

A BILL

FOR

AN ACT TO ESTABLISH THE FEDERAL COLLEGE OF MEDICAL LABORATORY SCIENCE, JOS AND TO PROVIDE FOR COURSES LEADING TO THE AWARD OF DEGREES, FELLOWSHIP, DIPLOMAS AND CERTIFICATES IN MEDICAL LABORATORY SCIENCE, BIOMEDICAL SCIENCE, OTHER RELATED COURSES AND FOR OTHER MATTERS CONNECTED THEREWITH

Sponsored by Hon. Gyang Istifanus Dung

[] Commencement

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18

PART I

1. There is hereby established a Federal College of Medical Laboratory Science, Jos (in this Act referred to as "the College") which shall have the functions and powers conferred on it by this Act.

(1) The College shall be a body corporate with perpetual succession and a common seal and may sue and be sued in its corporate name:

2. The College shall consist of:

- (a) A Governing Board;
- (b) An Academic Board;
- (c) A Body to be called Congregation;
- (d) A Body to be called Convocation.

3.-(1) There is also established for the College the Governing Council of the Federal College of Medical Laboratory Science (In this Act referred to as "the Council").

(2) The Council shall consist of:

(a) A Chairman who is a Fellow of Medical Laboratory Science Council of Nigeria and shall be appointed by the President from a list of

- 1 three persons to be compiled and presented by the Federal Ministry of Health;
- 2 (b) A representative of each of the following Federal Ministries:
- 3 (i) Health;
- 4 (ii) Education.
- 5 (c) A representative of the Association of Medical Laboratory
- 6 Scientist of Nigeria;
- 7 (d) Two persons, at least one of whom shall be a woman, selected on
- 8 their personal merit based on their contribution either to the development of
- 9 Medical Laboratory Science and Biomedical Science or their special interest in
- 10 Biomedical Science education;
- 11 (e) The Provost of the College; and
- 12 (f) A representative of the Academic Board of the College.
- 13 (3) The Supplementary Provisions set out in the Schedule to this Act
- 14 shall have effect with respect to the proceedings of the Council and other
- 15 matters contained therein.

16 4.-(1) A member of the Council (other than an ex-officio member)

17 shall hold Office for a term of three (3) years and subject to subsection (2) of

18 this Section shall be eligible for re-appointment for a further period of three (3)

19 years and no more.

20 (2) A member of Council other than an ex-officio member may by

21 notice address to the Council resign his appointment.

22 (3) The Ministry may, in writing with the approval of the President

23 remove any member of the Council if he is satisfied that it is not in the interest

24 of the College that the member concerned should continue in office.

25 (4) Member of the Council other than ex-officio member shall be paid

26 such remuneration and allowances as may from time to time be determined by

27 the President.

28 PART II

29 5. The function of the College shall be to:

30 (a) Provide courses of instruction, training and research in:

1 (i) Medical Laboratory Science;
2 (ii) Biomedical Science;
3 (iii) Such other fields of applied learning relevant to the needs of
4 the development of Nigeria in the areas of Medical Laboratory Science and
5 Biomedical Science and other Para-science courses; and for research in the
6 development and adaption of techniques as the Council may from time to
7 time determine.

8 (b) Train. prospective candidates for the award of Fellowship by
9 the Medical Laboratory Science Council of Nigeria, for a minimum period
10 of three (3) years which shall qualify the beneficiaries to become consultants
11 on Grade Level 15 in the Federal Civil Service;

12 (c) Produce technical, professional and such other skilled
13 personnel normally required for Medical Laboratory Science and
14 Biomedical Science;

15 (d) Arrange Conferences, Seminars and Study groups relevant to
16 the fields of learning specified in subsection (a) above;

17 (e) Perform such other functions as in the opinion of the Council
18 may serve to promote the objective of the College.

19 6. -(1) subject to the provisions of this Act, the Council shall be the
20 Governing Body of the College and shall control the general management of
21 the affairs of the College and in particular, the control of the property and
22 finances; and shall also have power to do any thing which in its opinion is
23 calculated to facilitate carrying out the activities of the College and promote
24 its best interests.

