

# A BILL

## FOR

AN ACT TO ESTABLISH FEDERAL COLLEGE OF AGRICULTURE BAISSA, TARABA STATE 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. Danasabe C. Hosea*

[ ] Commencement

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

1           1.-(1) There is established the Federal College of Agriculture  
2 Baissa Kurmi LGA Taraba State (herein after referred to as "the college").

Establishment  
of Federal College  
of Agriculture  
Baissa Kurmi LGA  
Taraba State

3           (2) The College shall be a body corporate with perpetual  
4 succession and common seal 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:

Membership of  
the Council in  
the College

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

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

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 if:

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;

25 (d) to offer to the general population particularly in the area  
26 Agriculture as a form of public service, the results of training and research and  
27 to foster the practical applications of these results;

28 (e) to establish appropriate relationships with other national  
29 institutions involved in training, research and development of technologies in  
30 the Agriculture sector;

1 (f) to identify the problems and needs of the Agriculture sector in  
2 Nigeria and to find solutions to them within the context of overall national  
3 development; and

4 (g) to perform such other functions as in the opinion of the council  
5 may serve to promote the objective of the college.

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

Power of the  
Council

7 (a) hold examinations and grant Diplomas, Professional  
8 Certificates and other distinctions to persons, who have pursued of study  
9 approved and accredited by the relevant regulatory body;

10 (b) hold examinations in Agriculture for qualified teachers;

11 (c) recruit staff and determine structure of such staff;

12 (d) demand and receive from any student or any other person  
13 attending the college for the purpose of study such fees as the council may  
14 with the prior approval of the Minister, from time to time determine;

15 (e) hold public lectures and undertake printing, publishing and  
16 bookselling;

17 (f) award fellowship, medals, prizes and other titles;

18 (g) establish and maintain such schools and other teaching units  
19 with the college or extra moral departments as the councils may from time to  
20 time determine;

21 (h) erect, provide, equip and maintain such educational  
22 recreational and residential facilities as the college may require;

23 (i) create lectureships and other academic post and offices and to  
24 make appointment thereof;

25 (j) receive and make gifts;

26 (k) enter into such contracts as may be necessary or expedients for  
27 carrying into effects the objections of the college;

28 (l) provide amenities for and make such other provision for the  
29 welfare of the staff and students of the college;

30 (m) encourage and make provision for research in the college;

1 (n) do such acts and things whether or not incidental to the foregoing  
2 power as may advance the objects of the college.

Visitation

3 7.-(1) The Minister responsible for Agriculture and Natural  
4 Resources shall be the visitor of the college.

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

8 (a) for the purpose of evaluating the academic and administrative  
9 performance of the college; or

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

The Academic  
Board and its  
functions

11 8.-(1) There shall be established for the college a Board to be known  
12 as the Academic Board which shall consist of the following members;

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

14 (b) all heads of departments;

15 (c) the college bursar;

16 (d) the college Librarian; and

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

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

20 (a) the direction and management of academic matters of the college  
21 including the regulation of admission of students, the award of certificates,  
22 scholarships, prizes and other academic distinction;

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

Power of Minister

25 9. The Minister may give to the council directions of the general  
26 character or relating generally to matter with regard to the exercise by the  
27 council of it functions and it shall be the duty of the council to comply with such  
28 directions.

The Power of  
the College

29 10.-(1) There shall be a Provost for the college (herein after referred to  
30 as "the Provost") who shall be appointed by the president on the

1 recommendation of the Minister.

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

4 (a) advertise the vacancy in reputable widely read newspaper in  
5 Nigeria specifying:

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

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

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

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

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

19 **11.**-(1) There shall be for the college two deputy provosts namely: Deputy Provost  
20 Deputy Provost (Academic) and the Deputy Provost (Administration).

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

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

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

27 (c) on the nomination of the provost.

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

30 (a) consist of:

- 1 (i) the Chairman of the council;  
2 (ii) the Provost of the college;  
3 (iii) two members of the Academic board; and  
4 (iv) two members of the council not being members of the Academic  
5 Board.

