



# HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

## VOTES AND PROCEEDINGS

Tuesday, 13 December, 2022

1. The House met at 11.29 a.m. Mr Deputy Speaker read the Prayers.
2. The House recited the National Pledge.
3. **Votes and Proceedings**  
Mr Deputy Speaker announced that he had examined and approved the *Second Votes and Proceedings* of Thursday, 8 December, 2022.

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

4. **Matter of Urgent Public Importance (Standing Order Eight, Rule 4)**  
**Need for the Government to End the Current Fuel Scarcity:**  
Hon. Saidu Musa Abdullahi (*Bida/Gbako/Katcha Federal Constituency*) introduced the matter and prayed the House to:

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

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

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

**Need for the Government to End the Current Fuel Scarcity:**

The House:

*Notes that in the last few months, Nigerians have been subjected to untold hardships caused by the lingering petrol scarcity; affecting the socio economic activities of the citizenry;*

*Also notes* that the Nigerian Midstream and Downstream Petroleum Regulatory Authority (NMDPRA) advanced excuses to justify the fuel scarcity, when it reared its ugly head at the peak of the rainy season in October 2022 in Abuja and other northern States, the NMDPRA stated that the rainfall submerged the greater part of Lokoja including the highway leading to Abuja;

*Aware* that soon after the floods receded in Lokoja and the petrol scarcity continued, the President of the Independent Petroleum Marketers Association of Nigeria (IPMAN), attributed the situation persisted because of the supply gap created by the blockade in Lokoja and the he affirmed that there was enough product in the depots to take care of the supply squarely;

*Also aware* that when the scarcity continued, and all the excuses advanced by the stakeholders watered down, the National Operations Controller of IPMAN advanced another reason and argued that the scarcity is because of an unsteady supply of the products;

*Concerned* that intelligence reports on current fuel scarcity gathered by our securities agencies indicated that there is a deliberate plan by some oil marketers to derail the effort of the government in the distribution of fuel in the country by hoarding the petroleum products and thereby creating artificial scarcity all over the country;

*Also concerned* that while the fuel scarcity is heating petroleum stations of some major marketers that are currently selling fuel on government regulated price, some independent marketers who operate in the Market have enough petroleum products selling at unregulated prices;

*Worried* that most of those filling stations have resulted in selling fuel at over N300 per litre. It is observed with dismay that those who are gaining from this artificial fuel scarcity appear to be smiling home as a result of this ugly development and this has the potency to provoke innocent Nigerians against the Government;

*Also worried* that generally, there is a hue and cry over this ugly development and unfortunately, those that are charged with the responsibility of taking control of this situation are not doing enough to combat the ugly development. This appears to be a dangerous signal that the Government must tackle without further delay to restore normalcy;

*Disturbed* that the lingering fuel scarcity has compounded the woes of millions of Nigerians struggling to survive as prices of items continue to make a rapid surge and has added a high cost of living to Nigerians which surged to a 17-year high of 21.09 per cent in October 2022;

*Also disturbed* that the inability of the regulators of the petroleum sector to end this artificial scarcity of petroleum products has compelled the Department of State Services to issue an ultimatum to the NNPC Limited, and oil marketers to end the artificial scarcity within 48-hours;

*Resolves to:*

- (i) urge the Nigerian National Petroleum Company Limited (NNPCL) to urgently end this artificial scarcity within the one week in order to ease the suffering of Nigerians;
- (ii) also urge the Nigerian Midstream Downstream Petroleum Regulatory Commission to seek collaboration of Nigeria Police Force and DSS to ensure that fuel is sold at the regulated price in all retail outlets;
- (iii) mandate the Committees on Petroleum Resources (Downstream), and Legislative Compliance to ensure compliance (*Hon. Saidu Musa Abdullahi — Bida/Gbako/Katcha Federal Constituency*).

*Debate.*

*Agreed to.*

(HR. 99/12/2022).

**5. Presentation of Bills**

The following Bills were read the *First Time*:

- (1) Nigerian Council for Social Work Act (Amendment) Bill, 2022 (HB.2132).
- (2) National Commission for Museums and Monuments Act (Amendment) Bill, 2022 (HB. 2133).
- (3) Nigeria Security Academy (Establishment, etc.) Bill, 2022 (HB. 2134).
- (4) Federal University, Gusau, Zamfara (Establishment) Bill, 2022 (HB. 2135).
- (5) National Environmental Research and Training Institute (Establishment) Bill, 2022 (HB. 2136).

**6. Presentation of Reports**

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

*Motion made and Question proposed*, "That the House do receive the Report of the Committee on Health Institutions on a Bill for an Act to Provide the Legal framework to Establish Federal Medical Centre, Akpugo, Nkanu West, Enugu State; and for Related Matters (HB. 1098)" (*Hon. Oke Martins — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

*Agreed to.*

*Report laid.*

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

*Motion made and Question proposed*, "That the House do receive the Report of the Committee on Health Institutions on a Bill for an Act to Provide for Establishment of Federal College of Nursing and Midwifery, Obuoffia, Awkunanaw, Enugu State; and for Related Matters (HB. 1157)" (*Hon. Oke Martins — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

*Agreed to.*

*Report laid.*

**7. A Bill for an Act to Establish Federal University of Health Sciences, Ila-Orangun, Osun State as a Training Institute for the Development of Medical and Health Sciences and make comprehensive Provisions for the Management and Administration of the University; and for Related Matters (HB. 2101) — *Third Reading***

*Motion made and Question proposed*, "That a Bill for an Act to Establish Federal University of Health Sciences, Ila-Orangun, Osun State as a Training Institute for the Development of Medical and Health Sciences and make comprehensive Provisions for the Management and Administration of the University; and for Related Matters (HB. 2101) be now read the Third Time" (*Hon. Onyejeocha Nkeiruka — Isuikwuato/Umunneochi Federal Constituency*).

*Agreed to.*

*Bill read the Third Time and passed.*

8. **A Bill for an Act to Provide for Establishment of Federal University of Education, Katsina-Ala; and for Related Matters (HB.539) — Third Reading**  
*Motion made and Question proposed*, "That a Bill for an Act to Provide for Establishment of Federal University of Education, Katsina-Ala; and for Related Matters (HB.539) be now read the Third Time" (*Hon. Onyejeocha Nkeiruka — Isuikwuato/Umunneochi Federal Constituency*).
- Agreed to.*
- Bill read the Third Time and passed.*
9. **A Bill for an Act to Establish Federal College of Education, Idere to Provide Full-Time Courses Teaching Instructions and Training in Technology, Applied Science, Arts, Social Sciences, Humanities and Management and to Provide for the Appointment of Provost and other Officers of the College to carry out the Administration and Discipline of Students of the College; and for Related Matters (HB. 309) — Third Reading**  
*Motion made and Question proposed*, "That a Bill for an Act to Establish Federal College of Education, Idere to Provide Full-Time Courses Teaching Instructions and Training in Technology, Applied Science, Arts, Social Sciences, Humanities and Management and to Provide for the Appointment of Provost and other Officers of the College to carry out the Administration and Discipline of Students of the College; and for Related Matters (HB. 309) be now read the Third Time" (*Hon. Onyejeocha Nkeiruka — Isuikwuato/Umunneochi Federal Constituency*).
- Agreed to.*
- Bill read the Third Time and passed.*
10. **A Bill for an Act to Establish Federal Institute of Fisheries Research, Ogidigben, Delta State for Fishery Research, Education and Cooperative Training in Nigeria and to make Comprehensive Provisions for its Due Management and Administration; and for Related Matters (HB.1278) — Third Reading**  
*Motion made and Question proposed*, "That a Bill for an Act to Establish Federal Institute of Fisheries Research, Ogidigben, Delta State for Fishery Research, Education and Cooperative Training in Nigeria and to make Comprehensive Provisions for its Due Management and Administration; and for Related Matters (HB. 1278) be now read the Third Time" (*Hon. Onyejeocha Nkeiruka — Iswuiquato/Umunneochi Federal Constituency*).
- Agreed to.*
- Bill read the Third Time and passed.*
11. **A Bill for an Act to Amend the Federal Medical Centres Act, 2022 to Establish Federal Medical Centre, Gumel, Jigawa State; and for Related Matters (HB.1665) — Third Reading**  
*Motion made and Question proposed*, "That a Bill for an Act to Amend the Federal Medical Centres Act, 2022 to Establish Federal Medical Centre, Gumel, Jigawa State; and for Related Matters (HB.1665) be now read the Third Time" (*Hon. Onyejeocha Nkeiruka — Iswuiquato/Umunneochi Federal Constituency*).
- Agreed to.*
- Bill read the Third Time and passed.*
12. **A Bill for an Act to Provide for Establishment of Federal University of Health Sciences Azare, Bauchi State; and for Related Matters (HB. 2128) — Second Reading**  
*Motion made and Question proposed*, "That a Bill for an Act to Provide for Establishment of Federal University of Health Sciences Azare, Bauchi State; and for Related Matters (HB. 2128)) be read a Second Time" (*Hon. Onyejeocha Nkeiruka — Isuikwuato/Umunneochi 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.*

13. **A Bill for an Act to Establish Federal College of Education, Nduo, Eduo, Eket, Akwa Ibom State and for Related Matters (HB 2085) — Second Reading**  
*Motion made and Question proposed, "That a Bill for an Act to Establish Federal College of Education, Nduo, Eduo, Eket, Akwa Ibom State and for Related Matters (HB. 2085) be read a Second Time" (Hon. Peter Akpatason — Akoko - Edo 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 Medical Centre, Sapele, Delta State; and for Related Matters (HB.2046) — Second Reading**  
*Motion made and Question proposed, "That a Bill for an Act to Establish Federal Medical Centre, Sapele, Delta State; and for Related Matters (HB.2046) be read a Second Time" (Hon. Oberuakpefe Anthony Afe — Okpe/Sapele/Uvwie 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 University of Environmental Sciences, Ifon, Osun State; and for Related Matters (HB.1864) — Second Reading**

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

16. **A Bill for an Act to Amend the Standards Organisation of Nigeria Act to Provide for the inclusion of a representative from the Federal Ministry of Petroleum Resources in the Standards Council of Nigeria and expand the scope and functions of the Standards Organization of Nigeria to include investigation and quality assurance Certification of Petroleum Products; and for Related Matters (HB. 1749 and HB. 1884) — Second Reading**  
*Motion made and Question proposed, "That a Bill for an Act to Amend the Standards Organisation of Nigeria Act to Provide for the inclusion of a representative from the Federal Ministry of Petroleum Resources in the Standards Council of Nigeria and expand the scope and functions of the Standards Organization of Nigeria to include investigation and quality assurance Certification of Petroleum Products; and for Related Matters (HB. 1749 and HB. 1884) be read a Second Time" (Hon. Johnson Ganiyu Abiodun — Oshodi Isolo II Federal Constituency and 1 other).*

*Debate.*

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

*Bill read the Second Time.*

*Bill referred to the Committee on Industry.*

**17. Need to Investigate and Prosecute the Perpetrators of the Attack on the Campaign train of Mrs Natasha Akpoti-Uduaghan in Kogi State**

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

**18. Need to Rehabilitate the Near Collapse of Farin Gada; Gadan Bako; Gadan Sogai; Gada Biyu and Cele Bridges in Bassa and Jos North Local Government Areas of Plateau State**

*Motion made and Question proposed:*

The House:

*Notes that Farin Gada, Bako, Sogai, Cele, Gada Biyu and Kwanan Shagari Bridges in Jos North and Kasancham Bridge in Bassa Local Government Areas were constructed between 1974 and 1980, the Bridges cut across the two Local Government Areas of Bassa/Jos North Federal Constituency of Plateau State;*

*Also notes that the Bridges are major roads linking Plateau State with Bauchi, Kaduna and Kano States, been a city of West African trade for decades;*

*Aware that the bridges are in a deplorable state and at the point of collapsing as they have outlived their lifespan due to frequent vehicular movement;*

*Worried that most of the pillars of the Bridges were washed away by rainfall and erosion which necessitated the involvement of the various community development groups in Bassa and Jos North to clear the blocked passages;*

*Cognizant of the need to urgently rehabilitate the dilapidated Bridges in Plateau State to forestall a total collapse and threats to Socio-Economic development of the areas.*

*Resolves to:*

- (i) urge for the Federal Roads Maintenance Agency (FERMA) to urgently Rehabilitate the near collapsed Bridges;*
- (ii) mandate the Committee on FERMA to capture the rehabilitation of the bridges in Bassa and Jos North Local Government Areas of Plateau State in the 2023 budget estimates (Hon. Muhammad Alkali — Bassa and Jos North Federal Constituency).*

*Agreed to.*

**(HR. 100/12/2022).**

*Motion referred to the Committee on Federal Roads Maintenance Agency (FERMA), pursuant to Order Eight, Rule 9 (5).*

**19. Consideration of Reports**

- (i) A Bill for an Act to Provide for Establishment of a Specialized National Dermatology Hospital, Garkida and Management Board for the Hospital, provide Dermatological Treatment, Research and Training; and for Related Matters (HB.1382) (Committee of the Whole):*

*Question made and Question proposed*, "That the House do consider the Report on a Bill for an Act to Provide for Establishment of a Specialized National Dermatology Hospital, Garkida and Management Board for the Hospital, provide Dermatological Treatment, Research and Training; and for Related Matters (HB.1382)" (*Hon. Peter Akpatason — Deputy House Leader*).

*Agreed to.*

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

**(HOUSE IN COMMITTEE)**

*(Mr Deputy Speaker in the Chair)*

A BILL FOR AN ACT TO ESTABLISH THE SPECIALISED NATIONAL DERMATOLOGY HOSPITAL, GARKIDA, AND MANAGEMENT BOARD FOR THE HOSPITAL, TO PROVIDE DERMATOLOGICAL TREATMENT, RESEARCH AND TRAINING; AND FOR RELATED MATTERS

**Clause 1: Establishment of the Specialised National Dermatology Hospital, Garkida.**

- (1) There is established the Specialised National Dermatology Hospital, Garkida (in this Bill referred to as "the Hospital").
- (2) The Hospital —
  - (a) shall be a body corporate;
  - (b) may sue and be sued in its corporate name; and
  - (c) shall have perpetual succession and a common seal.
- (3) The Hospital shall be a national hospital, specialised in dermatology, with facilities for the training of dermatology personnel at all levels (*Hon. Peter Akpatason — Deputy House Leader*).

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

**Clause 2: Functions of the Hospital.**

- (1) The Hospital shall —
  - (a) provide services in connection with the diagnosis and treatment of diseases or defects of the skin;
  - (b) supply appliances and other supplementary dermatological services;
- (2) The Hospital shall have power to —
  - (a) provide diagnostic, curative, promotive and rehabilitative dermatological services;
  - (b) provide cosmetic dermatology, allergy service, all skin and hair treatment and employ the services of dermatologists and other medical practitioners;
  - (c) provide facilities for the clinical training of dermatologists;

- (d) provide facilities for the training of dermatologists for the care and treatment of the skin, hair, nails and mucous membrane, cosmetic dermatology, and allergy service;
  - (e) create facilities for research into all aspects of a wide range of dermatology treatments including scalpel surgery, electrosurgery, injections, chemical peels, and pharmacovigilance; and
  - (f) develop new diagnostic and therapeutic dermatologic instruments and appliances better suited to the practice of dermatology in Nigeria.
- (3) For the purpose of the discharge of its functions under this section, the Hospital may —
- (a) arrange periodic conferences, seminars, study groups and like activities in dermatology;
  - (b) advise the Government of the Federation or of a State on all matters relating to defects and prevention of diseases of the skin;
  - (c) offer such assistance to hospitals or units in various parts of the Federation, as the Board may deem necessary;
  - (d) do anything in connection with or incidental to the functions conferred on it by this Bill (*Hon. Peter Akpatason — Deputy House Leader*).