25 (2) The Council may acquire and hold such movable or immovable
26 property as may be necessary or expedient for carrying into effect the
27 provisions of this Act and for the same purpose may sell, lease, mortgage or
28 otherwise alienate or dispose of any property so acquired;

29 (3) The Council may enter into such contract as may be necessary
30 or expedient for carrying into effect the provisions of this Act.

1 (2) The Provost shall be the Chief Academic and Administrative
2 Officer of the College.

3 10. A person to be appointed Provost shall possess:

4 (a) A Post Graduate Degree in Medical Laboratory Science or
5 Biomedical Science with evidence of publications in the relevant fields;

6 (b) Appropriate professional qualifications in Medical Laboratory
7 Science or Biomedical Science and be registered with the Medical
8 Laboratory Science Council of Nigeria;

9 (c) Not less than 15 years cognate experience in the field of
10 Medical Laboratory Science or Biomedical Science.

11 11. The Provost shall be responsible for:

12 (a) The day to day administration of the College;

13 (b) The exercise of general authority over the employees of the
14 College; and

15 (c) The discipline of the students in the College.

16 12. The Provost shall hold office for a period of four (4) years and
17 shall be re-appointed for a further period of four (4) years and no more.

18 13. The Provost shall hold office on such terms and conditions as
19 may be determined by the Minister and set out in his letter of appointment.

20 14. Where the post of the Provost is vacant, the Council shall:

21 (a) Advertise the vacancy in a reputable journal and widely read
22 newspaper in Nigeria specifying:

23 (i) the qualities of a person who may apply for the position;

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

26 (b) a Joint Committee of the Council and the Academic Board
27 consisting of:

28 (i) the Chairman of the Council;

29 (ii) two members of the Council not being members of the
30 Academic Board and not below the rank of Chief Lecturer shall be

1 considered the candidates on the short list drawn up under subsection (a) (ii) of
2 this section through an examination of their curriculum vitae and interaction
3 with them and recommend to the Council qualified candidates for its
4 consideration.

5 **15. -(1)** There shall be a Registrar for the College who shall be
6 responsible to the Provost for the day-to-day administration of the College and
7 shall perform such other duties as the Council, or as the case may be, the
8 Provost may from time to time require him to do;

9 (2) The Registrar shall be the Secretary to the Council, the Academic
10 Board and any Committee of the Council and shall attend all the meetings of
11 those bodies unless excused for good cause or reason by the Chairman of the
12 Council;

13 (3) Where the Registrar is absent for a meeting of the Council, the
14 Chairman of the Council may, after consultation with the Provost, appoint a
15 suitable person to act as secretary for any particular meeting the Council;

16 (4) The Secretary to the Council or a person appointed to act under
17 subsection (3) of this section shall not be entitled to vote on any question before
18 the Council or be counted towards a quorum unless such a person is so entitled
19 as a member of the Council.

20 **16. -(1)** A Registrar:

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

24 (b) may be re-appointed for one further period of five years and no
25 more (2) where on the commencement of this Act, a Registrar has held office:

26 (a) for five (5) years or less, he shall be deemed to be serving his first
27 term of office and may be re-appointed for a further term of five years;

28 (b) for more than five (5) years but less than ten (10) years, he shall
29 complete the maximum period of ten (10) years and thereafter relinquish his
30 position and be assigned other duties in the College;

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

4 17.-(1) there shall be for the College two (2) Deputy Provosts who
5 shall assist the Provost in the discharge of his functions as follows:

6 (i) Deputy Provost I—Administration;

7 (ii) Deputy Provost II—Academics.

8 (2) Each Deputy Provost shall be a person of high Academic and
9 moral standing and manifest administrative experience, and shall be
10 appointed by the Council on the recommendation of the Provost.

11 (3) the Council shall appoint the Deputy Provost from among the
12 Chief Lecturers in the College in one of the following ways:

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

15 (b) on the recommendation of the Selection Board constituted for
16 the College

17 (4) the Selection Board referred to in subsection (3)(b) of this
18 section shall consist of:

19 (i) the Chairman of the Council;

20 (ii) the Provost;

21 (iii) two members of the Council not being members of the
22 Academic Board

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

24 (b) make such inquires as it deems fit before making the
25 recommendation required under subsection (3)(b).

