

FEDERAL POLYTECHNIC, ABUJA F.C.T. (ESTABLISHMENT) BILL, 2018

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The Polytechnic

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1. The Council shall be a body corporate with perpetual succession and shall have the power to sue and be sued, to acquire, hold and dispose of immovable and movable property, to contract, to borrow money and to do all such other things as may be necessary for the purposes of the polytechnic.

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A BILL

FOR

AN ACT TO ESTABLISH THE FEDERAL POLYTECHNIC ABUJA-FCT TO PROVIDE FULL-TIME COURSES IN TECHNOLOGY, APPLIED SCIENCE MANAGEMENT AND OTHER FIELDS OF STUDIES AND TO MAKE PROVISIONS FOR THE GENERAL ADMINISTRATION OF THE POLYTECHNIC AND FOR RELATED MATTERS.

6. *Sponsored by Hon. Adeyinka Ajayi*

7. *General Purpose Bill* [] Commencement

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

1 *9. Establishment of Federal Polytechnic, Abuja FCT*

2 10. I. There is hereby established the Federal Polytechnic Abuja
3 F.C.T specified in the First Schedule to this Act (in this Act referred to as "the
4 polytechnic") which shall have such powers and exercise such functions as
5 are specified in this Act. *Establishment of the Federal Polytechnic*

6 14. 2.-(1) The functions of the polytechnic shall be: *Functions of the Polytechnic*

7 (a) to provide full-time or part-time courses or instruction and
8 training: *The Academic Staff*

9 (i) in technology, applied science, commerce and management;

10 and
11 16. *Removal from office of members of the Council*

12 17. (ii) in such other fields of applied learning relevant to the needs of
13 the development of Nigeria in the area of industrial and agricultural
14 production and distribution and for research in the development and
15 adaptation of techniques as the Council may from time to time determine;

16 19. (b) to arrange conferences, seminars and study groups relative to
17 the fields of learning specified in paragraph (a) of this subsection (1);

18 20. (c) to perform such other functions as in the opinion of the Council
may serve to promote the objectives of the polytechnic.

Establishment
and constitution
of the Council, etc.

1 3.-(1) There shall be established for the polytechnic a Council
2 (hereafter in this Bill referred to as "the Council") which shall be a body
3 corporate with perpetual succession and a common seal and may sue and be
4 sued in its corporate name.

5 (2) The Council shall consist of a chairman and the following
6 members:

7 (a) one person to represent the universities;

8 (b) one person to represent the Manufacturers' Association of Nigeria;

9 (c) one person to represent professional bodies whose disciplines are
10 taught in the polytechnic;

11 (d) one person selected from a federal or State public utility statutory
12 corporate;

13 (e) one person of standing in the community where the polytechnic is
14 situate;

15 (f) the Rector of the polytechnic;

16 (g) one representative of the Minister charged with responsibility for
17 matters relating to polytechnics;

18 (h) one representative of the Permanent Secretary of the Ministry
19 charged with responsibility for matters relating to industries;

20 (i) one representative of the academic board of the polytechnic;

21 (j) one representative of the State Commissioner of Education; and

22 (i) five other persons, at least one of whom shall be a woman, to be
23 selected each on his personal merit based on his contribution to either the
24 development of industry, technology or commerce or special interest in
25 technical education.

26 (3) The Chairman and members of the Council other than ex-officio
27 members shall be appointed by the President.

28 (4) The provisions set out in the Second Schedule to this Act shall
29 apply in relation to the constitution of the Council and the other matters therein
30 specified.

1 4.-(1) The Minister of Education shall be the Visitor to the Visitation
2 Polytechnic.

3 (2) The Visitor shall, not less than once in every five years, conduct
4 a visitation of the college or appoint a Visitation Panel, consisting of not less
5 than five experts. To conduct the visitation:

6 (a) for the purpose of evaluating the academic and administrative
7 performance of the polytechnic;

8 (b) for such other purpose or in respect of any other affairs of the
9 polytechnic as the Visitor may deem fit.

10 5.-(1) There shall be a Registrar to the polytechnic who shall be Registrar of the
11 responsible to the Rector for the day- to-day administration of the Polytechnic
12 polytechnic and shall perform such other duties as the Council or, as the case
13 may be, the Rector may from time to time require him to do.

14 (2) The Registrar shall be the secretary to the Council, the
15 Academic Board and any committee of the Council and shall attend all the
16 meetings of those bodies unless excused for good reason by the chairman of
17 the Council.