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

**Clause 3: Constituent parts of the Hospital.**

The Hospital shall consist of —

- (a) management board;
- (b) an education committee;
- (c) the clinical and other departments of the Centre;
- (d) all members of the administrative, clinical and technical staff; and
- (e) all students of the Hospital (*Hon. Peter Akpatason — Deputy House Leader*).

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

**Clause 4: The Management Board.**

(1) There is established for the Hospital, the Specialised National Dermatology Hospital Board (in this Bill referred to as “the Board”), which shall be responsible for the administration of the Centre and shall consist of —

- (a) the Chairman;
- (b) the Director of Administration;
- (c) four persons, broadly representative of the whole Federation and representing a variety of interests, who shall be appointed by the President;



- (d) two persons appointed by the consultant staff of the hospital from among their number;
- (e) representative of Medical practitioners;
- (f) representative of the Federal Ministry of Health not below the rank of a Director;
- (g) representative of Dermatologists Association; and
- (h) representatives of Allied Health Professionals.

- (2) The Chairman and other members who are not *ex officio* shall be appointed by the President.
- (3) The Chairman shall be a person of proven integrity, with experience and outstanding ability in administration and professional or technical education.
- (4) The members specified under subsection (1) (b), (d), (e) and (f) are "*ex-officio* members".
- (5) The supplementary provisions in the Schedule to this Bill, shall have effect with respect to the constitution and proceedings of the Board, the education committee and the other matters therein (*Hon. Peter Akpatason — Deputy House Leader*).

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

**Clause 5: Tenure of office of the Chairman and members of the Board.**

- (1) The Chairman and any other member of the Board, not being an *ex-officio* member, shall hold office for a term of three years and shall be eligible for re-appointment for a further term of three years:

Provided that members of the Board appointed under section 4 (1) (d) of this Bill, shall hold office for two years and shall not be eligible for re-appointment.

- (2) A member of the Board, other than an *ex-officio* member, shall be paid out of monies at the disposal of the Board such remuneration and allowances in accordance with scales approved by the President.
- (3) In the event of the death or incapacity of the Chairman of the Board, or if for any reason other than effluxion of time, the office of the Chairman is vacant, the President shall, on the recommendation of the Minister, appoint another person as Chairman for the residue of the term of the Chairman of the Board.
- (4) The office of a member of the Board shall become vacant if —
  - (a) he resigns his office by notice in writing given to the Minister;
  - (b) the period of his appointment has expired; or
  - (c) the Board passes a resolution declaring that he has —
    - (i) become unfit for membership of the Board, due to the fact

that he has become incapable of discharging his duties by reason of mental or bodily infirmity; or

- (ii) been absent from three consecutive meetings of the Board without leave of the Board; or
- (iii) been convicted of an offence which involves moral turpitude.

(5) Where the office of a member becomes vacant, a new member shall be appointed to fill the vacancy in accordance with the provisions of this Bill.

(6) Any member of the Board other than an *ex-officio* member may, by notice to the Board, resign his appointment (*Hon. Peter Akpatason — Deputy House Leader*).

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

**Clause 6: General duty of the Board.**

(1) The Board shall be —

- (a) the governing body of the Hospital; and
- (b) charged with the general control and superintendence of the policy, finances and property of the Hospital, including its public relations.

(2) Without prejudice to subsection (1), the Board shall construct, equip, maintain and operate —

- (a) the hospital, to provide comprehensive services, teaching and clinical research in dermatology;
- (b) such training schools and similar institutions as the Board considers necessary, for providing the Hospital at all times with adequate and sufficiently qualified staff, including dermatologists, dermatological technicians, nurses and members of other allied professions and callings, relevant to the practice of dermatology; and
- (c) such clinics, units, out-patient departments, laboratories, research or experimental stations and other like institutions, as the Board may consider necessary for the efficient functioning of the Hospital.

(3) The duty of running the Hospital under subsection (2) shall include, without prejudice to the extent of that duty apart from this subsection, the duty to provide proper courses of instruction for students but the Board shall not —

- (a) have power to award degrees; or
- (b) be prevented from arranging for students to attend courses at or take higher qualifications awarded by other institutions not controlled by the Board.

(4) The Board shall ensure that the standards of treatment and care for patients provided at all establishments controlled by the Board and the standards of training at those establishments, do not fall below those usually provided by similar establishments of internationally high repute.

- (5) Subject to this Bill, the Board shall have power to do anything, which in its opinion, is calculated to facilitate the carrying out of its functions under this Bill (*Hon. Peter Akpatason — Deputy House Leader*).

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

**Clause 7: Powers of the Board in relation to management of the Hospital staff.**

The Board shall be responsible for laying down general policies and guidelines relating to the management of the affairs of the Hospital, including the management of the hospital and the provision of facilities relating to the training of all categories of dermatology personnel and it shall be the duty of the Director to execute such policies and to keep within such guidelines (*Hon. Peter Akpatason — Deputy House Leader*).

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

**Clause 8: The Director.**

- (1) Subject to the provisions of this section, the Director shall be appointed or removed from his office by the President.
- (2) The Director shall hold office for four years in the first instance and shall be eligible for reappointment for terms not exceeding three years, on each occasion.
- (3) Subject to this section, the Director shall hold office on such terms as to emoluments and otherwise as may be specified in his letter of appointment.
- (4) The Director shall, in relation to the Board, take precedence before all other members of the Hospital, except the Chairman of the Board and any person for the time being acting as Chairman of the Board.
- (5) Subject to this section, the Director shall be the chief executive officer of the Hospital and in addition to any other function conferred on him by this Bill, have the general function of directing the day-to-day activities of the Hospital (*Hon. Peter Akpatason — Deputy House Leader*).

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

**Clause 9: Appointment of other staff.**

- (1) The senior members of the clinical, administrative and technical staff of the Hospital shall be appointed by the Board on the recommendation of a committee known as the Appointments and Promotions Committee, set up under paragraph 4 (3) of the Schedule to this Bill.
- (2) The Board shall, from amongst the officers appointed under subsection (1) select, on the recommendation of the Director, a person to act both as the secretary to the Board and the education committee.
- (3) The power to appoint all other categories of staff to hold or act in offices in the Hospital, including power to make appointments, promotion and transfer and to confirm, dismiss or exercise other disciplinary control over persons holding or acting in such offices, shall be exercised by the Director acting on the recommendation of the Junior Staff Appointments and Promotions Committee, constituted under paragraph 4 (3) (b) of the Schedule to this Bill (*Hon. Peter Akpatason — Deputy House Leader*).

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

**Clause 10: Power of the Minister to give directions.**

The Minister may give 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. Peter Akpatason — Deputy House Leader*).

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

**Clause 11: Financial provisions.**

(1) The Board shall establish a fund into which it shall pay —

- (a) such sums as may be provided by the Government of the Federation or of a State for the Hospital; and
- (b) all sums accruing to the Hospital by way of fees, gifts, testamentary disposition, contributions from philanthropic persons or organisations.

(2) Except with the approval of the Minister, the Hospital shall not have power to borrow money.

(3) The Board shall prepare and submit to the Minister, not later than 31 December in each financial year, an estimate of the income and expenditure of the Hospital during the next financial year.

(4) The Hospital shall —

(a) keep proper accounts in respect of each financial year and proper records in relation to those accounts; and

(b) cause its accounts to be audited immediately after the end of the financial year to which the accounts relate by a firm of auditors appointed, as respects that year, by the Board from the list and in accordance with the guidelines supplied by the Auditor-General of the Federation (*Hon. Peter Akpatason — Deputy House Leader*).

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

**Clause 12: Fees for services.**

The Board may, with the approval of the Minister, prescribe the scale of fees chargeable for services provided by the Hospital (*Hon. Peter Akpatason — Deputy House Leader*).

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

**Clause 13: Power to accept gifts.**

(1) The Hospital may accept gifts of land, money or other property upon such terms and conditions, if any, as may be specified by the person or organisation making the gift.

(2) The Board shall not accept any gift if the conditions attached by the person making the gift are inconsistent with the functions of the Board under this Bill (*Hon. Peter Akpatason — Deputy House Leader*).

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

**Clause 14: Discipline of students.**

- (1) Subject to the provisions of this section, where it appears to the Director that any student of the Hospital has been guilty of misconduct, the Director may, without prejudice to any other disciplinary powers conferred on him by regulations, direct that the —
  - (a) student shall not, during such period as may be specified in the direction, participate in such activities of the Hospital or make use of such facilities of the Hospital as may be so specified;
  - (b) activities of the student shall, during such period as may be specified in the direction, be restricted in such manner as may be so specified;
  - (c) student be rusticated for such period as may be specified in the direction; or
  - (d) student be expelled from the Hospital.
- (2) Where a direction is given under subsection (1) (c) or (d) in respect of any student, the student may, within the prescribed period and in the prescribed manner, appeal from the direction to the Board; and where such an appeal is brought, the Board shall, after causing inquiry to be made in the matter as the Board considers appropriate, either confirm or set aside the direction or modify it in such manner as the Board deems fit.
- (3) An appeal from a direction brought under subsection (2) shall not affect the operation of the direction while the appeal is pending.
- (4) The Director may delegate his powers under this section to a disciplinary committee consisting of such members of the Hospital as he may nominate.
- (5) Nothing in this section shall be construed as preventing the restriction or termination of a student's activities at the Hospital otherwise than on the ground of misconduct.
- (6) A direction under subsection (1) (a) may be combined with a direction under subsection (1) (b).
- (7) Nothing in this section shall affect the provisions of any enactment relating to the discipline of medical practitioners, pharmacists, nurses or members of any other profession or calling (*Hon. Peter Akpatason — Deputy House Leader*).

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

**Clause 15: Removal and discipline of clinical, administrative and technical staff.**

- (1) Where 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 Hospital, other than the Director, should be removed from his office or employment, the Board shall require the Director 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) where the person in question so requests within the period of one month beginning from the date of the notice, to make arrangements for —
- (i) a committee to investigate the matter and to report on it to the Board; and
  - (ii) 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 Board, after considering the report of the investigating committee, is satisfied that the person in question should be removed, the Board may so remove him by a letter signed on the direction of the Board.
- (2) The Director may, in a case of misconduct by a member of staff, which in the opinion of the Director is prejudicial to the interest of the Hospital, suspend any such member and any such suspension shall be reported to the Board.
- (3) For good cause, any member of the staff may be suspended from his duties or his appointment may be terminated 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 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), 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 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 Board shall restore his full emoluments to him with effect from the date of suspension;
  - (c) terminate the appointment of the person concerned, in which case such 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 his emoluments that might have been withheld, as the Board may determine, and in any case where the Board, under 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 under subsection (1), 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 this section shall prevent the Board from making regulations 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), need not be published in the Federal Government Gazette, but the Board shall bring them to the notice of all affected persons in such manner as it may determine (*Hon. Peter Akpatason — Deputy House Leader*).

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

**Clause 16: Discipline of junior staff.**

- (1) Where a junior staff is accused of misconduct or inefficiency, the Director may suspend him for not more than three months and shall immediately direct the Junior Staff Appointments and Promotion Committee appointed under the provisions of paragraph 4 (3) (b) of the Schedule to this Bill to —
  - (a) consider the case; and
  - (b) make recommendations as to the appropriate action to be taken by the Director.
- (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 Director may, after considering the recommendation made under subsection (1) (b), dismiss, terminate, retire or downgrade the officer concerned.
- (4) Any person aggrieved by the Director's decision under subsection (3) 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, and the Board's decision thereon shall be final (*Hon. Peter Akpatason — Deputy House Leader*).

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

**Clause 17: Exclusion of discrimination.**

No person shall be required to satisfy requirements as to race (including ethnic grouping), sex, place of birth or of family origin, or religious or political persuasion, as a condition to becoming or continuing to be a student at the Hospital, the holder of any appointment or employment at the Hospital 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 Hospital, by reference to any of those matters:

Provided that nothing in this section shall be construed as preventing the Hospital from imposing any disability or restriction on any of the aforementioned persons, where such person wilfully refuses or fails, on grounds of religious belief to undertake any duty generally and uniformly imposed on all such persons or any group of them which duty, having regard to its nature and the special circumstances pertaining thereto, is in the opinion of the Hospital reasonably justifiable in the national interest (*Hon. Peter Akpatason — Deputy House Leader*).

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

**Clause 18: Annual reports.**

The Board shall prepare and submit to the President, through the Minister, not later than 30 June in each year, a report in such form as the Minister may direct on the activities of the Board during the immediate preceding year and shall include in such report a copy of the audited accounts of the Hospital for that year and of the auditors' report (*Hon. Peter Akpatason — Deputy House Leader*).

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

**Clause 19: Interpretation.**

In this Bill —

“the Board” means the governing Board for the Hospital, appointed under section 4 (1) of this Bill (*Hon. Peter Akpatason — Deputy House Leader*).

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

“the Hospital” means the Specialised National Dermatology Hospital, established under section 1 of this Bill (*Hon. Peter Akpatason — Deputy House Leader*).

*Question that the meaning of the words “the Hospital” be as defined in the interpretation to this Bill — Agreed to.*

“functions” includes powers and duties (*Hon. Peter Akpatason — Deputy House Leader*).

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

“the Minister” means the Minister charged with responsibility for health (*Hon. Peter Akpatason — Deputy House Leader*).

*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. Peter Akpatason — Deputy House Leader*).

*Question that the meaning of the word “student” be as defined in the interpretation to this Bill — Agreed to.*

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



**Clause 20. Citation.**

This Bill may be cited as the Specialised National Dermatology Hospital (Establishment) Bill, 2022 (*Hon. Peter Akpatason — Deputy House Leader*).

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

**SCHEDULE**

Section 4 (5)

SUPPLEMENTARY PROVISIONS RELATING TO THE  
BOARD, THE EDUCATION COMMITTEE, ETC.

