

NATIONAL METALLURGICAL TRAINING INSTITUTE, ONITSHA BILL, 2018

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A BILL

FOR

AN ACT TO RECONSTITUTE THE METALLURGICAL TRAINING INSTITUTE ONITSHA BY ESTABLISHING THE NATIONAL METALLURGICAL TRAINING INSTITUTE ONITSHA TO PROVIDE TRAINING, INFORMATION, SUPERVISION, GUIDANCE AND ADVICE TO STUDENTS, RESEARCHERS AND PERSONNEL IN IRON AND STEEL, AND OIL AND GAS INDUSTRIES FOR NATIONAL DEVELOPMENT AND FOR RELATED MATTERS

Sponsored by Hon. Chukwuka Onyema

[] Commencement

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

1 PART I - ESTABLISHMENT OF THE NATIONAL METALLURGICAL
2 TRAINING INSTITUTE, ONITSHA

3 1.-(1) There is hereby established the National Metallurgical
4 Training Institute, Onitsha (in this Act referred to as "the Institute) which
5 shall have the functions assigned to it in this Act.

Establishment
of the National
Metallurgical
Training Institute,
Onitsha

6 (2) The Institute shall be a body corporate with perpetual
7 succession and a common seal and it may sue or be sued in its corporate
8 name.

9 2. The Objectives of the Institute shall be to:

Objectives of
the Institute

10 (a) establish, organize and run training courses for low and middle
11 level manpower for the iron, gas, oil, steel and related industries in the area
12 of welding technique;

13 (b) minimize the need to send Nigerians overseas for professional
14 training in metallurgy;

15 3.-(1) the Institute shall have a governing Board (in this Act
16 referred to as "the Board") which shall consist of:

Governing Board
of the Institute

17 (a) a Chairman to be appointed by the President on the

1 recommend: (a) of the Minister;

2 (b) one representative of the Federal Ministry of Mines and steel
3 Development;

4 (c) one representative of the Nigerian Metallurgical Society;

5 (d) one representative of the Federal Ministry of Education;

6 (e) the Rector of the Institute;

7 (f) one representative of National Board for Technical Education;

8 (g) one representative of the Manufacturer's Association of Nigeria
9 (Steel Group);

10 (h) two other persons to be appointed by the Minister who by reason
11 of their ability, experience and specialized knowledge of the Metallurgical and
12 allied industries are capable of making useful contributions to the work of the
13 Institute;

14 (i) the Registrar of the Institute who shall also be the secretary to be
15 Board.

16 (2) The chairman and members of the Board, who are not ex-officio
17 member, shall be appointed by the President on the recommendation of the
18 Minister.

19 (3) The supplementary provisions set out in the schedule to this Act
20 shall have effect with respect to the proceedings of the Board and the other
21 matters contained therein (Schedule).

22 Tenure of office
of the members
of the Board

23 4.-(1) The Chairman shall hold office for a period of four years and
24 may be re-appointed by the president for a final term of four years

25 (2) A member of the Board, other than an ex-officio member, shall
26 hold office for four years and may be re-appointed for a final term of four years'

27 Remuneration
of the members
of the Board

28 5.-(1) The Chairman and members of the Board shall be paid such
29 emoluments as may be specified in their letters of appointment.

30 (2) The allowances payable to members of the Board shall be in
accordance with such rates as may be specified and approved by the Federal
Government from time to time.

1 6.-(1) If it appears to the Minister that the Chairman or any other
2 member of the Board should be removed from office on the ground of
3 misconduct of inability to perform the functions of his office, the Minister
4 shall make a recommendation to the President.

Removal from
office of a member
of the Board

5 (2) If the President, after making such inquires as he considers
6 necessary approves the recommendation, he shall remove such member
7 from office.

8 (3) A member of the Board may resign his appointment by a letter
9 to the President through the Minister.

