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REPORT OF THE COMMITTEE ON HEALTH INSTITUTIONS ON A BILL FOR AN ACT TO ESTABLISH FEDERAL COLLEGE OF NURSING SCIENCES, NKPA BENDE, ABIA STATE TO PROVIDE FOR TRAINING AND RESEARCH IN GENERAL NURSING, MIDWIFERY AND OTHER SPECIALTIES OF NURSING AND FOR RELATED MATTERS. (HB.2808)

PROVISIONS OF THE BILL	COMMITTEE'S RECOMMENDATION
BE IT ENACTED by the National Assembly of the Federal Republic of Nigeria as follows:	**Retained**
PART 1 **ESTABLISHMENT, POWERS AND FUNCTIONS OF THE COLLEGE** **1. Establishment** (1) There is hereby established for the Federal College to be known as the Federal College of Nursing and Midwifery Nkpa Bende, Abia State. (2) The College shall: (a) Have the status of a Tertiary Institution with right and privileges of such institutions; and; (b) be a body corporate with perpetual succession and a common seal with powers to sue and be sued in its corporate name.	**Federal College Of Nursing Sciences, Nkpa Bende, Abia State.** **Retained**
2. Objects of the College The objects of College shall be: (a) To provide training and research in general Nursing, Midwifery and other specialties of Nursing leading to the award of	(a) To provide training and research in general Nursing Sciences and other specialties of Nursing leading to the award of Professional

Professional Certificates, Diplomas, Degrees and other Post Basic Certificates; (b) To provide avenues for continuing education in Nursing, Midwifery and other related specialities of Nursing; and (c) To provide such services that is necessary and incidental to the object of the College.	Certificates, Diplomas, Degrees and other Post Basic Certificates; (b) To provide avenues for continuing education in Nursing Sciences and other related specialities of Nursing; and **Retained**
3. Powers of the College -(1) The College shall be a teaching and examining body and shall subject to the provisions of this Bill and the regulations of the College have powers to: (a) Provide rules and conditions under which persons may be admitted as student for any particular course of study provided by the College; (b) Provide courses of instruction in the academic and professional programmes for student; (c) Make provision for research and the dissemination of knowledge; (d) Establish Departments and such other units of learning and research as the purpose of the College may require; (e) Create such offices and post as the purpose of the College may require and to appoint persons and remove person from such offices or posts and prescribe their conditions of service; (f) Maintain libraries, laboratories, workshops, lecture halls, hostels, dining halls, sport field and other building or facilities of the College;	**Retained**

(g) Provide for residence, recreation and welfare of members of staff and students of the College as may be deemed necessary; (h) Demand and receive from students and other persons attending the College for the purpose of instruction such fees as the College may from time to time determine; (i) Prescribe rules for the discipline of students of the College; (j) Conduct examination and arrange for award of certificates and distinctions to persons who pursue courses of studies approved by the College and who satisfy such other requirement as may from time to time be Prescribe; (k) Subject to specific limitations or conditions that may imposed by extant Government regulations or circular, invest any fund apportioned to the College by way of endowment, whether for general or special purpose and such monies as may not immediately be required for current expenditure in any investment or securities; (l) Print or publish works or undertake service as may be deemed consistent with the object of the College; (m) Do such other acts and things necessary under this Acts for the attainment of the object of the College or incidental to the powers of the College; and	
(n) Carry out any special or general directive consistent with Government policy as the Secretary of health may give in writing. (2) Without prejudice to the generality of the Provision of Section 2 of this Act and Subsection (1) this Section, the College may by special	**Retained** **Retained**

arrangement with the Nursing and Midwifery Council of Nigeria or other Examination bodies prepare it students for award of certificates or other distinctions. (3) Subject to the Provisions of this Bill and of any other Statute, the Power conferred on the College by Subsection (1) of this Section shall be exercise on behalf of the College by the Council and the Committees established for the College or by such officers and other staff of the College as may be authorize in that behalf and may also be exercised through schools established under this Act.	
4. Custody of Common Seal -(1) The Provost shall have custody of the common seal of the College and shall be responsible for affixing same to documents. (2) The common seal of the College shall not be used save upon the direction of the Council and shall be authenticated by the signature of the Provost.	**Retained**
PART II - GOVERNING COUNCIL OF THE COLLEGE **5. Governing Council of the College** (1) There shall be established for the College a Governing Council to be known as the Governing Council of the Federal College of Nursing and Midwifery Nkpa Bende. (2) The Council shall consist of: (a) A Chairman who shall be appointed on part time basis by the President on the recommendation of the Minister;	(1) There shall be established for the College a Governing Council to be known as the Governing Council of the Federal College of Nursing Sciences, Nkpa Bende. **Retained**