*Proceedings of the Board*

1. Subject to the provisions of this Bill, the Board may make standing orders regulating the proceedings of the Board or any committee thereof
2. The quorum of the Board shall be five, which shall include the Chairman and at least one other member, who is not an *ex-officio* member; and the quorum of any committee of the Board shall be determined by the Board.
3.
  - (1) Subject to the provisions of any standing orders of the Board, 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 at least five other members, he shall summon a meeting of the Board to be held within 14 days of the date of the receipt of the notice by him.
  - (2) At any meeting of the Board, the Chairman of the Board shall preside and if the Chairman is absent, the members present shall elect one of their number to preside at the meeting.
  - (3) Where the Board desires to obtain the advice of any person on any particular matter, the Board may co-opt him as a member for such period as it deems fit, but a person who is a member by virtue of this subparagraph, shall not be entitled to vote and shall not count towards a quorum.
  - (4) Notwithstanding anything in the foregoing provisions of this paragraph, the first meeting of the Board shall be summoned by the Minister, who may give such directions as he thinks fit as to the procedure which shall be followed at that meeting.
4.
  - (1) The Board may appoint one or more committees to carry out on behalf of the Board such of its functions as the Board may determine, but a decision of a committee shall be of no effect until it is confirmed by the Board.
  - (2) The Education Committee may appoint one or more committees to carry out on behalf of the Education Committee such of its functions as the Committee may determine, but a decision of a committee shall be of no effect until it is confirmed by the Education Committee.
  - (3) Without prejudice to the generality of subparagraphs (1) and (2), the Board shall appoint the following committees —
    - (a) the Appointments and Promotions Committee, which shall —
      - (i) consist of at least five members, including the Director, who shall be the chairman of the Committee; and

- (ii) be charged with the responsibility for making recommendations to the Board on the appointment and promotion of the clinical, administrative and technical staff of the Hospital and have a quorum of three members; and
- (b) the Junior Staff Appointments and Promotions Committee, which shall have the powers set out in section 16 of this Bill.

*Employees of the Centre*

5. Subject to this Bill, the Board shall have power to —
- (a) pay the employees of the Hospital such remuneration and allowances as the Board may with the approval of the Minister determine;
  - (b) pay any person appointed to a committee of the Board such remuneration (whether by way of fees or otherwise), in respect of the performance of his functions under this Bill and such travelling and subsistence allowances while on the business of the Board, as the Board may determine;
  - (c) establish for the employees of the Hospital such superannuation scheme (whether contributory or not), as the Board may determine; and
  - (d) give loans to its employees for purposes approved by the Board.

*Miscellaneous*

6. (1) The fixing of the seal of the Board shall be authenticated by the signature of the Chairman or of some other member, authorised generally or specially by the Board 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 Hospital by any person generally or specially authorised to act for that purpose by the Board or a committee of the Board.
- (3) Any document purporting to be a document duly executed under the seal of the Hospital shall be received in evidence and shall, unless the contrary is proved, be presumed to be so executed.
7. The validity of any proceedings of the Board or a committee shall not be affected by any vacancy in the membership of the Board or committee, or by any defect in the appointment of a member of the Board or of any other person on the committee.
8. Any member, and any person holding office on a committee of the Board, who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Board, shall immediately disclose his interest to the Board and shall not vote on any question relating to the contract or arrangement.

*Education Committee*

9. The provisions of this Schedule shall apply mutatis mutandis to the Education Committee, so that in relation to the quorum, it shall be as may be determined by the Education Committee (*Hon. Peter Akpatason — Deputy House Leader*).

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

**Explanation of Memorandum:**

This Bill establishes the Specialised National Dermatology Hospital and management board for the Hospital for the purpose of providing dermatological treatment, research and training (*Hon. Peter Akpatason — Deputy House Leader*).

*Agreed to.*

**Long Title:**

A Bill for an Act to Establish the Specialised National Dermatology Hospital, Garkida, and Management Board for the Hospital, to Provide Dermatological Treatment, Research and Training; and for Related Matters (HB.1382) (*Hon. Peter Akpatason — Deputy House Leader*).

*Agreed to.*

*Chairman to report Bill.*

**(HOUSE IN PLENARY)**

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Provide for Establishment of Specialized National Dermatology Hospital, Garkida and Management Board for the Hospital, provide Dermatological Treatment, Research and Training; and for Related Matters (HB.1382) 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.*

- (ii) ***A Bill for an Act to Repeal the National Commission for Colleges of Education Act, Cap. N17, Laws of the Federation of Nigeria, 2004 and Enact the National Commission for Colleges of Education Bill; and for Related Matters (HB.1985) (Committee of the Whole): Motion made and Question proposed, "That the House do consider the Report on a Bill for an Act to Repeal the National Commission for Colleges of Education Act, Cap. N17, Laws of the Federation of Nigeria, 2004 and Enact the National Commission for Colleges of Education Bill; and for Related Matters (HB.1985)" (Hon. Peter Akpatason — Deputy House Leader).***

*Agreed to.*

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

**(HOUSE IN COMMITTEE)**

*(Mr Deputy Speaker in the Chair)*

A BILL FOR AN ACT TO REPEAL THE NATIONAL COMMISSION FOR COLLEGES OF EDUCATION ACT, CAP. N17, LAWS OF THE FEDERATION OF NIGERIA, 2004 AND ENACT THE NATIONAL COMMISSION FOR COLLEGES OF EDUCATION BILL; AND FOR OTHER MATTERS (HB. 1985)

PART I — ESTABLISHMENT OF NATIONAL COMMISSION FOR COLLEGES OF EDUCATION

- Clause 1: Establishment of National Commission for Colleges of Education.**  
There is hereby established a body to be known as the National Commission for Colleges of Education (hereafter in this Bill referred to as "the Commission") which

shall be a body corporate with perpetual succession and a common seal and may be sue and be sued in its corporate name (*Hon. Peter Akpatason – Deputy House Leader*).

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

**Clause 2: Governing Board of the Commission.**

- (1) There shall be established for the Commission a governing Board which shall consist of a Chairman and the following other members, that is —
- (a) three members to represent the Committee of Provost and Principals of Colleges (whether known by such a name or by any other name) in such way that one shall be appointed to represent technical teacher education and one to represent special teacher education;
  - (b) one representative of Polytechnic and colleges of Technology offering teacher education courses;
  - (c) four members from the College of Education in Nigeria chosen in such a way that each of the disciplines of science, humanities, education and technology is represented;
  - (d) one representative of National organizations representing women's interest knowledgeable in teacher education;
  - (e) one representative each of the following Ministries and bodies that is —
    - (i) the Federal Ministry of Education,
    - (ii) the Federal Ministry of Finance and Economic Development,
    - (iii) the Federal Ministry of Science and Technology, and
    - (iv) the National Manpower Board;
  - (f) four members appointed on individual merit on a nationwide basis having special knowledge and experience in teacher education;
  - (g) one representative of the Nigerian Union of Teachers;
  - (h) two representatives of the Universities to which college of education are affiliated to be appointed in such a way that one will represent the States College of Education and the Federal College of Education;
  - (i) three representatives of the State Ministries of Education to represent the States in rotation for two years at a time, in such a way that at any given time there will be even geographical spread within the country;
  - (j) one representative of the National Board for Technical Education;
  - (k) one representative of the Nigerian Academy of Education;

- (d) the Executive Secretary who shall be an *ex-officio* member of the Board but shall not have the right to vote at the meeting of the Board.
- (2) The Chairman and other members of the Board other than the members under paragraphs (e), (i) and (j) of subclause (1) of this clause shall be appointed by the President, Commander-in-Chief of the Armed Forces.
- (3) The supplementary provisions contained in the Schedule to this Degree shall have effect with respect to the proceedings of the Board and the other matters mentioned therein (*Hon. Peter Akpatason — Deputy House Leader*).

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

**Clause 3: Tenure of Office.**

- (1) Subject to the provisions of this Bill, the Chairman and other members who are not public officers, shall serve for a period of three years from the date of their appointments and shall be eligible for re-appointment for another term of three years.
- (2) Any member, not being a public officer, may resign his appointment by a notice in writing under his hand addressed to the Minister.
- (3) Public officers shall be members of the Board at the pleasure of the Minister of the Ministry they represent.
- (4) Members of the Board, not being a public officer, shall be paid such remuneration and allowance as the Federal Government of Nigeria may from time to time determine (*Hon. Peter Akpatason — Deputy House Leader*).

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

**Clause 4: Removal from Office of Member of the Board.**

- (1) The Minister may at any time remove any member of the Board from office if the Minister is of the opinion that is not in the best interest of this Commission for the member to continue in office and shall inform the members in writing to that effect through the Chairman.
- (2) Where the Board is satisfied that the continued presence on the Board of a member is not in the national interest or the interest of the Commission, the Board may recommend to the Minister that the member concerned be removed from his office (*Hon. Peter Akpatason — Deputy House Leader*).

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

**Clause 5: Functions of the Commission.**

- (1) The Functions of the Commission shall be to —
- (a) advice the Federal Government of Nigeria through the Minister and co-ordinate all aspects of Teacher Education falling outside the universities and polytechnics;
- (b) make recommendations on the national policy necessary for the full development of Teacher Education and the training of teachers;
- (c) lay down minimum standards for all programmes of Teacher

Education and accredit their certificates and other academic awards after obtaining thereof prior approval of the Minister;

- (d) approve guidelines setting out criteria for accreditation of all Colleges of Education in Nigeria;
- (e) determine, after consultation with the National Manpower Board and other bodies it considers appropriate, the qualified teachers need of the country for the purpose of planning training facilities and in particular prepare periodic master plans for the balanced and co-ordinated development of college of education and such plans shall include —
  - (i) the general programmes to be pursued by Colleges of Education in order to maximize the use of available facilities and avoid unnecessary duplication while ensuring that they are adequate to manpower needs of the country,
  - (ii) recommendation to the Minister for the establishment and location of new colleges of education as and when considered necessary,
  - (iii) recommendation to the Minister for up-grading of any college of education to or de-recognition of any college of education as a degree awarding institution;
- (f) inquire into and advise the Federal Government of Nigeria on the financial needs, both recurrent and capital, of colleges of education to enable them meet the objectives of producing the trained qualified teacher of the country;
- (g) receive block grants from the Federal Government of Nigeria and allocate them to colleges of education in accordance with such formula as may be laid down, from time to time by the Federal Executive Council
- (h) set as agency for channeling all external aids to college of education in Nigeria
- (i) advise on, and take steps to harmonize entry requirements and duration of courses at the colleges of education;
- (j) lay down standards to be attained and continually review such standards;
- (k) review methods of assessment of students and trainees and develop a scheme of national certification for the various products of college of education in collaboration with the Ministries of Education and Universities to which the college are affiliated;
- (l) undertake periodic reviews of the terms and condition of service of personnel in colleges of education and make recommendations thereon through the Minister of the Federal Government of Nigeria;
- (m) collate, analyze and publish any published information relating to teacher education in Nigeria;

- (n) consider any matter pertaining to teacher education as may be referred to it, from time to time, by the Minister; and
- (o) carry out such other activities as are conducive to the discharge of its functions under this Bill (*Hon. Peter Akpatason — Deputy House Leader*).

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

**Clause 6: Supplementary Function of the Commission.**

In its role of advising on all aspects of teacher education, the Commission shall make recommendation as to how best to:

- (a) stimulate and encourage pre-vocational technical, agricultural business and home economics education as such other additional subjects considered necessary by the authority, as the case may be, in the primary schools and in junior and senior secondary schools not only as a basis for creating early technological awareness, but also to provide suitable orientation for further education and training in technology and direct practical skills for earning a living;
- (b) advise on and take measures to improve the immediate and long term prospects of technical and business education teachers with respect to status and remuneration;
- (c) expand the facilities for the training of technical and business education teachers and ensure that these teachers are exposed, both during and after training to practical experience;
- (d) involve experts both in government and industry in the design of courses relevant for technical and pre-vocational courses; and
- (e) provide encouragement for women to enter a wide range of pre-vocational courses in technical teacher education (*Hon. Peter Akpatason — Deputy House Leader*).

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

**Clause 7: Appointment of the Executive Secretary to the Commission.**

- (1) There shall be appointed by the President, Commander-in-Chief of the Armed Forces on the recommendation of the Minister, an Executive Secretary to the Commission who shall have appropriate qualification and experience in teacher education.
- (2) The Executive Secretary shall be the Chief Executive of the Commission and shall be responsible for the execution of the policy of the Commission and the day to day running of the affairs of the Commission.
- (3) The Executive Secretary shall hold office for a single term of five (5) years
- (4) Subject to this clause, the Executive Secretary shall hold office on such terms as to emolument and otherwise as may be specified in the letter of appointment as approved by the Federal Executive Council (*Hon. Peter Akpatason — Deputy House Leader*).

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

**Clause 8: Other Employees of the Commission.**

- (1) The Commission may appoint other employee of the Commission to assist the Executive Secretary in the exercise of his functions under this Bill.
- (2) The remuneration and tenure of office of the other employees of the Commission shall be determined by the Commission after consultation with the Minister.
- (3) Notwithstanding the provisions of subclause (1) of this clause, employees of the Commission may be appointed by the Commission by way of transfer or secondment from any of the public services in the Federation.
- (4) Notwithstanding —
  - (a) any other provision elsewhere, staff of the Commission shall retire from service on attaining the age of 65 years at birth;
  - (b) that staff of the Commission shall enjoy same emoluments and allowances as obtained by the staff of the Federal Colleges of Education;
  - (c) the Commission may appoint a Deputy Executive Secretary and such other persons to be officers and servants of the Commission, to assist the Executive Secretary in the exercise of his functions;
  - (d) the remuneration and tenure of office of the Deputy Executive Secretary and the other officers and servants of the Commission, shall be determined by the Commission after consultation with the Minister of Education or Minister responsible for establishments;
  - (e) notwithstanding the provisions of subclause (1) of this clause, the Deputy Executive Secretary or any of the other officers and servants of the Commission, may be appointed by the Commission by way of transfer or secondment from any of the public services in the Federation (*Hon. Peter Akpatason — Deputy House Leader*).

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

**Clause 9: Application of Pensions Act (1979 No. 102).**

- (1) It is hereby declared that services in the Commission shall be questionable under the Pensions Act 1979, and accordingly, employees of the Commission shall, in respect of their services in the Commission be entitled to pensions, gratuities and other retirement benefits as are prescribed thereunder.
- (2) Notwithstanding the provisions of subclause (1) of this clause, nothing in this Bill shall prevent the appointment of a person to any office on terms which preclude the grant of a pension and gratuity in respect of that office.
- (3) For the purpose of the application of the Pension Act 1979, any power exercisable there under by the Minister or authority of the Federal Government of Nigeria (not being the power to make regulations under clause 23 thereon) is hereby vested in and shall be exercised by the Commission and not by any other person or authority.
- (4) Subject to subclauses (2) of this clause the Pensions Act shall in its



application by virtue of the subclause (3) of this clause to any office, have effect as if the office were in the civil service of the Federation within the meaning of the Constitution of the Federal Republic of Nigeria 1979 (*Hon. Peter Akpatason — Deputy House Leader*).