10 PART II - FUNCTION AND POWERS OF THE INSTITUTE

11 7. The functions of the Institute shall be to:

Functions of the
Institute

12 -(a) Engage in the training of low and middle level manpower in
13 metallurgy and related fields in the used of iron, gas, oil and steel industries
14 for national development;

15 (b) Conduct courses in the metallurgy and related subjected for
16 students and provide them with practical exercises;

17 (c) Provide relevant information, supervision guidance and advice
18 to personnel in iron, gas, oil and steel industries;

19 (d) Carry out other activities as are necessary and expedient for the
20 full discharge of any of its functions under this Act.

21 8. The Board Shall:

Functions of the
Board

22 (a) Subject to the provisions of this Act, be the governing body of
23 the Institute and shall be charge with the general control and supervision of
24 the policy, Staff, finances and property of the Institute;

25 (b) ensure that the Institute is staffed by persons with competences
26 in relevant fields;

27 (c) ensure that proper accounts of the institute are kept and those
28 accounts are audited annually as specified in this Act;

29 (d) Control courses of study of the Institute and the examinations
30 held in those courses.

Power of the Institute

9. For carrying out its objectives and functions under this Act, the Institute shall have power to:
- (a) establish such units and or departments within the Institute as may, from time to time, be deemed necessary;
 - (b) institute and award fellowships, scholarships, bursaries, medals, prizes and other awards;
 - (c) provides for the discipline and welfare of the Staff of the Institute;
 - (d) hold examinations and grant diplomas, certificates and other distinctions to persons approved by the Institute as having satisfied the requirements of the Institute;
 - (e) determine and demand from any student or any other person attending the Institute for the purpose of instruction and training, such fees as the Institute may, from time to time fix;
 - (f) acquire, hold, grant, charge or otherwise deal with or dispose of moveable and immovable property;
 - (g) Accept gifts, legacies and donations for particular purposes provided the terms and conditions attached thereto are not detrimental to the objectives of the Institute;
 - (h) Enter into contracts, establish trusts, act as trustees solely or jointly with any other person and employ and act through agents;
 - (i) Erect, provide, equip and maintain libraries, lecture halls or residences, sports grounds, dining halls and other buildings suitable for the objectives of the Institute;
 - (j) undertake publishing and book sales and liaise with other professional bodies and institutions in respect of book publishing for activities suitable for the objectives of the Institute;
 - (k) subject to any limitations or conditions imposed by this Act, invest any money accruing to the Institute by way of endowment, whether for general or special purposes and such other money as may not be immediately required for current expenditure in investments, securities or in the purchase or

1 improvement of land, with power from time to time to vary such investment;

2 (l) make gifts for any charitable purposes and donations to
3 professional bodies; and

4 (m) do all such other things which are incidental to the foregoing

5 10. Powers of the Board:

6 (1) Subject to the provisions of this Act, the Board shall:

7 (a) exercise on behalf of the Institute, the powers conferred on it
8 under this Act; and

9 (b) do such other things as are necessary for the successful
10 performance of its functions and those of the Institute.

11 (2) The Board may subject to its standing orders appoint such
12 standing and ad hoc committees as the Board may think fit to consider and
13 report on any matter with which the Institute is concerned.

14 (3) Subject to the provisions of subsection (2) of this section, a
15 committee appointed by virtue of that subsection shall be presided over by a
16 member of the Board and shall consist of such number of persons, not
17 necessarily members of the Board as the Board may determine.

18 11. The Minister may give to the Institute or the Board, directives
19 of a general nature or relating generally to matter of policy with regard to the
20 performance by the Institute or the Board and it shall be the duty of the
21 Institute or the board to comply with those directives.

Powers of the
Minister to give
directives

22 PART III - Staff of the Institute

23 12.-(1) The Principal Officers of the Institute shall consists of:

Appointment of
Principal Officers
of the institute

24 (a) the Rector;

25 (b) the Director of Studies;

26 (c) the Registrar;

27 (d) the Bursar;

28 (e) the Librarian; and

29 (f) such other officers as may from time to time be appointed.

