

# A BILL

## FOR

AN ACT TO ESTABLISH FEDERAL COLLEGE OF EDUCATION AKWETE, ABIA STATE, TO PROVIDE FULL-TIME COURSES TEACHING, INSTRUCTION AND TRAINING IN TECHNOLOGY, APPLIED SCIENCE, ARTS, SOCIAL SCIENCES, HUMANITIES AND MANAGEMENT AND FOR RELATED MATTERS, 2017

*Sponsored by Hon. Uzoma Nkem-Abonta*

[ ] Commencement

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

1           1.-(1) There is established the Federal College of Education  
2 Akwete (Herein after referred to as "the college").

Establishment  
of Federal  
College of  
Education Akwete,  
Abia State

3           (2) The College shall be a body corporate with perpetual  
4 succession and common seeds and shall take power to acquire and dispose  
5 of interest in movable and immovable properties.

6           (3) The College may sue and be sued in its corporate name.

7           2.-(1) The governance and direction of the college affairs shall rest  
8 in the governing council of the college ( in the Bill required to as "the  
9 council").

Governing  
Council of the  
College

10           (2) The Council shall have the responsibility to consider and  
11 approve-

12           (a) The Programme of studies to be undertaken in the college;

13           (b) The annual estimates of the college; and

14           (c) The investment plan of the college.

15           (3) The Provision of the schedule to this Bill shall have effect with  
16 respect to the council to as mentioned herewith.

17           3.-(1) The council of the college shall consider of:

18           (a) A chairman and other members to be appointed by the  
19 President;

Membership of  
the Council in  
the College

- 1 (b) A representative of the Federal Ministry of Education;
- 2 (c) A representative of the University of which the College is
- 3 affiliated to for the purpose of moderation;
- 4 (d) Two representatives of the academic board of the College;
- 5 (e) A representative of the National Commission for the College of
- 6 Education; and
- 7 (f) The Provost of the College.

Tenure of Members  
of the Council

8 4.-(1) A member of the council (other than the ex-official members)

9 shall hold office for a term of four years and subject to the provision of sub-

10 section (2) of this section shall be eligible for re-appointment for a further

11 period of four years and also move.

12 (2) The office of a member appointed under section 3 of this Bill shall

13 become vacant of:

14 (a) The member resigns in office by notice of writing under his hand

15 addressed to the Minister; or

16 (b) The Minister is satisfied that it is not in the interest of the college

17 for the person appointed to continue in office and notifies the member in

18 writing to that effect.

Functions of the  
College

19 5. The functions of the college shall be-

20 (a) To provide full-time courses in teaching instruction and training-

21 (i) In technology, applied sciences, arts, social science, humanities

22 and management; and

23 (ii) In such other fields of applied learning relevant to the needs of

24 development of Nigeria;

25 (b) To conduct courses in Education for qualified teachers;

26 (c) To arrange conference, seminars and workshops relative to the

27 functions of the college; and

28 (d) To perform such other functions as in the opinion of the council

29 may serve to promote the objective of the college.

- 1                   6. The council of the college shall have power to- Power of the  
Council
- 2                   (a) Hold examinations and grant NCE, Diplomas, Professional
- 3                   Certificates and other distinctions to persons, who have pursued of study
- 4                   approved and accredited by the National Commission for Colleges of
- 5                   Education;
- 6                   (b) Hold examinations in Education for qualified teachers;
- 7                   (c) Recruit staff and determine structure of such staff;
- 8                   (d) Demand and receive from any student or any other person
- 9                   attending the college for the purpose of construction such fees as the council
- 10                  may with the prior approval of the Minister, from time to time determine;
- 11                  (e) Hold public lectures and undertake printing, publishing and
- 12                  book selling;
- 13                  (f) Award fellowship, medals, prizes and other titles;
- 14                  (g) Establish and maintain such schools and other teaching units
- 15                  with the college or extra moral departments as the councils may from time to
- 16                  time determine;
- 17                  (h) Erect provide equip and maintain such educational recreational
- 18                  and residential facilities as the college may require;
- 19                  (i) Create lectureships and other academic post and offices and to
- 20                  make appointment thereof
- 21                  (j) Receive and make gifts;
- 22                  (k) Enter into such contracts as may be necessary or expedients for
- 23                  carrying into effects the objections of the college;
- 24                  (l) Provide amenities for and make such other provision for the
- 25                  welfare of the staff and students of the college;
- 26                  (m) Encourage and make provision for research in the college;
- 27                  (n) Do such acts and things whether or not incidental to the
- 28                  foregoing power as may advance the objects of the college.
- 29                  7.-(1) The Minister responsible for education shall be the visitor of Visitation
- 30                  the college.

1 (2) The visitor shall, not less than once in every five year, conduct a  
2 visitation to the college or appoint a visitation panels consists of not less than  
3 five experts to conduct the visitation:

4 (a) For the purpose of evaluating the academic and administrative  
5 performance of the college; or

6 (b) For such other purpose as the visitor may deem fit.