(b) A representation of the Federal Minister of Health; (c) The Provost of the College; (d) A representation of the National Association of Nigeria Nurses and midwives; (e) Two members, to represent the interest of the public to be appointed by the Minister on the recommendation of the Secretary of Health; (f) A representative of Abia State Treasury; (g) A representative of the Abia State Legal Services secretariat; (h) A representative of Abia State Education Secretariat; (i) The Director, Finance and Administration in the Secretariat;; (j) The Director, Nursing in Abia State Hospitals Management Board; and (k) The Director, Nursing Services of the Secretariat who shall also serve as the Secretary.	**Retained** **Expunged (2) (f-j)**
6. Tenure of Members (1) Members of the Council other than Ex-officio Members shall hold office for a period of four years from the date of their appointment and shall be eligible for re-appointment for one further term of four years and no more. (2) Any member of the Council other than an ex officio member may by notice to the council resign his appointment. (3) Any vacancy occurring in the membership of the Council shall be filled by the appointment of a successor who shall represent the same	**Retained**

interest as his predecessor for the remainder of the term of the predecessor.	
7. Functions of the Council (1) Subject to the provisions of this Act, the Council shall: (a) be the governing authority of the College; (b) be charged with general control and superintendence of the policies, finances and properties of the College; (c) make regulations for the day to day management of the College; and (d) do any other thing necessary or incidental to attainment of objects of the College. (2) Without prejudice to the provisions of Subsection (1) of this Section, the Council shall: (a) ensure that the courses and instructions provided by the College conform to the required standard laid down from time to time by the Nursing and Midwifery Council of Nigeria; (b) regulate the teaching of course offered by the College, and also regulate the conduct of examination with respect to the College; (c) approve contracts for procurement of equipment, furniture and other properties required for the purpose of the College; (d) approve contracts for maintenance of the premises and other properties of the College; (e) formulate policies and initiate programmes in all field of learning conducted by the College;	**Retained** **Retained**

(f) assess from time to time the course offered by the College; and (g) perform such other function as may be necessary. (3) The Council may delegate any of its functions, other than the power to make regulations, to the Chairman or any other person, Board or Committee it deems it fit in that behalf, but no decision of such person or committee shall take effect unless ratified by Council.	**Retained**
8. Secretary to the Council The Director, Nursing Services of the Secretariat shall be the Secretary to the Secretary to the Council, and for any particular meeting that he may be absent, he shall send a representative to act in that behalf.	**Retained**
9. Power of the Secretary (1) The Secretary to the Council may give to the council directions as to the discharge of its function in relation to matters appearing to the Council to affect public interest and the council shall give effect to such directive. (2) The council shall afford the Secretary of health facilities for obtaining information with respect to the property of the College and the functions of the council and he shall be furnished with returns, accounts and facilities for verification of the information in such manner and at such times as he may require.	**Retained**
PART 111 - SCHOOLS, DEPARTMENTS AND UNITS WITHIN THE COLLEGE **10. Schools, Departments and Units**	