30 (2) The Principal Officers of the Institute other than the Rector

1 shall be appointed by the Board.

Appointment
of Rector of
the Institute

2 **13.**-(1) There shall be appointed for the Institute by the President, on
3 the recommendation of the Minister, a Rector who shall be a graduate of a
4 recognized university and has since his qualification been actively employed
5 or engaged in the metallurgical or allied industry in managerial capacity for a
6 continuous period not less than ten years.

7 (2) There Rector shall be the Chief Academic and Chief Executive
8 Officer of the Institute and shall be responsible for the day to day
9 administration of the Institute.

10 (3) The Rector shall hold office for a period of four years and shall be
11 eligible for re-appointment for a final term of four years.

12 (4) Subject to the provisions of this section, the Rector shall hold
13 office on such terms as maybe specified in his letter of appointment.

Director of
Studies

14 **14.**-(1) There shall be a Director of studies who shall be responsible to
15 and assist the Rector of the Institute in the execution of his duties.

16 (2) Subject to the provisions subsection (1) of this section, the
17 Director shall be in charge of co-ordinating the activities of the Heads of
18 Departments in training, collation and publication of course materials and
19 maintenance of infrastructure of the Institute.

20 (3) The Director of studies shall be appointed by the Board on the
21 recommendation of the Rector and shall hold office on such terms as may be
22 specified in his letter of appointment.

Appointment
of Registrar of
the Institute

23 **15.** There shall be for the Institute, a Registrar who shall be the head
24 of Administration of the Institute and shall be responsible to the Rector for the
25 day-to -day administration of the Institute.

Appointment of
Bursar of the
Institute

26 **16.** The Bursar shall be the Chief Finance Officer of the Institute and
27 shall be responsible to the Rector for the day to day administration and control
28 of the financial affairs of the Institute.

Appointment
of Librarian

29 **17.** The Librarian shall be responsible to the Rector for the
30 administration of the Institute's libraries.

1 18.-(1) The Board may, from time to time appoint for the Institute, Appointment of
2 such other staff as it may deem necessary, to assist the Rector in the other employees
3 performance of his functions under this Act. of the Institute

4 (2) Without prejudice to the generality of subsection (1) of this
5 section, the Board may appoint persons or employees of the Institute, either
6 by way of transfer or secondment from any of the public services in the
7 Federation.

8 19. The remuneration, tenure and conditions of service of Conditions of
9 employees of the Institute shall be as those applicable to similar tertiary Service of the
10 institutions in Nigeria. employees of
the Institute

11 20.-(1) If it appears to the Board that the Rector should be removed Removal from
12 from office, the Board shall make a recommendation to the Minister, who office of the
13 after making such inquiries as he may deem fit, approve the Rector
14 recommendation.

15 (2) The minister shall, with the written approval of the President,
16 declare the office of the Rector vacant.

17 21.-(1) If it appears to the Board that there are reasons for believing Removal and
18 that a person employed as a member of the Senior Staff of the Institute, other Discipline of
19 than the Rector, should be removed from office on grounds of misconduct or senior staff
20 inability to discharge the functions of his office, the Board through its
21 appropriate committee shall:

22 (a) give notice of those reasons to the person concerned;

23 (b) afford him an opportunity of making representation on the
24 matter to the Board in person;

25 (c) if the person concerned or any other member of the Board so
26 requests, within the period of one month beginning with the date of the
27 notice, make arrangements:

28 (i) for the appointments and promotion Committee of the Board or
29 an ad hoc committee of the Board to investigate the matter and report to the
30 Board, and

1 (ii) for the person in question to be afforded an opportunity of
2 appearing before and being heard by the investigating committee.

3 (2) If the Board, after considering the report of the investigating
4 committee, is satisfied that the person in question should be remove the person
5 concerned by an instrument in writing signed by the Chairman of the Board.