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

**Clause 10: National Commission for Colleges of Education Fund.**

- (1) There shall be established by the Commission a fund to be known as the National Commission for Colleges of Education Fund (hereafter in this clause referred to as "the fund")
- (2) There shall be paid and credited to the fund established in pursuance of sub clause (1) of this Clause —
  - (a) such sums as may be made available to the Commission for allocation of colleges of education in pursuance of paragraph (g) of clause 5 of this Bill; and
  - (b) such other sums as may from time to time be credited to the fund by way of payment of the principal and interest on and other charges in respect of any loan made out of the fund and also any interest from investments made from the fund.
- (3) The fund shall be managed in accordance with guidelines given by the Minister of Finance; and without prejudice to the generality of the power to give guidelines under this subclause, the guidelines shall in particular contain provisions:
  - (a) specifying the manner in which the assets of the fund are to be held and regulating the making of payments into and out of the fund;
  - (b) requiring the keeping of proper accounts and records for purpose of the fund in such form as may be specified in the guidelines;
  - (c) requiring copies of the accounts to be audited periodically by the Auditor-General of the Federation; and
  - (d) requiring copies of accounts and of the auditor's report on them to be furnished to the Federal Executive Council through the Minister (*Hon. Peter Akpatason — Deputy House Leader*).

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

**Clause 11: Maintenance of Separate Fund by the Commission.**

- (1) The Commission shall establish and maintain a separate fund from which shall be defrayed all expenditures and incurred by the Commission other than such expenditure as may be incurred pursuant to clause 10 of this Bill.
- (2) There shall be paid and credited to the fund established in pursuance of sub clause(1) of this clause such payments as may be made to the Commission by the Federal Ministry of Education for the running expense of the Commission and all other payments or moneys from time to time accruing to the Commission otherwise than pursuant to clause 10 of this Bill (*Hon. Peter Akpatason — Deputy House Leader*).

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

**Clause 12: Expenditure of the Commission.**

The Commission may, from time to time, apply the proceeds of the fund established in pursuance of clause 11 (1) of this Bill:

- (a) to the cost of administration of the Commission;
- (b) to the payment of the salaries, fees or other remuneration or allowances and pensions, superannuation, allowances and gratuities payable to members or employees of the Commission, so however that no payment of any kind under this paragraph shall be made to any person who is receipt of emoluments from the Government of the Federation or a State;
- (c) for the maintenance of any property vested in the Commission; and
- (d) for and in connection with any of its functions under this Bill (*Hon. Peter Akpatason — Deputy House Leader*).

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

**Clause 13: Annual Estimates and Accounts.**

- (1) The Board shall submit to the Minister not later than 30th September in each year an estimate of its expenditure and income during the next succeeding year.
- (2) The Board shall keep proper accounts in respect of each year (and proper records in relation thereto) and shall cause the accounts to be audited by an auditor appointed from the list and in accordance with the guidelines supplied by the Auditor-General of the Federation (*Hon. Peter Akpatason — Deputy House Leader*).

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

**Clause 14: Annual Reports.**

The Board shall prepare and submit to the Federal Executive Council through the Minister, not later than 30th June in each year, a report in such form as he may direct on the activities of the Commission on or during the immediate preceding year; and shall include in such report a copy of the audited accounts of the Commission for that year and the Auditor-General's report thereon (*Hon. Peter Akpatason — Deputy House Leader*).

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

**Clause 15: Power to Obtain Information.**

- (1) For the purpose of carrying out the functions conferred on the Commission under this Bill, the Executive Secretary or any other officer authorized in that behalf:
  - (a) shall have a right of access to all the records of any institution to which this Bill applies; and
  - (b) may by notice in writing served on any person in charge of any such institution require that person to furnish information on such matters as may be specified in that notice.

- (2) It shall be the duty of any person required to furnish information pursuant to sub clause (1) of this clause to comply with the notice within a reasonable period of time.
- (3) In this clause, the reference to an institution which this Bill applies is a reference to any college of education or institution for the production of teachers (*Hon. Peter Akpatason — Deputy House Leader*).

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

**Clause 16: Power of Minister to Give Directives to the Commission.**

Subject to the provisions of this Bill, the minister may give to the commission directives of a general character or relating generally to matter of policy with regards to the exercise by the Commission of its functions and it shall be the duty of the Commission to comply with such directives (*Hon. Peter Akpatason — Deputy House Leader*).

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

**Clause 17: Repeal, savings and transitional provision**

- (1) The National Commission for Colleges of Education Act, Cap. N17, Laws of the Federation of Nigeria, 2004, (the repealed Act) is repealed.
- (2) Anything done or purported to have been done under the repealed Act, remains valid, except as provided under this Bill.
- (3) Any person who was a member of staff of the Commission immediately before the commencement of this Bill shall by virtue of this Bill, become a member or staff of the Commission.
- (4) The rights, assets, obligations and liabilities belonging to the Commission under the repealed Act shall, at the commencement of this Bill, rest in and devolve on the Commission under this Bill (*Hon. Peter Akpatason — Deputy House Leader*).

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

**Clause 18: Interpretation.**

In this Bill:

“Chairman” means the chairman of the Commission (*Hon. Peter Akpatason — Deputy House Leader*).

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

“Commission” means the National Commission for Colleges of Education established by clause 1 of this Bill (*Hon. Peter Akpatason — Deputy House Leader*).

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

“Executive Secretary” means the person appointed as the executive Secretary to the commission in pursuance of clause 6 (1) of this Bill (*Hon. Peter Akpatason — Deputy House Leader*).

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

"Member" means a member of the Commission and includes the Chairman (*Hon. Peter Akpatason — Deputy House Leader*).

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

"Minister" MEANS the Minister charged with responsibility for education (*Hon. Peter Akpatason — Deputy House Leader*).

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

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

**Clause 19: Short Title.**

This Bill may be cited as National Commission for Colleges of Education (Repeal and Re-Enactment) Bill, 2022 (*Hon. Peter Akpatason — Deputy House Leader*).

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

## SCHEDULE

### SUPPLEMENTARY PROVISIONS RELATING TO THE PROCEEDING OF THE BOARD

1. (1) Subject to This Bill and clause 26 of the Interpretation Act 1964 (which provides for decisions of a statutory body to be taken by a majority of its members and for the Chairman to have a second or casting vote), the Board may make standing orders regulating the proceedings of the Board or any committee thereof.
- (2) Every meeting of the Board shall be presided over by the Chairman or if the Chairman is unable to attend a particular meeting, the members present at the meeting shall elect one of their number to preside at the meeting.
- (3) The quorum at a meeting of the Board shall consist of the Chairman (or on an appropriate case, the person presiding at the meeting pursuant to paragraph 2 of this Schedule) and eight other members.
- (4) Where upon any special occasion, the Board desires to obtain the advice of any person on any particular matter, the Board may co-opt that person to be member for as many meetings as may be necessary, and that person while co-opted shall have all the rights and privilege of a member, except that he shall not be entitled to vote or count towards a quorum.
- (5) Subject to its standing orders:
  - (a) the Board may appoint such member of standing and ad-hoc committee as it thinks fit to consider and report on any matter with which the Board is concerned.
  - (b) every committee appointed under the provisions of sub-paragraph (1) of this paragraph shall be presided over by a member of the Board and shall be made up of such number of persons, not necessarily members of the board as the Board may determine in each case.

- (6) The Decision of a committee shall be of no effect until confirmed by the Board.
- (7) The Fixing of the seal of the Commission shall be authenticated by the signature of the Chairman or of the Executive Secretary of the Commission
- (8) Any contract or instalment which if made by a person not being a body corporate would not be required to be under seal may be or executed on behalf of the Commission by the Executive Secretary or by any other person generally or specifically authorised to act for that purpose by the commission.
- (9) Any document purporting to be a contract instrument or other document signed or sealed on behalf of the Commission shall be received in evidence and unless the contrary is proved, be presented without further proof to have been no signed or sealed
- (10) The validity of any proceedings of the Board or a committee thereof shall not be adversely affected —
- (a) by any vacancy in the membership of the Board or Committee; or
  - (b) by any defect in the appointment of a member of the Board or committee; or
  - (c) by reason that a person not entitled to do so took part in the proceedings.
- (11) Any member of the Board or a committee thereof who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Board or Committee shall forthwith disclose his interest to the Board or committee and shall not vote on any question relating to the contract or arrangement (*Hon. Peter Akpatason — Deputy House Leader*).

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

**Explanatory Memorandum:**

This Bill repeals the National Commission for Colleges of Education Act and to provide legislative framework that should support and empowers the commission to, amongst other things, enact and to advice the Federal Government of Nigeria on all aspect of teacher education falling outside the universities and polytechnics and to further make recommendations on 'Minimum Academic Standard' for the training of NCE students in Nigeria and to supervise all NCE awarding Tertiary Institutions. Also, the Bill is to enable the day-to-day working of the Commission to deploy experienced and high-ranking officers who have teacher education and expertise to ease routine exercises and to ensure smooth transition of leadership of the Commission. Also, it aimed to leverage Colleges of Education system in Nigeria while, ensuring efficient and effective supervision and general conduct of accreditations, resource visitations, monitoring and evaluation of all NCE awarding Tertiary Institutions in Nigeria for better outcome and result (*Hon. Peter Akpatason — Deputy House Leader*).

*Agreed to.*

**Long Title:**

A Bill for an Act to Repeal the National Commission for Colleges of Education Act, Cap. N17, Laws of the Federation of Nigeria, 2004 and Enact the National Commission for Colleges of Education Bill; and for Other Matters (HB. 1985) (*Hon. Peter Akpatason — Deputy House Leader*).

*Agreed to.*

*Chairman to report Bill.*

**(HOUSE IN PLENARY)**

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Repeal the National Commission for Colleges of Education Act, Cap. N17, Laws of the Federation of Nigeria, 2004 and Enact the National Commission for Colleges of Education Bill; and for Related Matters (HB.1985) and approved Clauses 1- 19, 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 Maritime Safety, Education and Administration:**  
*Motion made and Question proposed, "That the House do consider the Report of the Committee on Maritime Safety, Education and Administration on a Bill for an Act to Amend the Coastal and Inland Shipping (CABOTAGE) Act, No. 5, 2003 to Restrict the Use of Foreign Vessels in Domestic, Coastal and Inland Commercial Activities, to Promote the Development of Indigenous Tonnage and Establish a Cabotage Vessel Financing Fund; and for Related Matters (HB. 778)" (Hon. Lynda Chuba Ikpeazu — Onitsha North/Onitsha 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 Deputy Speaker in the Chair)*

A BILL FOR AN ACT TO AMEND THE COASTAL AND INLAND SHIPPING (CABOTAGE) ACT, NO. 5, 2003 TO RESTRICT THE USE OF FOREIGN VESSELS IN DOMESTIC COASTAL AND INLAND COMMERCIAL ACTIVITIES, TO PROMOTE THE DEVELOPMENT INDIGENOUS TONNAGE AND TO ESTABLISH A CABOTAGE VESSEL AND INFRASTRUCTURE FINANCING FUND AND FOR RELATED MATTERS (HB. 778)

**Committee's Recommendation:**

**Clause 1: Amendment of the Cabotage Act, No.5, 2003.**

The Coastal and Inland Shipping (Cabotage) Act, No. 5, 2003 (in this Bill referred to as "the Principal Act") is amended as set out in this Bill (*Hon. Lynda Chuba Ikpeazu — Onitsha North/Onitsha South Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 2: Amendment of Section 2 of the Principal Act.**

Section 2 of the Principal Act is amended by inserting and amending the following phrases —

"Agency" means Nigeria Maritime Administration and Safety Agency (NIMASA)", is introduced before the phrase "cargo" means goods carried in or on a vessel whether or not of commercial value and includes livestock", in line 1;

"coastal trade" or "cabotage" is amended by substituting with "coastal trade", "domestic trade" or "cabotage" means coastal and inland commercial activities on Nigerian waters that covers —

- (a) the carriage of persons/ passengers or goods by vessels from any place in Nigeria to any place above or under Nigerian waters; or from any place above Nigerian waters to the same place or to any other place above or under Nigerian waters and includes the carriage of persons/ passengers or goods in relation to the exploration and/ or exploitation of mineral, living or non-living resources in or under Nigerian waters;
- (b) any activity of commercial nature within Nigerian waters, including but not limited to the carriage of goods and persons, for exploration or exploitation of mineral and other natural resources in or under Nigerian waters;
- (c) the carriage of goods, persons/passengers by vessel or any other mode of transport from one place in Nigeria or above/under Nigerian waters to any place in Nigeria or above/ under Nigerian waters: either directly or through a place within Nigerian waters and includes but not limited to the carriage of goods, persons/passengers in relation to the exploration, exploitation or transportation of mineral, living or non-living resources or material of any kind in or under Nigerian waters; and
- (d) the engaging, by vessel, in any other marine transportation activity of a commercial nature in Nigerian waters and, the carriage of any goods or substances, whether or not of commercial value within the waters of Nigeria." Inserted before the phrase "enforcement officer" means a person so designated to be an enforcement officer for the purposes of this Act", in line 28;

The phrase "Conventional vessels" means vessels of 500 gross tonnage (GRT) and above or such vessels covered by IMO International Shipping Conventions" is to be inserted before the phrase "enforcement officer" means a person so designated to be an enforcement officer for the purposes of this Act", in line 28;

"Place above Nigerian waters" on line 66 is amended by inserting the phrase "rigs, floating production storage and offloading platform (FPSO), floating storage unit (FSU)".

The amended definition now reads —

"Place above Nigerian waters" in the context of coastal trade includes any vessel, offshore drilling unit, production platform, artificial island, subsea installation, pumping station, living accommodation, storage structure, loading or landing platform, dredge, floating crane, pipe laying or other barge or pipeline, rigs, floating production storage and offloading platform (FPSO), floating storage unit (FSU) and any anchor cable or rig pad used in connection therewith."

The phrase "Superstructure" means the main deck and any other structural part above the main deck" is to be inserted before the phrase "Territorial waters" have the meaning given to it under the Territorial Waters Amendment Act, 1998", in line 73.

The phrase ""Un-Conventional vessels" means vessels of less than 500 gross tonnage (GRT) that are not covered by IMO International Shipping Conventions" is to be inserted after the phrase "Territorial waters" have the meaning given to it under the Territorial Waters Amendment Act, 1998", in line 73 (*Hon. Lynda Chuba Ikpeazu — Onitsha North/Onitsha South Federal Constituency*).

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

**Committee's Recommendation:****Clause 3: Insertion of a new section 3A.**

Section 3 of the Principal Act is amended by inserting a new Section "3A and 3B" after the existing Section 2 —

**"PART II — OBJECTIVES AND ADMINISTRATION OF THE ACT****3A.** The objectives of the Act are:

- (a) to restrict the use of foreign vessels in coastal and inland commercial activities on Nigerian waters;
- (b) to promote the development of indigenous tonnage and capacity;
- (c) to establish a cabotage vessel financing fund;
- (d) to regulate vessel or craft used in coastal and inland commercial activities on Nigerian waters; and
- (e) for related matters (*Hon. Lynda Chuba Ikpeazu — Onitsha North/Onitsha South Federal Constituency*).

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

**Committee's Recommendation:****Clause 4: Insertion of a new section 3B.**

New Section 3B —

- "3B.** (1) The Agency of government responsible for the administration of this Bill shall be the Nigeria Maritime Administration and Safety Agency (NIMASA);
- (2) Pursuant to the provisions of subsection (1) of this section, the Minister shall delegate the powers under this Bill to the administering Agency" (*Hon. Lynda Chuba Ikpeazu — Onitsha North/Onitsha South Federal Constituency*).

