



# HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

## FIRST VOTES AND PROCEEDINGS

Wednesday, 30 November, 2022

1. The House met at 11.38 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 Tuesday, 29 November, 2022.

*The Votes and Proceedings was adopted by unanimous consent.*

4. **Presentation of Reports**

- (i) **Committee on Telecommunications:**

*Motion made and Question proposed*, "That the House do receive the Report of the Committee on Telecommunications on the issue from the Statutory Revenue Fund of the Nigerian Communications Commission, the total Sum of ₦553,720,192,000.00 (five hundred and fifty-three billion, seven hundred and twenty million, one hundred and ninety-two thousand Naira) only, of which the sum of ₦72,128,351,000.00 (seventy-two billion, one hundred and twenty-eight million, three hundred and fifty-one thousand Naira) only, is for Recurrent Expenditure, while the sum of ₦4,057,940,000.00 (four billion, fifty-seven million, nine hundred and forty thousand Naira) only, is for Capital Expenditure, the sum of ₦23,812,353,000.00 (twenty-three billion, eight hundred and twelve million, three hundred and fifty-three thousand Naira) only, is for Special Project, while the sum of ₦10,000,000 (ten billion Naira) only, is for transfer to the Universal Service Provision Fund (USPF), ₦443,604,722,000.00 (four hundred and forty-four billion, six hundred and four million, seven and twenty-two thousand Naira) only, will be transferred to the Federal Government of Nigeria, and the sum of ₦16,000,000,000 (sixteen billion Naira) only, is for the Budget of the Universal Service Provision Fund (USPF) for the period ending 31 December, 2023" (*Hon. Adeyemi Akeem Adeniyi — Afijio/Oyo East/Oyo West/Atiba Federal Constituency*).

*Agreed to.*

*Report laid.*

(ii) **Committee on Commerce:**

*Motion made and Question proposed*, "That the House do receive the Report of the Committee on Commerce on the Approval of a Promissory Note Programme to Settle Outstanding claims in Respect of the Export Expansion Grant (EEG) 2007 - 2009" (Hon. Fakeye Julius Olufemi — Boluwaduro/Ifedayo/Ila Federal Constituency).

Agreed to.

Report laid.

(iii) **Committee on Insurance and Actuarial Matters:**

*Motion made and Question proposed*, "That the House do receive the Report of the Committee on Insurance and Actuarial Matters on a Bill for an Act to Repeal the Insurance Act, Cap. I17, Laws of the Federation of Nigeria, 2004 and Enact the Insurance Bill, to Provide for a Comprehensive Legal Framework for Insurance Business in Nigeria; and for Related Matters (HB. 967)" (Hon. Darlington Nwokocho — Isialangwa North/South Federal Constituency).

Agreed to.

Report laid.

(iv) **Committee on Public Petitions:**

**Report on the Petition by Outdoor Advertising Association of Nigeria:**

*Motion made and Question proposed*, "That the House do receive the Report of the Committee on Public Petitions on the petition by Outdoor Advertising Association of Nigeria against the Department of Outdoor Advertisement and Signage FCT, Abuja, A Cry for Urgent Help to Rescue their Practice and Business in the FCT" (Hon. Jerry Alagbaoso — Orlu/Orsu/Oru East Federal Constituency).

Agreed to.

Report laid.

(v) **Committee on Public Petitions:**

**Report on the Petition by C. E. Obiazi and Co. on behalf of Joceg Energy Services Ltd against Mr Maka Obinna Martins:**

*Motion made and Question proposed*, "That the House do receive the Report of the Committee on Public Petitions on the petition by C. E. Obiazi and Co. on behalf of Joceg Energy Services Ltd. against Mr Maka Obinna Martins for forgery and fraudulent conversion ₦78,834,000.00 (seventy-eight million, eight hundred and thirty-four thousand Naira), only" (Hon. Jerry Alagbaoso — Orlu/Orsu/Oru East Federal Constituency).

Agreed to.

Report laid.

(vi) **Committee on Public Petitions:**

**Report on the Petition by NAOC Landlord Service Workers Association:**

*Motion made and Question proposed*, "That the House do receive the Report of the Committee on Public Petitions on the petition by NAOC Landlord Service Workers Association against Nigerian Agip Oil Company Ltd on the impunity, dehumanization, extreme casualization and indiscriminate labour practices meted on them and breach of their economic right" (Hon. Jerry Alagbaoso — Orlu/Orsu/Oru East Federal Constituency).

Agreed to.

Report laid.

(vii) *Committee on Public Petitions:***Report on the Petition by Concerned Pensioners, Delta Steel Company Ltd:**

*Motion made and Question proposed,* "That the House do receive the Report of the Committee on Public Petitions on the petition by Concerned Pensioners, Delta Steel Company Ltd against Pension Transitional Arrangement Directorate (PTAD) on increase in Pension rates of 150% with effect from 1st January 1999 and 30% effective from January 2000" (*Hon. Jerry Alagbaoso — Orlu/Orsu/Oru East Federal Constituency*).

*Agreed to.*

*Report laid.*

(viii) *Committee on Public Petitions:***Report on the Petition by Abbas M. Sani:**

*Motion made and Question proposed,* "That the House do receive the Report of the Committee on Public Petitions on the petition by Abbas M. Sani against the Management of National Space Research and Development Agency (NASRDA): and an Appeal for Justice" (*Hon. Jerry Alagbaoso — Orlu/Orsu/Oru East Federal Constituency*).

*Agreed to.*

*Report laid.*

(ix) *Committee on Public Petitions:***Report on the Petition by Aggrieved Drivers of Addax Petroleum:**

*Motion made and Question proposed,* "That the House do receive the Report of the Committee on Public Petitions on the petition by Aggrieved drivers of Addax Petroleum against the Management of Addax Petroleum Development Nigeria Limited for slavery, unfair inhuman treatment and unlawful termination of employment" (*Hon. Jerry Alagbaoso — Orlu/Orsu/Oru East Federal Constituency*).

*Agreed to.*

*Report laid.*

5. **A Bill for an Act to Authorise the issue from the Federal Capital Territory Administration's Statutory Revenue Fund of the Federal Capital Territory Administration Account, the total sum of ₦607,952,023,580.00 (Six Hundred and Seven Billion, Nine Hundred and Fifty Two Million, Twenty Three Thousand, Five Hundred and Eighty Naira) only, of which the sum of ₦76,569,904,857.00 (Seventy Six Billion, Five Hundred and Sixty Nine Million, Nine Hundred and Four Thousand, Eight Hundred and Fifty Seven naira) only, is for Personnel Costs; and the sum of ₦127,603,382,310.00 (One Hundred and Twenty Seven Billion, Six Hundred and Three Million, Three Hundred and Eighty Two Thousand, Three Hundred and Ten Naira) only, is for Overhead Costs; while the Balance of ₦403,778,736,413.00 (Four Hundred and Three Billion, Seven Hundred and Seventy Eight Million, Seven Hundred and Thirty Six Thousand, Four Hundred and Thirteen Naira) only, is for Capital Projects; for the Service of the Federal Capital Territory, Abuja, for the Financial year commencing from 1 January and ending 31 December, 2022 (HB. 2015) — *Third Reading.***

*Motion made and Question proposed,* "That a Bill for an Act to Authorise the issue from the Federal Capital Territory Administration's Statutory Revenue Fund of the Federal Capital Territory Administration Account, the total sum of ₦607,952,023,580.00 (Six Hundred and Seven Billion, Nine Hundred and Fifty Two Million, Twenty Three Thousand, Five Hundred and Eighty Naira) only, of which the sum of ₦76,569,904,857.00 (Seventy Six Billion, Five Hundred and Sixty Nine Million, Nine Hundred and Four Thousand, Eight Hundred and Fifty Seven Naira) only, is for Personnel Costs; and the sum of ₦127,603,382,310.00 (one Hundred and Twenty Seven Billion, Six Hundred and Three Million, Three Hundred and Eighty Two Thousand, Three Hundred and Ten

Naira) only, is for Overhead Costs; while the Balance of ₦403,778,736,413.00 (Four Hundred and Three Billion, Seven Hundred and Seventy Eight Million, Seven Hundred and Thirty Six Thousand, Four Hundred and Thirteen Naira) only, is for Capital Projects; for the Service of the Federal Capital Territory, Abuja, for the Financial year commencing from 1 January and ending 31 December, 2022 (HB. 2015) be now read the Third Time” (Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency).

*Agreed to.*

*Bill read the Third Time and passed.*

6. **A Bill for an Act to Establish Federal University of Forensic Science, Erin-Ile, Kwara State and to make Comprehensive Provisions for its Due Management and Administration; and for Related Matters (HB. 1754) — Third Reading**

*Motion made and Question proposed*, “That a Bill for an Act to Establish Federal University of Forensic Science, Erin-Ile, Kwara State and to make Comprehensive Provisions for its Due Management and Administration; and for Related Matters (HB. 1754) be now read the Third Time” (Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency).

*Agreed to.*

*Bill read the Third Time and passed.*

7. **A Bill for an Act to Provide for Establishment of Federal College of Nursing And Midwifery, Otu-Jeremi; and for Related Matters (HB. 402) — Third Reading**

*Motion made and Question proposed*, “That a Bill for an Act to Provide for Establishment of Federal College of Nursing And Midwifery, Otu-Jeremi; and for Related Matters (HB. 402) be now read the Third Time” (Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency).

*Agreed to.*

*Bill read the Third Time and passed.*

8. **A Bill for an Act to Provide Legal Framework to Establish Federal Medical Centre, Ovwian, Delta State; and for Related Matters (HB. 989) — Third Reading**

*Motion made and Question proposed*, “That a Bill for an Act to Provide Legal Framework to Establish Federal Medical Centre, Ovwian, Delta State; and for Related Matters (HB. 989) be now read the Third Time” (Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency).

*Agreed to.*

*Bill read the Third Time and passed.*

9. **A Bill for an Act to Establish Chartered Institute of Development Studies and Administration of Nigeria charged with Responsibility to Advance the Study, Training and Determining the Standards of Knowledge and Skills to be attained by Persons seeking to become Registered Members of the Institute; and for Related Matters (HB. 966) — Third Reading**

*Motion made and Question proposed*, “That a Bill for an Act to Establish Chartered Institute of Development Studies and Administration of Nigeria charged with Responsibility to Advance the Study, Training and Determining the Standards of Knowledge and Skills to be attained by Persons seeking to become Registered Members of the Institute; and for Related Matters (HB. 966) be now read the Third Time” (Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency).

*Agreed to.*

*Bill read the Third Time and passed.*

10. **A Bill for an Act to Establish Federal College of Education (Technical), Keana, Nassarawa 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 Matters (HB. 439) — Third Reading**  
*Motion made and Question proposed, "That a Bill for an Act to Establish Federal College of Education (Technical), Keana, Nassarawa 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 Matters (HB. 439) be now read the Third Time" (Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency).*

*Agreed to.*

*Bill read the Third Time and passed.*

11. **A Bill for an Act to Establish Nigerian Maritime Trust Fund for the Purpose of Training, Provision of Security Equipment, and Related Facilities, Enhance the Skills of Personnel of the Nigerian Navy; and for Related Matters (HB. 1243) — Third Reading**  
*Motion made and Question proposed, "That a Bill for an Act to Establish Nigerian Maritime Trust Fund for the Purpose of Training, Provision of Security Equipment, and Related Facilities, Enhance the Skills of Personnel of the Nigerian Navy; and for Related Matters (HB. 1243) be now read the Third Time" (Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency).*

*Agreed to.*

*Bill read the Third Time and passed.*

12. **A Bill for an Act to Enable Effect to be given in the Federal Republic of Nigeria to the ECOWAS Convention on Small Arms and Light Weapons, their Ammunition and other Related Materials; and for Related Matters (HB. 1413) — Third Reading**  
*Motion made and Question proposed, "That a Bill for an Act to Enable Effect to be given in the Federal Republic of Nigeria to the ECOWAS Convention on Small Arms and Light Weapons, their Ammunition and other Related Materials; and for Related Matters (HB. 1413) be now read the Third Time" (Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency).*

*Agreed to.*

*Bill read the Third Time and passed.*

13. **A Bill for an Act to Establish Federal College of Petroleum Technology, Alkaleri, Bauchi State; and for Related Matters (HB.1875) — Second Reading**  
*Motion made and Question proposed, "That a Bill for an Act to Establish Federal College of Petroleum Technology, Alkaleri, Bauchi State; and for Related Matters (HB.1875) be read a Second Time" (Hon. Mohammed Musa Pali — Alkaleri/Kirfi 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 on Tertiary Education and Services.*

14. **A Bill for an Act to Establish Federal College of Health Technology, Yala, Cross River State; and for Related Matters (HB. 2040) — Second Reading**  
*Motion made and Question proposed*, “That a Bill for an Act to Establish Federal College of Health Technology, Yala, Cross River State; and for Related Matters (HB. 2040) be read a Second Time”  
 (Hon. Jude Ogbeche Ngaji — Ogoja/Yala 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 on Health Institutions.*

15. **A Bill for an Act to Establish Federal College of Health Technology, Benisheikh, Kaga Local Government, Borno State; and for Related Matters (HB.1943) — Second Reading**

*Order read; deferred by leave of the House.*

16. **Re-committal of Clauses 7, 8, 10, 21 and 22 of the Nigeria Hunters and Forest Security Service (Establishment) Bill, 2022 Bill**

*Motion made and Question proposed:*

The House:

*Recalls* that the Nigeria Hunters and Forest Security Service (Establishment) Bill, 2022 (HB. 1994) was considered and adopted by the House except Clauses 7, 8, 10, 21 and 22;

*Also recalls* that the Clauses were deferred and the Committee on Rules and Business was mandated to examine the clauses viz-a vis the extant laws on Securities Agencies;

*Aware* of the findings which reveal that the Clauses are not inconsistent with any extant law on Security Agencies in the country;

*Appreciates* the need to recommit Clauses 7,8,10, 21 and 22 for reconsideration to achieve the intent of the enactment;

*Resolves to:*

Rescind its decision on Clauses 7, 8, 10, 21 and 22 of the Bill and commit same to the Committee of the Whole for reconsideration (Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency).

*Agreed to.*

17. **Need to Condemn Attacks on Offices and Facilities of the Independent National Electoral Commission (INEC)**

*Motion made and Question proposed:*

The House:

*Notes* the frequent systemic arson and attacks on the personnel, offices and facilities of the Independent National Electoral Commission (INEC), the premeditated attacks is targeted at crippling the Commission and scuttling the 2023 General Elections;

*Also notes* that between February 2019 and May 2021 the Socio-Economic Rights and Accountability

Project (SERAP) reported at least 41 arson were carried out on the Independent National Electoral Commission facilities in fourteen (14) States;

*Aware* that on 10 November 2022, the Independent National Electoral Commission office in Abeokuta South Local Government Area of Ogun State, was set ablaze by hoodlums with not less than 65,000 uncollected PVCs razed down by the fire;

*Also aware* that in 2019, a Single PVC was estimated to cost about ₦550.00 which may cost more for the Commission to produce, alongside the main building, movable assets and facilities such as 904 Ballot boxes, 29 voting cubicles, 30 megaphones, 57 election bags, 8 electric power generators and 65,699 Uncollected Permanent Voters Cards which were reportedly destroyed by unidentified persons at the Abeokuta South Local Government Office;

*Worried* that on the same day, Arsonists and thugs set ablaze the Independent National Electoral Commission (INEC) building at Oke Iresi, Ede South Local Government of Osun State;

*Also worried* that if these systematically orchestrated attacks on personnel and facilities of the Independent National Electoral Commission are not checked, the actions are capable of disrupting the 2023 general election;

*Observes* that the Constitution of the Federal Republic of Nigeria, 1999 (as amended) guarantees democratic governance as the only acceptable and legitimate means of governance and democracy is only sustained by free, fair and credible elections, hence, an attack against elections is an attack against democratic governance and perpetrators of such attacks are enemies of the country;

*Disturbed* that despite the affront to democracy and the Constitution of the Nigerian State, the Nigeria Police and other Security Agencies have been unable to arrest perpetrators of this heinous crime;

*Resolves to:*

- (i) condemn all forms of attack on the facilities and buildings of the Federal Government in the country, particularly attacks on the facilities and infrastructure of the Independent National Electoral Commission;
- (ii) urge politicians and stakeholders to admonish their supporters to refrain from attacks and violence before or during the 2023 elections;
- (iii) also urge the Nigeria Police Force, Nigeria Security and Civil Defense Corps, the Department of State Services and other Security Agencies to synergies with the Attorney General of the Federation and the Minister of Justice to identify, investigate, arrest and prosecute the perpetrators behind the attacks;
- (iv) set up an *Ad-hoc* Committee to investigate the remote and immediate cause of the incessant inferno on INEC Offices in different parts of the country and report within three (3) weeks (*Hon. Olarewaju Ibrahim Kunle — Moba/Ilejemeje/Ido Osi Federal Constituency*).

*Debate.*

**Amendment Proposed:**

- (i) *Insert* a new Prayer (v) as follows:  
“Urge the Nigeria Police Force to avoid being partisan in providing security cover to politicians and stakeholders” (*Hon. Balarabe Shehu Kakale — Bodinga/Tureta/Shuni Federal Constituency*).

*Question that the amendment be made — Agreed to.*

- (ii) *Insert a new Prayer (vi) as follows:*  
 “Urge the politicians and stakeholders to uphold the various peace accords signed by political parties” (*Hon. Balarabe Shehu Kakale — Bodinga/Tureta/Shuni Federal Constituency*).

*Question that the amendment be made — Agreed to.*

- (iii) *Insert a new Prayer (vii) as follows:*  
 “Urge the Nigeria Police Force to prosecute those contravening the Central Bank of Nigeria (CBN) and the Electoral Acts during campaign by abusing the naira notes” (*Hon. Balarabe Shehu Kakale — Bodinga/Tureta/Shuni Federal Constituency*).

*Question that the amendment be made — Agreed to.*

*Question on the Motion as amended — Agreed to.*

The House:

*Noted* the frequent systemic arson and attacks on the personnel, offices and facilities of the Independent National Electoral Commission (INEC), the premeditated attacks is targeted at crippling the Commission and scuttling the 2023 General Elections;

*Also noted* that between February 2019 and May 2021 the Socio-Economic Rights and Accountability Project (SERAP) reported at least 41 arson were carried out on the Independent National Electoral Commission facilities in fourteen (14) States;

*Aware* that on 10 November 2022, the Independent National Electoral Commission office in Abeokuta South Local Government Area of Ogun State, was set ablaze by hoodlums with not less than 65,000 uncollected PVCs razed down by the fire;

*Also aware* that in 2019, a Single PVC was estimated to cost about ₦550.00 which may cost more for the Commission to produce, alongside the main building, movable assets and facilities such as 904 Ballot boxes, 29 voting cubicles, 30 megaphones, 57 election bags, 8 electric power generators and 65,699 Uncollected Permanent Voters Cards which were reportedly destroyed by unidentified persons at the Abeokuta South Local Government Office;

*Worried* that on the same day, Arsonists and thugs set ablaze the Independent National Electoral Commission (INEC) building at Oke Iresi, Ede South Local Government of Osun State;

*Also worried* that if these systematically orchestrated attacks on personnel and facilities of the Independent National Electoral Commission are not checked, the actions are capable of disrupting the 2023 general election;

*Observed* that the Constitution of the Federal Republic of Nigeria, 1999 (as amended) guarantees democratic governance as the only acceptable and legitimate means of governance and democracy is only sustained by free, fair and credible elections, hence, an attack against elections is an attack against democratic governance and perpetrators of such attacks are enemies of the country;

*Disturbed* that despite the affront to democracy and the Constitution of the Nigerian State, the Nigeria Police and other Security Agencies have been unable to arrest perpetrators of this heinous crime;

*Resolved to:*

- (i) condemn all forms of attack on the facilities and buildings of the Federal Government in the country, particularly attacks on the facilities and infrastructure of the Independent National Electoral Commission;
- (ii) urge politicians and stakeholders to:



- (a) admonish their supporters to refrain from attacks and violence before or during the 2023 elections,
- (b) uphold the various peace accords signed by political parties;
- (iii) also urge the Nigeria Police Force, Nigeria Security and Civil Defense Corps, the Department of State Services and other Security Agencies to synergies with the Attorney General of the Federation and the Minister of Justice to identify, investigate, arrest and prosecute the perpetrators behind the attacks;
- (iv) further urge the Nigeria Police Force to:
  - (a) avoid being partisan in providing security cover to politicians and stakeholders;
  - (b) prosecute those contravening the Central Bank of Nigeria (CBN) and the Electoral Acts during campaign by abusing the naira notes;
- (v) set up an *Ad-hoc* Committee to investigate the remote and immediate cause of the incessant inferno on INEC Offices in different parts of the Country and report within three (3) weeks (HR. 91/11/2022).

***Ad-hoc Committee to Investigate the Attacks on Offices and Facilities of the Independent National Electoral Commission (INEC) (HR. 91/11/2022):***

Mr Speaker announced membership of the *Ad-hoc* Committee as follows:

(1)	Hon. Oluga Taiwo Olukemi	—	<i>Chairman</i>
(2)	Hon. Gbillah Mark Terser	—	<i>Member</i>
(3)	Hon. Jaha Ahmadu Usman	—	<i>Member</i>
(4)	Hon. Ibrahim Obanikoro	—	<i>Member</i>
(5)	Hon. Joseph Bello	—	<i>Member</i>
(6)	Hon. Sani Umar Bala	—	<i>Member</i>
(7)	Hon. Suleiman Aminu	—	<i>Member</i>
(8)	Hon. Olanrewaju Ibrahim	—	<i>Member</i>

**18. Consideration of Reports**

**(i) Committee on Commerce:**

*Motion made and Question proposed*, "That the House do consider the Report of the Committee on Commerce on the Approval of a Promissory Note Programme to Settle Outstanding Claims in Respect of the Export Expansion Grant (EEG) 2007 - 2009" (Hon. Fakeye Julius Olufemi — Boluwaduro/Ifedayo/Ila Federal Constituency).

*Agreed to.*

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

**(HOUSE IN COMMITTEE OF SUPPLY)**

*(Mr Speaker in the Chair)*

**Recommendation (i):**

"That approval and release of the sum of ₦308,458,160,546.41 (three hundred and eight billion, four hundred and fifty-eight million, one hundred and sixty thousand five hundred and forty-six Naira, forty-one Kobo) only, for one hundred and ninety-four beneficiary companies whose claims have been reviewed and validated. This total sum comprises the following categories of claims:

- (a) ₦193,456,239,386.40 (one hundred and ninety-three billion, four hundred and fifty-six million, two hundred and thirty-nine thousand, three hundred and eighty-six Naira, forty

- Kobo) only, for one hundred and thirty-three (133) beneficiaries in respect EEG outstanding claims for 2017-2020;
- (b) ₦108,317,269,008.76 (one hundred and eight billion, three hundred and seventeen million, two hundred and sixty-nine thousand, eight Naira, seventy-six Kobo) only, for thirty-five (35) beneficiaries in respect of EEG backlog claims of 2007-2016;
- (c) ₦68,389,000.00 (sixty-eight million, three hundred and eighty-nine thousand Naira) only, for thirteen (13) beneficiaries in respect of stock of outstanding Negotiable Duty Credit Certificates (NDCCs);
- (d) ₦6,617,781,151.25 (six billion, six hundred and seventeen million, seven hundred and eighty-one thousand and one hundred and fifty-one Naira, twenty-five Kobo) only, for sixty-nine (69) beneficiaries in respect of shortfall in the approval claims by the 8th National Assembly" (*Hon. Fakeye Julius Olufemi — Boluwaduro/Ifedayo/Ila Federal Constituency*).

*Agreed to.*

**Recommendation (ii):**

"Step down the release of the total sum of ₦60,635,088,940.63 (sixty billion, six hundred and thirty-five million, eighty-eight thousand, nine hundred and forty Naira, sixty-three Kobo) only, outstanding to Thirty-Four (34) companies due to inability of the affected companies to provide the necessary documentation to validate their claims. The claims for the affected companies have not been validated after verification and therefore not recommended for the issuance of a Promissory Note" (*Hon. Fakeye Julius Olufemi — Boluwaduro/Ifedayo/Ila Federal Constituency*).

*Agreed to.*

*Chairman to report proceedings.*

**(HOUSE IN PLENARY)**

Mr Speaker in the Chair, reported that the House in Committee of Supply considered the Report of the Committee on Commerce on the Approval of a Promissory Note Programme to Settle Outstanding Claims in Respect of the Export Expansion Grant (EEG) 2007 - 2009 and approved Recommendations (i) and (ii) of the Report.

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

*Motion made and Question proposed, "That the House do suspend Order Seven, Rule 2 (2), to enable the Speaker preside in the Committee of the Whole" (Hon. Abubakar Makki Yalleman — M/Madori/Kaugama Federal Constituency) — Agreed to.*

**(ii) Committee on Agricultural Colleges and Institutions:**

*Motion made and Question proposed, "That the House do consider the Report of the Committee on Agricultural Colleges and Institutions on a Bill for an Act to Establish Federal College of Agriculture, Abi, Cross River State to Provide Full-Time Courses Leading to the Award of Diploma, Higher National Diploma in Agriculture and Allied Fields, and be responsible for the due Administration of the College; and for Related Matters (HB. 1629)" (Hon. Yusuf Ahmed Tijjani — Okene/Ogori-Magogo 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 Speaker in the Chair)*

A BILL FOR AN ACT TO ESTABLISH FEDERAL COLLEGE OF AGRICULTURE, ABI, CROSS RIVER STATE TO PROVIDE FULL-TIME COURSES LEADING TO THE AWARD OF DIPLOMA, HIGHER NATIONAL DIPLOMA IN AGRICULTURE AND ALLIED FIELD, AND BE RESPONSIBLE FOR THE DUE ADMINISTRATION OF THE COLLEGE; AND FOR RELATED MATTERS (HB.1629)

**Committee's Recommendation:****Clause 1: Establishment of Federal College of Agriculture, Abi, Cross River State.**

- (1) There is established the Federal College of Agriculture, Abi, Cross River State (herein after referred to as "the College").
- (2) The College shall be a body corporate with perpetual succession and common seal and shall have the power to acquire and dispose of interest in movable and immovable property.
- (3) The College may sue and be sued in its corporate name (*Hon. Munir Baba Dan'Agundi — Kumbotso Federal Constituency*).

*Question that Clause 1 stands part of the Bill — Agreed to.***Committee's Recommendation:****Clause 2: Governing Council of the College.**

- (1) There is established for the College a governing Council (in the Bill referred to as "the Council").
- (2) The Council shall have the responsibility to consider and approve:
  - (a) the Programme of studies to be undertaken in the College;
  - (b) the annual 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 proceeding of the Council (*Hon. Munir Baba Dan'Agundi — Kumbotso 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.**

- (1) The Council of the College shall consist of:
  - (a) a Chairman and other members to be appointed by the President;
  - (b) a representative of the Federal Ministry of Agriculture and Natural Resources;
  - (c) a representative of the University of which the College is affiliated to for the purpose of moderation;

(d) two representatives of the Academic Board of the College; and

(e) the Provost of the College (*Hon. Munir Baba Dan'Agundi — Kumbotso 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 shall be eligible for re-appointment for a further a further period of four years and no more.

(2) The office of a member appointed under section 3 of this Bill shall become vacant if:

(a) the member resigns from 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. Munir Baba Dan'Agundi — Kumbotso 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 Agriculture and allied matters, and

(ii) in such other fields of applied learning relevant to the needs of the development of Nigeria;

(b) to conduct courses in Agriculture for qualified teachers;

(c) to arrange conferences, seminars and workshops relative to the functions of the College;

(d) to offer to the general population particularly in the area of Agriculture as a form of public service, the results of training and research and , to foster the practical applications of these results;

(e) to establish appropriate relationships with other national institutions involved in training, research and development of technologies in the Agriculture sector;

(f) to identify the problems and needs of the Agriculture sector in Nigeria and to find solutions to them within the context of overall national development; and

(g) to perform such other functions as in the opinion of the Council may serve to promote the objective of the College (*Hon. Munir Baba Dan'Agundi — Kumbotso 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 Diplomas, Professional Certificates and other distinctions to persons, who have pursued a course of study approved and accredited by the National Board for Technical Education and have satisfied such other requirements as Council may lay down;
- (b) hold examinations in Agriculture for qualified teachers;
- (c) recruit staff of the right calibre and determine the career structure of such staff;
- (d) demand and receive from any student or any other person attending the College for the purpose of study 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, institutes, extramural departments and other teaching and research units within the College as the Council 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) accept gifts, legacies and donations, but without obligation to accept the same for a particular purpose unless it approves the terms and conditions attaching thereto;
- (k) enter into such contracts as may be necessary or expedients for carrying into effects the objectives of the College;
- (l) provide amenities for and make such other provision for the welfare of the staff and students of the college;
- (m) encourage and make provision for research in the college;
- (n) do such acts and things whether or not incidental to the foregoing powers as may advance the objects of the College (*Hon. Munir Baba Dan'Agundi — Kumbotso Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 7: Visitation.**

- (1) The Minister responsible for Agriculture and Natural Resources shall be the Visitor of the College.

