

A BILL

FOR

AN ACT TO ESTABLISH THE NATIONAL POSTGRADUATE COLLEGE OF
MEDICAL LABORATORY SCIENCE AND FOR MATTERS CONNECTED
THEREWITH, 2016

Sponsored By Hon Gyang Istifanus Dung

[] Commencement

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

1 1.-(1) There is hereby established a National Postgraduate College
2 of Medical Laboratory Science (in this Act referred to as “the College”).

Establishment of
a National
Postgraduate
College of Medical
Laboratory Science

3 (2) The College shall be a body corporate with perpetual
4 succession and a common seal and may sue or be sued in its corporate name.

5 (3) The headquarters of the College shall be situated in the Federal
6 Capital Territory of Nigeria or any other location deemed fit.

7 2. The College shall have responsibility for the conduct of
8 professional postgraduate examination of candidates in the various
9 specialised branches of medical laboratory science and make awards in
10 relation thereto accordingly.

11 3.-(1) The College shall consist of all Fellows of the College and its
12 affairs shall be managed by:

Fellows of the
College

13 (a) a Governing Board, and

14 (b) a Senate.

15 Which shall each exercise such powers as are conferred on it by this Act.

16 (2) The supplementary provisions in the schedule to this Act shall
17 have effect with respect to the proceedings of the Governing Board and the
18 Senate and the other matters therein mentioned.

19 4. The Governing Board of the College shall consist of:

20 (a) The President of the College who shall be the Chairman;

Governing Board
of the College

1 (b) The Chairman and Registrar of the Medical Laboratory Science
2 Council of Nigeria;

3 (c) Twelve representatives of the Senate;

4 (d) The Federal Director of Medical Laboratory Service;

5 (e) The Permanent Secretary, Federal Ministry of Health or his
6 representative;

7 (f) The Permanent Secretary, Federal Ministry of Finance or his
8 representative;

9 (g) The Permanent Secretary, Federal Ministry of Education or his
10 representative;

11 (h) The Permanent Secretary, Federal Ministry of Science and
12 Technology or his representative;

13 (i) Two representatives of the Association of Medical Laboratory
14 Scientists of Nigeria.

15 5. The Governing Board shall be the governing body of the College
16 and shall be charged with the general control and superintendence of the policy,
17 finances and property of the College, including its public relations.

The Senate

18 6. The Senate shall consist of:

19 (a) The President of the College who shall be Chairman;

20 (b) The Chairman and Secretary of each Faculty board appointed in
21 line with section 9 of this Act; and

22 (c) One representative elected by each Faculty.

23 7. The Senate shall have responsibility for the running of the
24 academic affairs of the College including:

25 (a) The organisation and control of courses of study at the College and
26 of the examinations held in connection with those courses;

27 (b) The award of Fellowships, diplomas and such other qualifications
28 as may be prescribed in connection with examinations held as aforesaid.

29 8.-(1) Subject to paragraph 1 of the Schedule to this Act, the President
30 shall be appointed by the Governing Board and shall hold office as such for

1 three years.

2 (2) In the event of the death or incapacity of the President or if for
3 any reason other than the effluxion of time the office of President is vacant,
4 the Governing Board shall appoint another person as President for the
5 residue of the term of the President.

6 (3) Members of the Governing Board appointed under paragraph
7 (b) of section 4 above and members of the Senate appointed under paragraph
8 (b) and (c) of section 6 above shall hold office for three years.

9 (4) Any of the members of the Governing Board or the Senate
10 referred to in subsection (3) of this section may by notice to the Governing
11 Board or, as the case may be, to the Senate resign his appointment, and
12 where any such member ceases to hold office before his term of office would
13 have expired by effluxion of time, the body by whom he was appointed or
14 elected shall as soon as may be practicable appoint or, as the case may be,
15 elect a person to fill the vacancy for the residue of term aforesaid.