18 (3) In the absence of the Registrar, the Chairman of the Council
19 may, after consultation with the Rector, appoint a suitable person to act as
20 secretary for any particular meeting of the Council.

21 (4) The secretary to the Council or a person appointed to act under
22 subsection (3) of this section, shall not vote on any question before the
23 Councilor count towards a quorum unless he is so entitled as a member of
24 the Council.

25 6.-(1) A Registrar:

26 (a) shall hold office for a period of five years beginning from the Tenure of office
27 effective date of his appointment and on such terms and conditions as may of the Registrar
28 be specified in the letter of his appointment; and

29 (b) may be re-appointed for one further period of five years and no
30 more.

1 (2) Where on the commencement of this section, a Registrar has held
2 office:

3 (a) for five years or less, he shall be deemed to be serving his first term
4 of office and may be re-appointed for a further term of five years;

5 (b) for more than five years but less than ten years, he shall complete
6 the maximum period of ten years and thereafter relinquish his post and be
7 assigned other duties in the polytechnic;

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

General functions
of the Council

11 7.-(1) Subject to provision of this Act, the Council shall be the
12 governing body of the polytechnic and shall have the general management of
13 the affairs of the polytechnic, and in particular, the control of the property and
14 finances of the polytechnic; and shall also have power to do anything which in
15 its opinion is calculated to facilitate the carrying out of the activities of the
16 polytechnic and promote its best interests.

17 (2) The Council may acquire and hold such movable or immovable
18 property as may be necessary or expedient for carrying into effect the
19 provisions of this Bill, and for the same purpose may sell, lease, mortgage or
20 otherwise alienate or dispose of any property so acquired.

21 (3) The Council may enter into such contracts as may be necessary or
22 expedient for carrying into effect the provisions of this Bill.

23 (4) The Minister may give to the Council directions of a general
24 character or relating generally to peculiar matters (but not any individual
25 person or case) with regard to the exercise by the Council of its functions and it
26 shall be the duty of the Council to comply with the directions.

27 *Staff*

The Rector of
the Polytechnic

28 8.-(1) There shall be a Rector of the polytechnic (the Rector") who
29 shall be appointed by the President in accordance with the provisions of this
30 section.

- 1 (2) Where a vacancy occurs in the post of Rector, the Council shall:
- 2 (a) advertise the vacancy in a reputable journal or widely read
- 3 newspaper in Nigeria, specifying:
- 4 (i) the qualities of the person who may apply for the post; and
- 5 (ii) the terms and conditions of service applicable to the post, and
- 6 thereafter, draw up a short list of suitable candidates for consideration;
- 7 (b) constitute a Search Team consisting of:
- 8 (i) a member of the Council, not being a member of the Academic
- 9 Board as Chairman;
- 10 (ii) two members of the Academic Board, not below the rank of
- 11 Chief Lecturer;
- 12 (iii) two members of the Academic Community of the college not
- 13 below the rank of Chief Lecturer, to be selected by Council, to identify and
- 14 draw up a short list of persons who are not likely to apply on their own
- 15 volition because they feel that it is not proper to do so.
- 16 (3) A Joint Council and Academic Board Selection Board
- 17 consisting of:
- 18 (a) the Chairman of the Council;
- 19 (b) two members of the Council not being members of the
- 20 Academic Board;
- 21 (c) two members of the Academic Board not below the rank of
- 22 Chief Lecturer, who were not members of the Search Team, shall consider
- 23 the candidates on the short list drawn up under subsection (2) of this section
- 24 through an examination of their curriculum vitae and interact with them and
- 25 recommend, through the Council, to the President, three candidates for his
- 26 consideration.
- 27 (4) The President shall appoint, as Rector, one of the candidates
- 28 recommended to him under the provisions of subsection (3) of this section.
- 29 (5) Subject to this Bill and the general control of the Council, the
- 30 Rector shall be the Chief Executive of the polytechnic and shall be charged

1 with responsibility for matters relating to the day-to-day management
2 operations of the polytechnic.

3 (6) The Rector:

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

7 (b) may be re-appointed for a further period of four years and no more.

Deputy Rector

8 9.-(1) There shall be for the polytechnic a Deputy Rector.