26 (5) the Deputy Provosts shall:

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

28 (b) act (in the case of the Deputy Provost I) in the place of the
29 Provost when the post of the Provost is vacant or if the Provost is, for any
30 reason, absent or unable to perform his functions as Provost; and

1 (c) Perform such other functions as the Provost or the Council may
2 from time to time, assign to them;

3 (6) A Deputy Provost:

4 (a) Shall hold office for a period of two (2) years beginning from the
5 effective date of his appointment and on such terms and conditions as may be
6 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 **18. -(1)** There shall be for the College the following other Principal
10 Officers in addition to the Registrar, that is:

11 (a) The Bursar;

12 (b) The College Librarian;

13 (c) The Director of Works Services;

14 (d) The Director of Medical and Health Services; who shall be
15 appointed by the Council on the recommendation of the Selection Board
16 constituted under section 17 (3)(b) of this Act.

17 (2) The Bursar shall be the Chief Financial Officer of the College and
18 shall be responsible to the Provost for the day to day administration and control
19 of the financial affairs of the College.

20 (3) The College Librarian shall be responsible to the Provost for the
21 administration of the College Library and the co-ordination of the library
22 Services in the teaching units of the College.

23 (4) The Director of Works Services shall be responsible to the Provost
24 for the maintenance of the College buildings, minor works, transport and the
25 supervision of the College's constructions projects.

26 (5) The Director of Medical and Health Services shall be responsible
27 to the Provost for the supervision of the Medical and Health Services and
28 facilities of the College.

29 (6)(a) The Principal Officers mentioned in subsection (1) of this
30 section, shall hold office for a period of four (4) years in the first instance and

1 on such terms and conditions as may be specified in his letter of
2 appointment;

3 (b) May be re-appointed for a further period of four (4) years and
4 no more;

5 (c) Any question as to the scope of the responsibilities of the
6 aforesaid Officers shall be determined by the Provost.

7 (7) Where on the commencement of this Act, a Bursar, Librarian,
8 Director of Works Services and Director of Medical and Health Services has
9 held office:

10 (a) For four (4) years or less, he shall be deemed to be serving his
11 first term of office and may be re-appointed for a further term of four (4)
12 Years;

13 (b) For more than four (4) years but less than eight (8) years he,
14 shall complete the maximum period of eight years (8) and thereafter
15 relinquish his post and be assigned other duties in the College;

16 (c) For eight (8) years or more, he shall relinquish his post and be
17 assigned to other duties in the College.

18 19. Principal Officer may resign his appointment:

19 (a) In the case of the Provost, by notice to the Council who shall
20 forward it to the President;

21 (b) In any other case, by notice to the Provost who shall forward it
22 to the Council.

23 20. -(1) The Council may appoint such other persons to be
24 employees of the College as the Council may determine to assist the Provost
25 and the Principal Officers of the College in the performance of their
26 functions under this Act.

27 (2) The power to appoint all other staff of the College apart from the
28 Provost and the Principal Officers shall be exercised;

29 (a) In the case of a Senior Staff, by the Council on the
30 Recommendation of the Senior Staff Appointments and Promotions

1 Committee set up under the provision of paragraph 2 (2) (a) of the Schedule to
2 this Act;

3 (b) In the case of a Junior Staff, by the Provost on the
4 Recommendation of the Junior Staff Appointments and Promotions
5 Committee set up under paragraph 2 (2) (b) of the Schedule to this Act.

6 (3) The remuneration and tenure of office of staff of the College shall
7 be determined by the Council with the approval of the Minister.

8 21.-(1) The Council may, subject to the provisions of this Act, make
9 Staff regulations relating generally to the conditions of service of the staff of
10 the College and without prejudice to the generality of the foregoing, such
11 regulations may provide for:

12 (a) The appointment, promotion and discipline of employees of the
13 College; and

14 (b) Appeals by such employees against dismissal or other disciplinary
15 measures, and until such regulations are made, any instrument relating to the
16 Conditions of Service of Public Officers in the university system shall be
17 applicable, with such modifications as may be necessary, to employees of the
18 College;

19 (c) The rates of remunerations, scales of salary, contract conditions,
20 super-annuations arrangements and other conditions of service of members of
21 the Academic, Administrative and Technical staff shall be determined from
22 time to time by the Council. The Provost/CEO and other Academic staff shall
23 retire on attainment of 65 years of age, while Non-Academic staff shall retire
24 on attainment of 60 years of age as applicable to other Training/Research
25 Institutions.

