

# A BILL

## FOR

AN ACT TO ESTABLISH THE NIGERIAN AIR FORCE INSTITUTE OF TECHNOLOGY TO PROVIDE TECHNICAL TRAINING TO PERSONNEL OF THE NIGERIA AIR FORCE AND OTHER SERVICES OF THE NIGERIAN ARMED FORCES AND FOR OTHER CONNECTED PURPOSES

*Sponsored by Hon. Samson Okwu*

[ ] Commencement

ENACTED by the National Assembly of the Federal Republic Of

Nigeria-

1 PART I — ESTABLISHMENT, FUNCTIONS, MEMBERSHIP, ETC. OF THE  
2 NIGERIAN AIR FORCE INSTITUTE OF TECHNOLOGY,  
3 GOVERNING COUNCIL, ETC.

4 1.—(1) There is hereby established a body to be known as the  
5 Nigeria Air Force Institute of Technology (in this Act referred to as "the  
6 Institute").

Establishment of  
the Nigeria Air  
Force Institute  
of Technology

7 (2) The Institute—

8 (a) shall be a body corporate with perpetual succession and  
9 common seal; and

10 (b) may sue or be sued in its own name.

11 (3) The Institute shall provide to each of its entrants the knowledge,  
12 skill, character Manpower, through the innovation of excellent academic  
13 practices and character development modules.

14 2.—(1) The Objects of the Institute shall be to—

Objects of the  
Institute

15 (a) meet a higher level maintenance capability locally for aviation,  
16 aerospace and allied specialties of the Nigerian Air Force, sister Services of  
17 the Nigerian Armed Forces, Government Agencies and related  
18 organizations, Nigeria as well as friendly African Countries and people of  
19 other nationalities;

1 (b) expanded the horizon for indigenous research and development  
2 efforts, through the provision of conducive atmosphere and infrastructure that  
3 will promote cooperation and collaboration with similar Institutions within  
4 and outside Nigeria;

5 (c) prepare Nigerian Air Force Personnel, those of the sister Services  
6 of the Nigerian Armed Forces and Military Personnel from friendly African  
7 Countries for brighter post-services employment as a means of their  
8 integration to civil society and broadening the technical manpower of the  
9 aviation industry;

10 (d) create a world space centre in the aerospace and aeronautical  
11 engineering through the innovation of high class schools, facilities, a and multi  
12 disciplinary research approach;

13 (e) attract International researchers and stakeholders in the aerospace,  
14 aeronautics, aviation and allied industries.

15 (2) For carrying out of its objective as specified in section 2 of this  
16 Act, the Institute shall have power—

17 (a) To establish such campuses, colleges, schools, extra-mural  
18 departments and other teaching and research units within the Institute as may,  
19 from time to time, be deemed necessary or desirable subject to the approval of  
20 the National Universities Commission or the National Board for technical  
21 Education as the case may be.

22 (b) To institute professorships, readerships or associate  
23 professorships, lectureships and other post and offices and to make  
24 appointments thereto.

25 (c) To Institute and award fellowships, scholarship, exhibitions,  
26 bursaries, medals, prizes and titles, distinctions, awards and other forms of  
27 assistance.

28 (d) To provide for the discipline and welfare of members of the  
29 Institute.

30 (e) To hold examinations and grant degrees, diplomas, certificates

1 and other distinctions to persons who have pursued a course of study  
2 approved by the Institute and have satisfied such other requirements as the  
3 Institute may lay down from time to time.

4 (f) To award honorary degrees, fellowships or academic titles.

5 (g) To demand and receive from any student or any other person  
6 attending the Institute for the purpose of instruction such fees as the Institute  
7 may, from time to time, determine subject to the overall directives of the  
8 Governing Council.

9 (h) To acquire, hold, grant, charge or otherwise deal with the  
10 dispose of moveable and immoveable property wherever situated.

11 (i) To accept gift, legacies and donations, but without obligation to  
12 accept the same for a particular purpose unless it approves the terms and  
13 conditions attaching thereto.

14 (j) To enter into contracts, establish trust, act as trustee, solely or  
15 jointly with any other person, and employ and act through agents.

16 (k) To erect, provide, equip and maintain libraries, laboratories,  
17 lecture halls, halls of residence, refectories, sports grounds, playing fields  
18 and other building or things necessary or suitable or convenient for any of  
19 the objects of Institute.

20 (l) To hold public lectures and to undertake printing, publishing  
21 and book-selling.