9 (2) The Council shall appoint the Deputy Rector from among the
10 chief lecturers in the polytechnic in one of the following ways:

11 (a) from a list of three candidates, in order of preference, submitted by
12 the Rector;

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

15 (c) on the nomination of the Rector.

16 (3) The Selection Board referred to in subsection (2) of this section
17 shall:

18 (a) consist of:

19 (i) the Chairman of the Council;

20 (ii) the Rector;

21 (iii) two members of the Council not being members of the academic
22 board;

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

24 (b) make such inquiries as it deems fit before making the
25 commendation required under that subsection.

26 (4) The Deputy Rector:

27 (a) shall assist the Rector in the performance of his functions;

28 (b) act in the place of the Rector when the post of Rector is vacant or if
29 the Rector is for any reason absent or unable to perform his functions as Rector;

30 and

1 (c) perform such other functions as the Rector may, from time to
2 time, assign to him.

3 (5) The Deputy Rector:

4 (a) shall hold office for a period of two 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 re-appointed for one further period of two years and no
8 more.

9 10.-(1) There shall be for the polytechnic the following other
10 principal Officers in addition to the Registrar, that is:

Other principal
officers of the
Polytechnic

11 (i) the Bursar; and

12 (ii) the polytechnic Librarian, who shall be appointed by the
13 Council on the recommendation of the Selection Board constituted under
14 section 9(b) of this Act.

15 (2) The Bursar shall be the Chief Financial Officer of the
16 polytechnic and be responsible to the Rector for the day to day
17 administration and control of the financial affairs of the polytechnic.

18 (3) The polytechnic Librarian shall be responsible to the Rector for
19 the administration of the polytechnic library and the co-ordination of the
20 library services in the teaching units of the polytechnic.

21 (4) The Bursar or Librarian:

22 (a) shall hold office for a period of five years in the first instance
23 and on such terms and conditions as may be specified in his letter of
24 appointment;

25 (b) may be re-appointed for a further period of five years and no
26 more.

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

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

1 (b) for more than five years but less than ten years, he shall complete
2 the maximum period of ten years and thereafter relinquish his post and be
3 assigned other duties in the polytechnic;

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

Resignation of
appointment of
principal officers

7 **11.** A principal officer may resign his appointment:

8 (a) in the case of the Rector, by notice to the Visitor;

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

Selection Board
for other principal
officers

10 **12.-(1)** There shall be, for the college, a Selection Board which shall
11 consist of:

12 (a) the chairman of the Council;

13 (b) the Rector;

14 (c) four members of the Council not being members of the Academic
15 Board;

16 (d) two members of the Academic Board.

17 (2) The functions and procedure and other matters relating to the
18 Selection Board constituted under subsection (1) of this section shall be as the
19 Council may, from time to time, determine.

Other employees
of the polytechnic

20 **13.-(1)** The Council may appoint such other persons to be employees
21 of the polytechnic as the Council may determine to assist the Rector and the
22 principal officers of the polytechnic in the performance of their functions under
23 this Bill.

24 (2) The power to appoint all other employees of the polytechnic shall
25 be exercised:

26 (a) in the case of senior employees, by the Council on the
27 recommendation of the Appointment and Promotions Committee set up under
28 the provisions of paragraph 3 (2) (a) of the Second Schedule to this Act;

29 (b) in the case of junior employees, by the Rector on the
30 recommendation of the Junior Staff Appointments and Promotions Committee

1 constituted under paragraph 3 (2) (b) of the Second schedule to this Act.

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

6 14.-(1) The Federal Civil Service Commission may by order
7 published in the Federal Gazette declare the office of the Rector or any other
8 person employed by the Council to be a pensionable office for the purposes
9 of the Pensions Act.

Application of
the Pensions Act

10 (2) Nothing in the provisions of subsection (1) of this section shall
11 prevent the appointment of any person to any office on terms which preclude
12 the grant of a pension or gratuity in respect of service in that office.

13 *Establishment of the Academic Board*

14 15.-(1) There shall be established for the polytechnic a board to be
15 known as the Academic Board which shall consist of the following
16 members:

The Academic
Board

- 17 (a) the Rector of the polytechnic, as the Chairman;
18 (b) the Deputy Rector of the polytechnic;
19 (c) all Heads of Departments;
20 (d) the polytechnic Librarian; and
21 (e) not more than two members of the academic staff, other than
22 heads of departments, who may be appointed by the Academic Board.