16 9.-(1) Each Faculty shall comprise all Fellows in the appropriate
17 specialty and the faculties in the College shall be as follows, that is to say:

- 18 (a) the Faculty of Clinical Chemistry;
19 (b) the Faculty of Medical Bacteriology and Mycology;
20 (c) the Faculty of Haematology and Blood Transfusion Science;
21 (d) the Faculty of Cellular Pathology/Histoscience;
22 (e) the Faculty of Medical Parasitology and Entomology;
23 (f) the Faculty Diagnostic Molecular Biology
24 (g) the Faculty of Immunology;
25 (h) the Faculty of Medical Virology;
26 (i) the Faculty of Cytogenetics;
27 (j) the Faculty of Forensic Science;
28 (k) the Faculty of Biomedical Technology/Instrumentation;
29 (l) the Faculty of General Medical Laboratory Practice;
30 (m) the Faculty of any other specialty as may be prescribed by the

1 **Governing Board of the College.**

2 **(2) Each Faculty shall elect from among its members not less than 7**
3 **but not more than 15 persons to serve as its Faculty Board, two of such persons**
4 **being elected Chairman and Secretary respectively of the Faculty Board. All**
5 **members so elected shall hold office for a period of three years.**

6 **(3) Subject to such standing orders that may be made by the Senate for**
7 **that purpose, each Faculty Board may carry out its duties as it deems fit.**

8 **(4) Each Faculty shall appoint a court of examiners and the court shall**
9 **be charged with the conduct of examinations under this section. Thereafter the**
10 **Faculty Board shall make its recommendations to the Senate.**

11 **(5) Members of a Faculty Board shall not be entitled to any**
12 **emolument other than expenses reasonably incurred in travelling on Board's**
13 **business, but members of a court of examiners shall be entitled to such**
14 **remuneration as the Governing Board of the College may authorise.**

15 **10. Where a candidate offers himself for examination under this Act**
16 **he/she shall satisfy the appropriate Faculty Board:**

17 **(a) that he/she is a registered medical laboratory scientist with a**
18 **current practising license; and**

19 **(b) that he/she is in possession of and is therein named as the holder of**
20 **a certificate from an institution recognised by the College showing that he/she**
21 **has satisfactorily attended the prescribed course of training in the particular**
22 **specialised branch and for prescribed period of the course.**

23 **11. Where the College awards its Fellowship under this Act the holder**
24 **shall be entitled to status as a Fellow in the specialised branch of which the**
25 **Fellowship is awarded.**

26 **12.-(1) The College may on the recommendation of the Senate award**
27 **honorary Fellowship to persons of distinction in the community who need not**
28 **be medical laboratory scientists, and without prejudice to subsection (2) below**
29 **may on the like recommendation elect Fellows who need not have offered**
30 **themselves for any post-graduate examination conducted by the College.**

1 (2) No person shall be eligible for election as a fellow unless he/she
2 already possesses a degree or other qualification registered with the Medical
3 Laboratory Science Council of Nigeria and satisfies such other conditions as
4 may be prescribed by the College.

5 **13.** The College shall from time to time publish in the Federal
6 Gazette and elsewhere as it may think fit:

7 (a) Particulars of the standards which are to be treated as sufficient
8 for the purposes of examinations conducted by the College pursuant to this
9 Act.

10 (b) the list of institutions recognised for purposes of section 10 of
11 this Act.

12 **14.-(1)** The Governing Board may employ such staff of the College
13 as it may consider necessary for the purpose of any of the functions
14 conferred on anybody under this Act.

15 (2) The Governing Board shall from among the officers appointed
16 to subsection (1) of this section select a person to act as its Registrar and as
17 Secretary to the Senate.

18 **15.-(1)** In this Act:

Interpretation

19 "the College" means the Postgraduate College of Medical Laboratory
20 Science established by section 1 of this Act;

21 "Faculty Board" means any Faculty Board established by or pursuant to
22 section 9 of this Act;

23 "the Governing Board" means the Governing of the College referred to in
24 section 3 of this Act;

25 "the Medical Laboratory Science Council" means the Medical Laboratory
26 Science Council of Nigeria;

27 "the President" means the President of the College;

28 "the Senate" means the Senate of the College referred to in section 3 of this
29 Act;

30 (2) Unless the context otherwise requires, expressions used in this

Citation

1 Act have the same meaning as in the Act.

2 **16. This Bill may be cited as the National Postgraduate College of**
3 **Medical Laboratory Science Bill 2016.**

