

**FEDERAL POLYTECHNIC KALTUNGO, GOMBE STATE (ESTABLISHMENT) ACT,
2019**

EXPLANATORY MEMORANDUM

This Act establishes the Federal Polytechnic Kaltungo, Gombe State to provide full and part-time courses of instruction in different fields of studies.

**FEDERAL POLYTECHNIC KALTUNGO, GOMBE STATE (ESTABLISHMENT) ACT,
2019**

Arrangement of Sections

Section:

1. Establishment of the Federal Polytechnic, Kaltungo, Gombe State.
2. Functions of the Polytechnic.
3. Establishment and constitution of the Council.
4. Visitation.
5. Registrar of the Polytechnic.
6. Tenure of office of the Registrar.
7. General functions of the Council.
8. The Rector of the Polytechnic.
9. Deputy Rectors.
10. Other principal officers of the Polytechnic
11. Resignation of appointment of principal officers
12. Selection board for other principal officers
13. Other employees of the Polytechnic
14. Application of the Pension Reforms Act.
15. Establishment of the Academic Board.
16. Removal from office of members of the Council and the Rector.
17. Removal and discipline of academic, administrative and technical staff.
18. Discipline of students.
19. Discipline of junior staff.
20. Audit of accounts.
21. Funds of the Council.
22. Donations for particular purposes.
23. Payment into bank.
24. Annual report.
25. Power to make bye-laws.
26. Exclusion of discrimination on account of race, religion, etc.
27. Quorum and procedure of bodies established under this Act.
28. Interpretation.
29. Citation.

Schedule

**FEDERAL POLYTECHNIC KALTUNGO, GOMBE STATE (ESTABLISHMENT) ACT,
2019**

A Bill

For

An Act to establish the Federal Polytechnic Kaltungo, Gombe State to provide full and part-time courses of instruction in different fields of studies; and for related matters.

[

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Commencement

ENACTED by the National Assembly of the Federal Republic of Nigeria:

1. (1) There is established the Federal Polytechnic Kaltungo, Gombe State (in this Act referred to as "Polytechnic") which shall have such powers and perform such functions conferred on it by this Act.

Establishment of the
Federal Polytechnic,
Kaltungo, Gombe State.

(2) The Polytechnic:

- (a) is a body corporate with perpetual succession and a common seal;
- (b) may sue and be sued in its corporate name; and
- (c) may acquire and dispose of interests in movable and immovable property.

2. (1) The polytechnic shall:

Functions of the
polytechnic.

- (a) provide full-time and part-time courses of instruction and training to produce middle and high level manpower in:
 - (i) technology, applied science, commerce and management, and
 - (ii) such other fields of applied learning relevant to the needs of the development of Nigeria in the areas of industrial and agricultural production, distribution and for research in the development and adaptation of techniques as the Council may determine;
- (b) arrange conference, seminars and study groups relative to the fields of learning specified under subsection (1)
 - (a);

- (c) perform such other functions as in the opinion of the Council may serve to promote the objectives of the polytechnic.

(2) Nothing in this section shall preclude the government of a state or any of its agencies from setting up a Polytechnic similar to any polytechnic established under this Act.

3. (1) There is established for the Polytechnic a Governing Council (in this Act referred to as "the Council").

Establishment and constitution of the Council.

(2) The Council shall consist of a chairman:

- (a) four persons representing a variety of interests and broadly representatives of the whole federation, at least one of whom shall be a woman;
- (b) one person to represent the alumni association of the Polytechnic;
- (c) a representative of the community where the polytechnic is situated;
- (d) the Rector;
- (e) the Deputy Rectors;
- (f) one person representing the Federal Ministry of Education or regulatory agency;
- (g) two persons not below the rank of Chief Lecturer elected by the Academic Board from among its members;
- (h) three persons not below the rank of Senior Lecturer or its equivalent elected by the Congregation from among its members in which one shall be a non-teaching staff.

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

- (a) appointed by the President;
- (b) persons of proven integrity, knowledgeable and acquainted with the working and tradition of the technical and vocational education.

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

- (a) shall hold office for a three years at the first instance;
and
- (b) may be eligible for re-appointment for another three
years and no more.