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

- 24 (a) the direction and management of academic matters of the
25 polytechnic including the regulation of admission of students, the award of
26 certificates and diplomas, scholarships, prizes and other academic
27 distinctions;

- 28 (b) the making to the Council of such periodic reports on such
29 academic matter as the Academic Board may think fit or as the Council may
30 from time to time direct; and

1 (c) the discharge of any other functions which the Council may
2 delegate to it.

3 *Temure of Office*

Removal from
office of members
of the Council
and the Rector

4 **16.**-(1) If it appears to the Council that a member of the Council (other
5 than an ex-officio member) or the Rector should be removed from office on the
6 ground of misconduct or inability to perform the functions or his office, the
7 Council shall make a recommendation to that effect to the President, and if the
8 President, after making such inquiries as he considers necessary, approves the
9 recommendation, the President, shall, in writing, declare the office of such
10 member vacant.

11 (2) The President may remove any member of the Council if he is
12 satisfied that it is not in the public interest or in the interest of the polytechnic
13 that such member should continue as a member of the Council.

Removal and
discipline of
academic,
administrative
and technical
staff

14 **17.**-(1) If it appears to the Council that there are reasons for believing
15 that any person employed as a member of the academic, administrative or
16 technical staff of the polytechnic, other than the Rector, should be removed
17 from office on the ground of misconduct or inability to perform the functions of
18 his office, the Council shall:

19 (a) give notice of those reasons to the person in question;

20 (b) afford him an opportunity of making representations In person on
21 the matter to the Council; and

22 (c) if he or any three members of the Council so request within the
23 period of one month beginning with the date of the notice, make arrangements:

24 (i) if he is an academic staff, or a joint committee or the Council and
25 the Academic Board to investigate the matter and to report on it to the Council;

26 (ii) for a committee of the Council to investigate the matter, where it
27 relates to any other member of the staff of the polytechnic and to report on it to
28 the Council; and

29 (iii) for the person in question to be afforded an opportunity of
30 appearing before and being heard by the investigating committee with respect

1 to the matter, and if the Council, after considering the report of the
2 investigating committee, is satisfied that the person in question should be
3 removed as aforesaid, the Council may so remove him by an instrument in
4 writing signed on the directions of the Council.

5 (2) The Rector may, in a case of misconduct by a member of the
6 staff which in the opinion of the Rector is prejudicial to the interests of the
7 polytechnic, suspend such member and any such suspension shall forthwith
8 be reported to the Council.

9 (3) For good cause, any member of staff may be suspended from
10 office or his appointment may be terminated by the Council, and for the
11 purpose of this subsection, "good cause" means:

12 (a) any physical or mental incapacity which the Council, after
13 obtaining medical advice, considers to be such as to render the person
14 concerned unfit for the discharge of the functions of his office;

15 (b) any physical or mental incapacity which the Council, after
16 obtaining medical advice, considers to be such as to render the person
17 concerned unfit to continue to hold his office;

18 (c) conduct of a scandalous or other disgraceful nature which the
19 Council considers to be such as to render the person concerned unfit to
20 continue to hold his office; or

21 (d) conduct which the Council considers to be such as to constitute
22 failure or inability of the person concerned to discharge the functions of his
23 office or to comply with the terms and conditions of his service.

24 (4) Any person suspended pursuant to subsection (2) or (3) of this
25 section, shall be placed on half pay and the Council shall before the
26 expiration of the period of three months after the date of such suspension
27 consider the case against that person and come to a decision as to:

28 (a) whether to continue such person's suspension and if so on what
29 terms (including the proportion of his emoluments to be paid to him);

30 (b) whether to reinstate such person, in which case the Council

1 shall restore his full emoluments to him with effect from the date of suspension;

2 (c) whether to terminate the appointment of the person in question, in
3 which case such a person, will not be entitled to the proportion of his
4 emoluments withheld during the period of suspension; or

5 (d) whether to take such lesser disciplinary action against such person
6 (including the restoration of such proportion of his emoluments that might
7 have been withheld) as the Council may determine, and in any case where the
8 Council, pursuant to this section, decides to continue a person's suspension or
9 decides to take further disciplinary action against a person, the Council shall
10 before the expiration of a period of three months from such decision come to a
11 final determination in respect of the case concerning any such person.

12 (5) It shall be the duty of the person by whom an instrument of
13 removal is signed in pursuance of subsection (1) of this section, to use his best
14 endeavors to cause a copy of the instrument to be served as soon as reasonably
15 practicable on the person to whom it relates.

