

FEDERAL COLLEGE OF EDUCATION, EKIADOLOR, BILL, 2018

ARRANGEMENT OF SECTIONS

*Section*

PART I

1. Establishment of Federal College of Education Ekiadolor
2. Governing Council of the College
3. Membership of the Council of the College
4. Tenure of office of members of the College
5. Functions of the College
6. Powers of the Council
7. Visitation
8. The Academic Board and its functions
9. Power of Minister to give direction to the college
10. The Provost of the college
11. Deputy Provosts
12. The Registrar and other staff of the college
13. Other principal officers of the college
14. Resignation of appointment of principal officers
15. Other employees of the college
16. Selection Board for other principal officers
17. Pensions

PART II

*Financial Provisions*

18. Establishment of fund the college
19. Power to accept gifts
20. Accounts and audit
21. Annual reports

PART III

*Miscellaneous and supplementary*

22. Offices and premises
23. Discipline of students
24. Interpretation
25. Short title



# A BILL

## FOR

AN ACT TO TAKE OVER AND CONVERT TAYO AKPATA UNIVERSITY OF EDUCATION, EKIADOLOR, EDO STATE AND COLLEGE OF AGRICULTURE IGUORIAKHI TO FEDERAL COLLEGE OF EDUCATION EKIADOLOR, EDO STATE, PROVIDE FOR THE FUNCTIONS AND FOR RELATED MATTERS

*Sponsored by Hon. Omosede Igbinedion*

[ ] Commencement

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

1 PART 1 - ESTABLISHMENT, COMPOSITION AND FUNCTIONS OF FEDERAL  
2 COLLEGE OF AGRICULTURE, IGUORIAKHI, EDO STATE

3 1.-(1) The Tayo Akpata University of Education, Ekiadolor, Edo  
4 State and College of Agriculture Iguoriakhi as they exist are hereby  
5 converted to Federal College of Education Ekiadolor, Edo State which shall  
6 have such powers and exercise such functions as are conferred on them by  
7 this Act.

Establishment of  
Federal College  
of Education  
Ekiadolor, Edo  
State

8 (2) All the liabilities, properties, rights, or Assets of the Tayo  
9 Akpata University of Education, Ekiadolor, Edo State and College of  
10 Agriculture Iguoriakhi are hereby transferred to the Federal College of  
11 Education Ekiadolor, Edo State.

12 (3) The College shall be a body corporate with perpetual  
13 succession and a common seal; with power to sue and be sued and shall have  
14 power to acquire and dispose of interests in movable and immovable  
15 property and may sue and be sued in its corporate name.

16 2.-(1) The governance of the College and the management of its  
17 affairs shall vest in the Governing Council of the college concerned (in this  
18 Act referred to as "the Council").

Governing  
Council of the  
College

19 (2) Without prejudice to the generality of subsection (1) of this

1 section, it shall be the responsibility of the Council to consider and approve:  
2 (a) the day to day and plan of activities of the college ;  
3 (b) the programme of studies, courses, and research to be undertaken  
4 by the Academy;  
5 (c) the yearly estimates of the college; and  
6 (d) the structure and investment plans of the college  
7 (3) The provisions of the Second Schedule to this Act shall have effect  
8 with respect to the Council as specified therein.

Membership  
of the Council  
of each College

9 **3.-(1)** The Council of the college, shall consist of a chairman and the  
10 following other members, to be appointed by the President:  
11 (a) a representative of the Federal Ministry of education;  
12 (b) a representative of the alumni association of the college;  
13 (c) three persons appointed on individual merit on a nationwide basis  
14 who should have wide experience in the area of livestock or crop production  
15 (d) two representatives of the Academic Board of the college;  
16 (e) one representative of the ministry of Agriculture;  
17 (f) a representative of the ministry of Education; and  
18 (g) the Provost of the college.

Tenure of office  
of members of  
the Council

19 **4.-(1)** Each member of the Council (other than an ex-officio member)  
20 shall hold office for a term of four years and shall be eligible for re-appointment  
21 for a further period of four years.

