a minimum of 10 years practical experience in addition to a degree or its equivalent in any discipline that is relevant to the activities in the Centre he superintends and —
 - (a) monitor, evaluate and review the performance of the Centre;
 - (b) ensure that the Centre perform its functions in an efficient manner;
 - (c) prepare and submit quarterly reports on the activities of the Centre to the Director-General; and
 - (d) perform other functions as may be assigned to the Director by the Director-General (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

Question that Clause 13 stands part of the Bill — Agreed to.

Clause 14: Director of Research.

- (1) A Director appointed as head of a Technical Department under section 14 shall —

- (a) cease to hold office as Director when he has held that office for period of eight years; and
 - (b) be designated as Research Director where he has not attained the mandatory age of retirement.
- (2) A Director of Research shall perform such functions as may be assigned to him by the Director-General (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

Question that Clause 14 stands part of the Bill — Agreed to.

Clause 15: Other staff of the Agency.

- (1) The Agency may, subject to the approval of the Board, appoint other staff as it may deem necessary —
 - (a) for the efficient performance of the functions of the Agency; and
 - (b) on such terms and conditions as may be specified by the Board.
- (2) The provisions of the Public Service Rules or any other subsequent enactment shall apply to staff regulations, removal and disciplinary measures of staff of the Agency (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

Question that Clause 15 stands part of the Bill — Agreed to.

Clause 16: Remuneration of employees of the Agency.

The salaries, allowances and benefits of the staff of the Agency shall be in accordance with the conditions of service of the Agency as may be approved by the Board in consultation with the National Salaries, Income and Wages Commission (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

Question that Clause 16 stands part of the Bill — Agreed to.

Clause 17: Pensions. Act No. 4, 2014.

Service in the Agency shall be subject to the Pension Reformed Act, and accordingly, officers and the employees of the Agency shall be entitled to pensions and other retirement benefits as are prescribed under the Pension reform Act (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

Question that Clause 17 stands part of the Bill — Agreed to.

PART V — FINANCIAL PROVISIONS

Clause 18: Funds of the Agency.

- (1) The Agency shall establish and maintain a fund (in this Bill referred to as "the Fund") into which shall be paid and credited —
 - (a) such sums as may be appropriated by the National Assembly;
 - (b) any grant from the Federal, State or Local Governments;
 - (c) such money as may be granted or received from —
 - (i) an organised private sector, or

- (ii) foreign aid or assistance from bilateral and multilateral agencies;
 - (d) all fees and charges for services rendered by the Agency;
 - (e) other internally generated revenues by the Agency; and
 - (f) all other sums accruing to the Agency by way of gifts, grants, emoluments or bequest.
- (2) The Agency may receive, charge or generate revenues by —
- (a) fees and charges for services rendered by the Agency;
 - (b) other internally generated revenues by the Agency;
 - (c) profits from investment entered into by the Agency; and
 - (d) such other sums that may accrue to the Agency by way of gifts, emoluments or bequest.
- (3) All monies so collected shall be paid into the Fund not later than ninety days from the date of receipt of the money by the Agency (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

Question that Clause 18 stands part of the Bill — Agreed to.

Clause 19: Expenditure of the Agency.

The Agency shall apply the Fund for —

- (a) the administration of the Agency;
- (b) payment of salaries, wages, fees, allowances, retirement benefits including pensions and pay other remuneration payable to the members of the Board and staff of Agency;
- (c) publicising and promoting the activities of the Agency;
- (d) purchasing property, make other approved capital expenditure and maintain any property so purchased;
- (e) meeting the investment need of the Agency;
- (f) cost of maintaining the head office and operating the Centres provided under this Bill;
- (g) training of members of staff of the Agency;
- (h) support of national scientific bodies;
- (i) payment of contributions to international scientific organisation to which the Agency may subscribes; and
- (j) undertaking any other activity in connection with the functions of the Agency under this Bill (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

Question that Clause 19 stands part of the Bill — Agreed to.

Clause 20: Exemption from tax.

- (1) Incomes derived by the Institute from the sources specified under section 22 shall be exempted from income tax.
- (2) The provision of any enactment relating to the taxation of companies or trust funds shall not apply to the Agency (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

Question that Clause 20 stands part of the Bill — Agreed to.

Clause 21: Investment of income.

Subject to the approval of the Board, the Agency may invest its income in profitable production of goods by joint venture, partnerships, or shareholding as the case may be, and the net income so generated shall be paid into the Fund (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

Question that Clause 21 stands part of the Bill — Agreed to.

Clause 22: Annual estimates, income and expenditure.

The Agency shall, not later than 30th September in each year, submit to the Board for approval, its programme of work and estimate of its income and expenditure including payments into the Agency's fund for the next succeeding year (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

Question that Clause 22 stands part of the Bill — Agreed to.

Clause 23: Accounts and Audits.

The Agency shall —

- (a) keep proper accounts and records of its receipts, payment, assets and liabilities and prepare in respect of each financial year a statement of accounts in such forms as may be directed by the Auditor-General for the Federation; and
- (b) cause its accounts to be audited within six months from the end of each financial year by auditors whose appointment shall be approved by the Board from the list of auditors approved by the Auditor-General for the Federation (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

Question that Clause 23 stands part of the Bill — Agreed to.

Clause 24: Annual Reports.

- (1) The Agency shall prepare and submit to the Board, not later than 30th September in each year, a report on the activities of the Agency, the audited accounts of the Agency and the auditor's report for the immediate preceding year.
- (2) The Agency shall, not later than 31st October in each year, submit to the Board the annual report of each of its Centres for the immediate preceding year.
- (3) The Board shall submit the annual report referred to in subsection (2) to the Minister within two months after the Board receives the report (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

Question that Clause 24 stands part of the Bill — Agreed to.

Clause 25: Power to accept gifts.

The Agency may accept gifts, endowments and testamentary dispositions upon such terms and conditions, if any, as may be specified by the donor of the gift, provided that the terms and conditions are not contrary to the objectives and functions of the Agency and the Financial Regulations (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

Question that Clause 25 stands part of the Bill — Agreed to.

PART VI — LEGAL PROCEEDINGS

Clause 26: Commencement of suits or service of notice.

- (1) A suit shall not be commenced against the Agency, before the expiration of one month, after written notice of intention to commence the suit have been served upon the Agency by the intending plaintiff or his agent, and the notice shall clearly state the —
 - (a) cause of the action;
 - (b) particulars of claim;
 - (c) name and place of abode of intending plaintiff; and
 - (d) relief which he claims.
- (2) The notice referred to in subsection (1) and any summons, notice or other documents required or authorised to be served upon the Agency under this Bill, any other enactment or law, may be served by —
 - (a) delivering same to the Director-General; or
 - (b) sending it by registered post addressed to the Director-General at the head office of the Agency (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

Question that Clause 26 stands part of the Bill — Agreed to.

Clause 27: Restriction on execution against property of the Agency.

- (1) In any action or suit against the Agency, execution or attachment of process shall not be issued against the Agency except —
 - (a) a three month notice of the intention to execute or attach has been given to the Agency; and
 - (b) a written consent of the Attorney-General of the Federation and Minister of Justice is obtained in not less than three months.
- (2) Any sum of money which by the judgment of any court has been awarded against the Agency shall, subject to the directives given by the court, where notice of appeal against the judgments has been given, be paid from the Funds of the Agency (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

Question that Clause 27 stands part of the Bill — Agreed to.

PART VII — MISCELLANEOUS

- Clause 28: Power to purchase or take on lease property. Cap. L5, LFN, 2004.**
The Agency may, subject to the Land Use Act, purchase, lease any interest in land, building or property, or build, equip and maintain such other offices and premises for the efficient performance of its functions under this Bill (*Hon. Dachung Musa Bago — Jos South/Jos East Federal Constituency*).

Question that Clause 28 stands part of the Bill — Agreed to.

- Clause 29: Power to sell or lease out property. Cap. L5, LFN, 2004.**
The Agency may, subject to the Land Use Act, sell or lease out any land, office or premises held by it, which is no longer required for the performance of its functions under this Bill (*Hon. Dachung Musa Bago — Jos South/Jos East Federal Constituency*).

Question that Clause 29 stands part of the Bill — Agreed to.

- Clause 30: Indemnity.**
The Director-General, any officer or employee of the Agency shall be indemnified out of the assets of the Agency against any liability incurred by him in defending any proceeding, whether civil or criminal, if the proceeding is brought against him in his capacity as a member, Director-General, officer or other employee of the Agency (*Hon. Dachung Musa Bago — Jos South/Jos East Federal Constituency*).

Question that Clause 30 stands part of the Bill — Agreed to.

- Clause 31: Power of the Minister to give directives.**
The Minister may give to the Agency such directives as he may consider necessary for the effective performance of the functions of Agency under this Bill and the Agency shall comply with (*Hon. Dachung Musa Bago — Jos South/Jos East Federal Constituency*).

Question that Clause 31 stands part of the Bill — Agreed to.

- Clause 32: Power to make regulations.**
- (1) The Board may, with the approval of the Minister, make such regulations generally for the purpose of giving full effect to the provisions of this Bill, and in facilitating the performance of the functions of the Agency.
 - (2) The Board may issue guidelines to give full effect to the relevant provisions of this Bill.
 - (3) Regulations made shall be published in the Federal Government Gazette (*Hon. Dachung Musa Bago — Jos South/Jos East Federal Constituency*).

Question that Clause 32 stands part of the Bill — Agreed to.

- Clause 33: Repeals.**
This Bill repeals —
- (a) section 6 (2) (d) (ii) of the National Agency for Science and Engineering Infrastructure Act, Cap. N3, LFN, 2004;
 - (b) paragraph 2 (j) (iv) of the Second Schedule to the National Agency for Science and Engineering Infrastructure Act; and

- (c) National Centre for Genetic Resources and Biotechnology (NACGRAB) Act, No. 33 of 1987 (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

Question that Clause 33 stands part of the Bill — Agreed to.

Clause 34: Savings.

From the commencement of this Bill —

- (a) all assets, rights, liabilities and obligations which immediately before the commencement of this Bill, were assets, rights, liabilities and obligations of National Centre for Genetic Resources and Biotechnology (NACGRAB) or any other body related to Biotechnology shall, by virtue of this Bill, be taken over by the Agency; and
- (b) anything made or done or having effect under the repealed Act, shall be treated, as if it were made or done by the Agency (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

Question that Clause 34 stands part of the Bill — Agreed to.

Clause 35: Interpretation.

In this Bill —

"Agency" means the National Biotechnology Development Agency established under section 1 (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

Question that the meaning of the word "Agency" be as defined in the interpretation to this Bill — Agreed to.

"Biotechnology" means a field of applied biology that involves the use of living organisms, plant cells and bio processes in engineering, technology, medicine, agriculture and other fields requiring bio products (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

Question that the meaning of the word "Biotechnology" be as defined in the interpretation to this Bill — Agreed to.

"Board" means the Governing Board of the Agency established under section 2 (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

Question that the meaning of the word "Board" be as defined in the interpretation to this Bill — Agreed to.

"Center" means all bioresources development centers, biotechnology centers of excellence, specialised centers and other relevant centers as the Agency may establish (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

Question that the meaning of the word "Center" be as defined in the interpretation to this Bill — Agreed to.

"Chairman" means the Chairman of the Governing Board of the Agency (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

Question that the meaning of the word "Chairman" be as defined in the interpretation to this Bill — Agreed to.

"Director-General" means the Director-General of the Agency (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

Question that the meaning of the words "Director-General" be as defined in the interpretation to this Bill — Agreed to.

"Fund" means the Fund of the Agency established under section 18 (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

Question that the meaning of the word "Fund" be as defined in the interpretation to this Bill — Agreed to.

"geo-ecological" means the ecological zones as reflected in the National geography (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

Question that the meaning of the word "geo-ecological" be as defined in the interpretation to this Bill — Agreed to.

"geopolitical zones" means the six geopolitical zones as it exists in the country (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

Question that the meaning of the words "geopolitical" be as defined in the interpretation to this Bill — Agreed to.

"Member" means a member of the Board of the Agency including the Chairman (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

Question that the meaning of the word "Member" be as defined in the interpretation to this Bill — Agreed to.

"Minister" means the Minister charged with the responsibility for science and technology (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

Question that the meaning of the word "Minister" be as defined in the interpretation to this Bill — Agreed to.

"NABDA" means National Biotechnology Development Agency established under this Bill (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

Question that the meaning of the abbreviation "NABDA" be as defined in the interpretation to this Bill — Agreed to.

"President" means the President of the Federal Republic of Nigeria (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

Question that the meaning of the word "President" be as defined in the interpretation to this Bill — Agreed to.

"public officer" means any person working in the Public Service of the Federation or a State as defined in the 1999 Constitution of the Federal Republic of Nigeria (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

Question that the meaning of the words "public officer" be as defined in the interpretation to this Bill — Agreed to.

"research and development" means creative work undertaken on a systematic basis in order to increase knowledge in biotechnology and the use of this knowledge to devise new biotechnology applications; and (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

Question that the meaning of the words "research and development" be as defined in the interpretation to this Bill — Agreed to.

"technical department" means sections involved in scientific activities (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

Question that the meaning of the words "technical department" be as defined in the interpretation to this Bill — Agreed to.

Question that Clause 35 stands part of the Bill — Agreed to.

Clause 36: Citation.

This Bill may be cited as the National Biotechnology Development Agency (Establishment) Bill, 2021 (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

Question that Clause 36 stands part of the Bill — Agreed to.

SCHEDULES

FIRST SCHEDULE

Section 2 (4)

SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD

Proceedings of the Board

1. Subject to this Bill and section 27 of the Interpretation Act, the Board shall have power to regulate its proceedings and may make standing orders with respect to the holding of its meetings and those of its committees, notices to be given, the keeping of minutes of its proceedings, the custody and production for inspection of such minutes and such other matters as the Board may determine.
2. The Chairman shall preside at every meeting of the Board, and in his absence, the members present at the meeting shall appoint one of their members to preside at the meeting.
3. The quorum at a meeting of the Board shall consist of the Chairman or, in an appropriate case, the person presiding at the meeting under paragraph 2 of this Schedule, and six other members.
4. The Chairman shall, in the case of an equality of votes, have a casting vote.
5. A question put before the Board at a meeting shall be decided by consensus and where this is not possible, by majority of votes of members present and voting.
6. The Board shall, for the purpose of this Bill, meet at least three times in each year and the Board shall meet whenever it is summoned by the Chairman, and if required to do so, by notice given to him by at least five other members, summon a meeting of the Board to be held within 14 days from the date on which the notice is given.

7. Where the Board desires to obtain the advice of any person on a particular matter, the Board may co-opt the person to be a member of the Board for such period as it deems fit, and the person while so co-opted shall have all the rights and privileges of a member, except that he is not entitled to vote at any meeting of the Board and shall not be counted towards a quorum.

Committees

8. (1) Subject to its standing orders, the Board may set up such number of standing and *ad-hoc* Committees as it deems fit to consider and report on any matter with which the Agency is concerned.
- (2) A committee set up under this paragraph shall —
- (a) consist of such number of persons (not necessarily members of the Board) as may be determined by the Board; and
- (b) be presided over by a member of the Board.
- (3) A person other than a member of the Board who is appointed under this paragraph, shall hold office on the Committee in accordance with the terms of his appointment.
- (4) The quorum of any Committee set up by the Board shall be as determined by the Board.
- (5) A decision of a Committee of the Board shall be of no effect until it is confirmed by the Board.
9. The validity of any proceeding of the Board or any of its Committee is not affected by —
- (a) any vacancy in the membership of the Board, or committee;
- (b) any defect in the appointment of a member of the Board or committee, or
- (c) reason that a person not entitled to do so took part in the proceedings of the Board or committee.
10. A member of the Board or Committee who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Board or Committee shall —
- (a) immediately disclose his interest to the Board or committee; and
- (b) not vote on any question relating to the contract or arrangement.
11. No member of the Board shall be personally liable for any act or omission done or made in good faith while engaged in the business of the Agency.

Fixing of Seal

12. The affixing of the seal of the Agency shall be authenticated by the signature of the Director-General and witnessed by the Legal Adviser of the Agency.
11. A contract or an 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 Agency by the Director-General and witnessed by the Legal Adviser of the Agency or by any other person specifically authorised by the Board to act for that purpose.

13. A document purporting to be a contract, instrument or other document duly signed or sealed on behalf of the Agency shall be received in evidence and shall, unless the contrary is proved, be presumed without further proof to have been so signed or sealed (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

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

SECOND SCHEDULE

Section 9 (1) (a) and (b) and (3)

SUPPLEMENTARY PROVISIONS RELATING TO THE CENTRES

Bioresources Development Centres

1. A Centre established under this Bill shall have a Director appointed by the Board on the recommendation of the Director-General and shall be located in —
- (a) NABDA Headquarters, Abuja, FCT;
 - (b) Odi, Bayelsa State;
 - (c) Isanlu, Kogi State;
 - (d) Katsina, Katsina State;
 - (e) Owode, Ogun State;
 - (f) Jalingo, Taraba State;
 - (g) Arochukwu, Abia State;
 - (h) Ogbomoso, Oyo State;
 - (i) Kano, Kano State; and
 - (j) such other zone as the Agency may deem necessary to establish for the efficient performance of its functions under this Bill.
2. Zonal Biotechnology Centres of Excellence shall be located within the universities across the geopolitical zones —
- (a) University of Maiduguri, Maiduguri — North-East Zone;
 - (b) University of Port Harcourt, Port Harcourt — South-South Zone.;
 - (c) University of Nigeria, Nsukka — South-East Zone;
 - (d) Ahmadu Bello University, Zaria — North-West Zone;
 - (e) University of Ibadan, Ibadan — South-West Zone;
 - (f) University of Jos, Jos — North-Central Zone; and
 - (g) any other centre of excellence which the Agency may deem necessary to establish for the efficient performance of its functions under this Bill.

Functions of the Centres

3. Each Centre is charged with the responsibility for research, development and commercialisation of its results, in —
- (a) preservation and provision of bioresources for scientific, industrial, agricultural, environmental and medical research development and applications;
 - (b) utilisation of local bioresources to perform research and development activities, including preservation of the nation's ecological biodiversity;
 - (c) promotion of technologies and databases to achieve best practices in the development of indigenous bio resources;
 - (d) application of tissue culture for plant and animal conservation, agricultural development and training people in tissue culture techniques;
 - (e) arresting rapid erosion and loss in the country's crop and animal genetic resources;
 - (f) documenting the germplasm stocks held by the center, research institutes and relevant organisations;
 - (g) establishment of repositories for developed bioresources for protection of intellectual property rights;
 - (h) provision of bio enterprises for public information and policy formulation to encourage commercial production;
 - (i) deployment of biotechnology to the grass root communities;
 - (j) training and continuous education of staff of the Centres in bioresources and bio enterprises development;
 - (k) promotion and collaboration in bioresources and bio enterprises development with private and public sectors, researchers, industry and academia; and
 - (l) such other activity as the Director of the Centre or the Agency may determine.

Power of the Centre

4. (1) Each Centre shall have power to —
- (a) prepare —
 - (i) a programme of research, development and commercialisation of results, within the field for which the Centre is responsible, for such periods, not less than three years, as the Director may, with the approval of the Director-General, determine, and
 - (ii) detailed estimates of the expenditure which shall be required for carrying out the programme;
 - (b) review and, if necessary, revise in each year, the programme approved under subparagraph (a) (i) for the following year, together with estimated budget for that year;

- (c) carry out the programme of research, development and commercialisation of results approved by the Agency; and
- (d) make suitable arrangements for the diffusion of research results in the economy by —
 - (i) establishing effective mechanisms in active collaboration with Federal and State Ministries of Agriculture and the World Bank supported agricultural development projects in the States, for extension work to farmers and industrialists,
 - (ii) establishing in-house pilot production units and plants to demonstrate the commercial viability of research results,
 - (iii) collaborating with the Federal and State Ministries of Trade and Investment in the generation of private sector industries as Centres; and
 - (iv) establishing systems for an effective media publicity of research results, but where expenditure of Funds is involved, the Centre shall obtain the approval of the Board.
- (2) Subject to the provisions of this Bill, each Centre shall be self-accounting, have power to take such decisions and to enter into such transactions, which in its opinion ought to be undertaken in the proper performance of its functions, subject to the approval of the Director-General.
- (3) Each Centre shall, in particular and without prejudice to the generality of the other powers conferred by this paragraph, have power to acquire and hold property and any interest in land, with the approval of the Director-General.

Staff of the Centres

- 5. (1) There shall be for each Centre other members of staff as appointed by the Agency.
- (2) The Director of each Centre may request from the Agency such members of staff as are deemed necessary for the proper performance of the functions of the Centre under this Bill.

Fund of the Centres

- 6. (1) Each Centre shall establish and maintain a fund from which shall be defrayed all expenditure incurred by the Centre and the signatories to the Fund shall be the Director-General and the Director of the Centre.
- (2) There shall be paid into the Fund of the Centres —
 - (a) sums as may accrue to the Centre as revenue from its operations;
 - (b) sums as may be made available to the Centre by the Agency;
 - (c) sums as may be made available through appropriation; and
 - (d) other assets as may accrue to the Centre.

- (3) The Fund of the Centre shall be managed in accordance with extant financial regulations.

Annual estimate

7. Each Centre shall submit to the Agency, not later than 31 October each year, its programme of work and estimates of income and expenditure for the succeeding year.