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

- (a) Governing Council;
- (b) Academic Board;
- (c) Management Committee;
- (d) School Board; and
- (e) Departmental Board.

(6) The supplementary provisions set out in the Schedule to this Act, shall apply in relation to governing structure and other matters specified in the Schedule. Schedule.

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

Visitation.

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

- (a) for the purpose of evaluating the academic and
administrative performance of the Polytechnic; and
- (b) for such other purpose or in respect of any other affairs
of the Polytechnic as the Visitor may deem fit.

5. (1) There shall be a Registrar to the Polytechnic who shall:

Registrar of the
polytechnic.

- (a) be responsible to the Rector for the administration of
the Polytechnic; and
- (b) shall perform such other duties as the Council or the
Rector may require him to do.

(2) The Registrar shall:

(a) be the Secretary to the Council, the Academic Board and any committee of the Council; and

(b) attend all the meetings of those bodies unless excused for good reason by the Chairman of the Council.

(3) In the absence of the Registrar, the Chairman of the Council may, after consultation with the Rector, appoint a suitable person to act as secretary for any particular meeting of the Council.

(4) The Secretary to the Council or a person appointed to act under subsection (3), shall not vote on any question before the Council or count towards a quorum unless he is so entitled as a member of the Council.

6. (1) A Registrar shall hold office:

Tenure of office of the Registrar.

(a) for a single term of five years beginning from the effective date of his appointment; and

(b) on such terms and conditions as may be specified in the letter of his appointment.

(2) Where a Registrar has held office for five years or less on the commencement of this Act, he is deemed to have been serving his final term of office.

7. (1) Subject to the provisions of this Act, the Council:

General functions of the Council.

(a) shall be the governing body of the Polytechnic concerned; and

(b) shall have powers and control over the general management of the affairs of the Polytechnic, and in particular, the property and finances of the polytechnic; and

(c) may do anything which in its opinion is calculated to facilitate the carrying out of the activities of the Polytechnic and promote its best interests.

(2) The Council may acquire and hold such movable or immovable property as may be necessary or expedient for carrying into effect the provisions of this Act, and for the same purpose may sell, lease, mortgage or otherwise alienate or dispose of any property so acquired.

- (3) The Council may enter into such contracts as may be necessary or expedient for carrying into effect the provisions of this Act.
- (4) The Minister may, give to the Council directions of a general character relating to particular matters, but not to any individual person or case, with regard to the exercise by the Council of its functions and it shall be the duty of the Council to comply with the directions.
8. (1) There shall be a Rector of the Polytechnic (in this Act referred to as "the Rector") who shall be appointed by the President in accordance with the provision of this section. The Rector of the polytechnic.
- (2) Where a vacancy occurs in the post of the Rector, the Council shall:
- (a) advertise the vacancy, not later than six months to the expiration of the term of the sitting Rector in at least two national newspapers in Nigeria, specifying the:
 - (i) qualifications of the persons who may apply for the post, which shall be a Chief Lecturer in the Polytechnic sector with at least five years of experience on that position among other criteria, and
 - (ii) the terms and conditions of service applicable to the post, and thereafter, draw up a short list of suitable candidates for consideration;
 - (b) constitute a Search Team consisting of:
 - (i) a member of the Council, not being a member of the Academic Board, as Chairman,
 - (ii) two members of the Academic Board, not below the rank of Chief Lecturer,
 - (iii) two members of Academic Staff not below the rank of Chief Lecturer to be elected from among its members.
- (3) A Joint Council, Academic Board and Congregation Selection Board consisting of:
- (a) the Chairman of the Council;
 - (b) two members of the Council not being members of the Academic Board;

(c) two members of the Academic Board not below the rank of Chief Lecturer, who were not members of the Search Team elected among its members; and

(d) two members of the Congregation not below the rank of Chief Lecturer who were not members of the Search Team elected among its members,

shall consider the candidates on the short list drawn up under subsection (2) through an examination of their *curriculum vitae* and interaction with them and recommend in order of performance ranking through the Council, to the President, three candidates for his consideration.

(4) The President shall appoint, as Rector, one of the candidates recommended to him under subsection (3).