6 (3) For a good cause, an employee may be suspended from office or
7 his appointment may be terminated by the Board.

8 (4) For the purpose of sub-section (3) of this section, "good cause"
9 means:

10 (a) Physical or mental incapacity, which the Board, after obtaining
11 medical advice, considers to be such to be render the person concerned unable
12 to discharge the function of his office;

13 (b) Conduct of a scandalous or other disgraceful nature which the
14 Board considers to be such as to render the person unfit to continue to hold his
15 office; or

16 (c) Conducts which the Board considers to be as such constitute a
17 failure or inability of the person concerned to discharge the functions of his
18 office or to comply with the terms and conditions of his service.

19 (5) A person suspended pursuant to sub-section (3) of this section
20 shall be place on half pay and the Board shall within six months of the
21 suspension come to a decision as to:

22 (a) whether to continue that person suspension;

23 (b) whether to reinstate that person to his office, in which case the
24 Board shall restore his full emoluments to him with the effect from the date of
25 the suspension,

26 (c) whether to terminate that person's appointment, in which case the
27 person shall not be entitled to the proportion of his emoluments which might
28 have been with held during the period of suspension; or

29 (d) whether to take such lesser disciplinary action against that person
30 (including the restoration of the proportion of his emoluments which might

1 have been withheld).

2 (6) Where the Board, pursuant to this section, decide the suspend
3 an officer, the Board shall, within six month come to a final determination of
4 the officer's case.

5 (7) It shall be the duty of the person who signed the instrument of
6 removal by virtue of sub-section (2) of this section to serve or cause to be
7 served on the person concerned, a copy of the instrument.

8 (8) Nothing in this section shall prevent the Board from making
9 such regulations for the discipline of the categories of employees and
10 workers of the Institute as it may think fit.

11 22.-(1) Where a junior member of the staff is accused of mis-
12 conduct of inefficiency, the Rector may suspend him for not more than three
13 month and shall refer the matter to the Junior staff Disciplinary Committee
14 to make recommendations as to the appropriate action to be taken by the
15 Rector

Discipline of
Junior Staff

16 (2) In all cases under this section, the junior member of staff shall
17 be informed in writing of the charges against him and be given reasonable
18 opportunity to defend himself.

19 (3) The Rector may, after considering the recommendation made
20 pursuant to Subsection (1) of this section, downgrade, retire or dismiss the
21 junior officer or terminate the appointment.

22 (4) A person aggrieved by a decision of the Rector under subsection
23 (3) of this section may, within the period of 21 days from the date of the
24 receipt of the letter communicating the decision to him, address the petition
25 to the Board to reconsider his case and the Board's decision thereon shall be
26 final.

27 23.-(1) It is thereby declared that the service in the Institute shall be
28 approved service for the purpose of the Pension Reform Act, and
29 accordingly, officers and other persons employed in the Institute in respect
30 of their service in the Institute, be entitled to pension, and other retirement

Service in the
Institute to be
Pensionable

1 benefits so however that nothing in this Act shall prevent the appointment of a
2 person to any office on terms which preclude the grant of a Pension in respect
3 of that office.

4 (2) For the purpose of the application of the provisions of the Pension
5 Reform Act, any power exercisable thereunder by a Minister or any other
6 authority of the Government of the Federation, other than the power to make
7 regulations under section 23 thereof is thereby vested in and shall be
8 exercisable by the Board and not by any other authority.

9 PART V - ACADEMIC BOARD OF THE INSTITUTE

Establishment
of the Academic
Board of the
Institute

10 24.-(1) There is thereby established for the Institute an Academic
11 Board which shall consists of:

- 12 (a) The Rector of the Institute as Chairman;
13 (b) The director of Studies;
14 (c) All heads of Department;
15 (d) Two members elected by the Congregation;
16 (e) The Librarian;
17 (f) The Registrar of the Institute who shall be the Secretary to the
18 Academic Board.