Annual and quarterly report

8. The Director of each Centre shall submit to the Agency an annual, quarterly operational and financial report on the activities of the Centre not later than —

- (a) two weeks after the end of the preceding quarter in case of a quarterly report; or
(b) six months after the end of each year in case of the annual report.

Power to borrow money

9. A Centre may borrow money with the approval of the Headquarters of the Agency.

Restriction on entering into contract with foreign countries

10. A Centre shall not enter into any contract or arrangement with a foreign country or body without a prior clearance and approval by the Headquarters of the Agency (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

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

Explanatory Memorandum:

This Bill establishes the National Biotechnology Development Agency for research and development, promotion, coordination and management of biotechnology in Nigeria (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

Agreed to.

Long Title:

A Bill for an Act to Establish the National Biotechnology Development Agency to Carry Out Research, Create and Develop Public Awareness in Biotechnology in Order to Encourage A Private Sector Participation in Biotechnology Industry in Nigeria; and for Related Matters (HB. 163) (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Amend National Biotechnology Development Agency to Carry out Research, Create and Develop Public awareness in Biotechnology in order to Encourage a Private Sector participation in Biotechnology Industry in Nigeria; and for Related Matters (HB. 163) and approved Clauses 1 - 36, the Schedules, the Explanatory Memorandum, and the Long Title of the Bill.

Question that the House do adopt the Report of the Committee of the Whole — Agreed to.

- (ii) *A Bill for an Act to Establish North Central Development Commission charged with Responsibility among other things to Receive and Manage Funds from Allocation of the Federation Account for the Reconstruction and Rehabilitation of Roads, Houses and Other Infrastructural damages suffered by the Region as a result of the effects of the Communal Crisis as well as tackle the Ecological Problems and any other Related Environmental or Developmental Challenges in the North Central States; and for Related Matters (HB. 23) (Committee of the Whole):*

Motion made and Question proposed, "That the House do consider the Report on a Bill for an Act to Establish North Central Development Commission charged with Responsibility among other things to Receive and Manage Funds from Allocation of the Federation Account for the Reconstruction and Rehabilitation of Roads, Houses and Other Infrastructural damages suffered by the Region as a result of the effects of the Communal Crisis as well as tackle the Ecological Problems and any other Related Environmental or Developmental Challenges in the North Central States; and for Related Matters (HB. 23)" (Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency)

Agreed to.

Question that the House do resolve into the Committee of the Whole to consider the Report — Agreed to.

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

A BILL FOR AN ACT TO ESTABLISH THE NORTH CENTRAL DEVELOPMENT COMMISSION CHARGED WITH THE RESPONSIBILITY, AMONG OTHER THINGS TO RECEIVE AND MANAGE FUND FROM ALLOCATION OF THE FEDERATION ACCOUNT FOR THE RECONSTRUCTION AND REHABILITATION OF ROADS, HOUSES AND OTHER INFRASTRUCTURAL DAMAGES SUFFERED BY THE REGION AS A RESULT OF THE EFFECT OF THE COMMUNAL CRISES AS WELL AS TACKLE THE ECOLOGICAL PROBLEMS AND ANY OTHER RELATED ENVIRONMENTAL OR DEVELOPMENTAL CHALLENGES IN THE NORTH CENTRAL STATES AND FOR RELATED MATTERS (HB. 23)

PART I — ESTABLISHMENT OF THE NORTH CENTRAL DEVELOPMENT COMMISSION AND THE GOVERNING BOARD

Clause 1: Establishment of North Central Development Commission.

- (1) There is established a Commission to be known as North Central Development Commission (in this Bill referred to as "the Commission").
- (2) The Commission shall be a body corporate with perpetual succession and a common seal and may sue or be sued in its corporate name (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 1 stands part of the Bill — Agreed to.

Clause 2: Establishment of the Governing Board.

- (1) There is established for the Commission, a body to be known as the Governing Board (in this Bill referred to as "the Board") which shall consist of —
 - (a) Chairman;

- (b) one person who shall be an indigene to represent the following member states, that is —
- (i) Benue,
 - (ii) FCT,
 - (iii) Kogi,
 - (iv) Kwara;
 - (v) Nasarawa,
 - (vi) Niger, and
 - (vii) Plateau;
- (c) three persons to represent the following Security Organisation —
- (i) the Army who shall not be below the rank of a Colonel,
 - (ii) the Police who shall not be below the rank of Superintendent of Police, and
 - (iii) the Civil Defence Corp who shall not be below the rank of Deputy Commandant;
- (d) one representative of Solid minerals extracting and Mining producing companies in the North Central States nominated by those companies;
- (e) one person to represent the Federal Ministry of Finance;
- (f) one person to represent the Federal Ministry of Environment;
- (g) the Managing Director of the Commission; and
- (h) two executive Directors;
- (2) The Chairman and other members of the Board shall —
- (a) be appointed by the President, subject to the confirmation of the Senate, in consultation with the House of Representatives; and
 - (b) be person of proven integrity and ability.
- (3) The members of the Board referred to in paragraph (1)-(2) of sub-clause (1) of this Bill shall be part-time members.
- (4) The supplementary provisions set out in the Schedule to this Bill shall have effect with respect to the proceedings of the Board and the other matters contained therein *(Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency)*.

Question that Clause 2 stands part of the Bill — Agreed to.

Clause 3: Tenure of Office.

Subject to the provisions of clause 4 of this Bill, a member of the Board, other than an *ex-officio* member, shall hold office for a term of 4 years at the first instance and may be re-appointed for a further term of 4 years and no more (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 3 stands part of the Bill — Agreed to.

Clause 4: Rotation of Office of Chairman.

The office of the Chairman shall rotate amongst the member states of the Commission in the following alphabetical order —

- (i) Benue;
- (ii) FCT;
- (iii) Kogi;
- (iv) Kwara;
- (v) Nasarawa;
- (vi) Niger; and
- (vii) Plateau (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 4 stands part of the Bill — Agreed to.

Clause 5: Resignation, cessation or removal from membership of the Board.

- (1) A member of the Board other than *ex-officio* member, may resign his or her appointment by notice in writing addressed to the President. Which resignation shall take effect only upon receipt and approval by the President.
- (2) A member of the Board may cease membership if the member —
 - (a) becomes of unsound mind, or incapable of carrying out his duties;
 - (b) becomes bankrupt, suspends payment or compounds with his creditors;
 - (c) is convicted of a felony or any offence involving dishonesty or fraud;
 - (d) is guilty of serious misconduct in relation to his duties;
 - (e) in the case of a person possessed of professional qualifications, he is disqualified or suspended, other than at his own request, from practising his profession in any part of the world by an order of a competent authority made in respect of that member; or
 - (f) resigns his appointment by a letter addressed to the President.
- (3) Where a vacancy occurs in the membership of the Board, it shall be filled by appointment of a person representing the area where the vacancy exists, to complete the remainder of the term of office of the predecessor and shall

be appointed by the President subject to the confirmation of the Senate in consultation with the House of Representatives (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 5 stands part of the Bill — Agreed to.

Clause 6: Allowances of members.

There shall be paid to every member of the Board such remuneration, allowances and expenses as the Federal Government may, from time to time direct (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 6 stands part of the Bill — Agreed to.

PART II — FUNCTIONS AND POWERS OF THE COMMISSION, ETC.

Clause 7: Functions and Powers of the Commission.

(1) The Commission shall —

- (a) formulate policies and guidelines for the development of the North Central States;
- (b) conceive, plan and implement, in accordance with the set rules and regulations, projects and programmes for the sustainable development of the North Central States in the field of transportation including roads, health, education, employment, agriculture, industrialization, housing and urban development, water supply, electricity and telecommunications;
- (c) cause the North Central States to be surveyed in order to ascertain measures which are necessary to promote its physical and socio-economic development;
- (d) prepare master plans and schemes designed to promote the physical development of the North Central States and the estimates of the costs of implementing such master plans and schemes;
- (e) implement all the measures approved for the development of the North Central States by the Federal Government and the member States of the Commission;
- (f) identify factors inhibiting the development of the North Central States and assist the member States in the formulation and implementation of policies to ensure sound and efficient management of the resources of the North Central States;
- (g) assess and report on any project being funded or carried out in the North Central States by mineral extracting and mining companies, oil and gas producing companies, and any other company including non-governmental organisations and ensure that funds released for such projects are properly utilized;
- (h) tackle ecological and environmental problems that arise from the extraction and mining of solid mineral, exploration of oil mineral in the North Central States and advise the Federal Government and the member States on the prevention and control of oil spillages, gas flaring and environmental pollution;

- (i) liaise with the various solid mineral extraction and mining companies and oil and gas prospecting and producing companies on all matters of pollution prevention and control; and
 - (j) execute such other works and perform such other functions which in the opinion of the Commission are required for the sustainable development of the North Central States and its peoples.
- (2) In exercising its functions and powers under this clause, the Commission shall have regard to the varied and specific contributions of each member State of the Commission.
- (3) The Commission shall be subject to the direction, control or supervision in the performance of its functions under this Bill by the President of the Federal Republic of Nigeria (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 7 stands part of the Bill — Agreed to.

Clause 8: Powers of the Board.

The Board shall have power to:

- (a) manage and superintend the affairs of the Commission;
- (b) make rules and regulations for carrying out the functions of the Commission;
- (c) enter and inspect premises, projects and such places as may be necessary for the purposes of carrying out its functions under this Bill;
- (d) pay the staff of the Commission such remuneration and allowances as are payable to persons of equivalent grades in the civil service of the Federation;
- (e) enter into such contracts as may be necessary or expedient for the discharge of its functions and ensure the efficient performance of the functions of the Commission;
- (f) employ either directly or on secondment from any civil or public service in the Federation or a State such number of employees as may in the opinion of the Board, be required to assist the Board in the discharge of any of its functions under this Bill;
- (g) pay to persons so employed such remuneration, including allowances, as the Board may determine; and
- (h) do such other things as are necessary and expedient for the efficient performance of the functions of the Commission (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 8 stands part of the Bill — Agreed to.

PART III — STRUCTURE OF THE COMMISSION

Clause 9: Structure of the Commission.

- (1) There shall be established in the head office of the Commission, the following Directorates:

- (a) the Directorate of Administration and Human Resources;
 - (b) the Directorate of Community and Rural Development;
 - (c) the Directorate of Utilities, Infrastructural Development and waterways;
 - (d) the Directorate of Environmental Protection and Control;
 - (e) the Directorate of Finance and Supply;
 - (f) the Directorate of Solid Minerals, Agriculture and Fisheries;
 - (g) the Directorate of Planning, Research and Statistics and Management Information System;
 - (h) the Directorate of Legal Services;
 - (i) the Directorate of Education, Health and Social Services;
 - (j) the Directorate of Commercial and Industrial Development; and
 - (k) the Directorate of Projects Monitoring and Supervision.
- (2) The Board may increase the number of Directorates as it may deem necessary and expedient to facilitate the realization of the objectives of the Commission (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 9 stands part of the Bill — Agreed to.

Clause 10: Management Committee.

There shall be for the Commission, a Management Committee which shall-

- (a) consist of a Chairman who shall be the Managing Director;
- (b) the Directors responsible for the Directorates established under Clause 9 of this Bill and such number of other members as may be determined from time to time by the Board;
- (c) be responsible to the Board and the Managing Director for the general administration of the Commission (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 10 stands part of the Bill — Agreed to.

Clause 11: Establishment of the North Central Development Advisory Committee.

- (1) There is hereby established for the Commission, A North Central Development Advisory Committee (in this Bill referred to as 'the Advisory Committee') which shall consist of —
- (a) the Governors of the member States of the Commission; and
 - (b) two persons as may be determined, from time to time, by the President of the Federal Republic of Nigeria.

- (2) The Advisory Committee shall be charged with the responsibility of advising the Board and guiding and monitoring the activities of the Commission with a view to achieving the objectives of the Commission.
- (3) The Advisory Committee may make rules regulating its own proceedings (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 11 stands part of the Bill — Agreed to.

PART IV — STAFF OF THE COMMISSION

Clause 12: Staff of the Commission.

- (1) There shall be for the Commission, a Managing Director, and two Executive Directors who shall be indigenes of the North Central States and shall rotate amongst the member States in alphabetical order and shall —
 - (a) have such qualification and experience as are appropriate for a person required to perform the functions of that office under this Bill;
 - (b) be the chief executive and accounting officer of the Commission;
 - (c) be appointed by the President of the Federal Republic of Nigeria and confirmed by the Senate in consultation with the House of Representatives; and
 - (d) hold office on such terms and conditions as to emolument, conditions of service as may be specified in his letter of appointment and subject to the provision of clause 3 of this Bill.
- (2) The Managing Director shall, subject to the general direction of the Board, be responsible:
 - (a) for the day to day administration of the Commission;
 - (b) for keeping the books and proper records of the proceedings of the Board; and
 - (c) for —
 - (i) the administration of the secretariat of the Board, and
 - (ii) the general direction and control of all other employees of the Commission.
- (3) The Board shall have power to —
 - (a) employ either directly or on secondment from any civil or public service in the Federation or a State such number of employees as may, in the opinion of the Board, be required to assist the Board in the discharge of any of its functions under this Bill; and

- (b) pay to persons so employed such remuneration (including allowances) as the Board may, after consultation with the Federal Civil Service Commission, Determine (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 12 stands part of the Bill — Agreed to.

Clause 13: Pension Reform Act, No. 2 of 2004.

- (1) Service in the Commission shall be approved service for the purposes of the Pensions Act.
- (2) The officers and other persons employed in the Commission shall be entitled to pensions, gratuities and other retirement benefits as are enjoyed by Persons holding equivalent grades in the civil service of the Federation.
- (3) Nothing in subsections (1) and (2) of this clause shall prevent the appointment of a person to any office on terms which preclude the grant of pension and gratuity in respect of that office.
- (4) For the purposes of the application of the provisions of the Pensions Act, any power exercisable there under by the Minister or other authority of the Government of the Federation, other than the power to make regulations under section 23 thereof, is hereby vested in and shall be exercisable by the Commission, and not by any other person or authority (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 13 stands part of the Bill — Agreed to.

PART V — FINANCIAL PROVISIONS

Clause 14: Fund of the Commission.

- (1) The Commission shall establish and maintain a fund from which shall be defrayed all expenditure incurred by the Commission.
- (2) There shall be paid and credited to the fund established pursuant to sub-clause (1) of this Bill —
 - (a) from the Federal Government, the equivalent of 15 per cent of the total monthly statutory allocations due to member States of the Commission from the Federation Account;
 - (b) 3 per cent of the total annual budget of any oil producing company operating, on shore and off shore, in the North Central States; including gas processing companies;
 - (c) 3 per cent of the total annual budget of any Solid mineral extracting mining company operating in the North Central States;
 - (d) 50 per cent of monies due to member States of the Commission from the Ecological Fund;
 - (e) such monies as may from time to time, be granted or lent to or deposited with the Commission by the Federal or a State Government, any other body or institution whether local or foreign;

- (f) all monies raised for the purposes of the Commission by way of gifts, loan, grants-in-aid, testamentary disposition or otherwise; and
 - (g) proceeds from all other assets that may, from time to time, accrue to the Commission.
- (3) The fund shall be managed in accordance with the rules made by the Board, and without prejudice to the generality of the power to make rules under this sub-clause, the rules shall in particular contain provisions —
- (a) specifying the manner in which the assets or the fund of the Commission are to be held, and regulating the making of payments into and out of the fund; and
 - (b) requiring the keeping of proper accounts and records for the purpose of the fund in such form as may be specified in the rules (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 14 stands part of the Bill — Agreed to.

Clause 15: Expenditure of the Commission.

The Commission shall apply the proceeds of the fund established pursuant to clause 14 of this Bill to —

- (a) the cost of administration of the Commission;
- (b) the payment of salaries, fees, remuneration, allowances, pensions and gratuities payable to the members of the Board specified in clause 6 of this Bill or any committee of the Board and the employees of the Commission;
- (c) the payment for all contracts, including mobilization, fluctuations, variations, legal fees and cost on contract administration;
- (d) the payment for all purchases; and
- (e) undertaking such other activities as are connected with all or any of the functions of the Commission under this Bill (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 15 stands part of the Bill — Agreed to.

Clause 16: Gift to the Commission.

- (1) The Commission may accept gifts of land, money or other property on such terms and conditions, if any, as may be specified by the person or organization making the gift.
- (2) The Commission shall not accept any gift if the conditions attached by the person or organization making the gift are inconsistent with the functions of the Commission under this Bill (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 16 stands part of the Bill — Agreed to.

Clause 17: Power to Borrow.

The Commission may, with the consent of the President of the Federal Republic of Nigeria, borrow, on such terms and conditions as the Commission may determine, such sums of money as the Commission may require in the exercise of its functions under this Bill (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 17 stands part of the Bill — Agreed to.

Clause 18: Annual Estimates and Expenditure.

- (1) The Board shall, not later than 30th September in each year, submit to the President of the Federal Republic of Nigeria, an estimate of the expenditure and income of the Commission during the next succeeding year.
- (2) The Board shall cause to be kept proper accounts of the Commission in respect of each year and proper records in relation thereto and shall cause the accounts to be audited not later than 6 months after the end of each year by auditors appointed from the list and in accordance with the guidelines supplied by the Auditor-General for the Federation (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 18 stands part of the Bill — Agreed to.

Clause 19: Quarterly Report.

The Commission shall, at the end of every quarter in each year, submit Quarterly Report to the President of the Federal Republic of Nigeria, a report on the activities and administration of the Commission (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 19 stands part of the Bill — Agreed to.

Clause 20: Annual Report.

- (1) The Board shall prepare and submit to the President of the Federal Republic of Nigeria, not later than 30th June in each year, a report in such form as the President of the Federal Republic of Nigeria, may direct, on the activities of the Commission during the immediately preceding year, and shall include in the report a copy of the audited accounts of the Commission for that year and the auditor's report thereon.
- (2) The President of the Federal Republic of Nigeria shall, upon receipt of the report referred to in sub-clause (1) of this clause, cause a copy of the report and the audited accounts of the Commission and the auditor's report thereon to be submitted to each House of the National Assembly (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 20 stands part of the Bill — Agreed to.

PART VI — MISCELLANEOUS

Clause 21: Monitoring Committee.

- (1) There is hereby established for the Commission a Monitoring Committee which shall consist of such number of persons as the President of the Federal Republic of Nigeria, may deem fit to appoint from the public or civil service of the Federation.
- (2) The Monitoring Committee shall —

- (a) monitor the management of the funds of the Commission and the implementation of the projects of the Commission; and
- (b) have access to the books of account and other records of the Commission at all times, and submit periodical reports to the President Federal Republic of Nigeria (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 21 stands part of the Bill — Agreed to.

Clause 22: Offices and Premises of the Commission.

- (1) For the purposes of providing offices and premises necessary for the performance of its functions under this Bill, the Commission may, subject to the Land Use Act —
 - (a) purchase or take on lease any interest in land, or other property; and
 - (b) construct offices and premises and equip and maintain same.
- (2) The Commission may, subject to the Land Use Act, sell or lease out any office or premises held by it, which office or premises is no longer required for the Performance of its functions under this Bill (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 22 stands part of the Bill — Agreed to.

Clause 23: Directives by the President.

Subject to the provisions of this Bill, the President of the Federal Republic of Nigeria, may give to the Commission directives of a general nature or relating generally to matters of policy with regard to the performance by the Commission of its functions and it shall be the duty of the Commission to comply with the directives (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 23 stands part of the Bill — Agreed to.

Clause 24: Public Officer Protection Act, Cap. P41, LFN, 2004.

- (1) Subject to the provisions of this Bill, the provisions of the Public Officers Protection Act shall apply in relation to any suit instituted against any officer or employee of the Commission.
- (2) Notwithstanding anything contained in any other law or enactment, no suit shall lie against any member of the Board, the Managing Director or any other officer or employee of the Commission for any act done in pursuance or execution of this Bill or any other law or enactment, or of any public duty or authority or in respect of any alleged neglect or default in the execution of this Bill or such law or enactment, duty or authority, shall lie or be instituted in any court unless —
 - (a) it is commenced within three months next after the act, neglect or default complained of; or
 - (b) in the case of a continuation of damage or injury, within six months next after the ceasing thereof (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 24 stands part of the Bill — Agreed to.

Clause 25: Service of Notices, Summons and other Documents.

A notice, summons or other document required or authorized to be served upon the Commission under the provisions of this Bill or any other law or enactment may be served by delivering it to the Managing Director or by sending it by registered post and addressed to the Managing Director at the principal office of the Commission (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 25 stands part of the Bill — Agreed to.

Clause 26: Restriction on execution of Judgement Debts.

- (1) In any action or suit against the Commission, no execution or attachment of process in the nature thereof shall be issued against the Commission.
- (2) Any sum of money which may by the judgment of any court be awarded against the Commission shall, subject to any direction given by the court where notice of appeal of the said judgment has been given, be paid from the general reserve fund of the Commission (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 26 stands part of the Bill — Agreed to.

Clause 27: Indemnity of Officers.

A member of the Board, the Managing Director, any other officer or employee of the Commission shall be indemnified out of the assets of the Commission against any proceeding, whether civil or criminal, in which judgment is given in his favour, or in which he is acquitted, if any such proceeding is brought against him in his capacity as a member of the Board, the Managing Director, officer or employee of the Commission (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 27 stands part of the Bill — Agreed to.

Clause 28: Regulations.

The Commission may, with the approval of the President of the Federal Republic of Nigeria, make regulations, generally for the purposes of giving full effect to this Bill (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 28 stands part of the Bill — Agreed to.