22 (2) The office of a member appointed under sections 3 (1) (d) and 3 (2)  
23 (d) of this Act shall become vacant if:

24 (a) the member resigns his office by notice in writing under his hand,  
25 addressed to the president through the Minister;  
26 (b) the member is convicted of any offence by any court;  
27 (c) the member becomes a person of unsound mind; or  
28 (d) The member abuses his office.

Functions of  
the College

29 **5.** The functions of the College shall be:

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

1 (i) in technology, applied science, commerce, arts, social science,  
2 humanities and management; and

3 (ii) in such other fields of applied learning relevant to the needs of  
4 the development of Nigerian the areas of industrial and agricultural  
5 production and distribution and for research in the development and  
6 adaptation of techniques as the Council may from time to time determine;

7 (iii) to conduct courses in education for qualified teachers;

8 (iv) to arrange conferences, seminars and workshops relative to the  
9 fields of learning specified in paragraph (a) of this section;

10 (v) to perform such other functions as in the opinion of the Council  
11 may serve to promote the objectives of the College;

12 (vi) to encourage the advancement of learning and to hold out to all  
13 persons without distinction of race, creed, sex or political conviction, the  
14 opportunity of acquiring a higher education in technology, applied Science,  
15 commerce, arts, social Science, humanities and management;

16 (vii) to establish appropriate relationships with other national  
17 institutions involved in training, research and development of in technology,  
18 applied Science, commerce, arts, social Science, humanities and  
19 management; and

20 (viii) to perform such other functions as in the opinion of the  
21 Council may serve to promote the objectives of the College.

22 **6.-(1)** For the carrying out of the functions of college, the Council  
23 shall have power to:

Powers of the  
Council

24 (a) undertake examinations and award diplomas, professional  
25 certificates and other distinctions to persons who have pursued a course of  
26 study approved and accredited by the National university Commission;

27 (b) collect from any student or any other person attending the  
28 Academy for the purpose of instruction such fees as the Council may, with  
29 the prior approval of the Minister, from time to time determine;

1 (c) hold public lectures and undertake printing, publishing and  
2 bookselling;

3 (d) make gifts for any charitable purpose;

4 (e) hold examinations for student or teachers;

5 (f) provide amenities for and make such other provision for the  
6 welfare of the staff of the college;

7 (g) invest the funds of the academy in securities specified by law or in  
8 such other securities in Nigeria as may be approved by the Minister;

9 (h) borrow money within Nigeria in such manner and upon such  
10 security as the Minister may from time to time authorise;

11 (i) enter into such contracts as may be necessary or expedient for  
12 carrying into effect the objectives of the college;

13 (j) recruit staff of the right calibre and determine the career structure  
14 of such staff;

15 (k) establish and maintain such schools and other teaching units  
16 within the college; or extramural departments as the Council may, from time to  
17 time, decide;

18 (l) institute and award fellowships, medals, prizes and other titles.

Visitation

19 **7.**-(1) The Minister of Education shall be the Visitor of the College.

20 (2) The Visitor shall, not less than once in every five years, conduct a  
21 visitation of the Academy; or appoint a visitation panel consisting of not less  
22 than five experts to conduct the visitation:

23 (a) for the purpose of evaluating the academic and administrative  
24 performance of the college; or

25 (b) for such other purpose or in respect of any other affairs of the  
26 college; as the Visitor may deem fit

The Academic  
Board and its  
functions

27 **8.**-(1) The college Shall have a board to be known as the Academic  
28 Board which shall consist of the following members:

29 (a) the Provost of the college; who shall be the chairman;

30 (b) all heads of departments;

1 (c) the college Librarian; and  
2 (d) not more than two members of the academic staff other than  
3 heads of departments to be appointed by the Council.

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

5 (a) overseeing the management of academic matters of the college  
6 and among others the regulation of admission of students, the award of  
7 certificates, scholarships, prizes and other academic distinctions;

8 (b) providing reports from time to time on such academic matters  
9 to the Council as the Council may from time to time direct;

10 (c) carrying out any other functions which the Council may assign  
11 or delegate to it.

12 **9.** The Minister may give directive to the council with regard to the Power of Minister  
13 to give directions  
to the Council  
14 exercise by the Council of its functions under this Act and it shall be the duty  
15 of the Council to comply with such directions.

