

THE NIGERIAN INSTITUTE OF MINING AND GEOSCIENCES JOS BILL, 2016

ARRANGEMENT OF SECTIONS

*Sections:*

PART I - ESTABLISHMENT OF THE NIGERIAN INSTITUTE OF MINING  
AND GEOSCIENCES, JOS

1. Establishment of the Nigerian Institute of Mining and Geosciences,  
Jos
2. Functions of the Institute
3. Powers of the Institute
4. Governing Board of the Institute
5. Tenure of Office of the Members of the Board
6. Remuneration of the Members of the Board
7. Removal from Office of a Member of the Board

PART II - FUNCTIONS AND POWERS OF THE INSTITUTE

8. Functions of the Board
9. Establishment of Committees

PART III - STAFF OF THE INSTITUTE

10. Appointment of Management Staff of the Institute
11. Appointment of the Director General of the Institute
12. Appointment of Directors and Legal Adviser
13. Appointment of Other Staff of the Institute
14. Conditions of Service of Staff of the Institute
15. Removal from Office of the Director General
16. Discipline of Senior Staff
17. Discipline of Junior Staff
18. Service in the Institute to be Pensionable

PART IV - ACADEMIC BOARD OF THE INSTITUTE

19. Establishment of the Academic Board of the Institute
20. Functions of the Academic Board
21. Academic Departments of the Institute

- 22. Candidates for Examination
- 23. Award of Diplomas and Certificates

PART V - FINANCIAL PROVISIONS

- 24. Fund of the Institute
- 25. Expenditure of the Institute
- 26. Power to Accept Gifts
- 27. Power to Borrow
- 28. Annual Estimates, Accounts and Audit
- 29. Annual Report

PART VI - DISCOVERIES, INVENTIONS AND INNOVATIONS BY

THE INSTITUTE

- 30. Discoveries, Inventions and Innovations by Employees of the Institute

PART VII - MISCELLANEOUS 'PROVISIONS

- 31. Office and Premises
- 32. Procedure in Respect of Suit against the Institute, etc.
- 33. Savings
- 34. Interpretation
- 34. Short Title.

Schedule

# A BILL

## FOR

AN ACT TO ESTABLISH THE NIGERIAN INSTITUTE OF MINING AND GEOSCIENCES JOS, TO PROVIDE COURSES OF INSTRUCTION, TRAINING AND RESEARCH IN EXPLORATION AND EXPLOITATION OF MINERALS FOR NATIONAL DEVELOPMENT AND FOR RELATED MATTERS, 2016.

*Sponsored by Hon. Suleiman Yahaya - Kwande*

[ ] Commencement

ENACTED by the National Assembly of the Federal Republic of Nigeria as follows-

1 PART I - ESTABLISHMENT OF THE NIGERIAN INSTITUTE OF MINING  
2 AND GEOSCIENCES, JOS

3 1.-(1) There is established, the Nigerian Institute of Mining and  
4 Geosciences, Jos (in this Act referred to as "the Institute").

Establishment of  
the Nigerian  
Institute of  
Mining and  
Geosciences, Jos

5 (2) The Institution is a body corporate with perpetual succession  
6 and a common seal and it can sue or be sued in its corporate name.

7 2. The functions of the Institute shall be to-

Functions of the  
Institute

8 (a) provide courses of instruction, training and research in  
9 Geosciences and Mining and produce technicians and such skilled  
10 personnel normally required for the Mining and related industries;

11 (b) provide for both the public and private sectors alike, laboratory  
12 services for rock and mineral identification, sampling and mineral  
13 beneficiation, mineral and metallurgical analysis;

14 (c) sponsor educational programmes pertaining to geosciences,  
15 mining, processing technologies, production techniques, mining and  
16 geosciences management, safety and other mining related issues;

17 (d) disseminate to the public and industries any results of the  
18 research or studies in developments pertaining to mining, processing and  
19 geosciences;

1 (e) offer consultancy and technical services in geosciences, mineral  
2 processing and mining to public and private establishments engaged in mining  
3 and related industries;

4 (f) conduct research in mining, quarrying and related industries;

5 (g) collaborate with other similar institutions within and outside  
6 Nigeria for the realization of its mandate;

7 (h) conduct and participate in conferences, symposia, seminars,  
8 lectures, training courses and similar study arrangements as may enhance the  
9 activities of the Institute;

10 (i) provide skilled training for the Artisanal and Small Scale Mining  
11 operators; and

12 (j) carry out any other activity for the realization of its mandate under  
13 this Act.