19 (2) The Rector presides at the meetings of the Academic Board and in
20 his absence the Director of Studies shall preside but in their absence the
21 members present shall elect one of their number to preside at the meeting.

22 (3) The Academic Board shall meet at least once in a semester.

23 (4) Subject to sub sections (2) and (3) of this section; the Academic
24 Board shall regulate its own procedure.

Function of the
Academic Board

25 25. Subject to sub-section (2) of this section the Academic Board shall
26 formulate, regulate and continuously evaluate the academic programmes of the
27 Institute including:

- 28 (a) The organization and control of courses of study and the
29 examination held in connection with those courses;
30 (b) The award of diplomas, certificates and such other qualifications

1 as may be prescribed in connection with examination held as aforesaid.

2 (c) Such other functions as the Board may from time to time assign
3 to it.

4 26.-(1) The Institute shall create such departments as may be
5 necessary from time to time.

Creation of
Departments

6 (2) Each academic department shall have a Departmental Board.

7 (3) Each academic department shall elect from among its
8 members, five members to serve on its departmental Board, two of such
9 persons being elected as Chairman and Secretary respectively and all
10 member so elected to the Departmental Board shall each hold office for a
11 period of two academic sessions.

12 (4) Subject to such standing orders that may be made by the
13 Academic Board for that purpose, each Departmental Board may carry out
14 its duties as it deems fit.

15 (5) Each academic Department shall appoint a board of examiners
16 and that board shall be charged with the conduct of examination under this
17 section and thereafter make its recommendations to the Academic Board.

18 (6) Members of the Departmental Board and board of examiners
19 shall not be entitled to any emoluments other than expenses reasonably
20 incurred in the course of the business of the Board or the board, respectively.

21 27. Any Candidates for any examination shall satisfy the
22 appropriate Departmental Board:

Candidates for
Examination

23 (a) that he is a registered student of the Institute;

24 (b) that he is in possession of and is therein named as the holder of a
25 certificate that qualified him for admission to the Institute.

26 28. Diplomas and Certificates shall be awarded to students of the
27 Institute who are of good character and learning and who have passed the
28 examinations prescribed by the Academic Board for the award of same.

Award of
Diplomas and
Certificates

29 29.-(1) There shall be for the Institute a body known as
30 Congregation which shall consist of:

Congregation

- 1 (a) the Rector;
- 2 (b) the Director of Studies;
- 3 (c) members of the Academic Boards;
- 4 (d) the Registrar;
- 5 (e) the Bursar;
- 6 (f) the Librarian; and
- 7 (g) every member of Staff who holds a minimum of Higher National
- 8 Diploma of its equivalent from a recognized institution.

9 (2) The Director of Studies shall be the Chairman at all meetings of

10 congregation when he is present; and in his absence such other member of

11 congregation present at the meeting as congregation may appoint for that

12 meeting, shall be the Chairman at the meeting.

13 (3) The quorum of congregation shall be one third [or the number

14 nearest to one third of the total number of members of congregation whichever

15 is less.

16 (4) Subject to the foregoing provisions of this Act congregation may

17 regulate its own procedure.

18 (5) Congregation shall be entitled to express by resolution or

19 otherwise its opinion on all matters affecting the interest and welfare of the

20 Institute and shall have such other functions in addition to the function of

21 electing a member of Academic Board.

22 PART VI - FINANCIAL PROVISION

Fund of the
Institute

23 30.-(1) The Institute shall establish and maintain a fund.

24 (2) There shall be paid and credited to the fund, established pursuant

25 to sub-section (1) of this section:

26 (a) such monies as may, from time to time, be granted to the Institute

27 by the Government of the Federation or of a State or any of their agencies;

28 (b) all monies raised for the purpose of the Institute by way of gifts

29 grant-in-aid, testamentary disposition or otherwise;

30 (c) all subscriptions or fees, are charges for services rendered by the

1 Institute; and

2 (d) all interest received in respect of monies invested by the
3 Institute.