16 (6) Nothing in the foregoing provisions of this section shall prevent
17 the Council from making such regulations for the discipline or other categories
18 of staff and workers of the polytechnic as it may think fit.

19 *Discipline*

Discipline of
students

20 **18.-(1)** Subject to the provisions of this section, where it appears to
21 the Rector that any student of the polytechnic has been guilty of misconduct,
22 the Rector may, without prejudice to any other disciplinary powers conferred
23 on him by this Act or regulations made hereunder direct:

24 (a) that the student shall not during such period as may be specified in
25 the direction, participate in such activities of the polytechnic, or make use of
26 such facilities of the polytechnic, as he may specify;

27 (b) that the activities of the student shall, during such period as may be
28 specified in the directions, be restricted in such manner as may be so specified;

29 (c) that the student be suspended for such period as may be specified
30 in the directions; or

1 (d) that the student be expelled from the polytechnic.

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

7 (3) Where a direction is given under subsection (1) (c) or (d) of this
8 section in respect of any student, the student may, within a period of 21 days
9 from the date of the letter communicating the decision to him, appeal from
10 the direction to the Council; and where such an appeal is brought, the
11 Council shall, after causing such inquiry to be made in the matter as the
12 Council considers just, either confirm or set aside the direction or modify it
13 in such manner as the Council may think fit.

14 (4) The fact that an appeal from a direction is brought in pursuance
15 of subsection (3) of this section shall not affect the operation of the direction
16 while the appeal is pending.

17 (5) The Rector may delegate his power under this section to a
18 disciplinary committee consisting of such members of the polytechnic as he
19 may nominate.

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

23 (7) It is hereby declared that a direction under subsection (1) (a) of
24 this section may be combined with a direction under subsection (1) (b) of
25 this section.

26 (8) In all cases under this section, the decision of the Council shall
27 be final.

28 **19.-(1)** If any junior staff is accused of misconduct or inefficiency,
29 the Rector may suspend him for not more than three months and forthwith
30 shall direct the Junior Staff Appointments and Promotions Committee:

Discipline of
junior staff

1 (a) to consider the case; and

2 (b) to make recommendations as to the appropriate action to be taken
3 by the Rector.

4 (2) In all cases under this section, the officer shall be informed of the
5 charge against him and shall be given reasonable opportunity to defend
6 himself.

7 (3) The Rector may, after considering the recommendation made
8 pursuant to subsection (1)(b) of this section, dismiss, terminate, retire or down-
9 grade the officer concerned.

10 (4) Any person aggrieved by the Rector's decision under subsection
11 (3) of this section, may within a period of 21 days from the date of the letter
12 communicating the decision to him, address a petition to the Council to
13 reconsider his case and the Council's decision thereon shall be final.

14 (5) In any case of gross misconduct on the part of a junior staff, the
15 Rector shall forthwith suspend him and thereafter refer the matter to the Junior
16 Staff Appointments and Promotions Committee to be dealt with according to
17 the foregoing provision of this section.

18 *Financial Provisions*

Audits of accounts

19 **20.**-(1) The Council shall keep proper accounts and proper records in
20 relation thereto and shall cause to be prepared, not later than 1 October in each
21 financial year, an estimate of its revenue and expenditure or the ensuing
22 financial year and when prepared, the estimate shall be submitted to the
23 National Board for Technical Education for approval.

24 (2) At the end of each financial year but not later than 30 June the
25 Council shall cause to be prepared a statement of its income and expenditure
26 during the previous financial year.

27 (3) The statement of accounts referred to in subsection (2) of this
28 section shall, when certified by the Rector, be audited by a firm of auditors
29 appointed from the list and in accordance with the guidelines supplied by the
30 Auditor-General of the Federation and shall be published in the annual report

1 of the polytechnic.

2 **21.** The funds of the Council shall include:

Funds of the
Council

3 (a) fees charged by and payable to the Council in respect of
4 students;

5 (b) any other amounts due to or recoverable by the Council;

6 (c) revenue from time to time accruing to the Council from the
7 Federal Government by way of subvention, grant-in-aid, endowment or
8 otherwise howsoever;

9 (d) donations and legacies accruing to the Council from any source
10 for the special purpose of the Council.

11 **22.**-(1) Donations of money to be applied to any particular purpose
12 shall be placed to the credit or a special reserve account approved by the
13 Council until such time as they may be expended in fulfilment of such
14 purpose.