4 **SCHEDULE**

5 *Section 3 (2)*

6 **SUPPLEMENTARY PROVISIONS RELATING TO THE GOVERNING BOARD,**

7 **THE SENATE, ETC**

8 *Composition of the First Senate and Faculty Boards and election of the*
9 *First President of the College.*

10 **1.-(1) Notwithstanding anything to the contrary in this Act, the**
11 **persons who immediately before the commencement of this Act were Fellows**
12 **of the Medical Laboratory Council of Nigeria shall on the commencement of**
13 **this Act become members of the corresponding Faculty Boards for purposes of**
14 **this Act and shall be deemed to have been appointed pursuant to section 9 of**
15 **this Act.**

16 **(2) Appointments of members of Faculty Boards shall be made in**
17 **accordance with the provisions of section 9 of this Act.**

18 **(3) Each Faculty shall elect the first representative of the**
19 **corresponding Faculty on the Senate as specified in section 6 (c) of this Act.**

20 **(4) The first meeting of the Senate shall be summoned by the**
21 **President of the Council and shall be presided over by him. At this meeting the**
22 **Senate shall elect the person to be recommended to the Governing Board for**
23 **appointment as the first President of the College as well as the first twelve**
24 **representatives of the Senate on the Governing Board as specified in section 4**
25 **(c) of this Act.**

26 **(5) The first meeting of the Governing Board shall be called by the**
27 **President of the Council and shall be presided over by him until the President of**
28 **the College is appointed in the manner prescribed in section 8 (1) of this Act.**

29 *Proceedings of the Governing Board, Senate, etc.*

30 **2.-(1) The Governing Board may make standing orders regulating its**

1 proceedings or of any committee of the Board.

2 (2) The Senate may make standing orders regulating its
3 proceedings or of any Faculty Board or of any committee of the Senate.

4 3. The quorum:

5 (a) of the Governing Board shall be 7;

6 (b) of the Senate shall be 14;

7 (c) of any Faculty Board shall be determined by the Senate.

8 4. At any meeting of the Governing Board or the Senate, the
9 President shall preside and if the President is absent the members present
10 shall elect one of their numbers to preside at that meeting.

11 *Committees of the Governing Board and Senate*

12 5.-(1) The Governing Board may appoint one or more committees
13 to carry out on behalf of the Board such of its functions as the Board may
14 determine but a decision of a committee shall be of no effect until it is
15 confirmed by the Board.

16 (2) The Senate may appoint one or more committees to carry out on
17 behalf of the Senate such of its functions as the Senate may determine but a
18 decision of a committee shall be of no effect until it is confirmed by the
19 Senate.

20 *Miscellaneous*

21 6.-(1) The fixing of the seal of the College shall be authenticated by
22 the signature of the President or of some other member authorised generally
23 or specially by the Governing Board for that purpose.

24 (2) Any contract or instrument which, if made or executed by a
25 person not being a body corporate, would not be required to be under seal
26 may be made or executed on behalf of the College by any person generally or
27 special authorised to act for that purpose by the Governing Board.

28 (3) Any document purporting to be a document duly executed
29 under the seal of the College shall be received in evidence and shall, unless
30 the contrary is proved, be deemed to be so executed.

1 7. The validity of any proceedings of the Governing Board, the Senate
2 or and Faculty Board or of a committee of the Governing Board or the Senate
3 shall not be affected by any vacancy in the membership of the body concerned
4 or by any defect in the appointment of any member or by reason that a person
5 not entitled to do so took part in the proceedings.

6 8. Any member of the Governing Board, and any person holding
7 office on a committee of the Board, who has a personal interest in any contract
8 or arrangement entered into or proposed to be considered by the Board or a
9 committee thereof shall forthwith disclose his interest to the Board and shall
10 not vote on any question relating to the contract or arrangement.

EXPLANATORY NOTE

*(This note does not form part of the above Act but is intended
to explain its purport)*

This Act establishes a National Postgraduate College of Medical Laboratory Science and charges it with responsibility for the conduct of professional postgraduate examination of candidates in various specialised branches of medical laboratory science. The College is to consist of a Governing Board, which will be the governing body of the College; a Senate, which will have responsibility for the College's academic affairs; and Faculty Boards, which shall have responsibility for the conduct of examinations.