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

- 7 (i) assist the provost in the performance of his function in Academic  
8 matters of the college;  
9 (ii) act as the provost when the post of the provost is vacant or if the  
10 provost is for any reason, absent or unable to perform his function.

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

- 12 (i) assist the provost in administrative matters of the college; and  
13 (ii) perform such other functions as the provost or the council may  
14 from time to time assign to him.

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

The Registrar  
and other staff of  
the College

17 **12.-(1)** There shall be a registrar for the college to be appointed by the  
18 council.

19 (2) The registrar shall keep the records and conduct the  
20 correspondence of the council;

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

- 22 (a) the Council;  
23 (b) the Academic Board; and  
24 (c) any Committee of the council.

25 (4) The Registrar may perform any duty as may be assigned to him by  
26 the council and the Provost.

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

Other Principal  
Officers of the  
College

29 **13.-(1)** There shall be for the college in addition to the registrar:

- 30 (a) the Bursar; and

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

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

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

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

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

Resignation of  
appointment of  
Principal Officer

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

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

13 **15.**-(1) The council may appoint other persons to be employees of  
14 the college as the council may deem to assist the Provost and the Principal  
15 Officers in the performance of their functions.

Other employees  
of the College

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

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

Pensions

24 **17.**-(1) There shall be a selection Board for the college which shall  
25 consist of:

Selection board  
for other principal  
officers

26 (a) the Chairman of the council;

27 (b) the Provost;

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

30 (d) two members of the Academic Board.

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

Fund of the  
College

4 **18.**-(1) The college shall establish and maintain a fund which shall be  
5 applied towards the promotion of the objection of this Bill.

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

8 (a) such sums as may from time to time be granted by the Federal  
9 Government through the Federal Ministry of Agriculture and Natural  
10 Resources;

11 (b) all monies raised by the council by way of gifts, grants III aid or  
12 test monetary disposition; and

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

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

Power to accept  
gifts

19 **19.**-(1) The College may accept gifts of loan, money or of other  
20 property upon such terms and conditions, if any as may be specified by the  
21 person making the gifts.

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

Account and  
audit

24 **20.** The college shall keep proper accounts of its receipt, payments,  
25 assets and liabilities and shall in respect of each year cease the account to be  
26 audited.

Annual reports

27 **21.** The council shall as soon as may be after the expiration of each  
28 financial year, prepare and submit to the minister a report of its activities during  
29 the immediate proceeding financial year and shall include in the report a copy  
30 of the audited accounts of the college for that year and of the auditor's report of



1 the accounts.

2 **22. In this Bill:**

Interpretation

3 "Chairman" means the chairman of the council;

4 "College" means the Federal College of Agriculture, Baissa established  
5 under section (1) of this Bill;

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

8 "Function" includes power and duties;

9 "Minister" means the Minister charged with responsibility of Agriculture  
10 and Natural Resources;

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

12 "Provost" means the provost of the college established under section 10 of  
13 this Bill.

14 **23. This Bill may be sited as the Federal College of Agriculture, Baissa (Establishment) Bill, 2018.**

Short title

16 SCHEDULE

17 [Section 2(3)]

18 SUPPLEMENTARY PROVISION RELATING TO THE COUNCIL, ETC.

19 *Terms of service*

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

23 2, Where a vacancy occurs in respect of the membership specified  
24 in section 3, it shall be filled by the appointment of a successor to hold office  
25 for the remainder of the term of office of his predecessor in office and such  
26 successor shall represent the same interest as his predecessor.

27 3. The council may act notwithstanding any vacancy in its  
28 membership or any defect in the appointment of a member or the absence of  
29 a member.

1 *Proceedings*

2 4.-(1) The Council shall meet for the conduct of business at such  
3 times, places and on such days as the chairman may appoint but shall meet not  
4 less than once every four months.

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

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

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

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

16 *Miscellaneous*

17 5.-(1) The fixing of the seal of the college shall be authenticated by the  
18 signature of the chairman, Provost and of some other members of the Council  
19 authorized generally or specially by the Council to act for that purpose.

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

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

EXPLANATORY MEMORANDUM

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