(5) Subject to this Act and the general control of the Council, the Rector is the Chief Executive of the Polytechnic and is charged with general responsibility for matters relating to the management operations of the Polytechnic.

(6) The Rector shall hold office:

(a) for a single term of five years beginning with the effective date of his appointment; and

(b) on such terms and conditions as may be specified in his letter of appointment.

(7) Where a Rector:

(a) was appointed on a four year term on the commencement of this Act, his term of office shall be extended for one year to complete the single-tenure of five years in line with subsection (6); and

(b) is serving second tenure of four years on the commencement of this Act, he shall be deemed to have been serving his final term of office.

(8) The Rector shall:

(a) have power to exercise general authority over staff;

(b) be responsible for discipline in the polytechnic; and

(c) have his remuneration determined by the National

Salaries and Wages Commission.

9. (1) There shall be for the Polytechnic such number of Deputy Rectors as the Council Deputy Rectors.
may deem necessary for the proper administration of the Polytechnic.
- (2) Where a vacancy occurs in the post of Deputy Rector, the Rector shall forward to the Academic Board a list of two candidates for each post of Deputy Rector that is vacant.
- (3) The Academic Board shall elect for each vacant post one candidate from each list forwarded to it under subsection (2) and forward his name to the Council for confirmation.
- (4) Where:
- (a) the Academic Board rejects the two candidates forwarded to it by the Rector under subsection (2), the Rector shall submit another list;
 - (b) the Council rejects the name sent to it under subsection (3), the Academic Board shall send the name of the other candidate on the list forwarded to it by the Rector under subsection (2).
- (5) The Deputy Rectors shall:
- (a) assist the Rector in the performance of his functions;
 - (b) act in the place of the Rector when the post of Rector is vacant or if the Rector is for any reason absent or unable to perform his functions as Rector; and
 - (c) perform such other functions as the Rector or the Council may assign to them.
- (6) The Deputy Rectors shall hold office:
- (a) for a single term of four years beginning from the effective date of their appointment; and
 - (b) on such terms and conditions as may be specified in their letter of appointment.
- (7) Where a Deputy Rector:
- (b) was appointed on two year term on the commencement

of this Act, his term shall be extended for a period of two years to complete the single term of four years in line with subsection (6); and

- (c) is serving second term of two years on the commencement of this Act, he shall be deemed to have been serving his final term of office.

10. (1) There shall be for the Polytechnic the following other principal officers in addition to the Deputy Rectors:

Other principal officers
of the Polytechnic

- (a) the Registrar,
- (b) the Bursar, and
- (c) the Librarian,

who shall all be appointed by the Council on the recommendation of the Selection Board constituted under section 12 of this Act.

(2) The Bursar shall be the Chief Financial Officer of the Polytechnic and be responsible to the Rector for the administration and control of the financial affairs of the polytechnic.

(3) The Librarian shall be responsible to the Rector for the administration of the Polytechnic library and the co-ordination of the library services in the teaching units of the Polytechnic.

(4) The Bursar or Librarian shall hold office:

- (a) for a single term of five years beginning from the effective date of his appointment; and
- (b) on such terms and conditions as may be specified in his letter of appointment; and

(5) Where a Bursar or Librarian has held office for five years or less on the commencement of this Act, he is deemed to have been serving his final term of office.

11. A principal officer may resign his appointment:

Resignation of
appointment of principal
officers

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

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

Selection board for
other principal officers

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

(2) The functions, procedure and other matters relating to the Selection Board shall be as the Council may determine.

13. (1) The Council may appoint such other persons to be employees of the Polytechnic as the Council may determine to assist the Rector and principal officers of the Polytechnic in the performance of their functions under this Act.

Other employees of the
Polytechnic

(2) The power to appoint all other employees of the polytechnic shall be exercised:

- (a) in the case of senior employees, by the Council on the recommendation of Appointment and Promotions Committee set up under the provisions of paragraph 3 (2) (a) of the Schedule to this Act;
- (b) in the case of junior employees, by the Rector on the recommendation of the Junior Staff appointment and promotions committee constituted under paragraph 3 (2) (b) of the Schedule to this Act.