Clause 29: Interpretation.

In this Bill —

"Chairman" means the Chairman of the Board (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that the meaning of the word "Chairman" be as defined in the interpretation to this Bill — Agreed to.

"Commission" means the North Central Development Commission established by clause 1 of this Bill (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that the meaning of the word "Commission" be as defined in the interpretation to this Bill — Agreed to.

"Board" means the governing Board established for the Commission under clause 2 (1) of this Bill (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that the meaning of the word "Board" be as defined in the interpretation to this Bill — Agreed to.

"member" means a member of the Board and includes the Chairman, Managing Director and Executive Directors (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that the meaning of the word "member" be as defined in the interpretation to this Bill — Agreed to.

"member States" include Benue, FCT, Kogi, Kwara, Nasarawa, Niger, and Plateau (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that the meaning of the words "member States" be as defined in the interpretation to this Bill — Agreed to.

Question that Clause 29 stands part of the Bill — Agreed to.

Clause 30: Short Title.

This Bill may be cited as the North Central Development Commission (Establishment, etc.) Bill, 2021 (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 30 stands part of the Bill — Agreed to.

SCHEDULE

SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD, ETC.

1. (1) Subject to this Bill and section 27 of the Interpretation Act, the Board may make standing orders regulating its proceedings or those of any of its committee.
- (2) The quorum of the Board shall be the Chairman or the person presiding at the meeting, Managing Director or one Executive Director and one third other members of the Board. The quorum of any committee of the Commission shall be as determined by the Board.
2. (1) The Board 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 4 other members, he shall summon a meeting of the Board to be held within 14 days from the date on which the notice is given.
- (2) At any meeting of the Board, the Chairman shall preside but if he is absent, the members present at the meeting shall appoint one of their members to preside at the meeting.
3. (1) The Board may appoint one or more committees to carry out on behalf of the Board, such functions as the Board may determine.

- (2) A committee appointed under this paragraph shall consist of such number of persons as may be determined by the Board and a person shall hold office on the committee in accordance with the terms of his appointment.
- (3) A decision of a committee of the Board shall be of no effect until it is confirmed by the Board.

Miscellaneous

4.
 - (1) The fixing of the seal of the Commission shall be authenticated by the signatures of the Chairman or any other member of the Board generally or specifically authorized by the Board to act for the purpose and the Managing Director.
 - (2) A document purporting to be a document duly executed under the seal of the Commission shall be received in evidence and shall, unless and until the contrary is proved, be presumed to be so executed.
5. The validity of any proceedings of the Board or of a committee shall not be adversely affected by —
 - (a) a vacancy in the membership of the Board or committee;
 - (b) a defect in the appointment of a member of the Board or committee; or
 - (c) reason that a person not entitled to do so took part in the proceedings of the Board or committee (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

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

Explanatory Memorandum:

This Bill seeks to establish the North Central Development Commission charged with the responsibility among other things to receive and manage fund from allocation of the Federation Account for the reconstruction and rehabilitation of roads, houses and other infrastructural damages suffered by the region as a result of the effect of the Communal Crises as well as tackle the ecological problems and any other related environmental or developmental challenges in the North Central States (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Agreed to.

Long Title:

A Bill for an Act to Establish the North Central Development Commission Charged with the Responsibility, Among Other Things to Receive and Manage Fund From Allocation of the Federation Account for the Reconstruction and Rehabilitation of Roads, Houses and Other Infrastructural Damages Suffered by the Region as A Result of the Effect of the Communal Crises as Well as Tackle the Ecological Problems and Any Other Related Environmental or Developmental Challenges in the North Central States and for Related Matters (HB. 23) (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Establish North Central Development Commission charged with Responsibility among other things to Receive and Manage Funds from Allocation of the Federation Account for the Reconstruction and Rehabilitation of Roads, Houses and Other Infrastructural damages suffered by the Region as a result of the effects of the Communal Crisis as well as tackle the Ecological Problems and any other Related Environmental or Developmental Challenges in the North Central States; and for Related Matters (HB. 23) and approved Clauses 1 - 30, the Schedule, the Explanatory Memorandum, and the Long Title of the Bill .

Question that the House do adopt the Report of the Committee of the Whole — Agreed to.

(iii) *A Bill for an Act to Establish North-West Development Commission charged with the Responsibility, among other things, to receive and Manage Fund from Allocation of the Federation Account and International Donors for the Settlement, Rehabilitation and Reconstruction of Roads, Houses and Business Premises Destroyed by Multinational Crisis as well as Tackling Menace of Poverty, Literacy Level, Ecological Problems and any other Related Environmental or Developmental of Challenge in the North West State; and for Related Matters (HB. 710) (Committee of the Whole):*

Motion made and Question proposed, "That the House do consider the Report on a Bill for an Act to Establish North-West Development Commission charged with the Responsibility, among other things, to receive and Manage Fund from Allocation of the Federation Account and International Donors for the Settlement, Rehabilitation and Reconstruction of Roads, Houses and Business Premises Destroyed by Multinational Crisis as well as Tackling Menace of Poverty, Literacy Level, Ecological Problems and any other Related Environmental or Developmental of Challenge in the North West State; and for Related Matters (HB. 710)" (Hon. Aminu Suleiman — Fagge Federal Constituency and 78 others)

Agreed to.

Question that the House do resolve into the Committee of the Whole to consider the Report — Agreed to.

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

A BILL FOR AN ACT TO ESTABLISH NORTH -WEST DEVELOPMENT COMMISSION CHARGE WITH THE RESPONSIBILITY, AMONG OTHER THINGS, TO RECEIVE AND MANAGE FUND FROM ALLOCATION OF THE FEDERATION ACCOUNT AND INTERNATIONAL DONORS FOR THE SETTLEMENT, REHABILITATION AND RECONSTRUCTION OF ROADS, HOUSES AND BUSINESS PREMISES DESTROYED BY MULTI-DIMENSIONAL CRISIS AS WELL AS TACKLING MENACE OF POVERTY, LITERACY LEVEL, ECOLOGICAL PROBLEMS AND ANY OTHER RELATED ENVIRONMENTAL OR DEVELOPMENT CHALLENGES IN THE NORTH WEST STATES AND FOR RELATED MATTERS (HB. 710)

PART I — ESTABLISHMENT OF NORTH WEST DEVELOPMENT COMMISSION

Clause 1: Establishment of the North West Development Commission.

- (1) There is established a commission to be known as North West Development Commission (in this bill referred to as "the commission).

- (2) The commission shall be a body corporate with perpetual succession and a common seal and may sue or be sued in its corporate name (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Question that Clause 1 stands part of the Bill — Agreed to.

Clause 2: Establishment of the Commission Board.

- (1) There is established for the Commission, a body to be known as the Commission governing board (in this bill referred to as "the board").
- (2) The Board shall consist of —
- (a) Chairman;
 - (b) one person each who each shall be an indigene to represent the State listed below —
 - (i) Jigawa,
 - (ii) Kaduna,
 - (iii) Kano,
 - (iv) Katsina,
 - (v) Kebbi,
 - (vi) Sokoto,
 - (vii) Zamfara;
 - (c) three person to represent the following Security Organisations —
 - (i) the Army who shall not be below the rank of a Colonel,
 - (ii) the Police who shall not be below the rank of Superintendent of Police,
 - (iii) the Civil Defence Corp who shall not be below the rank of Deputy Commandant;
 - (d) one representative of Solid Minerals extracting and Mining producing companies in the North West States nominated by those companies;
 - (e) one person not below the rank of a Director to represent the —
 - (i) Federal Ministry of Finance,
 - (ii) Federal Ministry of Education,
 - (iii) Federal Ministry of Environment; and
 - (f) the Managing Director of the Commission.
- (3) The Chairman and other members of the Board shall —

- (a) be appointed by the President, subject to confirmation by the Senate, in consultation with the House of Representatives; and
 - (b) be person of proven integrity and ability.
- (4) The members of the Board referred to in paragraph (a) - (d) of sub- clause (2) of this Clause shall be part-time members.
- (5) The supplementary provisions set out in the Schedule to this Bill shall have effect with respect to the proceedings of the Board and the other matters contained therein (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Question that Clause 2 stands part of the Bill — Agreed to.

Clause 3: Tenure of office.

Subject to the provisions of Clause 4 of this Bill, a member of the Board, other than an *ex-officio* member, shall hold office for a term of 4 years at the first instance and may be re-appointed for a further term of 4 years and no more (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Question that Clause 3 stands part of the Bill — Agreed to.

Clause 4: Rotation of office of Chairman.

The office of the Chairman established in Clause 2 (2) shall rotate amongst the member states of the Commission in an alphabetical order (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Question that Clause 4 stands part of the Bill — Agreed to.

Clause 5: Resignation, cessation or removal from membership of the Board.

- (1) A member of the Board mentioned under Clause 2 (2) (a) and (b) may resign his appointment by notice in writing addressed to the President.
- (2) A member of the Board may cease membership if the member —
- (a) becomes of unsound mind;
 - (b) becomes bankrupt;
 - (c) is convicted of a felony or of any offence involving dishonesty; and
 - (d) is guilty of serious misconduct in relation to the office.
- (3) A member of the Board other than *ex-officio* member may resign his or her appointment by notice, in writing to the President which resignation shall take effect upon receipt and approval by the President.
- (4) Where vacancy exists in the membership of the Board, the vacancy shall be filled by appointment of a person representing the area where the vacancy exists, to complete the remainder of the term of office of the predecessor (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Question that Clause 5 stands part of the Bill — Agreed to.

Clause 6: Remunerations and Allowances.

There shall be paid to every member of the Board such remunerations, allowances and expenses as the Federal Government may, from time to time direct (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Question that Clause 6 stands part of the Bill — Agreed to.

PART II — FUNCTIONS AND POWERS OF THE COMMISSION

Clause 7: Functions and Powers of the Commission.

- (1) The Commission shall —
- (a) formulate policies and guidelines for the development of the Northern West States;
 - (b) conceive, plan and implement, in accordance with set rules and regulations, projects and programmes for the sustainable development of the North West States in the field of transportation including roads, health, education, employment, agriculture, industrialization, housing and urban development, water supply, electricity and telecommunications;
 - (c) cause the North West States to be surveyed in order to ascertain measures which are necessary to promote its physical and socio-economic development;
 - (d) prepare master plans and schemes designed to promote the physical development of the North West States and the estimates of the costs of implementing such master plans and schemes;
 - (e) implement all the measures approved for the development of the North West States by the Federal Government and the member States of the Commission;
 - (f) identify factors inhibiting the development of the North West States and assist the member States in the formulation and implementation of policies to ensure sound and efficient management of the resources of the North West States;
 - (g) assess and report on any project being funded or carried out in the North West States by Solid mineral extracting and mining companies, agricultural processing and any other company including Non - governmental organizations and ensure that funds released for such projects are properly utilised;
 - (h) tackle ecological and environmental problems that arise from the extraction and mining of solid mineral in the North West States and advise the Federal Government and the member States on the prevention and control of water and environmental pollution;
 - (i) liaise with the various Solid mineral extraction and mining companies on all matters of pollution prevention and control; and
 - (j) execute such other works and perform such other functions which in the opinion of the Commission, are required for the sustainable development of the North West States and its peoples.

- (2) In excising its functions and powers under this Clause, the Commission shall have regard to the varied and specific contributions of each member State of the Commission.
- (3) The Commission shall be subject to the direction, control or supervision in the performance of its functions under this Bill by the President the Federal Republic of Nigeria (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Question that Clause 7 stands part of the Bill — Agreed to.

Clause 8: Powers of the Commission.

The Board shall have power to —

- (a) manage and supervise affairs of the Commission;
- (b) make rules and regulations for carrying out the functions of the Commission;
- (c) enter and inspect premises, projects and such places as may be necessary for the purposes of carrying out its functions under this Bill;
- (d) pay the staff of the Commission such remuneration and allowances as appropriate;
- (e) enter into such contracts as may be necessary or expedient for the discharge of its functions and ensure the efficient performance of the functions of the Commission;
- (f) employ either directly or on secondment from any civil or public service in the Federation or a State such number of employees as may in the opinion of the Board, be required to assist the Board in the discharge of any of its functions under this Bill;
- (g) pay to persons so employed such remuneration, including allowances, as the Board may determine; and
- (h) do such other things as are necessary and expedient for the efficient performance of the functions of the Commission (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Question that Clause 8 stands part of the Bill — Agreed to.

PART III — STRUCTURE OF THE COMMISSION

Clause 9: Structure of the Commission.

- (1) There shall be established in the head office of the Commission the following Departments —
 - (a) Administration and Human Resources;
 - (b) Planning, Research, Statistics and Management Information System;
 - (c) Community and Rural Development;
 - (d) Environmental Protection and Control, Utilities Infrastructural Development;

- (e) Finance and Supply; and
 - (f) Legal Services.
- (2) There shall be following Units which shall be under relevant department:
- (a) Solid Minerals and Agriculture;
 - (b) Education, Health and Social Services;
 - (c) Commercial and Industrial Development; and
 - (d) Projects Monitoring and Supervision.
- (3) The Board may increase the number of Department and Unit as it may deem necessary and expedient to facilitate the realisation of the objectives of the Commission (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Question that Clause 9 stands part of the Bill — Agreed to.

Clause 10: Management Committee.

- (1) There shall be for the Commission a Management Committee which shall consist of —
- (a) a Managing Director; and
 - (b) the Directors responsible for the Department established under Clause 9 of this Bill and such number of other members as may be determined from time to time by the Board.
- (2) The Management Committee shall be responsible to the Board for the general administration of the Commission (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Question that Clause 10 stands part of the Bill — Agreed to.

Clause 11: Advisory Committee of the Commission.

- (1) There is established for the Commission a North West Development Advisory Committee (in this Bill referred to as "the Advisory Committee") which shall consist of —
- (a) the Governors of the member States of the Commission; and
 - (b) two other persons as may be determined, from time to time, by the President of the Federal Republic of Nigeria.
- (2) The Advisory Committee shall be charged with the responsibility of advising the Board and monitoring the activities of the Commission, with a view to achieving the objective of the Commission.
- (3) The Advisory Committee may make rules regulating its own affairs (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Question that Clause 11 stands part of the Bill — Agreed to.

PART IV — STAFF OF THE COMMISSION

Clause 12: Staff of the Commission.

- (1) There shall be for the Commission, a Managing Director who shall be indigenes of North West State and shall rotate amongst member states in alphabetical order, and who shall:
 - (a) have such qualification and experience as are appropriate for a person required to perform the functions of the offices under this Bill; and
 - (b) be the chief executive and accounting officer of the Commission;
 - (c) be appointed by the President of the Federal Republic of Nigeria and confirmed by the Senate in consultation with House of Representatives;
 - (d) hold office on such terms and conditions as to emolument, conditions of service as may be specified in his letter of appointment and subject to the provision of Clause 3 of this Bill.
- (2) The Managing Director shall, subject to the general direction of the Board, be responsible —
 - (a) for the day to day administration of the Commission;
 - (b) for keeping the books and Proper records of the proceedings of the Board, and
 - (c) for the —
 - (i) administration of the secretariat of the Board, and
 - (ii) general direction and control of all other employees of the Commission (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Question that Clause 12 stands part of the Bill — Agreed to.

Clause 13: Pension Reform Act, No. 2 of 2004.

- (1) Service in the Commission shall be approved service for the purposes of the Pensions Reform Act.
- (2) Nothing in sub- clause (1) of this Clause shall prevent the appointment of a person to any office on terms which preclude the grant of pension and gratuity in respect of that office.
- (3) For the purposes of the application of the provisions of the Pensions Act, any power exercisable there under by the Minister or other authority of the Government of the Federation, other than the power to make regulations under Clause 23 thereof is vested in and shall be exercisable by the Commission, and not by any other person or authority (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Question that Clause 13 stands part of the Bill — Agreed to.

PART V — FINANCIAL PROVISIONS

Clause 14: Funds of the Commission.

- (1) The Commission shall establish and maintain a fund from which shall be defrayed all expenditure incurred by the Commission.
- (2) There shall be paid and credited to the fund established pursuant to sub-clause (1) of this Clause —
 - (a) from the Federal Government, the equivalent of 15 percent of the total monthly statutory allocations due to member States of the Commission from the Federation Account; this being the contribution of the Federal Government to the Commission;
 - (b) 3 percent of the total annual budget of any Solid mineral extracting mining company operating in the North West States, including Agricultural processing companies;
 - (c) 50 percent of monies due to member States of the Commission from the Ecological Fund;
 - (d) such monies as may from time to time, be granted or lent to or deposited with the Commission by the Federal or a State Government, any other body or institution whether local or foreign;
 - (e) all moneys raised for the purposes of the Commission by way of gifts, loan, grants-in-aid, testamentary disposition or otherwise; and
 - (f) proceeds from all other assets that may, from time to time, accrue to the Commission;
- (3) The fund shall be managed in accordance with the rules made by the Board, and without prejudice to the generality of the power to make rules under this sub-clause, the rules shall in particular contain provisions —
 - (a) specifying the manner in which the assets or the fund of the Commission are to be held, and regulating the making of payments into and out of the fund; and
 - (b) requiring the keeping of proper accounts and records for the purpose of the fund in such form as may be specified in the rules (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Question that Clause 14 stands part of the Bill — Agreed to.

Clause 15: Application of the Commission Funds.

- (1) The Commission shall apply the proceeds of the fund established pursuant to Clause 14 of this Bill to —
 - (a) the cost of administration of the Commission;
 - (b) the payment of salaries, fees, remuneration, allowances, pensions and gratuities payable to the members of the Board specified in Clause 6 of this Bill or any committee of the Board and the employees of the Commission;

- (c) the payment for all contracts, including mobilisation, fluctuations, variations, legal fees and cost on contract administration;
 - (d) the payment for all purchases; and
 - (e) undertaking such other activities as are connected with all or any of the Functions of the Commission under this Bill.
- (2) The Commission may accept gifts of land, money, or other property on such terms and conditions, if any, as may be specified by the person or organisation making the gift.
- (3) The Commission shall not accept any gift if the conditions attached by the person or organisation making the gift are inconsistent with the functions of the Commission under this Bill.
- (4) The Commission may, with the consent of the President of the Federal Republic of Nigeria, borrow, on such terms and conditions as the Commission may determine, such sums of money as the Commission may require in the exercise of its functions under this Bill (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Question that Clause 15 stands part of the Bill — Agreed to.

Clause 16: Annual Estimate and Expenditure.

- (1) The Board shall, not later than 30th September in each year, submit to the National Assembly through the President of the Federal Republic of Nigeria an estimate of the expenditure and income of the Commission during the next succeeding year for approval.
- (2) The Board shall cause to be kept proper accounts of the Commission in respect of each year and proper records in relation thereto and shall cause the accounts to be audited not later than 6 months after the end of each year by auditors appointed from the list and in accordance with the guidelines supplied by the Auditor-General for the Federation (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Question that Clause 16 stands part of the Bill — Agreed to.

Clause 17: Submission of Report.

- (1) The Commission shall, at the end of every quarter in each year, submit to the President of the Federal Republic of Nigeria report on the activities and administration of the Commission.
- (2) The Board shall prepare and submit to the President of the Federal Republic of Nigeria, not later than 30th June in each year, a report in such form as the President of the Federal Republic of Nigeria may direct on the activities of the Commission during the immediately preceding year, and shall include in the report a copy of the audited accounts of the Commission for that year and the auditor's report thereon.
- (3) The President of the Federal Republic of Nigeria shall, upon receipt of the report referred to in sub-clause (1) of this Clause, cause a copy of the report and the audited accounts of the Commission and the auditor's report thereon to be submitted to each House of the National Assembly (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Question that Clause 17 stands part of the Bill — Agreed to.

PART VI — MISCELLANEOUS

Clause 18: Monitoring Committee.

- (1) There is established for the Commission a Monitoring Committee which shall consist of such number of persons as the President of Federal Republic of Nigeria may deem fit to appoint from the public or Civil Service of the Federation.
- (2) The Monitoring Committee shall —
 - (a) monitor the management of the funds of the Commission and the implementation of the projects of the Commission; and
 - (b) have access to the books of account and other records of the Commission at all times, and submit periodical reports to the President of the Federal Republic of Nigeria (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Question that Clause 18 stands part of the Bill — Agreed to.

Clause 19: Offices and premises of the Commission.

- (1) For the purposes of providing offices and premises necessary for the performance of its functions under this Bill, the Commission may, subject to the Land Use Act —
 - (a) purchase or take on lease any interest in land, or other property; and
 - (b) construct offices and premises and equip and maintain same.
- (2) The Commission may, subject to the Land Use Act, sell or lease out any office or premises held by it, which office or premises is no longer required for the performance of its functions under this Bill (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Question that Clause 19 stands part of the Bill — Agreed to.

Clause 20: President Directives.

Subject to the provisions of this Bill, the President of the Federal Republic of Nigeria, may give to the Commission directives of a general nature or relating generally to matters of Policy with regard to the performance by the Commission of its functions and it shall be the duty of the Commission to comply with the directives (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Question that Clause 20 stands part of the Bill — Agreed to.

Clause 21: Public Officer Protection Act, Cap. P4, LFN, 2004.