- (2) The Visitor shall, not less than once in every five year, conduct a visitation to the College or appoint a visitation panels consisting of not less than five experts to conduct the visitation:
  - (a) for the purpose of evaluating the academic and administrative performance of the College; or
  - (b) for such other purpose as the Visitor may deem fit (*Hon. Munir Baba Dan'Agundi — Kumbotso 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 by the Council.
- (2) The Academic Board shall be responsible for:
  - (a) the direction and management of academic matters of the College including the regulation of admission of students, the award of certificates, scholarships, prizes and other academic distinction;
  - (b) making periodic reports on such academic matters to the Council as the Council may from time to time direct;
  - (c) discharging any other functions which the council may from time to time delegate to it (*Hon. Munir Baba Dan'Agundi — Kumbotso Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 9: Power of Minister to give direction to the Council.**

Subject to the provisions of this Bill, the Minister may give directions of the general character or relating generally to matter of policy with regard to the exercise by the Council of it functions under this Bill and it shall be the duty of the Council to comply with such directions (*Hon. Munir Baba Dan'Agundi — Kumbotso 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 of the College (hereinafter 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 thereafter 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 this Bill and the general control of the Council, the Provost shall be the Chief Executive of the College and shall be charged with general responsibility for matters relating to the day-to-day management and operations of the College.
- (5) The Provost:
  - (a) shall hold office for a period of four years beginning with the effective date of his appointment and on such terms and conditions as may be specified in his letter of appointment;
  - (b) may be reappointed for one further period of four years and no more (*Hon. Munir Baba Dan'Agundi — Kumbotso 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 appoint the Deputy Provosts from among the chief lecturers in the College in any of the following ways, that is:
  - (a) from a list of five candidates in order of preference, submitted by the Provost;
  - (b) on the recommendation of a Selection Board constituted for that 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:
- (a) hold office for a period of two years beginning from the effective date of his appointment and on such terms and conditions as may be specified in his letter of appointment; and
  - (b) may be reappointed for one further period of two years and no more (*Hon. Munir Baba Dan'Agundi — Kumbotso 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 other Committee of the Council.
- (4) The Registrar may perform any duty as may be assigned to him by the Council and the Provost.
- (5) The Registrar shall:
  - (a) hold office for a period of four years beginning from the effective date of his appointment and on such terms and conditions as may be specified in his letter of appointment; and



- (b) may be reappointed for one further period of four years and no more  
(*Hon. Munir Baba Dan'Agundi — Kumbotso 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:
- (a) shall each hold office for a period of four years beginning from the effective date of his appointment and on such terms and conditions as may be specified in their letters of appointments; and
- (b) may be reappointed for a further period of four years and no more  
(*Hon. Munir Baba Dan'Agundi — Kumbotso 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 Visitor; and
- (b) in any other case by notice to the Council (*Hon. Munir Baba Dan'Agundi — Kumbotso 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) Subject to the provisions of this Bill, 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. Munir Baba Dan'Agundi — Kumbotso 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, gratuities and other retirement benefit as may be prescribed in their respective letters of appointments (*Hon. Munir Baba Dan'Agundi — Kumbotso Federal Constituency*).

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

*Committee's Recommendation:***Clause 17: Selection board for other principal officers.**

- (1) There 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 Academics Board; and
  - (d) two members of the Academic Board.
- (2) The functions, procedure and other matters relating to the selection Board constituted under subsection (1) of this section shall be determined from time to time by the Council (*Hon. Munir Baba Dan'Agundi — Kumbotso Federal Constituency*).

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

*Committee's Recommendation:***Clause 18: Funds of the College.**

- (1) The College shall establish and maintain a fund which shall be applied towards the promotion of the objectives of this Bill.
- (2) There shall be paid and credited to the fund established under subsection (1) of this section:
  - (a) such sums as may from time to time be granted by the Federal Government through the Federal Ministry of Agriculture and Natural Resources;
  - (b) all monies raised by the Council by way of gifts, grants in aid or testamentary 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 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. Munir Baba Dan'Agundi — Kumbotso 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 gifts property upon such terms and conditions, if any as may be specified by the person making the gifts.
- (2) The College shall not accept any gift if the conditions attached to the gifts are inconsistent with the functions of the College (*Hon. Munir Baba Dan'Agundi — Kumbotso Federal Constituency*).

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

*Committee's Recommendation:***Clause 20: Accounts and Audit.**

The College shall keep proper accounts of its receipt, payments, assets and liabilities and shall in respect of each year cause the account to be audited (*Hon. Munir Baba Dan'Agundi — Kumbotso 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 on the accounts (*Hon. Munir Baba Dan'Agundi — Kumbotso Federal Constituency*).

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

*Committee's Recommendation:***Clause 22: Interpretation.**

In this Bill, unless the context otherwise requires:

"Chairman" means the chairman of the Council (*Hon. Munir Baba Dan'Agundi — Kumbotso 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 Agriculture, Abi established under section (1) of this Bill (*Hon. Munir Baba Dan'Agundi — Kumbotso 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 by or pursuant to section 2 of this Bill (*Hon. Munir Baba Dan'Agundi — Kumbotso 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. Munir Baba Dan'Agundi — Kumbotso 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 responsibility for matters relating to Agriculture and Natural Resources (*Hon. Munir Baba Dan'Agundi — Kumbotso 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. Munir Baba Dan'Agundi — Kumbotso 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. Munir Baba Dan'Agundi — Kumbotso 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: **Short Title.**

This Bill may be sited as the Federal College of Agriculture, Abi (Establishment) Bill, 2022 (*Hon. Munir Baba Dan'Agundi — Kumbotso 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 the members of the Council or any 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.

(HOUSE IN COMMITTEE)  
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 or 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. Muntir Baba Dan'Agundi — Kumbotso Federal Constituency*).

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

**Explanatory Memorandum:**

This Bill seeks to establish the Federal College of Agriculture, Abi as an Institute which would offer full-time courses leading to the awards of National Diplomas, Higher National Diplomas, etc. (*Hon. Munir Baba Dan'Agundi — Kumbotso Federal Constituency*).

*Agreed to.*

**Long Title:**

A Bill for an Act to Establish Federal College of Agriculture, Abi, Cross River State to Provide Full-Time Courses Leading to the Award of Diploma, Higher National Diploma in Agriculture and Allied Field, and Be Responsible for the Due Administration of the College; and for Related Matters (HB.1629) (*Hon. Munir Baba Dan'Agundi — Kumbotso Federal Constituency*).

*Agreed to.*

**Chairman to report Bill.**

(HOUSE IN PLENARY)

Mr Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committee on Agricultural Colleges and Institutions on a Bill for an Act to Establish Federal College of Agriculture, Abi, Cross River State to Provide Full-Time Courses Leading to the Award of Diploma, Higher National Diploma in Agriculture and Allied Fields, and be responsible for the due Administration of the College; and for Related Matters (HB. 1629) 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.*

**(iii) 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 Polytechnic, Nyak-Shendam, Plateau State; and for Related Matters (HB.1897)" (Hon. Aminu Suleiman — Fagge 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 Speaker in the Chair)*

A BILL FOR AN ACT TO ESTABLISH THE FEDERAL POLYTECHNIC,  
 NYAK-SHENDAM, PLATEAU STATE TO PROVIDE FULL AND PART-TIME  
 COURSES OF INSTRUCTION IN DIFFERENT FIELDS OF STUDIES;  
 AND FOR RELATED MATTERS (HB. 1897)

**Committee's Recommendation:**

**Clause 1: Establishment of the Federal Polytechnic, Nyak-Shendam, Plateau State.**

- (1) There is established the Federal Polytechnic, Nyak-Shendam, Plateau State (in this Bill referred to as "the Polytechnic") which shall have such powers and perform such functions conferred on it by this Bill.
- (2) The Polytechnic:
  - (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 and dispose of interests in movable and immovable property *(Hon. Aminu Suleiman — Fagge Federal Constituency).*

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

**Committee's Recommendation:**

**Clause 2: Objects of the Polytechnic.**

The objects of the Polytechnic are to:

- (a) provide courses of instruction, training and research in science, technology, engineering, arts, mathematics (STEAM) and any other field of learning as the Polytechnic may determine periodically always having regard to the manpower needs of the State in particular and Federation in general;
- (b) produce a middle-level manpower required for the development of the State in particular and Federation in general;
- (c) produce graduates that are self-reliant in their chosen professions or fields with the right aptitude for entrepreneurship;
- (d) provide courses of instruction in technology and any other facility for the training of technological and technically inclined students *(Hon. Aminu Suleiman — Fagge Federal Constituency).*

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

**Committee's Recommendation:**

**Clause 3: Functions of the polytechnic.**

- (1) The polytechnic shall:
  - (a) provide full-time and part-time courses of instruction and training to produce middle and high level manpower in:
    - (i) technology, applied science, commerce and management, and
    - (ii) such other fields of applied learning relevant to the needs of the development of Nigeria in the areas of industrial and agricultural production, distribution and for research in the development and adaptation of techniques as the Council may determine;
  - (b) arrange conference, seminars and study groups relative to the fields of learning specified under subsection (1) (a);
  - (c) perform such other functions as in the opinion of the Council may serve to promote the objectives of the polytechnic.
- (2) Nothing in this section shall preclude the government of a state or any of its agencies from setting up a Polytechnic similar to any polytechnic established under this Bill (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 4: Establishment and constitution of the Council.**

- (1) There is established for the Polytechnic a Governing Council (in this Bill referred to as "the Council").
- (2) The Council shall consist of a chairman:
  - (a) four persons representing a variety of interests and broadly representatives of the whole federation, at least one of whom shall be a woman;
  - (b) one person to represent the alumni association of the Polytechnic;
  - (c) a representative of the community where the polytechnic is situated;
  - (d) the Rector;
  - (e) the Deputy Rectors;
  - (f) one person representing the Federal Ministry of Education or regulatory agency;
  - (g) two persons not below the rank of Chief Lecturer elected by the Academic Board from among its members;
  - (h) three persons not below the rank of Senior Lecturer or its equivalent

elected by the Congregation from among its members in which one shall be a non-teaching staff.

(3) The Chairman and members of the Council other than *ex-officio* members shall be:

(a) appointed by the President;

(b) persons of proven integrity, knowledgeable and acquainted with the working and tradition of the technical and vocational education.

(4) Any member of the Council other than an *ex-officio* member:

(a) shall hold office for a three years at the first instance; and

(b) may be eligible for re-appointment for another three years and no more.

(5) The governing structure of the Polytechnic shall consist of:

(a) Governing Council;

(b) Academic Board;

(c) Management Committee;

(d) School Board; and

(e) Departmental Board.

**Schedule.**

(6) The supplementary provisions set out in the Schedule to this Bill, shall apply in relation to governing structure and other matters specified in the Schedule (Hon. Aminu Suleiman — Fagge Federal Constituency).

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

**Committee's Recommendation:**

**Clause 5: Visitation.**

(1) The President shall be the Visitor to the Polytechnic.

(2) The Visitor shall, at least once in every five years, conduct a visitation of the college or appoint a Visitation Panel, consisting of at least five experts, to conduct the visitation:

(a) for the purpose of evaluating the academic and administrative performance of the Polytechnic; and

(b) for such other purpose or in respect of any other affairs of the Polytechnic as the Visitor may deem fit (Hon. Aminu Suleiman — Fagge Federal Constituency).

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





**Committee's Recommendation:****Clause 6: Registrar of the polytechnic.**

- (1) There shall be a Registrar to the Polytechnic who shall:
  - (a) be responsible to the Rector for the administration of the Polytechnic; and
  - (b) shall perform such other duties as the Council or the Rector may require him to do.
- (2) The Registrar shall:
  - (a) be the Secretary to the Council, the Academic Board and any committee of the Council; and
  - (b) attend all the meetings of those bodies unless excused for good reason by the Chairman of the Council.
- (3) In the absence of the Registrar, the Chairman of the Council may, after consultation with the Rector, appoint a suitable person to act as secretary for any particular meeting of the Council.
- (4) The Secretary to the Council or a person appointed to act under subsection (3), shall not vote on any question before the Council or count towards a quorum unless he is so entitled as a member of the Council (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

**Committee's Recommendation:****Clause 7: Tenure of office of the Registrar.**

- (1) A Registrar shall hold office:
  - (a) for a single term of five years beginning from the effective date of his appointment; and
  - (b) on such terms and conditions as may be specified in the letter of his appointment.
- (2) Where a Registrar has held office for five years or less on the commencement of this Bill, he is deemed to have been serving his final term of office (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

**Committee's Recommendation:****Clause 8: General functions of the Council.**

- (1) Subject to the provisions of this Bill, the Council:
  - (a) shall be the governing body of the Polytechnic concerned; and
  - (b) shall have powers and control over the general management of the affairs of the Polytechnic, and in particular, the property and finances of the polytechnic; and
  - (c) may do anything which in its opinion is calculated to facilitate the

carrying out of the activities of the Polytechnic and promote its best interests.

- (2) The Council may acquire and hold such movable or immovable property as may be necessary or expedient for carrying into effect the provisions of this Bill, and for the same purpose may sell, lease, mortgage or otherwise alienate or dispose of any property so acquired.
- (3) The Council may enter into such contracts as may be necessary or expedient for carrying into effect the provisions of this Bill.
- (4) The Minister may, give to the Council directions of a general character relating to particular matters, but not to any individual person or case, with regard to the exercise by the Council of its functions and it shall be the duty of the Council to comply with the directions (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 9: The Rector of the polytechnic.**

- (1) There shall be a Rector of the Polytechnic (in this Bill referred to as "the Rector") who shall be appointed by the President in accordance with the provision of this section.
- (2) Where a vacancy occurs in the post of the Rector, the Council shall:
  - (a) advertise the vacancy, not later than six months to the expiration of the term of the sitting Rector in at least two national newspapers in Nigeria, specifying the:
    - (i) qualifications of the persons who may apply for the post, which shall be a Chief Lecturer in the Polytechnic sector with at least five years of experience on that position among other criteria, and
    - (ii) the terms and conditions of service applicable to the post, and thereafter, draw up a short list of suitable candidates for consideration;
  - (b) constitute a Search Team consisting of:
    - (i) a member of the Council, not being a member of the Academic Board, as Chairman,
    - (ii) two members of the Academic Board, not below the rank of Chief Lecturer,
    - (iii) two members of Academic Staff not below the rank of Chief Lecturer to be elected from among its members.
- (3) A Joint Council, Academic Board and Congregation Selection Board consisting of:
  - (a) the Chairman of the Council;

- (b) two members of the Council not being members of the Academic Board;
  - (c) two members of the Academic Board not below the rank of Chief Lecturer, who were not members of the Search Team elected among its members; and
  - (d) two members of the Congregation not below the rank of Chief Lecturer who were not members of the Search Team elected among its members, shall consider the candidates on the short list drawn up under subsection (2) through an examination of their curriculum vitae and interaction with them and recommend in order of performance ranking through the Council, to the President, three candidates for his consideration.
- (4) The President shall appoint, as Rector, one of the candidates recommended to him under subsection (3).
- (5) Subject to this Bill and the general control of the Council, the Rector is the Chief Executive of the Polytechnic and is charged with general responsibility for matters relating to the management operations of the Polytechnic.
- (6) The Rector shall hold office:
- (a) for a single term of five years beginning with the effective date of his appointment; and
  - (b) on such terms and conditions as may be specified in his letter of appointment.
- (7) Where a Rector:
- (a) was appointed on a four year term on the commencement of this Bill, his term of office shall be extended for one year to complete the single-tenure of five years in line with subsection (6); and
  - (b) is serving second term four years on the commencement of this Bill, he shall be deemed to have been serving his final term of office.
- (8) The Rector shall:
- (a) have power to exercise general authority over staff;
  - (b) be responsible for discipline in the polytechnic; and
  - (c) have his remuneration determined by the National Salaries and Wages Commission (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 10: Deputy Rectors.**

- (1) There shall be for the Polytechnic such number of Deputy Rectors as the Council may deem necessary for the proper administration of the Polytechnic.

- (2) Where a vacancy occurs in the post of Deputy Rector, the Rector shall forward to the Academic Board a list of two candidates for each post of Deputy Rector that is vacant.
- (3) The Academic Board shall elect for each vacant post one candidate from each list forwarded to it under subsection (2) and forward his name to the Council for confirmation.
- (4) Where:
  - (a) the Academic Board rejects the two candidates forwarded to it by the Rector under subsection (2), the Rector shall submit another list;
  - (b) the Council rejects the name sent to it under subsection (3), the Academic Board shall send the name of the other candidate on the list forwarded to it by the Rector under subsection (2).
- (5) The Deputy Rectors shall:
  - (a) assist the Rector in the performance of his functions;
  - (b) act in the place of the Rector when the post of Rector is vacant or if the Rector is for any reason absent or unable to perform his functions as Rector; and
  - (c) perform such other functions as the Rector or the Council may assign to them.
- (6) The Deputy Rectors shall hold office:
  - (a) for a single term of four years beginning from the effective date of their appointment; and
  - (b) on such terms and conditions as may be specified in their letter of appointment.
- (7) Where a Deputy Rector:
  - (a) was appointed on two year term on the commencement of this Bill, his term shall be extended for a period of two years to complete the single term of four years in line with subsection (6); and
  - (b) is serving second term of two years on the commencement of this Bill, he shall be deemed to have been serving his final term of office (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 11: Other principal officers of the Polytechnic.**

- (1) There shall be for the Polytechnic the following other principal officers in addition to the Deputy Rectors:
  - (a) the Registrar;
  - (b) the Bursar; and

- (c) the Librarian, who shall all be appointed by the Council on the recommendation of the Selection Board constituted under section 12 of this Bill.
- (2) The Bursar shall be the Chief Financial Officer of the Polytechnic and be responsible to the Rector for the administration and control of the financial affairs of the polytechnic.
- (3) The Librarian shall be responsible to the Rector for the administration of the Polytechnic library and the co-ordination of the library services in the teaching units of the Polytechnic.
- (4) The Bursar or Librarian shall hold office:
- (a) for a single term of five years beginning from the effective date of his appointment; and
- (b) on such terms and conditions as may be specified in his letter of appointment; and
- (5) Where a Bursar or Librarian has held office for five years or less on the commencement of this Bill, he is deemed to have been serving his final term of office (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 12: Resignation of appointment of principal officers.**

A principal officer may resign his appointment:

- (a) in the case of the Rector, by notice to the Visitor; and
- (b) in any other case, by notice to the Council (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 13: Selection board for other principal officers.**

(1) There shall be, for the Polytechnic, a Selection Board which shall consist of:

- (a) the Chairman of the Council;
- (b) the Rector;
- (c) four members of the Council not being members of the Academic Board;
- (d) two members of the Academic Board not being members of Council and not below the rank of Chief Lecturer elected from among its members; and
- (e) three members of the congregation not below the rank of Principal Lecturer or its equivalent elected from among its members in which one shall be a non-teaching staff.

- (2) The functions, procedure and other matters relating to the Selection Board shall be as the Council may determine (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 14: Other employees of the Polytechnic.**

- (1) The Council may appoint such other persons to be employees of the Polytechnic as the Council may determine to assist the Rector and principal officers of the Polytechnic in the performance of their functions under this Bill.
- (2) The power to appoint all other employees of the polytechnic shall be exercised:

**Schedule.**

- (a) in the case of senior employees, by the Council on the recommendation of Appointment and Promotions Committee set up under the provisions of paragraph 3 (2) (a) of the Schedule to this Bill;
- (b) in the case of junior employees, by the Rector on the recommendation of the Junior Staff appointment and promotions committee constituted under paragraph 3 (2) (b) of the Schedule to this Bill.
- (3) Subject to the provisions of this Bill, the remuneration, tenure of office and conditions of service of the employees of the Council shall be determined by the Council in consultation with the Federal Civil Service Commission (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 15: Application of the Pension Reforms Act.**

- (1) The Federal Civil Service Commission may by order published in the Federal Government Gazette declare the office of the Rector or any other person employed by the Council to be a pensionable office for the purposes of the Pension Reforms Act, Act No. 4, 2014.
- (2) Nothing in the provisions of subsection (1) shall prevent the appointment of any person to any office on terms which preclude the grant of a pension or gratuity in respect of service in that office.
- (3) A law or rule requiring a person to retire from the Public Service after serving for 35 years or having attained the age of 60 years in service, shall not apply to staff of the Polytechnic. Act No. 4, 2014.
- (4) Notwithstanding anything to the contrary contained in the Pension Reforms Act, the compulsory retirement age of staff of Polytechnic shall be 65 years (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

**Committee's Recommendation:****Clause 16: Establishment of the Academic Board.**

- (1) There is established for the Polytechnic (in this Bill referred to as "the Academic Board") which shall consist of:
  - (a) the Rector of the Polytechnic, as Chairman;
  - (b) the Deputy Rectors of the Polytechnic;
  - (c) all heads of academic departments and units;
  - (d) the Polytechnic Librarian;
  - (e) not more than two members of the academic staff who are not members of the Academic Board and not below the rank of Senior Lecturer elected from among its members, such members shall serve for non-renewable term of three years;
  - (f) all Deans and academic Directors; and
  - (g) all Chief Lecturers.
- (2) The Academic Board shall be responsible for:
  - (a) the direction and management of academic matters of the Polytechnic including the regulation of admission of students, the award of certificates and diplomas, scholarships, prizes and other academic distinctions;
  - (b) the making to the Council of such periodic reports on such academic matters as the Academic Board may deem fit or as the Council may direct; and
  - (c) the discharge of any other function which the Council may delegate to it (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

**Committee's Recommendation:****Clause 17: Removal from office of members of the Council and the Rector.**

- (1) Where it appears to the Council that a member of the Council, other than an *ex-officio* member or the Rector, should be removed from office on the ground of misconduct or inability to perform the functions of his office, the Council shall make a recommendation through the Minister to the Federal Executive Council for approval and the Minister shall declare the office of such member or Rector vacant.
- (2) The Minister may recommend the removal of any member of the Council or Rector to the Federal Executive Council, if he is satisfied that it is not in the interest of the Public or of the Polytechnic that such a person shall continue as a member of the Council.
- (3) In case of vacancy in the office of the Rector, the Council shall appoint an acting Rector who shall not be in office for more than six months.

- (4) There shall be no sole administration in the Polytechnic (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 18: Removal and discipline of academic, administrative and technical staff.**

- (1) If it appears to the Council that there are reasons for believing that a person employed as a member of the academic, administrative or technical staff of the Polytechnic, other than the Rector, should be removed from office on the ground of misconduct or inability to perform the functions of his office, 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 to the Council; and
  - (c) if he or any three members of the Council so request within the period of one month beginning with the date of the notice, make arrangements for:
    - (i) a joint committee of the Council and the Academic Board to investigate the matter where it relates to an academic staff and to report on it to the Council,
    - (ii) a committee of the Council to investigate the matter, where it relates to any other member of the staff of the Polytechnic and to report on it to the Council, and
    - (iii) the person in question to be afforded an opportunity of appearing before and being heard by the investigating committee with respect to the matter, and if the Council, after considering the report of the investigating committee, is satisfied that the person in question should be removed as aforesaid, the Council may so remove him by an instrument in writing signed on the directions of the Council.
- (2) The Rector may, in a case of misconduct by a member of the staff which in the opinion of the Rector is prejudicial to the interest of the Polytechnic, suspend such member and any such suspension shall immediately be reported to the Council.
- (3) For good cause, any member of staff may be suspended from office or his appointment may be terminated by the Council and for the purpose of this subsection, "good cause" means:
- (a) any physical or mental incapacity which the Council, after obtaining medical advice, considers to be such as to render the person concerned unfit for the performance of the functions of his office;
  - (b) any physical or mental incapacity which the Council, after 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 other disgraceful nature which the



Council considers to be such as to render the person concerned unfit to continue to hold his office; or

- (d) conduct which the Council considers to be such as to constitute failure or inability of the person concerned to perform the functions of his office or to comply with the terms and conditions of his service.
- (4) Any person suspended under subsection (2) or (3), shall be placed on half pay and the Council shall before the expiration of the period of three months after the date of such suspension consider the case against that person and come to a decision as to 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 in question, in which case such a person, will 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, and in any case where the Council, pursuant to 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 a period of three months from such decision come to a final determination in respect of the case concerning any such person.
- (5) It is the duty of the person by whom an instrument of removal is signed under subsection (1), to 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.
- (6) Nothing in this section shall prevent the Council from making such regulations for the discipline of other categories of staff and workers of the Polytechnic as it may deem fit (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 19: Discipline of students.**

- (1) Subject to the provisions of this section, where it appears to the Rector that any student of the Polytechnic has been guilty of misconduct, the Rector may, without prejudice to any other disciplinary powers conferred on him by this Bill or regulations made, direct that:
- (a) the student shall not, during such period as may be specified in the direction, participate in such activities of the Polytechnic, or make use of such facilities of the Polytechnic, as he may specify;
- (b) the activities of the student shall, during such period as may be

- specified in the directions, be restricted in such manner as may be so specified;
- (c) the student be suspended for such period as may be specified in the directions; or
  - (d) the student be expelled from the Polytechnic.
- (2) Where there is temporarily no Rector or where the Rector refuses to apply any disciplinary measure, the Council, either directly or through some other staff, may apply such disciplinary actions as are specified in subsection (1) to any student of the Polytechnic who is guilty of misconduct.
  - (3) Where a direction is given under subsection (1) (c) or (d) in respect of any student, the student may, within 21 days from the date of the letter communicating the decision to him, appeal against the direction to the Council, and where such an appeal is brought, the Council shall, after causing such inquiry to be made in the matter as the Council considers just, either confirm or set aside the direction or modify it in such manner as the Council may deem fit.
  - (4) The fact that an appeal from a direction is brought in pursuance of subsection (3) does not affect the operation of the direction while the appeal is pending.
  - (5) The Rector may delegate his power under this section to a disciplinary committee consisting of such members of the Polytechnic as he may nominate.
  - (6) Nothing in this section shall be construed as preventing the restriction or termination of a student's activities at the polytechnic otherwise than on the ground of misconduct.
  - (7) A direction under subsection (1) (a) may be combined with a direction under subsection (1) (b).
  - (8) In all cases under this section, the decision of the Council is final (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

***Committee's Recommendation:***

**Clause 20: Discipline of junior staff.**

- (1) If any junior staff is accused of misconduct or inefficiency, the Rector may suspend him for not more than three months and shall direct the Junior Staff Appointments and Promotions Committee to:
  - (a) consider the case; and
  - (b) make recommendations as to the appropriate action to be taken by the Rector.
- (2) In all cases under this section, the officer shall be informed of the charge against him and shall be given reasonable opportunity to defend himself.
- (3) The Rector may, after considering the recommendation made under

subsection (1) (b), dismiss, terminate, retire or down-grade the officer concerned.