26 (2) Staff regulations made under subsection (1) of this section shall
27 not have effect until approved by the Minister and when so approved, the
28 regulations need not be published in the gazette but the Council shall cause
29 them to be brought to the notice of all affected persons in such manner as it may,
30 from time to time, determine.

1 22.-(1) there shall be established for the College a Board to be
2 known as the Academic Board which shall consist of the following
3 members:

4 (a) The Provost of the College as the Chairman;

5 (b) The Deputy Provosts of the College;

6 (c) All Heads of Departments;

7 (d) The Librarian; and

8 (e) Not more than two members of the Academic Staff other than
9 Heads of Departments who may be appointed by the Academic Board.

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

11 (a) The Direction and Management of Academic matters of the
12 College including the regulation of admission of students, the award of
13 Certificates and Diplomas, scholarships, prizes and other Academic
14 distinctions;

15 (b) Presenting to the Council of such periodic reports on such
16 Academic matters as the Academic Board may think fit or as the Council
17 may from time to time direct; and

18 (c) The discharge of any other functions which the Council may
19 delegate to it.

20 23. Where it appears to the Council that the Provost should be
21 removed from office, on the grounds of misconduct or inability to perform
22 the functions of his office, the Council shall make a recommendation to that
23 effect to the President and if the President, after making such inquiries as he
24 considers necessary, approves the recommendation, the President shall in
25 writing, declare the office of the Provost vacant.

26 24.-(1) Where it appears to the Council that there are reasons for
27 believing that any person employed as a member of the Academic Staff,
28 Administrative or Technical staff of the College, other than the Provost,
29 should be removed from office on the ground of misconduct or inability to
30 perform the functions of his office the Council shall:

Removal from
office

- 1 (a) Give notice of those reasons to the person in question;
- 2 (b) Afford him an opportunity of making representations in person on
3 the matter to the Council; and
- 4 (c) If he or any three members of the Council so request within the
5 period of one month beginning with the date of the notice, make arrangements:
- 6 (i) If he is an Academic Staff, for a joint committee of the Council and
7 the Academic Board to investigate the matter and report to the Council;
- 8 (ii) For a Committee of the Council to investigate the matter, where it
9 relates to any other member of staff of the College and report to the Council;
10 and
- 11 (iii) For the person in question to be afforded an opportunity of
12 appearing and making presentations before the Investigation Committee with
13 respect to the matter. And if the Council after considering the report of the
14 Investigating Committee, is satisfied that the person in question should be
15 removed as aforesaid, the Council may so remove him by an instrument in
16 writing signed on the directions of the Council.
- 17 (2) The Provost may, in the case of misconduct by a member of staff
18 which in the opinion of the Provost is prejudicial to the interests of the College,
19 suspend such member and any such suspension shall forthwith be reported to
20 the Council.
- 21 (3) A member of staff may be suspended from office for good cause,
22 or his appointment may be terminated by the Council. For the purpose of this
23 Subsection, "good cause" means:
- 24 (a) Any physical or mental incapacity which the Council, after
25 obtaining advice from a panel of two (2) Medical Experts constituted by the
26 Council, considers to be such as to render the person concerned unfit for the
27 discharge of the functions of his office;
- 28 (b) Any physical or mental incapacity which the Council, after
29 obtaining medical advice from a panel of two (2) Medical Experts constituted
30 by the Council, considers to be such as to render the person concerned unfit to

1 continue to hold his office;

2 (c) Conduct of a scandalous or disgraceful nature which the
3 Council considers to be such as to render the person concerned unfit to
4 continue to hold his office;

5 (d) Conduct which the Council considers to be such as to constitute
6 failure or inability of the person concerned to discharge the functions of his
7 Office or to comply with the terms and conditions of service.