16 **10.**-(1) There shall be a Provost of the College (in this Act referred The Provost of  
17 the College  
18 to as "the Provost") who shall be appointed by the President, in accordance  
19 with the provisions of this section.

20 (2) Where a vacancy occurs in the post of Provost, the Council  
21 shall:

22 (a) advertise the vacancy in a reputable journal or a widely read  
23 newspaper in Nigeria specifying:

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

25 (ii) the terms and conditions of service applicable to the post; and  
26 thereafter draw up a short list of suitable candidates for consideration.

27 (b) constitute a search team consisting of:

28 (i) a member of the Council not being a member of the Academic  
29 Board, as chairman;

30 (ii) two members of the academic Board not below the rank of chief  
lecturer;

(iii) two members of the academic community of the College not

1 below the rank of chief lecturer to be selected by the Council, to identify and  
2 draw up a short list of suitable persons who are not likely to apply for the post  
3 for any reason whatsoever.

4 (3) A Joint Council and Academic Selection Board consisting of:

5 (a) the chairman of the Council;

6 (b) two members of the Council not being members of the Academic  
7 Board;

8 (c) two members of the Academic Board not below the rank of chief  
9 lecturer, who were not members of the search team, shall consider the  
10 candidates and persons on the short lists drawn up under subsection (2) of this  
11 section through an examination of their curriculum vitae and interaction with  
12 them and recommend through the Council to the President, three candidates for  
13 his consideration.

14 (4) The President shall appoint as Provost one of the candidates  
15 recommended to him under the provisions of subsection (3) of this section.

16 (5) Subject to this Act and the general control of the Council, the  
17 Provost shall be the chief executive of the college; and shall be charged with  
18 general responsibility for matters relating to the day-to-day management  
19 operations of the college;

20 (6) The Provost:

21 (a) shall hold office for a period of four years beginning with the  
22 effective date of his appointment and on such terms and conditions as may be  
23 specified in his letter of appointment; and

24 (b) may be reappointed for one further period of four years and no  
25 more.

Deputy Provosts

26 **11.**-(1) There shall be for the College a Deputy Provost.

27 (2) The Council shall appoint the Deputy Provost from among the  
28 chief lecturers in the Academy in one of the following ways, that is:

29 (a) from a list of three candidates in order of preference, submitted by  
30 the Provost; or



1 (b) on the recommendation of a Selection Board constituted under  
2 this section for that purpose; or

3 (c) on the nomination of the Provost.

4 (3) The Selection Board referred to in subsection (2) of this section  
5 shall (a) consist of:

6 (i) the chairman of the Council;

7 (ii) the Provost;

8 (iii) two members of the Council not being members of the  
9 Academic Board;

10 (iv) two members of the Academic Board; and

11 (b) make such inquiries as it deems fit before making the  
12 recommendation required under that subsection.

13 (4) The Deputy Provost shall:

14 (a) assist the Provost in the performance of his functions;

15 (b) act in the place of the Provost when the post of Provost is vacant  
16 or if the Provost is, for any reason, absent or unable to perform his functions  
17 as Provost; and

18 (c) perform such other functions as the Provost or the Council may,  
19 from time to time, assign to him.

20 (5) The Deputy Provost:

21 (a) shall hold office for a period of two years beginning from the  
22 effective date of his appointment and on such terms and conditions as may  
23 be specified in his letter of appointment; and

24 (b) may be reappointed for one further period of two years and no  
25 more.

26 **12.-(1)** The Council of the College shall appoint a Registrar to the  
27 college (hereinafter referred to as “the Registrar”) who shall keep the  
28 records and conduct the correspondence of the Council and shall perform  
29 such other duties as the Council and subject thereto as the Provost may from  
30 time to time direct.

The Registrar  
and other staff  
of the College

1 (2) The Registrar shall, in addition to other duties conferred on him by  
2 or under this Act, be the secretary to the Council, the Academic Board and any  
3 committee of the Council and in his absence, the Councilor any such  
4 committee may appoint some other person to act as secretary, and he shall not  
5 vote on any question before the Councilor count towards a quorum.