- (4) Any person aggrieved by the Rector's decision under subsection (3) may, within 21 days from the date of the letter communicating the decision to him, address a petition to the Council to consider his case and the Council's decision thereon shall be final.
- (5) In any case of gross misconduct on the part of a junior staff, the Rector shall immediately suspend him and thereafter refer the matter to the Junior Staff Appointments and Promotions Committee to be dealt with according to the provisions of this section (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 21: Audit of accounts.**

- (1) The Council shall keep proper accounts and proper records in relation thereto and shall cause to be prepared, not later than 31 October in each financial year, an estimate of its revenue and expenditure for the ensuing financial year and when prepared, the estimate shall be submitted to the National Board for Technical Education for approval.
- (2) At the end of each financial year but not later than 30 June, the Council shall cause to be prepared a statement of its income and expenditure during the previous financial year.
- (3) The statement of accounts referred to in subsection (2) shall, when certified by the Rector, be audited by a firm of auditors appointed from the list and in accordance with the guidelines supplied by the Auditor-General for the Federation and shall be published in the annual report of the polytechnic (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 22: Funds of the Council.**

- (1) There is established for the Polytechnic a fund (in this Bill referred to as "the Fund").
- (2) The Fund shall consist:
  - (a) fees charged by and payable to the Council in respect of students;
  - (b) any other amounts due to or recoverable by the Council;
  - (c) revenue from time to time accruing to the Council from the Federal Government by way of subvention, grant-in-aid, endowment or otherwise; and
  - (d) donations and legacies accruing to the Council from any source for the special purpose of the Council (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

**Committee's Recommendation:****Clause 23: Donations for particular purposes.**

- (1) Donations of money to be applied to any particular purpose shall be placed to the credit of a special reserve account approved by the Council until such time as they may be expended in fulfillment of such purpose.
- (2) The Council is not obliged to accept a donation for a particular purpose unless it approves the terms and conditions attached to such donation (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

**Committee's Recommendation:****Clause 24: Payment into bank.**

All sums of money received on account of the Council shall be paid into such bank for the credit of the Council as may be approved by the Council (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

**Committee's Recommendation:****Clause 25: Annual report.**

The Council shall, on or before 31 December in each year, prepare and submit to the President through the Minister, a report of the activities during the preceding financial year and shall include in the report, the audited accounts of the polytechnic in respect of that financial year and the auditor's comments on the account (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

**Committee's Recommendation:****Clause 26: Power to make bye-laws.**

- (1) The Council may make bye-laws relating to any matter within its competence under this Bill other than matters for which provision is to be made by standing orders under paragraph 7 of the Schedule to this Bill.
- (2) All such bye-laws shall be in writing and shall come into effect when sealed with the seal of the Council unless some other date for their commencement is prescribed therein.
- (3) Nothing in subsection (2), shall make it obligatory for the Council to publish any of the bye-laws in the Federal Government Gazette but the Council shall bring such bye-laws to the notice of all those affected by it (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

**Committee's Recommendation:****Clause 27: Exclusion of discrimination on account of race, religion, etc. Schedule.**

- (1) The Council may make bye-laws relating to any matter within its competence under this Bill other than matters for which provision is to be made by standing orders under paragraph 7 of the Schedule to this Bill.
- (2) All such bye-laws shall be in writing and shall come into effect when sealed with the seal of the Council unless some other date for their commencement is prescribed therein.

- (3) Nothing in subsection (2), shall make it obligatory for the Council to publish any of the bye-laws in the Federal Government Gazette but the Council shall bring such bye-laws to the notice of all those affected by it (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 28: Quorum and procedure of bodies established under this Bill.**

Subject to paragraph 6 (2) of the Schedule to this Bill and any standing order or bye-law made under this Bill, the quorum and procedure of anybody of persons established by this Bill shall be such as may be determined by that body (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 29: Interpretation.**

In this Bill:

"Academic Board" means the Academic Board established under section 15 of this Bill (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

"Appointments and Promotions Committee" means a body by that name established under paragraph 3 (2) (a) of the Schedule to this Bill (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

*Question that the meaning of the words "Appointments and Promotions Committee" be as defined in the interpretation to this Bill — Agreed to.*

"polytechnic" means the Polytechnic set up under section 1 (1) of this Bill (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

"Junior Staff Appointments and Promotion Committee" means a body by that name set up under paragraph 3 (2) (b) of the Schedule to this Bill (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

*Question that the meaning of the words "Junior Staff Appointments and Promotion Committee" be as defined in the interpretation to this Bill — Agreed to.*

"Minister" means the Minister charged with responsibility for matters relating to technical education (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

"President" means the President of the Federal Republic of Nigeria (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

"Registrar" means the Registrar of the Polytechnic appointed under section 10 (1) (a) of this Bill (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

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

**Committee's Recommendation:**

**Clause 30: Citation.**

This Bill may be cited as the Federal Polytechnic, Nyak-Shendam, Plateau State (Establishment) Bill, 2022 (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

## SCHEDULE

Sections 3 (6), 13 (2) (a) (b)

### SUPPLEMENTARY PROVISIONS RELATING TO THE STRUCTURE AND PROCEDURE OF THE COUNCIL

#### *Terms of office of members*

1. (1) A member of the Council, other than an *ex-officio* member shall hold office for three years beginning with the date on which he is appointed and may be eligible for re-appointment for another three years and no more.
- (2) Members of the Council holding office as specified in paragraph 1 (1) of this Schedule, shall be paid remuneration or allowances in accordance with rates specified from time to time by the National Council of Ministers.
- (3) A member of the Council holding office as specified in paragraph 1 (1) of this Schedule may, by notice in writing to the Minister resign his office.
2. (1) Where a vacancy occurs in the membership of the Council, that vacancy shall be filled by the appointment of a successor to hold office for the remainder of the term of office of his predecessor, so however that the successor shall represent the same interest as his predecessor.
- (2) The Council may act notwithstanding any vacancy in its membership or the absence of any member or that a person not entitled to do so took part in its proceedings.

#### *Committees*

3. (1) The Council may appoint one or more committees to which it may delegate any of its functions.
- (2) Without prejudice to the generality of subparagraph (1) of this Schedule, the Council shall appoint the following committees:
  - (a) the Appointments and Promotions Committees which shall:
    - (i) consist of Rector as the chairman and four other members who shall be appointed by the Council;

- (ii) be charged with the responsibility for making recommendations to the Council on the appointment and promotion of the academic and senior non teaching staff of the polytechnic and have a quorum of three members;
- (b) the Junior Staff Appointments and Promotions Committee which shall consist of a Deputy Rector as chairman and four other members to be appointed by the Rector and shall have the powers set out in section 13 (2) (b) and section 19 of this Bill;
- (c) the Committee on Students' Affairs which shall consist of:
  - (i) a Deputy Rector as chairman;
  - (ii) one member of the Council;
  - (iii) Dean of Students Affairs;
  - (iv) two members of the academic staff not below the rank of Senior Lecturer; and
- (d) two representatives of the Students Union of the Polytechnic and a Committee on Students Affairs shall be charged with the duty of:
  - (i) considering any matter which relates to the welfare of students,
  - (ii) any other matter referred to it by either the Council or management of the polytechnic,
  - (iii) any matter which the students wish to refer to the Council shall be referred to the management in the first instance which may in turn refer the matter to the Committee on Students' Affairs.
- (3) No decision of a committee of the council shall have effect unless it is confirmed by the Council.

*Proceedings of the Council*

- 4.
  - (1) The Council shall meet for the conduct of business once in a quarter except for emergency.
  - (2) The chairman of the Council may at any time and shall at the request in writing of not less than five members of the Council summon a meeting of the Council.
  - (3) Particulars of the business to be transacted shall be circulated to members with the notice of the meeting at least two weeks before the date of the meeting.
- 5. Where the Council desires to obtain the advice of any person on any particular matter, it may co-opt such person as a member for a meeting whether or not expressly convened for the purpose of considering the particular matter but no co-opted member shall be entitled to vote or shall count towards quorum.
- 6.
  - (1) Every question put before the Council at a meeting shall be decided by a simple majority of the members present and voting.
  - (2) Two-third of members shall form a quorum at any meeting of the Council.

- (3) The Chairman shall, at any meeting of the Council, have a vote and, in the case of an equality of votes, may exercise a casting vote.
7. Subject as aforesaid, the Council may make standing orders with respect to the holding of meetings, the nature of notices to be given, the proceedings thereat, the keeping of minutes of such proceedings and the custody and production for inspection of such minutes.
8. If the Chairman of the Council is absent from a meeting of the Council, the members present shall elect one of their number to act as chairman for the purposes of the meeting.

*Miscellaneous*

9. Composition and Functions of Management Committee, School and Departmental Boards.
10. (1) There shall be a Management Committee consisting of all the Principal Officers of the Polytechnic, all Deans and Directors in the Polytechnic and the:
- (a) Rector shall be the Chairman of the Management Committee; and
  - (b) Management Committee shall meet at least once in a month to discuss and take decisions on matters of general interest to the Polytechnic.
- (2) There shall be a School Board for each school in the Polytechnic made up of all the Academic Staff in that School and the:
- (a) School Board shall deal with academic matters and any other matter of interest to the School or any matter assigned to it by the Council, the Rector or the Academic Board;
  - (b) Dean shall:
    - (i) be the chairman of the School Board, and
    - (ii) be elected from among the Academic Staff not below the rank of Chief Lecturer in that School for a term of three years and not immediately renewable.
- (3) There shall be a Departmental Board for each Department in the Polytechnic consisting of all the Academic Staff in that department and the:
- (a) Departmental Board shall deal with academic matters and any other matter of interest to the Department;
  - (b) Head of Department shall:
    - (i) be chairman of the Departmental Board,
    - (ii) be elected from among the Academic staff not below the rank of Senior Lecturer in that department for a term of three years and not immediately renewable.
- (4) Where there is no qualified candidate for the position of Dean or Head of Department, the Rector shall appoint an Acting Dean not below the rank of Senior Lecturer or Acting Head of Department not below the rank of Lecturer I for a period of one year in the first instance and renewable once and no more.



- 5) Nothing in this Bill shall prevent the management Committee and Boards from making supplementary rules to guide their proceedings provided such rules are not inconsistent with the provisions of this Bill.

*Establishment of the Congregation*

10. There shall be for the polytechnic, a Congregation consisting of both Academic and Senior Non-Teaching staff, who holds at least a first degree or its equivalent the:
- (a) Rector shall be the Chairman of the Congregation; and
- (b) Congregation shall meet at least once in a year.
11. Any contract or instrument which if entered into by a person not being a body corporate would not be required to be under seal, may in like manner be entered into or executed on behalf of the Council by any person generally or specifically authorised by it for that purpose.
12. (1) The common seal of the Council shall not be used or affixed to any document except in pursuance of a resolution duly passed at a properly constituted meeting of the Council and recorded in the minutes of such meeting.
- (2) The fixing of the seal of the Council shall be authenticated by the signature of the Chairman of the Council and some other members authorised generally or specifically by the Council to act for that purpose.
- (3) Any document purporting to be a document duly executed under the seal of the Council shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed.
13. Any member of the Council or a committee thereof who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Council or a committee thereof, shall forthwith disclose his interest to the Council and shall not vote on any question relating to such contract or arrangement (*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 the Federal Polytechnic, Nyak-Shendam, Plateau State to provide full and part-time courses of instruction in different fields of studies (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

*Agreed to.*

**Long Title:**

A Bill for an Act to Establish the Federal Polytechnic, Nyak-Shendam, Plateau State to Provide Full and Part-Time Courses of Instruction in Different Fields of Studies; and for Related Matters (HB. 1897) (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

*Agreed to.*

*Chairman to report Bill.*

**(HOUSE IN PLENARY)**

~~Mr. 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 Polytechnic, Nyak-Shendam, Plateau State; and for Related Matters (HB.1897) and approved Clauses 1 - 29, 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 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 Establish Federal College of Education, Dengi, Plateau State (HB.1871)" (*Hon. Aminu Suleiman — Fagge 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 Speaker in the Chair)*

A BILL FOR AN ACT TO ESTABLISH FEDERAL COLLEGE OF EDUCATION, DENG-KANAM, PLATEAU STATE, TO PROVIDE FOR FULL-TIME TEACHING COURSES, INSTRUCTIONS AND TRAINING OF PROSPECTIVE TEACHERS IN SOCIAL SCIENCES, ARTS, SCIENCES, HUMANITIES, MANAGEMENT; AND FOR OTHER RELATED MATTERS (HB. 1871)

**Committee's Recommendation:**

**Clause 1: Establishment of Federal College of Education, Dengi-Kanam, Plateau State.**

- (1) There is established the Federal College of Education, Dengi-Kanam (in this Bill referred to as "the College").
- (2) The College shall —
  - (a) be a body corporate with perpetual succession and common seal; and
  - (b) have 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. Aminu Suleiman — Fagge Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 2: Objectives of the College.**

The objectives of the College shall be:

- (a) encourage the advancement of learning and to hold out to all persons without distinction of race, creed, sex or political conviction, the opportunity of acquiring higher and liberal education;

- (b) to provide full-time courses in teaching instructions and training:
  - (i) in technology, applied science, commerce, arts, social sciences, humanities and management; and
- (c) encourage and promote scholarship and conduct research in its fields of learning;
- (d) to conduct courses in education for qualified teachers;
- (e) to arrange conferences, seminars and workshops relative to its field of learning; and
- (f) undertake other activities appropriate for a college of highest standard (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 3: Governing Council of the College.**

- (1) The governance and direction of the affairs of the College shall rest in the Governing Council of the College (in the Act referred to as "the Council").
- (2) The Council shall have the responsibility to consider and approve the —
  - (a) programme of studies to be undertaken in the College;
  - (b) annual estimates of the College; and
  - (c) investment plan of the College.

**Schedule.**

- (3) The provisions of the Schedule to this Bill shall have effect with respect to the Council as mentioned in the Schedule (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 4: Membership of the Council of the College.**

The Council of the College shall consist of —

- (a) a Chairman and other members to be appointed by the President;
- (b) a representative of the Federal Ministry responsible for Education;
- (c) a representative of the University of which the College is affiliated for the purpose of moderation;
- (d) two representatives of the Academic Board of the College;
- (e) a representative of the National Commission for Colleges of Education; and
- (f) the Provost of the College (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 5: Tenure of members of the Council.**

- (1) A member of the Council, other than the *ex-officio* members, shall hold office for a term of four years and subject to the provision of subsection (2), shall be eligible for re-appointment for a further term of four years and no more.
- (2) The office of a member appointed under section 3 of this Bill shall become vacant if the —
  - (a) member resigns by notice in writing under his hand addressed to the Minister; or
  - (b) Minister is satisfied that it is not in the interest of the College for the member appointed to continue in office and notifies the member in writing to that effect (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 6: Functions of the College.**

The functions of the College shall be to —

- (a) provide full-time courses, teaching instruction and training in —
  - (i) technology, applied sciences, arts, social sciences, humanities and management, and
  - (ii) such other fields of applied learning relevant to the needs of development of Nigeria;
- (b) conduct courses in education for qualified teachers;
- (c) arrange conferences, seminars and workshops relative to the functions of the College; and
- (d) perform such other functions as in the opinion of the Council may serve to promote the objectives of the College (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 7: Power of the Council.**

The Council shall have power to —

- (a) hold examinations and grant National Certificates in Education (NCE), Diplomas, professional certificates and other distinctions to persons, who have pursued courses of study approved and accredited by the 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 instruction, 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 selling of books;
- (f) award fellowships, medals, prizes and other titles;
- (g) establish and maintain such schools and other teaching units with the College or extra mural departments as the Council 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 posts and offices and to make appointments accordingly;
- (j) receive and make gifts;
- (k) enter into such contracts as may be necessary or expedient for carrying into effect the objectives of the College;
- (l) provide amenities for and make such other provision for the well-being of the staff and students of the College;
- (m) encourage and make provision for research in the College; and
- (n) do such acts and things whether or not incidental to the foregoing powers as may advance the objects of the College (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 8: Visitation.**

- (1) The Minister responsible for Education shall be the Visitor of the College.
- (2) The Visitor shall, at least, not less than once in every five years, conduct a visitation to the College or appoint a visitation panel consisting of not less than five experts to conduct the visitation —
  - (a) for the purpose of evaluating the academic and administrative performance of the College; or
  - (b) for such other purpose as the Visitor may deem fit (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 9: The Academic Board and its functions.**

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

- (a) the Provost of the College as 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 by the Council.
- (2) The Academic Board shall be responsible for —
- (a) the direction and management of academic matters of the College including the regulation of admission of students, and award of certificates, scholarships, prizes and other academic distinction; and
  - (b) discharging any other functions which the Council may from time to time delegate to it (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

*Committee's Recommendation:*

**Clause 10: Power of Minister.**

The Minister may give to the Council directions of a general nature or relating generally to matters with regard to the exercise by the Council of its functions and it shall be the duty of the Council to comply with such directions (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

*Committee's Recommendation:*

**Clause 11: The Provost of the College.**

- (1) There shall be a Provost for the College 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 a reputable, widely read newspaper in Nigeria specifying —
    - (i) the qualities of a person who may apply for the post, and
    - (ii) the terms and conditions of service applicable to the post, and thereafter draw up a short list of suitable candidates for 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 management and operations of the College.
- (5) The Provost shall hold office for a term of five years only and on such terms

and conditions as may be specified in his letter of appointment (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 12: Deputy Provosts.**

- (1) There shall be for the College, two Deputy Provosts —
  - (a) Deputy Provost (Academic); and
  - (b) Deputy Provost (Administration).
- (2) The Council shall nominate the Deputy Provosts from among the Chief Lecturers in the College in any of the following ways —
  - (a) from a list of five candidates in order of preference, submitted by the Provost;
  - (b) on the recommendation of a Selection Board constituted for that purpose; or
  - (c) on the nomination of the Provost.
- (3) The Selection Board referred to in subsection (2) (b) 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 functions 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 functions.
  - (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 assign to him.
- (5) Each of the Deputy Provosts shall hold office for a term of two years and no more (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

*Committee's Recommendation:***Clause 13: The Registrar and other staff of the College.**

- (1) There shall be a Registrar for the College to be appointed by the Council.
- (2) The Registrar shall keep the records and conduct the correspondence of the Council
- (3) The Registrar shall be the Secretary to —
  - (a) the Council;
  - (b) the Academic Board of the Council; and
  - (c) any committee of the Council.
- (4) The Registrar may perform any duty assigned to him by the Council or the Provost.
- (5) The Registrar shall hold office for a term of five years and no more (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

*Committee's Recommendation:***Clause 14: 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 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 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 term of five years and no more (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

*Committee's Recommendation:***Clause 15: Resignation of appointment of principal officer.**

A principal officer of the College may resign his appointment —

- (a) in case of the Provost by notice to the Visitor; and
- (b) in any other case by advise to the Council (*Hon. Aminu Suleiman — Fagge Federal Constituency*).



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

**Committee's Recommendation:**

**Clause 16: Other employees of the College.**

- (1) The Council may appoint other persons to be employees of the College as the Council may deem necessary to assist the Provost and the principal officers in the performance of their functions.
- (2) The remuneration, tenure of office and conditions of service of the employees of the College shall be determined by the Council in consultation with the Federal Civil Service Commission (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

**Committee's Recommendation:**

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

Service in the College shall be approved service for the purpose of the Pensions Reform Act and accordingly, officers and other persons employed in the College shall be entitled to pension, gratuity and other retirement benefits as may be prescribed in their respective letters of appointment (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 18: Selection Board.**

- (1) There 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.
- (2) The functions, procedure and other matters relating to the Selection Board constituted under subsection (1) shall be determined from time to time by the Council (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 19: Fund of the College.**

- (1) The College shall establish and maintain a Fund which shall be applied towards the promotion of the objectives of this Bill.
- (2) There shall be paid and credited to the Fund established under subsection (1) —
  - (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 money raised by the Council by way of gifts, grants-in-aid or testamentary disposition;
  - (c) all subscription fees and charges for services rendered by the Council; and
  - (d) all other sums that may accrue to the Council from any sources.
- (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 the Minister may direct an estimate of its revenue and expenditure for the next financial year (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 20: Power to accept gifts.**

- (1) The College may accept gifts, money or of other property upon such terms and conditions, as may be specified by the person making the gifts.
- (2) The College shall not accept any gift if the conditions attached to the gift are inconsistent with the objectives of the College (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 21: Accounts and audit.**

The College shall keep proper accounts of its receipts, allocations, payments, assets and liabilities and shall in respect of each year cause the accounts to be audited (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 22: 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. Aminu Suleiman — Fagge Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 23: Interpretation.**

In this Bill —

"Chairman" means the Chairman of the Council (*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.*

"College" means the Federal College of Education Dengi-Kanam established under section 1 of this Bill (*Hon. Aminu Suleiman — Fagge 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. Aminu Suleiman — Fagge 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. Aminu Suleiman — Fagge Federal Constituency*).

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

"Minster" means the Minster charged with the responsibility for education (*Hon. Aminu Suleiman — Fagge 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. Aminu Suleiman — Fagge 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 appointed under section 10 of this Bill (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

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

**Committee's Recommendation:**

**Clause 24: Citation.**

This Bill may be sited as the Federal College of Education, Dengi-Kanam (Establishment) Bill, 2022 (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

*Question that Clause 24 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 the members of the Council or any of its committees, other than *ex-officio* members, such remuneration and allowances as may be determined by the President.
2. Where vacancy occurs in respect of the membership specified in section 3, it shall be filled by the appointment of a successor to hold office for the 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 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) Decision of the Council shall be made on approval by a simple majority of members.

*Miscellaneous*

5. (1) The affixing of the seal of the College shall be authenticated by the signatures of the Chairman, Provost and of some other members of the Council Authorised by the Council to act for that purpose.
- (2) Any contract or instrument which, if made or executed by a person other than a body corporate would not be required to be under seal, may be made or executed on behalf of the College by any person authorised to act for that purpose by the Council.
- (3) Any document purporting to be duly executed under the seal of the College shall be received in evidence and shall unless the contrary is proved, be presumed to be so executed (*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 the Federal College of Education, Dengi-Kanam, Plateau State as institution to offer full-time courses leading to the award of National Certificates of Education, Diplomas, etc. (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

*Agreed to.*

**Long Title:**

A Bill for an Act to Establish Federal College of Education, Dengi-Kanam, Plateau State, to Provide for Full-Time Teaching Courses, Instructions and Training of Prospective Teachers in Social Sciences, Arts, Sciences, Humanities, Management and for Other Related Matters (HB. 1871) (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

*Agreed to.*

*Chairman to report Bill.*

**(HOUSE IN PLENARY)**

Mr 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 Establish Federal College of Education, Dengi, Plateau State (HB.1871) and approved Clauses 1 - 23, 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.*

**(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 Establish Federal Polytechnic, Rano, Kano State to Provide Full and Part-Time Courses of Instruction in different fields of Study; and for Related Matters (HB. 929)" (Hon. Aminu Suleiman — Fagge 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 Speaker in the Chair)*

A BILL FOR AN ACT TO ESTABLISH FEDERAL POLYTECHNIC,  
RANO, KANO STATE TO PROVIDE FULL AND PART-TIME  
COURSES OF INSTRUCTION IN DIFFERENT FIELDS OF  
STUDIES; AND FOR RELATED MATTERS (HB. 929)

**Committee's Recommendation:****Clause 1: Establishment of the Federal Polytechnic, Rano, Kano State.**

- (1) There is established the Federal Polytechnic, Rano, Kano State (in this Bill referred to as "the polytechnic") which shall have such powers and perform such functions conferred on it by this Bill.
- (2) The Polytechnic:
  - (a) is a body corporate with perpetual succession and a common seal;
  - (b) may and be sued in its corporate name; and
  - (c) may acquire and dispose of interests in movable and immovable property (Hon. Aminu Suleiman — Fagge Federal Constituency).

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

**Committee's Recommendation:****Clause 2: Functions of the Polytechnic.**

- (1) The polytechnic shall:
  - (a) provide full and part-time courses of instruction and training to produce middle and high level manpower in:
    - (i) technology, applied science, commerce and management, and

- (ii) such other fields of applied learning relevant to the needs of the development of Nigeria in the areas of industrial and agricultural production, distribution and for research in the development and adaptation of techniques as the council may determine;
  - (b) arrange conference, seminars and study groups relative to the fields of learning specified under subsection (1) (a);
  - (c) perform such other functions as in the opinion of the Council may serve to promote the objectives of the polytechnic.
- (2) Nothing in this section shall preclude the government of a State or any of its agencies from setting up a Polytechnic similar to any polytechnic established under this Bill (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 3: Establishment and Constitution of the Council.**

- (1) There is established for the Polytechnic a Governing Council (in this Bill referred to as "the Council").
- (2) The Council shall consist of a chairman:
  - (a) four persons representing a variety of interests and broadly representatives of the whole federation, at least one of whom shall be a woman;
  - (b) one person to represent the alumni association of the Polytechnic;
  - (c) a representative of the community where the polytechnic is situated;
  - (d) the Rector;
  - (e) the Deputy Rectors;
  - (f) one person representing the Federal Ministry of Education or regulatory agency;
  - (g) two persons not below the rank of Chief Lecturer elected by the Academic Board from among its members;
  - (h) three persons not below the rank of Senior Lecturer or its equivalent elected by the Congregation from among its members in which one shall be a non-teaching staff.
- (3) The Chairman and members of the Council other than ex-officio members shall be:
  - (a) appointed by the President;
  - (b) persons of proven integrity, knowledgeable and acquainted with the working and tradition of the technical and vocational education.
- (4) Any member of the Council other than an ex-officio member:

- (a) shall hold office for a three years at the first instance; and
  - (b) may be eligible for re-appointment for another three years and no more.
- (5) The governing structure of the Polytechnic shall consist of:
- (a) Governing Council;
  - (b) Academic Board;
  - (c) Management Committee;
  - (d) School Board; and
  - (e) Departmental Board.
- (6) The supplementary provisions set out in the Schedule to this Bill, shall apply in relation to governing structure and other matters specified in the Schedule (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 4: Visitation.**

- (1) The President shall be the Visitor to the Polytechnic.
- (2) The Visitor shall, at least once in every five years, conduct a visitation of the college or appoint a Visitation Panel, consisting of at least five experts, to conduct the visitation:
  - (a) for the purpose of evaluating the academic and administrative performance of the Polytechnic; and
  - (b) for such other purpose or in respect of any other affairs of the Polytechnic as the Visitor may deem fit (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 5: Registrar of the Polytechnic.**

- (1) There shall be a Registrar to the Polytechnic who shall:
  - (a) be responsible to the Rector for the administration of the Polytechnic; and
  - (b) shall perform such other duties as the Council or the Rector may require him to do.
- (2) The Registrar shall:
  - (a) be the Secretary to the Council, the Academic Board and any committee of the Council; and
  - (b) attend all the meetings of those bodies unless excuse for good reason by the Chairman of the Council.

- (3) In the absence of the Registrar, the Chairman of the Council may, after consultation with the Rector, appoint a suitable person to act as secretary for any particular meeting of the Council.
- (4) The Secretary to the Council or a person appointed to act under subsection (3), shall not vote on any question before the Council or count towards a quorum unless he is so entitled as a member of the Council (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 6: Tenure of Office of the Registrar.**

- (1) A Registrar shall hold office:
  - (a) for a single term of five years beginning from the effective date of his appointment; and
  - (b) on such terms and conditions as may be specified in the letter of his appointment.
- (2) Where a Registrar has held office for five years or less on the commencement of this Bill, he is deemed to have been serving his final term of office (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 7: General Functions of the Council.**

- (1) Subject to the provisions of this Bill, the Council:
  - (a) shall be the governing body of the Polytechnic concerned; and
  - (b) shall have powers and control over the general management of the affairs of the Polytechnic, and in particular, the property and finances of the polytechnic; and
  - (c) may do anything which in its opinion is calculated to facilitate the carrying out of the activities of the Polytechnic and promote its best interests.
- (2) The Council may acquire and hold such movable or immovable property as may be necessary or expedient for carrying into effect the provisions of this Bill, and for the same purpose may sell, lease, mortgage or otherwise alienate or dispose of any property so acquired.
- (3) The Council may enter into such contracts as may be necessary or expedient for carrying into effect the provisions of this Bill.
- (4) The Minister may, give to the Council directions of a general character relating to particular matters, but not to any individual person or case, with regard to the exercise by the Council of its functions and it shall be the duty of the Council to comply with the directions (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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



*Committee's Recommendation:***Clause 8: The Rector of the Polytechnic.**

- (1) There shall be a Rector of the Polytechnic (in this Bill referred to as "the Rector") who shall be appointed by the President in accordance with the provision of this section.
- (2) Where a vacancy occurs in the post of the Rector, the Council shall:
  - (a) advertise the vacancy, not later than six months to the expiration of the term of the sitting Rector in at least two national newspapers in Nigeria, specifying the:
    - (i) qualifications of the persons who may apply for the post, which shall be a Chief Lecturer in the Polytechnic sector with at least five years of experience on that position among other criteria, and
    - (ii) the terms and conditions of service applicable to the post, and thereafter, draw up a short list of suitable candidates for consideration;
  - (b) constitute a Search Team consisting of:
    - (i) a member of the Council, not being a member of the Academic Board, as Chairman,
    - (ii) two members of the Academic Board, not below the rank of Chief Lecturer,
    - (iii) two members of Academic Staff not below the rank of Chief Lecturer to be elected from among its members.
- (3) A Joint Council, Academic Board and Congregation Selection Board consisting of:
  - (a) the Chairman of the Council;
  - (b) two members of the Council not being members of the Academic Board;
  - (c) two members of the Academic Board not below the rank of Chief Lecturer, who were not members of the Search Team elected among its members; and
  - (d) two members of the Congregation not below the rank of Chief Lecturer who were not members of the Search Team elected among its members, shall consider the candidates on the short list drawn up under subsection (2) through an examination of their curriculum vitae and interaction with them and recommend in order of performance ranking through the Council, to the President, three candidates for his consideration.
- (4) The President shall appoint, as Rector, one of the candidates recommended to him under subsection (3).
- (5) Subject to this Bill and the general control of the Council, the Rector is the

Chief Executive of the Polytechnic and is charged with general responsibility for matters relating to the management operations of the Polytechnic.