8 (4) Any person suspended pursuant to subsection (2) or (3) of this
9 Section, shall be placed on half pay and the Council shall before the
10 expiration of the three months after the date of such suspension considers the
11 case against that person and come to a decision as to:

12 (a) Whether to continue such person's suspension and if so on what
13 terms (including the proportion of the emoluments to be paid to him);

14 (b) Whether to reinstate such person, in which case the Council
15 shall restore his full emoluments to him with effect from the date of
16 suspension;

17 (c) Whether to terminate the appointment of the person in question,
18 in which case such a person, will not be entitled to the proportion of his
19 emoluments withheld during the period of suspension;

20 (d) Whether to take such lesser disciplinary action against such
21 person (including the restoration of such proportion of his emoluments that
22 might have been withheld) as the Council may determine, and in any case
23 where the Council, pursuant to this section, decides to continue a person's
24 suspension or decides to take further disciplinary action against a person, the
25 Council shall before the expiration of a period of three months from such
26 decision come to a final determination in respect of the case concerning any
27 such person.

28 (5) It shall be the duty of the person by whom an instrument of
29 removal is signed in pursuance of subsection (1) above to use his best
30 endeavors to cause a copy of the instrument to be served as soon as

1 reasonably practicable on the person to whom it relates.

2 (6) Nothing in the foregoing provisions of this section shall prevent
3 the Council from making such regulations for the discipline of other categories
4 of staff and workers of the College as it may think fit.

Discipline

5 25.-(1) The Council may make rules providing for the Provost to
6 conduct enquiries into alleged acts of misconduct (including lack of discipline)
7 by students and such rules may make different provisions for different
8 circumstances.

9 (2) The rules shall provide for the procedure and rules of evidence to
10 be followed at enquiries under this section.

11 (3) Subject to the provisions of this section, where it appears to the
12 Provost that any student of the College has been guilty of misconduct, the
13 Provost may without prejudice to any other disciplinary powers conferred on
14 him by this Act or regulations, made hereunder direct:

15 (a) That the student shall not, during such period as may be specified
16 in the Direction, participate in such activities of the College or make use of
17 such facilities of the College as he may specify;

18 (b) That the activities of the students shall during such period as may
19 be specified in the Direction, be restricted in such manner as may be so
20 specified;

21 (c) That the student be suspended for such period as may be specified
22 in the Directions: and

23 (d) That the student be expelled from the College.

24 (4) Where the post of the Provost is vacant or where the Provost
25 refuses to apply any disciplinary measures the Council may either directly or
26 through some other staff apply such disciplinary actions as are specified in
27 subsection (1) of this section to any student of the College who is considered
28 guilty of misconduct.

29 (5) Where a Direction is given under subsection (3) (c) or (d) above in
30 respect of any student, the student may, within a period of twenty one (21) days

1 from the date of the letter communicating the decision to him appeal from
2 the Direction to the Council; and where such an appeal is brought, the
3 Council shall, after causing such inquiry to be made in the matter as the
4 Council considers just either confirm or set aside the Direction or modify it
5 in such manner as the Council may think fit.

6 (6) The fact that an appeal from a Direction is pending pursuant to
7 subsection (5) of these sections shall not affect the operation of the Direction
8 while the appeal is pending.

9 (7) The Provost may delegate his powers under this section to a
10 Disciplinary Committee of such members of the College as he may
11 nominate.

12 (8) Nothing in this section shall be construed as terminating a
13 student's activity(ies) at the College except on the ground of misconduct.

14 (9) It is hereby declared that the Direction under subsection (3) (a)
15 of this section may be combined with a Direction under subsection (3) (b) of
16 this section.

17 (10) In all cases under this section, the decision of the Governing
18 Council shall be final.

19 **26.**-(1) The Council shall keep proper records and accounts of its
20 activities and shall cause to be prepared not later than 1st October in each
21 financial year an estimate of its revenue and expenditure for the ensuing
22 financial year and when prepared the estimates shall be submitted to the
23 Minister for approval.

Financial
provisions

24 (2) At the end of each financial year but not later than 30th June, the
25 Council shall cause to be prepared a statement of its income and expenditure
26 during the previous financial year. The statement referred to in subsection
27 (2) above shall, when certified by the Provost, be audited by a Firm of
28 Auditors appointed by the Council from a list of four (4) Firms in
29 accordance with the guidelines supplied by the Auditor General of the
30 Federation and shall be published in the Annual Report of the College.

1 **27.**-(1) The College shall establish and maintains a fund from which
2 shall be defrayed all expenditure incurred by the College in the performance of
3 its functions under this Act.