22 (m) Subject to any limitations on conditions imposed by statute, to  
23 invest any money appertaining to the Institute by way of endowment, not  
24 being immediately required for current expenditure, in any investments or  
25 securities or the purchase or improvement of land, with power from time to  
26 time to vary any such investment and to deposit any money for the time  
27 being not invested with any bank on deposit or current account.

28 (n) To borrow, whether on interest or not if need be upon the  
29 security of any or all of the properties, moveable or immoveable, of the  
30 Institute, such monies as the council may, from time to time, in its direction

1 find necessary or expedient to borrow or to guarantee any loan, advance or  
2 credit facilities.

3 (o) to make gift for any charitable purpose.

4 (p) to arrange for the general welfare of children of members of staff.

5 (q) To do anything which it is authorized or required by this Act or by  
6 statute to do; and

7 (r) To do all such acts or things, whether or not incidental to the  
8 foregoing powers, as may advance the objects of the Institute.

9 (3) The powers conferred on the Institute by subsection (2) of this  
10 section shall be exercisable on behalf of the Institute by the council or in any  
11 other manner, which may be authorized by statute.

12 (4) The Council shall meet as at when necessary for the performance  
13 of its functions under this Act.

Establishment  
and Composition  
of the Council

14 3.—(1) There shall be for the Institute, a governing body to be known  
15 as "the Council" which shall have responsibility for the administration and  
16 general management of the Institute.

17 (2) The Council established pursuant to subsection (1) of this section  
18 shall consist of the following members, that is—

19 (a) a Chairman who shall be the Chief Air Officer in charge of  
20 Logistic;

21 (b) the Chief Air Officer Commanding, Training Command;

22 (c) the Chief Air Officer in charge of Policy and Plans;

23 (d) the Director Air Force, Ministry of Defence;

24 (e) the Commandant of the Institute;

25 (f) Provost of the Institute;

26 (g) Representatives of Ministry of Science and Technology;

27 (h) Representatives of National Universities Commission;

28 (i) Representatives of National Board for Technical Education;

29 The Registrar of the Institute shall be the Secretary of the Council but not a  
30 decision making member.

## 1 PART II — POWERS OF THE GOVERNING COUNCIL

2 4.—(1) the Institute shall be a Military Institute and shall have  
3 powers to award its Diplomas, Higher Diplomas and Post Graduate  
4 Diplomas and Degree in accordance with the academic standard as may be  
5 prescribed by the National Board for technical Education and the National  
6 Universities Commission from time to time.

Powers of the  
Institute

7 (2) The Council may, subject to the provisions of this Act and  
8 conditions of trust in respect of funds held or any property owned by the  
9 Institute, invest any but not all of its funds with the same consent or general  
10 authority.

11 5.—(1) There shall be an Executive Board which shall have control  
12 of the academic affairs of the Institute and, subject to the powers of the  
13 Governing council, the Academic Board shall have the following function,  
14 that is to—

Appointment of  
Academic Board

15 (a) Organise and control the teaching of academic courses and  
16 examinations thereto;

17 (b) Determine the passes and failure of all courses in accordance  
18 with the criteria for passing or failing as laid down in the academic policy;

19 (c) Deal with matters relating to admission into department and  
20 school;

21 (d) Recommend to the Governing Council persons to be appointed  
22 as external examiner for the Diplomas & Higher Degrees Examination;

23 (e) Deal with matters relating to research projects;

24 (f) Any other functions assigned or delegated to it, from time to  
25 time, by the Governing Council.

26 (2) The Academic Board shall consist of-

27 (a) the Institute provost, who shall be the chairman;

28 (b) the Deans of schools;

29 (c) the Heads of Academic Departments;

30 (d) all professors, whether Heads of Department or not;

1 (e) the Institute Librarian;

2 (f) two military of the Institute to be appointed by the commandant;

3 and

4 (g) the Institute Registrar, who shall be the Secretary.

5 PART III — ORGANIZATION OF THE ACADEMIC WORK

Institute School  
Board

6 6.—(1) Each school shall be divided into such number of department  
7 as may be prescribed.

8 (2) There shall be established in respect of each school, a school board  
9 which, subject to the provision of this Act and to the direction of the Institute  
10 provost shall-

11 (a) regulate the teaching and study of, and the conduct of examination  
12 connected with the subjects assigned to the school;

13 (b) deal with any other matter to it by statute, or by the Institute  
14 provost or by the Academic Board; and

15 (c) advise the Institute provost or the Academic Board on any matter  
16 referred to it by the Institute provost or the Academic Board.