- (6) The Rector shall hold office:
- (a) for a single term of five years beginning with the effective date of his appointment; and
  - (b) on such terms and conditions as may be specified in his letter of appointment.
- (7) Where a Rector:
- (a) was appointed on a four year term on the commencement of this Bill, his term of office shall be extended for one year to complete the single-tenure of five years in line with subsection (6); and
  - (b) is serving second term four years on the commencement of this Bill, he shall be deemed to have been serving his final term of office.
- (8) The Rector shall:
- (a) have power to exercise general authority over staff;
  - (b) be responsible for discipline in the polytechnic; and
  - (c) ~~have his remuneration determined~~ by the National Salaries and Wages Commission (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 9: Deputy Rectors.**

- (1) There shall be for the Polytechnic such number of Deputy Rectors as the Council may deem necessary for the proper administration of the Polytechnic.
- (2) Where a vacancy occurs in the post of Deputy Rector, the Rector shall forward to the Academic Board a list of two candidates for each post of Deputy Rector that is vacant.
- (3) The Academic Board shall elect for each vacant post one candidate from each list forwarded to it under subsection (2) and forward his name to the Council for confirmation.
- (4) Where:
  - (a) the Academic Board reject the two candidates forwarded to it by the Rector under subsection (2), the Rector shall submit another list;
  - (b) the Council rejects the name sent to it under subsection (3), the Academic Board shall send the name of the other candidate on the list forwarded to it by the Rector under subsection (2).
- (5) The Deputy Rector shall:

- (a) assist the Rector in the performance of his functions;
  - (b) act in the place of the Rector when the post of Rector is vacant or if the Rector is for any reason absent or unable to perform his functions as Rector; and
  - (c) perform such other functions as the Rector or the Council may assign to them.
- (6) The Deputy Rectors shall hold office:
- (a) for a single term of 4 years beginning from the effective date of their appointment; and
  - (b) on such terms and conditions as may be specified in their letter of appointment.
- (7) Where Deputy Rector:
- (a) was appointed on 2 year term on the commencement of this Bill, his term shall be extended for a period of two years to complete the single term of four year in line with subsection (6); and
  - (b) his serving second term of two year on the commencement of this Bill, he shall be deemed to have been serving his final term of office (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 10: Other Principal Officers of the Polytechnic.**

- (1) There shall be for the Polytechnic the following other Principal Officers in addition to the Deputy Rectors:
- (a) the Registrar;
  - (b) the Bursar; and
  - (c) the Librarian,
- who shall all be appointed by the Council on the recommendation of the Selection Board constituted under section 12 of this Bill.
- (2) The Bursar shall be the Chief Financial Officer of the Polytechnic and be responsible to the Rector for the Administration and control of the financial affairs of the Polytechnic.
- (3) The Librarian shall be responsible to the Rector for the administration of the Polytechnic library and the co-ordination of the Library service in the teaching units of the Polytechnic.
- (4) The Bursar or Librarian shall hold office:
- (a) for a single term of 5 years beginning from the effective date of his appointment; and
  - (b) on such terms and conditions as may be specified in his letter of appointment.

- (5) Where a Bursar or Librarian has held office for five years or less on the commencement of this Bill, he is deemed to have been serving his final term of office (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 11: Resignation of appointment of Principal officers.**

A Principal Officers may resign his appointment:

- (a) in the case of Rector, by notice to the Visitor; and
- (b) in any other case, by notice to the Council (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 12: Selection Board for other Principal Officers.**

- (1) There shall be, for the Polytechnic, a Selection Board which shall consist of:
- (a) the Chairman of the Council;
- (b) the Rector;
- (c) four members of the Council not being members of the Academic Board;
- (d) two members of the Academic Board not being members of Council and not below the rank of Chief Lecturer elected from among its members; and
- (e) three members of the congregation not below the rank of Principal Lecturer or its equivalent elected from among its members in which one shall be a nonteaching staff
- (2) The functions, procedure and other matters relating to the Selection Board shall be as the Council may determine (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 13: Other Employees of the Polytechnic.**

- (1) The Council may appoint such other persons to be employees of the Polytechnic as the Council may determine to assist the Rector and principal office) of the Polytechnic performance of their functions under this Bill.
- (2) The power to appoint all other employees of the polytechnic shall be exercised:
- (a) in the case of senior employees, by the Council on the recommendation of Appointment and Promotions Committee set up under the provisions of paragraph 3 (2) (a) of the Schedule to this Bill;

- (b) in the case of junior employees, by the Rector on the recommendation of the Junior Staff appointment and promotions committee constituted under paragraph 3 (2) (b) of the Schedule to this Bill.
- (3) Subject to the provisions of this Bill, the remuneration, tenure of office and conditions of service of the employees of the Council shall be determined by the Council in consultation with the Federal Civil Service Commission (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 14: Application of the Pension Reforms Act, No. 4, 2014.**

- (1) The Federal Civil Service Commission may by order published in the Federal Government Gazette declare the office of the Rector or any other person employed by the Council to be a pensionable office for the purposes of the Pension Reforms Act.
- (2) Nothing in the provisions of subsection (1) shall prevent the appointment of any person to any office on terms which preclude the grant of a pension or gratuity in respect of service in that office.
- (3) A law or rule requiring a person to retire from the Public Service after serving for 35 years or having attained the age of 60 years in service, shall not apply to staff of the Polytechnic.
- (4) Notwithstanding anything to the contrary contained in the Pension Reforms Act, the compulsory retirement age of staff of Polytechnic shall be 65 years (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 15: Establishment of the Academic Board.**

- (1) There is established for the Polytechnic (in this Bill referred to as "the Academic Board") which shall consist of:
- (a) the Rector of the Polytechnic, as Chairman;
  - (b) the Deputy Rectors of the Polytechnic;
  - (c) all heads of academic departments and units;
  - (d) the Polytechnic Librarian;
  - (e) not more than two members of the academic staff who are not members of the Academic Board and not below the rank of Senior Lecturer elected from among its members, such members shall serve for non-renewable term of three years;
  - (f) all Deans and academic Directors; and
  - (g) all Chief Lecturers.
- (2) The Academic Board shall be responsible for:

- (a) the direction and management of academic matters of the Polytechnic including the regulation of admission of students, the award of certificates and diplomas, scholarships, prizes and other academic distinctions;
- (b) the making to the Council of such periodic reports on such academic matters as the Academic Board may deem fit or as the Council may direct; and
- (c) the discharge of any other function which the Council may delegate to it (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 16: Removal from the Office of the Council and Rector.**

- (1) Where it appears to the Council that a member of the Council, other than an *ex-officio* member or the Rector, should be removed from office on the ground of misconduct or inability to perform the functions of his office, the Council shall make a recommendation through the Minister to the Federal Executive Council for approval and the Minister shall declare the office of such member or Rector vacant.
- (2) The Minister may recommend the removal of any member of the Council or Rector to the Federal Executive Council, if he is satisfied that it is not in the interest of the Public or of the Polytechnic that such a person shall continue as a member of the Council.
- (3) In case of vacancy in the office of the Rector, the Council shall appoint an acting Rector who shall not be in office for more than six months.
- (4) There shall be no sole administration in the Polytechnic (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 17: Removal and Discipline of academic administrative and technical staff.**

- (1) If it appears to the Council that there are reasons for believing that a person employed as a member of the academic, administrative or technical staff of the Polytechnic, other than the Rector, should be removed from office on the ground of misconduct or inability to perform the functions of his office, 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 to the Council; and
  - (c) if he or any three members of the Council so request within the period of one month beginning with the date of the notice, make arrangements for:
    - (i) a joint committee of the Council and the Academic Board to investigate the matter where it relates to an academic staff and to report on it to the Council,

- (ii) a committee of the Council to investigate the matter, where it relates to any other member of the staff of the Polytechnic and to report on it to the Council, and
  - (iii) the person in question to be afforded an opportunity of appearing before and being heard by the investigating committee with respect to the matter, and if the Council, after considering the report of the investigating committee, is satisfied that the person in question should be removed as aforesaid, the Council may so remove him by an instrument in writing signed on the directions of the Council.
- (2) The Rector may, in a case of misconduct by a member of the staff which in the opinion of the Rector is prejudicial to the interest of the Polytechnic, suspend such member and any such suspension shall immediately be reported to the Council.
- (3) For good cause, any member of staff may be suspended from office or his appointment may be terminated by the Council and for the purpose of this subsection, "good cause" means:
  - (a) any physical or mental incapacity which the Council, after obtaining medical advice, considers to be such as to render the person concerned unfit for the performance of the functions of his office;
  - (b) any physical or mental incapacity which the Council, after 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 other disgraceful nature which the Council considers to be such as to render the person concerned unfit to continue to hold his office; or
  - (d) conduct which the Council considers to be such as to constitute failure or inability of the person concerned to perform the functions of his office or to comply with the terms and conditions of his service.
- (4) Any person suspended under subsection (2) or (3), shall be placed on half pay and the Council shall before the expiration of the period of three months after the date of such suspension consider the case against that person and come to a decision as to whether to:
  - (a) continue such person's suspension and if so on what terms including the proportion of this 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 in question, in which case such a person, will 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, and in any case where the Council, pursuant to 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 a period of three months from such decision come to a final determination in respect of the case concerning any such person.

- (5) It is the duty of the person by whom an instrument of removal is signed under subsection (1), to 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.
- (6) Nothing in this section shall prevent the Council from making such regulations for the discipline of other categories of staff and workers of the Polytechnic as it may deem fit (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 18: Discipline of Students.**

- (1) Subject to the provisions of this section, where it appears to the Rector that any student of the Polytechnic has been guilty of misconduct, the Rector may, without prejudice to any other disciplinary powers conferred on him by this Bill or regulations made, direct that:
  - (a) the student shall not, during such period as may be specified in the direction, participate in such activities of the Polytechnic, or make use of such facilities of the Polytechnic, as he may specify;
  - (b) the activities of the student shall, during such period as may be specified in the directions, be restricted in such manner as may be so specified;
  - (c) the student be suspended for such period as may be specified in the directions; or
  - (d) the student be expelled from the Polytechnic.
- (2) ~~Where there is temporarily no Rector or where the Rector refuses to apply any disciplinary measure, the Council, either directly or through some other staff, may apply such disciplinary actions as are specified in subsection (1) to any student of the Polytechnic who is guilty of misconduct.~~
- (3) Where a direction is given under subsection (1) (c) or (d) in respect of any student, the student may, within 21 days from the date of the letter communicating the decision to him, appeal against the direction to the Council, and where such an appeal is brought, the Council shall, after causing such inquiry to be made in the matter as the Council considers just, either confirm or set aside the direction or modify it in such manner as the Council may deem fit.
- (4) The fact that an appeal from a direction is brought in pursuance of subsection (3) does not affect the operation of the direction while the appeal is pending.
- (5) The Rector may delegate his power under this section to a disciplinary committee consisting of such members of the Polytechnic as he may nominate.



- (6) Nothing in this section shall be construed as preventing the restriction or termination of a student's activities at the polytechnic otherwise than on the ground of misconduct.
- (7) A direction under subsection (1) (a) may be combined with a direction under subsection (1) (b).
- (8) In all cases under this section, the decision of the Council is final (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 19: Discipline of Junior Staff.**

- (1) If any junior staff is accused of misconduct or inefficiency, the Rector may suspend him for not more than three months and shall direct the Junior Staff Appointments and Promotions Committee to:
  - (a) consider the case; and
  - (b) make recommendations as to the appropriate action to be taken by the Rector.
- (2) In all cases under this section, the officer shall be informed of the charge against him and shall be given reasonable opportunity to defend himself.
- (3) The Rector may, after considering the recommendation made under subsection (1) (b), dismiss, terminate, retire or down-grade the officer concerned.
- (4) Any person aggrieved by the Rector's decision under subsection (3) may, within 21 days from the date of the letter communicating the decision to him, address a petition to the Council to consider his case and the Council's decision thereon shall be final.
- (5) In any case of gross misconduct on the part of a junior staff, the Rector shall immediately suspend him and thereafter refer the matter to the Junior Staff Appointments and Promotions Committee to be dealt with according to the provisions of this section (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 20: Audit of Accounts.**

- (1) The Council shall keep proper accounts and proper records in relation thereto and shall cause to be prepared, not later than 31 October in each financial year, an estimate of its revenue and expenditure for the ensuing financial year and when prepared, the estimate shall be submitted to the National Board for Technical Education for approval.
- (2) At the end of each financial year but not later than 30 June, the Council shall cause to be prepared a statement of its income and expenditure during the previous financial year.
- (3) The statement of accounts referred to in subsection (2) shall, when certified

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by the Rector, be audited by a firm of auditors appointed from the list and in accordance with the guidelines supplied by the Auditor-General for the Federation and shall be published in the annual report of the polytechnic (Hon. Aminu Suleiman — Fagge Federal Constituency).

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

Committee's Recommendation:

Clause 21: Funds of the Council.

- (1) There is established for the Polytechnic a fund (in this Bill referred to as "the Fund").
- (2) The Fund shall consist:
  - (a) fees charged by and payable to the Council in respect of students;
  - (b) any other amounts due to or recoverable by the Council;
  - (c) revenue from time to time accruing to the Council from the Federal Government by way of subvention, grant-in-aid, endowment or otherwise; and
  - (d) donations and legacies accruing to the Council from any source for the special purpose of the Council (Hon. Aminu Suleiman — Fagge Federal Constituency).

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

Committee's Recommendation:

Clause 22: Donations for Particular Purposes.

- (1) Donations of money to be applied to any particular purpose shall be placed to the credit of a special reserve account approved by the Council until such time as they may be expended in fulfillment of such purpose.
- (2) The Council is not obliged to accept a donation for a particular purpose unless it approves the terms and conditions attached to such donation (Hon. Aminu Suleiman — Fagge Federal Constituency).

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

Committee's Recommendation:

Clause 23: Payment into Bank.

All sums of money received on account of the Council shall be paid into such bank for the credit of the Council as may be approved by the Council (Hon. Aminu Suleiman — Fagge Federal Constituency).

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

Committee's Recommendation:

Clause 24: Annual Report.

The Council shall, on or before 31 December in each year, prepare and submit to the President through the Minister, a report of the activities during the preceding financial year and shall include in the report, the audited accounts of the polytechnic in respect of that financial year and the auditor's comments on the account (Hon. Aminu Suleiman — Fagge Federal Constituency).

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

**Committee's Recommendation:**

**Clause 25: Power to make bye-laws.**

- (1) The Council may make bye-laws relating to any matter within its competence under this Bill other than matters for which provision is to be made by standing orders under paragraph 7 of the Schedule to this Bill.
- (2) All such bye-laws shall be in writing and shall come into effect when sealed with the seal of the Council unless some other date for their commencement is prescribed therein.

(3) Nothing in subsection (2), shall make it obligatory for the Council to publish any of the bye-laws in the Federal Government Gazette but the Council shall bring such bye-laws to the notice of all those affected by it (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 26: Exclusion of discrimination on account of race, Religion, etc.**

A person shall not be required to satisfy requirements as to race (including ethnic grouping), sex, place of birth or of family origin or religious or political persuasion or as a condition of becoming or continuing to be a student at the polytechnic or as a holder of any certificate of the polytechnic, or of any appointment or employment at the polytechnic, or a member of any body established by virtue of this Bill, and no person shall be subjected to any disadvantage or accorded any advantage in relation to the polytechnic by reference to any of those matters:

Provided that, nothing in this section shall be construed as preventing the Polytechnic from imposing any disability or restriction on any of these persons where such persons willfully refuses or fails on grounds of religious belief to undertake any duty, having regard to its nature and the special circumstances pertaining thereto is, in the opinion of the polytechnic, reasonably justifiable in the national interest (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 27: Quorum and Procedure of Bodies Established under this Bill.**

Subject to paragraph 6 (2) of the Schedule to this Bill and any standing order or bye law made under this Bill, the quorum and procedure of anybody of persons established by this Bill shall be such as may be determined by that body (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 28: Interpretation.**

In this Bill:

"Academic Board" means the Academic Board established under section 15 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.*

"Appointments and Promotions Committee" means a body by that name established under paragraph 3 (2) (a) of the Schedule to this Bill (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

*Question that the meaning of the words "Appointments and Promotions Committee" be as defined in the interpretation to this Bill — Agreed to.*

"polytechnic" means the Polytechnic set up under section 1 (1) of this Bill (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

"Junior Staff Appointments and Promotion Committee" means a body by that name set up under paragraph 3 (2) (b) of the Schedule to this Bill (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

*Question that the meaning of the words "Junior Staff Appointments and Promotion Committee" be as defined in the interpretation to this Bill — Agreed to.*

"Minister" means the Minister charged with responsibility for matters relating to technical education (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

"President" means the President of the Federal Republic of Nigeria (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

"Registrar" means the Registrar of the Polytechnic appointed under section 10 (1) (a) of this Bill (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

*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 Polytechnic, Rano, Kano State (Establishment) Bill, 2022 (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

**SCHEDULE**

Sections 3 (6), 13 (2) (a) (b)

**SUPPLEMENTARY PROVISIONS RELATING TO THE  
STRUCTURE AND PROCEDURE OF THE COUNCIL**

*Terms of office of members*

1. (1) A member of the Council, other than an *ex-officio* member shall hold office for three

years beginning with the date on which he is appointed and may be eligible for re-appointment for another three years and no more.

*Committees*

- (2) Members of the Council holding office as specified in paragraph 1(1) of this schedule, shall be paid remuneration or allowances in accordance with rates specified from time to time by the National Council of Ministers.
  - (3) A member of the Council holding office as specified in paragraph 1 (1) of this Schedule may, by notice in writing to the Minister resign his office.
2. (1) Where a vacancy occurs in the membership of the Council, that vacancy shall be filled by the appointment of a successor to hold office for the remainder of the term of office of his predecessor, so however that the successor shall represent the same interest as his predecessor.
  - (2) The Council may act notwithstanding any vacancy in its membership or the absence of any member or that a person not entitled to do so took part in its proceedings.
3. (1) The Council may appoint one or more committees to which it may delegate any of its functions.
  - (2) Without prejudice to the generality of subparagraph (1) of this Schedule, the Council shall appoint the following committees:
    - (a) the Appointments and Promotions Committees which shall:
      - (i) consist of Rector as the chairman and four other members who shall be appointed by the Council;
      - (ii) be charged with the responsibility for making recommendations to the Council on the appointment and promotion of the academic and senior non teaching staff of the polytechnic and have a quorum of three members;
    - (b) the Junior Staff Appointments and Promotions Committee which shall consist of a Deputy Rector as chairman and four other members to be appointed by the Rector and shall have the powers set out in section 13 (2) (b) and section 19 of this Bill;
    - (c) the Committee on Students' Affairs which shall consist of:
      - (i) a Deputy Rector as chairman;
      - (ii) one member of the Council;
      - (iii) Dean of Students Affairs;
      - (iv) two members of the academic staff not below the rank of Senior Lecturer; and
    - (d) two representatives of the Students Union of the Polytechnic and a Committee on Students Affairs shall be charged with the duty of:
      - (i) considering any matter which relates to the welfare of students,

- (ii) any other matter referred to it by either the Council or management of the polytechnic,
  - (iii) any matter which the students wish to refer to the Council shall be referred to the management in the first instance which may in turn refer the matter to the Committee on Students' Affairs.
- (3) No decision of a committee of the council shall have effect unless it is confirmed by the Council.

*Proceedings of the Council*

4. (1) The Council shall meet for the conduct of business once in a quarter except for emergency.
- (2) The chairman of the Council may at any time and shall at the request in writing of not less than five members of the Council summon a meeting of the Council.
- (3) Particulars of the business to be transacted shall be circulated to members with the notice of the meeting at least two weeks before the date of the meeting.
5. Where the Council desires to obtain the advice of any person on any particular matter, it may co-opt such person as a member for a meeting whether or not expressly convened for the purpose of considering the particular matter but no co-opted member shall be entitled to vote or shall count towards quorum:
6. (1) Every question put before the Council at a meeting shall be decided by a simple majority of the members present and voting.
- (2) Two-third of members shall form a quorum at any meeting of the Council.
- (3) The Chairman shall, at any meeting of the Council, have a vote and, in the case of an equality of votes, may exercise a casting vote.
7. Subject as aforesaid, the Council may make standing orders with respect to the holding of meetings, the nature of notices to be given, the proceedings thereat, the keeping of minutes of such proceedings and the custody and production for inspection of such minutes.
8. If the Chairman of the Council is absent from a meeting of the Council, the members present shall elect one of their number to act as chairman for the purposes of the meeting.

*Miscellaneous*

9. Composition and Functions of Management Committee, School and Departmental Boards.
10. (1) There shall be a Management Committee consisting of all the Principal Officers of the Polytechnic, all Deans and Directors in the Polytechnic and the:
- (a) Rector shall be the Chairman of the Management Committee; and
  - (b) Management Committee shall meet at least once in a month to discuss and take decisions on matters of general interest to the Polytechnic.
- (2) There shall be a School Board for each school in the Polytechnic made up of all the Academic Staff in that School and the:

- (a) School Board shall deal with academic matters and any other matter of interest to the School or any matter assigned to it by the Council, the Rector or the Academic Board;
- (b) Dean shall:
- (i) be the chairman of the School Board, and
  - (ii) be elected from among the Academic Staff not below the rank of Chief Lecturer in that School for a term of three years and not immediately renewable.
- (3) There shall be a Departmental Board for each Department in the Polytechnic consisting of all the Academic Staff in that department and the:
- (a) Departmental Board shall deal with academic matters and any other matter of interest to the Department;
  - (b) Head of Department shall:
    - (i) be chairman of the Departmental Board,
    - (ii) be elected from among the Academic staff not below the rank of Senior Lecturer in that department for a term of three years and not immediately renewable.
- (4) Where there is no qualified candidate for the position of Dean or Head of Department, the Rector shall appoint an Acting Dean not below the rank of Senior Lecturer or Acting Head of Department not below the rank of Lecturer I for a period of one year in the first instance and renewable once and no more.
- (5) Nothing in this Bill shall prevent the management Committee and Boards from making supplementary rules to guide their proceedings provided such rules are not inconsistent with the provisions of this Bill.

*Establishment of the Congregation*

11. There shall be for the polytechnic, a Congregation consisting of both Academic and Senior Non-Teaching staff, who holds at least a first degree or its equivalent the:
- (a) Rector shall be the Chairman of the Congregation; and
  - (b) Congregation shall meet at least once in a year.
12. Any contract or instrument which if entered into by a person not being a body corporate would not be required to be under seal, may in like manner be entered into or executed on behalf of the Council by any person generally or specifically authorised by it for that purpose.
13. (1) The common seal of the Council shall not be used or affixed to any document except in pursuance of a resolution duly passed at a properly constituted meeting of the Council and recorded in the minutes of such meeting.
- (2) The fixing of the seal of the Council shall be authenticated by the signature of the Chairman of the Council and some other members authorised generally or specifically by the Council to act for that purpose.

- (3) Any document purporting to be a document duly executed under the seal of the Council shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed.
14. Any member of the Council or a committee thereof who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Council or a committee thereof, shall forthwith disclose his interest to the Council and shall not vote on any question relating to such contract or arrangement (*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 the Federal Polytechnic, Rano, Kano State to provide full and part-time courses of instruction in different fields of studies (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

*Agreed to.*

**Long Title:**

A Bill for an Act to Establish Federal Polytechnic, Rano, Kano State to Provide Full and Part-Time Courses of Instruction in Different Fields of Studies; and for Related Matters (HB. 929) (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

*Agreed to.*

*Chairman to report Bill.*

**(HOUSE IN PLENARY)**

Mr 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 Establish Federal Polytechnic, Rano, Kano State to Provide Full and Part-Time Courses of Instruction in different fields of Study; and for Related Matters (HB. 929) and approved Clauses 1 - 29, 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.*

**(vii) Committee on Health Institutions:**

*Motion made and Question proposed*, "That the House do consider the Report of the Committee on Health Institutions on a Bill for an Act to Provide for Establishment of Federal College of Nursing, Midwifery and Health Sciences, Chibok, Borno State; and for Related Matters (HB. 1747)" (*Hon. Paschal Obi — Ideato North/Ideato South 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 Speaker in the Chair)*

A BILL FOR AN ACT TO PROVIDE FOR ESTABLISHMENT OF  
FEDERAL COLLEGE OF NURSING, MIDWIFERY AND HEALTH SCIENCES,  
CHIBOK, BORNO STATE; AND FOR RELATED MATTERS (HB. 1747)



PART I ESTABLISHMENT, POWERS AND FUNCTIONS OF THE COLLEGE

Committee's Recommendation:

Clause 1: Establishment:

(1) There is hereby established Federal College of Nursing, Midwifery and Health Sciences, Chibok (hereinafter referred to as the "College").

(2) The College shall:

- (a) have the status of a Tertiary Institution with rights and privileges of such institutions; and;
- (b) be a body corporate with perpetual succession and a common seal with powers to sue and be sued in its corporate name (Hon. Paschal Obi Ideato North/Ideato South Federal Constituency).

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

Committee's Recommendation:

Clause 2: Objects of the College.

The objects of the College shall be:

- (a) to provide training and research in Nursing, Midwifery, Health Sciences and other specialities of Nursing leading to the award of Professional Certificate, Diplomas and other Post Basic Certificates;
- (b) to provide avenues for continuing education in Nursing, Midwifery, Health Sciences and other related specialities of Nursing; and
- (c) to provide such services that are necessary and incidental to the objects of the College (Hon. Paschal Obi Ideato North/Ideato South Federal Constituency).

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

Committee's Recommendation:

Clause 3: Functions and Powers of the College.

(1) The College have powers to:

- (a) provide rules and conditions under which persons may be admitted as student for any particular course of study provided by the College;
- (b) make provision for research and the dissemination of knowledge;
- (c) establish Departments and such other units of learning and research as the purpose of the College may require;
- (d) create such offices and post as the purpose of the College may require and to appoint persons and remove person from such offices or posts and prescribe their conditions of service;
- (e) maintain libraries, laboratories, workshops, lecture halls, hostels, dining halls, sport field and other building or facilities of the College;

- (f) provide for residence, recreation and welfare of members of staff and students of the College as may be deemed necessary;
  - (g) demand and receive from students and other persons attending the College for the purpose of instruction such fees as the College may from time to time determine;
  - (h) prescribe rules for the discipline of students of the College;
  - (i) conduct examination and arrange for award of certificates and distinctions to persons who pursue courses of studies approved by the College and who satisfy such other requirement as may from time to time be Prescribe;
  - (j) subject to specific limitations or conditions that may imposed by extant Government regulations or circular, invest any fund apportioned to the College by way of endowment, whether for general or special purpose and such monies as may not immediately be required for current expenditure in any investment or securities;
  - (k) print or publish works or undertake service as may be deemed consistent with the object of the College;
  - (l) do such other acts and things necessary under this Bills for the attainment of the object of the College or incidental to the powers of the College; and
  - (m) carry out any special or general directive consistent with Government policy as the Secretary of health may give in writing.
- (2) Without prejudice to the generality of the Provision of Section 2 of this Bill and Subsection (1) this Section, the College may by special arrangement with the Nursing and Midwifery Council of Nigeria or other Examination bodies prepare it students for award of certificates or other distinctions.
- (3) Subject to the Provisions of this Bill and of any other Statute, the Power conferred on the College by Subsection (1) of this Section shall be exercise on behalf of the College by the Council and the Committees established for the College or by such officers and other staff of the College as may be authorize in that behalf and may also be exercised through schools established under this Bill (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 4: Custody of Common Seal.**

- (1) The Provost shall have custody of the common seal of the College and shall be responsible for affixing same to documents.
- (2) The common seal of the College shall not be used save upon the direction of the Council and shall be authenticated by the signature of the Provost (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

## PART II — GOVERNING COUNCIL OF THE COLLEGE

*Committee's Recommendation:***Clause 5: Governing Council of the Board.**

- (1) There shall be established for the College a Governing Council to be known as the Governing Council of the Federal College of Nursing, Midwifery and Health Sciences and other related specialities, Chibok.
- (2) The Council shall consist of:
  - (a) a Chairman who shall be appointed on part time basis by the President on the recommendation of the Minister;
  - (b) a representation of the Federal Minister of Health;
  - (c) the Provost of the College;
  - (d) two members, to represent the interest of the public to be appointed by the minister on the recommendation of the Secretary health;
  - (e) the Director of Nursing, Borno State Hospitals Management Board;
  - (f) two members to represent the interest of the Public to be appointed by the Minister on the recommendation of the Secretary of Health;
  - (g) a representative of the Borno State Treasury;
  - (h) a representative from the Borno State Ministry of Justice;
  - (i) a representative of Borno State Ministry of Education; and
  - (j) the Registrar of the College who shall also serve as the Secretary (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

*Committee's Recommendation:***Clause 6: Tenure of Members.**

- (1) Members of the Council other than Ex-officio Members shall hold office for a period of four years from the date of their appointment and shall be eligible for re-appointment for one further term of four years and no more.
- (2) Any member of the Council other than an ex officio member may by notice to the council resign his appointment.
- (3) Any vacancy occurring in the membership of the Council shall be filled by the appointment of a successor who shall represent the same interest as his predecessor for the remainder of the term of the predecessor (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

*Committee's Recommendation:***Clause 7: Functions of the Council.**

- (1) Subject to the provisions of this Bill, the Council shall:

- (a) be the governing authority of the College;
- (b) be charged with general control and superintendence of the policies, finances and properties of the College;
- (c) make regulations for the day to day management of the College; and
- (d) do any other thing necessary or incidental to attainment of objects of the College.