4 (2) The funds of the College shall include:

5 (a) Such sums as may, from time to time, be granted to the College by
6 the Federal Government of Nigeria;

7 (b) Fees charged and payable to the College by the students;

8 (c) Any other amount, charged or dues recoverable by the College;

9 (d) Revenue from time to time accruing to the College by way of
10 Subvention, grants-in-aid, endowment or otherwise;

11 (e) Interest on investments; and

12 (f) Donations and legacies accruing to the College from any source,
13 for the general or special purpose of the College.

14 **28.**-(1) Donations of money to be applied to any particular purpose
15 shall be placed to the credit of a Special Reserve Account approved by the
16 Council until such time as they may be expended in fulfillment of such
17 purpose.

18 (2) The Council shall not be obliged to accept a donation for a
19 particular purpose unless it approves of the terms and condition attached to
20 such donation.

21 **29.** All sums of money received on account of the College shall be
22 paid into such bank as may be approved for the credit of the College's general
23 current or deposit account.

24 **30.** The Council shall on or before 31st December in each year
25 prepare and submit to the President through the Minister a report of its
26 activities during the preceding financial year and shall include in the report, the
27 audited accounts of the College in respect of that financial year and the
28 Auditor's comments on the account.

29 **31.**-(1) The Council may make bye-laws relating to any matter within
30 its competence under this Act other than matters for which provision is to be

1 made by standing orders pursuant to paragraph (6) of the schedule to this
2 Act.

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

6 (3) Nothing in subsection (2) above shall make it obligatory for the
7 Council to publish any of the said bye-laws in the Gazette but the Governing
8 Council shall bring such bye-laws to the notice of all affected persons.

9 **32.** No person shall be required to satisfy requirements as to any of
10 the following matters, that is to say, race (including ethnic grouping), sex, of
11 place of birth, family origin, religious or political persuasion as a condition
12 for becoming or continuing to be a student at the College or as a holder of
13 any certificate of the College or any appointment or employment at the
14 College, or a member of any Body established by virtue of this Act; and no
15 person shall be subjected to any disadvantage or accorded any advantage in
16 relation to the College by reference to any of the aforementioned matters.
17 Provided that nothing in this section shall be construed as preventing the
18 College from imposing any disability or restriction on any person(s) where
19 such person willfully refuses or falls on grounds of religious belief to
20 undertake any duty generally and uniformly imposed on all such person(s)
21 or any group of them which duty, having regard to its nature and the special
22 circumstance pertaining thereto is, in the opinion of the College, reasonably
23 justifiable in the national interest.

24 **33.-(1)** By virtue of this Act, all property (movable and
25 immoveable) held by or on behalf of the College shall, as from the
26 commencement of this Act, vest in the College.

27 (2) Upon the commencement of this Act:

28 (a) All rights, interest, obligations and liabilities of the College
29 existing immediately before the commencement of this Act under any
30 contract or instrument; or at law or in equity, apart from any contract or

1 instrument, shall, by virtue of this Act, be assigned to and vested in the College;

2 (b) Any such contract or instrument as is mentioned in subparagraph
3 (a) above shall be of the force and effect against or in favor of the college and
4 shall be enforced fully and effectively as if the College had been named therein
5 or had been a party thereto; and

6 (c) The College shall be subject to all the obligations and liabilities to
7 which the College was subject to immediately before the commencement of
8 this Act and all other persons shall, as from the commencement of this Act,
9 have the same rights, power and remedies against the College as they had
10 against the College immediately before the said commencement.

11 (3) If immediately before the commencement of this Act a person was
12 a member or an employee of the College, that person shall be virtue of this Act
13 become a member or an employee of the College.

14 (4) Any proceeding or cause of action pending or existing before the
15 commencement of this Act by or against the College may be commenced
16 continued or enforced by or against the College as it might have been against
17 the College if this Act had not been made.

Interpretation

18 **34.** In this Act, unless the context otherwise requires:

19 "Academic Board" means the board established under section 22 of this Act;

20 "Senior Staff Appointments and Promotions Committee" means a body by that
21 name established under paragraph 2 (2) (a) of the schedule to this Act;

22 "Junior Staff Appointments and Promotions Committee" means a body by that
23 name set up under paragraph 2 (2) (b) of the schedule to this Act;

24 "Minister" means the Federal Minister charged with responsibility for matters
25 relating to Health;

26 "Registrar" means the Registrar of the College appointed under section 15 (1)
27 of this Act.