4 (3) The Funds shall be managed in accordance with guideline
5 given by the Minister and without prejudices to the generality of the power
6 to give guidelines under this sub-section, the guidelines shall in particular
7 contain such provisions specifying the manner in which the assets of the
8 Institute are to be held, and regulating the making of payment into and out of
9 the fund.

10 **31.** The Institute may, from time to time, apply his fund:

Expenditure of
the Institute

11 (a) to the cost of administration of the Institute and of any research
12 under the Institute's administration;

13 (b) for reimbursing a member of any committee set up by the
14 Institute for a expenses expressly authorized by the Institute;

15 (c) for the provision of scholarships and other awards for the
16 training of staff of the Institute;

17 (d) for payment of salaries, fees or other remuneration,
18 allowances, pensions or superannuation payable to the employees of the
19 Institute;

20 (e) For the maintenance of any property vested in the Institute.

21 **32.**-(1) The Institute may accept gifts of land, Money or other
22 property, on such terms and conditions, if any, as may be specified by the
23 person or organization making the gift.

Power to accept
Gifts

24 (2) The Institute shall not accept a gift if the conditions attached by
25 the person or organization making the gift are inconsistent with the
26 objectives and functions of the Institute.

27 **33.**-(1) The Institute may, with the consent of the Minister or in
28 accordance with the general authority given by the Federal Government,
29 borrow by way of loan or overdraft, from any source any monies required by
30 the Institute for meeting its obligations and discharging its functions under

Power to borrow

1 this Act, so however that where the sum or aggregate of the sums involved at
2 any one time does not exceed limit set by the Minister, no such consent or
3 authority shall be required.

4 (2) Notwithstanding, sub-section (1) of this section, where the sum to
5 be borrowed is foreign currency, the Institute shall not borrow the sum without
6 the period approval by the Minister.

The annual
estimate, accounts
and audits

7 34.-(1) The Board shall cause to be prepared. Not later than 30th
8 September in each year, an estimate of the expenditure and income of the
9 Institute during the next succeeding year, and when prepared, they shall be
10 submitted to Minister through the Board.

11 (2) The Board shall cause to be kept proper accounts of the Institute
12 and proper records in relation thereto and when certified by the Board the
13 accounts shall be audited as provided in sub-section (3) of this section.

14 (3) The account of the Institute shall be audited within Six month after
15 the end of each year by auditors appointed by the Board from the list and in
16 accordance with the guideline to supplied by the Auditor General for
17 Federation and the fees of the auditors and the expenses of the auditors
18 generally shall be paid from the fund of the Institute.

Annual report

19 35. The Board shall, not later than 30th July in each year, submit to the
20 president report, in such form as the president may, from time to time, direct on
21 the activities of the Institute during the presiding year, and shall include in the
22 report the audited account of the Institute.

Discoveries,
Inventions and
improvements
by employees
of the Institute

23 36.-(1) Subject to the provisions of this Act, the results in all
24 researched discoveries, inventions and in all improvements in respect of
25 processes, apparatus and machines made by:

26 (a) Employees of the Institute;

27 (b) Persons assisting with any investigation or research shall vest in
28 the Institute.

29 (2) Where the rights in any discoveries, inventions or improvements
30 are vested in the Institute by virtue of subsection (1) of this section, the Board

1 may award to the person responsible for the discoveries, inventions or
2 improvement such bonus as it deem fit and make provision for financial
3 participation by him in the profits derived from such discoveries,
4 inventions, or improvements to such an extent as the Minister may
5 determine.

6 (3) The provision of this section shall not apply in respect of a
7 discovery or an invention, improvement, contemplated in subsection (1) of
8 this section, if in the opinion of the Board such discovery, invention or
9 improvement was not made by the person:

10 (a) in the course of this employment as an employee of the
11 Institute;

12 (b) during the performance of functions in respect of which he has
13 been placed at the disposal of the Institute;

14 (c) in the course of any investigation or research in which he
15 assisted the Institute; or

16 (d) in the course of any research in respect of which he receives a
17 bursary or grant-in-aid from the Institute.