The Academic  
Board and its  
Functions

7 8.-(1) There shall be established for the college a board to be known as  
8 the Academic Board which shall consist of the following members:

9 (a) The Provost of the college as the chairman;

10 (b) All heads of departments;

11 (c) The college bursar;

12 (d) The college Librarian; and

13 (e) Not more than three members of the Academic staff other than the  
14 heads of departments to be appointed by the council.

15 (2) The Academic Board shall be responsible for-

16 (a) The direction and management of academic matters of the college  
17 including the regulation of admission of students, the award of certificates,  
18 scholarships, prizes and other academic distinction;

19 (b) Discharging any other functions which the council may from time  
20 to time delegate to it.

Power of  
Minister

21 9. The Minister may give to the council directions of the general  
22 character or relating generally to matter with regard to the exercise by the  
23 council of its functions and it shall be the duty of the council to comply with such  
24 directions.

The Provost  
of the College

25 10.-(1) There shall be a Provost for the college (herein after referred to  
26 as "the Provost") who shall be appointed by the president on the  
27 recommendation of the minister.

28 (2) Where a vacancy occurs in the post of the provost , the council  
29 shall:

30 (a) Advertise the vacancy in reputable widely read newspaper in

1 Nigeria specifying:

2 (i) The qualities of the person who may apply for the post;

3 (ii) The terms and conditions of service applicable to the post and  
4 thereafter draw up a short list of suitable candidates for consideration of the  
5 minister.

6 (3) The President shall appoint as provost one of the candidates  
7 recommended by the minister.

8 (4) Subject to the general control of the council the provost shall be  
9 the chief executive of the college and shall be charged with general  
10 responsibility for matters relating to the day-to-day management and  
11 operations of the college.

12 (5) The Provost shall hold office for a period of five years only and  
13 on such terms and conditions as may be specified in his letter of  
14 appointment.

15 **II.-(1)** There shall be for the college two deputy provosts namely: Deputy Provost  
16 Deputy Provost (Academic) and the Deputy Provost (Administration).

17 (2) The council shall the deputy provosts from among the chief  
18 lecturers in the college in any of the following ways, that is:

19 (a) From a list of five candidates in order of preference, submitted  
20 by the provost;

21 (b) On the recommendation of a selection Board constituted for  
22 their purpose; or

23 (c) On the nomination of the provost

24 (3) The selection Board referred-  
25 Sub section 2 (b) of this section shall-

26 (a) Consist of:

27 (i) The Chairman of the council;

28 (ii) The Provost of the college;

29 (iii) Two members of the Academic board; and

30 (iv) Two members of the council not being members of the

1 Academic Board.

2 (4) (a) The Deputy Provost (Academic) shall:

3 (i) Assist the provost in the performance of his function in Academic  
4 matters of the college;

5 (ii) Act as the provost when the post of the provost is vacant or if the  
6 provost is for any reason, absent or unable to perform his function.

7 (b) The Deputy Provost (Administration) shall:

8 (i) Assist the provost in administrative matters of the college; and

9 (ii) Perform such other functions as the provost or the council may  
10 from time to time assign to him.

11 (5) Each of the deputy provosts shall hold office for a period of two  
12 years no more.

The Registrar  
and other Staff  
of the College

13 12.-(1) There shall be a registrar for the college to be appointed by the  
14 council.

15 (2) The registrar shall keep the records and conduct the  
16 correspondence of the council;

17 (3) The registrar shall be the secretary to:

18 (a) The Council;

19 (b) The Academic Board; and

20 (c) Any Committee of the council.

21 (4) The registrar may perform any duty as may be assigned to him by  
22 the council or the Provost.

23 (5) The Registrar shall hold office for a period of five years and no  
24 more.

Other Principal  
Officers of the  
College

25 13.-(1) There shall be for the college in addition to the registrar:

26 (a) The Bursar; and

27 (b) The College Librarian.

28 Who shall be appointed by the council.

29 (2) The Bursar shall be the chief financial officer of the college and be  
30 responsible to the Provost for the day -to- day administration and control of the

1 financial affairs of the college.

2 (3) The college Librarian shall be responsible to the provost for the  
3 administration of the college library and the coordination of the library  
4 services in the teaching units of the college.

5 (4) The Bursar and the college librarian shall each hold office for a  
6 period of five years and no more.

7 **14.** A principal officer of the college may resign his appointment-

8 (a) In case of the provost by notice to the visit for; and

9 (b) In any other case by advise to the council.

Resignation of  
appointment of  
Principal Officer

10 **15.-(1)** The council may appoint other persons to be employees of  
11 the college as the council may deem to assist the Provost and the Principal  
12 Officers in the performance of their functions.

Other employees  
of the College

13 (2) The remuneration tenure of office and condition of service of  
14 the employee of the college shall be determined by the council- consultation  
15 with the Federal Civil Service Commission.