Schedule.

(3) Subject to the provisions of this Act, the remuneration, tenure of office and conditions of service of the employees of the Council shall be determined by the Council in consultation with the Federal Civil Service Commission.

14. (1) The Federal Civil Service Commission may by order published in the Federal Government Gazette declare the office of the Rector or any other person employed by the Council to be a pensionable office for the purposes of the Pension Reforms Act.

Application of the
Pension Reforms Act.

Act No. 4, 2014.

- (2) Nothing in the provisions of subsection (1) shall prevent the appointment of any person to any office on terms which preclude the grant of a pension or gratuity in respect of service in that office.
- (3) A law or rule requiring a person to retire from the Public Service after serving for 35 years or having attained the age of 60 years in service, shall not apply to staff of the Polytechnic.
- (4) Notwithstanding anything to the contrary contained in the Pension Reforms Act, the compulsory retirement age of staff of Polytechnic shall be 65 years. Act No. 4, 2014.
15. (1) There is established for the Polytechnic (in this Act referred to as "the Academic Board") which shall consist of: Establishment of the Academic Board.
- (a) the Rector of the Polytechnic, as Chairman;
 - (b) the Deputy Rectors of the Polytechnic;
 - (c) all heads of academic departments and units;
 - (d) the Polytechnic Librarian;
 - (e) not more than two members of the academic staff who are not members of the Academic Board and not below the rank of Senior Lecturer elected from among its members, such members shall serve for non-renewable term of three years;
 - (f) all Deans and academic Directors; and
 - (g) all Chief Lecturers.
- (2) The Academic Board shall be responsible for:
- (a) the direction and management of academic matters of the Polytechnic including the regulation of admission of students, the award of certificates and diplomas, scholarships, prizes and other academic distinctions;
 - (b) the making to the Council of such periodic reports on such academic matters as the Academic Board may deem fit or as the Council may direct; and
 - (c) the discharge of any other function which the Council may delegate to it.

16. (1) Where it appears to the Council that a member of the Council, other than an ex-officio member or the Rector, should be removed from office on the ground of misconduct or inability to perform the functions of his office, the Council shall make a recommendation through the Minister to the Federal Executive Council for approval and the Minister shall declare the office of such member or Rector vacant.

Removal from office of members of the Council and the Rector.

(2) The Minister may recommend the removal of any member of the Council or Rector to the Federal Executive Council, if he is satisfied that it is not in the interest of the Public or of the Polytechnic that such a person shall continue as a member of the Council.

(3) In case of vacancy in the office of the Rector, the Council shall appoint an acting Rector who shall not be in office for more than six months.

(4) There shall be no sole administration in the Polytechnic.

17. (1) If it appears to the Council that there are reasons for believing that a person employed as a member of the academic, administrative or technical staff of the Polytechnic, other than the Rector, should be removed from office on the ground of misconduct or inability to perform the functions of his office, the Council shall:

Removal and discipline of academic, administrative and technical staff.

(a) give notice of those reasons to the person in question;

(b) afford him an opportunity of making representations in person on the matter to the Council; and

(c) if he or any three members of the Council so request within the period of one month beginning with the date of the notice, make arrangements for:

(i) a joint committee of the Council and the Academic Board to investigate the matter where it relates to an academic staff and to report on it to the Council,

(ii) a committee of the Council to investigate the matter, where it relates to any other member of the staff of the Polytechnic and to report on it to the Council, and

(iii) the person in question to be afforded an opportunity of appearing before and being heard by the investigating committee with respect to the matter, and if the Council, after considering the report of the investigating committee, is satisfied that the person in question should be removed as aforesaid, the Council may so remove him by an

instrument in writing signed on the directions of the Council.