6 (3) A Registrar:

7 (a) shall hold office for a period of five years beginning from the  
8 effective date of his appointment and on such terms and conditions as may be  
9 specified in his letter of appointment; and

10 (b) may be reappointed for one further period of five years and no  
11 more.

12 (4) Where, on the commencement of this section, a Registrar  
13 appointed before the commencement of this section has held office:

14 (a) for five years or less, he shall be deemed to be serving his first term  
15 of office and may be reappointed for a further term of five years;

16 (b) for more than five years but less than ten years, he shall complete  
17 the maximum period of ten years and thereafter relinquish his post and be  
18 assigned other duties in the College;

19 (c) or ten years or more, the Council may allow him to serve as  
20 Registrar for a further period of one year only and thereafter he shall relinquish  
21 his post and be assigned other duties in the College.

Other principal  
officers of the  
College

22 **13.**-(1) There shall be for the college the following principal officers  
23 in addition to the Registrar, that is:

24 (a) the Bursar; and

25 (b) the Librarian, who shall be appointed by the Council on the  
26 recommendation of the Selection Board constituted under this Act.

27 (2) The Bursar shall be the chief financial officer of the Academy; and  
28 be responsible to the Provost for the day-to-day administration and control of  
29 the financial affairs of the college.

30 (3) The College Librarian shall be responsible to the Provost for the

1 administration of the Academy Library and the coordination of the library  
2 services in the teaching units of the Academy.

3 (4) A Bursar or Librarian:

4 (a) shall hold office for a period of five years beginning from the  
5 effective date of his appointment and on such terms and conditions as may  
6 be specified in his letter of appointment; and

7 (b) may be reappointed for a further period of five years and no  
8 more.

9 (5) Where, on the commencement of this section, a Bursar or  
10 Librarian has held office:

11 (a) for five years or less, he shall be deemed to be serving his first  
12 term of office and may be reappointed for a further term of five years;

13 (b) for more than five but less than ten years, he shall complete the  
14 maximum period of ten years and thereafter relinquish his post and be  
15 assigned other duties in the College;

16 (c) for ten years or more, the Council may allow him to serve in that  
17 capacity for a further period of one year only and thereafter he shall  
18 relinquish his post and be assigned other duties in the college;

19 **14.** A principal officer may resign his appointment:

20 (a) in the case of the Provost, by notice to the Visitor; and

21 (b) in any other case, by notice to the Council.

Resignation of  
appointment of  
principal officers

22 **15.-(1)** The Council may appoint such other persons to be  
23 employees of the college as the Council may determine to assist the Provost  
24 and the principal officers of the college in the performance of their functions  
25 under this Act.

Other employees  
of the College

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

Selection Board for other principal officers	1	<b>16.</b> -(1) There shall be, for the College, a selection Board which shall
	2	consist of:
	3	(a) the chairman of the Council;
	4	(b) the Provost;
	5	(c) four members of the Council not being members of the Academic
	6	Board; and
	7	(d) two members of the Academic Board.
	8	(2) The functions, procedure and other matters relating to the
	9	Selection Board constituted under subsection (1) of this section shall be as the
	10	Council may, from time to time, determine.
Pensions	11	<b>17.</b> -(1) It is hereby declared that service in the college shall be in
	12	accordance with the pension Act.
	13	PART II
	14	<i>Financial Provisions</i>
Establishment of fund of the College	15	<b>18.</b> -(1) The Council shall establish and maintain a fund which shall be
	16	applied towards the promotion of the objectives specified in this Act.
	17	(2) There shall be paid and credited to the fund established under
	18	subsection (1) of this section:
	19	(a) such sums as may be made to the college through Annual budget;
	20	(b) all moneys raised for the purposes of the Council by way of gifts,
	21	grants-in-aid or testamentary disposition; and
	22	(c) all subscriptions, fees and charges for services rendered by the
	23	Council and all other sums that may accrue to the Council from any source.
	24	(3) The Council shall submit to the Minister, through the University
	25	Commission not later than three months before the end of each financial year or
	26	at such other time as he may direct, an estimate of its revenue and expenditure
	27	for the next succeeding financial year.
Power to accept gifts	28	<b>19.</b> -(1) The Council may accept gifts
	29	(2) The Council shall not accept any gift if the conditions attached by
	30	the person making the gift are inconsistent with the functions of the Council.