16 **16.** Service in the college shall be approved service for the purpose  
17 of the pension's reform and accordingly, officers and other persons  
18 employed in the college shall be entitled to pension's gratitude and other  
19 retirement benefit as may be prescribed in their respective letters of  
20 appointment.

Pensions

21 **17. -(1)** These shall be a selection Board for:

22 The college which shall consist of:

23 (a) The Chairman of the council;

24 (b) The Provost;

25 (c) Four members of the council not being members of the  
26 Academics Board; and

27 (d) Two members of the Academic Board.

Selection Board  
for other Principal  
Officers

28 (2) The functions, procedure and other matters relating to the  
29 selection Board constituted under subsection (1) of this section shall be  
30 determined from time to time by the council.

Fund of the College	1	18.-(1) The college shall establish and maintain a fund which shall be
	2	applied towards the promotion of the objection of this Bill.
	3	(2) There shall be paid and credited to the fund established under
	4	subsection (1) of this section:
	5	(a) Such sums as may from time to time be granted by the Federal
	6	Government through the National Commission for Colleges of Education;
	7	(b) All monies raised by the council by way of gifts, grants in aid or
	8	test monetary disposition; and
	9	(c) All subscription fees and charges for services rendered by the
	10	council and all other sums that may accrue to the council from any source.
	11	(3) The council shall submit to the minister, through the National
	12	Commission for Colleges of Education not later than three months before the
	13	end of each financial year or at such other time as he may direct an estimate of
	14	its revenue and expenditure for the next succeeding financial year.
Power to accept gifts	15	19.-(1) The College may accept gifts of loan, money or of other
	16	property upon such terms and conditions, of any as may be specified by the
	17	person making the gifts.
	18	(2) The College shall not any gift of the conditions attached to the gifts
	19	are inconsistent with the functions of the college.
Account and Audit	20	20. The college shall keep proper accounts of its receipt, payments,
	21	assets and liabilities and shall in respect of each year cause the account to be
	22	audited.
Annual Reports	23	21. The council shall as soon as may be after the expiration of each
	24	financial year, prepare and submit to the minister a report of its activities during
	25	the immediate preceding financial year and shall include in the report a copy
	26	of the audited accounts of the college for that year and of the auditor's report of
	27	the accounts.
Interpretation	28	22. In this Bill-
	29	"Chairman" means the chairman of the council;
	30	"College" means the Federal College of Education Akwete established under



1 section (1) of this Bill;

2 "Council" means the Governing Council of the college established under  
3 section 2 of this Bill;

4 "Function" includes power and duties;

5 "Minister" means the minister charged with responsibility of education;

6 "Member" means a member of the council including the chairman;

7 "Provost" means the provost of the college established under section 10 of  
8 this Bill.

9 23. This Bill may be cited as the Federal College of Education,  
10 Akwete (Establishment) Bill, 2017.

11 SCHEDULE

12 [Section 2(3)]

13 SUPPLEMENTARY PROVISION RELATING TO THE COUNCIL, ETC.

14 *Terms of service*

15 1. There may be paid to the members of the council or any  
16 committee, other than ex officio members, such remuneration and  
17 allowances as may from time to time be determined by the President.

18 2. Where a vacancy occurs in respect of the membership specified  
19 in section 3, it shall be filled by the appointment of a successor to hold office  
20 for the remainder of the term of office of his predecessor in office and such  
21 successor shall represent the same interest as his predecessor.

22 3. The council may act notwithstanding any vacancy in its  
23 membership or any defect in the appointment of a member or the absence of  
24 a member.

25 *Proceedings*

26 4.-(1) The Council shall meet for the conduct of business at such  
27 times, places and on such days as the chairman may appoint but shall meet  
28 not less than once every four months.

29 (3) The chairman may at any time and shall, at the request in  
30 writing of not less than six members, convene a meeting of the council.

1 (4) Where the council desires to obtain the advice of any person on  
2 any particular matter, the council may co-opt persons who are not members of  
3 the council but persons co-opted shall not be entitled to vote at a meeting of the  
4 council.

5 (5) The Quorum of the Council shall be one half of the total members  
6 of the Council, at least one of whom shall be a member appointed by the  
7 President.

8 (6) Decisions of the Council shall be made on approval by a simple  
9 majority of members.

10

*Miscellaneous*

11 5.-(1) The fixing of the seal of the college shall be authenticated by the  
12 signature of the chairman, Provost and of some other members of the Council  
13 authorized generally or specially by the Council to act for that purpose.

14 (2) Any contract or instrument which, if made or executed by a person  
15 other than a body corporate would not be required to be under seal may be made  
16 executed on behalf of the college by any person generally or specially  
17 authorized to act for that purpose by the council.

18 (3) Any document purporting to be duly executed under the seal of the  
19 College shall be received in evidence and shall, unless the contrary is proved,  
20 be presumed to be so executed.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal College of Education, Akwete Abia State, as institution to offer full-time courses leading to the awards of National Certificates of Education, Diplomas etc.