Donation for
particular purposes

15 (2) No Council shall be obliged to accept a donation for a particular
16 purpose unless it approves of the terms and conditions attached to such
17 donation.

18 **23.** All sums of money received on account of the Council shall be
19 paid into such bank for the credit of the Council as may be approved by the
20 Council.

Payment into
bank

21 **24.** The Council shall on or before 31 December in each year
22 prepare and submit to the President through the Minister, a report of the
23 activities during the preceding financial year and shall include in the report,
24 the audited accounts of the polytechnic in respect of that financial year and
25 the auditors' comments on the account.

Annual report

26 *Miscellaneous and Supplemental*

27 **25.**-(1) The Council may make bye-laws relating to any matter
28 within its competence under this Act other than matters for which provision
29 is to be made by standing orders pursuant to paragraph 70 of the Schedule to
30 this Act.

Power to make
bye-laws

1 (2) All such bye-laws shall be in writing and shall come into force
2 when sealed with the seal of the Council unless some other date for their
3 commencement is prescribed therein.

4 (3) Nothing in subsection (2) of this section, shall make it obligatory
5 for the Council to publish any of the said bye-laws in the Federal Gazette but
6 the Council shall bring such bye-laws to the notice of all affected thereby.

Exclusion of
discrimination
on account of
race, religion,
etc.

7 26. No person shall be required to satisfy requirements as to any of the
8 following matters, that is to say race (including ethnic grouping), sex, place of
9 birth or of the family origin or religious or political persuasion or as a condition
10 of becoming or continuing to be a student at the polytechnic or as a holder of
11 any certificate of the polytechnic, or of any appointment or employment at the
12 polytechnic, or a member of anybody established by virtue of this Act; and no
13 person shall be subjected to any disadvantage or accorded any advantage in
14 relation to the polytechnic by reference to any of those matters:

15 Provided that, nothing in this section shall be construed as preventing
16 the polytechnic from imposing any disability or restriction on any of the
17 aforementioned persons where such a person willfully refuses or fails on
18 grounds of religious belief to undertake any duty generally and uniformly
19 imposed on all such persons or any group of them which duty, having regard to
20 its nature and the special circumstances pertaining thereto is, in the opinion of
21 the polytechnic, reasonably justifiable in the national interest.

Quorum and
procedure of
bodies established
under this Act

22 27. Subject to the provisions of paragraph 6 (2) of the Second
23 Schedule to this Act and any standing orders or bye-law made under this Act,
24 the quorum and procedure of any body of persons established by this Bill shall
25 be such as may be determined by that body.

Interpretation

26 28. In this Act, unless the context otherwise requires:
27 "The Academic Board" means the board establish under section 15 of this Act;
28 "The Appointments and Promotions Committee" means a body by that name
29 established under paragraph 3 (2) (a) of the Schedule to this Act;
30 "Polytechnic" means the Federal polytechnic, Abuja, F.C.T set up under

1 section 1 of this Act;

2 "The Junior Staff Appointments and Promotion Committee" means a body
3 by that name set up under paragraph 3 (2) (b) of the Schedule to this Act;

4 "The Minister" means the Minister charged with responsibility for matters
5 relating to technical education;

6 "The Registrar" means the Registrar or the Federal polytechnic Abuja, F.C.T
7 appointed under section 5 (1) of this Act.

8 29. This Bill may be cited as the Federal Polytechnic Abuja, F.C.T Short title
9 (Establishment) Bill, 2018.

10 FIRST SCHEDULE

11 [Section 1.]

12 POLYTECHNIC

13 The polytechnic referred to in section 1 of this Act is as follows:

14 (a) The Federal Polytechnic, Abuja, F.C.T.

15 SECOND SCHEDULE

16 [Section 2.]

17 PUBLIC OFFICERS FOR THE PURPOSES OF THE CODE OF CONDUCT

18 SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

19 *Terms of office of members*

20 1.-(1) A member of the Council other than an ex-officio member
21 shall hold office for a period of three years beginning with the date on which
22 he was appointed and shall be eligible for re-appointment for a further term
23 of three years and thereafter he shall no longer be eligible for re-
24 appointment.

25 (2) Members of the Council holding office as specified in
26 paragraph 1 (1) of this Schedule, shall be paid remuneration or allowance in
27 accordance with rates specified from time to time by the National Council of
28 Ministers.