18 PART VII - MISCELLANEOUS AND SUPPLEMENTARY

19 37.-(1) For the purpose of providing offices and premises
20 necessary for the performance of its functions the Institute may:

Office and
Premises

21 (a) Purchase or take on lease any interest in land, building or
22 property;

23 (b) Build, equip and maintain offices and premises.

24 (2) The Institute may, subject to the Land Use Act, sell or lease out
25 land, office or premises held by it, which is no longer required for the
26 performance of its function under this Act..

27 38.-(1) No suit against the Institute, a member of the Board or
28 employee of the Institute for any act done in pursuance or execution of any
29 law of any public duties or in respect of any alleged neglect or default in the
30 execution of such law or duties shall lie or be institute in any court unless it is

Procedure in
respect of suit
against the
Institute

1 commenced within twelve month after the act, neglect or default complained of
2 or, in the case of a continuance of damage or injury, within twelve months next
3 after the ceasing thereof.

4 (2) No suit shall be commenced against the Institute before the
5 expiration of a period of one month after written notice of intention to
6 commence the suit shall have been served upon the Institute by the intending
7 plaintiff or his agent, and the notice shall clearly and explicitly state:

8 (a) the cause of action;

9 (b) the particulars of the claim;

10 (c) the name and place of abode of the intending plaintiff; and

11 (d) the relief which he claims.

Service of
documents

12 39. There notice referred to in Subsection (2) of section 39 of this Act
13 and any summons, notice or document required or authorized to be serve upon
14 the Institute under the [provision of this Act or any other law may be serve by
15 delivering the same to the chairman or the Rector or by sending it by registering
16 post addresses to the Rector at the Principal office of the Institute.

Indemnity of
members of the
Board and
employees of
the Institute

17 40. Every member of the Board agent, auditor or employee for the
18 time been of the Institute shall be indemnified out the asset of the Institute
19 against any liability incurred by him in defending any proceeding whether civil
20 or criminal, if any such proceedings is brought against him in his capacity as
21 such member, agent, auditor or employee as aforesaid.

Power to make
regulations

22 41.-(1) The Board may, with the approval of the minster, make
23 regulations for giving effect to the provision of this Act and without prejudice
24 to the forgoing the regulations shall provide for matters including:

25 (a) the entry into and the type of courses and programmes approved
26 by the Institute;

27 (b) the duration of the courses and programmes; and

28 (c) the degrees, diplomas, certificate if any to be awaited by the
29 Institute.

30 (2) Any regulations made pursuant to subsection (1) of this section

1 need not be published in the Federal Gazette, but the Board shall cause them
2 to be brought to the notice of all effected person in such manner as it may
3 from time to time determine.

4 42.-(1) The Metallurgical training Institute Onitsha is hereby
5 reconstituted as the National Metallurgical Training Institute, Onitsha in
6 accordance with the provisions of this Act.

Reconstitution
of metallurgical
training Institute,
Onitsha

7 (2) A person who is at the commencement of this Act was a member
8 of staff or an employee of the reconstituted Institute shall from the
9 commencement of this Act, become the holder of the appointment in the
10 Institute with the status, rank, designation and functions which correspond
11 as far as possible to those which appertained to him as a member of staff or
12 employee of the Institute.

13 (3) All assets, rights, liabilities and obligations which immediately
14 before the commencement of this Act were assets, rights, liabilities and
15 obligations of the reconstituted Institute shall by virtue of this Act and
16 without further assurance, vest in or be taken over by the Institute.

17 (4) Anything made or done or having effect as if made before the
18 commencement of this Act by the reconstituted institute and having any
19 resulting or continuing effect shall be treated as from the commencement of
20 this Act as if it were made or done by the Institute.