1	<b>20.</b> The Council shall keep proper accounts and shall in respect of	Accounts and Audit
2	each year cause the accounts to be audited.	
3	<b>21.</b> The Council shall prepare and submit to the Minister a report	Annual reports
4	of its activities during the immediately preceding financial year.	
5	PART III	
6	<i>Miscellaneous and supplement</i>	
7	<b>22.</b> -(1) For the purpose of providing offices and premises	Offices and premises
8	necessary for the performance of its functions, the Council may:	
9	(a) purchase any interest in or take on lease any land; and	
10	(b) build, equip and maintain offices and premises.	
11	(2) The Council may, with the approval of the Minister, sell any	
12	interest in or lease any land, offices or premises held by it and no longer	
13	required for the performance of its functions.	
14	<b>23.</b> -(1) The Council may make rules providing for the Provost to	Discipline of students
15	conduct enquiries into alleged breaches of discipline (including lack of	
16	diligence) by students and such rules may make different provisions for	
17	different circumstances.	
18	(2) The rules shall provide for the procedure and rules of evidence	
19	to be followed at enquiries under this section.	
20	(3) Subject to the provisions of subsection (1) of this section, where	
21	it is proved during the enquiry that any student of the Academy has been	
22	guilty of misconduct, the Provost may, without prejudice to any other	
23	disciplinary powers conferred on him by this Act or any regulations made	
24	thereunder, direct:	
25	(a) that the student shall not, during such period as may be specified	
26	in the direction, participate in such activities of the Academy, or make use of	
27	such facilities of the Academy, as he may specify;	
28	(b) that the student may be suspended for such period as may be	
29	specified in the direction; or	
30	(c) that the student be expelled from the Academy.	

1 (4) Where there is temporarily no Provost or where the Provost  
2 refuses to apply any disciplinary measures, the Council may, either directly or  
3 through some other staff, apply such disciplinary actions as are specified in  
4 subsection (3) of this section to any student of the college who is guilty of  
5 misconduct.

6 (5) Where a direction is given under subsection (3) (c) or (d) of this  
7 section in respect of any student, the student may, within 21 days from the date  
8 of the letter communicating the decision to him, appeal from the direction to  
9 the Council, and where such an appeal is brought, the Council shall, after  
10 causing such inquiry to be made in the matter as the Council considers just,  
11 either confirm or set aside the direction or modify it in such manner as the  
12 Council may think fit.

13 (6) The fact that an appeal from a direction is brought in pursuance of  
14 subsection (5) of this section shall not affect the operation of the direction while  
15 the appeal is pending.

16 (7) The Provost may delegate his powers under this section to a  
17 disciplinary committee consisting of such members of the college as he may  
18 nominate.

19 (8) Nothing in this section shall be construed as preventing the  
20 restriction or termination of a student's activities at the college otherwise than  
21 on the ground of misconduct.

22 (9) It is hereby declared that the direction under subsection (3) (a) of  
23 this section may be combined with a direction under subsection (3) (b) of this  
24 section.

25 (10) In all cases under this section, the decision of the Council shall be  
26 final unless reversed by the Minister on appeal by the student.

Interpretation

27 **24.** In this Act, unless the context otherwise requires:

28 "college" means to federal College of Education Ekiadolor established under  
29 section 1 of this Act chairman" means the chairman of the Council;

30 "Council" means the Governing Council of any of the College established by or

- 1 pursuant to section 2 of this Act;
- 2 "Provost" means the Provost of an College appointed under section 9 of this
- 3 Act;
- 4 "functions" includes powers and duties;
- 5 "Minister" means the Minister of Education;
- 6 "member" means a member of the Council including the chairman.
- 7 **25.** This Bill may be cited as the Federal College of Education Citation
- 8 Ekiadolor Bill, 2018.

EXPLANATORY MEMORANDUM

This Bill seeks to take over and convert Tayo Akpata University of Education, Ekiadolor, Edo State and College of Agriculture Iguoriakhi to Federal College of Education Ekiadolor, Edo State, provide for the functions.