(2) Without prejudice to the provisions of Subsection (1) of this Section, the Council shall:

- (a) ensure that the courses and instructions provided by the College conform to the required standard laid down from time to time by the Nursing and Midwifery Council of Nigeria;
- (b) regulate the teaching of course offered by the College, and also regulate the conduct of examination with respect to the College;
- (c) approve contracts for procurement of equipment, furniture and other properties required for the purpose of the College;
- (d) approve contracts for maintenance of the premises and other properties of the College;
- (e) formulate policies and initiate programmes in all field of learning conducted by the College;
- (f) assess from time to time the course offered by the College; and
- (g) perform such other function as may be necessary.

(3) The Council may delegate any of its functions, other than the power to make regulations, to the Chairman or any other person, Board or Committee it deems it fit in that behalf, but no decision of such person or committee shall take effect unless ratified by Council (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 8: Secretary of the Council.**

The Registrar of the College shall be the Secretary to the council (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 9: Power of the Secretary.**

- (1) The Secretary to the Council may give to the council directions as to the discharge of its function in relation to matters appearing to the Council to affect public interest and the council shall give effect to such directive.
- (2) The council shall afford the Secretary facilities for obtaining information with respect to the property of the College and the functions of the council and he shall be furnished with returns, accounts and facilities for verification

of the information in such manner and at such times as he may require (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

PART III — SCHOOLS, DEPARTMENTS AND UNITS WITHIN THE COLLEGE

*Committee's Recommendation:*

**Clause 10: Schools, Departments and Units.**

- (1) There shall be within the College a School of Nursing and a School of Midwifery and such other Schools as the Council may, with the approval of the Nursing and Midwifery Council of Nigeria establish.
- (2) Each school shall provide instruction for courses, conduct research and carry out such functions as may be prescribed by the council with the approval of the Secretary of Health.
- (3) The constitution of and other matters relating to each schools may be prescribed by the Council (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

*Committee's Recommendation:*

**Clause 11: Departments.**

In furtherance of the provisions of Section 3 (1) (c) of this Bill, the Council shall approve for each school such Departments as the Nursing and Midwifery Council of Nigeria may from time to time prescribe (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

*Committee's Recommendation:*

**Clause 12: Other Units.**

Subject to the Provision to this Bill, the Council may with the approval of the Minister establish units for special purposes within the College; and the name, constitution and functions of any such units may be prescribed by the Council (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

PART IV — PRINCIPAL OFFICER AND STAFF OF THE COLLEGE

*Committee's Recommendation:*

**Clause 13: Provost of the College.**

There shall be for the College, a Provost and other principal Officers, the designations, qualifications, functions, appointments and removal of whom are spelt out in Sections 19 to 25 of this Bill (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

*Committee's Recommendation:*

**Clause 14: Principal Officers of the College.**

- (1) The Principal Officers of the College shall include:

- (a) the Provost the College;
  - (b) the Deputy Deans (Academics and Administration) of the School in the college;
  - (c) the Registrar;
  - (d) the College Librarian; and
  - (e) the Bursar.
- (2) The principal officers of the College other than Deans and Deputy Deans of Schools in the College shall be appointed by the Council subjects to the approval of the Minister.
  - (3) The Deans and Deputy Deans of Schools in the College shall be appointed by the Council (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 15: Appointment of the Provost.**

- (1) The Provost shall be appointed by the President on recommendation of the Minister from amongst the academic staff of the College and shall be the Chief Executive and Administrator of the College and also be responsible to the council for maintaining and promoting efficiency and discipline in the College.
- (2) The Provost shall hold a degree in Nursing and shall be a registered Educator in Nursing, Midwifery or other specialty areas of Nursing with not less than fifteen years of teaching experience (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 16: The Deans.**

- (1) The Deans of Schools in the College shall be responsible to the Provost for the Administration of the Schools.
- (2) The Deans of schools in the College shall hold degree in Nursing and shall be registered Educators in the Nursing specialty related to their respective school and with not less than ten years of teaching experience (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 17: The Deputy Deans.**

The Deputy Deans of Schools in the College shall be the Chief Assistants to the Deans of their respective Schools and shall perform such duties as may be assigned to them by the Deans (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee's Recommendation:****Clause 18: The Registrar of the College.**

- (1) The Registrar of the College shall be the head of administration of the school and shall be responsible to the provost.
- (2) The Registrar shall be an experienced graduate of humanities with not less than fifteen years' experience in Public Administration.
- (3) The person holding the Office of the Registrar of the College shall by virtue of that office be the secretary to the Academic Board and the finance and General purpose Committee (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee's Recommendation:****Clause 19: The Bursar.**

- (1) The Bursar shall be the Chief Financial Officer of the College and shall be responsible to the provost for the day to day administration of the financial affairs of the College.
- (2) The Bursar shall be a qualified Accountant with not less than Ten years post qualification experience (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee's Recommendation:****Clause 20: The Librarian.**

- (1) The Librarian shall be responsible to the Provost for the co-ordination of Library Services in the College.
- (2) The Librarian shall have a degree in Library Sciences with not less than ten years qualification experience as a Librarian (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee's Recommendation:****Clause 21: Other Staff.**

The Council may appoint such other persons to be Staff of the College as it may deem fit on such terms and conditions as may be specified in their instructions of appointment (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee's Recommendation:****Clause 22: Removal from Office.**

- (1) The Principal Officers and other Senior Staff of the College may be removed from office by the Minister for misconduct, incompetence or any other justifiable reason on the recommendation of the Council.
- (2) The Council shall have power to remove any Junior Staff of the College for justifiable reasons (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

PART V — ESTABLISHMENT AND FUNCTIONS OF COMMITTEES

**Committee's Recommendation:**

**Clause 23: Finance and General Purpose Committee.**

There shall be a Committee of the Council to be known as the Finance and General Purpose Committee (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 24: Composition of the Committee.**

- (1) The Finance and General Purpose Committee shall consist of:
  - (a) the Chairman of the Governing Council who shall be the Chairman;
  - (b) the representative of the Federal Ministry of Health;
  - (c) the provost of the College;
  - (d) the Director of Nursing Services in the Federal Ministry of Health;
  - (e) one member of the Academic Committee to be appointed by the Council; and
- (2) The Registrar shall be the Secretary of the Committee (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 25: Functions of the Finance and General Purpose Committee.**

The Finance and General Purpose Committee shall:

- (a) exercise control over property, revenue and expenditure of the College;
- (b) award contracts for the execution of project of the College; and
- (c) perform such other functions as the Council may delegate to it (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 26: Other Committees.**

- (1) Further to the Provisions of Section 11 of this Bill, any body of persons established by this Bill shall without prejudice to the generality of the powers of that body, have power to constitute Committees, which need not consist exclusively of members of that body, and to authorize a committee established by it:
  - (a) to exercise, on its behalf, such of its function as it may determine; and



- (b) to co-opt members, and may direct whether or not co-opted members if any, shall be entitled to vote in that committee.
- (2) Any two or more such bodies may arrange for the holding of joint meetings of those bodies or for the appointment of Committees consisting of members of those bodies for the purpose of considering any matter within the competence of those bodies or any of them and either of dealing with it or of reporting on it to those bodies or any of them.
- (3) The quorum and procedure of a committee established or meeting held in pursuance of this section shall be such as may be determined by the body or bodies which have decided to establish the committee or hold the meeting (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

#### PART VI — ACADEMIC BOARD

**Committee's Recommendation:**

**Clause 27: Establishment of Academic Board.**

There shall be for each School of the College an Academic Board which shall be responsible for the academic work of the school (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 28: Composition of the Academic Board.**

The Academic Board for each School of the College shall be composed of:

- (a) the Provost of the College, as Chairman;
- (b) the Dean of the School, as Deputy Chairman;
- (c) the Deputy of the Dean of the School;
- (d) all Heads of Department of the schools;
- (e) one Academic Staff not below the rank of Senior Lecturer to be selected from each of the Department of the School;
- (f) a representative of the Director, Nursing Services of the Federal Ministry of Health;
- (g) the School Librarian; and
- (h) the Registrar who shall be the Secretary of the Board (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 29: Function of the Academic Board.**

Subject to the overall control and direction of the Council, the Academic Board of each School of the College shall perform the following functions:

(a) regulating and organizing the process of admission, conduct of examinations, award of certificates and all formalities relating to the registration and licensing of graduates;

(b) making recommendation to the council on appointment of Academic staff of the school and on the organization of department, Libraries and other units of learn and research in the school;

(c) making guideline for the purpose of exercising any of the Functions conferred on it under the provisions of this section;

(d) preparing curriculum for the school in line with guidelines from the Nursing and Midwifery council of Nigeria and or other regulatory bodies;

(e) performing such other functions that may be assigned to it by the Council  
 (Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency).

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

PART VII — SUPPLEMENTARY PROVISIONS

**Committee's Recommendation:**

**Clause 30: Schedule.** The supplementary provision contained in the schedule shall have effect in relation to the proceeding of the various bodies appointed under the provision of this Bill  
 (Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency).

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

**Committee's Recommendation:**

**Clause 31: Transition!**  
 In the absence of the council and until it is constituted for the College, the functions and powers of the Council under this Bill may be exercise by Director of Nursing Services of the Federal Ministry of Health (Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency).

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

PART VIII — PROPERTY

**Committee's Recommendation:**

**Clause 32: Transfer of Property.**  
 The Governor of Imo State may, by order transfer any property whether movable or immovable to the College and from the date of such order, any property so transferred shall vest in the College and shall be used for the purpose of the College  
 (Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency).

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

**Committee's Recommendation:**

**Clause 33: Power of the Council to hold Property.**  
 The Council may, subject to the provision of this Bill

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

Subject to the control and direction of the Council, the Academic Board of each School of the College shall perform the following functions:

- (b) invest the funds of the College in such manner and to such extent as it may deem necessary or expedient; and
- (c) enter into contractual agreement on behalf of the College (*Hon. Paschal Obi Ideato North/Ideato South Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 34: Expenditure of the College**

- (1) The Council shall have power to approve expenditure of over ₦100,000.00 but not exceeding ₦1,000,000.00 per unit transaction for the procurement of the goods, works and services and shall refer procurements exceeding the amount to the Secretary of Health.
- (2) The Provost shall approve procurement of works, goods and services not exceeding ₦100 000.00.
- (3) The threshold mentioned in this section may be adjusted, in the case of:
  - (a) subsection (1), by the Secretary of Health; and
  - (b) subsection (2), by the Council (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 35: Finance of the College.**

- The Finance of the College shall include:
- (a) monies from time to time accruing to the College by way of Government grant, subvention or endowment or other forms of grant-in aid;
  - (b) fees charges by and payable in respect of student;
  - (c) any other amounts charges or dues recoverable by the College;
  - (d) receipts for publications or services;
  - (e) interest on investments;
  - (f) donations and legacies (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 36: Annual Estimates**

Before the end of each financial year or at such other time as may be required by the College shall present for Council estimate of revenue and expenditure for the ensuing financial year and the accepted estimates shall be presented to the Minister who shall forward to the President (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 37: Statement of Account.**

- (1) The College shall prepare in respect of each financial year a statement of account and the said annual statement of account shall be a fair and accurate statement of the financial position of the College for the financial year to which it relates.

**Account Audit.**

- (2) The said annual statement of accounts shall be audited by the Auditor-General of the Federation or by such competent Auditor appointed by him.
- (3) The said audited statement of accounts, after verification by the Council shall together with the auditor's report is forwarded to the Minister who shall cause the same to be placed before the National Assembly (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

*Question that Clause 37 stands part of the Bill — Agreed to.*

**Committee's Recommendation:**

**Clause 38: Interpretation.**

In this Bill unless the context otherwise requires:

"Academic Board" means the Academic Board established under this Bill (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

"Chairman" means the Chairman of the Governing Council of the College or where the context requires Chairman of the respective Committees established under this Bill (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

"College" means the College of Nursing, Midwifery and Health Sciences, Chibok (*Hon. Paschal Obi — Ideato North/Ideato South 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 established under section 4 (1) of this Bill for the College (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

"Executive Committee" means the Federal Executive Committee (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

"Junior Staff" is a reference to Staff on CONHESS 01-05 or Salary Grade Levels 01-06 (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

"Members" means Members of the Council and includes the Chairman of the Council (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

"Minister" Minister of Health or Education (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

"Provost" means the Provost of the College (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

"Regulations" means any regulation formulated for the College by the Council (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

"Secretary" means the Secretary to the Council of the College and otherwise means the Secretary of any Committees established under this Bill (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

"Senior staff" is a reference to staff on CONHESS 06-16 or salary Grade levels 07-17 (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

*Question that Clause 38 stands part of the Bill — Agreed to.*

**Committee's Recommendation:**

**Clause 39: Citation.**

This Bill may cited as the Federal College of Nursing, Midwifery and Health Sciences, Chibok, Borno State, (Establishment) Bill, 2022 (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

*Question that Clause 39 stands part of the Bill — Agreed to.*

## SCHEDULE

SUPPLEMENTARY PROVISION AS TO THE COUNCIL  
AND OTHER CONSTITUTED BODIES OF THE COLLEGE*Summoning of meeting of the Council*

1. (1) The Chairman, or in his absence the appointed to act in that behalf, may at time direct the Secretary to summon a meeting of the Council.
- (2) Any three members of the Council may by notice in writing signed by them request the Chairman to summon a special meeting of the Council for the purpose set out in such notice to be summoned.

*Meeting of the Council*

2. (1) The Council shall meet at such times and places as the Chairman may appoint provided that Council shall hold at least four (4) meetings in each academic year.
- (2) At any meeting of the Council, the Chairman shall Preside and in his absence shall choose one of their Members to preside for that particular meeting.

*Co-option of Members*

3. Where upon any special occasion the Council desires to obtain the advice of or any special information from any person on any particular matter, the Council may co-opt such person to be a member of such meetings as may be required and such a person whilst so co-opted shall have all the rights and privileges of a member save that he shall not be entitled to vote on any question.

*Quorum of the Council*

4. The quorum for any meeting of the Council shall be two Third of the members.

*Voting*

5. (1) Every question before the Council at any meeting shall be determined by a simple majority of the Members present and voting;
- (2) Each member present and voting at any meeting shall have one vote but in case of any equal divisions of vote, the Chairman of the meeting may have a second or casting vote.

*Taking of Minutes*

6. (1) Without prejudice to the provision of Section 8 of this Bill, when the Secretary is absent at a meeting of any of the bodies established under this Bill, the Chairman thereof may appoint a suitable person to act as Secretary.
- (2) The Secretary shall keep an accurate record of the minutes book provided for such purposes.
- (3) The minutes of every meeting shall be signed by the Chairman of the meeting after it has been approved at the next meeting.

*Council may appoint Committee*

7. The Council may appoint Committees to which it may delegate any of its responsibilities and functions in sub-section 1 of this Bill.

*Standing Order*

8. (1) Without prejudice to any of the provisions this Bill, the Council may, with the approval of the Secretary of Health make Standing Order with respect to the holding of its meeting, the proceeding, the keeping of minutes of such proceedings, and production for inspection of such minutes custody and any other matter that may be considered necessary or desirable.
- (2) The Academic Board and Finance and General Purpose Committee of the College may with the approval of the Council make similar Standing Order as in sub-section (1) of this Bill.

*Defect in appointment not to invalidate Proceeding*

9. (1) No act of other proceeding of the Council, the Academic Committee or any Committee set up under this Bill shall be invalid by reason only that:
- (a) there is defect in the appointment of a person Purporting to be a member of anybody or committee created pursuant to this Bill;
- (b) there is a vacancy in any position in the body or committee so created (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Explanatory Memorandum:**

This Bill seeks to provide for the establishment of the Federal College of Nursing, Midwifery and Health Sciences, Chibok, Borno State and other related matters (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

*Agreed to.*

**Long Title.**

A Bill for an Act to Provide for Establishment of Federal College of Nursing, Midwifery and Health Sciences, Chibok, Borno State; and for Related Matters (HB. 1747) (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

*Agreed to.*

*Chairman to report Bill.*

**(HOUSE IN PLENARY)**

Mr Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committee on Health Institutions on a Bill for an Act to Provide for Establishment of Federal College of Nursing, Midwifery and Health Sciences, Chibok, Borno State; and for Related Matters (HB. 1747) and approved Clauses 1 - 39, 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.*

**(viii) Committee on Health Institutions:**

*Motion made and Question proposed*, "That the House do consider the Report of the Committee on Health Institutions on a Bill for an Act to Establish Federal Medical Centre, Gwoza, Borno State; and for Related Matters (HB. 1746)" (*Hon. Paschal Obi — Ideato North/Ideato South 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 Speaker in the Chair)*

A BILL FOR AN ACT TO ESTABLISH THE FEDERAL  
MEDICAL CENTRE, GWOZA, BORNO STATE;  
AND FOR RELATED MATTERS (HB. 1746)

PART I — ESTABLISHMENT OF THE FEDERAL  
MEDICAL CENTRE, GWOZA, BORNO

**Committee's Recommendation:****Clause 1: Establishment of the Federal Medical Centre, Gwoza, Borno.**

- (1) There is hereby established the Federal Medical Centre, Gwoza (in this Bill referred to as "the Federal Medical Centre") and the Medical Centre shall serve as the Medical Centre subject to the provision of this Bill.
- (2) The Medical Centre:
  - (a) shall be a body corporate;
  - (b) may be sue or sued in its corporate name;
  - (c) shall have perpetual succession and a common seal (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee's Recommendation:****Clause 2: Establishment of the Board of Management of the Medical Centre.**

There is hereby established for the management of the Medical Centre a Board of Management (in this Bill referred to as "Board") which shall be constituted and have the functions and powers set out in this Bill (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee's Recommendation:****Clause 3: Membership of the Board.**

- (1) The Board shall consist of:
  - (a) a Chairman;



- (b) the Medical Director of the Medical Centre;
  - (c) the Director of Clinical Services;
  - (d) the Director of Administration;
  - (e) the Director of Finance;
  - (f) the Director of Maintenance;
  - (g) a representative of the President;
  - (h) the Federal Ministry of Health;
  - (i) the National Planning Commission;
  - (j) the Society of Gynaecology and Obstetrics of Nigeria;
  - (k) the Pharmaceutical Society of Nigeria;
  - (l) the Paediatric Association of Nigeria;
  - (m) the National Association of Nigerian Nurses and Midwives;
  - (n) one person to represent public interest;
  - (o) a representative of the Nigeria Medical Association (NMA); and
  - (p) a representative of other Health Professional bodies.
- (2) The Chairman and Members of the Board, other than *ex-officio* members, shall be:
- (a) appointed by the President; and
  - (b) persons of proven integrity and ability.
- (3) 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. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 4: Tenure of Office [Schedule].**

Subject to the provisions of section 5 of this Bill, a member of the Board, other than *ex-officio* members, shall each hold office:

- (a) for a term of three years in the first instance and may be re-appointed for a further term of three years and no more; and
- (b) on such terms and conditions as may be specified in his letter of appointment (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee's Recommendation:****Clause 5: Cessation of Membership.**

- (1) Notwithstanding the provisions of section 4 of this Bill a person shall cease to hold office as a member of the Board if:
  - (a) he becomes bankrupt, suspends payment principal loan with his creditors;
  - (b) he is convicted of a felony or any offence involving dishonesty or fraud;
  - (c) he becomes of unsound mind or is incapable of carrying out his duties;
  - (d) he is guilty of a serious misconduct in relation to his duties; or
  - (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) he resigns his appointment by a letter addressed to the President.
- (2) If a member of the Board ceases to hold office for any reason whatsoever, before the expiration of the term for which he is appointed, another person representing the same Interest as that member shall be appointed to the Board for the unexpired term.
- (3) A member of the Board may be removed by the President if he is satisfied that it is not in the interest of the Medical Centre or the interest of the public that the member continues in office (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee's Recommendation:****Clause 6: Allowances of the Board Members.**

There shall be paid to every member of the Board such allowances and expenses as the Revenue Mobilization Allocation and Fiscal Commission may, from time to time, direct (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**PART II — FUNCTIONS AND POWERS OF THE BOARD, ETC.****Committee's Recommendation:****Clause 7: Functions of the Board.**

- (1) The Board shall:
  - (a) equip, maintain and operate the Medical Centre so as to provide facilities for diagnosis, curative, promotive and rehabilitative services in medical treatment;
  - (b) construct, equip, maintain and operate such training schools and similar institutions as the Board considers necessary for providing the Medical Centre at all times with a proper staff of the Medical Centre technicians and nurses;

- (c) construct, equip, maintain and operate such clinics, out-patient departments, laboratories, research or experimental stations and other like institutions as the Board considers necessary for the efficient functioning of the Medical Centre.
- (2) The Board shall ensure that the standards of teaching provided at all establishments under its control and the standards of treatment and care provided for patients at those establishments do not fall below those usually provided by similar establishments of international repute.
- (3) Subject to this Bill, the Board shall perform such other functions which in its opinion are calculated to facilitate the carrying out of its functions under this Bill (Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency).

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

**Committee's Recommendation:**

**Clause 8: Powers of the Board.**

(1) The Board shall have power to:

- (a) provide the general policies and guidelines relating to major expansion programmes of the Medical Centre;
- (b) provide facilities for the training of medical students of associate universities;
- (c) manage and superintend the affairs of the Medical Centre;
- (d) subject to the provisions of this Bill, make, alter and revoke rules and regulations for carrying on the functions of the Medical Centre;
- (e) fix terms and conditions of service, including remuneration of the employees of the Medical Centre subject to the approval of National Salaries Incomes and Wages Commission;
- (f) do such other things which in the opinion of the Board are necessary to ensure the efficient performance of the functions of the Medical Centre (Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency).

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

**PART III — STAFF OF THE MEDICAL CENTRE**

**Committee's Recommendation:**

**Clause 9: Medical Director of the Medical Centre.**

- (1) There shall be for the Medical Centre a Medical Director who shall be appointed by the President on the recommendation of Hon. Minister of Health on such terms and conditions as may be specified in his letter of appointment or as may be determined, from time to time, by the Federal Government.
- (2) The Medical Director shall:
- (a) be the chief executive and accounting officer of the Medical Centre;

- (b) be responsible to the Board for the day-to-day administration of the Medical Centre;
- (c) be appointed for a term of four years in the first instance and may be reappointed for a further term of four years subject to satisfactory performance;
- (d) be a person who is a medical practitioner and shall have been so qualified for a period of not less than 15 years;
- (e) have considerable administrative experience in matters of health;
- (f) hold a post-graduate specialist qualification obtained not less than ten years prior to the appointment as Medical Director (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 10: Appointment of Directors and other staff of the Medical Centre.**

- (1) The Board shall appoint for the Medical Centre:
  - (a) a Director of Administration, who shall:
    - (i) be responsible to the Medical Director for the effective functioning of all the administrative divisions of the Medical Centre,
    - (ii) conduct the correspondence of the Board and keep the records of the Medical Centre, and
    - (iii) perform such other functions as the Board or the Medical Director, as the case may be, may, from time to time, assign to him;
  - (b) a Director of Clinical Services;
  - (c) a Director of Finance;
  - (d) a Director of Maintenance.
- (2) The Directors appointed under paragraphs (b), (c) and (d) of subsection (1) of this section shall each be responsible to the Medical Director for the effective running of the clinical services, the finance and accounts and the co-ordination of the maintenance of the Medical Centre, as the case may be.
- (3) The Board shall appoint for the Medical Centre such number of employees as may in opinion of the Board expedient and necessary for the proper and efficient performance of the functions of the Medical Centre.
- (4) Notwithstanding the provisions of subsections (1) and (2) of this section the Board shall have power to appoint for the Medical Centre either directly or on secondment from any public service in the Federation, such number of employees as may, in the opinion of the Board, be required to assist the Medical Centre in the discharge of any of its functions under this Bill.

- (5) Nothing in subsection (4) of this section shall preclude the Board from appointing persons from outside the public service of the Federation or of the State whenever it deems it necessary so to do.
- (6) The terms and conditions of service of the employees of the Medical Centre shall be as determined by the National Salaries Income and Wages Commission (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 11: Service in the Medical Centre to be Pensionable.**

- (1) Service in the Medical Centre shall be approved service for the purposes of the Pensions Reforms Act.
- (2) The officers and other persons employed in the Medical Centre 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 section 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 (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 12: Establishment of the Medical Advisory Committee, etc.**

- (1) There shall be for the Medical Centre a Medical Advisory Committee which shall:
  - (a) consist of a chairman who shall be the Director, Clinical Services and such number of other members as may be determined from time to time;
  - (b) be responsible to the Medical Director for all the clinical and training activities of the Medical Centre.
- (2) Subject to this Bill, the Board shall have power to appoint either directly or on secondment and discipline consultants holding or acting in any office in the hospital; and any such appointment shall be made having due regard to the approved personnel establishment of the Medical Centre.
- (3) Notwithstanding anything to the contrary, the Board may, from time to time, appoint consultants outside the hospital to perform such medical duties as the Board or the Medical Director may assign to such consultants (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**PART IV — FINANCIAL PROVISIONS**

**Committee's Recommendation:**

**Clause 13: Fund of the Medical Centre.**

There shall be established and maintained for the Medical Centre a fund into which shall be paid and credited:

- (a) all subventions and budgetary allocation from the Government of the Federation;
- (b) all fees and funds accruing from the sale of drugs and other services;
- (c) all sums accruing to the Medical Centre by way of gifts, endowments, bequests, grants or other contributions by persons and organisations;
- (d) foreign aid and assistance from bilateral agencies; and
- (e) all other sums which may, from time to time, accrue to the Medical Centre (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 14: Expenditure of the Medical Centre.**

The hospital shall, from time to time, apply the funds at its disposal to:

- (a) the cost of administration and maintenance of the Medical Centre;
- (b) publicize and promote the activities of the Medical Centre;
- (c) pay allowances, expenses and other benefits of members of the Board and committees of the Board;
- (d) pay the salaries, allowances and benefits of employees of the Medical Centre;
- (e) pay other overhead allowances, benefits and other administrative costs of the Medical Centre; and
- (f) undertake such other activities as are connected with all or any of the functions of the Medical Centre under this Bill (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 15: Power to Accept Gifts.**

- (1) The Medical Centre 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 Medical Centre shall not accept any gift if the conditions attached by the person or organization making the gift are inconsistent with the functions of the Medical Centre under this Bill (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 16: Annual Estimate and Expenditure.**

- (1) The Board shall, not later than 30 September in each year, submit to the President through the Secretary to the Government of the Federation an estimate of the expenditure and income of the Medical Centre during the next succeeding year.