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

**Committee's Recommendation:****Clause 5: Amendment of Section 8 of the Principal Act.**

Section 8 of the Principal Act is amended by substituting existing Subsection (1) (a) with a new Subsection "(1) (a)" —

- "(1) (a) engaged in salvage operations, provided such salvage operations is determined by the Agency to be beyond the capacity of Nigerian owned and operated salvage vessels and companies; provided such salvage vessels operation is in compliance with the International Convention on Salvage 1989 and its amendments, and industry standards" (*Hon. Lynda Chuba Ikpeazu — Onitsha North/Onitsha South Federal Constituency*).

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



**Committee Recommendation:****Clause 6: (A) Insertion of a new Section 12A.**

Section 12 of the Principal Act is amended by inserting a new Section "12A and 12B" after the existing Section 11 —

**"Condition for grant of Waivers.**

**12A. (1)** Any application for a waiver under this Bill shall include an undertaking by the applicant to comply with the Nigerian content requirement with respect to employment, training, and succession planning, as may be stipulated under the Nigerian Content Development Act, any other legislation with provisions relating thereto and any guidelines made pursuant to this Bill.

(2) Any other conditions or guidelines as may be stipulated by the Agency pursuant to this Bill."

**(B) Insertion of a new Section 12B.**

New Section 12B —

**"Processing time for Waivers.**

**12B.** Any application for waiver under this Bill shall be granted within a period of seven (7) to fourteen (14) days, and in the event of not granting the waiver, a notification shall be given to the applicant" (*Hon. Lynda Chuba Ikpeazu — Onitsha North/Onitsha South Federal Constituency*).

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

**Committee's Recommendation:****Clause 7: Amendment of Section 22 of the Principal Act.**

Section 22 of the Principal Act is amended by substituting existing Section 22 (5) with a new Section "22 (5)" —

**"22. (5)** Vessels eligible for registration under this Bill shall include, but not limited to:

- (a) Passenger vessels;
- (b) Crew boats;
- (c) Passenger crew boats;
- (d) Security boats;
- (e) Bunkering vessels;
- (f) Fishing vessels and trawlers;
- (g) Barges;
- (h) Off-shore service vessels;
- (i) Tugs;
- (j) Anchor handling tugs and supply vessels;
- (k) Floating petroleum storage;

- (l) Dredgers;
- (m) Tankers;
- (n) Carriers;
- (o) Drilling rigs;
- (p) Mobile off-shore drilling rigs;
- (q) Seismic survey vessels;
- (r) date vessels;
- (s) floating production, storage and offloading platforms; and
- (t) any other craft or vessel used for carriage on, through or underwater" (*Hon. Lynda Chuba Ikpeazu — Onitsha North/Onitsha South Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 8: Amendment of Section 26 (1) (b) of the Principal Act.**

Section 26 of the Principal Act is amended by substituting existing Section 26 (1) (b) with a new Section "26 (1) (b)" —

- "26. (1) (b) The charterer or mortgagee shall meet the citizenship requirement for operating vessels in the domestic coastal trade under Parts II and IV of this Bill" (*Hon. Lynda Chuba Ikpeazu — Onitsha North/Onitsha South Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 9: Amendment of Section 35 of the Principal Act.**

Section 35 of the Principal Act is amended by substituting existing Section 35 with a new Section "35" —

**"Offences and Penalties.**

35. (1) A vessel commits an offence if the vessel contravenes the provisions of —
- (a) Sections 3 - 6 of the Bill, and is liable on conviction to a fine of not less than ₦20,000,000.00 and or forfeiture of the vessel involved in the offence or such higher sum as the court may deem fit;
  - (b) Section 21 and is liable on conviction to a fine of not less than ₦250,000,000.00 and or forfeiture of the vessel or such higher sum as the court may deem fit; and
  - (c) Section 22 and is liable on conviction to a fine of not less than ₦5,000,000.00" (*Hon. Lynda Chuba Ikpeazu — Onitsha North/Onitsha South Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 10: Amendment of Section 36 of the Principal Act.**

Section 36 of the Principal Act is amended by substituting existing Section 36 with a new Section "36" —

**"Failure to comply with a requirement, etc. of an Enforcement Officer.**

36. (1) Any person who fails to comply with a requirement made or direction given by an enforcement officer under this Bill, or fails to make a required disclosure commits an offence and shall on conviction, if it is an individual be liable to a fine not less than ₦10,000,000.00 or to imprisonment for a term of six (6) months, and where it is a body corporate be liable to a fine of not less than ₦100,000,000.00.
- (2) Where the offence is of a continuous nature or a repeated one, the offender shall upon conviction be sentenced to imprisonment for a term not less than five (5) years without any option of fine.
- (3) Where an offence under this Bill or regulations made pursuant to it, has been committed by a person or other body of persons, any person who at the time of the commission is a Director, Manager or Partner in the corporate body or other body of persons, who acted in such capacity may be charged with the same offence and shall be liable upon conviction to a fine of not less than ₦10,000,000.00 (Hon. Lynda Chuba Ikpeazu — Onitsha North/Onitsha South Federal Constituency).

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

**Committee's Recommendation:**

**Clause 11: Amendment of Section 37 of the Principal Act.**

Section 37 of the Principal Act is amended by substituting existing Section 37 (2) with a new Section "37 (2)" —

- "37. (2) Any person who contravenes subsection (1) of this section, shall be guilty of an offence and upon conviction —
- (a) where it is an individual be liable to a fine not less than ₦5,000,000.00 or imprisonment for a term of not less than six (6) months, or both fine and imprisonment; and
- (b) where it is a body corporate to a fine not less than ₦100,000,000.00 and or forfeiture of the vessel involved in the offence" (Hon. Lynda Chuba Ikpeazu — Onitsha North/Onitsha South Federal Constituency).

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

**Committee's Recommendation:**

**Clause 12: Amendment of Section 40 of the Principal Act.**

**Strict liability and general penalty jurisdiction.**

Section 40 of the Principal Act is amended in line 3 by substituting the sum ₦500,000.00 with "₦5,000,000.00" —

- "40. Any person who contravenes any provision of this Bill or any regulations made there under commits an offence and shall on conviction, where no specific penalty is prescribed thereof, be liable to a fine not less than ₦5,000,000.00" (*Hon. Lynda Chuba Ikpeazu — Onitsha North/Onitsha South Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 13: Amendment of Section 42 of the Principal Act.**

Section 42 of the Principal Act is amended by substituting existing Section 42 (2) with a new Section "42 (2)" —

**"Cabotage Vessel and Financing Fund.**

42. (2) The purposes of the Fund shall be to promote the development of indigenous ship acquisition, ship building, ship repair and capacity development by providing financial assistance to Nigerian operators in the domestic coastal shipping" (*Hon. Lynda Chuba Ikpeazu — Onitsha North/Onitsha South Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 14: Amendment of Section 44 of the Principal Act.**

Section 44 of the Principal Act is amended by substituting existing Section 44 with a new Section "44" —

**"Collection, etc. Fund.**

44. (1) The fund shall be collected by the Agency and deposited in a designated account in the Central Bank of Nigeria and administered under guidelines that shall be proposed by the Minister and approved by the National Assembly;
- (2) The guidelines in the above subsection shall be presented to the National Assembly for approval within three (3) months of passing this amendment" (*Hon. Lynda Chuba Ikpeazu — Onitsha North/Onitsha South Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 15: Citation.**

This Bill is cited as the Coastal and Inland Shipping (CABOTAGE) Act (Amendment) Bill, 2022 (*Hon. Lynda Chuba Ikpeazu — Onitsha North/Onitsha South Federal Constituency*).

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

**Explanatory Memorandum:**

This Bill seeks to amend the Coastal and Inland Shipping (Cabotage) Act, 2003 to restrict the use of foreign vessels in domestic trade, promote the development of indigenous tonnage and establishes a Cabotage Vessel Financing Fund (*Hon. Lynda Chuba Ikpeazu — Onitsha North/Onitsha South Federal Constituency*).

*Agreed to.*

**Long Title:**

A Bill for an Act to Amend the Coastal and Inland Shipping (CABOTAGE) Act, No. 5, 2003 to Restrict the Use of Foreign Vessels in Domestic Coastal and Inland Commercial Activities, to Promote the Development Indigenous Tonnage and to Establish a Cabotage Vessel and Infrastructure Financing Fund and for Related Matters (HB. 778) (*Hon. Lynda Chuba Ikpeazu — Onitsha North/Onitsha South Federal Constituency*).

*Agreed to.*

*Chairman to report Bill.*

**(HOUSE IN PLENARY)**

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committee on Maritime Safety, Education and Administration on a Bill for an Act to Amend the Coastal and Inland Shipping (Cabotage) Act, No. 5, 2003 to Restrict the Use of Foreign Vessels in Domestic, Coastal and Inland Commercial Activities, to Promote the Development of Indigenous Tonnage and Establish a Cabotage Vessel Financing Fund; and for Related Matters (HB. 778) and approved Clauses 1 - 15, 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 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 University of Health Sciences and Technology, Kankia, and to make Comprehensive Provisions for Management and Administration of the University; and for Related Matters (HB. 1641)" (Hon. Oke Martins — Igbo-Etiti/Uzo-Uwani Federal Constituency).*

*Agreed to.*

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

**(HOUSE IN COMMITTEE)**

*(Mr Deputy Speaker in the Chair)*

A BILL FOR AN ACT TO ESTABLISH THE FEDERAL UNIVERSITY OF HEALTH SCIENCES AND TECHNOLOGY, KANKIA, AND TO MAKE COMPREHENSIVE PROVISIONS FOR MANAGEMENT AND ADMINISTRATION OF THE UNIVERSITY; AND FOR RELATED MATTERS (HB. 1641)

PART I — ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF FEDERAL UNIVERSITY OF HEALTH SCIENCES AND TECHNOLOGY, KANKIA, KATSINA STATE

**Committee's Recommendation:**

**Clause 1: Establishment of Federal University of Health Sciences and Technology, Kankia, Katsina State.**

- (1) There is established the Federal University of Health Sciences and Technology, Kankia (in this Bill referred to as "the University").
- (2) The University:
  - (a) shall be a body corporate with perpetual succession and a common seal; and

- (b) may sue or be sued in its corporate name (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

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

**Committee's Recommendation:**

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

The objects of the University shall be to —

- (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 in;
- (b) develop, offer academic and professional programmes leading to the award of certificates, first degrees, post-graduate diploma and other higher degrees, which emphasizes planning, adaptive, developmental and productive skills in education, technology, applied science, agriculture, commerce, art, social science, humanities, management and allied professional disciplines;
- (c) encourage and promote scholarly and conduct research in restricted fields of learning and human endeavour and produce socially mature educational men and women with capability not to only understand need of Nigeria as a nation, but also to exploit existing educational infrastructures and improve on it to develop new ones;
- (d) relate its activities to the social, cultural and economic needs of the people of Nigeria; and;
- (e) undertake other activities appropriate for a university of the highest standard (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 3: Membership of the University.**

(1) The University shall consist of —

- (a) Chancellor;
- (b) Pro-Chancellor and a Council;
- (c) Vice-Chancellor and a Senate;
- (d) Deputy Vice-Chancellors;
- (e) a body to be called Congregation;
- (f) a body to be called Convocation;
- (g) the campuses and colleges of the University;
- (h) the faculties, schools, institutes and other teaching and research units of the University;
- (i) the persons holding the offices constituted by the First Schedule to this Bill other than those mentioned in paragraphs (a) to (c);

- (j) all graduates and undergraduates; and
  - (k) all other persons who are members of the University in accordance with provisions made by Statute in that behalf.
- (2) The First Schedule to this Bill shall have effect with respect to the Principal Officers of the University mentioned therein.
- (3) A provisions shall be made by Statute with respect to the constitution of the following bodies the:
- (a) Council;
  - (b) Senate;
  - (c) Congregation; and
  - (d) Convocation (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

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

***Committee's Recommendation:***

**Clause 4: Powers of the University.**

- (1) For the carrying out of its objects as specified in section 2 of this Bill, the University shall have power to:
- (a) establish such campuses, colleges, faculties, institutes, schools, extra-mural departments and other teaching and research units within the University as may seem necessary or desirable, subject to the approval of the National Universities Commissions;
  - (b) institute professorships, readerships, associate professorships, lectureships and other posts and offices and to make appointments accordingly;
  - (c) institute and award fellowships, scholarships, exhibitions, bursaries, medals, prizes and other titles, distinctions, awards and forms of assistance;
  - (d) provide for the residence, discipline and welfare of members of the University;
  - (e) hold examinations and award degrees, diplomas, certificates and other distinctions to persons who have pursued a course of study approved by the University and have satisfied such other requirements as the University may lay down;
  - (f) award honorary degrees, fellowships or academic titles;
  - (g) demand and received from any student or any other person attending the University for the purpose of instruction such fees as the University may determine, subject to the overall directives of the appropriates authority;
  - (h) subject to 22 of this Bill, to acquire, hold, grant, charge or

- otherwise deal with or dispose of movable and immovable property wherever situate; and
- (i) accept gifts, legacies and donations, but without obligation to accept the same for a particular purpose unless it approves the terms and conditions attaching to them;
  - (j) enter into contracts, establish trusts, act as trustee, solely or jointly with any other person, employ and act through agents;
  - (k) erect, provide, equip and maintain libraries, laboratories, lecture halls, halls of residence, refectories, sports grounds, playing fields and other building or things necessary, suitable or convenient for any of the objects of the University;
  - (l) hold public lectures and undertake printing, publishing and book selling;
  - (m) subject to any limitation or condition imposed by statute, to invest any money appertaining to the university by way of endowment, whether for general or special purposes, and such other money as may not be immediately required for current expenditure, in any investment or security or in the purchase or improvement of land, with power to vary any such investment and to deposit any money for the time being un-invested with any bank on deposit or current account;
  - (n) borrow, whether on interest or not, and if need be, upon the security of any or all of the property movable or immovable of the University, such money as the Council may in its discretion, find necessary or expedient to borrow or to guarantee any loan, advance or credit facility;
  - (o) make gifts for any charitable purpose;
  - (p) do anything which it is authorized or required by this Bill or by any other Statute to do; and
  - (q) do all such acts or things, whether or not incidental to the foregoing powers, as may advance the objects of the University.
- (2) Subjects to the provisions of this Bill and of the Statutes made under it and without prejudice to section 9(2) of this Bill, the powers conferred on the University by subsection 91) shall be exercisable on behalf of the University by the Council or by the Senate or in any of other manner which may be authorized by this Bill (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 5: Chancellor to take precedence before members.**

- (1) The Chancellor shall in relation to the University, take precedence, before all other members of the University, and when he is present shall preside at all meetings of Convocation held for conferring degrees.



- (2) The Pro-Chancellor shall, in relation to the University, take precedence before all other members of the University except the Chancellor, and except for the Vice-Chancellor when acting as Chairman of Congregation or Convocation, and the Pro-Chancellor shall, when he is present, be the Chairman at all meetings of the Council (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 6: Establishment and Membership of the Council.**

- (1) There shall be a Council for the University consisting of:

- (a) the Pro-Chancellor;
- (b) the Vice-Chancellor;
- (c) the Deputy Vice-Chancellors;
- (d) one person from the Ministry responsible for education;
- (e) four persons representing a variety of interests and broadly representative of the whole Federation to be appointed by the President
- (f) four persons appointed by the Senate from among its members;
- (g) two persons appointed by the Congregation from among its members; and
- (h) one person appointed by Convocation from among its members.