(1) There shall be within the College a School of Nursing and a School of Midwifery and such other Schools as the Council may, with the approval of the Nursing and Midwifery Council of Nigeria establish. (2) Each school shall provide instruction for courses, conduct research and carry out such functions as may be prescribed by the council with the approval of the Secretary of Health. (3) The constitution of and other matters relating to each schools may be prescribed by the Council.	(1) There shall be within the College a School of Nursing Sciences and such other Schools as the Council may, with the approval of the Nursing and Midwifery Council of Nigeria establish. (2) Each school shall provide instruction for courses, conduct research and carry out such functions as may be prescribed by the council with the approval of the Ministry of Health. **Retained**
11. Departments In furtherance of the Provisions of Section 3 (1)(c) of this Act, the Council shall approve for each school such Departments as the Nursing and Midwifery Council of Nigeria may from time to time prescribe.	**Retained**
12. Other Units Subject to the Provision to this Act, the Council may with the approval of the Secretary of Health establish units for special purposes within the College; and the name, constitution and functions of any such units may be prescribed by Director of the Council.	Subject to the Provision to this Act, the Council may with the approval of the Ministry of Health establish units for special purposes within the College; and the name, constitution and functions of any such units may be prescribed by Director of the Council.
PART IV - PRINCIPAL OFFICER AND STAFF OF THE COLLEGE **13. Provost of the College** There shall be for the College, a Provost and other principal Officers, the designations, qualifications, functions, appointments and removal of whom are spelt out in Sections 15 to 22 of this Act.	**Retained**
14. Principal Officers of the College	**Retained**

(1)The Principal Officers of the College shall include: (a) The Deans of the schools in the College; (b) The Deputy Deans (Academics and Administration) of the School in the College; (c) The Registrar; (d) The College Librarian; and (e) The Bursar. (2) The principal officers of the College other than Deans and Deputy Deans of Schools in the College shall be appointed by the Council subjects to the approval of the Minister. (3) The Deans and Deputy Deans of Schools in the College shall be appointed by the Council.	(a) The Provost of the College (b) The Deputy Provost (Academics and Administration) of the School in the College; (d) Director (OAPD); and **(e)** Director, Works and Services **(2) Retained** **(3) Retained**
15. Appointment of Provost (1) The Provost shall be appointed by the President on recommendation of the Minister from amongst the academic staff of the College and shall be the Chief Executive and Administrator of the College and also be responsible to the council for maintaining and promoting efficiency and discipline in the College. (2) The Provost shall hold a degree in Nursing and shall be a registered Educator in Nursing, Midwifery or other specialty areas of Nursing with not less than fifteen years of teaching experience.	**Retained**
16. The Deans	**Retained**

(1) The Deans of Schools in the College shall be responsible to the Provost for the Administration of the Schools. (2) The Deans of schools in the College shall hold degree in Nursing and shall be registered Educators in the Nursing specialty related to their respective school and with not less than ten years of teaching experience.	
17. The Deputy Deans (1) The Deputy Deans of Schools in the College shall be the Chief Assistants to the Deans of their respective Schools and shall perform such duties as may be assigned to them by the Deans. (2) The Deputy Deans of Schools in the College shall College shall hold degree in Nursing and shall be registered Educator in the Nursing specialty related to their respective schools with not less than seven years teaching experience.	**Retained**
18. The Registrar of the College (1) The Registrar of the College shall be the head of administration of the school and shall be responsible to the provost. (2) The Registrar shall be an experienced graduate of humanities with not less than fifteen years' experience in Public Administration.	**Retained** (2) The Registrar shall be an experienced graduate of Social Sciences, management or Humanities with not less than fifteen years' experience in Public Administration. **Retained**

(3) The person holding the Office of the Registrar of the College shall by virtue of that office be the secretary to the Academic Board and the finance and General purpose Committee.	
19. The Bursar (1) The Bursar shall be the Chief Financial Officer of the College and shall be responsible to the provost for the day to day administration of the financial affairs of the College. (2) The Bursar shall be a qualified Accountant with not less than Ten years post qualification experience.	**Retained**
20. The Librarian (1) The Librarian shall be responsible to the Provost for the co-ordination of Library Services in the College. (2) The Librarian shall have a degree in Library Sciences with not less than ten years qualification experience as a Librarian.	**Retained**
21. Other Staff The Council may appoint such other persons to be Staff of the College as it may deems fit on such terms and conditions as may specified in their instructions of appointment.	**Retained**
22. Removal from Office (1) The Principal Officers and other Senior Staff of the College may be removed from office by the Minister for misconduct, incompetence or any other justifiable reason on the recommendation of the Council.	**Retained**

