

A BILL

FOR

AN ACT TO ESTABLISH FEDERAL COLLEGE OF AGRICULTURE, KUNCHI TO PROVIDE FULL-TIME COURSES LEADING TO THE AWARD OF DIPLOMA, HIGHER NATIONAL DIPLOMA IN AGRICULTURE AND ALLIED FIELD, AND BE RESPONSIBLE FOR THE DUE ADMINISTRATION OF THE COLLEGE; AND FOR RELATED MATTERS

Sponsored by Hon. Sani Bala Umar

[] Commencement

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

1 1.-(1) There is established the Federal College of Agriculture,
2 Kunchi (herein after referred to as "the college").

Establishment
of Federal College
of Agriculture,
Kunchi

3 (2) The College shall be a body corporate with perpetual
4 succession and common seals and shall have the power to acquire and
5 dispose of interest in movable and immovable property

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

7 2.-(1) There is established for the college a governing council (in
8 the Bill referred to as "the Council").

Governing
Council of the
College

9 (2) The Council shall have the responsibility to consider and
10 approve:

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

12 (b) the annual estimates of the college; and

13 (c) the investment plan of the college.

14 (3) The Provision of the Schedule to this Bill shall have effect with
15 respect to the proceeding of the council.

16 3.-(1) The council of the college shall consist of:

17 (a) a chairman and other members to be appointed by the President;

18 (b) a representative of the Federal Ministry of Agriculture and

Membership of
the Council in
the College

1 Natural Resources;

2 (c) a representative of the University of which the College is affiliated
3 to for the purpose of moderation;

4 (d) two representatives of the academic board of the College; and

5 (e) the Provost of the College.

Tenure of Members
of the Council

6 4.-(1) A member of the council (other than the ex-official members)
7 shall hold office for a term of four years and subject to the provision of sub-
8 section (2) of this section shall be eligible for re-appointment for a further
9 period of four years and also move.

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

12 (a) the member resigns in office by notice of writing under his hand
13 addressed to the Minister; or

14 (b) the Minister is satisfied that it is not in the interest of the college for
15 the person appointed to continue in office and notifies the member in writing to
16 that effect.

Functions of
the College

17 5. The functions of the college shall be:

18 (a) to provide full-time courses in teaching instruction and training:

19 (i) in Agriculture and allied matters; and

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

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

23 (c) to arrange conferences, seminars and workshops relative to the
24 functions of the college and

25 (d) to perform such other functions as in the opinion of the council
26 may serve to promote the objective of the college.

Power of the
Council

27 6. The council of the college shall have power to:

28 (a) hold examinations and grant Diplomas, Professional Certificates

29 and other distinctions to persons, who have pursued of study approved and

30 accredited by the relevant regulatory body;

- 1 (b) hold examinations in Agriculture for qualified teachers;
- 2 (c) recruit staff and determine structure of such staff;
- 3 (d) demand and receive from any student or any other person
4 attending the college for the purpose of study such fees as the council may
5 with the prior approval of the Minister, from time to time determine;
- 6 (e) hold public lectures and undertake printing, publishing and
7 bookselling;
- 8 (f) award fellowship, medals, prizes and other titles;
- 9 (g) establish and maintain such schools and other teaching units
10 with the college or extra moral departments as the councils may from time to
11 time determine;
- 12 (h) erect, provide, equip and maintain such educational
13 recreational and residential facilities as the college may require;
- 14 (i) create lectureships and other academic post and offices and to
15 make appointment thereof;
- 16 (j) receive and make gifts;
- 17 (k) enter into such contracts as may be necessary or expedients for
18 carrying into effects the objections of the college;
- 19 (l) provide amenities for and make such other provision for the
20 welfare of the staff and students of the college;
- 21 (m) encourage and make provision for research in the college;
- 22 (n) do such acts and things whether or not incidental to the
23 foregoing power as may advance the objects of the college.
- 24 7.-(1) The Minister responsible for Agriculture and Natural Resources shall be the visitor of the college. Visitation
- 25
- 26 (2) The visitor shall, not less than once in every five year, conduct a
27 visitation to the college or appoint a visitation panels consists of not less than
28 five experts to conduct the visitation:
- 29 (a) for the purpose of evaluating the academic and administrative
30 performance of the college; or

1 (b) for such other purpose as the visitor may deem fit.

The Academic
Board and its
functions

2 **8.-(1)** There shall be established for the college a Board to be known

3 as the Academic Board which shall consist of the following members:

4 (a) the Provost of the college as the chairman;

5 (b) all heads of departments;

6 (c) the college bursar;

7 (d) the college Librarian; and

8 (e) not more than three members of the Academic staff other than the
9 heads of departments to be appointed by the council.

10 (2) The Academic Board shall be responsible for:

11 (a) the direction and management of academic matters of the college
12 including the regulation of admission of students, the award of certificates,
13 scholarships, prizes and other academic distinction;

14 (b) discharging any other functions which the council may from time
15 to time delegate to it.

Power of Minister

16 **9.** The Minister may give to the council directions of the general
17 character or relating generally to matter with regard to the exercise by the
18 council of its functions and it shall be the duty of the council to comply with such
19 directions.

The Provost
of the College

20 **10.-(1)** There shall be a Provost for the college (herein after referred to
21 as "the Provost") who shall be appointed by the president on the
22 recommendation of the Minister.

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

25 (a) advertise the vacancy in reputable widely read newspaper in
26 Nigeria specifying:

27 (i) the qualities of the person who may apply for the post:

28 (ii) the terms and conditions of service applicable to the post and
29 thereafter draw up a short list of suitable candidates for consideration of the
30 Minister.