17 (3) Where a school consists of the two or more departments, each  
18 department shall have its own board of studies, which shall be responsible to  
19 and be under the control of the Academic Board.

20 (4) Each school Board shall consist of—

21 (a) the Dean of the school;

22 (b) the persons severally in charge of the Departments of the school;

23 (c) such numbers of lecturers assigned to the school and having  
24 prescribed qualifications as the school Board may determine; and

25 (d) such numbers of person are not members of the Institute as the  
26 school Board may, with general or special approval of the Academic Board.

27 (4) The quorum of the school Board shall be two third of the members  
28 of the school Board, and subject to the provision of this statute and any  
29 provision made by regulation on this behalf, the school Board may regulate its  
30 own procedure.

1                   7.—(1) The Dean of a school condition shall be appointed in such     Dean of School  
2                   manner and hold office for such a time and subject to such condition, as may  
3                   be prescribed by regulations.

4                   (2) If there is no professor in the school, the office of the Dean of  
5                   the school shall be held by a number of the school holding the rank of reader  
6                   of senior lecturer or senior military officer of comparative academic  
7                   experience, on the basis of seniority as may be determined by the  
8                   Commandant.

9                   (3) The Dean shall be the Chairman at all meetings of the school  
10                  Board when he is present and he shall be a member of all Committees and  
11                  other boards appointed by the school and when is absent from any meeting,  
12                  the most senior member present shall preside in the meeting.

13                  (4) The Dean of the school shall exercise general superintendence  
14                  over the academic administrative affairs of the school, and it shall be the  
15                  function of the Dean to present grandaunts for the conferment of certificates  
16                  degrees, after having qualified at examinations held in the departments.

17                  (5) The Dean of School may be removed from office by the  
18                  Commandant for good cause and in the event of a vacancy occurring,  
19                  following the removal of Dean, an acting Dean may be appointed by the  
20                  Commandant, provided that arrangement shall be made for a new Dean to be  
21                  appointed in the manner prescribed within a period of three months from the  
22                  date when the acting Dean assumed office.

23                  (6) For the purpose of subsection (5) of this section "good cause"  
24                  shall mean-

25                  (a) conviction for any officer which the Commandant considers to  
26                  be such as to render the person concerned unfit for the discharge of the  
27                  function;

28                  (b) any physical or mental incapacity which the Commandant,  
29                  after obtaining medical advice, considers to be such as to render the person  
30                  unfit to continue to hold his office;

1 (c) conduct of scandalous or other disgraceful nature, which the  
2 Commandant considers to be such as to render the person unfit to continue to  
3 hold his office;

4 (d) conduct which the Commandant considers to be such as constitute  
5 failure or inability of the person concerned to discharge the functions of his  
6 office or to comply with the terms and conditions of service; or

7 (e) conduct which the Commandant to be generally of such nature as  
8 to render the continuous appointment or service of the person concerned  
9 prejudicial or detrimental to the interest of the Institute.

Staffing of the  
Institute

10 8.—(1) The Nigeria Air Force shall post officers and airmen from  
11 time to time to fill administrative, teaching and other military or academic  
12 vacancies in the Institute.

13 (2) The Governing Council may appoint such person as civilian  
14 members of the academic staff of the Institute for teaching, research, academic  
15 and administration as it considers necessary and may approve terms and  
16 conditions of service including provisions for the payment of pensions.

17 (3) Members of staff of Institute shall, unless exempted by the  
18 Chairman take such oaths as to secrecy on assumption of duty and as may be  
19 determined from time to time.

20 (4) No civilian personnel employed in any capacity, whether or not a  
21 member of a trade union, shall engage or take part in any strike.

22 (5) Any civilian personnel who contravenes the provisions of  
23 subsection (4) of this section, is guilty of an offence and liable on conviction to  
24 a fine of not less than ₦200,000.00 or to imprisonment for term of not less than  
25 six months or to both such fine and imprisonment.

26 PART IV — PRINCIPAL OFFICERS

Appointment of  
the Commandant

27 9.—(1) There shall be appointed for the Institute, a Commandant,  
28 whose appointment and removal from office shall be in accordance with  
29 military posting, and who shall be responsible to the Governing Council for—

30 (a) giving to the Governing Council such information on the activities



1 of the Institute as the Chairman of the Board may require; and

2 (b) authorizing programmes and plans for giving effect to policy  
3 approved by the Governing Council or to any direction of the Governing  
4 Council, subject to all or any of the powers in this section as may be  
5 delegated to him by the Governing Council.