21 43.-(1) In this Act, unless the context otherwise requires:

Interpretation

22 "Rector" means the Rector of the Institute appointed under the Act;

23 "Chairman" means the Chairman of the Board of the Institute;

24 "Board" means the Board of the Institute;

25 "Institute" means the National Metallurgical Training Institute, Onitsha,
26 established by section 1 of this Act;

27 "Member" means a member of the Board and includes the Chairman;

28 "Minster" means the minster charged with responsibility for metals
29 industries;

30 "President" means the president of the Federal Republic of Nigeria;

1 "Principal Officer" mean the principal officers of the Institute appointed under
2 section 12 of this Act;

3 "Act" means the National Metallurgical Training Institute Onitsha Act;

4 "Academic Board" means the Academic Board established pursuant to section
5 24 of this Act.

Short title

6 44. This Bill may be cited as the National Metallurgical Training
7 Institute, Onitsha Bill, 2018.

8 SCHEDULE

9 SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD ETC

10 (1) Subject to the provision of this Act and Section 27 of the
11 interpretation Act, the Board shall have power to regulate its proceedings and
12 may make standing orders with respect to the holding of its meetings and those
13 of any of its committees, the notice to be given, the proceedings thereat, the
14 keeping of minutes of those proceedings and the custody and production for
15 inspection of the minutes.

16 (2) The quorum of the Board shall be five and the quorum of a
17 committee of the Board shall be determined by the Board.

18 (3) (1) subject to the provisions of any applicable standing orders, the
19 Board shall meet whenever it is summoned by the Chairman and if the
20 Chairman is required so to do by notice given to him by not less than six other
21 members he shall summon a meeting of the Board to be held within twenty one
22 days from the date on which the notice is given.

23 (2) at any meeting of the Board, the Chairman shall preside but if he is
24 absent the members present at the meeting shall appoint one of their number to
25 preside at that meeting.

26 (3) where the Board wishes to obtain the advice of any person on a
27 particular matter, the Board may co-opt him as a member for such period as it
28 thinks fit, but a person who is a member by virtue of this sub-paragraph shall
29 not be entitled to vote at any meeting of the Board and shall not count towards a
30 quorum.

Committees

3 (4) The Board may appoint one or more committees to carry out on
4 behalf of the Board, such of its functions as the Board may determine.

5 (5) A committee appointed under this schedule shall consist of such
6 number of persons (not necessarily members of the Board) as may
7 determine by the Board, and a person other than a member of the Board shall
8 hold office on the Committee in accordance with the terms of his
9 appointment.

10 (6) A decision of the committee of the Board shall be of no effect
11 until it is confirmed by the Board.

Miscellaneous

12 (7) (1) the fixing of the seal of the Institute shall be authenticated by
13 the signature of the Chairman and the Rector.

14 (2) any document purporting to be a document duly executed under
15 the seal of the Institute, shall be received in evidence and shall unless the
16 contrary is proved be presumed to be so executed

17 (8) The validity of the proceedings of the Board or any of its
18 committees shall not be affected by:

19 (a) a vacancy in the membership of the Board or of the committee;

20 (b) reason that a person not entitled to do so took part in the
21 proceedings; or

22 (c) a defect in the appointment of a member.

23 (9) A member of the Board and a person holding office on a
24 committee of the Board, who has a personal interest in any contract or
25 arrangement entered into or proposed to be considered by the Board or the
26 Committee:

27 (a) shall forthwith disclose his interest to the Board or Committee,
28 as the case may be; and

29 (b) shall not vote on any question relating to the contract or
30 arrangement.

EXPLANATORY MEMORANDUM

This Bill seeks to reconstitute the Metallurgical Training Institute Onitsha by establishing the National metallurgical Training Institute, Onitsha, to provide training, information, supervision, guidance and advice to students, researchers and personnel in the iron and steel, and oil and gas industries for national development.