(2) The Council shall have power to remove any Junior Staff of the College for justifiable reasons.	
PART V – ESTABLISHMENT AND FUNCTIONS OF COMMITTEES **23. Finance and General Purpose Committee** There shall be a Committee of the Council to be known as the Finance and General Purpose Committee.	**Retained**
24. Composition of the Committee (1) The Finance and General Purpose Committee shall consist of: (a) the Chairman of the Governing Council who shall be the Chairman; (b) the representative of the Federal Ministry of Health; (c) the provost of the College; (d) the Director of Finance and Administration in the Secretariat (e) the Director of Nursing Services in the Federal Ministry of Health; (f) one member of the Academic Committee to be appointed by the Council; and (2) The Registrar shall be the Secretary of the Committee.	**Retained**
25. Functions of the Finance and General Purpose Committee (1) The Finance and General Purpose Committee shall: (a) exercise control over property, revenue and expenditure of the College; (b) award contracts for the execution of project of the College; and (c) perform such other functions as the Council may delegate to it.	**Retained**

26. Other Committees (1) Further to the Provisions of Section 11 of this Act, any body of persons established by this Act shall without prejudice to the generality of the powers of that body, have power to Constitute Committees, which need not consist exclusively of members of that body, and to authorize a committee established by it: (a) to exercise, on its behalf, such of its function as it may determine; and (b) to co-opt members , and may direct whether or not co-opted members if any, shall be entitle to vote in that committee. (2) Any two or more such bodies may arrange for the holding of joint meetings of those bodies or for the appointment of Committees consisting of members of those bodies for the purpose of considering any matter within the competence of those bodies or any of them and either of dealing with it or of reporting on it to those bodies or any of them. (3) The quorum and procedure of a committee establish or meeting held in pursuance of this section shall be such as may be determined by the body or bodies which have decide to establish the committee or hold the meeting.	**Retained** **Retained** **Retained**
PART VI – ACADEMIC BOARD **27. Establishment of Academic Board** There shall be for each School of the College an Academic Board which shall be responsible for the academic work of the school.	**Retained**
28. Composition of the Academic Board	**Retained**

The Academic Board for each School of the College shall be composed of: (a) The Provost of the College, as Chairman; (b) The Dean of the School, as Deputy Chairman; (c) The Deputy of the Dean of the School; (d) All Heads of Department of the schools; (e) One Academic Staff not below the rank of Senior Lecturer to be selected from each of the Department of the School; (f) A representative of the Director, Nursing Services of the Federal Ministry of Health; (g) The School Librarian; and (h) The Registrar who shall be the Secretary of the Board.	
29. Function of the Academic Board Subject to the overall control and direction of the Council, the Academic Board of each School of the College shall perform the following functions: (1) Regulating and organizing the process of admission, conduct of examinations, award of certificates and all formalities relating to the registration and licensing of graduates. (2) Making recommendation to the council on appointment of Academic staff of the school and on the organization of department, Libraries and other units of learn and research in the school. (3) Making guideline for the purpose of exercising any of the Functions conferred on it under the provisions of this section.	**Retained**

(4) Preparing curriculum for the school in line with guidelines from the Nursing and Midwifery Council of Nigeria and or other regulatory bodies. (5) Performing such other functions that may be assigned to it by the Council.	
PART VII- SUPPLEMENTARY PROVISIONS **30. Schedule** The supplementary provision contained in the schedule shall have effect in relation to the proceeding of the various bodies appointed under the provision of this Act.	**Retained**
31. Transition In the absence of the council and until it is constituted for the College, the functions and powers of the council under this Act may be exercise by the Secretary of Health in Consultation with the Director of Nursing Services in the Secretariat.	**Retained**
PART VIII - PROPERTY AND FINANCE **32. Transfer of Property** The Governor of Abia State may, by order transfer any property whether movable or immovable to the College and from the date of such order, any property so transferred shall vest in the College and shall be used for the purpose of the College.	**Retained**
33. Property of the College The Council may, subject to the provision of this Act: (1) acquire and hold such movable or immovable property as may be necessary or expedient for carrying into effect the provisions of this Act;	**Retained**