- (2) The Board shall cause to be kept proper accounts of the Medical Centre in respect of each year and proper records in relation thereto and shall cause the accounts to be audited not later than six 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. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 17: Annual Report.**

The Board shall prepare and submit to the President, not later than 30th June in each year, a report in such form as the President may direct on the activities of the Medical Centre during the immediately preceding year, and shall include in the report a copy of the audited accounts of the Federal Medical Centre for that year and the auditor's report thereon (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 18: Power to Borrow.**

- (1) The Medical Centre may, from time to time, borrow by overdraft or otherwise such sums as it may require for the performance of its functions under this Bill.
- (2) The Medical Centre shall not, without the approval of the President, borrow money which exceeds, at any time, the limit set by the President.
- (3) Notwithstanding subsection (1) of this section, where the sum to be borrowed is in foreign currency, the Medical Centre shall not borrow the sum without the prior approval of the President (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 19: Exemption from Tax.**

- (1) The Medical Centre shall not pay income tax on any income derived by the Federal Medical Centre under this Bill or accruing to it from any of its investments.
- (2) Accordingly, the provisions of any enactment relating to the taxation of companies or trust funds shall not apply to the Board of the Federal Medical Centre (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 20: Exemption from Customs Duties, etc.**

The Medical Centre shall not pay customs duty on or be restricted or prohibited from importing any equipment, material, supply and any other thing required by the Medical Centre for the purposes of this Bill (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

PART V — GENERAL

**Committee's Recommendation:**

**Clause 21: Discipline of Students.**

- (1) Notwithstanding anything to the contrary contained in any other enactment, where it appears to the Board that any student of the Medical Centre has been guilty of misconduct, the Board may, without prejudice to any other disciplinary powers conferred on it by regulations, direct:
  - (a) that the student shall not, during such period as may be specified in the direction, participate in such activities of the Medical Centre, or make use of such facilities of the Medical Centre as may be so specified;
  - (b) that the activities of the student shall, during such period as may be specified in the direction, be restricted in such manner as may be so specified;
  - (c) that the student be rusticated for such period as may be specified in the direction; or
  - (d) that the student be expelled from the Medical Centre.
- (2) The fact that an appeal from a direction is brought in pursuance of subsection (1) of this section shall not affect the operation of the direction while the appeal is pending.
- (3) The Board may delegate its powers under this section to a disciplinary committee consisting of such members of the Medical Centre as the Board may nominate.
- (4) Nothing in this section shall be construed as preventing the restriction or termination of student's activities at the Medical Centre otherwise than on the ground of misconduct.
- (5) A direction issued under subsection (1) (a) of this section may be combined with a direction issued under subsection (1) (b) of this section (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 22: Removal and Discipline of Clinical Administrative and Technical Staff.**

- (1) If it appears to the Board that there are reasons for believing that any person employed as a member of the clinical, administrative or technical staff of the Medical Centre, other than the Chief Medical Director, should be removed from his office or employment, the Board shall require the Director of Administration to:
  - (a) give notice of those reasons to the person in question;
  - (b) afford him an opportunity of making representations in person on the matter to the Board; and



- (c) if the person in question so requests within a period of 1 month beginning with the date of the notice, make arrangements for:
- (i) a committee to investigate the matter and report on it to the Board; and
  - (ii) the person in question to be afforded an opportunity of appearing before and being heard by an investigating committee set up with respect to the matter, and if the Board, after considering the report of the investigating committee, is satisfied that the person in question should be removed as aforesaid, the Board may so remove him by a letter signed on the direction of the Board.
- (2) The Chief Medical Director may, in a case of misconduct by a member of the staff which in the opinion of the Chief Medical Director is prejudicial to the interest of the Medical Centre, suspend any such member and any such suspension shall forthwith be reported to the Board.
- (3) For good cause, any member of staff may be suspended from his duties or his appointment may be terminated or he may be dismissed by the Board and for the purposes of this section, "good cause" means:
- (a) a conviction for any offence which the Board considers to be such as to render the person concerned unfit for the discharge of the functions of his office;
  - (b) any physical or mental incapacity which the Board, 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 other disgraceful nature which the Board considers to be such as to render the person concerned unfit to continue to hold his office; or
  - (d) conduct which the Board considers to be such as to constitute a failure or inability of the person concerned to discharge the functions of his office or to comply with the terms and conditions of his service.
- (4) Any person suspended shall, subject to subsections (2) and (3) of this section be on half pay and the Board shall before the expiration of a period of three months after the date of such suspension consider the case against that person and come to a decision as to:
- (a) whether to continue the person's suspension and if so, on what terms (including the proportion of his emoluments to be paid to him);
  - (b) whether to reinstate the person, in which case the Board shall restore his full emoluments to him with effect from the date of suspension;
  - (c) whether to terminate the appointment of the person concerned, in which case he shall not be entitled to the proportion of his emoluments withheld during the period of suspension; or
  - (d) whether to take such lesser disciplinary action against the person

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

- (5) It shall be the duty of the person by whom a letter of removal is signed in pursuance of subsection (1) of this section to use his best endeavors to cause a copy of the letter to be served as soon as reasonably practicable on the person to whom it relates.
- (6) Nothing in the foregoing provisions of this section shall preclude the Board from making such regulations not inconsistent with the provisions of this Bill for the discipline of students and all other categories of employees of the hospital as the Board may prescribe.
- (7) Regulations made under subsection (6) of this section need not be published in the Gazette but the Board shall cause them to be brought to the notice of all affected persons in such manner as it may, from time to time, determine (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 23: Discipline of Junior Staff.**

- (1) If any junior staff is accused of misconduct or inefficiency, the Medical Director may suspend him for not more than a period of 3 months and shall direct a committee to:
  - (a) consider the case; and
  - (b) make recommendations as to the appropriate action to be taken by the Medical Director.
- (2) In all cases under this section of this Bill, the officer shall be informed of the charge against him and given a reasonable opportunity to defend himself.
- (3) The Medical Director may, after considering the recommendation made pursuant to subsection (1) (b) of this section, dismiss, or take such other disciplinary action against the officer concerned.
- (4) Any person aggrieved by a decision of the Medical Director made under subsection (3) of this section may, within a period of 21 days from the date of the letter communicating the decision to him, address a petition to the Board to reconsider his case (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

PART VI — MISCELLANEOUS

**Committee's Recommendation:**

**Clause 24: Regulations.**

- (1) The Board may, with the approval of the President, make regulations:

- (a) as to the access of members of the public either generally or of a particular class, to premises under the control of the Board and as to the orderly conduct of members of the public on those premises; and
  - (b) for safeguarding any property belonging to or controlled by the Board from damage by members of the public.
- (2) Bye-laws under this section shall not come into force until they are confirmed (with or without modification) by the National Assembly and published in such manner as he may direct (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 25: Power to Give Directives.**

The "Minister of Health" may give to the Board directions of a general character or relating generally to particular matters (but not to any individual person or case) with regard to the exercise by the Board of its functions under this Bill, and it shall be the duty of the Board to comply with the directions; but no direction shall be given which is inconsistent with the duties of the Board under this Bill (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 26: Transition and Savings Provision.**

- (1) On the commencement of this Bill, any person employed by or serving in, the Medical Centre shall be deemed to have been employed or serving in the Medical Centre established under this Bill.
- (2) All Assets and liabilities belonging to the Medical Centre shall be deemed to belong to the Medical Centre established under this Bill (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 27: Interpretation.**

In this Bill, unless the context otherwise requires:

"associate universities" means the universities whose medical students receive aspects of their training from the Medical Centre (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

"Board" means the Board of Management of the Medical Centre (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

"chairman" means the chairman of the Board (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

"functions" include powers and duties (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

"Federal Medical Centre" means the Federal Medical Centre, Gwoza, Borno State (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

*Question that the meaning of the words "Federal Medical Centre" be as defined in the interpretation to this Bill — Agreed to.*

"healthcare professional" means any person who has obtained requisite professional training and is qualified to practice as a Medical Practitioners, Pharmacist, Medical Laboratory Scientist, Nurse, Physiotherapist, Radiographer, Optometrist under the laws of the Federal Republic of Nigeria (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

"junior staff" means staff of such grade as may be determined, from time to time, by the Board (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

"medical student" means a student whose course of instruction is:

- (a) designed (either alone or in conjunction with other courses) to enable him to qualify as a medical practitioner; or
- (b) designed for the further training of medical practitioners (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

"Minister" means the Minister charged with responsibility for matters relating to health; and (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

"student" means a person enrolled at an institution controlled by the Board for the purpose of pursuing a course of instruction at the institution (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

*Question that the meaning of the word "student" 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: Short Title.**

This Bill may be cited as the Federal Medical Centre, Gwoza (Establishment) Bill, 2022 (Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency).

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

**SCHEDULE**

[Section 3(3)]

**SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD, ETC.**

*Proceedings of the Board*

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 committees.
- (2) The quorum of the Board shall be the chairman or the person presiding at the meeting and 5 other members of the Board, 2 of whom shall be *ex-officio* members, and the quorum of any Committee of the Board 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 8 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) Where the Board desires to obtain the advice of any person on a particular matter, the Board may co-opt him to the Board for such period as it deems fit, but a person who is in attendance by virtue of this "Sub-section" shall not be entitled to vote at any meeting of the Board and shall not count toward a quorum.

*Committees*

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 Medical Centre shall be authenticated by the signatures of the Chairman, the Medical Director or any person generally or specifically authorized by the Board to act for that purpose.
- (2) Any contract or instrument which, if made or executed by a person not being a body

corporate, would not be required to be under seal may be made or executed on behalf of the Medical Centre by the Medical Director or any person generally or specifically authorized by the Board to act for that purpose.

- (3) A document purporting to be a document duly executed under the seal of the Medical Centre 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. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Explanatory Memorandum:**

This Bill seeks to establish the Federal Medical Centre Gwoza, equip, maintain, and operate the Medical Centre and to provide facilities for diagnosis, curative, promotive and rehabilitative services in medicine and medical treatment (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

*Agreed to.*

**Long Title:**

A Bill for an Act to Establish the Federal Medical Centre, Gwoza, Borno State; and for Related Matters (HB. 1746) (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

*Agreed to.*

*Chairman to report Bill.*

**(HOUSE IN PLENARY)**

Mr Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committee on Health Institutions on a Bill for an Act to Establish Federal Medical Centre, Gwoza, Borno State; and for Related Matters (HB. 1746) 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.*

**(ix) Committee on Health Institutions:**

*Motion made and Question proposed, "That the House do consider the Report of the Committee on Health Institutions on a Bill for an Act to Provide for Establishment of Federal Medical Centre, Okigwe, Imo State; and for Related Matters (HB. 1603)" (Hon. Paschal Obi — Ideato North/Ideato South 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 Speaker in the Chair)*

A BILL FOR AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF  
FEDERAL MEDICAL CENTRE, OKIGWE, IMO STATE;  
AND FOR RELATED MATTERS (HB. 1603)

**PART I — ESTABLISHMENT OF THE FEDERAL MEDICAL CENTRE, OKIGWE*****Committee's Recommendation:*****Clause 1: Establishment of the Federal Medical Centre.**

- (1) There is hereby established the Federal Medical Centre, Okigwe (in this Bill referred to as "the Medical Centre").
- (2) The Medical Centre:
  - (a) shall be a body corporate;
  - (b) may sue and be sued in its corporate name;
  - (c) shall have perpetual succession and a common seal (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

***Committee's Recommendation:*****Clause 2: Establishment of the Board of Management of the Medical Centre.**

There is hereby established for the management of the Medical Centre a Board of Management (in this Bill referred to as "Board") which shall be constituted and have the functions and powers set out in this Bill (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

***Committee's Recommendation:*****Clause 3: Membership of the Board.**

- (1) The Board shall consist of:
  - (a) a chairman;
  - (b) the Medical Director of the Medical Centre
  - (c) the Director of Clinical Services;
  - (d) Association of Medical Laboratory Scientists;
  - (e) one person to represent each Medical and Health Workers Union;
  - (f) one person to represent National Union of Allied Health Professional;
  - (g) the representative of the Minister of Health who should not be below the rank of Assistant Director;
  - (h) the Federal Ministry of Health;

- (i) the National Planning Commission;
  - (j) one representative of Nigerian Medical Association;
  - (k) the Pharmaceutical Society of Nigeria;
  - (l) the Association of Medical Laboratory Scientists of Nigeria;
  - (m) the Pediatrics Association of Nigeria;
  - (n) the National Association of Nigerian Nurses and Midwives; and
  - (o) one person to represent public interest.
- (2) The Director of Administration shall be the Secretary of the board.
- (3) The chairman and members of the Board, other than ex-officio members, shall be:
- (a) appointed by the President; and
  - (b) persons of proven integrity and ability.

**Schedule.**

- (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. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 4: Tenure of office.**

Subject to the provisions of section 5 of this Bill, a member of the Board, other than ex-officio members, shall each hold office:

- (a) for a term of three years in the first instance and may be re-appointed for a further term of three years and no more; and
- (b) on such terms and conditions as may be specified in his letter of appointment (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 5: Cessation of Membership.**

- (1) Notwithstanding the provisions of section 4 of this Bill a person shall cease to hold office as a member of the Board if:
- (a) he becomes bankrupt, suspends payment principal loan with his creditors;
  - (b) he is convicted of a felony or any offence involving dishonesty or fraud;
  - (c) he becomes of unsound mind or is incapable of carrying out his duties;



- (d) he is guilty of a serious misconduct in relation to his duties; or
  - (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) he resigns his appointment by a letter addressed to the President.
- (2) If a member of the Board ceases to hold office for any reason whatsoever, before the expiration of the term for which he is appointed, another person representing the same Interest as that member shall be appointed to the Board for the unexpired term.
- (3) A member of the Board may be removed by the President if he is satisfied that it is not in the interest of the Medical Centre or the interest of the public that the member continues in office (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 6: Allowances of the Board.**

There shall be paid to every member of the Board such allowances and expenses as the Revenue Mobilization Allocation and Fiscal Commission may, from time to time, direct (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**PART II — FUNCTIONS AND POWERS OF THE BOARD, ETC.**

**Committee's Recommendation:**

**Clause 7: Function of the Board.**

- (1) The Board shall:
- (a) equip, maintain and operate the Medical Centre so as to provide facilities for diagnosis, curative, promotive and rehabilitative services in medical treatment;
  - (b) construct, equip, maintain and operate such training schools and similar institutions as the Board considers necessary for providing the Medical Centre at all times with a proper staff of the Medical Centre technicians and nurses;
  - (c) construct, equip, maintain and operate such clinics, out-patient departments, laboratories, research or experimental stations and other like institutions as the Board considers necessary for the efficient functioning of the Medical Centre.
- (2) The Board shall ensure that the standards of teaching provided at all establishments under its control and the standards of treatment and care provided for patients at those establishments do not fall below those usually provided by similar establishments of international repute.
- (3) \* Subject to this Bill, the Board shall perform such other functions which in its opinion are calculated to facilitate the carrying out of its functions under this Bill (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 8: Power of the Board.**

The Board shall have power to:

- (a) provide the general policies and guidelines relating to major expansion programmes of the Medical Centre;
- (b) provide facilities for the training of medical students of associate universities;
- (c) manage and superintend the affairs of the Medical Centre;
- (d) subject to the provisions of this Bill, make, alter and revoke rules and regulations for carrying on the functions of the Medical Centre;
- (e) fix terms and conditions of service, including remuneration of the employees of the Medical Centre subject to the approval of National Salaries Incomes and Wages Commission;
- (f) do such other things which in the opinion of the Board are necessary to ensure the efficient performance of the functions of the Medical Centre  
(*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

PART III — STAFF OF THE MEDICAL CENTRE

**Committee's Recommendation:**

**Clause 9: Medical Director of the Medical Centre.**

- (1) There shall be for the Medical Centre a Medical Director who shall be appointed by the President on the recommendation of Hon. Minister of Health on such terms and conditions as may be specified in his letter of appointment or as may be determined, from time to time, by the National Salaries Income and Wages Commission.
- (2) The Medical Director shall:
  - (a) be the chief executive and accounting officer of the Medical Centre;
  - (b) be responsible to the Board for the day-to-day administration of the Medical Centre;
  - (c) be appointed for a term of four years in the first instance and may be reappointed for a further term of four years subject to satisfactory performance;
  - (d) be a person who is a medical practitioner and shall have been so qualified for a period of not less than 15 years;
  - (e) have considerable administrative experience in matters of health;
  - (f) hold a post-graduate specialist qualification obtained not less than ten years prior to the appointment as Medical Director (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 10: Appointment of Director of Administration and recruitment of other staff of the Medical Centre.**

- (1) The Board shall appoint for the Medical Centre:
  - (a) a Director of Administration, who shall:
    - (i) be responsible to the Medical Director for the effective functioning of all the administrative divisions of the Medical Centre,
    - (ii) conduct the correspondence of the Board and keep the records of the Medical Centre, and
    - (iii) perform such other functions as the Board or the Medical Director, as the case may be, may, from time to time, assign to him;
  - (b) a Director of Clinical Services;
  - (c) a Director of Finance;
  - (d) a Director of Maintenance.
- (2) The Directors appointed under paragraphs (b), (c) and (d) of subsection (1) of this section shall each be responsible to the Medical Director for the effective running of the clinical services, the finance and accounts and the co-ordination of the maintenance of the Medical Centre, as the case may be.
- (3) The Board shall appoint for the Medical Centre such number of employees as may in opinion of the Board expedient and necessary for the proper and efficient performance of the functions of the Medical Centre for the proper and efficient.
- (4) Notwithstanding the provisions of subsections (1) and (2) of this section the Board shall have power to appoint for the Medical Centre either directly or on secondment from any public service in the Federation, such number of employees as may, in the opinion of the Board, be required to assist the Medical Centre in the discharge of any of its functions under this Bill.
- (5) Nothing in subsection (4) of this section shall preclude the Board from appointing persons from outside the public service of the Federation or of the State whenever it deems it necessary so to do.
- (6) The terms and conditions of service (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 11: Service in the Medical Centre to be pensionable.**

- (1) Service in the Medical Centre shall be approved service for the purposes of the Pensions Reforms Act.
- (2) The officers and other persons employed in the Medical Centre 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 section 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 (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 12: Establishment of the Medical Advisory Committee, etc.**

- (1) There shall be for the Medical Centre a Medical Advisory Committee which shall:
- (a) consist of a chairman who shall be the Director, Clinical Services and such number of other members as may be determined from time to time;
  - (b) be responsible to the Medical Director for all the clinical and training activities of the Medical Centre; and
  - (c) be appointed by the Board.
- (2) Subject to this Bill, the Board shall have power to appoint either directly or on secondment and discipline consultants holding or acting in any office in the hospital; and any such appointment shall be made having due regard to the approved personnel establishment of the Medical Centre.
- (3) Notwithstanding anything to the contrary, the Board may, from time to time, appoint consultants outside the hospital to perform such medical duties as the Board or the Medical Director may assign to such consultants (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

PART IV — FINANCIAL PROVISIONS

**Committee's Recommendation:**

**Clause 13: Fund of the Medical Centre.**

There shall be established and maintained for the Medical Centre a fund into which shall be paid and credited:

- (a) all subventions and budgetary allocation from the Government of the Federation;
- (b) all fees and funds accruing from the sale of drugs and other services;
- (c) all sums accruing to the Medical Centre by way of gifts, endowments, bequests, grants or other contributions by persons and organisations;
- (d) foreign aid and assistance from bilateral agencies; and all other sums which may, from time to time, accrue to the Medical Centre (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee's Recommendation:****Clause 14: Expenditure of the Medical Centre.**

The hospital shall, from time to time, apply the funds at its disposal to:

- (a) the cost of administration and maintenance of the Medical Centre;
- (b) publicize and promote the activities of the Medical Centre;
- (c) pay allowances, expenses and other benefits of members of the Board and committees of the Board;
- (d) pay the salaries, allowances and benefits of employees of the Medical Centre;
- (e) pay other overhead allowances, benefits and other administrative costs of the Medical Centre; and
- (f) undertake such other activities as are connected with all or any of the functions of the Medical Centre under this Bill (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee's Recommendation:****Clause 15: Power to accept gifts.**

- (1) The Medical Centre 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 Medical Centre shall not accept any gift if the conditions attached by the person or organisation making the gift are inconsistent with the functions of the Medical Centre under this Bill (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee's Recommendation:****Clause 16: Annual estimate and expenditure.**

- (1) The Board shall, not later than 30 September in each year, submit to the President through the Secretary to the Government of the Federation an estimate of the expenditure and income of the Medical Centre during the next succeeding year.
- (2) The Board shall cause to be kept proper accounts of the Medical Centre in respect of each year and proper records in relation thereto and shall cause the accounts to be audited not later than six 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. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee's Recommendation:****Clause 17: Annual report.**

The Board shall prepare and submit to the President, not later than 30th June in each year, a report in such form as the President may direct on the activities of the

Medical Centre during the immediately preceding year, and shall include in the report a copy of the audited accounts of the Federal Medical Centre for that year and the auditor's report thereon (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 18: Power to borrow.**

- (1) The Medical Centre may, from time to time, borrow by overdraft or otherwise such sums as it may require for the performance of its functions under this Bill.
- (2) The Medical Centre shall not, without the approval of the President, borrow money which exceeds, at any time, the limit set by the President.
- (3) Notwithstanding subsection (1) of this section, where the sum to be borrowed is in foreign currency, the Medical Centre shall not borrow the sum without the prior approval of the President (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 19: Exemption from tax.**

- (1) The Medical Centre shall not pay income tax on any income derived by the Federal Medical Centre under this Bill or accruing to it from any of its investments.
- (2) Accordingly, the provisions of any enactment relating to the taxation of companies or trust funds shall not apply to the Board of the Federal Medical Centre (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 20: Exemption from customs duties, etc.**

The Medical Centre shall not pay customs duty on or be restricted or prohibited from importing any equipment, material, supply and any other thing required by the Medical Centre for the purposes of this Bill:

Provided that nothing in this section shall be construed as preventing the Nigeria Customs Service from inspecting any equipment, or material imported by the Centre (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

PART V — GENERAL

**Committee's Recommendation:**

**Clause 21: Discipline of student.**

- (1) Notwithstanding anything to the contrary contained in any other enactment, where it appears to the Board that any student of the Medical Centre has been guilty of misconduct, the Board may, without prejudice to any other disciplinary powers conferred on it by regulations, direct:

- (a) that the student shall not, during such period as may be specified in the direction, participate in such activities of the Medical Centre, or make use of such facilities of the Medical Centre as may be so specified;
  - (b) that the activities of the student shall, during such period as may be specified in the direction, be restricted in such manner as may be so specified;
  - (c) that the student be rusticated for such period as may be specified in the direction; or
  - (d) that the student be expelled from the Medical Centre.
- (2) The fact that an appeal from a direction is brought in pursuance of subsection (1) of this section shall not affect the operation of the direction while the appeal is pending.
- (3) The Board may delegate its powers under this section to a disciplinary committee consisting of such members of the Medical Centre as the Board may nominate.
- (4) Nothing in this section shall be construed as preventing the restriction or termination of student's activities at the Medical Centre otherwise than on the ground of misconduct.
- (5) A direction issued under subsection (1) (a) of this section may be combined with a direction issued under subsection (1) (b) of this section.
- (6) Nothing in this Bill shall affect the provisions of any enactment relating to the discipline of medical practitioners, pharmacists, midwives, nurses or members of any other profession or calling (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 22: Removal and discipline of clinical administrative and technical staff.**

- (1) If it appears to the Board that there are reasons for believing that any person employed as a member of the clinical, administrative or technical staff of the Medical Centre, other than the Medical Director, should be removed from his office or employment, the Board shall require the Director of Administration to:
- (a) give notice of those reasons to the person in question;
  - (b) afford him an opportunity of making representations in person on the matter to the Board; and
  - (c) if the person in question so requests within a period of 1 month beginning with the date of the notice, make arrangements for:
    - (i) a committee to investigate the matter and report on it to the Board; and
    - (ii) the person in question to be afforded an opportunity of appearing before and being heard by an investigating

committee set up with respect to the matter, and if the Board, after considering the report of the investigating committee, is satisfied that the person in question should be removed as aforesaid, the Board may so remove him by a letter signed on the direction of the Board.

- (2) The Medical Director may, in a case of misconduct by a member of the staff which in the opinion of the Medical Director is prejudicial to the interest of the Medical Centre, suspend any such member and any such suspension shall forthwith be reported to the Board.
- (3) For good cause, any member of staff may be suspended from his duties or his appointment may be terminated or he may be dismissed by the Board and for the purposes of this section, "good cause" means:
  - (a) a conviction for any offence which the Board considers to be such as to render the person concerned unfit for the discharge of the functions of his office;
  - (b) any physical or mental incapacity which the Board, 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 other disgraceful nature which the Board considers to be such as to render the person concerned unfit to continue to hold his office; or
  - (d) conduct which the Board considers to be such as to constitute a failure or inability of the person concerned to discharge the functions of his office or to comply with the terms and conditions of his service.
- (4) Any person suspended shall, subject to subsections (2) and (3) of this section be on half pay and the Board shall before the expiration of a period of three months after the date of such suspension consider the case against that person and come to a decision as to:
  - (a) whether to continue the person's suspension and if so, on what terms (including the proportion of his emoluments to be paid to him);
  - (b) whether to reinstate the person, in which case the Board shall restore his full emoluments to him with effect from the date of suspension;
  - (c) whether to terminate the appointment of the person concerned, in which case he shall not be entitled to the proportion of his emoluments withheld during the period of suspension; or
  - (d) whether to take such lesser disciplinary action against the person (including the restoration of his emoluments that might have been withheld), as the Board may determine, and in any case where the Board, pursuant to this section, decides to continue a person's suspension or decides to take further disciplinary action against a person, the Board shall before the expiration of a period of three months from such decision come to a final determination in respect of the case concerning any such person.



- (5) It shall be the duty of the person by whom a letter of removal is signed in pursuance of subsection (1) of this section to use his best endeavors to cause a copy of the letter to be served as soon as reasonably practicable on the person to whom it relates.
- (6) Nothing in the foregoing provisions of this section shall preclude the Board from making such regulations not inconsistent with the provisions of this Bill for the discipline of students and all other categories of employees of the hospital as the Board may prescribe.
- (7) Regulations made under subsection (6) of this section need not be published in the Gazette but the Board shall cause them to be brought to the notice of all affected persons in such manner as it may, from time to time, determine (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 23: Discipline of junior staff.**

- (1) If any junior staff is accused of misconduct or inefficiency, the Medical Director may suspend him for not more than a period of 3 months and shall direct a Committee to:
  - (a) consider the case; and
  - (b) make recommendations as to the appropriate action to be taken by the Medical Director.
- (2) In all cases under this section of this Bill, the officer shall be informed of the charge against him and given a reasonable opportunity to defend himself.
- (3) The Medical Director may, after considering the recommendation made pursuant to subsection (1) (b) of this section, dismiss, or take such other disciplinary action against the officer concerned.
- (4) Any person aggrieved by a decision of the Medical Director made under subsection (3) of this section may, within a period of 21 days from the date of the letter communicating the decision to him, address a petition to the Board to reconsider his case (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**PART VI — MISCELLANEOUS**

**Committee's Recommendation:**

**Clause 24: Regulations.**

- (1) The Board may, with the approval of the President, make regulations:
  - (a) as to the access of members of the public either generally or of a particular class, to premises under the control of the Board and as to the orderly conduct of members of the public on those premises; and
  - (b) for safeguarding any property belonging to or controlled by the Board from damage by members of the public.

- (2) Bye-laws under this section shall not come into force until they are confirmed (with or without modification) by the National Assembly and published in such manner as he may direct (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 25: Power to give directives.**

The "Minister of Health" may give to the Board directions of a general character or relating generally to particular matters (but not to any individual person or case) with regard to the exercise by the Board of its functions under this Bill, and it shall be the duty of the Board to comply with the directions; but no direction shall be given which is inconsistent with the duties of the Board under this Bill (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 26: Transition and savings provision.**

- (1) On the commencement of this Bill, any person employed by or serving in, the Medical Centre shall be deemed to have been employed or serving in the Medical Centre established under this Bill.
- (2) All Assets or liabilities belonging to the Medical Centre shall be deemed to belong to the Medical Centre established under this Bill (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 27: Interpretation.**

In this Bill, unless the context otherwise requires:

"associate universities" means the universities whose medical students receive aspects of their training from the Medical Centre (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

"Board" means the Board of Management of the Medical Centre (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

"chairman" means the chairman of the Board (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

"functions" include powers and duties (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

"Federal Medical Centre "means the Federal Medical Centre, Okigwe (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

*Question that the meaning of the words "Federal Medical Centre" be as defined in the interpretation to this Bill — Agreed to.*

"junior staff" means staff of such grade as may be determined, from time to time, by the Board (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

"medical student" means a student whose course of instruction is:

- (a) designed (either alone or in conjunction with other courses) to enable him to qualify as a medical practitioner; or
- (b) designed for the further training of medical practitioners (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

"Minister" means the Minister charged with responsibility for matters relating to health; and (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

"student" means a person enrolled at an institution controlled by the Board for the purpose of pursuing a course of instruction at the institution (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

*Question that the meaning of the word "student" 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: Short Title.**

This Bill may be cited as the Federal Medical Centre, Okigwe (Establishment) Bill, 2022 (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**SCHEDULE**

[Section 3(3)]

**SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD, ETC.**

*Proceedings of the Board*

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 committees.