- (1) Subject to the provisions of this Bill, the provisions of the Public Officers Protection Act shall apply in relation to any suit instituted against any officer or employee of the Commission.
- (2) Notwithstanding anything contained in any other law or enactment, no suit shall lie against any member of the Board, the Managing Director or any other officer or employee of the Commission for any act done in pursuance or execution of this Bill or any other law or enactment, or of any public duty

or authority or in respect of any alleged neglect or default in the execution of this Bill or such law or enactment, duty or authority, shall lie or be instituted in any court unless —

- (a) it is commenced within three months next after the act, neglect or default complained of; or
- (b) in the case of a continuation of damage or injury, within six months next after the ceasing thereof (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Question that Clause 21 stands part of the Bill — Agreed to.

Clause 22: Services of Notice, Summons and other Documents.

A notice, summons or other document required or authorised to be served upon the Commission under the provisions of this Bill or any other law or enactment may be served by delivering it to the Managing Director or by sending it by registered post and addressed to the Managing Director at the principal office of the Commission (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Question that Clause 22 stands part of the Bill — Agreed to.

Clause 23: Payment of Judgment debts.

- (1) In any action or suit against the Commission, no execution or attachment of process in the nature thereof shall be issued against the Commission.
- (2) Any sum of money which may by the judgment of any court be awarded against the Commission shall, subject to any direction given by court where notice of appeal of the said judgment has been given, be paid from the general reserve fund of the Commission (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Question that Clause 23 stands part of the Bill — Agreed to.

Clause 24: Indemnity of staff.

A member of the Board, the Managing Director, any officer or employee of the Commission shall be indemnified out of the assets of the Commission against any proceeding, whether civil or criminal, in which judgment is given in his favour or in which he is acquitted, if any such proceeding is brought against him in his capacity as a member of the Board, the Managing Director, officer or employee of the Commission (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Question that Clause 24 stands part of the Bill — Agreed to.

Clause 25: Regulations.

The Commission may, with the approval of the President of the Federal Republic of Nigeria, make regulations, generally for the purposes of giving full effect to this Bill (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Question that Clause 25 stands part of the Bill — Agreed to.

Clause 26: Interpretation.

In this Bill —

"Chairman" means the Chairman of the Board (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Question that the meaning of the word "Chairman" be as defined in the Interpretation to this Bill — Agreed to.

"Commission" means the North West Development Commission established by Clause 1 of this Bill (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Question that the meaning of the word "Commission" be as defined in the interpretation to this Bill — Agreed to.

"Board" means the governing Board established for the Commission under Clause 2 (1) of this Bill (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Question that the meaning of the word "Board" be as defined in the interpretation to this Bill — Agreed to.

"Management Committee" includes the Chairman, Managing Director, Executive Directors and Directors (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Question that the meaning of the words "Management Committee" be as defined in the interpretation to this Bill — Agreed to.

"Member States" include Jigawa, Kaduna, Kano, Katsina, Kebbi, Sokoto and Zamfara (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Question that the meaning of the words "Member States" be as defined in the interpretation to this Bill — Agreed to.

Question that Clause 26 stands part of the Bill — Agreed to.

Clause 27: Citation.

This Bill may be cited as the North West Development Commission (Establishment) Bill, 2021 (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Question that Clause 27 stands part of the Bill — Agreed to.

SCHEDULE

SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD, ETC.

1. (1) Subject to the provisions of this Bill and section 27 of the Interpretation Act, the Board may make standing orders regulating its proceedings or those of any of its committees.
- (2) The quorum of the Board shall be the Chairman or the person presiding at the meeting, Managing Director or one Executive Director and one third of other members of the Board. The quorum of any Committee of the Commission shall be as determined by the Board.
2. (1) The Board 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 4 other members, he shall summon a meeting of the Board to be held within 14 days from the date on which the notice is given.
- (2) At any meeting of the Board the Chairman shall preside but if he is absent, the members present at the meeting shall appoint one of their member to preside at the meeting.

3. (1) The Board may appoint one or more committees to carry out, on behalf of the Board such functions as the Board may determine.
- (2) A committee appointed under this paragraph shall consist of such number of persons as may be determined by the Board and a person shall hold office on the committee in accordance with the terms of his appointment.
- (3) A decision of a committee of the Board shall be of no effect until it is confirmed by the Board.
4. (1) The fixing of the seal of the Commission shall be authenticated by the signatures of the Chairman or any other member of the Board generally or specifically authorized by the Board to act for that purpose and the Managing Director.
- (2) A document purporting to be a document duly executed under the seal of the Commission shall be received in evidence and shall, unless and until the contrary is proved be presumed to be so executed.
5. The validity of any proceedings of the Board or of a committee shall not be adversely affected by —
 - (a) a vacancy in the membership of the Board or committee;
 - (b) a defect in the appointment of a member of the Board or committee; or
 - (c) reason that a person not entitled to do so took part in the proceedings of the Board or committee (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

Explanatory Memorandum:

This Bill seeks to establish North West Development Commission charged with the responsibility among other things to receive and manage fund from allocation of the Federation Account and International Donors for the settlement, rehabilitation and reconstruction of roads, houses and business premises destroyed by multi-dimensional crisis as well as tackling menace of poverty, literacy level, ecological problems and any other related environmental or developmental challenges in the North West States (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Agreed to.

Long Title:

A Bill for an Act to Establish North -West Development Commission Charge with the Responsibility, among other things, to Receive and Manage Fund from Allocation of the Federation Account and International Donors for the Settlement, Rehabilitation and Reconstruction of Roads, Houses and Business Premises Destroyed by Multi-Dimensional Crisis as well as Tackling Menace of Poverty, Literacy Level, Ecological Problems and Any Other Related Environmental or Development Challenges in the North West States and for Related Matters (HB. 710) (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Establish North-West Development Commission charged with the Responsibility, among other things, to receive and Manage Fund from Allocation of the Federation Account and International Donors for the Settlement, Rehabilitation and Reconstruction of Roads, Houses and Business Premises Destroyed by Multinational Crisis as well as Tackling Menace of Poverty, Literacy Level, Ecological Problems and any other Related Environmental or Developmental of Challenge in the North West State; and for Related Matters (HB. 710) and approved Clauses 1 - 27, the Schedule, the Explanatory Memorandum, and the Long Title of the Bill.

Question that the House do adopt the Report of the Committee of the Whole — Agreed to.

(iv) Committee on Legislative Library, Research and Documentation:

Motion made and Question proposed. "That the House do consider the Report of the Committee on Legislative Library, Research and Documentation on a Bill for an Act to Establish National Assembly Library Trust Fund for the Purpose of Research, Provision of Library Equipment and Related Facilities, Enhance the Research of Legislators and Staff of the National Assembly; and for Related Matters (HB.987)" (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*)

Agreed to.

Question that the House do resolve into the Committee of the Whole to consider the Report — Agreed to.

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

A BILL FOR AN ACT TO ESTABLISH THE NATIONAL ASSEMBLY LIBRARY TRUST FUND FOR THE PURPOSE OF RESEARCH, PROVISION OF LIBRARY EQUIPMENT, AND RELATED FACILITIES, ENHANCE THE RESEARCH OF LEGISLATORS AND STAFF OF THE NATIONAL ASSEMBLY; AND FOR RELATED MATTERS (HB. 987)

PART I — OBJECTIVE, SCOPE AND DURATION

Committee's Recommendation:

Clause 1: Objectives.

The objective of this Bill is to provide a legal framework for the management and control of the special intervention fund established under section 3 of this Bill for research and retraining of legislators and staff of the National Assembly and for the provision of state of the art library, that is well stocked with relevant resources, fully functioning equipment and other related facilities for the enhancement of the research skills of the legislature in the handling of the process of law making and the functions of the National Assembly Library (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

Question that Clause 1 stands part of the Bill — Agreed to.

PART II — ESTABLISHMENT AND MANAGEMENT OF THE
NATIONAL ASSEMBLY LIBRARY TRUST FUND

Committee's Recommendation:

Clause 2: Establishment of the National Assembly Trust Fund.

- (1) There is established the National Assembly Library Trust Fund (in this Bill referred to as "the Trust Fund").
- (2) The Trust Fund:
 - (a) is a body corporate with perpetual succession and a common seal; and
 - (b) may sue and be sued in its corporate name (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

Question that Clause 2 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 3: Sources of the Trust Fund.

- (1) The Trust Fund shall consist of:
 - (a) any take-off grant and special intervention fund as may be provided by the Federal Government;
 - (b) such money as may be appropriated to meet the objective of this Bill by the National Assembly in the budget;
 - (c) aids, grants and assistance from international bilateral and multilateral agencies, non-governmental organisations and the private sector;
 - (d) grants, donations, endowments, bequests and gifts, whether of money, information, resources, land or any other property from any source;
 - (e) money derived from investment made by the Trust Fund.
- (2) Subsection (1) (d) and (e) shall be acceptable to the Trust Fund except where the terms and conditions attached to an aid, grant, donation or gift are inconsistent with the objective of the Trust Fund and the provisions of this Bill (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

Question that Clause 3 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 4: Purposes of the Trust Fund.

The Trust Fund shall be utilized:

- (a) for procurement of library equipment for the purposes of training and re-training needs of the legislators and staff of the National Assembly;
- (b) for the enhancement of the research skills of the legislators and staff of the National Assembly; for improved proficiency in law making;

- (c) for the overall improvement, performance and efficiency in the discharge of the duties and responsibilities of the National Assembly Library;
- (d) to finance the procurement information resources (print and electronic books, periodicals, pamphlets, newspapers, maps, musical scores, films and recordings), instructional materials, training equipment and all forms of infrastructure, including buildings for use of National Assembly Library; and
- (e) to supplement all budgetary appropriation with projects as regards to the Library and not limited the construction of the library complex (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

Question that Clause 4 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 5: Functions of the Trust Fund.

- (1) The Trust Fund shall:
 - (a) receive all money accruing to it under this Bill;
 - (b) utilise all money accruing to the Trust Fund under this Bill to meet the stated objective of this Bill; and
 - (c) carry out such other activities considered necessary for the attainment of the objective of this Bill.

Establishment and composition of National Assembly Library Trust Fund Board of Trustee.

- (2) A member of the Board of Trustees, other than an *ex-officio* member, shall hold office for the duration of a National Assembly Session. (four years) each term end with the session.
- (3) Members of the Board of Trustees shall be paid such allowances as may be determined by the Board of Trustee in consultation with the National Revenue, Mobilisation, Allocation and Fiscal Commission (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

Question that Clause 5 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 6: Establishment of the Trust Fund Board of Trustee.

- (1) There is established the National Assembly Library Trust Fund Board of Trustees (in this Bill referred to as "the Board of Trustees")
- (2) The Board of Trustees shall consist of:
 - (a)
 - (i) the President of the Senate;
 - (ii) the Speaker of the House of Representatives;
 - (iii) immediate past President of the Senate;
 - (iv) immediate past Speaker of the House of Representatives;
 - (b)
 - (i) the Chairmen of the Joint Committees Chairmen Legislative Library Research and Documentation;

- (ii) the Deputy Chairmen of the Joint Committees of Legislative Library Research and Documentation;
- (iii) immediate past Chairmen of the Joint Committees of Legislative Library Research and Documentation;
- (iv) the Director of National Assembly Library Services/Chief Librarian;
- (v) a representative from:
 - (i) International Development Partners,
 - (ii) National Institute for Legislative and Democratic Studies,
 - (iii) the Organised Private Sector;

(d) a representative of the Central Bank of Nigeria;

(e) a person nominated by the President of the Senate;

(ii) a person nominated by the Speaker of the House of Representatives; the Executive Secretary, appointed by the Board to serve as Secretary.

(3) A member of the Board of Trustees, other than an *ex-officio* member:

(a) shall hold office for four years in the first instance; and

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

(4) In the event where there is no Board, the Joint Committee on Legislative Library, Research and Documentation of the National Assembly shall perform the functions of the board, till a substantive board is inaugurated (Hon. Gata Jonathan Gbafw — Karu/Keffi/Kokona Federal Constituency).

Question that Clause 6 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 7: Resignation by a Member.

A member, other than *ex-officio* member, may resign his/her appointment by notice in writing and addressed to the Presiding Officers of the National Assembly (Hon. Gata Jonathan Gbafw — Karu/Keffi/Kokona Federal Constituency).

Question that Clause 7 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 8: Cessation of office.

(1) A member of the Board of Trustees ceases to hold office if he/she:

(a) becomes of unsound mind;

(b) becomes bankrupt or makes compromises with his/her creditors;

- (c) is convicted of a felony or any offence; or
 - (d) is guilty of corrupt practices or misconduct in relation to his/her duties.
- (2) A member of the Board of Trustees may be removed from office by the Joint body of the Presiding Officers if they are satisfied that it is not in the interest of the Trust Fund or Public that the member should continue in that office.
 - (3) A member of the Board of Trustees, other than ex-officio members, may resign his/her appointment by a notice in writing and addressed to the Joint body of Presiding Officers.
 - (4) Where a vacancy occurs in the membership of the Board of Trustees, it shall be filled by the appointment of a successor to hold office for the remainder of the term of office of his/her predecessor and the successor shall:
 - (a) represent the same interest; and
 - (b) be appointed by the Joint body of Presiding Officers.

Schedule.

- (5) The provisions of the Schedule to this Bill shall have effect with respect to the meetings and proceedings of the Board of Trustees and other related matters (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

Question that Clause 8 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 9: Removal from office of a member.

Notwithstanding the provisions of sections 7 and 8 of this Bill, the President of the Senate in consultation with the Speaker, House of Representatives may remove a member from the Board of Trustees if any circumstance which borders on corruption and other activities that negates the interest and security of the nation would require the removal of the member from the Board of Trustee (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

Question that Clause 9 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 10: Functions of the Board of Trustees.

The Board of Trustees is responsible for:

- (a) setting out the policies and programmes for the research training and re-training of legislators and staff of the National Assembly;
- (b) approving the disbursement of money from the Trust Fund to finance projects or activities of the National Assembly Library.
- (c) scrutinizing and approving projects which qualify for financing under the Act;
- (d) exercising control over the management of the Trust Fund with a view to ensuring accountability and proper utilisation of money in the Trust Fund for the purposes set out in this Bill;

- (e) carrying out such other activities as are considered necessary for the attainment of the objective of this Bill;
- (f) updating the Leadership of the National Assembly and the oversighting committee on its activities and progress through annual and audited reports;
- (g) reviewing progress and suggesting improvement within the provisions of this Bill;
- (h) making and issuing guidelines, to all Legislators and staff of the National Assembly on disbursement from the Trust Fund on the use of money received from the Trust Fund; and
- (i) generally regulating the administration, application and disbursement of money from the Trust Fund under this Bill (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

Question that Clause 10 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 11: Powers of the Board of Trustees.

- (1) The Board of Trustees has powers to:
 - (a) award contracts of any kind or description for any amount, whether in local or foreign currency in conformity with the due process requirements as provided under any law, rule, guideline or regulation; and
 - (b) invest money accruing to the Trust Fund and approve the utilisation of the returns on investment in the same way as money accruing to the Trust Fund.
- (2) In the discharge of its duty under this Bill, the Board of Trustees shall:
 - (a) through the National Assembly Directorate of Library and Research, identify the funding needs of the National Assembly Library for the enhancement of the performance of the legislature;
 - (b) enter into contractual arrangements for the purpose of executing approved projects on behalf of the Trust Fund;
 - (c) oversee the implementation of projects of the National Assembly Library financed through money accruing to the Trust Fund;
 - (d) enter into public-private partnership and private finance initiative arrangements and agreements necessary for the National Assembly Library projects execution;
 - (e) each member of board of trustees should be entitled to one vote on the board, simple majority of all board of Trustee members shall be necessary for a decision; and
 - (f) in case of equality of votes, the chairman or any other member performing the functions of the chairman shall have a second or deciding vote (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

Question that Clause 11 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 12: Establishment of National Assembly Library Trust Fund Project Implementation Committee.

(1) For the purpose of implementing any project approved by the Board of Trustees under this Bill, there is established the National Assembly Library Trust Fund Project Implementation Committee (in this Bill referred to as "the Implementation Committee").

(2) The Implementation Committee shall consist of:

- (a) the Speaker, House of Representatives as Chairman;
- (b) Joint Chairmen of the Committees on Legislative Library Research and Documentation;
- (c) such other members, not exceeding four in number with proven integrity, appointed by the Board of Trustees.

(3) The Implementation Committee is responsible to the Board of Trustees in the execution of the duties and responsibilities assigned to it by the Board of Trustees (Hon. Gazi Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency).

Question that Clause 12 stands part of the Bill — Agreed to.

PART III — EXECUTIVE SECRETARY AND STAFF OF THE TRUST FUND

Committee's Recommendation:

Clause 13: Appointment of the Executive Secretary and other Staff of the Trust Fund.

(1) The President of the Senate shall, in agreement with the Speaker of the House of Representatives, appoint the Executive Secretary for the Trust Fund who shall be referred to as the Executive Secretary.

(2) The Executive Secretary shall:

- (a) be a person of unquestionable character and integrity; and
- (b) have qualifications and experience as are appropriate for a person required to perform the functions of that office under this Bill; and

(3) The Executive Secretary shall hold office:

- (a) for a single term of five years; the term shall not exceed a year (1 year) of the subsequent Assembly in which he/she was appointed and
- (b) on such other terms and conditions as may be specified in his/her letter of appointment (Hon. Gazi Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency).

Question that Clause 13 stands part of the Bill — Agreed to.

Committee's Recommendation:**Clause 14: Functions of the Executive Secretary.**

The Executive Secretary:

- (a) is to be the Chief Executive and Accounting Officer of the Trust Fund
- (b) is to be responsible for the administration of the Trust Fund;
- (c) is to be the Secretary to the Board of Trustees;
- (d) shall keep proper records of the proceedings of the Board of Trustees;
- (e) shall work closely with the Implementation Committee in discharging such duties and responsibilities as may be assigned to him by the Board of Trustees
- (f) is in charge of the general direction and control of all other employees of the Trust Fund;
- (g) discharge such other duties as may be directed by the Board of Trustees: and
- (h) shall produce and implement the strategic plan as approved by the board
(*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

Question that Clause 14 stands part of the Bill — Agreed to.

Committee's Recommendation:**Clause 15: Removal of the Executive Secretary.**

- (1) The Executive Secretary may be removed from office by a resolution of the National Assembly where any circumstances arise which in the opinion of the leadership of the National Assembly makes the Executive Secretary no longer capable of discharging the duties and responsibilities of his/her office.
- (2) A person appointed as the Executive Secretary to replace the former Executive Secretary shall serve the unexpired term of his/her predecessor in office or the remainder of the term of the Trust Fund, whichever is shorter
(*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

Question that Clause 15 stands part of the Bill — Agreed to.

Committee's Recommendation:**Clause 16: Staff of the Board of Trustees.**

- (1) The Board of Trustees may appoint such other staff as may, in the opinion of the Board of Trustees, be necessary to assist the Executive Secretary in performing his/her functions under this Bill.
- (2) The Director Library Services will be the Chief Librarian of the National Assembly Library.
- (3) The Board will appoint Five (5) Directors:
 - (i) Director of Resource Mobilisation and Investment;
 - (ii) Director of Finance and Administration;
 - (iii) Director of Partnerships, Programmes and Projects;

- (iv) Director of Training and Capacity Building;
 - (v) Director of Intragovernmental Affairs.
- (4) The Staffing Structure of the National Assembly Library Trust Fund are as follows, seven (7) members of Staff:
- (i) Personal Assistant/Secretary to the Executive Secretary of the National Assembly Library;
 - (ii) Project officer 1;
 - (iii) Project Officer 2;
 - (iv) Research Officer 1;
 - (v) Research Officer 2;
 - (vi) Finance and Administrative Officer;
 - (vii) Office Assistant.
- (5) The terms and conditions of services (including terms and conditions as to the remuneration, payment of allowances and other benefits) of person employed by the Board of the Trust Fund shall be in line with the general condition of services as obtainable in the National Assembly Service.
- (6) The Board of Trustees may appoint, either on transfer or secondment from any National Assembly Service, such number of employees required for the effective discharge of the duties of Trust Fund under this Bill (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

Question that Clause 16 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 17: Severance allowance.

Service in the Trust Fund shall be for the duration of the Trust Fund and in respect of their services, employees are entitled to other retirement benefits and severance allowances as may be approved by the Board of Trustees (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

Question that Clause 17 stands part of the Bill — Agreed to.

PART IV — FINANCIAL PROVISIONS

Committee's Recommendation:

Clause 18: Fund of the Trust Fund.

- (1) There is established under this Bill a general fund (in this Bill referred to as "the Fund of the Trust Fund. Fund") for the administration of the Trust Fund.
- (2) The Fund shall consist of:
 - (a) annual budgetary allocation appropriated by the National Assembly for the management of the Trust Fund;

- (b) take-off grants and such other money as may be made available to the Trust Fund to meet the cost of administration of the National Assembly Library; and
- (c) all other money which may be made available for the running of the Trust Fund (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

Question that Clause 18 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 19: Accounts of the Trust Fund.

- (1) There shall be maintained for the Trust Fund, an account into which shall be paid all money accruing to the Trust Fund under section 4 of this Bill.
- (2) The Board of Trustees shall also open and maintain an account with the Central Bank of Nigeria (CBN) for the Trust Fund into which shall be paid money received for management of the Trust Fund under section 3 of this Bill.
- (3) The accounts referred to in subsections (1) and (2) shall be managed in accordance with the extant financial regulations.
- (4) The Board of Trustees shall apply the proceeds of:
 - (a) the Trust Fund for the purposes set out in section 4 of the Act; and
 - (b) the money referred to in subsection (2) to meet the cost of administration, including payment of salaries, fees, other remunerations and allowances payable:
 - (i) to members of the Board of Trustees and employees of the Trust Fund, and
 - (ii) for payment of experts, professionals and consultants engaged by the Board of Trustees for Trust Fund (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

Question that Clause 19 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 20: Estimates of Expenditure.