- (2) The Rector may, in a case of misconduct by a member of the staff which in the opinion of the Rector is prejudicial to the interest of the Polytechnic, suspend such member and any such suspension shall immediately be reported to the Council.
- (3) For good cause, any member of staff may be suspended from office or his appointment may be terminated by the Council and for the purpose of this subsection, "good cause" means:
 - (a) any physical or mental incapacity which the Council, after obtaining medical advice, considers to be such as to render the person concerned unfit for the performance of the functions of his office;
 - (b) any physical or mental incapacity which the Council, after medical advice, considers to be such as to render the person concerned unfit to continue to hold his office;
 - (c) conduct of a scandalous or other disgraceful nature which the Council considers to be such as to render the person concerned unfit to continue to hold his office; or
 - (d) conduct which the Council considers to be such as to constitute failure or inability of the person concerned to perform the functions of his office or to comply with the terms and conditions of his service.
- (4) Any person suspended under subsection (2) or (3), shall be placed on half pay and the Council shall before the expiration of the period of three months after the date of such suspension consider the case against that person and come to a decision as to whether to:
 - (a) continue such person's suspension and if so on what terms including the proportion of this emoluments to be paid to him;
 - (b) reinstate such person, in which case the Council shall restore his full emoluments to him with effect from the date of suspension;
 - (c) terminate the appointment of the person in question, in which case such a person, will not be entitled to the proportion of his emoluments withheld during the period of suspension; or

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

(5) It is the duty of the person by whom an instrument of removal is signed in pursuance of subsection (1), to use his best endeavours to cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it relates.

(6) Nothing in this section shall prevent the Council from making such regulations for the discipline of other categories of staff and workers of the Polytechnic as it may deem fit.

18. (1) Subject to the provisions of this section, where it appears to the Rector that any student of the Polytechnic has been guilty of misconduct, the Rector may, without prejudice to any other disciplinary powers conferred on him by this Act or regulations made, direct that:

Discipline of students.

(a) the student shall not, during such period as may be specified in the direction, participate in such activities of the Polytechnic, or make use of such facilities of the Polytechnic, as he may specify;

(b) the activities of the student shall, during such period as may be specified in the directions, be restricted in such manner as may be so specified;

(c) the student be suspended for such period as may be specified in the directions; or

(d) the student be expelled from the Polytechnic.

(2) Where there is temporarily no Rector or where the Rector refuses to apply any disciplinary measure, the Council, either directly or through some other staff, may apply such disciplinary actions as are specified in subsection (1) to any student of the Polytechnic who is guilty of misconduct.

(3) Where a direction is given under subsection (1) (c) or (d) in respect of any student,

the student may, within 21 days from the date of the letter communicating the decision to him, appeal against the direction to the Council, and where such an appeal is brought, the Council shall, after causing such inquiry to be made in the matter as the Council considers just, either confirm or set aside the direction or modify it in such manner as the Council may deem fit.

- (4) The fact that an appeal from a direction is brought in pursuance of subsection (3) does not affect the operation of the direction while the appeal is pending.
- (5) The Rector may delegate his power under this section to a disciplinary committee consisting of such members of the Polytechnic as he may nominate.
- (6) Nothing in this section shall be construed as preventing the restriction or termination of a student's activities at the polytechnic otherwise than on the ground of misconduct.
- (7) A direction under subsection (1) (a) may be combined with a direction under subsection (1) (b).
- (8) In all cases under this section, the decision of the Council is final.

19. (1) If any junior staff is accused of misconduct or inefficiency, the Rector may suspend him for not more than three months and shall direct the Junior Staff Appointments and Promotions Committee to:

Discipline of junior staff.

(a) consider the case; and

(b) make recommendations as to the appropriate action to be taken by the Rector.

(2) In all cases under this section, the officer shall be informed of the charge against him and shall be given reasonable opportunity to defend himself.

(3) The Rector may, after considering the recommendation made under subsection (1) (b), dismiss, terminate, retire or down-grade the officer concerned.

(4) Any person aggrieved by the Rector's decision under subsection (3) may, within 21 days from the date of the letter communicating the decision to him, address a petition to the Council to consider his case and the Council's decision thereon shall be final.

(5) In any case of gross misconduct on the part of a junior staff, the Rector shall immediately suspend him and thereafter refer the matter to the Junior Staff Appointments and Promotions Committee to be dealt with according to the provisions of this section.