- (2) The quorum of the Board shall be the chairman or the person presiding at the meeting and 5 other members of the Board, 2 of whom shall be ex-officio members, and the quorum of any Committee of the Board 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 8 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) Where the Board desires to obtain the advice of any person on a particular matter, the Board may co-opt him to the Board for such period as it deems fit, but a person who is in attendance by virtue of this "Sub-section" shall not be entitled to vote at any meeting of the Board and shall not count toward a quorum.

#### *Committees*

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 Medical Centre shall be authenticated by the signatures of the Chairman, the Medical Director or any person generally or specifically authorized by the Board to act for that purpose.
  - (2) Any contract or instrument which, if made or executed by a person not being a body corporate, would not be required to be under seal may be made or executed on behalf of the Medical Centre by the Medical Director or any person generally or specifically authorized by the Board to act for that purpose.
  - (3) A document purporting to be a document duly executed under the seal of the Medical Centre 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. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Explanatory Note:**

This Bill seeks to Establish the Federal Medical Centre, Okigwe, Imo State (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

*Agreed to.*

**Long Title:**

A Bill for an Act to Provide for the Establishment of Federal Medical Centre, Okigwe, Imo State and for Related Matters (HB. 1603) (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

*Agreed to.*

*Chairman to report Bill.*

**(HOUSE IN PLENARY)**

Mr Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committee on Health Institutions on a Bill for an Act to Provide for Establishment of Federal Medical Centre, Okigwe, Imo State; and for Related Matters (HB. 1603) 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.*

**(x) Committee on Power:**

*Motion made and Question proposed*, "That the House do consider the Report of the Committee on Power on a Bill for an Act to Provide for Establishment of Chartered Institute of Power Engineers of Nigeria to Regulate, Control and Determine the Standards of Knowledge to be attained by people seeking to become Chartered Power Engineers; and for Related Matters (HB. 1086)" (*Hon. Sani Bala Umar — Tsanyawa/Kunchi 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 Speaker in the Chair)*

A BILL FOR AN ACT TO PROVIDE FOR ESTABLISHMENT OF THE  
CHARTERED INSTITUTE OF POWER ENGINEERS OF NIGERIA TO  
REGULATE, CONTROL AND DETERMINE THE STANDARDS OF  
KNOWLEDGE TO BE ATTAINED BY PEOPLE SEEKING TO BECOME  
CHARTERED POWER ENGINEERS AND FOR RELATED MATTERS

**Committee's Recommendation:**

**Clause 1: Establishment of Chartered Institute of Power Engineers of Nigeria.**

- (1) There is established a body to be known as the Chartered Institute of Power Engineers of Nigeria (in this Bill referred to as "the institute").
- (2) The Institute —

- (a) shall be a body corporate with perpetual succession and a common seal;
- (b) may sue and be sued in its corporate name; and may acquire, hold and dispose of any property, movable and immovable.
- (c) shall be charged with the duty of —
  - (i) determining what standards of knowledge and skill are to be attained by persons seeking to become members of the Power Engineering profession and raising those standards, from time to time, as circumstances may permit;
  - (ii) securing in accordance with the provisions of this Bill, the establishment and maintenance of the register of fellows, associates and registered power engineers entitled to practice as power engineers and the publication, from time to time, of lists of those persons;
  - (iii) conducting examinations leading to the award of professional competency certificates as may be prescribed by the institute and in conformity with international best practices;
  - (iv) ensuring the furtherance, maintenance and observance of ethical standards and professionalism among Power Engineers in Nigeria;
  - (v) ensuring detailed synergy between the industry and academia in the power industry; and
  - (vi) performing through the Council under this Bill the functions conferred on it by this Bill (*Hon. Magaji Da'u Aliyu — Birnin-Kudu/Buji Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 2: Membership of the Institute.**

- (1) Membership of the Institute shall be in two categories of Corporate and Associates.
- (2) Any person employed in any public or private Institution in Nigeria is eligible to be registered by the Institute in any of the following categories —
  - (i) Fellows;
  - (ii) Power Engineers (Members);
  - (iii) Power Engineering Technologist (Associate Power Engineers);
  - (iv) Power Engineering Technicians;
  - (v) Power Engineering Craftsmen;
  - (vi) Power Engineering Corporate Firms;

- (vii) Power Engineering Graduates;
- (3) In furtherance to sub-clause (1) of this clause, all corporate members shall cause their staff to register with the institute to foster ethical standards, professionalism and self regulation in the Power Engineering Industry.
- (4) The privileges and entitlements of members of the institute shall be —
- (a) the use of abbreviation Chartered Institute of Power Engineers of Nigeria (CIPEN) written as CPE;
- (b) the right to affix a member seal and stamp on every document endorsed by or emanating from them;
- (c) members in the class of fellow shall be entitled to use the abbreviation of "FCPE";
- (e) members registered into the category of Corporate Member shall be entitled to use initials "MCPE";
- (f) members registered into the category of power engineering technologist (Associate Power Engineer) Member shall be entitled to use initials "ACPE";
- (g) members registered into the category of power engineering Technician Member shall be entitled to use initials "PET";
- (h) members registered into the category of power engineering Craftsman Member shall be entitled to use initials "PEC".
- (5) The provisions of the First Schedule to this Bill shall, so far as applicable to the question of admission to the Institute, have effect with respect to the categories of members listed in sub-clause (1) and (2) of this clause (*Hon. Magaji Da'u Aliyu — Birnin-Kudu/Buji Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 3: Election of President, Deputy Presidents, Vice-Presidents and other officers of the institute.**

- (1) There shall be a President, Deputy President and Four vice-Presidents of the Institute who shall be outstanding Fellows of the Institute and shall be elected at the annual general meeting of the Institute and shall each hold office for a term of Two years from the date of the election.
- (2) There shall be other elected officers of Institute who shall be outstanding Fellows or corporate members of the Institute and shall be elected at the annual general meeting of the Institute and shall each hold office for a term of Two years from the date of the election too. Together, all elected officers at the Institute's AGM constitute to form the Executive Committee.
- (3) The Vice Presidents elected under sub-clause (1) shall each represent the four (4) distinct arms of the profession —
- (i) Generation Services;

- (ii) Transmission Services;
  - (iii) Distribution Services;
  - (iv) Power Business (Regulation, Gas issues, Training, Finance, Legislation, Legal, Policy, etc.).
- (4) The President shall preside at meetings of the Institute, so however that, in the event of the death, incapacity or inability for any reason of the president, the deputy president shall act in his stead for the unexpired portion of the term of office, or as the case may require, and references in this Bill to the president shall be construed accordingly.
- (5) In furtherance to the provisions of sub-clause (3), a bye-election within the Council shall be conducted to elect one of the Vice-presidents to serve as Acting Deputy President and the Council shall appoint one of its members to assume the vacant post of Vice President for the period before the next annual general meeting.
- (6) The president and deputy-president shall respectively be chairman and vice-chairman of the Council under this Bill.
- (7) If the president or the vice-president ceases to be a member of the Institute he shall cease to hold any of the offices designated under this Bill (*Hon. Magaji Da'u Aliyu — Birnin-Kudu/Buji Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 4: Executive Committee.**

- (1) There shall be an Executive Committee of the Institute and shall consist of all elected members of the Institute.
- (2) The Executive Committee of the Institute shall be responsible to Council and its core functions is to, alongside the Registrar, oversee the day to day management and administration of the Institute's affairs (*Hon. Magaji Da'u Aliyu — Birnin-Kudu/Buji Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 5: Membership of governing council of the institute, etc.**

- (1) There is established for the Institute a governing council (in this Bill referred to as "the Council") which shall be charged with the responsibility for providing the guiding policy administration of the Institute, oversee the activities of the executive committee and setting the standards of education therein.
- (2) The Council shall consist of the following members being fellows or members, as follows:
  - (a) a Chairman;
  - (b) Deputy Chairman;
  - (c) four (4) Vice Chairmen (each represent the four (4) distinct arms of the profession);



- (d) a National Treasurer;
  - (e) ten (10) Persons elected at the Institute's annual general meeting to represent the known technical units of the profession;
  - (f) immediate Past Presidents of the Institute;
  - (g) a representative of the Federal Ministry of Power who must be a practicing power engineer and shall not be below the rank of Deputy Director;
  - (h) a representative from Government Tertiary Training and Research Institution on Power engineering;
  - (i) two (2) persons nominated to represent all licensed power engineering contractors and consultants in rotation;
  - (j) six Persons representing the Chapters of Institutes in each zone of the federation and such other zone as may be created by the council from time-to-time.
- (3) The provisions of the Second Schedule to this Bill shall have effect with respect to the qualifications and tenure of office of the member of the council and the other matters (*Hon. Magaji Da'u Aliyu — Birnin-Kudu/Buji Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 6: Power of the Council.**

- (1) The Council shall have power to —
- (a) formulate policy and direct the organs of the Institute for the execution and general administration by the Executive Committee;
  - (b) establish Chapters of the Institutes in such location across the federation from time- to-time;
  - (c) manage and superintend the affairs of the Institute;
  - (d) make rules and regulations for the proper functioning of the Institute;
  - (e) employ and pay the staff of the Institute appropriate remuneration commensurate in scale with that of staff in organizations of similar stature; and
  - (f) enter into any negotiation, agreement and contractual relationship as may be necessary or expedient for the discharge of the functions of the Institute.
- (2) The Council shall perform the other functions conferred on the Council by this Bill (*Hon. Magaji Da'u Aliyu — Birnin-Kudu/Buji Federal Constituency*).

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

**Committee's Recommendation:****Clause 7: Quarterly Meetings of the Council.**

The Council shall meet every quarter to consider issues brought before it by the Executive Directorate of the Institute and other sundry bodies, etc. (*Hon. Magaji Da'u Aliyu — Birnin-Kudu/Buji Federal Constituency*).

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

**Committee's Recommendation:****Clause 8: Financial Provisions.**

- (1) There shall be no funding to the Institute from the Federal Government, States or its Agencies save for grants, donations, gifts, etc. in support of its statutory activities
- (2) The Council shall establish and maintain a fund, the management and control of which shall be in the hands of the Council, and into which shall be paid —
  - (a) all subventions, fees, fines, penalties and charges for services rendered or publications made by the Council;
  - (b) gifts, endowments, bequests, loans, donations, grants or aids;
  - (c) foreign aids and assistance from bilateral and multilateral agencies such as affiliated bodies on power engineering; donations charges and monies payable to the institute in pursuance of this Bill shall be without any conditions whatsoever and not inimical to the Institute, Nigerian government or its agencies.
  - (d) such other monies as may be received by the institute in the course of its operations or in relation to the exercise of any of the functions under this Bill.
- (3) There shall be paid out of the fund of the institute —
  - (a) the remuneration and allowance of the institute's Council members and other employees of the institute;
  - (b) such reasonable traveling and subsistence allowance of members of the council in respect of the time spent on the business of the council as the council may determine; and
  - (c) any other expenses incurred by the council in the discharged of its functions under this Bill.
- (4) The council may invest monies from the fund in any security created or insured by or on behalf of the Federal Republic of Nigeria or in any other securities in Nigeria approved by the council.
- (5) The council may from time-to-time, borrow money for the Institute and any interest payable on monies so borrowed shall be paid out of the fund.
- (6) All the corporate members in Nigeria shall cause to be paid to the fund, an annual dues and levies as may be agreed by the council from time-to-time (*Hon. Magaji Da'u Aliyu — Birnin-Kudu/Buji Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 9: Proper account keeping and annual audited institute account.**

- (1) The council shall on behalf of the institute keep proper books of accounts in respect of each year and proper records concerning these accounts and the council shall cause the accounts to be audited by an external auditor and when audited the accounts shall be submitted to the members of the institute for approval at a general meeting of the institute. Such annual audited account shall be deemed to have fulfilled the requirement of the Financial Reporting standards.
- (2) The audit of the Institute's books shall be in accordance with the provisions of the Constitution of the Federal Republic of Nigeria, 1999 (*Hon. Magaji Da'u Aliyu — Birnin-Kudu/Buji Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 10: Appointment of Registrar, Tenure, Remunerations, etc.**

- (1) The Council shall appoint a fit and proper person who shall be a member of the Institute to be the Registrar, and such other persons as the council may from time to time, deem necessary to assist the registrar in the performance of this functions under this Bill.
- (2) The Registrar shall in addition to his other functions under this Bill, be the secretary to the council and shall keep minutes of the proceedings of all meetings of the council.
- (3) The Registrar shall —
  - (i) be the Chief Executive Officer and Accounting Officer to the Council;
  - (ii) be responsible for the day to day administration of the Institute and responsible to the Council for the executive of the policies directives thereof;
  - (iii) be a graduate of Electrical Engineering with at least 18 years cognate experience in the Nigeria Electric Supply industry.
- (4) The Registrar shall be appointed for a term of Three (3) years in the first instance; and may be appointed for a further term of three years and no more.
- (5) The Registrar shall be paid such remuneration as may be specified in his letter of appointment or as determined by the Council using the scale applicable in the Nigeria electricity supply industry.
- (6) The Registrar shall cease to hold office if any of the conditions specified in clause 17 (1) (a) - (c) pertaining to cessation of membership of the Institute and Council applies to him.
- (7) The Registrar may resign his appointment by a written notice under his hand delivered to the Council Chairman.

- (8) It shall be the duty of the Registrar —
- (a) to prepare and maintain in accordance with rules made by the council, a registrar of names, addresses and approved qualifications and of such other particulars, as may be specified in the rules of all persons who are entitled in accordance with the provisions of this Bill to be registered as members of the Institute;
  - (b) to correct, in accordance with the direction of the council, any entry in the register, which the council, directs him to correct as being in the opinion of the council an entry, which was incorrectly made;
  - (c) to make from time to time, any necessary alterations to the registered particulars of registered persons;
  - (d) to record the names of members of the institute who are in debt for more than One year in the payment of annual or practicing fee and to take such action in relation thereto including removal of the name of defaulter from the register as the council may be direct or require;
  - (e) to cause the register to be printed, published and put out on sale to members of the public not later than two years from the commencement of this Bill;
  - (f) to remove from the register the name of a deceased member;
  - (g) in each year after that in which a register is first published under paragraph (d) of this sub-clause, to cause to be printed, published and put on sale as afore said, either a corrected edition of the register or list of alterations made to the register since it was last printed, and;
  - (h) to cause a print of each edition of the register and of each list, corrections to be deposited at the headquarters of the institute, and it shall be the duty of the council to keep the register and list so deposited, available at all reasonable times for inspection by members of the public (*Hon. Magaji Da'u Aliyu — Birnin-Kudu/Buji Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 11: Register.**

- (1) There shall be for the purpose of this Bill, two Registers, of which one shall be for members and the other shall be for corporate firms:
  - (a) the register of members shall consist of six (6) parts in respect of:
    - (i) Fellows,
    - (ii) Power Engineers (Members),
    - (iii) Power Engineering Technologist (Associate Power Engineer) members,

(iv) Power Engineering Technician Members,

(v) Power Engineering Craftsmen members,

(vi) Power Engineering Graduate members;

(b) the register of Corporate Firms shall consist of six (6) parts, in respect of:

(i) Consulting Engineering in the power industry,

(ii) Engineering Contracting in the power industry,

(iii) Manufacturing in the power industry,

(iv) Engineering Services in the power industry,

(v) Vendors of Machinery, Equipment, and Engineering Materials in the power industry;

(vi) Maintenance/Repairs and Fabrication in the power industry.

(2) Subject to the provisions of this clause, the Council shall make rules with respect to the form and keeping of the register and the making of entries therein, and in particular:

(a) regulating the making of applications for enrolment or registration as the case may be, and providing for the evidence to be produced in support of applications;

(b) providing for the notification to the registrar, by the person to whom any registered particulars relate, of any change in those particulars;

(c) authorising a registered person to have any qualification which is, in relation to the relevant division of the profession, either an approved qualification or an accepted qualification for purposes of this Bill, registered in relation to his name in addition to or, as he may elect, in substitution for any other qualifications so registered;

(d) specifying the fees, including any annual subscription, to be paid to the Institute in respect of the entry of names on the register, and authorising the registrar to refuse to enter a name on the register until any fee specified for the entry has been paid;

(e) specifying anything falling to be specified under the foregoing provisions of this clause, but rules made for the purposes of paragraph (d) of this sub-clause shall not come into force until they are confirmed at a special meeting of the Institute convened for the purpose thereafter, or at the next annual general meeting, as the case may be.

(3) If the Registrar —

(a) sends by post to any registered person a letter addressed and deliver to him at his address usually on the register enquiring whether the registered particulars relating to him are correct and receives no reply to the letter within seven months from the date of posting it; and

- (b) upon the expiration of the period, send, in the like manner to the person in question a second similar letter and receives no reply to the letter within three months from the date of posting it, the registrar may include the name of such person in the list of special cases under this sub-clause for the council consideration and may if directed by the council remove the particulars relating to the person in question from the registrar:

Provided that, the council may direct the registrar to restore to the appropriate part of the register any particulars removed therefrom pursuant to this sub-clause (*Hon. Magaji Da'u Aliyu — Birnin-Kudu/Buji Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 12: Publication of Register and list of corrections, etc.**

- (1) It shall be the duty of the Registrar to —

- (a) cause the register to be printed, published and put on sale to members of the public not later than two years from the commencement of the Bill;
- (b) thereafter in each year, to cause to be printed, published and put on sale as aforementioned, either a corrected edition of the register or list of corrections made to the register, since it was last printed;
- (c) cause print of each edition of the register and of each list of corrections to be deposited at the principal office of the institute; and
- (d) keep the register and list so deposited and to make the register and such list available to members of the public at all reasonable times for inspection.

- (2) A document purporting to be a print of an edition of a register published under this clause by the authority of the registrar or documents purporting to be prints of an edition of a register so published and of the list of corrections to that edition so published, shall (without prejudice to any other made of proof) be admissible in any proceeding as evidence that any person specified in the document or the document read together, as being registered, was so registered at the date of the edition or of the list of correction as the case may be, and the person not so specified was not so registered.

- (3) Where in accordance with sub-clause (2) of this clause, a person is, in any proceeding, shown to have been or not to have been registered at a particular date, he shall, unless the contrary is proved, he take for the purposes of those proceedings as having at material times thereafter continued to be or not to be so registered (*Hon. Magaji Da'u Aliyu — Birnin-Kudu/Buji Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 13: Registration of members.**

- (1) An individual, other than the one whose membership has been suspended by a directive of the disciplinary tribunal shall be entitled to be registered as a member in the following categories —

(a) Power Engineering Graduate member, where the person:

- (i) works in a power engineering organization and is a holder of a degree or such equivalent qualification or the minimum qualification prescribed by the council, or
- (ii) has passed the associate ship examination specified by the council but has not had the period on the job practical experience prescribed by the council, or
- (iii) not being a member of the institute at the time of application for membership has passed the qualifying examinations of an institute of Power Engineering in any other country acceptable to the council, or
- (iv) has not been elected a fellow or an associate by recognized foreign Institute of Power Engineers,
- (v) satisfy any other condition which the council may, from time to time, approve;

(b) Power Engineering Technologist (Associate Engineer) member, where the person —

- (i) has passed the associate ship examination specified by the council;
- (ii) not being a member of the institute at the time of application for membership, has passed the qualifying examinations of an institute of Power Engineers in any other country acceptable to the council; or
- (iii) has had a period of on the job practical experience not less than the minimum period prescribed by the council for the category of membership sought; or
- (iv) has been elected by any recognized foreign institute to that category of membership;

(c) Power Engineering Technician Member, where the Person —

- (i) does not satisfy the conditions for registration as an associate or fellow specified in paragraphs (d) and (g) of this sub-clause, but has obtained the academic qualifications prescribed by the council for Engineering Technician membership; and
- (ii) is engaged in active service in a power engineering activity in a reputable institution/ organization or tertiary educational institution, etc;

(d) Power Engineering Craftsman Member, where the person —

- (i) does not satisfy the conditions for registration as an associate or fellow specified in paragraphs (d) and (g) of this sub-clause, but has obtained the academic qualifications

prescribed by the council for Engineering Craftsman membership; and  
 (i) engaged in active service in power engineering activities in reputable institution or organization, etc;

(e) Fellow of Institute, where the person —

(i) has contributed greatly to the growth of the Power Engineering industry and the institute, or  
 (ii) is considered by the Board of fellows and the council as a fit and proper person to be awarded the fellowship of the institute,

(iii) satisfies the council that he/she is a fit and proper person to be so registered and has for years (to be specified by the council) been a corporate member and has been active in the institute's activities and up to date in dues/levies,

(iv) occupies a senior management position in a reputable institution/ organization or tertiary educational institution and must have been practising in the Nigeria Electricity Supply Industry or allied industry for a minimum of 15 consecutive years,

(v) satisfies all other criteria as may be specified by the council from time to time.

(2) An applicant for registration shall in addition to evidence of prescribed academic qualification(s), and on the relevant ESI experience, satisfy the council that —

(a) he is of good character; and

(b) he has not been convicted in Nigeria or elsewhere of an offence involving fraud or dishonesty or both;

(c) he has satisfied any other condition which the council may from time-to-time approve.

(3) A firm other than the one whose membership has been suspended by a directive of the disciplinary tribunal shall be entitled to be registered as a power engineering firm member, where the entity —

(a) is a professional institute, a power engineering firm or professional corporation and —

(i) is licensed to carry out the business or practice of power engineering in Nigeria,

(ii) must have, registered power engineers, and or CIPEN chartered engineers in her board and management, and also provide the populated organization organogram with roles/responsibilities of holders, and



- (iii) must show evidence of portfolio of projects undertaken/executed directly or in joint venture ownership with dates.
- (4) The council shall from time-to-time, publish in the institute's journal, particulars for qualifications of registered members for time being accepted as aforesaid:
- (a) one or more members may incorporate a professional power engineering firm or corporation to provide the services of a chartered power engineering contracting or consulting firm;
  - (b) such firm or corporation in (4) (a) above shall have been incorporated under the Company and Allied Matters Act;
  - (c) a corporation shall not provide the services of a chartered power Engineer firm unless it is registered and licensed under this Bill;
  - (d) a corporation or a firm, shall take or use as part of its name the words "chartered power engineers" or another word, name, title, initials or description implying or calculated to imply that its members are chartered power engineers with the consent of the institute (*Hon. Magaji Da'u Aliyu — Birnin-Kudu/Buji Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 14: Use of words, initials, acronyms, etc.**

The Institute shall use the following words, initials and acronyms:

- (i) FCPE: Initials and appellation for members registered into the fellows category of chartered Institute of Power Engineers of Nigeria;
- (ii) MCPE: Initials and appellation for members registered into the corporate members category of chartered Institute of Power Engineers of Nigeria;
- (iii) ACPE: Initials and appellation for members registered into the Associate engineer category of chartered Institute of Power Engineers of Nigeria (power engineering technologist or Associate Power Engineer);
- (iv) PET: Initials and appellation for members registered into the Technician category of chartered Institute of Power Engineers of Nigeria (power engineering technician);
- (v) PEC: Initials and appellation for members registered into the craftsmen category of chartered Institute of Power Engineers of Nigeria (power engineering craftsmen);
- (vi) CIPEN: Chartered Institute of Power Engineers of Nigeria (*Hon. Magaji Da'u Aliyu — Birnin-Kudu/Buji Federal Constituency*).

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

**Committee's Recommendation:****Clause 15: Approval of Qualifications, etc.**

- (1) The Council may approve any qualification for the purpose of this Bill and may, for such purpose, approve —
  - (a) any course of training at any approved institution which is intended for persons seeking to become members of the Power Engineering profession and which the Council consider is designed to confer on persons completing it, sufficient knowledge and skill for registration with the institute;
  - (b) any qualification which as a result of an examination taken in conjunction with a course of training approved by the council under this clause is granted to candidates having reached a standard at the examination, indication in the opinion of the Council that the candidates have sufficient knowledge and skill to be registered with the Institute.
- (2) The Council may, if it thinks fit, withdraw any approval given under this clause in respect of any course, qualification of the institution, but before withdrawing such approval the council shall —
  - (a) give notice that it proposes to do so, to each person in Nigeria appearing to the Council to be a person by whom the course is conducted or the qualification is granted or the institution is controlled, as the case may be;
  - (b) afford such a person an opportunity of making to the council representations with regard to the proposal; and
  - (c) take into consideration any representations made in respect of the proposal in pursuance of paragraph (b) of this sub-clause.
- (3) A course, qualification or institution shall not be recognized as approved during any period the approval is withdrawn under sub-clause (2) of this clause.
- (4) Notwithstanding the provisions sub-clause (3) of this clause, the withdrawal of an approval under sub-clause (2) of this clause shall not prejudice the registration or eligibility for registration of any person who, by virtue of the approval, was registered or was eligible for registration (either unconditionally or subject to the obtaining a certificate or experience) immediately before the approval was withdrawn.
- (5) The granting or withdrawal of an approval under this clause shall have effect from such date whether before or after the execution of the instrument signifying the giving or withdrawal of the approval, as the council may specify in the instrument and the Council shall —
  - (a) as soon as may be possible, publish a copy of every such instrument; and
  - (b) not later than seven days before its publication, as aforesaid a copy of the instrument to the institution affected (*Hon. Magaji Da'u Aliyu — Birnin-Kudu/Buji Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 16: Supervision of instructions and examinations leading to approved qualifications that indicates competency candidates as power engineering practitioners.**

- (1) It shall be the duty of the council to keep itself informed of the nature of —
  - (a) the instruction is given at approved institutions to persons attending approved courses of training; and
  - (b) the examination as a result of which approved qualifications are granted and for the purposes of performing that duty, the council may appoint, either from among its members or otherwise, persons to visit approved institute or observe such examinations.
- (2) It shall be the duty of a person appointed under sub-clause (1) of this clause to report to the council on —
  - (a) the adequacy of the instructions given to the person attending approved courses of training at institution visited by him;
  - (b) the adequacy of the examination attended by him; and
  - (c) any other matter relating to the institutions or examinations on which the council may, either generally or in a particular case, request him to report, but no such person shall interfere with the giving of any instruction or the holding of any examination.
- (3) On receiving a report made in pursuance of this clause, the council may, if it thinks fit, and shall if so required by the institution, send a copy of the report to the person appearing to the council to be in charge of the institution or responsible for the examinations to which the report relates, requesting that person to make observations on the report to the council within such period as may be specified in the request not being less than once month beginning with the date of the request (*Hon. Magaji Da'u Aliyu — Birnin-Kudu/Buji Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 17: Establishment of Investigating Panel and Disciplinary Tribunal.**

- (1) There shall be constituted a body to be known as the chartered Institute of power engineers of Nigeria investigating panel (in this Bill referred to as "Investigating panel") which shall be charged with the duty to —
  - (a) conduct a preliminary investigation into any case where it is alleged a member of the Institute has violated the provisions of the Institute's Code of Conduct or shall for any other reason be the subject of proceeding before the Disciplinary Tribunal;
  - (b) decide whether the case should be referred to the Disciplinary Tribunal or not.
- (2) The investigating panel shall be appointed by the council and shall consist of five members as follows —

- (a) two members of the council, one of whom shall be the chairman of the panel; and
  - (b) three members of the institute who are not members of the council.
- (3) The tenure of any member of the investigating panel shall be two years renewable for a further period of two years.
  - (4) The Council may make rules not inconsistent with this Bill as regard acts which constitute professional misconduct.
  - (5) The Investigating Panel shall act independently in the receiving and investigation of allegations under sub-clause (1) (a) of this clause and shall have the power to receive complaints directly from any individual or organization.
  - (6) There shall be established the Chartered Institute of Power Engineers of Nigeria Disciplinary Tribunal (in this Bill referred to as "The Disciplinary Tribunal") which shall be charged with the duty of considering and determining any case referred to it by the Investigating Panel constituted.
  - (7) The Disciplinary Tribunal shall be appointed by the council and shall consist of a Vice-President of the institute who shall be the Chairman, three other members of the council and three members of the Institute who are not members of the council.
  - (8) The provisions of the Third schedule to this Bill shall, so far as applicable to the Investigating Panel and Disciplinary Tribunal respectively, have effect with respect to all those bodies aforementioned (*Hon. Magaji Da'u Aliyu — Birnin-Kudu/Buji Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 18: Penalties for unprofessional conduct.**

- (1) Where —
  - (a) a person is adjudged by the Disciplinary Tribunal to be guilty of unprofessional conduct in any professional respect; or
  - (b) a person is convicted, by any court or tribunal in jurisdiction in Nigeria or elsewhere having the power to award imprisonment for an offence (where or not punishment with imprisonment) which in the opinion of the tribunal is incompatible with the conduct required of a member of the Power Engineering profession; or
  - (c) the Disciplinary Tribunal is satisfied that the name of the person has been fraudulently registered, and the person involved has been given opportunity for a fair hearing to defend his/herself before the Tribunal,

the Tribunal shall, after receiving the confirmation of its decision from the council, convey a direction to the person concerned reprimanding that person ordering the registrar to strike his name off the relevant part of the registered.