The Board of Trustees shall, not later than 30th June of every year, submit to the leadership of the National Assembly and the overseeing committee an estimate of its income and expenditure of the succeeding year (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

Question that Clause 20 stands part of the Bill — Agreed to.

Committee's Recommendation:**Clause 21: Account and audit.**

The Board of Trustees shall cause to be kept for the Trust Fund proper accounts and Account and audit records and when certified by the Board of Trustees, these accounts shall be audited by auditors appointed from the list supplied by the Auditor-General of the Federation and in accordance with the guidelines supplied by the Auditor-General of the Federation (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

Question that Clause 21 stands part of the Bill — Agreed to.

Committee's Recommendation:**Clause 22: Exemption from tax.**

(1) The Trust Fund is exempted from the payment of income tax on any income Exemption from tax accruing from investments made by the Trust Fund or otherwise.

(2) The provisions of any enactment relating to the taxation of companies or trust funds do not apply to the Trust Fund (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

Question that Clause 22 stands part of the Bill — Agreed to.

PART V — SUBMISSION OF REPORTS AND SUPPLEMENTARY PROVISIONS

Committee's Recommendation:**Clause 23: Bi-yearly report.**

The Board of Trustees shall, at the end of every six months, submit to the Leadership of the National Assembly and the over sighting committee, a report on its activities and the administration of the Trust Fund (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

Question that Clause 23 stands part of the Bill — Agreed to.

Committee's Recommendation:**Clause 24: Annual report.**

The Board of Trustees shall, not later than six months before end of each year, submit to the President of the Senate, the Speaker of the House of Representatives and the Joint Chairmen of the over sighting committee a report on the activities and the administration of the Trust Fund during the preceding year and shall include in such reports the auditor's report (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

Question that Clause 24 stands part of the Bill — Agreed to.

Committee's Recommendation:**Clause 25: Power of the President to issue directives.**

The President of the Senate in consultation with the Speaker, House of Representatives may give to the Board of Trustees directives of a general nature with regard to the performance by the Board of Trustees of its functions under this Bill for compliance by the Board of Trustees (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

Question that Clause 25 stands part of the Bill — Agreed to.

*Committee's Recommendation:***Clause 26: Regulations.**

The Board of Trustees may, with the prior approval of the Leadership, make such regulations deemed necessary or expedient for giving full effect to the provisions of this Bill (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

Question that Clause 26 stands part of the Bill — Agreed to.

*Committee's Recommendation:***Clause 27: Interpretation.**

In this Bill:

"Board" means the National Assembly Library Trust Fund Management Board of Trustees, established under section 6 of this Bill (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

Question that the meaning of the word "Board" be as defined in the interpretation to this Bill — Agreed to.

"due process" means compliance with extant financial rules and regulations on public procurement of goods, works and services (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

Question that the meaning of the words "due process" be as defined in the interpretation to this Bill — Agreed to.

"Executive Secretary" means the Executive Secretary of the Trust Fund appointed under section 13 (1) of this Bill (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

Question that the meaning of the words "Executive Secretary" be as defined in the interpretation to this Bill — Agreed to.

"Leadership" means the leadership of the National Assembly (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

Question that the meaning of the word "Leadership" be as defined in the interpretation to this Bill — Agreed to.

"Staff" means officers of the National Assembly Library; (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

Question that the meaning of the word "Staff" be as defined in the interpretation to this Bill — Agreed to.

"Trust Fund" means the National Assembly Library Trust Fund established under section 3 (1) of this Bill (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

Question that the meaning of the words "Trust Fund" be as defined in the interpretation to this Bill — Agreed to.

"Investments" means tangible and intangible property that can be bought or money put to use to get financial interest locally or internationally, established under section 3 (1) of this Bill (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

Question that the meaning of the word "Investments" be as defined in the interpretation to this Bill — Agreed to.

Question that Clause 27 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 28: Citation.

This Bill may be cited as the National Assembly Library Trust Fund (Establishment) Bill, 2021 (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

Question that Clause 28 stands part of the Bill — Agreed to.

SCHEDULE

Section 9 (5)

SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD PROCEEDINGS

1. Subject to the provisions of this Bill and section 27 of the Interpretation Act, the Board of Trustees may make standing orders regulating its proceedings or those of its committee.
2. The quorum of the Board of Trustees shall be the Chairman and 10 other members, three of whom shall be from the private sector, and the Board of Trustees shall determine the quorum of any committee.
3. The Board of Trustees shall meet at least four times in each year, and the Board of Trustees shall meet whenever it is summoned by the Chairman, or if the Chairman is required to do so by notice given to him by at least 10 members of the Board of Trustees, he shall summon a meeting of the Board of Trustees to be held within 14 days from the date on which the notice was given.
4. At any meeting of the Board of Trustees, the Chairman shall preside but, in his absence, the members present at the meeting shall appoint one of them to preside at the meeting.
5. Where the Board of Trustees desires to obtain the advice of any person on a particular matter, the Board of Trustees may co-opt the person to the Board of Trustees for such period as it deem fit, but a person who is in attendance by virtue of this subparagraph is not entitled to vote at any meeting of the Board of Trustees and does not count towards a quorum.
6. All members of the Board of Trustees shall have equal rights and privileges, and where there is equality in vote, the Chairman shall have a casting vote.

Committees

7. The Board of Trustees may set up such number of committees to perform, on behalf of the Board of Trustees such of its functions as the Board of Trustees may determine.
8. A committee set up under paragraph 7 shall consist of such number of persons (not necessarily members of the Board of Trustees) as may be determined by the Board of Trustees, and the person, other than a member of the Board of Trustees, shall hold office on the committee in accordance with the terms of his appointment.
9. A decision of a committee of the Board of Trustees is of no effect until it is confirmed or ratified by the Board of Trustees.

Miscellaneous

10. The fixing of the seal of the Trust Fund shall be authenticated by the signature of the Chairman or of any other person authorised generally or specially to act for that purpose by the Board of Trustees.
11. Any contract or instrument made or executed by a person not being a body corporate, that would not be required to be under seal may be made or executed on behalf of the Board of Trustees by the Chairman or any person generally or specifically authorised to act for that purpose by the Board of Trustees.
12. Any document purporting to be a document duly executed under the seal of the Trust Fund shall be received in evidence and is, unless the contrary is proved, presumed to be so executed.
13. The validity of any proceeding of the Board of Trustees or committee is not adversely affected by:
 - (a) any vacancy in the membership of the Board of Trustees or committee;
 - (b) any defect in the appointment of a member of the Board of Trustees or of a committee; or
 - (c) reason that a person not entitled to do so took part in the proceedings of the Board of Trustees or committee (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

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

Explanatory Memorandum:

This Bill seeks to establish the National Assembly Library Trust Fund for the purpose of research, provision of library equipment, and related facilities, enhance the research capacity of Legislators and Staff of the National Assembly Library (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

Agreed to.

Long Title:

A Bill for an Act to Establish the National Assembly Library Trust Fund for the Purpose of Research, Provision of Library Equipment, and Related Facilities, Enhance the Research of Legislators and Staff of the National Assembly; and for Related Matters (HB. 987) (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committee on Legislative Library, Research and Documentation on a Bill for an Act to Establish National Assembly Library Trust Fund for the Purpose of Research, Provision of Library Equipment and Related Facilities, Enhance the Research of Legislators and Staff of the National Assembly; and for Related Matters (HB.987) and approved Clauses 1 - 28, the Schedule, the Explanatory Memorandum, and the Long Title of the Bill.

Question that the House do adopt the Report of the Committee of the Whole — Agreed to.

(v) **Committee on Tertiary Education and Services:**

Motion made and Question proposed. "That the House do consider the Report of the Committee on Tertiary Education and Services on a Bill for an Act to Provide for Establishment of Federal University of Education, Pankshin, Plateau State for the Promotion and Development of Teacher Education in Nigeria; and for Related Matters (HB. 686)" *Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency*

Agreed to.

Question that the House do resolve into the Committee of the Whole to consider the Report — Agreed to.

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

A BILL FOR AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE
FEDERAL UNIVERSITY OF EDUCATION, PANKSHIN, PLATEAU STATE FOR
THE PROMOTION AND DEVELOPMENT OF TEACHER EDUCATION
IN NIGERIA; AND FOR RELATED MATTERS (HB. 686)

PART I — ESTABLISHMENT, COMPOSITION AND FUNCTIONS
OF THE FEDERAL UNIVERSITY OF EDUCATION,
PANKSHIN, PLATEAU STATE

Committee's Recommendation:

Clause 2: Establishment and objectives of Federal University of Education Pankshin, Plateau State.

- (1) Federal College of Education, Pankshin is upgraded and established as the Federal University of Education Pankshin, Plateau State (in this Bill referred to as "the University").
- (2) The University:
 - (a) is a body corporate with perpetual succession, and a common seal; and
 - (b) may sue or be sued in its corporate name.
- (3) The University is a training institution for the development of teacher education in the country.
- (4) The University shall be supervised by the Federal Ministry of Education through the National Universities Commission (NUC) who is responsible for approving and regulating all academic programmes run in the University, to ensure quality compliance and provide funds for academic and research programmes, infrastructures and remunerations of employees.
- (5) The objectives of the University are to:
 - (a) encourage the advancement of learning and to hold out to all persons without distinction of race, creed, sex or political conviction;

- (b) develop and offer academic and professional programmes leading to the award of certificates, first degrees, post-graduate, diploma and higher degrees with emphasis on planning, developmental and adaptive skills in education, technology, applied science, agriculture, commerce, arts, social science, humanities, management and allied professional disciplines;
- (c) produce socially mature experts in education with capabilities not to only understand educational need of Nigeria as a nation, but also to exploit existing educational infrastructure and improve on it to develop new ones;
- (d) act as agents and catalysts for effective educational system, through post graduate training, research and innovation, for effective economic utilisation and conservation of the country's human resources;
- (e) bring quality change in education by focusing on teacher education through teaching and learning innovations;
- (f) collaborate with other national and international institutions involved in training, research and development of education with a view to promoting governance, leadership and management skills among educational managers;
- (g) identify educational needs of the society with a view to finding solutions to them within the context of overall national development;
- (h) provide and promote sound basic education training as a foundation for the development of Nigeria, taking into account indigenous culture and the need to enhance national unity;
- (i) provide higher education and foster a systematic advancement of the science and art of teacher education;
- (j) provide for instruction in such branches of teacher education as it may deem necessary to make provision for research advancement and dissemination of knowledge in such manner as it may determine;
- (k) provide teachers with operational competence for teaching in pre-tertiary institutions, basic, senior secondary schools and non-formal educational institutions; and
- (l) undertake any other activity that is appropriate for a university of education of the highest standard (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 1 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 2: Composition of the University.

(1) The University shall consist of:

- (a) a Chancellor;
- (b) a Pro-Chancellor and a Council;

- (c) a Vice-Chancellor and a Senate;
 - (d) a Congregation;
 - (e) a Convocation;
 - (f) the campuses and colleges of the University;
 - (g) the colleges, institutes and other teaching and research units of the University;
 - (h) the persons holding the offices constituted by the First Schedule to this Bill other than those mentioned in paragraphs (a) - (c);
 - (i) all graduates and undergraduates of the University; and
 - (j) all other persons who are members of the University in accordance with provisions made by Statute in that behalf.
- (2) The First Schedule to this Bill shall have effect with respect to the principal officers of the University.
- (3) Subject to section 5, provisions shall be made by Statute with respect to the constitution of the Council, the Senate, Congregation and Convocation (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 2 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 3: Powers of the University.

- (1) For the attainment of its objectives as specified in section 1 (5), the University has powers to:
- (a) offer courses of instruction, training and research in education and allied areas for the production of quality and skilled teachers required to teach at lower, middle and higher levels of education in Nigeria in particular and the world at large;
 - (b) establish such colleges, campuses, institutes, schools, departments and other teaching and research units within the University as may be deemed necessary or desirable subject to the approval of National Universities Commission;
 - (c) institute professorships, readerships, associate professorships, lectureships, and other posts and offices and to make appointments to those post and offices;
 - (d) institute and award fellowships, scholarships, exhibitions, bursaries, medals, prizes and other titles, distinctions, awards and forms of assistance;
 - (e) provide for the discipline and welfare of members of the University;

- (f) hold examinations and grant degrees, diplomas, certificates and other distinctions to persons who have pursued a course of study approved by the University and have satisfied such other requirements as the University may lay down;
- (g) grant honorary degrees, fellowships or academic titles;
- (h) demand and receive from any student or any other person attending the University for the purposes of instruction, such fees as the University may determine subject to the overall directives of the Minister;
- (i) subject to section 20, acquire, hold, grant, charge or otherwise deal with or dispose of movable and immovable property wherever it is situate;
- (j) accept gifts, legacies and donations, but without obligation to accept the same for a particular purpose unless it approves the terms and conditions attached;
- (k) enter into contracts, establish trusts, act as trustee, solely or jointly with any other person, and employ or act through agents;
- (l) erect, provide, equip and maintain libraries, laboratories, workshops, lecture halls, halls of residence, refectories, sports grounds, playing fields and other buildings or things necessary, suitable or convenient for any of the objects of the University;
- (m) hold public lectures and to undertake printing, publishing and book selling;
- (n) subject to any limitation or condition imposed by the Statute, to invest money appertaining to the University by way of endowment, not being immediately required for current expenditure in any investment or security or in the purchase or improvement of land, with power, from time to time, to vary such investments and deposit any money for the time being not invested with any bank in a deposit or current account;
- (o) borrow, whether on interest or not and if need be upon the security of any or all of the property, movable or immovable, of the University, such money as the Council may find necessary or expedient to borrow or to guarantee any loan, advances or credit facilities;
- (p) make gifts for any charitable purpose;
- (q) do anything which it is authorised or required by this Bill or any Statute to do; and
- (r) do all such acts or things, whether or not incidental to these powers, as may advance the objects of the University.

- (2) Subject to the provisions of this Bill and of the Statutes and without prejudice to section 7 (2), the powers conferred on the University under subsection (1) is exercisable on behalf of the University by the Council, Senate or in any other manner which may be authorised by the Statute.
- (3) The power of the University to establish additional campuses and colleges within the University shall be exercised in accordance with the Statute (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 3 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 4: Functions of Chancellor and Pro-Chancellor.

- (1) The Chancellor shall, in relation to the University, take precedence before all other members of the University and, when he is present, shall preside at all meetings of Convocation held for conferring degrees.
- (2) The Pro-Chancellor shall, in relation to the University, take precedence before all other members of the University, except the Chancellor and Vice-Chancellor when acting as Chairman of Congregation or Convocation, and the Pro-Chancellor shall, when he is present, be the Chairman at all meetings of the Council (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 4 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 5: Establishment, composition, tenure and powers of the Council.

- (1) There is established for the university a Governing Council (in this Bill referred to as "the Council").
- (2) The Council shall consist of:
 - (a) the Pro-Chancellor who is appointed by the President on the recommendation of the Minister;
 - (b) the Vice-Chancellor;
 - (c) the Deputy Vice-Chancellors;
 - (d) one person from the Federal Ministry responsible for education;
 - (e) four persons representing a variety of interests and broadly representative of the whole Federation;
 - (f) four persons appointed by the Senate from among its members;
 - (g) two persons appointed by Congregation from among its members; and
 - (h) one person appointed by Convocation from among its members.
- (2) Persons to be appointed to the Council shall be of proven integrity, knowledgeable and familiar with the affairs and tradition of the University.

- (3) The Council shall have a tenure of four years from the date of its inauguration but where the Council is found to be incompetent and corrupt, it shall be dissolved by the Visitor and a new Council shall be immediately constituted for the effective functioning of the University.
- (4) The powers of the Council shall be exercised, as specified in this Bill and, to that extent, establishment circulars that are inconsistent with this Bill shall not apply to the University.
- (5) The Council shall be free in the performance of its functions and discharge of its responsibilities for the good management, growth and development of the University.
- (6) The Council, in the performance of its functions, shall ensure that disbursement of funds of the University complies with the approved budgetary ratio for:
 - (a) personnel cost;
 - (b) overhead cost;
 - (c) research and development;
 - (d) library developments; and
 - (e) the balance in expenditure between academic and non-academic activities (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 5 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 6:

Functions of the Council and its Finance and General Purpose Committee.

- (1) Subject to the provisions of this Bill relating to the Visitor, the Council is:
 - (a) the governing body of the University; and
 - (b) responsible for the general control and superintendence of the policy, finances and property of the University.
- (2) There shall be the Finance and General Purposes Committee which shall, subject to the directions of the Council:
 - (a) exercise control over the property and expenditure of the University; and
 - (b) perform such other functions of the Council as the Council may delegate to it.
- (3) Provisions shall be made by the Statute with respect to the constitution of the Finance and General Purposes Committee.
- (4) The Council shall ensure that proper accounts of the University are kept and that the accounts of the University are audited annually by an independent

- firm of auditors approved by the Council and that an annual report is published by the University together with certified copies of the said accounts as audited.
- (5) Subject to this Bill and the Statute, the Council and Finance and General Purposes Committee may each make rules for the purpose of performing their respective functions or of regulating their own procedure.
 - (6) Rules made under subsection (5) by the Finance and General Purposes Committee shall not come into effect unless they are approved by the Council, and where the rules made by that Committee conflict with any direction given by the Council, whether before or after the coming into effect of the rules in question, the directions of the Council prevails.
 - (7) There shall be paid to the members respectively of the Council, Finance and General Purposes Committee and any other committee set up by the Council allowances in respect of travelling and other reasonable expenses at such rates as may be fixed by the Minister.
 - (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) If requested in writing by five members of the Council, the Chairman shall, within 28 days after the receipt of such request, call a meeting of the Council.
 - (10) Any request made under subsection (9) shall specify the business to be considered at the meeting, and no business which is not so specified shall be transacted at that meeting (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 6 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 7: Functions of the Senate of the University.

- (1) Subject to subsections (3) and (4) and the provisions of this Bill relating to the Visitor, it shall be the general function of the Senate to organise and control the teaching by the University, the admission of student where no other enactment provides to the contrary, and the discipline of students, and promote research at the University.
- (2) Without prejudice to the generality of subsection (1), it shall in particular be the function of the Senate to make provision for:
 - (a) the establishment, organisation and control of campuses, colleges, schools, institutes and other teaching and research units of the University and the allocation of responsibility for different branches of learning;
 - (b) the organisation and control of courses of study at the University and of the examinations held in conjunction with those courses, including the appointment of examiners, both internal and external;
 - (c) the award of degrees, and such other qualifications as may be prescribed in connection with examinations held;

- (d) the making of recommendations to the Council with respect to the award to any person of an honorary fellowship, honorary degree or the title of professor emeritus;
 - (e) the establishment, organisation and control of halls of residence and similar institutions at the University;
 - (f) the supervision of the welfare of students at the University and the regulation of their conduct;
 - (g) the granting of fellowships, scholarships, prizes and similar awards in so far as the awards are within the control of the University; and
 - (h) determining what descriptions of dress shall be academic dress for the purposes of the University, and regulating the use of academic dress.
- (3) The Senate shall not establish any new campus, college, school, department, institute or other teaching and research units of the University, any hall of residence or similar institution at the University without the approval of the Council.
- (4) Subject to this Bill and the Statutes, the Senate may make regulations for the purpose of performing any function conferred on it either by this section or for the purpose of making provision for any matter covered by regulations and is authorised or required by this Bill or by Statute.
- (5) Regulations shall provide that at least one of the persons appointed as the examiners at each final or professional examination held in conjunction with any course of study at the University is not a teacher at the University but is a teacher of the branch of learning to which the course relates at some other University of high repute or a person engaged in practicing the profession in a reputable organisation or institution.
- (6) Subject to right of appeal to the Council from a decision of the Senate under this subsection, the Senate may deprive any person of any degree, diploma or other award of the University which has been conferred upon him if after due enquiry the person is found to have been guilty of dishonourable or scandalous conduct in gaining admission into the University or obtaining that award (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 7 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 8: Functions of the Vice-Chancellor.

- (1) The Vice-Chancellor shall, in relation to the University, take precedence before all other members of the University except the Chancellor, and subject to section 4 except the Pro-Chancellor and any other person for the time being acting as Chairman of the Council.
- (2) Subject to sections 6, 7 and 14, the Vice-Chancellor shall:
 - (a) have the general function, in addition to any other function conferred on him by this Bill of directing the activities of the University; and

- (b) be the Chief Executive and Accounting Officer of the University and *ex-officio* Chairman of the Senate.
- (3) The Vice-Chancellor shall be the Chairman of the University Tenders' Board, which is saddled with the responsibility of approving the conduct of public procurement of goods, works and services within the approved threshold.
- (4) It is the responsibility of the Vice-Chancellor to establish and appoint members of the Tenders' Board in line with the extant Public Procurement Rules and Regulations (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 8 stands part of the Bill — Agreed to.

PART II — GENERAL FUND, TRANSFER OF PROPERTY TO
THE UNIVERSITY AND CONDITIONS OF SERVICE OF EMPLOYEES

Committee's Recommendation:

Clause 9: General Fund of the University.