Citation

28 **35.** This Act may be cited as the Federal College of Medical
29 Laboratory Science Bill, 2015.

1 SCHEDULE

2 SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

3 1. The Council may act notwithstanding any vacancy in its
4 membership or the absence of any member or that a person not entitled to do
5 so take part in its proceedings.

6 *Committees*

7 2.-(1) The Council may appoint one or more Committees to which
8 it may delegate any of its functions.

9 (2) Without prejudice to the generality of sub-paragraph (1) of this
10 schedule, the Council shall appoint the following Committees that are:

11 (a) The Senior Staff Appointments and Promotions Committee
12 which shall:

13 (i) Consist of a Chairman and four (4) members who shall be
14 appointed by the Council, and four (4) other members who shall be
15 appointed by the Provost from members of the Senior Staff of the College;

16 (ii) be charged with the responsibility of making recommendations
17 to the Council on the appointment and promotion of the Academic and
18 Senior Staff of the College and have a quorum of five (5) members; and if the
19 Chairman of the Committee is absent from any meeting of the Committee,
20 the members present shall elect one of their members to act as Chairman for
21 that particular meeting;

22 (b) the Junior Staff Appointments and Promotions Committee
23 which shall consist of a -Chairman and four (4) other members to be
24 appointed by the Provost and shall have the powers set out in sections 20(2)
25 (b) 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 Provost from among
29 the Senior Employees of the College;

30 (ii) One member of the Council;

- 1 (iii) Two members of the Academic Staff of the College;
2 (iv) And four (4) students of the College.
3 (d) The Committee on Student's Affairs shall be charged with the duty
4 of:
5 (i) Considering any matter which relates to the welfare of students;
6 (ii) Any other matter referred to it by either the Council or students of
7 the College; e. Any matter which the students refer to the Council shall be
8 referred to the Committee on Students' Affairs in the first instance.
9 (3) No decision of a Committee shall have effect unless same is
10 confirmed by the Council.

11 *Proceedings of the Council*

- 12 3.-(1) The Council shall meet for the conduct of business at such times
13 as the Chairman of the Council may appoint but the meeting of the Council
14 shall hold not less than 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 (5) members of the Council summon a
17 meeting of the Council.
18 (3) Particulars of the business to be transacted by the Council shall be
19 circulated to Members with the Notice of the Meeting at least two weeks
20 before the date of the meeting.
21 4.-(1) 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 particular
24 matter but no co-opted member shall be entitled to vote or considered as part of
25 the Quorum.
26 (2) Every question put before the Council at a meeting shall be
27 decided by a simple majority of the members present and voting.
28 (3) Seven members shall form a quorum at any meeting of the
29 Council.
30 (4) The Chairman shall, at any Meeting of the Council, have a vote

1 and in the case of an equality of votes, may cast a deciding vote.

2 5. The Council may make standing orders with respect to holding
3 meetings, the nature of notices to be given, the proceeding there upon, the
4 keeping of minutes of such proceedings and the custody and production for
5 inspection of such minutes.

6 6. Where the Chairman of the Council is absent from a meeting of
7 the Council, the members present shall elect one (1) of their members to act
8 as Chairman for the purposes of that meeting.

9 *Miscellaneous*

10 7. 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 8.-(1) The Common Seal of the Council shall not be used or affixed
15 to any document except in pursuance of a resolution duly passed at a
16 properly constituted meeting of the Council and recorded in the Minutes of
17 such Meeting.

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

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

24 9. Any member of the Council or a Committee thereof who has a
25 personal interest in any contract or arrangement entered into or proposed to
26 be considered by the Council or a Committee. There of shall forthwith
27 disclose his interest to the Council and shall not vote on any question
28 relating to such contract or arrangement.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal College of Medical Laboratory Science, Jos, to make the institution more effective in the discharge of its functions by strengthening the organizational framework; and to bring its provision in conformity with current democratic principles and operations of existing Educational and Biomedical Science institutions, and the Laws of the Federal Republic of Nigeria.

The Bill also empowers the College to provide Courses of instruction leading to the Award of Degrees, Fellowship, Diplomas and Certificates in Medical Laboratory Science, Biomedical Science and other related courses.