- (2) A person who commits an offence and is found guilty by the decisions of the Disciplinary Tribunal shall be liable to the maximum sanction of having his name being struck out from the register of members provided such offence is related to the practice of the profession.
- (3) The Disciplinary Tribunal may, if deems it fit refer or further defer its decision as to the giving of a direction under sub-clause (1) of this clause until a subsequent meeting of the disciplinary Tribunal, but —
  - (a) no decision shall be deferred under this sub-clause for periods exceeding three months from the conclusion of proceedings in the case; and
  - (b) no person shall be a member of the Disciplinary Tribunal to reach a decision which has been deferred or further deferred unless he was present as a member of the Disciplinary Tribunal when the decision was deferred.
- (4) For sub-clause (1) (b) of this clause, a person shall be treated as guilty as therein mentioned, unless the guilt stands at a time when no appeal or further appeal is pending or may (without extension of time) be brought in connection with the direction.
- (5) When the Disciplinary Tribunal gives a direction under sub-clause (1) of this clause, the Disciplinary Tribunal shall cause notice of the direction to be served on the person to whom it relates.
- (6) The person to whom such a direction relates may, at any time within twenty-eight days from the date of service on him/her of the notice of the direction, appeal against the direction to the Federal High Court and where necessary to the Court of appeal and the Disciplinary Tribunal shall appear as the respondent to the appeal and, to enable directions to be given as to the costs of the appeal and of proceeding before the Federal High Court of appeal the Disciplinary Tribunal shall be deemed to be a party thereto, whether or not it appeals the hearing of the appeal.
- (7) A direction of the Disciplinary Tribunal given under sub-clause (1) of this clause shall take effect where —
  - (a) no appeal under this Clause is brought against the direction, within the time limit for such an appeal, or on the expiration of that time;
  - (b) such an appeal is brought and is withdrawn or struck out for want prosecution, on the withdrawal or striking out of the appeal;
  - (c) such an appeal is brought and is not withdrawn or struck out as aforesaid, if and when the appeal is dismissed and shall not take effect except in accordance with the foregoing provisions of this sub-clause.
- (8) A person whose name is struck off the register in pursuance of a direction of the Disciplinary Tribunal under this clause shall not be entitled to be registered again, except, in pursuance of a directive in that behalf and a direction under this clause for the striking off of a person's name from the register prohibit him from making an application for membership or restoration of his membership until after the period specified by the direction

that his name should be struck off, and if he makes an application during the currency of the prohibition such as application shall be invalid (*Hon. Magaji Da'u Aliyu — Birnin-Kudu/Buji Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 19: Application of this Bill to yet to be registered engineering persons.**

A person who is not a member of any Engineering professional body establish before the commencement of this Bill who but for this Bill, is qualified to apply for membership of the Chartered Institute of Power Engineers of Nigeria established by this Bill, in such manner as may be prescribed by rules made by the Council, shall given such opportunity to be registered in the category of membership appropriate in the current period for holders of the qualification he/she possesses (*Hon. Magaji Da'u Aliyu — Birnin-Kudu/Buji Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 20: Practice as a member of the power engineering profession.**

A person other than a corporate member of the Institute shall be deemed to practice as a member of the Power-Engineering profession if, in consideration of remuneration received or to receive and whether by himself or in partnership with any other person —

- (a) he engages himself in the practice of Power Engineering services or holds himself out to the public as a member of the power engineering profession;
- (b) he renders professional service or assistance in or about matters of principle or detail relating to procedures; or
- (c) he renders any other service which may be by regulations made by the Council, be designated as service constituting practice as a member of the Power Engineering profession (*Hon. Magaji Da'u Aliyu — Birnin-Kudu/Buji Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 21: Rules as to Practice, etc.**

- (1) The Council may make rules to guide training in Power Engineering methods and practice.
- (2) The Council may also make rules —
  - (a) prescribing the amount and date for payment of the annual subscription and such purposes, a different amount may be prescribed by the rules according to whether the person is registered as a Fellow, Power Engineers (Members), Power Engineering Technologist (Associate Engineers), Power Engineering Technicians, Power Engineering Craftsmen, Power Engineering Graduates, Corporate Firms and Students;
  - (b) restricting the right to membership of the Institute in default of payment of the amount of the annual subscription where the default continues for more than one year or such period as may be prescribed by the rules;

- (c) also, to annual subscription, dues and levies as may be ascribed, the Institute shall be obliged to the Issuance of annual practicing and licensing fee for all registered practitioners in the Institute's register, with annual certificates spanning 12 calendar months upon the payment of the prescribed fee.
- (3) Rules when made under this clause, shall be published in the institute's journal.
- (4) Any member of the institute who fails to pay the annual subscription and practitioner license fee for one year or such period as may be prescribed by the council may have his name removed from the register of members (*Hon. Magaji Da'u Aliyu — Birnin-Kudu/Buji Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 22: Provision of library facilities, etc.**

The Institute shall —

- (a) provide and maintain a library comprising books and publications across the spectrum of Power industry Engineering practice under the care of the Institutes Registrar until at such a time when a professional librarian would be engaged for professional service;
- (b) encourage research into Power Engineering theory and practice and allied subjects to the extent that the council may, from time-to-time, consider necessary (*Hon. Magaji Da'u Aliyu — Birnin-Kudu/Buji Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 23: Offences and penalties, etc.**

- (1) A person for the purpose of procuring the registration of any name, qualification or other matter who —
- (a) makes a statement which he believes to be false in a material particular; or
- (b) recklessly makes a statement which is false in a material particular, is guilty of an offence.
- (2) If, on or after the relevant date, any person who is not a member of the Institute practices or holds himself out to practices as a power engineering practitioner for or in expectation of reward or takes or use the name, titles, addition or description implying that he is in practice as a power engineering professional, he shall be guilty of an offence and be liable to prosecution under this Bill. Provided that, in the case of a person falling within clause 17 of this Bill —
- (a) this sub-clause shall not apply in respect of anything done by him during the period of three months mentioned in that clause; and
- (b) if within that period he duly applies for membership of the Institute then, unless within that period he is notified that his application has

not been approved, this sub-clause shall not apply in respect of anything done by him between the end of that period and the date on which he is enrolled or registered or is notified as aforesaid.

- (3) The registrar or any other person employed by or on behalf of the institute who willfully makes any falsification in any matter relating to the register, shall be guilty of an offence.
- (4) Where an offence under this clause which has been committed by a body corporate is proved to have been committed with the consent or connivance of or to be attributable to any neglect on the part of any director, manager, secretary or other similar officers of the body corporate or any person purporting to act in any such capacity, he, as well as the body corporate, shall be deemed to have committed the offence and is liable on conviction by a court of competent jurisdiction in the case of an individual to the punishment prescribed in sub-clause (4) of this clause and in the case of a body corporate, to a fine of not less than ₦2,000,000.00
- (5) A person who shall be guilty of an offence under this clause is liable on conviction to imprisonment for a term not exceeding two years or to a fine not less than ₦300,000.00 or both imprisonment and fine (*Hon. Magaji Da'u Aliyu — Birnin-Kudu/Buji Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 24: Regulations.**

- (1) Any regulations, made pursuant to this Bill shall be published in the Institute's Journal.
- (2) Rules made for the purpose of this Bill shall be subject to confirmation by the council at its next general meeting or any special meeting of the Institute convened for the purpose, and if annulled shall cease to have effect on the day after the date of annulment, but without prejudice anything is done in pursuance or intended pursuance of any such rules (*Hon. Magaji Da'u Aliyu — Birnin-Kudu/Buji Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 25: Interpretation.**

In this Bill —

"Chartered Power Engineer" means a person who has passed the profession competence examinations in power engineering practice and has been elected a Corporate or Associate Member of the Chartered Institute of Power Engineers of Nigeria (CIPEN) (*Hon. Magaji Da'u Aliyu — Birnin-Kudu/Buji Federal Constituency*).

*Question that the meaning of the words "Chartered Power Engineer" be as defined in the interpretation to this Bill — Agreed to.*

"Certificate" means a certificate to practice as a chartered power engineering practitioner issued by the institute (*Hon. Magaji Da'u Aliyu — Birnin-Kudu/Buji Federal Constituency*).



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

"Chapter of the Institute" means the branch of the institute established at any location under clause 1 (Hon. Magaji Da'u Aliyu — Birnin-Kudu/Buji Federal Constituency).

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

"Corporate Firm Member" means any Power consulting firms, Power Engineering contracting firms, professional power engineering corporations, etc. that is duly registered as a firm member with the Institute (Hon. Magaji Da'u Aliyu — Birnin-Kudu/Buji Federal Constituency).

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

"Council" means the council established as the governing body of the institute under clause 5 (1) (Hon. Magaji Da'u Aliyu — Birnin-Kudu/Buji Federal Constituency).

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

"Disciplinary Tribunal" means the chartered Institute of Power Engineers of Nigeria Disciplinary Tribunal established under clause 17 (Hon. Magaji Da'u Aliyu — Birnin-Kudu/Buji Federal Constituency).

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

"Executive Committee" means the Institute's administrative body established under clause 4 (Hon. Magaji Da'u Aliyu — Birnin-Kudu/Buji Federal Constituency).

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

"Fees" includes annual subscription (Hon. Magaji Da'u Aliyu — Birnin-Kudu/Buji Federal Constituency).

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

"Fit Person" means a person of good character, who is not an undercharged bankrupt and has not been convicted in Nigeria or elsewhere of any offence involving fraud or dishonesty or has not been so convicted since a period to be specified from time to time by the council (Hon. Magaji Da'u Aliyu — Birnin-Kudu/Buji Federal Constituency).

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

"Firms" means any organisation in Nigeria undertaking Power Engineering activities and or such other functions related (Hon. Magaji Da'u Aliyu — Birnin-Kudu/Buji Federal Constituency).

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

"Institute" means the Chartered Institute of Power Engineers of Nigeria (CIPEN) established under clause 1 (*Hon. Magaji Da'u Aliyu — Birnin-Kudu/Buji Federal Constituency*).

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

"Investigation panel" means the chartered Institute of Power Engineers of Nigeria (CIPEN) Investigation Panel established under clause 17 (*Hon. Magaji Da'u Aliyu — Birnin-Kudu/Buji Federal Constituency*).

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

"Member of the Power Engineering Profession" means a person registered by the institute as a member in the category of a Fellows, Power Engineers (Members), Power Engineering Technologist (Associate Power Engineers), Power Engineering Technicians, Power Engineering Craftsmen, Power Engineering Graduates, Corporate Firms and Students (*Hon. Magaji Da'u Aliyu — Birnin-Kudu/Buji Federal Constituency*).

*Question that the meaning of the words "Member of the Power Engineering Profession" be as defined in the interpretation to this Bill — Agreed to.*

"Minister" means the minister responsible for the ministry of power (*Hon. Magaji Da'u Aliyu — Birnin-Kudu/Buji Federal Constituency*).

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

"Organs of the Institute" means the various sub administrative units of the institute established to implement its objectives (*Hon. Magaji Da'u Aliyu — Birnin-Kudu/Buji Federal Constituency*).

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

"Power Engineering" means activities of engineering concerns in the power industry (NESI); operations, maintenance, engineering, procurement, construction, technical audit, plants inspection, etc. (*Hon. Magaji Da'u Aliyu — Birnin-Kudu/Buji Federal Constituency*).

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

"Power Engineer" means a person who has graduated from any engineering school, having the requisite engineering qualifications and duly engaged in the practice of power engineering activities in the Nigeria Electricity Supply Industry but yet to be admitted as a chartered Power Engineering practitioner by the Institute (*Hon. Magaji Da'u Aliyu — Birnin-Kudu/Buji Federal Constituency*).

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

"President", "Vice President" and National Treasurer" means the office holders under those names in the institute respectively (*Hon. Magaji Da'u Aliyu — Birnin-Kudu/Buji Federal Constituency*).

*Question that the meaning of the words "President", "Vice President" and "National Treasurer" be as defined in the interpretation to this Bill — Agreed to.*

"Profession" means the Power Engineering profession (*Hon. Magaji Da'u Aliyu — Birnin-Kudu/Buji Federal Constituency*).

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

"Registrar" means the Register appointed in Clause 10 (*Hon. Magaji Da'u Aliyu — Birnin-Kudu/Buji Federal Constituency*).

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

"Register" means the register kept in pursuance of clause 11 of this Bill (*Hon. Magaji Da'u Aliyu — Birnin-Kudu/Buji Federal Constituency*).

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

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

**Committee's Recommendation:**

**Clause 26: Citation.**

This Bill may be cited as the Chartered Institute of Power Engineers of Nigeria Bill, 2022 (*Hon. Magaji Da'u Aliyu — Birnin-Kudu/Buji Federal Constituency*).

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

## SCHEDULES

### FIRST SCHEDULE

Clause 3 (5)

#### QUALIFICATION FOR MEMBERSHIP CATEGORIES

1. A person registered under this Bill is enrolled to higher membership status in any of the following categories:
  - (a) as a fellow if he —
    - (i) satisfies the council that he is eligible to be so registered and has for several years (to be specified by the council) had been a Corporate Member or the holder of an approved academic qualifications,
    - (ii) satisfies all other criteria as may be specified by the council from time to time,
    - (iii) has obtained such academic, professional or other qualification(s) as may be prescribed by the council from time to time,
    - (iv) has held any senior management position in the public or private relevant institution;

- (b) as a Power Engineer (corporate member) if he —
- (i) satisfies the council that he/she is eligible to be so registered,
  - (ii) has obtained such academic, professional or other qualification(s) as may be prescribed by the council from time to time,
  - (iii) satisfies all other criteria as may be specified by the council from time to time,
  - (iv) satisfies the council that he/she presently works in a Power Engineering firm or company in the practice of power Engineering;

- (c) as a Power Engineering Associate member if he—
- (i) satisfies the council that he is eligible to be so registered and has passed the associate examination;
  - (ii) has obtained such academic, professional or other qualification(s) as may be prescribed by the council from time to time;
  - (iii) has acquired on the job practical power Engineering experience for such number of years as may be specified by the council;

- (d) as a Power Engineering Technician member if he —
- (i) satisfies the council that he is eligible to be so registered and has passed the requisite professional skill test examination,
  - (ii) has obtained such academic, professional or other qualification(s) as may be prescribed by the council from time to time for such category,
  - (iii) has acquired on the job practical power engineering experience for such number of years as specified by the council;

- (e) as a Power Engineering Craftsman member if he —
- (i) satisfies the council that he is eligible to be so registered and has passed the requisite professional grade examination,
  - (ii) has obtained such academic, professional or other qualification(s) as may be prescribed by the council from time to time for such category,
  - (iii) has acquired on the job practical power Engineering experience for such number of years as may be specified by the council;

- (f) as a power engineering Graduate member if he —
- (i) satisfies the council that he is eligible to be so registered,
  - (ii) has been a student member,
  - (iii) has passed associate ship examination but not met other conditions specified in paragraph (d) of this sub-clause;

- (g) as a Power Engineering Corporate Firm if the organization —

- (i) satisfies the council that it is eligible to be so registered; and has for several years (to be specified by council) been engaged in contracting or consulting practice in the power industry;
- (ii) its proponents and management officers have obtained such academic, professional or other qualification(s) as may be prescribed by the council from time to time;
- (iii) satisfies all other criteria as may be specified by the council from time to time;
- (iv) satisfies the council that it is in a Power Engineering firm or company in the practice of power Engineering (*Hon. Magaji Da'u Aliyu — Birnin-Kudu/Buji Federal Constituency*).

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

#### SECOND SCHEDULE

(Clause 6 (3))

#### QUALIFICATIONS AND TENURE OF OFFICE OF A MEMBER OF THE COUNCIL

1. (1) Subject to the provisions of this paragraph, a member of the council shall hold office for a period of two (2) years beginning with the date of his appointment or election.
- (2) A member of the institute who ceases to be a member thereof shall, if he is also a member of the council cease to hold office in the council.
- (3) A member of the council may, by notice in writing under his hand addressed to the President resign his office.
- (4) A person who retires from or otherwise ceases to be an elected member of the council shall be eligible to become of the council and any appointed member may be re-appointed.
- (5) Member of the council shall at its meeting next before the general meeting of the Institute, arrange for the replacement of elected members of the council who are longest in office to retire at that general meeting.
- (6) Election to the council shall be held in such manner as may be prescribed by rules made by the council and until so otherwise decided, they shall be decided by secret ballot
- (7) If for any reason there is a vacation of office by a member and —
  - (a) such member was appointed by the council or any other body, the Councilor that body may appoint another fit person from the area in respect of which the vacancy occurs; or
  - (b) such member was elected, the Council may, if the time between the unexpired term of office and the next general meeting of the Institute appears to warrant the filling of the vacancy, co-opt some fit person for such time as aforesaid.

*Power of the Council*

2. The Council shall have the power to do anything which in its opinion is calculated to facilitate the carrying out of the activities of the Institute.

*Standing Orders*

3. (1) Subject to the provision of this Bill, the Council may in the name of the Institute make standing orders regulating the proceedings of the Institute or the Council, and in the exercise of its power under this Bill, may set up committees in the general interest of the institute and make standing orders thereof.
- (2) Standing orders shall provide for the decision to be taken by a majority of the members, and in the event of an equality of votes, the President or the chairman, as the case may be, shall have a second or casting vote.
- (3) Standing orders made for a committee shall, provide for the committee to report back to the council on any matter referred to it by the council.
- (4) The quorum of the Council shall be nine and the quorum of a committee of the council shall be fixed by the council.

*General Meeting of the Institute*

4. (1) The Council shall convene the annual general meeting of the Institute on 12th May every year, or on such other day as the council may, from time-to-time, appoint so however, that if the meeting is not held within one year the previous meeting, no more than fifteen months shall elapse between the respective dates of the two meetings; Provided that, a notice of the annual general meeting shall be given to all members at any time and if not later than twenty-one days from the date of the meeting.
- (2) A special general meeting of the Institute may be convened by the council at any time and if not less than twenty members of the institute so require, by notice in writing addressed to the chairman of the council setting out the object of the proposed meeting, the chairman of the council shall convene a special general meeting of the institute. Provided that, a notice of the special general meeting shall be given to all members of the institute not later than twenty -one days from the date of the meeting.
- (3) The quorum of any general meeting of the Institute and that of a special general meeting of the institute shall each be twenty members.

*Meeting of the Council*

5. (1) Subject to the provisions of any standing order of the council, the council shall meet whenever it is summoned by the council and if the chairman is required to do so, by notice in writing given to him by no less than five other members, he shall summon a meeting of the council to be held within fourteen days from that date on which the notice is given.
- (2) At the meeting of the council, the chairman or in his absence, the Deputy Chairman or anyone of the Vice-Chairman stated in clause 5 (2) (b) of this Act in the descending order of their status shall preside, but if the chairman, Deputy Chairman and the Vice-Chairmen are absent, the members present at the meeting shall appoint one of their member to preside at the meeting.

- (3) Where the Council desires to obtain the service of any person on a matter, the council may co-opt him as a member for such period as the council may think fit, but a person who is a member under sub-paragraph shall not count towards a quorum.

*Committee*

6. (1) The Council may appoint one or more committees to carry out on behalf of the institute or council such function as the council may determine.
- (2) A committee appointed under this paragraph shall consist of the number of persons determined by the council, of whom not more than one-third may be the persons who are not members of the council and a person other than a member of the council shall hold office on the committee in accordance with the terms of the letter by which he/she is appointed.
- (3) Decisions of a Committee of the council shall be of no effect until it is confirmed by the Council.

*Miscellaneous*

7. (1) The fixed of the seal of the institute shall be authenticated by the signature of the chairman or some other member of the council authorized generally or specially by the institute to act for that purpose.
- (2) Any contract or instrument which, if made or executed by a person not being a body corporate, would not be required to be under seal, may be made or executed on behalf of the institute or of the council, as the case may require, by any person generally or specially authorized to act for that purpose by the council.
- (3) Any document purporting to be a document, duly executed under the seal of the Institute shall be received in evidence and shall, unless the contrary is proved to be deemed to be so executed.
8. The validity of any proceedings of the institute or the council or of a committee of the council shall not be adversely affected by any vacancy in membership or by any defect in the appointment of a member of the institute or the council or of a person to serve on the committee or by reason that a person not entitled to do so, took part in the proceeding.
9. Any member of the institute or of the council or any person holding office on a committee of the council, who has a personal interest in any contract or arrangement entered into or proposed to be considered by the council on behalf of the institute or by a committee of the council on behalf of the council, shall forth with disclose his interest to the committee or the council, as the case may be and shall not vote on any question relating to the contract or arrangement.
10. A person shall not by reason only of his membership of the institute be treated as holding an office in the public service of the Federation (*Hon. Magaji Da'u Aliyu — Birnin-Kudu/Buji Federal Constituency*).

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

## THIRD SCHEDULE

[Clause 17 (9)]

SUPPLEMENTARY PROVISIONS RELATING TO THE  
DISCIPLINARY TRIBUNAL AND INVESTIGATING PANEL*The Disciplinary Tribunal*

1. The quorum of the Disciplinary Tribunal shall be five members.
2. (1) The Attorney - General of the Federation shall make rules as to the selection of members of the Disciplinary Tribunal for any proceedings and as to the procedure to be followed and the rules of evidence to be observed in proceedings before the Disciplinary Tribunal.
  - (2) The rules shall in particular provide:
    - (a) for securing that notice of the proceeding shall be given at such time and in such manner, as may be specified by the rules, to the person who is the subject of the proceedings;
    - (b) for determine who, in addition to the person who is the subject of the proceedings;
    - (c) for securing that any party to the proceeding shall, if he so requires, be entitled to be heard by the Tribunal;
    - (d) for securing that any party to the proceeding may be represented by a legal practitioner;
    - (e) subject to the provisions of clause 14 (6) of this Bill, as to the cost of proceedings before the Disciplinary Tribunal;
    - (f) for requiring, in any case where it is alleged that the person who is the subject of the proceedings involved himself in unprofessional conduct in any professional respect, that where the Disciplinary Tribunal adjudges that the alleged has not been provided, it shall record a finding that the person is not guilty of such conduct in respect of the mater to which the allegation relates; and
    - (g) for publishing notice of any direction of the Tribunal which has taken effect, providing that a person's name shall be struck off a register.
3. For any proceedings before the Tribunal, any member of the Tribunal may administer oaths and any party to the proceedings may issue out of the registry of the Federal High Court writs of *subpoena ad testudinatam* and *deuces tecum*, but no person appearing before the Disciplinary Tribunal shall be compelled —
  - (a) to make any statement before the Tribunal tending to incriminate himself; or
  - (b) to produce any document under such a writ which he could not be compelled to produce at the trial of an action.
4. (1) To advise the Tribunal on the question of law arising in the proceedings before it, there shall in all such proceedings by an assessor to the Disciplinary Tribunal who



shall be appointed by the Council on the nomination of the Attorney-General of the Federation and shall be a legal practitioner of not less than seven years standing.

- (2) The Attorney General of the Federation shall make rules as to the functions of assessor appointed under this paragraph and in particular such rules shall contain a provision for securing that —
  - (a) where an assessor advises the Disciplinary Tribunal on any question of law as to evidence, procedure or any other matters specified by the rules, he shall do so in the presence of every party or a person representing a party to the proceedings who appears there or if the advice is tendered while the Tribunal is deliberating in private that every such party or person as aforesaid shall be informed of the assessor on such a question as aforesaid;
  - (b) every such party or person as aforesaid shall be informed if in any case the Tribunal does not accept the advice of the assessor on such a question as aforesaid.
- (3) An Assessor may be appointed under this paragraph either generally or for any particular proceedings or class proceedings and shall hold and vacate office in accordance with the terms of the letter by which he was appointed.

*The Investigation Panel*

5. The quorum of the Investigation Panel shall be three
6. (1) The Investigation panel may, at any of its meetings attended by all the members of the investigating panel, make standing orders concerning the Investigation Panel.
- (2) Subject to the provisions of any such standing orders, the Investigation Panel may regulate its proceeding.

*Miscellaneous*

7. (1) A person ceasing to be a member of the investigation panel of the Disciplinary Tribunal shall be eligible for re-appointment as a member of the Investigation Panel or Disciplinary Tribunal as the case may be; however, nobody shall serve in the Investigation Panel for more than two consecutive terms totaling four years.
- (2) A person may, if otherwise eligible, be a member of both the Disciplinary Tribunal and the Investigating Panel, but no person who acted as a member of the Investigating panel concerning any case shall act as a member of the Disciplinary Tribunal with respect to that case.
8. The Investigating Panel or the Disciplinary Tribunal may act, notwithstanding any vacancy in its membership, and the proceedings of either body shall be invalidated by any irregularity in the appointed of a member of that body or subject to paragraph 7 (2) of this schedule by reason of the fact that any person who was not entitled to do so took part in the proceedings of that body.
9. Any document authorized or required by virtue of this Act to be served on the Disciplinary Tribunal or the Investigating Panel shall be served on the Registrar.
10. Any expenses of the Disciplinary Tribunal or the Investigation panel shall be defrayed by the Institute (*Hon. Magaji Da'u Aliyu — Birnin-Kudu/Buji Federal Constituency*).

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

**Explanatory Memorandum:**

This Bill seeks to establish the Chartered Institute of Power Engineers of Nigeria and charges it with the responsibility for determining the standard of knowledge and skill to be attained by persons seeking to become Chartered Power Engineers. It also seeks to establish the Governing council of the Institute which shall have the responsibility of managing the Institute, its policy directions and setting the standard of education and competence required for its members therein (*Hon. Magaji Da'u Aliyu — Birnin-Kudu/Buji Federal Constituency*).

*Agreed to.*

**Long Title:**

A Bill for an Act to Provide for Establishment of the Chartered Institute of Power Engineers of Nigeria to Regulate, Control and Determine the Standards of Knowledge to be Attained by People Seeking to Become Chartered Power Engineers and for Related Matters (HB. 1086) (*Hon. Magaji Da'u Aliyu — Birnin-Kudu/Buji Federal Constituency*).

*Agreed to.*

*Chairman to report Bill.*

**(HOUSE IN PLENARY)**

Mr Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committee on Power on a Bill for an Act to Provide for Establishment of Chartered Institute of Power Engineers of Nigeria to Regulate, Control and Determine the Standards of Knowledge to be attained by people seeking to become Chartered Power Engineers; and for Related Matters (HB. 1086) and approved Clauses 1 - 26, 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.*

**19. Adjournment of First Sitting**

*That the House do adjourn the First Sitting till 2.40 p.m. (Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency).*

*The House adjourned accordingly at 2.20 p.m.*

**Femi Hakeem Gbajabiamila**  
*Speaker*

**CORRIGENDUM**

In the *Votes and Proceedings* of Thursday, 24 November, 2022, item 18 (i), pages 1803 and 1804, leave out the provisions of Clause 4 and insert as follows:

**“Clause 4: Appointment of the Board.**

- (1) There shall be appointed, by the Speaker of the House of Representatives in consultation with the President of the Senate, the Chairman and Members of the Board on the recommendation of the Association of retired Clerks and Secretaries of the National Assembly.

- (2) The Board shall consist of:
- (a) the Chairman/CEO, who shall be a retired Clerk to the National Assembly;
  - (b) retired Clerk of the Senate or retired Clerk, House of Representatives;
  - (c) retired Deputy Clerk of the Senate or retired Deputy Clerk of the House of Representatives;
  - (d) retired Secretary (Human Resources);
  - (e) retired Secretary (Finance and Account);
  - (f) retired Secretary to the National Assembly Service Commission; and
  - (g) a representative of the Parliamentary Staff Association of Nigeria (PASAN).
- (3) A retired Director of the National Assembly shall be the Secretary of the Board and shall be appointed from a different region with the Chairman.
- (4) A Chairman or member of the Board shall hold office for a single term of 5 years from the date of his appointment.”

**Femi Hakeem Gbajabiamila**  
*Speaker*