29 (3) A member of the Council holding office as specified in

1 paragraph 1 (1) of this Schedule may by notice in writing to the Minister resign
2 his office.

3 (1) Where a vacancy occurs in the membership of the Council, that
4 vacancy shall be filled by the appointment of a successor to hold office for the
5 remainder of the term of office of his predecessor; so however that the
6 successor shall represent the same interest as his predecessor.

7 (2) The Council may act notwithstanding any vacancy in its
8 membership or the absence of any member or that a person not entitled to do so
9 took part in its proceedings.

10 *Committees*

11 (1) The Council may appoint one or more committees to which it
12 may delegate any of its functions.

13 (2) Without prejudice to the generality to sub-paragraph (1) of this
14 Schedule, the Council shall appoint the following committees, that is:

15 (a) the Appointments and Promotions Committee which shall without
16 Prejudice to section 7(4) of this Act:

17 (i) consist of a chairman to be appointed by the Rector Cram members
18 of the senior staff of the polytechnic and four other members who shall be
19 appointed by the Council;

20 (ii) be charged with the responsibility for making recommendations
21 to the Council on the appointment and promotion of the academic and senior
22 staff of the polytechnic and have a quorum of three members;

23 (b) the Junior Staff Appointments and Promotions Committee which
24 shall consist of a chairman and four other members to be appointed by the
25 Council and shall have the powers set out in sections 17 (5) and 14 of this Act;

26 (c) the Committee on Students' Affairs which shall consist of the
27 following members:

28 (i) a chairman who shall be appointed by the Rector from among the
29 senior employees of the polytechnic;

30 (ii) one member of the Council;

1 (iii) two members of the academic staff of the polytechnic; and
2 (iv) four students of the polytechnic, and the Committee on
3 Students' Affairs shall be charged with the duty of:

4 (i) considering any matter which relates to the welfare or students;
5 (ii) any other matter referred to it by either the Council or students'
6 Affairs in the first instance;

7 (iii) any matter which the students wish to refer to the Council shall
8 be referred to the Committee on Students Affairs in the first instance.

9 (3) No decision of a committee shall have effect unless it is
10 confirmed by the Council.

11 *Proceedings of the Council*

12 4.-(1) The Council shall meet for the conduct of business at such
13 times as the chairman of the Council may appoint but shall meet not less than
14 twice in a year.

15 (2) The chairman of the Council may at any time and shall at the
16 request in writing of not less than five members of the Council summon a
17 meeting of the Council.

18 (3) Particulars of the business to be transacted shall be circulated to
19 members with the notice of the meeting at least two weeks before the date of
20 the meeting.

21 5. Where the Council desires to obtain the advice of any person on
22 any particular matter, it may co-opt such person as a member for a meeting
23 whether or not expressly convened for the purpose of considering the
24 particular matter but no co-opted member shall be entitled to vote or shall
25 count towards quorum.

26 6.-(1) Every question put before the Council at a meeting shall be
27 decided by a simple majority of the members present and voting.

28 (2) Seven members shall form a quorum at any meeting of the
29 Council.

30 (3) The Chairman shall, at any meeting of the Council, have a vote

1 and, in the case of an equality of votes, may exercise a casting vote.

2 7. Subject as aforesaid, the Council may make standing orders with
3 respect to the holding of meetings, the nature of notices to be given, the
4 proceedings thereat, the keeping of minutes of such proceedings and the
5 custody and production for inspection of such minutes.

6 8. If the Chairman of the Council is absent from a meeting of the
7 Council, the members present shall elect one of their number to act as chairman
8 for the purposes of that meeting.

9 *Miscellaneous*

10 9. Any contract or instrument which if entered into by a person not
11 being a body corporate would not be required to be under seal, may in like
12 manner be entered into or executed on behalf of the Council by any person
13 generally or specifically authorized by it for that purpose.

14 10.-(1) The common seal of the Council shall not be used or affixed to
15 any document except in pursuance of a resolution duly passed at a properly
16 constituted meeting of the Council and recorded in the minutes of such
17 meeting.

18 (2) The fixing of the seal of the Council shall be authenticated by the
19 signature of the Chairman of the Council and some other member authorized
20 generally or specifically by the Council to act for that purpose.

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

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal Polytechnic Abuja-FCT to provide full-time courses in technology, applied science management and other fields of studies and to make provisions for the general administration of the polytechnic.