6 (2) The fact that any power has been delegated to the Commandant  
7 pursuant to sub-section (1) of this section shall not preclude the Governing  
8 Council itself from exercising them in any special case.

9 (3) The powers referred to in subsection (2) of this section shall  
10 include-

11 (a) the executive control over the military and civilian staff of the  
12 Institute;

13 (b) the supervision of accounts and records;

14 (c) the preparation for approval of programmes and plans  
15 necessary to carry into effect approved policy or any directive of the  
16 Governing Council;

17 (d) the interpretation of such policy to other staff of the Institute;

18 (e) the making of any staff recommendations to the Governing  
19 Council; and

20 (f) the establishment of organizational structures, committees and  
21 definitions of duties provided that nothing in this Act shall be deemed to  
22 detract from the military powers of command of the Commandant, which  
23 shall include the powers to try service personnel in accordance with the  
24 Armed Forces Act.

25 (4) The Commandant shall in exercise of his disciplinary powers  
26 have similar powers to that of an Air Officer Commanding or its equivalent  
27 in the conduct of summary trial or convening a Court Martial under the  
28 Armed Forces Act.

29 10. There shall be appointed for the Institute a Principal Staff  
30 Officer Coordination, whose appointment and removal from office shall be

Principal Staff  
Officer  
Coordination

1 in accordance with military posting, and who shall assist the Commandant in  
2 the running of the Institute in accordance with the provisions of this Act.

Appointment of  
the Provost

3 **11.** There shall be appointed an Institute Provost (in this Act referred  
4 to as the "provost") who shall be responsible to the Commandant for the co-  
5 ordination of all academic activities of the Academic Branch and shall perform  
6 such other functions as the Governing Council or the Commandant as the case  
7 may be, shall assign to him from time to time.

Institute Registrar

8 **12.** There shall be for the Institute a Registrar, who shall be  
9 responsible to the provost for the day-to-day administrative work of the  
10 Academic Board.

Institute Librarian

11 **13.** There shall be for the Institute a Librarian who shall be  
12 responsible to the Provost for the administration of the library services in the  
13 Institute and its School and Departments.

Appointment  
of Principal  
Officers of the  
Institute

14 **14.—(1)** When a vacancy occurs in the office of the Institute Registrar  
15 and institute Librarian, HO NAF will fill the vacancies accordingly non-  
16 academic positions, a selection committee shall be constituted which shall  
17 consist of-

18 (a) the Commandant;

19 (b) the Principal Staff Officer Coordination;

20 (c) the Provost; and

21 (d) two members appointed by the Academic Board.

22 **(2)** The selection committee after making such inquiries as it thinks fit  
23 shall recommend a candidate to the council for the appointment to the vacant  
24 post and after considering the recommendation of the selection committee, the  
25 Council may make an appointment to that post.

Appointment  
of Other Academic  
and Non-Academic  
Staff of the  
Institute

26 **15.—(1)** An interview panel to interview candidates, not above the  
27 grade of as senior lecturer or equivalent shall be constituted. Consisting of-

28 (a) the Institute Provost who shall be the Chairman;

29 (b) the Dean of the relevant Schools;

30 (c) the Head of the Departments concerned, except that if the Head of

1 Department is himself a candidate, he shall not serve on the interview panel;

2 (d) the Institute Registrar, who shall be the secretary of the  
3 interview panel; and

4 (e) at least two persons recommended by the Dean to the provost  
5 and such persons must have knowledge of the subject or field in respect of  
6 which candidates are being assessed or interviewed, and must not be of  
7 lower status than that of the post being interviewed for.

8 (2) For the purpose of filling any vacancies occurring in the post of  
9 Professors or Reader, an Academic committee set up under subsection (3) of  
10 this section, shall sit as a selection board. To select and recommend to the  
11 Institute Governing Council, suitable persons to fill the vacant posts.

12 (3) The Academic Committee, when sitting as a selection board,  
13 under subsection (2) of this section, shall consist of-

14 (a) the Commandant;

15 (b) the Provost;

16 (c) the Dean of the School concerned;

17 (d) two members of the Committee appointed by the Governing  
18 Council, one of whom shall be a member of the staff of the School or  
19 candidates directly.

20 16.—(1) Any officer referred to in the provisions of this Act may  
21 resign his office-

Method of  
Resignation

22 (a) in line with military tradition; or

23 (b) if civilian, by notice to the Governing Council, through the  
24 Commandant.

25 (2) Subject as may be otherwise specified, a person who has ceased  
26 to hold office so mentioned otherwise that by removal for misconduct, shall  
27 be eligible for reappointment to that office.