- (2) Persons to be appointed to the Council shall be persons of proven integrity, knowledgeable and familiar with the affairs and tradition of the University (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 7: Functions of the Council and its Finance and General Purpose Committee.**

- (1) Subject to the provisions of this Bill relating to the Visitor, the Council shall be the governing body of the University and shall be charged with the general control and superintendence of the policy, finances and property of the University, including its public relations.
- (2) There shall be the Finance and General Purposes Committee of the Council, which shall, subject to the directions of the Council, exercise control over the property and expenditure of the Council as the Council may, from time to time, delegate to it.
- (3) Provision shall be made by Statute with respect to the constitution of the Finance and General Purposes Committee.
- (4) The Council shall ensure proper accounts of the University are kept and that the accounts of the University are audited annually by auditors appointed by the Council from the list and in accordance with guidelines supplied by the

Auditor-General for the Federation, and that an annual report is published by the University together with certified copies of the accounts as audited.

- (5) Subject to this Bill and Statutes, the Council and the Finance and General Purposes Committee may each make rules for the purpose of exercising any of their respective functions or of regulating their own procedure.
- (6) Rules made under subsection (5) by the Finance and General Purposes Committee shall not come into effect unless approved by the Council, and where any rule so made by the Committee conflicts with any direction given by the Council (whether before or after the coming into force of the rules in question), the direction of the Council shall prevail.
- (7) There shall be paid to the members of the Council, the Finance and General Purposes Committee and of any other Committee set up by the Council, travelling allowances and other reasonable expenses, at such rates as may be fixed by extant government circulars.
- (8) The Council shall meet as and when necessary for the performance of its functions under this Bill, and shall meet at least four times in every year.
- (9) If required in writing by five members of the Council, the Chairman shall, within 28 days after the receipt of such request, call a meeting of the Council.
- (10) If after 28 days of the receipt or delivery to him of a request under subsection (9), the Chairman fails or neglects to call a meeting, the Registrar shall, within 14 days, cause a meeting of the Council to be convened for that purpose and the request shall specify the business to be considered at the meeting and no business not so specified shall not be transacted at that meeting (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 8:**

**Functions of the Senate.**

- (1) Subject to section 5 of the Bill and subsection (3) and (4) of this section, and the provisions of this Bill relating to the Visitor, it shall be the general function of the Senate to organize and control the teaching in the University, admission of students, the discipline of students and promote research at the University;
- (2) Without prejudice to the generality of the provisions of subsection (1) of this section, the Senate shall make provision for the:
  - (a) establishment, organisation and control of campuses, colleges, faculties, departments, schools, institutes and other teaching and research units of the University, and the allocation of responsibility for different branches of learning;
  - (b) organisation and control of courses of study in the University and of the examinations held in conjunction with those courses, including the appointment of examiners, both internal and external;
  - (c) award degrees, and such other qualifications as may be prescribed, in connection with examinations conducted by the University;

- (d) making of recommendations to the Council with respect to the award to any person of an honorary fellowship or degree or the title of professor emeritus;
  - (e) establishment, organisation and control halls of residence and similar institutions in the University;
  - (f) supervision of the welfare of students at the University and regulation of their conduct;
  - (g) granting of fellowships, scholarships, prizes and similar awards which are within the control of the University; and
  - (h) determination of what description of dress shall be academic dress for the purposes of the University, and regulating the wearing of academic dress.
- (3) The Senate shall not establish any new campus, college, faculty, department, school, institute or other teaching and research units of the University, or a hall of residence or similar institution at the University without the approval of the Council.
- (4) Subject to this Bill and statutes, the Senate may:
- (a) make regulations for the purpose of exercising any function conferred on it either by the provisions of this section or for the purpose of providing for any matter for which provision by regulation is authorized or required by this Bill or by Statute; and
  - (b) by regulation, provide that at least one of the persons appointed as examiners at each final or professional examination held in conjunction with any course of study in the university is not a teacher at the University but is a teacher at the branch of learning to which the course relates in some other University of high repute.
- (5) Subject to a right of appeal to the Council from a decision of the Senate under this subsection, the Senate may deprive any person of any degree, diploma or other award of the University which has been conferred on him if after due enquiry he is shown to have been guilty of any dishonourable or scandalous conduct in gaining admission into the University or obtaining that award (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 9: Vice-Chancellor to take precedence in the absence of the Chancellor.**

- (1) The Vice-Chancellor shall, in relation to the University, take precedence before all other members of the University except the Chancellor and, subject to section 5 of this Bill, the pro-Chancellor and any other person for the time being acting as Chairman of the Council.
- (2) Subject to the provisions of this Bill, the Vice-Chancellor shall have general function, in addition to any other function conferred on him by this Bill or otherwise, of directing the activities of the University, and shall, to the exclusion of any other person or authority, be the Chief Executive and Academic Officer of the University and *ex-officio* Chairman of the Senate (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

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

PART II — TRANSFER OF PROPERTY

**Committee's Recommendation:**

**Clause 10: Transfer of Property.**

- (1) All property held by or on behalf of the Provisional Council shall vest in the University and be held by it for the purpose of the University.
- (2) The provisions of the Second Schedule to this Bill shall have effect with respect to the transfer of property by this section and to matters arising therefrom and with respect to other matters mentioned in that Schedule (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

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

PART III — STATUTES OF THE UNIVERSITY

**Committee's Recommendation:**

**Clause 11: Powers of the University to make Statutes.**

- (1) Subject to this Bill, the University may make Statutes for:
  - (a) making provision with respect to the composition and constitution of any authority of the University;
  - (b) specifying and regulating the powers and duties of any authority of the University, and any other matter connected with the University;
  - (c) regulating the admission of students where it is done with the University and their discipline and welfare;
  - (d) determining whether any particular matter is to be treated as academic or non-academic for the purposes of this Bill, any Statute, regulation or other instrument made thereunder; and
  - (e) making provision for any other matters for which provision by Statute is authorized or required by this Bill.
- (2) Subject to section 25 (6) of this Bill, the Interpretation Act shall apply in relation to any Statute made under this section as it applies to a subsidiary instrument within the meaning of section 27 (1) of this Bill.
- (3) The Statutes contained in the Third Schedule to this Bill and shall be deemed to have come into effect on the commencement of this Bill and shall be deemed to have been made under this section by the University.
- (4) The power to make Statute conferred by this section shall not be prejudiced or limited in any way by reason of the inclusion or omission of a matter in or from the Statute contained in the Third Schedule to this Bill or a subsequent Statute (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

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

**Committee's Recommendation:****Clause 12: Power to make Statutes.**

- (1) The power of the University to make Statutes shall be exercised in accordance with the provisions of this section.
- (2) A proposed Statute shall not come into effect until it has been approved at a meeting of the:
  - (a) Senate, by the votes of not less than two-thirds of the members present and voting; and
  - (b) Council by the votes of not less than two-thirds of the members present and voting
- (3) A proposed Statute may originate either in the Senate or Council, and may be approved as required by section (2) by both bodies in no particular order.
- (4) A Statute which:
  - (a) makes provision for or alters the composition or constitution of the Council, the Senate or any other authority of the University; or
  - (b) provides for the establishment of a new campus or college or for the amendment or revocation of any Statute whereby a campus or college is established, shall not come into operation unless it has been approved by the Visitor.
- (5) For the purpose of section 2 (2) of the Interpretation Act, a Statute shall be treated as being made on the date on which it is approved by the Council and the Senate in accordance with subsection (3) or in the case of a Statute falling within subsection (4), on the date on which it is approved by the President (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

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

**Committee's Recommendation:****Clause 13: Proof of Statutes.**

A Statute may be proved in any court by the production of a copy of it bearing or having affixed to it a certificate signed by the Vice-Chancellor of the Registrar to the effect that the copy is a true copy of a Statute of that University (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

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

**Committee's Recommendation:****Clause 14: Visitor to decide the meaning of Statutes.**

- (1) In the event of any doubt or dispute arising at any time as to the meaning of any provision of a Statute; the matter may be referred to the Visitor, who shall take such advice and make such decision on it as he deems fit.
- (2) The decision of the Visitor on any matter referred to him under this section shall be binding upon the authorities, staff and students of the University, and where any question as to the meaning of any provision of a Statute has been decided by the Visitor under this section, no question as to the meaning of that provision shall be entertained by any other authority in Nigeria.

- (3) Nothing in this subsection (2) shall affect the power of a court of competent jurisdiction to determine whether any provision of a statute is wholly or partially void as being ultra vires or as being inconsistent with the Constitution.
- (4) The provision of this section shall apply in relation to any doubt or dispute as whether any matter is, for the purposes of this Bill, an academic or non-academic as they apply in relation to any doubt or dispute as is mentioned in subsection (1) and accordingly the reference in subsection (2) to any question as to the meaning of any provision of the statute shall include references to any question as to whether any matter is for the purposes, academic or non-academic (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

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

#### PART IV — SUPERVISION AND DISCIPLINE

##### *Committee's Recommendation:*

##### **Clause 15: The Visitor.**

- (1) The President shall be the Visitor of the University.
- (2) The Visitor shall as often as the circumstances may require, not being less than once every five years, conduct a visitation of the University or direct that such a visitation be conducted by such persons as the Visitor may deem fit and in respect of any of the affairs of the University.
- (3) The bodies and persons comprising the University shall:
- (a) make available to the Visitor, and to any other persons conducting a visitation under this section, such facilities and assistance as may reasonably be required for the purposes of the visitation; and
  - (b) give effect to any instruction consistent with the provisions of this Bill which may be given by the Visitor in consequence of the visitation (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

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

##### *Committee's Recommendation:*

##### **Clause 16: Removal of Members.**

- (1) Where it appears to the Council that a member of the Council (other than the Pro-Chancellor or the Vice-Chancellor) should be removed from office on the grounds of misconduct or inability to perform the functions of his office, the Council shall make a recommendation to that effect through the Minister to the President, after making enquiries, (if any), as may be considered necessary, approves the recommendation it may direct the removal of the member from office.
- (2) The Minister shall use his best endeavours to cause a copy of the instrument embodying a direction under subsection (1) to be served as soon as reasonably practicable on the person to whom it relates (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani 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 Professional Staff.**

- (1) Where it appears to the Council that there are reasons for believing for the removal of an academic, administrative or professional staff of the University, other than Vice-Chancellor, should be removed from office on the grounds 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 such person an opportunity of making representation in person on the matter to the Council; and
  - (c) take a decision to terminate or not to terminate the appointment.
- (2) If the affected staff or any three members of the Council so request within a period of one month from the date of receipt of the notice of the Council's decision, the Council shall make arrangements for:
  - (a) a joint Committee of the Council and the Senate to review the matter and to report on it to the Council; and
  - (b) the person in question to be afforded an opportunity to appear before and be heard by an 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, the Council may so remove him by an instrument in writing signed on the direction of the Council.
- (3) The Vice-Chancellor may, in case of misconduct by a member of staff, which in the opinion of the Vice-Chancellor is prejudicial to the interest of the University, suspend such member and any such suspension shall immediately be reported to the Council.
- (4) Any member of staff may be suspended from duty or his appointment may be terminated by the Council for a good cause and, for the purposes of this subsection, "good cause" means:
  - (a) conviction for any offence which the Council considers 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 obtaining medical advice, considers to render the person concerned unfit to continue to hold office; or
  - (c) conduct of a scandalous or disgraceful nature which the Council considers to render the person concerned unfit to continue to hold office;
  - (d) conduct which the Council considers to constitute failure or inability of the person to concerned to perform the functions of the office or to comply with the terms and conditions of his service.
- (5) Any person suspended under subsection (3) shall be on half pay and the Council shall, before the expiration of a period of three months from the

date of such, consider the case against that person and come to a decision as to whether to:

- (a) continue the person's suspension and if so on what terms (including the proportion of his emoluments to be paid to him);
  - (b) reinstate the person, in which case the Council shall restore his full emoluments with effect from the date of suspension;
  - (c) terminate the appointment of the person concerned in which the person will not be entitled to the proportion of his emoluments withheld during the period of suspension; and
  - (d) take such lesser disciplinary action against such person (including the restoration of such proportion of his emoluments that might have been withheld) as the Council may determine.
- (6) Where the Council, under this section, decides to continue a person's suspension or decides to take further disciplinary action against a person, the Council shall before the expiration of three months from such decision, come to a final determination in respect of the case concerning the person.
  - (7) The person by whom an instrument of removal is signed under subsection (1) shall use his best endeavours, to cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it relates.
  - (8) Nothing in this section shall prevent the Council from making regulations for the discipline of staff and workers of the University as may be appropriate (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 18: Removal of Examiners.**

- (1) Where on the recommendation of the Vice Chancellor, it appears to the Senate that a person appointed as an Examiner for any examination of the University ought to be removed from his office or appointment, then, the Senate may after affording the examiner an opportunity of making representations in person on the matter direct the Vice-Chancellor to remove the Examiner by an instrument in writing signed by the Vice-Chancellor.
- (2) Subject to the provisions of any regulations made under section 8 (4) of this Bill, the Vice-Chancellor may, on the recommendation of the Senate, appoint an appropriate person as Examiner in place of the Examiner removed.
- (3) The Registrar shall on signing an instrument of removal under this section, use his best endeavours to cause a copy of the instrument to be served as soon as reasonably practicable on the persons to whom it relates (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 19: Disciplinary action on Students.**

- (1) Subject to the provisions of this clause, where it appears to the Vice-Chancellor that any student of the University has been guilty of



misconduct, the Vice-Chancellor may, in consultation with the Senate and, without prejudice to any other disciplinary power conferred on the Vice-Chancellor by statute or regulations, direct that the —

- (a) student shall not, during such period as may be specified in the direction, participate in such activities of the University, or make use of such facilities of the University, as may be so specified;
  - (b) activities of the student shall, during such period as may be specified in the direction, be restricted in such manner as may be so specified;
  - (c) student be rusticated for such period as may be specified in the direction; or
  - (d) student be expelled from the University.
- (2) Where a direction is given under subsection (1) (c) or (d) in respect of any student, the student may, within the prescribed period and in the prescribed manner, appeal against the direction to the Senate.
  - (3) Where an appeal is brought under subsection (2), the Senate shall after causing such inquiry to be made in the matter as the Senate considers just, either confirm or set aside the direction or modify it in any manner as the Senate deems fit.
  - (4) The fact that an appeal from a direction is brought under subsection (2) shall not affect the operation of the direction while the appeal is pending.
  - (5) The Vice-Chancellor may delegate his powers under this clause to a Disciplinary Board consisting of such members of the University 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 University for conduct which, in the opinion of Senate, is prejudicial to the interest of the University, to its corporate objective or image.
  - (7) A direction under subsection (1) (a) may be combined with a direction under subsection (1) (b) (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

