

A BILL

FOR

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

Sponsored by Hon. Abubakar Hassan Fulata

[] Commencement

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

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

Establishment of Federal College of Education Birniwa, Jigawa State

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

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

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

Governing Council of the College

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

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

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

14 (c) The investment plan of the college.

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

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

Membership of the Council in the College

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

Tenure of
Members of the
Council

9 4.-(1) A member of the council (other than the ex-official members)
10 shall hold office for a term of four years and subject to the provision of sub-
11 section.

12 (2) of this section shall be eligible for re-appointment for a further
13 period of four years and also move.

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

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

18 (b) The Minister is satisfied that it is not in the interest of the college
19 for the person appointed to continue in office and notifies the member in
20 writing to that effect.

Functions of
the College

21 5. The functions of the college shall be:

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

23 (i) In technology, applied sciences, arts, social science, humanities
24 and management: and

25 (ii) In such other fields of applied learning relevant to the needs of
26 development of Nigeria.

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

28 (c) To arrange conference, seminars and workshops relative to the
29 functions of the college; and

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

to quidem
at ducunt ad
opinio ad

1 may serve to promote the objective of the college.

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

Power of the
Council

3 (a) Hold examinations and grant NCE, Diplomas, Professional
4 Certificates and other distinctions to persons, who have pursued of study
5 approved and accredited by the National Commission for Colleges of
6 Education;

7 (b) Hold examinations in Education for qualified teachers;

8 (c) Recruit staff and determine structure of such staff;

9 (d) Demand and receive from any student or any other person
10 attending the college for the purpose of construction such fees as the council
11 may with the prior approval of the Minister, from time to time determine;

12 (e) Hold public lectures and undertake printing, publishing and
13 bookselling;

14 (f) Award fellowship, medals, prizes and other titles;

15 (g) Establish and maintain such schools and other teaching units
16 with the college or extra moral departments as the councils may from time to
17 time determine;

18 (h) Erect provide equip and maintain such educational recreational
19 and residential facilities as the college may require;

20 (i) Create lectureships and other academic post and offices and to
21 make appointment thereof;

22 (j) Receive and make gifts;

23 (k) Enter into such contracts as may be necessary or expedients for
24 carrying into effects the objections of the college;

25 (l) Provide amenities for and make such other provision for the
26 welfare of the staff and students of the college;

27 (m) Encourage and make provision for research in the college;

28 (n) Do such acts and things whether or not incidental to the
29 foregoing power as may advance the objects of the college.

Visitation

1 7.-(1) The minister responsible for education shall be the visitor of the
2 college.

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

6 (a) For the purpose of evaluating the academic and administrative
7 performance of the college; or

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

The Academic
Board and its
functions

9 8.-(1) There shall be established for the college a board to be known as
10 the Academic Board which shall consist of the following members:

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

12 (b) All heads of departments;

13 (c) The college bursar;

14 (d) The college Librarian; and

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

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

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

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

Power of Minister

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

The Provost
of the College

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

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

3 (a) Advertise the vacancy in reputable widely read newspaper in
4 Nigeria specifying:

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

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

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

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

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

18 11.-(1) There shall be for the college two deputy provosts namely: Deputy Provost
19 Deputy Provost (Academic) and the Deputy Provost (Administration).

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

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

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

26 (c) On the nomination of the provost.

27 (3) The selection Board referred:

28 Sub section 2 (b) of this section shall:

29 (a) Consist of:

30 (i) The Chairman of the council;

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

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

6 (i) Assist the provost in the performance of his function in Academic
7 matters of the college;

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

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

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

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

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

The Registrar
and other Staff
of the College

16 12.-(1) There shall be a registrar for the college to be appointed by the
17 council.

18 (2) The registrar shall keep the records and conduct the
19 correspondence of the council.

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

21 (a) The Council;

22 (b) The Academic Board; and

23 (c) Any Committee of the council.

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

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

Other Principal
Officers of the
College

28 13.-(1) There shall be for the college in addition to the registrar:

29 (a) The Bursar; and

30 (b) The College Librarian.

1 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 visit for; 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) These 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.

(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.

Fund of the
College

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

(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 Government through the National Commission for Colleges of Education;

(b) All monies raised by the council by way of gifts, grants in aid or test monetary disposition; and

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

(3) The council shall submit to the minister, through the National Commission for Colleges of Education, not later than three months before the end of each financial year or at such other time as he may direct an estimate of its revenue and expenditure for the next succeeding financial year.

Power to accept
gifts

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

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

Account and
Audit

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

Annual Reports

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

1 Who shall 22. In this Bill the Council,
 2 "Chairman" means the chairman of the council;
 3 "College" means the Federal College of Education Birniwa established
 4 of under section (1) of this Bill;
 5 "Council" means the Governing Council of the college established under
 6 section 2 of this Bill; college library and the coordination of the library
 7 "Function" includes power and duties;
 8 "Minister" means the minister charged with responsibility of education;
 9 "Member" means a member of the council including the chairman;
 10 "Provost" means the provost of the college established under section 10 of
 11 this Bill.) In case of the provost by notice to the visit for...

Interpretation

Signature of
Committee of
Parliament Officers

12 (23) This Bill may be cited as the Federal College of Education,
 13 Birniwa (Establishment) Bill, 2018. And other persons to be employees of
 14 the college as the council may see SCHEDULE the Provost and the principal
 15 officers in the performance of their functions. [Section 2(3).]

Citation

Other employees
of the College

16 SUPPLEMENTARY PROVISION RELATING TO THE COUNCIL, ETC. of
 17 the employee of the college shall Terms of service the council-constitution
 18 with the Fed. There may be paid to the members of the council or any
 19 committee, other than ex-officio members, such remuneration and
 20 allowances as may from time to time be determined by the President,
 21 employed. 2. Where a vacancy occurs in respect of the membership specified
 22 in section 3, it shall be filled by the appointment of a successor to hold office
 23 for the remainder of the term of office of his predecessor in office and such
 24 successor shall represent the same interest as his predecessor.
 25 3. The council may act notwithstanding any vacancy in its
 26 membership or any defect in the appointment of a member or the absence of
 27 a member. The Provost;

Selection of
for other
sections

28 (c) Four members of Proceedings not being members of the
 29 (4) (1) The Council shall meet for the conduct of business at such
 30 times, places and on such days as the chairman may appoint but shall meet

1 not less than once every four months.

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

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

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

11 (5) Decisions of the Council shall be made on approval by a simple
12 majority of members.

13 *Miscellaneous*

14 5.-(1) The fixing of the seal of the college shall be authenticated by the
15 signature of the chairman, Provost and of some other members of the Council
16 authorized generally or specially by the Council to act for that purpose.

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

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

EXPLANATION MEMORANDUM

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