1 (3) The President shall appoint as provost one of the candidates
2 recommended by the Minister.

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

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

10 11.-(1) There shall be for the college two deputy provosts namely: Deputy Provost
11 Deputy Provost (Academic) and the Deputy Provost (Administration).

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

14 (a) from a list of five candidates in order of preference, submitted
15 by the provost;

16 (b) on the recommendation of a selection Board constituted for
17 their purpose; or

18 (c) on the nomination of the provost.

19 (3) The selection Board referred to in subsection 2 (b) of this
20 section shall:

21 (a) consist of:

22 (i) the Chairman of the council;

23 (ii) the Provost of the college;

24 (iii) two members of the Academic board; and

25 (iv) two members of the council not being members of the
26 Academic Board.

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

28 (i) assist the provost in the performance of his function in
29 Academic matters of the college;

30 (ii) act as the provost when the post of the provost is vacant or if the

1 provost is for any reason, absent or unable to perform his function.

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

3 (i) assist the provost in administrative matters of the college; and

4 (ii) perform such other functions as the provost or the council may
5 from time to time assign to him.

6 (5) Each of the deputy provosts shall hold office for a period of two
7 years and no more.

The Registrar
and other staff
of the College

8 12.-(1) There shall be a registrar for the college to be appointed by the
9 council.

10 (2) The registrar shall keep the records and conduct the
11 correspondence of the council;

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

13 (a) the Council;

14 (b) the Academic Board; and

15 (c) any Committee of the council.

16 (4) The Registrar may perform any duty as may be assigned to him by
17 the council or the Provost.

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

Other principal
officers of the
College

20 13.-(1) There shall be for the college in addition to the registrar:

21 (a) the Bursar; and

22 (b) the College Librarian who shall be appointed by the Council

23 (2) The Bursar shall be the chief financial officer of the college and be
24 responsible to the Provost for the day -to- day administration and control of the
25 financial affairs of the college.

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

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

14. A principal officer of the college may resign his appointment:

(a) in case of the provost by notice to the visitor; and

(b) in any other case by advise to the Council.

Resignation of
appointment of
principal officer

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

Other employees
of the College

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

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

Pensions

17.-(1) These shall be a selection Board for the college which shall consist of:

Selection board
for other principal
officers

(a) the Chairman of the council;

(b) the Provost;

(c) four members of the council not being members of the Academics Board; and

(d) two members of the Academic Board.

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

18.-(1) The college shall establish and maintain a fund which shall be applied towards the promotion of the objection of this Bill.

Fund of the
College

(2) There shall be paid and credited to the fund established under subsection (1) of this section:

(a) such sums as may from time to time be granted by the Federal

1 Government through the Federal Ministry of Agriculture and Natural
2 Resources;

3 (b) all monies raised by the council by way of gifts, grants in aid or
4 testamentary disposition; and

5 (c) all subscription fees and charges for services rendered by the
6 council and all other sums that may accrue to the council from any source.

7 (3) The council shall submit to the Minister not later than three
8 months before the end of each financial year or at such other time as he may
9 direct an estimate of its revenue and expenditure for the next succeeding
10 financial year.

Power to accept
gifts

11 19.-(1) The College may accept gifts of land, money or of other
12 property upon such terms and conditions, of any as may be specified by the
13 person making the gifts.

14 (2) The College shall not accept any gift if the conditions attached to the gifts
15 are inconsistent with the functions of the college.

Account and
audit

16 20. The college shall keep proper accounts of its receipts, payments,
17 assets and liabilities and shall in respect of each year cause the account to be
18 audited.

Annual reports

19 21. The council shall as soon as may be after the expiration of each
20 financial year, prepare and submit to the minister a report of its activities during
21 the immediate preceding financial year and shall include in the report a copy
22 of the audited accounts of the college for that year and of the auditor's report of
23 the accounts.

Interpretation

24 22. In this Bill:

25 "Chairman" means the chairman of the council;

26 "College" means the Federal College of Agriculture, Kunchi established under
27 section (1) of this Bill;

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

30 "Function" includes power and duties;

1 "Minister" means the Minister charged with responsibility of Agriculture
2 and Natural Resources;

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

4 "Provost" means the provost of the college established under section 10 of
5 this Bill.

6 23. This Bill may be cited as the Federal College of Agriculture, Short title
7 Kunchi (Establishment) Bill, 2017.

8 SCHEDULE

9 [Section 2(3)]

10 SUPPLEMENTARY PROVISION RELATING TO THE COUNCIL, ETC.

11 *Terms of service*

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

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

19 3. The council may act notwithstanding any vacancy in its
20 membership or any defect in the appointment of a member or the absence of
21 a member.

22 *Proceedings*

23 4.-(1) The Council shall meet for the conduct of business at such
24 times, places and on such days as the chairman may appoint but shall meet
25 not less than once every four months.

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

28 (3) Where the council desires to obtain the advice of any person on
29 any particular matter, the council may co-opt persons who are not members

1 of the council but persons co-opted shall not be entitled to vote at a meeting of
2 the council.

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

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

8 *Miscellaneous*

9 5.-(1) The fixing of the seal of the college shall be authenticated by the
10 signature of the chairman, Provost and of some other members of the Council
11 authorized generally or specially by the Council to act for that purpose.

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

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

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal College of Agriculture, Kunchi as
Institute to offer full-time courses leading to the awards of National Diplomas,
Higher National Diplomas etc.