20. (1) The Council shall keep proper accounts and proper records in relation thereto and shall cause to be prepared, not later than 31 October in each financial year, an estimate of its revenue and expenditure for the ensuing financial year and when prepared, the estimate shall be submitted to the National Board for Technical Education for approval. Audit of accounts.
- (2) At the end of each financial year but not later than 30 June, the Council shall cause to be prepared a statement of its income and expenditure during the previous financial year.
- (3) The statement of accounts referred to in subsection (2) shall, when certified by the Rector, be audited by a firm of auditors appointed from the list and in accordance with the guidelines supplied by the Auditor-General for the Federation and shall be published in the annual report of the polytechnic.
21. (1) There is established for the Polytechnic a fund (in this Act referred to as 'the Fund') Funds of the Council.
- (2) The Fund shall consist:
- (a) fees charged by and payable to the Council in respect of students;
 - (b) any other amounts due to or recoverable by the Council;
 - (c) revenue from time to time accruing to the Council from the Federal Government by way of subvention, grant-in-aid, endowment or otherwise; and
 - (d) donations and legacies accruing to the Council from any source for the special purpose of the Council.
22. (1) Donations of money to be applied to any particular purpose shall be placed to the credit of a special reserve account approved by the Council until such time as they may be expended in fulfillment of such purpose. Donations for particular purposes.
- (2) The Council is not obliged to accept a donation for a particular purpose unless it approves the terms and conditions attached to such donation.
23. All sums of money received on account of the Council shall be paid into such bank for the credit of the Council as may be approved by the Council. Payment into bank.
24. The Council shall, on or before 31 December in each year, prepare and submit to the President through the Minister, a report of the activities during the preceding financial year and shall include in the report, the audited accounts of the polytechnic in respect of that financial year and the auditor's comments on the account. Annual report.

25. (1) The Council may make bye-laws relating to any matter within its competence under this Act other than matters for which provision is to be made by standing orders under paragraph 7 of the Schedule to this Act.

Power to make bye-laws.

Schedule.

(2) All such bye-laws shall be in writing and shall come into effect when sealed with the seal of the Council unless some other date for their commencement is prescribed therein.

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

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

Exclusion of discrimination on account of race, religion, etc.

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

27. Subject to paragraph 6 (2) of the Schedule to this Act and any standing order or bye-law made under this Act, the quorum and procedure of anybody of persons established by this Act shall be such as may be determined by that body.

Quorum and procedure of bodies established under this Act.

Interpretation.

28. In this Act:

“Academic Board” means the Academic Board established under section 15 of this Act;

“Appointments and Promotions Committee” means a body by that name established under paragraph 3 (2) (a) of the Schedule to this Act;

“polytechnic” means the Polytechnic set up under section 1 (1) of this Act;

“Junior Staff Appointments and Promotion Committee” means a body by that name set up under paragraph 3(2)(b) of the Schedule to this Act;

“Minister” means the Minister charged with responsibility for matters relating to technical education;

“President” means the President of the Federal Republic of Nigeria;

“Registrar” means the Registrar of the Polytechnic appointed under section 10 (1) (a) of this Act.

29. This Act may be cited as the Federal Polytechnic Kaltungo, Gombe State Citation.
(Establishment) Act, 2019.

SUPPLEMENTARY PROVISIONS RELATING TO THE STRUCTURE AND
PROCEDURE OF THE COUNCIL

Terms of office of members

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

Committees

3. (1) The Council may appoint one or more committees to which it may delegate any of its functions.
- (2) Without prejudice to the generality of subparagraph (1) of this Schedule, the Council shall appoint the following committees:
 - (a) the Appointments and Promotions Committees which shall:
 - (i) consist of Rector as the chairman and four other members who shall be appointed by the Council;
 - (ii) be charged with the responsibility for making recommendations to the Council on the appointment and promotion of the academic and senior non teaching staff of the polytechnic and have a quorum of three members;
 - (b) the Junior Staff Appointments and Promotions

Committee which shall consist of a Deputy Rector as chairman and four other members to be appointed by the Rector and shall have the powers set out in section 13 (2) (b) and section 19 of this Act;

(c) the Committee on Students' Affairs which shall consist of:

(i) a Deputy Rector as chairman;

(ii) one member of the Council;

(iii) Dean of Students Affairs;

(iv) two members of the academic staff not below the rank of Senior Lecturer; and

(d) two representatives of the Students Union of the Polytechnic and a Committee on Students Affairs shall be charged with the duty of:

(i) considering any matter which relates to the welfare of students,

(ii) any other matter referred to it by either the Council or management of the polytechnic,

(iii) any matter which the students wish to refer to the Council shall be referred to the management in the first instance which may in turn refer the matter to the Committee on Students' Affairs.