- (1) There shall be a general fund of the University (in this Bill referred to as "the General Fund") which shall consist of:
- (a) grants-in-aid;
 - (b) fees;
 - (c) income derived from investments;
 - (d) gifts, legacies, endowments and donations not accepted for a particular purpose;
 - (e) income derived from the performance of any functions conferred or imposed on the University by this Bill;
 - (f) any other amount, charges or dues recoverable by the University;
 - (g) revenue accruing to the University by way of subvention;
 - (h) interests on investments; and
 - (i) donations and legacies accruing to the University from any source for the general or special purposes of the University.
- (2) The General Fund shall be applied for the purposes of the University (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 9 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 10: Transfer of property.

- (1) All property held by, or on behalf of the Provisional Council of the University shall, by virtue of this subsection, vest in the University and be held by it for the purpose of the University.

- (2) The provisions of the Second Schedule to this Bill shall have effect with respect to, and to matters arising from:
- (a) the transfer of property by this section; and
 - (b) other matters mentioned in that Schedule (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 10 stands part of the Bill — Agreed to.

PART III — STATUTES OF THE UNIVERSITY

Committee's Recommendation:

Clause 11: Power of the University to make Statutes.

- (1) Subject to this Bill, the University may make Statutes for:
- (a) making provision with respect to the composition and constitution of any authority of the University;
 - (b) specifying and regulating the powers and duties of any authority of the University, and regulating any other matter connected with the University or any of its authorities;
 - (c) regulating the admission of students where no other enactment provides to the contrary, and their discipline and welfare;
 - (d) determining whether any particular matter is to be treated as an academic or non-academic matter for the purposes of this Bill and any Statute, regulation or other instrument made under this Bill; or
 - (e) making provision for any other matter which is authorised or required by this Bill.
- (2) Subject to section 25 (6), the Interpretation Act applies in relation to any Statute made under this section as it applies to a subsidiary instrument within the meaning of section 28 (1).
- (3) The Statute contained in the Third Schedule to this Bill is deemed to have come into effect on the commencement of this Bill and is deemed to have been made under this section by the University.
- (4) The power to make Statutes 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 Third Schedule to this Bill or any subsequent Statute (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 11 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 12: Mode of Exercising Power to make Statutes.

- (1) The power of the University to make Statutes shall be exercised in accordance with the provisions of this section.
- (2) A proposed Statute shall not become law unless it has been approved at the meeting of the:

- (a) Senate, by the votes of at least two-thirds of the members present and voting; and
 - (b) Council, by the votes of at least two-thirds of the members present and voting.
- (3) A proposed Statute may originate either in the Senate or Council, and may be approved as required by subsection (2).
- (4) A Statute which:
- (a) makes a provision for or alters the composition or constitution of the Council, the Senate or any other authority of the University, or
 - (b) provides for the establishment of a new campus or college or for the amendment or revocation of any statute,
- shall not come into effect unless it has been approved by the Visitor.
- (5) For the purpose of section 2 (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 or Senate, in accordance with subsection (2) or in the case of a Statute falling within subsection (4), on the date on which it is approved by the President.
- (6) In the event of any doubt or dispute arising at any time as to:
- (a) the meaning of any provision of a Statute, or
 - (b) whether any matter is, for the purposes of this Bill, an academic or non-academic matter as it relates to such doubt or dispute.
- the matter may be referred to the Visitor, who shall take such advice and make such decision as he may think fit.
- (7) The decision of the Visitor on any matter referred to him under subsection (6) is binding upon the authorities, staff, and students of the University, and where any question as to the meaning of any provision of a Statute has been decided by the Visitor under that subsection, no question as to the meaning of that provision shall be entertained by any court of law in Nigeria.
- (8) Nothing in subsection (7) affects 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 (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 12 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 13: Proof of Statute.

A Statute may be proved in any court by the production of a copy bearing or having affixed to it a certificate purporting to be signed by the Vice-Chancellor or the Secretary to the Council to the effect that the copy is a true copy of a Statute of the University (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

- (2) The provisions of the Second Schedule to this Bill shall have effect with respect to, and to matters arising from:
- (a) the transfer of property by this section; and
 - (b) other matters mentioned in that Schedule (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 10 stands part of the Bill — Agreed to.

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 - (a) making provision with respect to the composition and constitution of any authority of the University;
 - (b) specifying and regulating the powers and duties of any authority of the University, and regulating any other matter connected with the University or any of its authorities;
 - (c) regulating the admission of students where no other enactment provides to the contrary, and their discipline and welfare;
 - (d) determining whether any particular matter is to be treated as an academic or non-academic matter for the purposes of this Bill and any Statute, regulation or other instrument made under this Bill; or
 - (e) making provision for any other matter which is authorised or required by this Bill.
- (2) Subject to section 25 (6), the Interpretation Act applies in relation to any Statute made under this section as it applies to a subsidiary instrument within the meaning of section 28 (1).
- (3) The Statute contained in the Third Schedule to this Bill is deemed to have come into effect on the commencement of this Bill and is deemed to have been made under this section by the University.
- (4) The power to make Statutes 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 Third Schedule to this Bill or any subsequent Statute (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 11 stands part of the Bill — Agreed to.

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- (2) A proposed Statute shall not become law unless it has been approved at the meeting of the:

- (a) Senate, by the votes of at least two-thirds of the members present and voting; and
- (b) Council, by the votes of at least two-thirds of the members present and voting.
- (3) A proposed Statute may originate either in the Senate or Council, and may be approved as required by subsection (2).
- (4) A Statute which:
- (a) makes a provision for or alters the composition or constitution of the Council, the Senate or any other authority of the University, or
- (b) provides for the establishment of a new campus or college or for the amendment or revocation of any statute,
- shall not come into effect unless it has been approved by the Visitor.
- (5) For the purpose of section 2 (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 or Senate, in accordance with subsection (2) or in the case of a Statute falling within subsection (4), on the date on which it is approved by the President.
- (6) In the event of any doubt or dispute arising at any time as to:
- (a) the meaning of any provision of a Statute, or
- (b) whether any matter is, for the purposes of this Bill, an academic or non-academic matter as it relates to such doubt or dispute,
- the matter may be referred to the Visitor, who shall take such advice and make such decision as he may think fit.
- (7) The decision of the Visitor on any matter referred to him under subsection (6) is binding upon the authorities, staff, and students of the University, and where any question as to the meaning of any provision of a Statute has been decided by the Visitor under that subsection, no question as to the meaning of that provision shall be entertained by any court of law in Nigeria.
- (8) Nothing in subsection (7) affects 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 (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 12 stands part of the Bill — Agreed to.

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A Statute may be proved in any court by the production of a copy bearing or having affixed to it a certificate purporting to be signed by the Vice-Chancellor or the Secretary to the Council to the effect that the copy is a true copy of a Statute of the University (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 13 stands part of the Bill — Agreed to.

PART IV — SUPERVISION AND DISCIPLINE

Committee's Recommendation:

Clause 14: The Visitor.

- (1) The President shall be the Visitor of the University.
- (2) The Visitor shall cause a visitation to the University when necessary, at least every five years, or direct that such a visitation be conducted by such person or persons as the Visitor may deem fit and in respect of any of the affairs of the University.
- (3) It is the duty of the bodies and persons comprising the University to make available to the Visitor and any other person conducting a visitation under this section, such facilities and assistance as the visitor or that person may reasonably require for the purposes of a visitation.
- (4) The Visitor shall make the report of such visitations and issue a white paper to that effect and make it available to the Council for implementation (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 14 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 15: Removal of certain members of Council.

- (1) If it appears to the Council that a member of the Council, other than the Pro-Chancellor or the Vice-Chancellor should be removed from office on the ground of misconduct or inability to perform the functions of his office or employment, the Council shall make a recommendation to that effect through the Minister, to the Visitor, and the Visitor, after making such inquiries as he may consider appropriate, if he approves the recommendation, may direct the removal of the person in question from office.
- (2) The Minister shall cause a copy of the instrument embodying a direction under subsection (1) to be served, as soon as reasonably practicable, on the person to whom it relates (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 15 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 16: Removal and discipline of academic, administrative and professional staff.

- (1) If it appears to the Council that there are reasons for believing that any person employed as a member of the academic, administrative or professional staff of the University, other than the Vice-Chancellor, should be removed from his office or employment on the ground of misconduct or professional inability to perform the functions of his office or employment, the Council shall:
 - (a) give notice of those reasons to the person in question;
 - (b) afford him an opportunity of making representations in person on the matter by the Council; and

- (c) afford the person in question, an opportunity of appearing before and being heard by the investigating committee with respect to the matter.
- (2) If the Council, after considering the report of the investigating committee, is satisfied that the person in question should be removed, the Council may so remove him by an instrument in writing signed on the directions of the Council.
- (3) The Vice-Chancellor may, in a case of misconduct by a member of staff which, in the opinion of the Vice-Chancellor is prejudicial to the interest of the University, suspend such member and the suspension shall immediately be reported to the Council.
- (4) For good cause, any member of staff may be suspended from his duties, or his appointment may be terminated by the Council, and for the purposes of this subsection, "good cause" means:
- (a) conviction for any offence which the Council considers to be such as to render the person concerned unfit for the discharge of the duties of his office;
- (b) any physical or mental incapacity which the Council, after obtaining medical advice, considers to be such as to render the person concerned unfit to continue to hold his office;
- (c) conduct of a scandalous or disgraceful nature which the Council considers to be such as to render the person concerned unfit to continue to hold his office;
- (d) conduct which the Council considers to be such as to constitute failure or inability of the person concerned to discharge the duties of his office or comply with the terms and conditions of his service; and
- (e) conduct which the Council considers to be generally of such nature as to render the continued appointment or service of the person concerned prejudicial or detrimental to the interest of the University.
- (5) A person suspended under subsection (3) or (4) shall be on half pay and the Council shall, before the expiration of three months after the date of such suspension, consider the case against that person and come to a decision as whether to:
- (a) continue such person's suspension and, if so, on what terms, including the proportion of his emoluments to be paid to him;
- (b) reinstate such person, in which case the Council shall restore his full emoluments to him with effect from the date of suspension;
- (c) terminate the appointment of the person concerned, in which case such a person shall not be entitled to the proportion of his emoluments withheld during the period of suspension; or

- (d) take such lesser disciplinary action against such person, including the restoration of such proportion of his emoluments that might have been withheld, as the Council may determine.
- (6) Where the Council, under this section, decides to continue a person's suspension or decides to take further disciplinary action against a person, the Council shall, before the expiration of three months from such decision come to a final determination in respect of the case concerning the person.
- (7) The person by whom an instrument of removal is signed under subsection (1) shall use his best endeavours to cause a copy of the instrument to be served, as soon as reasonably practicable, on the person to whom it relates.
- (8) Nothing in this section:
- (a) applies to any directive given by the Visitor in consequence of any visitation; or
- (b) prevents the Council from making regulations for the discipline of other categories of workers of the University as may be prescribed (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 16 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 17: Removal of examiners.

- (1) If, on the recommendation of the Senate, it appears to the Vice-Chancellor that a person appointed as an examiner for any examination of the University ought to be removed from his office or appointment, then, except in such cases as may be prescribed by the Vice-Chancellor, the Senate may, after affording the examiner an opportunity of making representations in person on the matter to the Vice-Chancellor, remove the examiner from the appointment by an instrument in writing signed by the Vice-Chancellor.
- (2) Subject to the regulations made under section 7 (5), the Vice-Chancellor may, on the recommendation of the Senate, appoint an appropriate person as examiner in the place of the examiner removed under subsection (1).
- (3) The Vice-Chancellor on signing an instrument of removal under this section, shall cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it is related (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 17 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 18: Participation and discipline of students.

- (1) The Students shall:
- (a) be represented in the University's Students Welfare Board and other committees that deal with the affairs of students;
- (b) participate in various aspects of curriculum development;

- (c) participate in the process of assessing academic staff in respect of teaching; and
 - (d) be encouraged to be more self-assured as part of the national development process.
- (2) Subject to the provisions of this section, where it appears to the Vice-Chancellor that any student of the University has been guilty of misconduct, the Vice-Chancellor may, without prejudice to any other disciplinary power conferred on him by Statute or regulations, direct that the:
- (a) student shall not, during such period as may be specified in the directions, participate in such activities of the University or make use of such facilities of the University, as may be so specified;
 - (b) 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;
 - (c) student be rusticated for such period as may be specified in the direction; or
 - (d) student be expelled from the University.
- (3) Where a direction is given under subsection (1) (c) or (d) in respect of any student, that student may, within the prescribed period and in the prescribed manner, appeal 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, set aside or modify the direction in such manner as the Council deems fit.
- (4) An appeal brought under subsection (3) does not affect the operation of the direction while the appeal is pending.
- (5) The Vice-Chancellor may delegate his powers under this section to a disciplinary board consisting of such members of the University as he may nominate.
- (6) Nothing in this section is construed as preventing the restriction or termination of students' activities at the University than on the ground of misconduct.
- (7) A direction under subsection (2) (a) may be combined with a direction under subsection (2) (b) (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 18 stands part of the Bill — Agreed to.

PART V — MISCELLANEOUS AND GENERAL PROVISIONS

Committee's Recommendation:

Clause 19: Exclusion of discrimination on account of race, religion, etc.

- (1) No person shall be required to satisfy requirements as to 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) a student at the university;
 - (b) the holder of any degree of the University, appointment or employment at the University; or
 - (c) a member of anybody established under this Bill.
- (2) No person shall be subject to any disadvantage or accorded any advantage in relation to the University, by reference to any of the matters in subsection (1).
- (3) Nothing in subsection (1) is construed as preventing the University from imposing any disability or restriction on any of the persons mentioned in that subsection where such person willfully refuses or fails, on grounds of religious belief, to undertake any duty generally and uniformly imposed on 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 University, reasonably justifiable in the national interest (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 19 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 20: Restriction on Disposal of Land by University.

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

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 21 years or any lease or tenancy to a member of the University for residential purpose (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 20 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 21: Quorum and procedure of bodies established under this Bill.

Except as may be otherwise provided by Statute or regulations, the quorum and procedure of any body of persons established under this Bill shall be as determined by that body (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 21 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 22: Appointment of committee.

- (1) Anybody of persons established under this Bill shall, without prejudice to the generality of the powers of that body, have power to set up committees, which need not consist exclusively of members of that body, and to authorise a committee set up by it to:

- (a) perform, on its behalf, its functions as it may determine; and
- (b) co-opt members, and direct whether or not co-opted members are 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 setting up 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 reporting on it to those bodies or any of them.
- (3) Except as may be otherwise provided by Statute or 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 set up the committee or hold the meeting.
- (4) Nothing in the provisions of subsection (1), (2) and (3) is construed as enabling the:
- (a) Statutes to be made otherwise than in accordance with section 11; or
 - (b) Senate to empower any other body to make regulations or award degrees or other qualifications.
- (5) The Pro-Chancellor and Vice-Chancellor shall be members 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 Vice-Chancellor shall be a member of every committee of which the members are wholly or partly appointed by the Senate (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 22 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 23: Retiring age of academic staff.

- (1) Notwithstanding anything to the contrary in the Pension Reform Act, the compulsory retiring age of the:
- (a) academic staff of the University in the non-professorial cadre is 65 years;
 - (b) academic staff of the University in the professorial cadre is 70 years;
 - (c) non-academic staff of the University is 65 years.
- (2) A law or rule requiring a person to retire from the public service after serving for 35 years does not apply to an academic staff of the University (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 23 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 24: Special provisions relating to pension of professors.

An academic staff of the University who retires as a Professor in the University is entitled to pension at a rate equivalent to his annual salary provided that the Professor has served continuously in the University up to the retirement age (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 24 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 25: Miscellaneous administrative provisions.

- (1) The seal of the University shall be such as may be determined by the Council and approved by the Chancellor, and the affixing of the seal shall be authenticated by any member of the Council and by the Vice-Chancellor, Secretary to the Council or any other person authorised by Statute.
- (2) Any document purporting to be a document executed under the seal of the University shall be received in evidence and is, unless the contrary is proved, presumed to be so executed.
- (3) Any contract or instrument, which if made or executed by a person not being a body corporate would not be required to be under seal, may be made or executed on behalf of the University by any person generally or specially authorised to do so by the Council.
- (4) The validity of any proceeding of anybody established under this Bill is not affected by any vacancy in the membership of the body, 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 proceeding.
- (5) A member of any such body who has a personal interest in any matter proposed to be considered by that body shall 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) applies to Statutes or regulations made under this Bill.
- (7) The power conferred by this Bill on anybody to make Statutes or regulations includes power to revoke or vary any:
 - (a) statute (including the Statute contained in the Third Schedule to this Bill); or
 - (b) regulation by a subsequent statute or subsequent regulation as the case may be:

Provided that the subsequent regulation or Statutes may make different provisions in relation to different circumstances.

- (8) No stamp duty or other duty shall be payable in respect of any transfer of property to the University by virtue of sections 10 or 20 or the Second Schedule to this Bill.
- (9) Any notice or other instrument authorised to be served by virtue of this Bill may, without prejudice to any other mode of service, be served by post (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 25 stands part of the Bill — Agreed to.

Committee's Recommendation:**Clause 26: Restriction of suits and execution.**

- (1) No legal proceeding shall be instituted or commenced against the University or any of its agents in the course of their official duties unless a three months pre-action notice of such intention is served on the University by an aggrieved party;
- (2) The notice shall state the reason and the cause of action intended to be taken against the University, the particulars of the claim, the name and place of abode of the intending plaintiff and the relief which he claims.
- (3) No suit shall be commenced against an officer or servant of the University, in any case where the University is vicariously liable for any alleged act, neglect or default of the officer or servant in the performance or intended performances of his duties, unless three months at least has elapsed after written notice of intention to commence the same shall have been served on the University by the intending plaintiff or his agent.
- (4) In any suit against the University, no execution or attachment or process in the nature thereof shall be issued against the University, but any sum of money which may by the judgment of the court be awarded against the University shall, subject to any direction given by the court where notice of appeal has been given by the University in respect of the said judgment, be paid by the University from its general funds.
- (5) Service upon the University of any notice, order or other document, may be effected by delivering the same or by sending it by registered post addressed to the Registrar and Secretary of the Council (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 26 stands part of the Bill — Agreed to.

Committee's Recommendation:**Clause 27: Repeal, savings and transitional provisions.**

- (1) This Bill repeals paragraph (k) of the First Schedule to the Federal Colleges of Education Act, Cap. F8, Laws of Federation of Nigeria, 2004.
- (2) Anything done or purported to have been done under the repealed Act, remains valid, except provided under this Bill.
- (3) Subsidiary legislation made or deemed to have been made under the repealed Act, immediately before the commencement of this Bill, shall continue in force with necessary modification and may be amended or revoked as if it had been made under this Bill.
- (4) The rights, assets, obligations and liabilities under the repealed Act shall, at the commencement of this Bill, rest in and devolve on the Federal University of Education Pankshin, Plateau State (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 27 stands part of the Bill — Agreed to.

Committee's Recommendation:**Clause 28: Interpretation.**

(1) In this Bill:

"campus" means any campus which may be established by the University (Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency).

Question that the meaning of the word "campus" be as defined in the interpretation to this Bill — Agreed to.

"College" means the College established under section 2 (1) (g) of this Bill for the University (Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency).

Question that the meaning of the word "College" be as defined in the interpretation to this Bill — Agreed to.

"Council" means the Governing Council of the University established by section 5 of this Bill (Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency).

Question that the meaning of the word "Council" be as defined in the interpretation to this Bill — Agreed to.

"functions" includes powers and duties (Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency).

Question that the meaning of the word "functions" be as defined in the interpretation to this Bill — Agreed to.

"graduate" means a person on whom a degree, other than an honorary degree, has been conferred by the University and any other person as may be designated as a graduate by the Council, acting in accordance with the recommendation of the Senate (Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency).

Question that the meaning of the word "graduate" be as defined in the interpretation to this Bill — Agreed to.

"Minister" means the Honourable Minister of Education (Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency).

Question that the meaning of the word "Minister" be as defined in the interpretation to this Bill — Agreed to.

"notice" means notice in writing (Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency).

Question that the meaning of the word "notice" be as defined in the interpretation to this Bill — Agreed to.

"officer" does not include the Visitor (Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency).

Question that the meaning of the word "officer" be as defined in the interpretation to this Bill — Agreed to.

"prescribed" means prescribed by Statute or regulations (Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency).

Question that the meaning of the word "prescribed" be as defined in the interpretation to this Bill — Agreed to.

"Professor" means a person designated as a Professor of the University in accordance with provisions made in that behalf by Statute or by Regulations (Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency).

Question that the meaning of the word "Professor" be as defined in the interpretation to this Bill — Agreed to.

"property" includes rights, liabilities and obligations (Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency).

Question that the meaning of the word "property" be as defined in the interpretation to this Bill — Agreed to.

"Provisional Council" means the provisional council appointed for the University (Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency).

Question that the meaning of the words "Provisional Council" be as defined in the interpretation to this Bill — Agreed to.

"regulations" means regulations made by the Senate or the Council (Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency).

Question that the meaning of the word "regulations" be as defined in the interpretation to this Bill — Agreed to.

"Senate" means the Senate of the University established under section 2 (1) (c) of this Bill (Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency).

Question that the meaning of the word "Senate" be as defined in the interpretation to this Bill — Agreed to.

"school" means a unit of closely related academic programmes (Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency).

Question that the meaning of the word "school" be as defined in the interpretation to this Bill — Agreed to.

"Statute" means a statute made by each University under section 11 and 12 of this Bill; and (Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency).