28 17. In this Act unless the context otherwise require-

Interpretation

29 "Institute" means the Nigerian Air Force Institute of Technology established  
30 in section 1;

1 "Council" means the Governing Council established in section 3;

2 "Officer" has the same meaning as in the Armed Forces Act.

Citation

3 18. This Bill may be cited as the Nigerian Air Force Institute of  
4 Technology Bill, 2015.

5 SCHEDULE

6 *Section 5 (3)*

7 SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

8 Powers of Council

9 1. The Council shall have powers to do anything which in its opinion  
10 is calculated to facilitate the carrying on the activities of the Institute.

11 Proceeding of the Council

12 2.-(1) Subject to the provisions of this Act, the Council may in the  
13 name of the Institute make standing orders regulating the proceedings of the  
14 Institute or of the Council, and in the exercise of its powers under this Act, may  
15 set up committees in the general interest of the Institute, and make standing  
16 orders therefore.

17 (2) Standing orders shall provide for decision to be taken by a  
18 majority of the members, and, in the event of equality of votes, for the President  
19 or the Chairman, as the case may be, to have a second or casting vote.

20 (3) Standing orders made for a committee shall provide that the  
21 committee report back to the Council on any matter not within its competence  
22 to decide upon.

23 (4) The quorum of the Council shall be nine, and the quorum of a  
24 committee of the Council shall be as be fixed by the Council.

25 Meeting of the Council

26 3.-(1) Subject to the provisions of any standing orders of the Council,  
27 the Council shall meet whenever it is summoned by the Chairman, and if the  
28 Chairman is required to do so by notice in writing given to him by not less than  
29 seven other members, he shall summon a meeting of the Council to be held  
30 within seven days from the date on which the notice is given.

1 (2) At any meeting of the Council, the Chairman or in his absence  
2 the Deputy Chairman shall preside; but if both are absent the members  
3 present at the meeting shall appoint one of their numbers to preside at that  
4 meeting.

5 (3) Where the Council desires to obtain advice of any person on a  
6 particular matter, the Council may co-opt him as a member for such period  
7 as the Council thinks fit, but a person who is a member by virtue of the  
8 provisions of this subparagraph shall not be entitled to vote at any meeting of  
9 the Council and shall not count towards a quorum.

10 (4) Notwithstanding anything in the foregoing provisions of this  
11 paragraph, the first meeting of the Council shall be summoned by the  
12 Minister, who may give such directions as he thinks fit as to the procedure  
13 which shall be followed at the meeting.

#### 14 *Committees*

15 4.—(1) The Council may appoint one or more committees to carry  
16 out on behalf of the Institute or of the Council, such functions as the Council  
17 may determine.

18 (2) A committee appointed under this paragraph shall consist of the  
19 number of persons determined by the Council, and a person other than a  
20 member of the Council shall hold office on the committee in accordance  
21 with the terms of the instrument by which he is appointed.

22 (3) Any recommendation of a committee of the Council shall be of  
23 no effect until it is approved by the Council.

#### 24 *Miscellaneous*

25 5.—(1) The fixing of the seal of the Institute shall be authenticated  
26 by the signature of the Registrar or of some other member of the Council  
27 authorised generally by the Institute to act for that purpose.

28 (2) Any contract or instrument which, if made or executed by a  
29 person not being a body corporate, would not be required to be under seal,  
30 may be made or executed on behalf of the Institute or the Council as the case

1 may require, by any person generally or specially authorised to act for that  
2 purpose by the Council.

3 (3) Any document purporting to be a document duly executed under  
4 the seal of the Institute shall be received in evidence and shall unless the  
5 contrary is proved is deemed to be so executed.

6 (4) The validity of any proceedings of the Council or of a committee of  
7 the Council shall not be affected by any vacancy in membership, or of any  
8 defect in the appointment of a member of the Institute or of the Council or of a  
9 person to serve on the committee, or by reason that a person not entitled to do so  
10 took part in the proceedings.

11 (5) Any member of the Council, and any person holding office on a  
12 committee of the Council, who has a personal interest by the Council or a  
13 committee thereof, shall forthwith disclose his interest to the Registrar or to the  
14 Council, as the case may be, and shall not vote on any question relating to the  
15 contract or arrangement.

#### EXPLANATORY MEMORANDUM

This Bill seeks to provide for the establishment of the Air Force Institute of Technology to provide technical training to personnel of Nigerian Air Force and Other Services of the Armed Forces in Nigeria and Other African Countries.