(3) No decision of a committee of the council shall have effect unless it is confirmed by the Council.

Proceedings of the Council

4. (1) The Council shall meet for the conduct of business once in a quarter except for emergency.

(2) The chairman of the Council may at any time and shall at the request in writing of not less than five members of the Council summon a meeting of the Council.

(3) Particulars of the business to be transacted shall be circulated to members with the notice of the meeting at least two weeks before the date of the meeting.

5. Where the Council desires to obtain the advice of any person on any particular matter, it may co-opt such person as a member for a meeting whether or not expressly convened for the purpose of considering the particular matter but no co-opted member shall be entitled to vote or shall count towards quorum.
6. (1) Every question put before the Council at a meeting shall be decided by a simple majority of the members present and voting.

(2) Two-third of members shall form a quorum at any meeting of the Council.

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

Miscellaneous

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

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

Establishment of the Congregation

- 10. There shall be for the polytechnic, a Congregation consisting of both Academic and Senior Non-Teaching staff, who holds at least a first degree or its equivalent the:
 - (a) Rector shall be the Chairman of the Congregation; and
 - (b) Congregation shall meet at least once in a year.
- 11. Any contract or instrument which if entered into by a person not being a body corporate would not be required to be under seal, may in like manner be entered into or executed on behalf of the Council by any person generally or specifically authorised by it for that purpose.
- 12. (1) The common seal of the Council shall not be used or affixed to any document

except in pursuance of a resolution duly passed at a properly constituted meeting of the Council and recorded in the minutes of such meeting.

(2) The fixing of the seal of the Council shall be authenticated by the signature of the Chairman of the Council and some other members authorised generally or specifically by the Council to act for that purpose.

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

13. Any member of the Council or a committee thereof who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Council or a committee thereof, shall forthwith disclose his interest to the Council and shall not vote on any question relating to such contract or arrangement.

I, CERTIFY, IN ACCORDANCE WITH SECTION 2 (1) OF THE ACTS AUTHENTICATION ACT CAP. A2, LAWS OF THE FEDERATION OF NIGERIA 2004, THAT THIS IS A TRUE COPY OF THIS BILL PASSED BY BOTH HOUSES OF THE NATIONAL ASSEMBLY.



MOHAMMED ATABA SANI-OMOLORI
CLERK TO THE NATIONAL ASSEMBLY



DAY OF JUNE, 2019

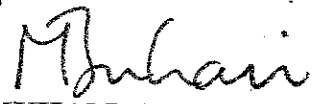
Schedule to the Federal Polytechnic Kaltungo, Gombe State (Establishment) Bill, 2019

SHORT TITLE OF THE BILL	LONG TITLE OF THE BILL	SUMMARY OF THE CONTENTS OF THE BILL	DATE PASSED BY THE SENATE	DATE PASSED BY THE HOUSE OF REPRESENTATIVES
Federal Polytechnic Kaltungo, Gombe State (Establishment) Bill, 2019	An Act to establish the Federal Polytechnic Kaltungo, Gombe State to provide full and part-time courses of instruction in different fields of studies; and for related matters.	This Bill establishes the Federal Polytechnic Kaltungo, Gombe State to provide full and part-time courses of instruction in different fields of studies.	5 th December, 2018	7 th May, 2019

I certify that this Bill has been carefully compared by me with the decision reached by the National Assembly and found by me to be true and correct decision of the Houses and is in accordance with the provisions of the Acts Authentication Act Cap. A2, Laws of the Federation of Nigeria, 2004.

I ASSENT


MOHAMMED ATABA SANI-OMOLORI
 Clerk to the National Assembly
 7th Day of June, 2019


MUHAMMADU BUHARI, GCFR
 President of the Federal Republic of Nigeria
 03 Day of June, 2019