Question that the meaning of the word "Statute" be as defined in the interpretation to this Bill — Agreed to.

"the statutes" means all such statutes as are in force from time to time (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that the meaning of the words "the statute" be as defined in the interpretation to this Bill — Agreed to.

"teacher" means a person holding a full-time appointment as a member of the teaching or research staff of the University (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that the meaning of the word "teacher" be as defined in the interpretation to this Bill — Agreed to.

"undergraduate" means a person registered as a student undergoing a course of study for a first degree of the University or such other course in the University as may be approved by the Senate as qualifying a student undergoing it for the status of an under-graduate (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that the meaning of the word "undergraduate" be as defined in the interpretation to this Bill — Agreed to.

"University" means Federal University of Education Pankshin, Plateau State established under section 1 (1) of this Bill (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that the meaning of the word "University" be as defined in the interpretation to this Bill — Agreed to.

- (2) Where in any provision of this Bill it is laid down that the proposals are to be submitted or a recommendation is to be made by one authority or another through one or more intermediate authorities, it shall be the duty of every intermediate authority to forward any proposal of that or recommendation received by it in pursuance of that provision to the appropriate authority, but such intermediate authority may, if it deems fit, forward its own comments thereon (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 28 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 29: Citation.

This Bill may be cited as the Federal University of Education, Pankshin, Plateau State (Establishment) Bill, 2021 (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 29 stands part of the Bill — Agreed to.

SCHEDULES

FIRST SCHEDULE

Section 2 (2)

PRINCIPAL OFFICERS OF THE UNIVERSITY

The Chancellor

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

The Pro-Chancellor

2. (1) The Pro-Chancellor who shall be the Chairman of Council shall be appointed or removed from office by the President upon recommendation by the Minister.
- (2) Subject to the provisions of this Bill, the Pro-Chancellor shall hold office for a term of four years beginning with the date of his appointment.

The Vice-Chancellor

3. (1) There shall be a Vice-Chancellor of the University who is appointed by the Council in accordance with the provisions of this paragraph.
- (2) Where a vacancy occurs in the post of a Vice-Chancellor, 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 of conditions of service applicable to the post,
 and thereafter draw up a short list of suitable candidates for the post for consideration; and
 - (b) constitute a Search Team consisting of:
 - (i) a member of the Council, who is not a member of the Senate, as Chairman,
 - (ii) two members of the Senate 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 felt that it is not proper to do so.
- (3) A Joint Council and Senate Selection Board consisting of:
 - (a) the Pro-Chancellor, as chairman;

- (b) two members of the Council, not being members of the Senate;
- (c) two members of the Senate who are Professors, but who were not members of the Search Team, shall consider the candidates and persons in the shortlist drawn up under subparagraph (2) (a) (ii) of this paragraph through an examination of their curriculum vitae and interaction with them, and recommend to the Council three candidates for further consideration.
- (4) The Council shall select and appoint as the Vice-Chancellor one candidate from among the three candidates recommended to it under subparagraph (3) of this paragraph and thereafter inform the Visitor.
- (5) The Vice-Chancellor shall hold office for a single term of five years only on such terms and conditions as may be specified in his letter of appointment.
- (6) The Vice-Chancellor may be removed from office by the Council on grounds of gross misconduct or inability to perform the functions of his office as a result of infirmity of the body or mind, at the initiative of the Council, Senate or the Congregation after due process.
- (7) When the proposal for the removal of the Vice-Chancellor is made, the Council shall constitute a Joint Committee of Council and Senate consisting of:
- (a) three members of the Council, one of whom shall be the Chairman of the Committee, and
- (b) two members of the Senate:
- Provided that where the ground for removal is infirmity of the body or mind, the Council shall seek appropriate medical opinion.
- (8) The Committee shall conduct investigation into the allegations made against the Vice-Chancellor and shall report its findings to the Council.
- (9) The Council may, where the allegations are proved, remove the Vice-Chancellor or apply any other disciplinary action it may deem fit and notify the Visitor accordingly but a Vice-Chancellor who is removed shall have right of appeal to the Visitor.
- (10) There shall be no sole administrator in the University.
- (11) In any case of a vacancy in the office of the Vice-Chancellor, the Council shall appoint an acting Vice-Chancellor on recommendation of the Senate.
- (12) An acting Vice-Chancellor in all circumstances shall not be in office for more than six months.

Deputy Vice-Chancellor

4. (1) There shall be for the University such number of Deputy Vice-Chancellors as Council may deem necessary for the proper administration of the University.
- (2) Where a vacancy occurs in the post of Deputy Vice-Chancellor, the Vice-Chancellor shall forward to the Senate a list of two candidates for each post of Deputy Vice-Chancellor that is vacant.

- (3) The Senate shall select for each vacant post one candidate from each list forwarded to it under subparagraph (2) of this paragraph and forward his name to the Council for confirmation.
- (4) A Deputy Vice-Chancellor shall:
 - (a) assist the Vice-Chancellor in the performance of his functions;
 - (b) act in the place of the Vice-Chancellor when the post of the Vice-Chancellor is vacant or if the Vice-Chancellor is, for any reason, absent or unable to perform his functions as Vice-Chancellor; and
 - (c) perform such other functions as the Vice-Chancellor or the Council may assign to him.
- (5) A Deputy Vice-Chancellor:
 - (a) shall hold office for a term of two years beginning from the date of his appointment and on such terms and conditions as may be specified in his letter of appointment;
 - (b) may be reappointed for a further term of two years and no more; and
 - (c) may be removed from office for good cause by the Council acting on the recommendations of the Vice-Chancellor and Senate.
- (6) "Good cause" for the purpose of subparagraph (5) (c) means gross misconduct or inability to perform the functions of his office arising from infirmity of the body or mind.

Office of the Registrar

5. (1) There shall be, for the University, a Registrar who is the Chief Administrative Officer of the University and is responsible to the Vice-Chancellor for the administrative work of the University except as regards matters for which the Bursar is responsible in accordance with paragraph 6 (2) of this Schedule.
- (2) The person holding the office of the Registrar shall, by virtue of that office, be Secretary to the Council, the Senate, Congregation and Convocation.

Other Principal Officers of the University

6. (1) There shall be, for the University, other principal officers in addition to the Registrar:
 - (a) the Bursar, and
 - (b) the University Librarian, who shall be appointed by the Council on the recommendation of the Selection Board constituted under paragraph 7 of this Schedule.
- (2) The Bursar is the Chief Financial Officer of the University and responsible to the Vice-Chancellor for the administration and control of the financial affairs of the University.

- (3) The University Librarian is responsible to the Vice-Chancellor for the administration of the University Library and the co-ordination of the library services in the University and its campuses, colleges, schools, departments, institutes and other teaching or research units.
- (4) Any question as to the scope of the responsibilities of the officers in this paragraph shall be determined by the Vice-Chancellor.

Selection Board for other Principal Officers

7. (1) There shall be, for the University, a Selection Board for the appointment of principal officers, other than the Vice-Chancellor or Deputy Vice-Chancellor, which shall consist of:
 - (a) the Pro-Chancellor, as Chairman;
 - (b) the Vice-Chancellor;
 - (c) four members of the Council not being members of the Senate; and
 - (d) two members of the Senate.
- (2) The functions, procedure and other matters relating to the Selection Board constituted under subparagraph (1) of this paragraph shall be as the Council may determine.
- (3) The Registrar, Bursar and Librarian shall hold office for a single term of five years only beginning from the date of their appointments and on such terms and conditions as may be specified in their letters of appointment.
- (4) Notwithstanding subparagraph (3) of this paragraph, the Council may, upon satisfactory performance, extend the tenure of the Registrar, Bursar or Librarian for a further term of one year only and thereafter such principal officer shall relinquish his post and be assigned to other duties in the University.

Resignation and Re-appointment

8. (1) Any officer mentioned in this Schedule may resign his office:
 - (a) in the case of the Chancellor or Pro-Chancellor, by notice to the Visitor;
 - (b) in any other case, by notice to the Council, and the Council shall, in the case of the Vice-Chancellor, immediately notify the Visitor.
- (2) Without prejudice to paragraph 4 of this Schedule, a person who has ceased to hold an office than by removal for misconduct shall be eligible for re-appointment to that office (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

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

SECOND SCHEDULE

Section 10 (2) and 25 (8)

TRANSITIONAL PROVISIONS AS TO PROPERTY, FUNCTIONS, ETC.

Transfer of Property to University

1. Without prejudice to section 10 (1) of this Bill:
 - (a) the reference to property held by the Provisional Council includes a reference to the right to receive and give a good discharge for any grant or contribution which may have been voted or promised to the Provisional Council; and
 - (b) all debts and liabilities of the Provisional Council outstanding shall become debts or liabilities of the University.
2.
 - (1) All agreements, contracts, deeds and other instruments to which the Provisional Council was a party shall, so far as possible and subject to any necessary modification, have effect as if the University had been a party thereto in place of the Provisional Council.
 - (2) Documents not falling within subparagraph (1) of this paragraph, including enactment which refer, whether specially or generally, to the Provisional Council, shall be construed in accordance with that subparagraph so far as applicable.
 - (3) Any legal proceedings or application to any authority pending by or against the Provisional Council may be continued by or against the University.

Registration of transfers

3.
 - (1) 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 necessary modifications, to the property.
 - (2) The body to which any property is transferred by this Bill shall furnish the necessary particulars of the transfer to the proper officer of the registration authority, and of that officer to register the transfer accordingly.

Transfer of Functions, etc.

4.
 - (1) The first meeting of the Council shall be convened by the Pro-Chancellor on such date and in such manner as he may determine.
 - (2) The persons who are members of the Provisional Council are deemed to constitute the Council until the date when the Council as set up under the Third Schedule to this Bill shall have been duly constituted.
 - (3) The first meeting of the Senate as constituted by this Bill shall be convened by the Vice-Chancellor on such date and in such manner as he may determine.

- (4) The persons who are members of the Academic Board immediately before the coming into effect of this Bill are deemed to constitute the Senate of the University until the date when the Senate as set up under the Third Schedule to this Bill shall have been duly constituted.
- (5) Subject to any regulation which may be made by the Senate after the date on which this Bill is made, the schools, school boards and students of the University immediately before the coming into effect of this Bill shall on that day become schools, school boards and students of the University as constituted by this Bill.
- (6) Persons who are Deans of Schools and Heads of Academic Departments shall continue to be Deans or Heads of Department of the corresponding School and Department, until new appointments are made under the Statutes.
- (7) Any person who was a member of the staff of the University as established or was employed by the Provisional Council becomes the holder of an appointment at the University with the status, designation and functions which correspond as nearly as may be to those which appertained to him as member of that staff or as such an employee (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

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

THIRD SCHEDULE

Section 11 (3)

FEDERAL UNIVERSITY OF EDUCATION, PANKSHIN, PLATEAU STATE, STATUTE NO. 1

ARRANGEMENT OF ARTICLES

Article:

1. The Council.
2. The Finance and General Purposes Committee.
3. Annual budget and estimates, etc.
4. Gifts, donations, payment into bank and audit.
5. The Senate.
6. Congregation.
7. Convocation.
8. Division of Colleges.
9. College Boards.
10. Dean of Colleges.
11. Departmental Board of Studies.
12. Selection of Directors of physical planning and development, works, services and health.
13. Tenure of Directors.
14. Creation of academic posts.
15. Appointment of Academic staff.
16. Appointment of Administrative and professional staff.
17. Interpretation.
18. Citation.

The Council

1. (1) The composition of the Council shall be as provided in section 5 of this Bill.
- (2) Any member of the Council holding office other than under section 5 (2) (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 other than under section 5 (2) (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 1 August of the year which he was appointed.
- (4) Where a member of the Council holding office other than under section 5 (2) (a), (b), (g), or (h) of this Bill vacates office before the expiration of the period mentioned, the body or person by whom he was appointed may appoint a successor to hold office for the residue of the term of his predecessor.
- (5) A person ceasing to hold office as a member of the Council other than by removal for misconduct shall be eligible for re-appointment for only one further period of four years.
- (6) The quorum of the Council is five, at least one of whom shall be a member appointed under section 5 (2) (d) or (e) of this Bill.
- (7) If the Pro-Chancellor is not present at a meeting of the Council, such other member of the Council present at the meeting as the Council may appoint for that meeting shall be the Chairman, and subject to section 4 of this Bill and 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 the meeting but shall not be entitled to vote.

The Finance and General Purposes Committee

- (1) The Finance and General Purposes Committee of the Council shall consist of:
 - (a) the Pro-Chancellor, who shall be the chairman of the Committee at any meeting at which he is present;
 - (b) the Vice-Chancellor and Deputy Vice-Chancellors;
 - (c) six other members of the Council appointed by the Council, two of whom shall be selected from among the four members of the Council appointed by the Senate and one member appointed to the Council by Congregation; and
 - (d) the Permanent Secretary of the Federal Ministry of Education, or his representative.
- (2) The quorum of the Committee is five.
- (3) Subject to a directions given by the Council, the Committee may regulate its own procedure.

Annual budget and estimates, etc.

3. (1) The estimates of income and expenditure for a financial year shall be presented by the Vice-Chancellor to the Council and may be approved by the Council before the beginning of that financial year:

Provided that the Vice-Chancellor may during any financial year, present, and the Council may approve supplementary estimates of income or expenditure.

- (2) The annual and supplementary estimates shall be prepared in such form and shall contain such information as the Council may direct.

Gifts, donations, etc.

4. (1) The Council may on behalf of the University accept by way of grants, gift, testamentary disposition or otherwise, property and money in aid of the finances of the University on such conditions as it may approve.

- (2) Registers shall be kept of all donations to the University, including the names of donors and any special conditions under which the donation may have been given:

Provided that the University shall not be obliged to accept a donation for a particular purpose unless it approves of the terms and conditions attaching to such donation.

- (3) All property, money or funds donated for any specific purposes shall be applied and administered in accordance with the purposes for which they are donated and shall be accounted for separately.

- (4) All sums of money received on account of the University shall be paid into bank account as may be approved by the Council for the credit of the University's general, current or deposit account:

Provided that the Council may invest, as it deems fit, any money not required for immediate use other than donations of money referred to in sub article (1) of this article.

- (5) The Council shall cause the accounts of the University to be audited by auditors appointed by the Council as soon as may be practicable after the end of each financial year or for any such other period as the Council may require.

- (6) The appointment and other matters relative to the auditors, their continuance in office and their functions, as the case may be, shall, subject to the provisions of this section, be prescribed by Statute.

The Senate

5. (1) The Senate shall consist of:
- (a) the Vice-Chancellor;
 - (b) the Deputy Vice-Chancellors;
 - (c) the Deans of respective Colleges;
 - (d) the Professors in the University;

- (e) Heads of Academic Departments and Units;
 - (f) the University Librarian;
 - (g) one elected representative of each College;
 - (h) two members of Academic Staff elected by the Congregation;
 - (i) one elected representative of each department;
 - (j) two members representing a variety of interests of the professional bodies outside the University appointed by the Senate on the recommendation of the Vice-Chancellor; and
 - (k) Registrar who shall be the Secretary.
- (2) The procedure for election of members of Senate to the Council shall be prescribed by regulations.
 - (3) The Vice-Chancellor shall be the chairman at all meetings of the Senate when he is present, and, in his absence any of the Deputy Vice-Chancellors present at the meeting as the Senate may appoint for that meeting shall be the chairman at the meeting.
 - (4) The quorum of the Senate shall be one quarter or the nearest whole number less than one quarter; and subject to sub-article (3) of this article, the Senate may regulate its own procedure.
 - (5) An elected member may, by notice to the Senate, resign his office.
 - (6) Subject to sub-article (8) of this article, there shall be elections for the selection of elected members, which shall be held in the prescribed manner on such day in the month of May or June in each year as the Vice-Chancellor may determine.
 - (7) An elected member shall hold office for the term of two years beginning with 1 August in the year of his election, and may be a candidate at any election held under sub article (6) of this article in the year in which his term of office expires, and no person shall be a candidate if at the end of his current term of office the person will have held office as an elected member for a continuous term of six years or may have so held office if he had not resigned it.
 - (8) No election shall be held under this article in any year if the number specified in the certificate given under sub-article (11) of this article does not exceed by more than one the figure which is thrice the number of those elected members holding office on the date of the certificate who do not vacate office during that year under sub article (7) of this article.
 - (9) A person shall not be precluded from continuing in or taking office as an elected member by reason only of reduction in the after 30 April in any year in which he is to continue in or take office as all elected member.
 - (10) If so requested in writing by any 15 members of the Senate, the Vice-Chancellor or in his absence any of the Deputy Vice-Chancellor duly appointed by him, shall convene a meeting of the Senate to be held not later than the 10th day following date which the request was received.

- (11) In this article "total of non-elected members" means as respect any year, such number as may be certified by the Vice-Chancellor on 30 April of that year to be the number of persons holding office as members of the Senate on that day other than elected members.

Congregation

6. (1) The Congregation shall consist of:
- (a) Vice-Chancellor;
 - (b) the Deputy Vice-Chancellors;
 - (c) the full-time members of the academic staff;
 - (d) the Registrar;
 - (e) the Librarian; and
 - (f) every member of the administrative staff who holds a degree, other than honorary degree, of any University recognized for the purposes of this Statute by the Vice-Chancellor.
- (2) Subject to section 4 of this Bill, the Vice-Chancellor shall be the Chairman at all meetings of the Congregation when he is present, and, in his absence, any of the Deputy Vice-Chancellors present at the meeting as Congregation may appoint for that meeting, shall be the Chairman at the meeting.
- (3) The quorum of Congregation is one-third or the whole number nearest to one-third of the total number of members of Congregation of 50, whichever is less.
- (4) A certificate signed by the Vice-Chancellor specifying the:
- (a) total number of members of Congregation for the purpose of any particular meeting or meetings of Congregation, or
 - (b) 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) The procedure for election of members of Congregation to the Council and the Senate shall be prescribed by regulations.
- (6) Subject to this article, Congregation may regulate its own procedure.
- (7) Congregation is entitled to express by resolutions its opinion on all matters affecting the interest and welfare of the University and shall have such other functions, in addition to the function of electing a member of the Council, as may be provided by Statute or regulations.

Convocation

7. (1) Convocation shall consist of:
- (a) the officers of the University mentioned in the First Schedule to this Bill;
 - (b) all teachers within the meaning of this Bill; and
 - (c) all other persons whose names are registered in accordance with subarticle (2) of this article.
- (2) A person shall be entitled to have his name registered as a member of Convocation if he:
- (a) is either a graduate of a University or a person satisfying such requirements as may be prescribed for the purposes of this paragraph; and
 - (b) applies for the registration of his name in the prescribed manner and pay the prescribed fees.
- (3) Regulations shall provide for the establishment and maintenance of a register for the purpose of this article and subject to sub-article (4) of this article may provide for the payment 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.
- (4) 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 the Convocation by virtue of sub-article (1) (a) or (b) of this article are entered and retained on the register.
- (5) A person who reasonably claims that he is entitled to have his name on the register is entitled on demand to inspect the register or a copy of the register at the principal office of the University at all reasonable times.
- (6) The register is, unless the contrary is proved, be sufficient evidence that any person named therein is, a member of Convocation, but for the purpose of ascertaining whether a particular person was such a member on a particular date, any entries in and deletions from the register made on or after that date shall be disregarded.
- (7) The quorum of Convocation is 50 or one-third or the whole number nearest to one-third of the total number of members of Convocation whichever is less.
- (8) Subject to section 4 of the Act, the Chancellor shall be Chairman at all meetings of Convocation when he is present, and in his absence the Vice-Chancellor shall be the Chairman at the meeting.
- (9) Convocation shall have such functions, in addition to the function of appointing a member of the Council, as may be provided by Statute or regulations.

Division of Colleges

8. Each College shall be divided into such number of branches as may be prescribed.

College Boards

9. (1) There shall be established in respect of each College, a Board of Studies which, subject to the provisions of this Statute, and the directions of the Vice-Chancellor, shall:
- (a) regulate the teaching and study of, and the conduct of examinations connected with, the subjects assigned to the college;
 - (b) deal with any other matter assigned to it by Statute, Vice-Chancellor or Senate; and
 - (c) advise the Vice-Chancellor or Senate on any matter referred to it by the Vice-Chancellor or Senate.
- (2) Each College Board of Studies shall consist of:
- (a) the Vice-Chancellor;
 - (b) the Dean;
 - (c) the persons severally in charge of the branches of the school;
 - (d) the College examination officer;
 - (e) such number of teachers assigned to the College and having the prescribed qualifications as the Board may determine; and
 - (f) such persons, whether or not members of the University, as the Board may determine with the general or special approval of the Senate.
- (3) The quorum of the Board shall be eight members or one quarter, whichever is greater, of the members for the time being of the board, and subject to the provisions of this Statute and to any provision made by regulations in that behalf, the Board may regulate its own procedure.

Deans of the Colleges

10. (1) The Board of each College shall, at a last meeting of any academic year which the term of office of the Dean expires, nominate one of its members, being one of the Professors assigned to that teaching unit, for appointment by the Senate as Dean of the College
- (2) The person appointed under sub-article (1) of this article shall act as Dean of the College and Chairman of all meetings of the College Board when he is present and shall be a member of all committees and other boards appointed by the College.
- (3) The Dean shall hold office for two years and shall be eligible for re-appointment one further term of two years, and shall not be eligible for re-appointment until two years have elapsed.
- (4) The Dean of a College shall exercise general superintendence over the academic and administrative affairs of the College.