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

#### PART V — MISCELLANEOUS AND GENERAL PROVISIONS

##### **Committee's Recommendation:**

##### **Clause 20: Exclusion or discrimination.**

- (1) A person shall be required to satisfy the requirements as to any race (including ethnic grounding), sex, place of birth or family origin, religious or political persuasion, as a condition for becoming or continuing to be a:
  - (a) student in the University;
  - (b) holder of any degree, appointment or employment in the University; or

- (c) member of anybody established by virtue of this Bill; and
- (2) A person shall not be subjected to any disadvantage or accorded any advantage in relation to the University by reference to any of the matters referred to in subsection (1).
- (3) Nothing in subsection (1) shall be construed as preventing the University from imposing any disability or restriction on any of the persons specified in subsection (1), where such person willfully refuse or fail on grounds of religious belief to undertake any duty generally and uniformly imposed on all such persons or any group of them which duty, having regard to its nature and the special circumstances, is in the opinion of the University reasonably justifiable in the national interest (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 21: Transfer of Land to the University.**

- (1) For the purpose of the Land Use Act (which provides for the compulsory acquisition of land for public purposes) any purpose of the University shall be the same as that of the Federation.
- (2) Where an estate or interest in land is acquired by the Government pursuant to this section, the Government may, by a certificate under the hand and seal of the Chief Federal Lands Officer or any other person authorized in that behalf transfer it to the University (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 22: Consent of Visitor in Land deals.**

- (1) Without prejudice to the provisions of the Land Use Act, the University shall not dispose of or charge any land or an interest in any land (including any land transferred to the University by this Bill) except either with the prior written consent, either general or special, of the Visitor.
- (2) The consent shall not be required in the case of any lease or tenancy at a rack-rent for a term not exceeding 21 years of any lease or tenancy to a member of the University for residential purpose (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 23: Quorum.**

Except as may be otherwise provided by Statute or by regulation, the quorum and procedure of any body of persons established by this Bill shall be such as may be determined by that body (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

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

**Committee's Recommendation:****Clause 24: Committees.**

- (1) Any body of persons established by this Bill shall, without prejudice to the generality of the powers of that body, have power to appoint committees, which need not consist exclusively of members of that body and authorize a Committee established by it to-
  - (a) exercise, on its behalf, such of its functions as it may determine; and
  - (b) co-opt members and direct whether or not co-opted members 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 dealing with it or of reporting on it to those bodies or any of them.
- (3) Except as may be otherwise provided by statute or by regulations, the quorum and procedure of a Committee established or meeting held under this section shall be such as may be determined by the body or bodies which have decided to establish the Committee or hold the meeting.
- (4) The Pro-Chancellor and the Vice-Chancellor shall be members of every Committee of which the members are wholly or partly appointed by the Council, (other than a Committee appointed to inquire into the conduct of the officer in question) and the Vice-Chancellor shall be a member of every Committee of which the members are wholly or partly appointed by the Senate.
- (5) Nothing in this section shall be construed as enabling —
  - (a) statutes to be made otherwise than in accordance with section 11 of this Bill; or
  - (b) the Senate to empower any other body to make regulations or to award degrees or other qualifications (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

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

**Committee's Recommendation:****Clause 25: Seal of the University.**

- (1) The seal of the University shall be such as may be determined by the Council and approved by the Chancellor, and the affixing of the seal shall —
  - (a) in the case of certificates issued by the University, be authenticated by the Vice-Chancellor and the Registrar; and
  - (b) in the case of any document, be authenticated by any member of the Council, the Vice Chancellor, and the Registrar or any other person authorized by Statute.
- (2) Any document purporting to be a document executed under the seal of the University shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed.

- (3) Any contract or instrument which, if made or executed by a person not being a body corporate, would not be required to be under seal, may be made or executed on behalf of the University by any person generally or specifically authorized to do so by the Council without seal.
- (4) The validity of any proceedings of any body established in pursuant to this Bill shall not be affected by:
  - (a) any vacancy in the membership of the body;
  - (b) any defect in the appointment of a member of the body; or
  - (c) reason that any person not entitled to do so, took part in the proceedings.
- (5) Any member of a body who has a personal interest in any matter proposed to be considered by that body shall disclose his interest to the body and shall not vote on any question relating to that matter.
- (6) Nothing in section 12 of the Interpretation Act (which provides for the application, in relation to subordinate legislation, of certain incidental provisions) shall apply to statutes or regulations made pursuant to this Bill.
- (7) The power conferred by this Bill on anybody to make statute or regulations shall include power to revoke or vary any:
  - (a) Statute (including the Statute or regulations as the case may be, and that the contained in the Third Schedule of this Bill);
  - (b) Regulation by a subsequent statute or regulation as the case may be, and that the state or regulation may have different provisions in relation to different circumstances.

**[Second Schedule]**

- (8) No stamp duty or other duty shall be payable in respect of any transfer of property to the University by virtue of sections 10, 21, and Second Schedule of this Bill.
- (9) Any notice or other instrument authorized to be served by virtue of this Bill may, without prejudice to any other mode of service, be served by post (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 26: Proposals and Recommendation.**

Where in any of the provisions of this Bill, it is laid down that proposals are to be submitted or a recommendation is to be made by one authority to another through one or more intermediate authorities, every such intermediate authority shall forward any proposal or recommendation received by it pursuant to that provision to the appropriate authority, but any such intermediate authority may, if it thinks fit, forward its own comments on it (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

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

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

In this Bill:

"Appropriate authority" means any person, body or authority authorized by law to act in a specific or general capacity in relation to a subject matter (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

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

"Campus" means any Campus which may be established by the University (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

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

"College" means any College which may be established by the University (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

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

"Constitution" means the Constitution of the Federal Republic of Nigeria (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

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

"Government" means the Federal Government of Nigeria (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

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

"Graduate" means a person on whom a degree, (other than an honorary degree) has been conferred by the University (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

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

"gross misconduct" means any act of misconduct and improper behaviour that may be designated as gross misconduct by any Statute or regulation made pursuant to this Bill (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

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

"Minister" means the Minister charged with responsibility for education (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

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

"Misconduct" means any conduct which is prejudicial to the good name of the

University or the discipline and proper administration of the business of the University (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

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

"Notice" means Notice in writing (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

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

"Officer" does not include the Visitor (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

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

"Prescribed" means prescribed by Statutes or regulations made under this Bill (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

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

"President" means the president of the Federal Republic of Nigeria (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

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

"Professor" means a person designated as a Professor of the University in accordance with provisions made in that behalf by Statute or by regulations (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

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

"Property" includes rights, liabilities and obligations (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

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

"the Provisional Council" means the Provisional Council appointed for the University by the President with effect from September 2017 (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

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

"Regulations" means Regulations made by the Senate or the Council (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

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

"Senate" means the Senate of the University established by this Bill (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

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

"Statute" means a Statute made by the University under section 11 of this Bill and in accordance with the provisions of section 12 of this Bill (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

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

"Statutes" means all such Statutes as are in effect from time to time (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

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

"Teacher" means a person holding a full-time appointment as a member of the teaching or research staff of the University (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

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

"Undergraduate" means a person in *statu pupillari* at the University other than —

- (a) a graduate; and
- (b) a person of such description as may be prescribed for the purposes of this definition, and (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

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

"University" means the Federal University of health Sciences and Technology, Kankia as established by this Bill (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

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

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

**Committee's Recommendation:**

**Clause 28: Citation.**

This Bill may be cited as the Federal University of Health Sciences and Technology, Kankia, Katsina State (Establishment) Bill, 2022 (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

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

## SCHEDULES

### FIRST SCHEDULE

#### PRINCIPAL OFFICERS OF THE UNIVERSITY

##### *The Chancellor*

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

##### *The Pro-Chancellor*

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

##### *The Vice-Chancellor*

3. The procedure for the appointment and removal of the Vice-Chancellor shall be in accordance with the provisions of the University (Miscellaneous Provisions) Act, 1993 as amended.

##### *Deputy Vice-Chancellors*

4. (1) There shall be for the University, two Deputy Vice Chancellors or such number of Deputy Vice Chancellors as the Council may, from time to time, deem necessary for the proper administration of the University.
- (2) The procedure for the appointment and removal of the Deputy Vice-Chancellor shall be in accordance with the provisions of the University (Miscellaneous Provisions) Act 1993 as amended.
- (3) A Deputy Vice-Chancellor shall:
  - (a) assist the Vice-Chancellor in the performance of his functions;
  - (b) act in place of the Vice-Chancellor when the post of the Vice-Chancellor is vacant or if the Vice-Chancellor is, for any reason, absent or unable to perform his functions as Vice-Chancellor; and
  - (c) perform such other functions as the Vice-Chancellor or the Council may, from time to time, assign to him.

##### *Office of the Registrar, Bursar and University Librarian*

5. (1) There shall be for the University a Registrar, who shall be the Chief Administrative Officer of the University and is responsible to the Vice-Chancellor for the day-to-day administration of the University except as regards matters for which the Bursar is responsible in accordance with paragraph 6 (2).
- (2) The person holding the office of the Registrar shall, by virtue of that office, be secretary to the Council, the Senate, Congregation and Convocation.
- (3) The Registrar shall hold office for a single term of five years only effective from the



date of appointment and on such terms and conditions as may be specified in the appointment letter.

- (4) The Council may, upon satisfactory performance, extend the tenure of the Registrar, Bursar or Librarian for a further period of one year only and thereafter the Registrar, Bursar or Librarian shall relinquish the post and be assigned to other duties in the University.

#### *Principal Officers of the University*

6. (1) There shall be for the University the following Principal Officers, in addition to the Registrar:
  - (a) the Bursar; and
  - (b) the University Librarian.
- (2) The Bursar shall be the Chief Financial Officer of the University and is responsible to the Vice-Chancellor for the day-to-day administration and control of the financial affairs of the University.
- (3) The University Librarian shall be responsible to the Vice-Chancellor for the administration of the University Library and the co-ordination of the library services in the University and its campuses, colleges, faculties, schools, departments, institutes and other teaching or research units.
- (4) The Bursar and Librarian shall each hold office for such period and on such terms and conditions as to the emoluments of their offices as may be specified in their letters of appointment.

#### *Other Officers of the University*

7. There shall be for the University, a Director of Works, who is responsible to the Vice-Chancellor for the administration of the Works Department, and is responsible for all works, services and maintenance of University facilities.

#### *Director of Health Services*

8. There shall be for the University, a Director of Health Services, who shall:
  - (a) be responsible to the Vice-Chancellor for the administration of the Health Centre;
  - (b) be the Chief Medical Officer of the University; and
  - (c) coordinate all matters relating the health of all staff and students.

#### *Resignations and Appointment*

9. (1) Any officer mentioned in this Schedule may resign his office in:
  - (a) the case of the Chancellor or Pro-Chancellor, by notice to the Visitor; and
  - (b) the case of the Vice-Chancellor, by notice to the Council which shall immediately notify the Minister.
- (2) A person who has ceased to hold an office so mentioned otherwise than by removal

for misconduct shall be eligible for re-appointment to that office (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

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

## SECOND SCHEDULE

### TRANSITIONAL PROVISIONS AS TO PROPERTY, FUNCTIONS, ETC.

#### *Transfer of Property to the University*

1. Without prejudice to the generality of section 10 (1) of this Bill:
  - (a) the reference in the subsection to property held by the provisional Council and the University shall include a reference to the right to receive and give a good discharge for any grant or contribution which have been voted or promised to the Provisional Council and the University; and.
  - (b) all outstanding debts and liabilities of the Provisional Council shall become debts and liabilities of the University established by this Bill.

#### *The Provisional Council*

2. (1) All agreements, contracts, deeds and other instruments to which the provisional Council was a party shall, so far as possible and subject to any necessary modification, have effect as if the University established by this Bill had been a party to it in place of the Provisional Council.
- (2) Documents not falling within subparagraph (1), including enactments, which refer whether specially or generally to the Provisional Council shall be construed in accordance with that subparagraph so far as applicable.
- (3) Any legal proceeding or application to any authority pending by or against the Provisional Council may be continued by or against the University established by this Bill.

#### *Registration of Transfers*

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

#### *Meeting*

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

- (3) The first meeting of the Senate as constituted by this Bill shall be convened by the Vice-Chancellor on such date and in such manner as he may determine.
- (4) The persons who were members of the Senate immediately before the coming into effect of this Bill shall be deemed to constitute the Senate of the University until the date when the Senate as set up under the Third Schedule of this Bill must have been duly constituted.
- (5) Subject to any regulation which may be made by the Senate after the date on which this Bill is made, the facilities, faculty boards and students of the University immediately before the coming into effect of this Bill shall on that day become faculties, faculty boards and students of the University as established by this Bill.
- (6) Persons who were deans or associate deans of faculties or members of faculty boards shall continue to be deans or associate deans or become members of the corresponding faculty boards, until new appointments are made in pursuance of the Statutes under this Bill.

*The Staff*

5. Any person who was a member of staff of the University as established or was otherwise employed by the Provisional Council shall be employed at the University on such designation, status and functions which correspond as nearly as possible to those which pertained to him as a member of that staff or as such an employee.

*The Scope of Responsibilities*

6. Questions as to the scope of the responsibilities of the officers shall be determined by the Vice-Chancellor (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

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

THIRD SCHEDULE

**FEDERAL UNIVERSITY OF HEALTH SCIENCES AND TECHNOLOGY,  
KANKIA STATUTE NO. 1**

*Articles:*

1. The Council
2. Finance and General Purpose Committee
3. The Senate
4. The Congregation
5. Convocation
6. Organization of Faculties and the branches thereof
7. Faculty Board
8. The Dean of the Faculty
9. Selection of certain principal and other key officers
10. Creation of academic post
11. Appointment of academic staff
12. Appointment of administrative and technical staff

*The Council*

- (1) The composition of the Council shall be as provide 1 in section 6 of this Bill

- (2) Any member of the Council holding office pursuant of clause 6 (1) of this Bill may, by notice to the Council, resign his office.
- (3) A member of the Council holding office otherwise than in pursuance of clause 8 of this Bill shall, unless he previously vacates it, vacate that office on the expiration of the period of five years beginning with effect from 1 August in the year in which he was appointed.
- (4) Where a member of the Council holding office otherwise than in pursuance of clause 8 of this Bill vacates before the expiration of the period aforesaid, the body or person by whom he was appointed may appoint a successor to hold office for the residue of the term of his predecessor.
- (5) A person ceasing to hold office as a member of the Council otherwise than by removal for misconduct shall be eligible for re-appointment for only one further period of five years.
- (6) The quorum of the Council shall be five, at least one of whom shall be a member appointed pursuant to clause 8 (d), (e), or (h) of this Bill.
- (7) If the Pro-Chancellor is not present at a meeting of the Council, such other member of the Council present at the meeting as the Council may appoint as respects that meeting, shall be the chairman at that meeting, and subject to clauses 6 and 7 of this Bill and the fore-going provisions the Council may regulate its own procedure.
- (8) Where the Council desires to obtain advice with respect to any particular matter, it may co-opt not more than two persons for that purpose and the persons co-opted may take part in the deliberations of the Council at any meeting but shall not be entitled to vote.