(2) invest the funds of the College in such manner and to such extent as it may deem necessary or expedient; and (3) enter into contractual agreement on behalf of the College.	
34. Expenditure of the College (1) The Council shall have power to approve expenditure of over N 100,000.00 but not exceeding N1, 000,000.00 per unit transaction for the procurement of the goods, works and services and shall refer procurements exceeding the amount to the Secretary of Health. (2) The Provost shall approve procurement of works, goods and services not exceeding N100 000.00 (3) The threshold mentioned in this section may be adjusted, in the case of: (a) Subsection (1), by the Secretary of Health; and (b) Subsection (2), by the Council.	(1) The Council shall have power to approve expenditure of over N 100,000.00 but not exceeding N1, 000,000.00 per unit transaction for the procurement of the goods, works and services and shall refer procurements exceeding the amount to the Ministry of Health. **Retained** (a) Subsection (1), by the Ministry of Health; and **Retained**
35. Revenue of the College The Finance of the College shall include: (a) Monies from time to time accruing to the College by way of Government grant, subvention or endowment or other forms of grant-in aid; (b) Fees charges by and payable in respect of student; (c)Any other amounts charges or dues recoverable by the College; (d) Receipts for publications or services; (e) Interest on investments; (f) Donations and legacies.	**Retained**

36. Annual Estimates Before the end of each financial year or at such other time as may be required by the College shall present for Council estimate of revenue and expenditure for the ensuring financial year and the accepted estimates shall be presented to the Secretary of Health who shall cause same to be placed before the Commissioner for approval.	**36. Annual Estimates** Before the end of each financial year or at such other time as may be required by the College shall present for Council estimate of revenue and expenditure for the ensuring financial year and the accepted estimates shall be presented to the Ministry of Health who shall cause same to be placed before the Minister for approval.
37. Statement of Account (1) The College shall prepare in respect of each financial year a statement of account and the said annual statement of account shall be a fair and accurate statement of the financial position of the College for the financial year to which it relates.	**Retained**
Account Audit (2) The said annual statement of accounts shall be audited by the Auditor-General of the Federation or by such competent Auditor appointed by him. (3) The said audited statement of accounts, after verification by the Council shall together with the auditor's report is forwarded to the Secretary of Health who shall cause the same to be placed before the Minister.	**Retained**
38. Interpretation In this Act unless the context otherwise requires:	**Retained**

"Academic Board" means the Academic Board established under this Act; "Chairman" means the Chairman of the Governing Council of the College or where the context requires Chairman of the respective Committees established under this Act; "College" means the Federal College of Nursing, Midwifery, Nkpa Bende, Abia State; "Council" means the Governing Council established under section 4(1) of this Act for the College; "Executive Committee" means the Executive State Executive Committee; “Commissioner” means the Commissioner of the Enugu State; "Junior Staff is a reference to Staff on CONHESS 01-05 or Salary Grade Levels 01-06; "Members" means Members of the Council and includes the Chairman of the Council; "Provost" means the Provost of the College; "Regulations" means any regulation formulated for the College by the Council; “Secretariat” means Health and Human Services Secretariat of Enugu State”	"College" means the Federal College of Nursing, Sciences, Nkpa Bende, Abia State; **Retained**

"Secretary" means the Secretary to the Council of the College and otherwise means the Secretary of any Committees established under this Act; "Secretary of Health" means the Secretary of Health and Human Services or such other official as may be from time to time designation as head of the body responsible for Health Service under Abia State; "Senior staff is a reference to staff on CONHESS 06-16 or salary Grade levels 07-17.	
39. Citation Federal College of Nursing and Midwifery, Nkpa Bende, Abia State (Establishment) Bill, 2020.	Federal College of Nursing Sciences, Nkpa Bende, Abia State (Establishment) Bill, 2020.
EXPLANATORY MEMORANDUM This Bill seeks to provide for the establishment of the Federal College of Nursing and Midwifery, Nkpa Bende, Abia State, and to provide training and research in general Nursing, Midwifery and other specialties of Nursing.	**EXPLANATORY MEMORANDUM** This Bill seeks to provide for the establishment of the Federal College of Nursing Sciences, Nkpa Bende, Abia State, and to provide training and research in general Nursing, Midwifery and other specialties of Nursing.