- (5) The Dean shall present to Convocation for the conferment of degrees to persons who have qualified for the degrees of the University at examination held in the branches of learning for which responsibility is allocated to that College.
- (6) There shall be a committee to be known as the Committee of Deans consisting of all the Deans of the several Colleges and that Committee shall advise the Vice-Chancellor on all academic matters and on particular matters referred to the University by the Senate.
- (7) The Dean of a College may be removed from office for good cause by the College Board after a vote have been taken at a meeting of the Board, and in the event of a vacancy occurring due to the removal of a Dean, an acting Dean may be appointed by the Vice-Chancellor:

Provided that at the next College Board meeting, an election shall be held for a new Dean.

- (8) In this article "good cause" has the same meaning, as in section 16 (4) of the Act.

Departmental Board of Studies

11. (1) There shall be a Departmental Board of Studies whose membership shall be made of all academic staff of the Department.
- (2) The Departmental Board of Studies shall be headed by a Professor who shall be appointed by the Vice Chancellor and in the absence of a Professor, a senior academic staff shall be appointed in acting capacity.
- (3) The tenure of office for a Professor heading the Department of Board of Studies is three years and one year for the person appointed in acting capacity.
- (4) The Departmental Board of Studies shall:
 - (a) superintend over all teachings and examinations in the department;
 - (b) handle all disciplinary matters in the department and make recommendations to the College where necessary; and
 - (c) allocate courses in the department on the recommendation of the Head of Department.

Selection of Directors of Physical Planning and Development Works, Services and Health

12. (1) When a vacancy occurs in the office of the Directors of Physical Planning and Development, Works and Services and Health, a Selection Board shall be constituted by the Council which shall consist of:
 - (a) the Pro-Chancellor;
 - (b) the Vice-Chancellor;
 - (c) two members appointed by the Council, not being members of the Senate; and
 - (d) two members appointed by the Senate.

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

Tenure of Directors

13. A Director shall hold office on such terms and conditions as may be specified in his letter of appointment subject to the extant regulations.

Creation of Academic Posts

14. Recommendations for the creation of academic posts other than principal officers shall be made by the Senate to the Council through the Finance and General Purposes Committee.

Appointment of Academic Staff

15. (1) Subject to this Bill and Statutes, the filling of vacancies in academic posts (including newly created ones) shall be the responsibility of the Council through the Departments and Colleges.
- (2) For the purpose of filling such vacancies, suitable Selection Boards to select and make appointments on behalf of the Council shall be set up.
- (3) For appointment to Professorships, Associate Professorship, Readerships or equivalent posts, a Selection Board, with power to appoint, shall consist of:
- (a) the Vice-Chancellor who shall be the Chairman;
 - (b) Deputy Vice-Chancellor;
 - (c) the Dean of the College;
 - (d) Head of Department;
 - (e) Registrar who shall be the Secretary; and
 - (f) such other persons, not exceeding two in number, deemed capable of helping the Board in assessing both the professional and academic suitability of a candidate under consideration, as the Senate may appoint.
- (4) For other academic posts, a Selection Board, with power to appoint, shall consist of:
- (a) the Vice-Chancellor or his representative who shall be the Chairman;
 - (b) the Dean of the College;
 - (c) Head of the Department concerned;
 - (d) an internal member of Council (not below the Rank of Senior Lecturer from the sister college in the candidate's subject-area); and
 - (e) Registrar or his representative who shall be the Secretary.

- (5) All appointments to senior library posts shall be made in the same way as equivalent appointments in the academic cadre, and for all such posts other than that of the Librarian, the Librarian shall be a member of the Selection Board.
- (6) Selection Boards may interview candidates directly or consider the reports of specialist interviewing panels and shall in addition, in the case of Professorships, Associate Professorship, Readerships or equivalent Posts, consider the reports of external assessors relevant to the area in which the appointment is being considered and the Quorum is three members including the Chairman.

Appointment of Administrative and Professional Staff

- 16. (1) The administrative and professional staff of the University other than principal officers shall be appointed by the Council or on its behalf by the Vice-Chancellor in accordance with delegation of powers made by the Council on its behalf.
- (2) A Selection Board, with power to appoint, shall consist of:
 - (a) Vice-Chancellor who shall be the Chairman;
 - (b) Deputy Vice-Chancellor;
 - (c) Registrar;
 - (d) Bursar;
 - (e) University Librarian;
 - (f) the Head of Department concerned; and
 - (g) Establishment and Human Resources Officer who shall serve as Secretary, and the Quorum is three including the Chairman.

Interpretation

- 17. In this Statute, "Act" means the Federal University of Education Pankshin, Plateau State Act and any word or expression defined in the Act has the same meaning in this Statute.

Citation

- 18. This Statute may be cited as the Federal University of Education, Pankshin, Plateau State Statute No. 1, 2021 (*Hon. Abubakar Hassan Fulata — Birniwa/Gari/Kirikasamma Federal Constituency*).

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

Explanatory Memorandum:

This Bill seek to establish the Federal University of Education, Pankshin, Plateau State for the promotion and development of teacher education in Nigeria (*Hon. Abubakar Hassan Fulata — Birniwa/Gari/Kirikasamma Federal Constituency*).

Agreed to.

Long Title:

A Bill for an Act to Provide for the Establishment of the Federal University of Education, Pankshin, Plateau State for the Promotion and Development of Teacher Education in Nigeria; and for Related Matters (HB. 686) (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committee on Tertiary Education and Services on a Bill for an Act to Provide for Establishment of Federal University of Education, Pankshin, Plateau State for the Promotion and Development of Teacher Education in Nigeria; and for Related Matters (HB. 686) and approved Clauses 1 - 29, the Schedules, the Explanatory Memorandum, and the Long Title of the Bill.

Question that the House do adopt the Report of the Committee of the Whole — Agreed to.

(vi) Committee on Tertiary Education and Services:

Motion made and Question proposed, "That the House do consider the Report of the Committee on Tertiary Education and Services on a Bill for an Act to Establishment of Federal College of Education (Technical), Keana, Nasarawa State to Provide Full-Time Courses, Teaching, Instruction and Training in Technology, Applied Science, Arts, Social Sciences, Humanities and Management, and to Provide for Appointment of the Provost and other Officers of the College to Carry Out the Administration and Disciplining of Students of the College; and for Related Matter (HB. 439)." *Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency*

Agreed to.

Question that the House do resolve into the Committee of the Whole to consider the Report — Agreed to.

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

A BILL FOR AN ACT TO ESTABLISH FEDERAL COLLEGE OF EDUCATION (TECHNICAL), KEANA, NASARAWA STATE, TO PROVIDE FULL-TIME COURSES OF TEACHING INSTRUCTION AND TRAINING IN TECHNOLOGY, APPLIED SCIENCE, ARTS, SOCIAL SCIENCES, HUMANITIES AND MANAGEMENT, AND TO PROVIDE FOR THE APPOINTMENT OF THE PROVOST AND OTHER OFFICERS OF THE COLLEGE TO CARRY OUT THE ADMINISTRATION AND THE DISCIPLINE OF STUDENTS OF THE COLLEGE AND FOR RELATED MATTERS (HB.439)

Committee's Recommendation:

Clause 1: Establishment of Federal College of Education (Technical), Keana, Nasarawa State.

- (1) There is established the Federal College of Education (Technical), Keana, Nasarawa State (herein after referred to as "the College").

- (2) The College shall be a body corporate with perpetual succession and common seal and shall take power to acquire and dispose of interest in movable and immovable properties.
- (3) The college may sue and be sued in its corporate name (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 1 stands part of the Bill — Agreed to.

Committee's Recommendation:

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 required to as lithe 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 estimates of the college; and
 - (c) the investment plan of the college.
- (3) The Provision of the schedule to this Bill shall have effect with respect to the council to as mentioned herewith (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 2 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 3: Membership of the Council in the College.

The council of the college shall consider 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 academic board of the college;
- (e) a representative of the National Commission for the College of Education;
- (f) a representative that will come from Ayedire/Iwo/Ololuwa Federal constituency; and
- (g) the provost of the college (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 3 stands part of the Bill — Agreed to.

Committee's Recommendation:**Clause 4: Tenure of Members of the Council.**

- (1) A Member of the Council (other than the ex-official members) shall hold office for a 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 also move.
- (2) The office of a member appointed under section 3 of this Bill shall become vacant of:
 - (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 (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 4 stands part of the Bill — Agreed to.

Committee's Recommendation:**Clause 5: Functions of the College.**

The functions of the College shall be:

- (a) to provide full-time courses in teaching instruction and training:
 - (i) in technology, Applied Sciences, Arts, Social Science, Humanities and management; and
 - (ii) in such other fields of applied learning relevant to the needs of development of Nigeria.
- (b) to conduct courses in Education for qualified teachers;
- (c) to arrange conference, seminars and workshops relative to the functions of the College; and
- (d) to perform such other functions as in the opinion of the Council may serve to promote the objective of the College (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 5 stands part of the Bill — Agreed to.

Committee's Recommendation:**Clause 6: Power of the Council.**

The Council of the College shall have power to:

- (a) hold examinations and grant NCE, Diplomas, Professional Certificates and other National Commission for Colleges of Education;
- (b) hold examinations 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 bookselling;
- (f) award fellowship, medals, prizes and other titles;
- (g) establish and maintain such schools and other teaching units with the College or extra moral departments as the Councils may from time to time determine;
- (h) erect, provide, equip and maintain such educational recreational and residential facilities as the College may require;
- (i) create lectureships and other academic post and offices and to make appointment thereof;
- (j) receive and make gifts;
- (k) enter into such contracts as may be necessary or expedients for carrying into effects the objections 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 incidental to the foregoing power as may advance the objects of the College (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 6 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 7: Visitation.

- (1) The Minister responsible for education shall be the visitor of the College.
- (2) The Visitor shall not less than once in every five years, conduct a visitation to the College or appoint a visitation panel 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 Visitor may deem fit (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 7 stands part of the Bill — Agreed to:

Committee's Recommendation:

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 as the Chairman;

- (b) all Heads of Departments;
 - (c) the College Bursar;
 - (d) the College Librarian and
 - (e) not more than three members of the Academic staff other than the Heads of Departments to be appointed as 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 distinction;
 - (b) discharging any other functions which the council may from time to time delegate to it (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 8 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 9: Power of Minister.

The Minister may give to the Council directions of the general character or relating generally to matter 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 (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 9 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 10: The Provost of the College.

- (1) There shall be a Provost for the College (herein after referred to as "the Provost") who shall be appointed by the President on the recommendation of the Minister.
- (2) Where a vacancy occurs in the post of the Provost, the Council shall:
 - (a) 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 service applicable to the post and there after draw up a short list of suitable candidates for consideration of the Minister.
- (3) The President shall appoint as provost 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 office for a period of five years only and on such terms and conditions as may be specified in his letter of appointment (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 10 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 11: Deputy Provost.

- (1) There shall be for the College two Deputy Provosts namely: Deputy Provost (Academic) and the Deputy Provost (Administration).
- (2) The Council shall choose the Deputy Provost from among the Chief lecturers in the College in any following ways, that is:
- (a) from the a list of five candidates in order of preference, submitted by the Provost;
- (b) on the recommendation of a 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:
- (a) the Chairman of the Council;
- (b) the Provost of the College;
- (c) two members of the Academic Board; and
- (d) 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) act as the Provost when the post of the Provost is vacant or if the Provost is for any reason, absent or unable to perform his function.
- (b) The Deputy Provost (Administration) shall:
- (i) assist the Provost in administrative matters of the College; and
- (ii) perform such other functions as the Provost or the Council may from time to time assign to him.
- (5) Each of the Deputy Provosts shall hold office for a period of two years no more (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 11 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 12: 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; and
 - (c) any Committee of the Council.
- (4) The Registrar may perform any duty as may be assigned to him by the Council or the Provost.
- (5) The Registrar shall hold office for a period of five years and no more (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 12 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 13: 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 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 and the College Librarian shall each hold office for a period of five years and no more (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 13 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 14: Resignation of Appointment of Principal Officers.

A principal officer of the College may resign his appointment:

- (a) in case of the Provost by notice to the visit for; and

- (b) in any other case by advise to the Council (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 14 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 15: 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 service of the employee of the College shall be determined by the Council consultation with the Federal Civil Service Commission (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 15 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 16: Pensions.

Service in the College shall be approved service for the purpose of the pension's reform and accordingly, officers and other persons employed in the College shall be entitled to pensions, gratitude and other retirement benefit as may be prescribed in their respective letters of appointment (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 16 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 17: Selection Board.

- (1) These shall be a 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 Academic Board; and
 - (d) two members of the Academic Board not below the rank of Chief Lecturer.
- (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 (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 17 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 18: Fund for the College.

- (1) The College shall establish and maintain a fund which shall be applied towards the promotion of the objective of 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 by the Federal Government through the National Commission for Colleges of Education;
 - (b) all monies raised by the Council by way of gifts, 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 source.
- (3) The Council shall submit to the Minister, 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 (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 18 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 19: Power to Accept Gifts.

- (1) The College may accept gifts of loan, money or of other property upon such terms and conditions, of any as may be specified by the person making the gifts.
- (2) The College shall not accept any gifts, if the conditions attached to the gifts are inconsistent with the functions of the College (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 19 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 20: Account and Audit.

The College shall keep proper accounts of its receipts, payments, assets and liabilities and shall in respect of each year cease the account to be audited (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 20 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 21: 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 immediate 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 of the accounts (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 21 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 22: Interpretation.

In this Bill:

"Chairman" means the Chairman of the council (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that the meaning of the word "Chairman" be as defined in the interpretation to this Bill — Agreed to.

"College" means the Federal College of Education (Technical), Keana, Nasarawa State established under section 1 of this Bill (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that the meaning of the word "College" be as defined in the interpretation to this Bill — Agreed to.

"Council" means the Governing Council of the College established under section 2 of this Bill (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that the meaning of the word "Council" be as defined in the interpretation to this Bill — Agreed to.

"Function" includes power and duties (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that the meaning of the word "Function" be as defined in the interpretation to this Bill — Agreed to.

"Minister" means the minister charged with the responsibility of education (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that the meaning of the word "Minister" be as defined in the interpretation to this Bill — Agreed to.

"Member" means a member of the Council including the Chairman (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that the meaning of the word "Member" be as defined in the interpretation to this Bill — Agreed to.

"Provost" means the provost of the College established under section 10 of this Bill (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that the meaning of the word "Provost" be as defined in the interpretation to this Bill — Agreed to.

Question that Clause 22 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 23: Citation.

This Bill may be cited as the Federal College of Education (Technical), Keana, Nasarawa State (Establishment) Bill, 2021 (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Question that Clause 23 stands part of the Bill — Agreed to.

SCHEDULE

[Section 2(3)]

SUPPLEMENTARY PROVISION RELATING TO THE COUNCIL, ETC.

Terms of service

1. There may be paid to members of the council or committee, other than ex-officio members, such remuneration and allowances as may from time to time be determined by the President.
2. Where a 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 remainder 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 or 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 any 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 not 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 half of the total members of the council, at least one of whom shall be a member appointed by the President.
- (5) Decisions 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 signature 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 (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Agreed to.

Explanatory Note:

This Bill seeks to establish the Federal College of Education (Technical), Keana, Nasarawa State as institute to offer full-time courses leading to the awards of National Certificates of Education, Diplomas, etc. (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Agreed to.

Long Title:

A Bill for an Act to Establish Federal College of Education (Technical), Keana, Nasarawa State, to Provide Full-Time Courses of Teaching Instruction and Training in Technology, Applied Science, Arts, Social Sciences, Humanities and Management, and to Provide for the Appointment of the Provost and Other Officers of the College to Carry Out the Administration and the Discipline of Students of the College and for Related Matters (HB.439) (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirikasamma Federal Constituency*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committee on Tertiary Education and Services on a Bill for an Act to Establishment of Federal College of Education (Technical), Keana, Nasarawa State to Provide Full-Time Courses, Teaching, Instruction and Training in Technology, Applied Science, Arts, Social Sciences, Humanities and Management, and to Provide for Appointment of the Provost and other Officers of the College to Carry Out the Administration and Disciplining of Students of the College; and for Related Matter (HB. 439) and approved Clauses 1 - 23, the Schedule, the Explanatory Memorandum, and the Long Title of the Bill.

Question that the House do adopt the Report of the Committee of the Whole — Agreed to.

19. **A Bill for an Act to Amend National Biotechnology Development Agency to Carry out Research, Create and Develop Public awareness in Biotechnology in order to Encourage a Private Sector participation in Biotechnology Industry in Nigeria; and for Related Matters (HB. 163) — Third Reading**

Motion made and Question proposed, "That a Bill for an Act to Amend National Biotechnology Development Agency to Carry out Research, Create and Develop Public awareness in Biotechnology in order to Encourage a Private Sector participation in Biotechnology Industry in Nigeria; and for Related Matters (HB. 163) be now read the Third Time" (*Hon. Benjamin Kalu — Bende Federal Constituency*).

Agreed to.

Bill read the Third Time and passed.

20. **A Bill for an Act to Establish North Central Development Commission charged with Responsibility among other things to Receive and Manage Funds from Allocation of the Federation Account for the Reconstruction and Rehabilitation of Roads, Houses and Other Infrastructural damages suffered by the Region as a result of the effects of the Communal Crisis as well as tackle the Ecological Problems and any other Related Environmental or Developmental Challenges in the North Central States; and for Related Matters (HB. 23) — Third Reading**

Motion made and Question proposed, "That a Bill for an Act to Establish North Central Development Commission charged with Responsibility among other things to Receive and Manage Funds from Allocation of the Federation Account for the Reconstruction and Rehabilitation of Roads, Houses and

Other Infrastructural damages suffered by the Region as a result of the effects of the Communal Crisis as well as tackle the Ecological Problems and any other Related Environmental or Developmental Challenges in the North Central States; and for Related Matters (HB. 23) be now read the Third Time" (*Hon. Benjamin Kalu — Bende Federal Constituency*).

Agreed to.

Bill read the Third Time and passed.

21. **A Bill for an Act to Establish North-West Development Commission charged with the Responsibility, among other things, to receive and Manage Fund from Allocation of the Federation Account and International Donors for the Settlement, Rehabilitation and Reconstruction of Roads, Houses and Business Premises Destroyed by Multinational Crisis as well as Tackling Menace of Poverty, Literacy Level, Ecological Problems and any other Related Environmental or Developmental of Challenge in the North West State; and for Related Matters (HB. 710) — Third Reading**

Motion made and Question proposed, "That a Bill for an Act to Establish North-West Development Commission charged with the Responsibility, among other things, to receive and Manage Fund from Allocation of the Federation Account and International Donors for the Settlement, Rehabilitation and Reconstruction of Roads, Houses and Business Premises Destroyed by Multinational Crisis as well as Tackling Menace of Poverty, Literacy Level, Ecological Problems and any other Related Environmental or Developmental of Challenge in the North West State; and for Related Matters (HB. 710) be now read the Third Time" (Hon. Benjamin Kalu — Bende Federal Constituency).

Agreed to.

Bill read the Third Time and passed.

22. **A Bill for an Act to Establish National Assembly Library Trust Fund for the Purpose of Research, Provision of Library Equipment and Related Facilities, Enhance the Research of Legislators and Staff of the National Assembly; and for Related Matters (HB.987) — Third Reading**

Motion made and Question proposed, "That a Bill for an Act to Establish National Assembly Library Trust Fund for the Purpose of Research, Provision of Library Equipment and Related Facilities, Enhance the Research of Legislators and Staff of the National Assembly; and for Related Matters (HB.987) be now read the Third Time" (Hon. Benjamin Kalu — Bende Federal Constituency).

Agreed to.

Bill read the Third Time and passed.

23. **A Bill for an Act to Provide for Establishment of Federal University of Education, Pankshin, Plateau State for the Promotion and Development of Teacher Education in Nigeria; and for Related Matters (HB. 686) — Third Reading**

Motion made and Question proposed, "That a Bill for an Act to Provide for Establishment of Federal University of Education, Pankshin, Plateau State for the Promotion and Development of Teacher Education in Nigeria; and for Related Matters (HB. 686) be now read the Third Time" (Hon. Benjamin Kalu — Bende Federal Constituency).

Agreed to.

Bill read the Third Time and passed.

24. **A Bill for an Act to Establishment of Federal College of Education (Technical), Keana, Nasarawa State to Provide Full-Time Courses, Teaching, Instruction and Training in Technology, Applied Science, Arts, Social Sciences, Humanities and Management, and to Provide for Appointment of the Provost and other Officers of the College to Carry Out the Administration and Disciplining of Students of the College; and for Related Matter (HB. 439) — *Third Reading***

Motion made and Question proposed, "That a Bill for an Act to Establishment of Federal College of Education (Technical), Keana, Nasarawa State to Provide Full-Time Courses, Teaching, Instruction and Training in Technology, Applied Science, Arts, Social Sciences, Humanities and Management, and to Provide for Appointment of the Provost and other Officers of the College to Carry Out the Administration and Disciplining of Students of the College; and for Related Matter (HB. 439) be now read the Third Time" (*Hon. Benjamin Kalu — Bende Federal Constituency*).

Agreed to.

Bill read the Third Time and passed.

25. **Adjournment of First Sitting**

That the House do adjourn the First Sitting till 3.20 p.m. (Hon. Benjamin Kalu — Bende Federal Constituency).

The House adjourned accordingly at 2:55 p.m.

Femi Hakeem Gbajabamila
Speaker