*The Finance and General Purposes Committee*

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

*The Senate*

3. (1) The Senate shall be a Senate for the University consisting of:

- (a) the Vice-Chancellor;
  - (b) the Deputy Vice-Chancellors;
  - (c) all Professors of the University;
  - (d) all Deans, Provosts and Directors of Academic Units of the University;
  - (e) all Heads of Academic Departments; Units and Research Institutes of the University; and
  - (f) the University Librarian.
- (2) The Vice-Chancellor shall be the Chairman at all meetings of the Senate when he is present and in his absence, one of the Deputy Vice-Chancellors appointed by him shall be the Chairman at the meeting.
  - (3) The quorum of the Senate shall be one quarter (or the nearest whole number less than one quarter) and subject to paragraph 2, the Senate may regulate its own procedure.
  - (4) If so requested in writing by any ten members of the Senate, the Vice-Chancellor, or, in his absence, a person duly appointed by him, shall convene a meeting of the Senate to be held not later than the tenth day following that on which the request was received.

#### *Congregation*

4. (1) Congregation shall consist of —
  - (a) the Vice-Chancellor and the Deputy Vice-Chancellors;
  - (b) the full-time members of the academic staff;
  - (c) the Registrar;
  - (d) the Bursar; and
  - (e) every member of the administrative and technical staff who holds a degree of any university recognized for the purpose of this Statute by the Vice-Chancellor, not being an honorary degree.
- (2) Subject to section 5 of the Act, the Vice-Chancellor shall be the Chairman at all meetings of Congregation when he is present; and, in his absence, one of the Deputy Vice-Chancellors appointed by him shall be the Chairman at the meeting.
- (3) The quorum of Congregation shall be one third (or the nearest whole number to one third) of the total number of members of Congregation or fifty, whichever is less.
- (4) A certificate signed by the Vice-Chancellor specifying —
  - (a) the total number of members of Congregation for the purposes of any particular meeting or meetings of Congregation; or
  - (b) the names of the persons who are members of Congregation during a particular shall be conclusive evidence of that number or as the case may be of the names of those persons.

- (5) Subject to the foregoing provision of this article, Congregation may regulate its own procedure.
- (6) Congregation shall be entitled to express by resolution or otherwise its opinion on all matters affecting the interest and welfare of the University and shall have such other functions in addition to the function of electing a member of the Council, as may be provided by statute or regulations.

#### *Convocation*

5. (1) Convocation shall consist of —
  - (a) the Officers of the University mentioned in the First Schedule to this Bill;
  - (b) all teachers within the meaning of this Bill; and
  - (c) all other persons whose names are registered in accordance with paragraph (2).
- (2) A person shall be entitled to have his name registered as a member of Convocation if he/she —
  - (a) is either a graduate of the University or a person satisfying such requirements as may be prescribed for the purposes of this paragraph; and
  - (b) applies for the registration of his name in the prescribed manner and pays the prescribed fees.
- (3) Regulations shall provide for the establishment and maintenance of a register for the purposes of this paragraph and subject to subparagraph (3) may provide for the payment from time to time of further fees by persons whose names are on the register and for the removal from the register of the name of any person who fails to pay those fees.
- (4) The person responsible for maintaining the register shall, without the payment of any fees, ensure that the names of all persons who are for the time being members of Convocation by virtue of subparagraph (1) (a) or (b) of this article are entered and retained on the register.
- (5) A person who reasonably claims that he is entitled to have his name on the register shall be entitled on demand to inspect the register or a copy of the register at the principal offices of the University at all reasonable times.
- (6) The register shall, unless the contrary is proved, be sufficient evidence that any persons named therein is, and that any person not named therein is not, a member of Convocation; but for the purpose of ascertaining whether a particular person was such a member on a particular date, any entries in and deletions from the register made on or after that date shall be disregarded.
- (7) The quorum of Convocation shall be fifty or one third (or the whole number nearest to one third) of the total number of members of Convocation, whichever is less.
- (8) Subject to section 5 of this Bill, the Chancellor shall be the Chairman at all meetings of Convocation when he is present, and in his absence the Vice-Chancellor shall be the Chairman at the meeting.

Convocation shall have such other functions, in addition to the function of appointing a member of the Council, as may be provided by Statute.

*Organization of Faculties and Branches of the University*

6. Each Faculty shall be divided into such number of branches as may be prescribed.
7. (1) There shall be established in respect of each Faculty, a Faculty Board, which subject to provisions of this Bill, and subject to the directions of the Vice-Chancellor, shall
  - (a) regulate the teaching and study of, and the conduct of examinations connected with the subjects assigned to the faculty;
  - (b) deal with other matter assigned to it by Statute or by the Vice-Chancellor or by the Senate; and
  - (c) advise the Vice-Chancellor or the Senate on any matter referred to it by the Vice-Chancellor or the Senate.
- (2) Each Faculty Board shall consist of —
  - (a) the Vice-Chancellor;
  - (b) the persons severally in charge of the branches of the faculty;
  - (c) such of the teachers assigned to the faculty and having the prescribed qualifications as the Board may determine; and
  - (d) such persons whether or not members of the University as the Board may determine with the general or special approval of Senate.
- (3) The quorum of the Board shall be eight members or one-quarter of the members of the Board for the time being whoever is greater.
- (4) Subject to the provisions of this Statute and to any provision made by regulations in that behalf, the Board may regulate its own procedure.

*The Dean of the Faculty*

8. (1) The Dean of a faculty shall be a Professor elected by the Faculty Board and such Dean shall hold office for a term of two years. He will be eligible for re-election for another term of three years after which he may not be elected again until two years have elapsed.
- (2) If there is no professor in a faculty, the Vice-Chancellor shall appoint an Acting Dean who shall not be below the rank of Senior Lecturer for the faculty, who will act for a period of one year in the first instance, renewable for another one year only.
- (3) In the absence of the Vice-Chancellor, the Dean shall be the Chairman at all meetings of the Faculty Board when he is present and shall be a member of all committees and other boards appointed by the Faculty.
- (4) The Dean of a faculty shall exercise general superintendence over the academic and administrative affairs of the faculty and it shall be the function of the Dean to present to the Convocation for the conferment of degrees on persons who have qualified for

the degrees of the University at examinations held in the branches of learning for which responsibility is allocated to that faculty.

- (5) There shall be a Committee to be known as the Committee of Deans which shall consist of all Deans of the several faculties and that Committee shall advise the Vice-Chancellor on all academic matters and on particular matters referred to the Committee by the Senate.
- (6) The Dean of a faculty may be removed from the office for a good cause by the Faculty Board after vote would have been taken at a meeting of the Board, and in the event of a vacancy occurring following the removal of the Dean, an Acting Dean may be appointed by the Vice-Chancellor provided that at the next Faculty Board meeting an election shall be held for a new Dean.
- (7) In this article, "good cause" has the same meaning as in section 17 (4) of this Bill.

*Selection of Certain principal and other key Officers*

9. (1) When a vacancy occurs in the Office of the Registrar, Bursar, the University Librarian, Director of Health Services, a Selection Board shall be constituted by the Council and shall consist of:
  - (i) the pro-Chancellor;
  - (ii) the Vice-Chancellor;
  - (iii) two members appointed by the Council, not being members of senate; and
  - (iv) two members appointed by the Senate not being members of the Council.
- (2) The Selection Board, after making such inquiries as it thinks fit, shall recommend a candidate to the Council for appointment to the vacant office, and after considering the recommendation of the Board the Council may make an appointment to that office.
- (3) A person appointed to the office of Director of Works or Director of Health Services shall hold office for such period and on such terms and conditions as may be specified in his letter of appointment.

*Creation of Academic Post*

10. Recommendation for the creation of posts other than those mentioned in paragraph 9 of this Schedule shall be made by Senate to the Council through the Finance and General Purpose Committee.

*Appointment of Academic Staff*

11. Subject to this Bill and the Statutes derived from it, the filling of vacancies in academic posts (including newly created ones) shall be as prescribed from time to time by Statutes.

*Appointment of Administrative and Technical Staff*

12. (1) The administrative and technical staff of the University, other than those mentioned in paragraph 9 of this schedule shall be appointed by the Council on its behalf by the Vice-Chancellor or the Registrar in accordance with any delegation of powers made by the Council in that behalf.



- (2) In the case of administrative or technical staff who have close and important contacts with the academic staff, there shall be Senate participation in the process of selection (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani 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 Federal University of Health Sciences and Technology, Kankia to ensure equity and access to tertiary education in the country. The University is a conventional University with restricted programmes, limited and focused faculties (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

*Agreed to.*

**Long Title:**

A Bill for an Act to Establish the Federal University of Health Sciences and Technology, Kankia, and to Make Comprehensive Provisions for Management and Administration of the University; and for Related Matters (HB. 1641) (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

*Agreed to.*

*Chairman to report Bill.*

**(HOUSE IN PLENARY)**

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committee on Health Institutions on a Bill for an Act to Establish Federal University of Health Sciences and Technology, Kankia, and to make Comprehensive Provisions for Management and Administration of the University; and for Related Matters (HB. 1641) and approved Clauses 1 - 28, the Schedule, the Explanatory Memorandum, and the Long Title of the Bill.

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

(v) **Committee on 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, Rano, Kano State; and for Related Matters (HB. 1083)" (Hon. Oke Martins — Igbo-Etiti/Uzo-Uwani Federal Constituency).*

*Agreed to.*

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

**(HOUSE IN COMMITTEE)**

*(Mr Deputy Speaker in the Chair)*

A BILL FOR AN ACT TO ESTABLISH THE FEDERAL MEDICAL CENTRE,  
RANO, KANO STATE; AND FOR RELATED MATTERS (HB. 1083)

PART I — ESTABLISHMENT OF THE FEDERAL MEDICAL CENTRE, RANO, KANO

**Committee's Recommendation:**

**Clause 1: Establishment of the Federal Medical Centre, Rano, Kano.**

(1) There is hereby established the Federal Medical Centre, Rano (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. Martins Oke — Igbo-Etiti/Uzo-Uwani 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. Martins Oke — Igbo-Etiti/Uzo-Uwani 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. Martins Oke — Igbo-Etiti/Uzo-Uwani 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. Martins Oke — Igbo-Etiti/Uzo-Uwani 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. Martins Oke — Igbo-Etiti/Uzo-Uwani 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. Martins Oke — Igbo-Etiti/Uzo-Uwani 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. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 8: Powers 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. Martins Oke — Igbo-Etiti/Uzo-Uwani 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. Martins Oke — Igbo-Etiti/Uzo-Uwani 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. Martins Oke — Igbo-Etiti/Uzo-Uwani 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. Martins Oke — Igbo-Etiti/Uzo-Uwani 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. Martins Oke — Igbo-Etiti/Uzo-Uwani 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. Martins Oke — Igbo-Etiti/Uzo-Uwani 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. Martins Oke — Igbo-Etiti/Uzo-Uwani 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. Martins Oke — Igbo-Etiti/Uzo-Uwani 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. Martins Oke — Igbo-Etiti/Uzo-Uwani 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. Martins Oke — Igbo-Etiti/Uzo-Uwani 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. Martins Oke — Igbo-Etiti/Uzo-Uwani 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. Martins Oke — Igbo-Etiti/Uzo-Uwani 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. Martins Oke — Igbo-Etiti/Uzo-Uwani 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. Martins Oke — Igbo-Etiti/Uzo-Uwani 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 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. Martins Oke — Ibo-Etiti/Uzo-Uwani 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. Martins Oke — Igbo-Etiti/Uzo-Uwani 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. Martins Oke — Igbo-Etiti/Uzo-Uwani 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. Martins Oke — Igbo-Etiti/Uzo-Uwani 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. Martins Oke — Igbo-Etiti/Uzo-Uwani 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. Martins Oke — Igbo-Etiti/Uzo-Uwani 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. Martins Oke — Igbo-Etiti/Uzo-Uwani 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. Martins Oke — Igbo-Etiti/Uzo-Uwani 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. Martins Oke — Igbo-Etiti/Uzo-Uwani 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, Rano, Kano State (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani 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. Martins Oke — Igbo-Etiti/Uzo-Uwani 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. Martins Oke — Igbo-Etiti/Uzo-Uwani 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. Martins Oke — Igbo-Etiti/Uzo-Uwani 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. Martins Oke — Igbo-Etiti/Uzo-Uwani 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. Martins Oke — Igbo-Etiti/Uzo-Uwani 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, Rano (Establishment) Bill, 2022 (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani 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. Martins Oke — Igbo-Etiti/Uzo-Uwani 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, Rano, equip, maintain, and operate the Medical Centre and to provide facilities for diagnosis, curative, promotive and rehabilitative services

in medicine and medical treatment (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

*Agreed to.*

**Long Title:**

A Bill for an Act to Establish the Federal Medical Centre, Rano, Kano State; and for Related Matters (HB. 1083) (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

*Agreed to.*

*Chairman to report Bill.*

**(HOUSE IN PLENARY)**

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committee on Health Institutions on a Bill for an Act to Establish Federal Medical Centre, Rano, Kano State; and for Related Matters (HB. 1083) 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.*

(vi) **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 Legal Framework to Upgrade the General Hospital, Onitsha to Federal Medical Centre, Onitsha, and for Related Matters (HB.277)" (*Hon. Oke Martins — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

*Agreed to.*

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

**(HOUSE IN COMMITTEE)**

*(Mr Deputy Speaker in the Chair)*

A BILL FOR AN ACT TO PROVIDE THE LEGAL FRAMEWORK TO UPGRADE THE GENERAL HOSPITAL, ONITSHA TO FEDERAL MEDICAL CENTRE, ONITSHA; AND FOR RELATED MATTERS

**Committee's Recommendation:**

**Clause 1: Amendment of the Federal Medical Centres Act, 2022.**

The Federal Medical Centres Act, 2022 (hereinafter called "the Principal Act" is amended as set out in this Bill (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

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

**Committee's Recommendation:**

**Clause 2: Amendment of the Second Schedule.**

The Second Schedule to the Principal Act is amended by inserting a new item "23"

"23. Federal Medical Centre, Onitsha" (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).



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

**Committee's Recommendation:**

**Clause 3: Citation.**

This Bill may be cited as the Federal Medical Centres (Amendment) Bill, 2022 (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

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

**Explanatory Memorandum:**

This Bill seeks to amend the Federal Medical Centres Act, 2022 to establish Federal Medical Centre, Onitsha, Anambra State (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

*Agreed to.*

**Long Title:**

A Bill for an Act to Provide the Legal Framework to Upgrade the General Hospital, Onitsha to Federal Medical Centre, Onitsha; and for Related Matters (HB. 277) (*Hon. Martins Oke — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

*Agreed to.*

*Chairman to report Bill.*

**(HOUSE IN PLENARY)**

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committee on Health Institutions on a Bill for an Act to Provide Legal Framework to Upgrade the General Hospital, Onitsha to Federal Medical Centre, Onitsha; and for Related Matters (HB.277) and approved Clauses 1 - 3, 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.*

**20. Adjournment**

*That the House do adjourn till Wednesday, 14 December, 2022 at 11.00 a.m. (Hon. Peter Akpatason — Deputy House Leader).*

*The House adjourned accordingly at 12.48 p.m.*

**Ahmed Idris**  
*Deputy Speaker*