Powers of the  
Institute

14 **3.** In carrying out its mandate under this Act, the Institute shall have  
15 power to-

16 (a) establish such departments, divisions and units within the Institute  
17 as may, from time to time, be deemed necessary;

18 (b) establish such posts or positions and make appointments;

19 (c) provide for the appointment, promotion, discipline, training and  
20 welfare of staff of the Institute;

21 (d) admit students for training and skill acquisition programmes and  
22 award Certificates, Diplomas;

23 (e) demand from any student or any other person attending the  
24 Institute for the purposes of instructions, training and research,  
25 such fees as the Institute may, from time to time determine;

26 (f) exercise disciplinary control over the students for acts of  
27 misconduct as may be prescribed in the Institute's Students' Handbook;

28 (g) acquire, hold, charge or otherwise deal with or dispose of  
29 movable and immovable property;

30 (h) accept gifts, legacies and donations, provided the terms and

1 conditions attached are not in violation of any of the laws of the Federal  
2 Republic of Nigeria and the purpose and objectives of the Institute;

3 (i) enter into contracts, establish trusts, act as trustees solely or  
4 jointly with any other person and employ and act through agents;

5 (j) erect, provide, equip and maintain libraries, lecture halls or  
6 residences, sports grounds, dining halls and other buildings suitable for the  
7 objectives of the Institute;

8 (k) make gifts for any charitable purposes and make donations to  
9 professional bodies; and

10 (l) do all such other things which are incidental to the foregoing.

11 4.-(1) The Institute shall have a Governing Board (in this Act Governing Board  
12 referred to as "the Board") which shall consist of- of the Institute

13 (a) a Chairman that is, the Minister responsible for Mines;

14 (b) one representative of the Ministry responsible for Mines;

15 (c) Director of Mines Inspectorate of the Ministry responsible for  
16 Mines;

17 (d) one representative of Mining and Quarrying Industry;

18 (e) one representative of Cement Manufacturing Industry;

19 (f) Director General, Nigerian Geological Survey Agency;

20 (g) Registrar, Council of Nigerian Mining Engineers and  
21 Geoscientists;

22 (h) one representative of Nigerian Mining and Geosciences  
23 Society;

24 (i) one representative of Nigerian Society of Mining Engineers;

25 and

26 (j) the Director General of the Institute.

27 (2) The Legal Adviser of the Institute shall serve as Secretary to the  
28 Board.

29 (3) The members of the Board who are not ex-officio members  
30 shall be appointed by the President on the recommendation of the Minister.

1 (4) The supplementary provisions set out in the schedule to this Act  
2 shall have effect with respect to the Proceedings of the Board and the other  
3 relevant matters contained in it.

4 (Schedule)

Tenure of Office  
of the Members  
of the Board

5 5. A member of the Board, other than an ex-officio member, shall  
6 hold office for four years and may be re-appointed for a final term of four years.

Remuneration  
of the Members  
of the Board

7 6.-(1) The members of the Board shall be paid such emoluments as  
8 may be specified in their letters of appointment.

9 (2) The allowances payable to members of the Board shall be in  
10 accordance with such rates as may be specified and approved by the Federal  
11 Government from time to time.

Removal from  
Office of a  
Member of the  
Board

12 7. A member of the Board may be removed from office by the  
13 President where he-

14 (a) is unable to discharge the functions of his office as a result of  
15 infirmity of the body or mind;

16 (b) has committed gross misconduct;

17 (c) makes a compromise with his creditors or is declared bankrupt;

18 (d) is insane or of unsound mind;

19 (e) is convicted of criminal offence; or

20 (f) is against national interest and institute.

21 PART II - FUNCTIONS AND POWERS OF THE BOARD

Functions of  
the Board

22 8. The Board shall-

23 (a) subject to the provisions of this Act, be the governing body of the  
24 Institute and shall be charged with the general control and superintendence of  
25 the policy, finance and property of the Institute;

26 (b) ensure that the Institute is staffed by persons with requisite  
27 competencies;

28 (c) ensure that proper accounts of the Institute are kept and that those  
29 accounts are audited annually as specified in this Act;

30 (d) shall present Annual Report on the activities of the Institute and

1 Audited Accounts of the Institute to the Minister.

2 **9.** The Board may, subject to its standing orders, establish such Establishment of  
3 standing or ad hoc committees as it may deem fit, to consider and report on Committees  
4 any matter with which the institute is concerned.

5 PART III - STAFF OF THE INSTITUTE

6 **10.**-(1) The Principal Officers of the Institute shall be the-

7 (a) Director General and Chief Executive Officer; Appointment of  
8 (b) Director of Training and Research; Management Staff  
9 (c) Director of Skills Acquisition and Development; of the Institute

10 (d) Director of Finance and Administration;

11 (e) Legal Adviser.

12 (2) The Management Staff of the Institute other than the Director

13 General shall be appointed by the Board.

14 **11.**-(1) There shall be appointed for the Institute by the President, a

15 Director General on the recommendation of the Minister. Appointment of  
16 (2) The Director General shall- the Director-  
17 (a) be a holder of at least a Masters Degree in Mining or Mineral General of the  
18 Processing Engineering or Geosciences; Institute

19 (b) have 25 years post qualification experience, 10 of which shall  
20 be work experience in the Mining, Quarrying or Mineral Exploration

21 Industry; and

22 (c) be a registered member of the Council of Mining Engineers and  
23 Geoscientists of Nigeria.

24 (3) The Director General shall be the Chief Academic,  
25 Administrative and Accounting Officer of the Institute and shall be  
26 responsible for the day to day administration of the Institute.

27 (4) The Director General shall hold office for four years which may  
28 be renewed for a final term of four years.

29 (5) Subject to the provisions of this section, the Director General  
30 shall hold office on such terms as to emoluments and other conditions as

- 1 may be specified in his letter of appointment.
- Appointment of  
Directors and  
Legal Adviser
- 2 **12.**-(1) The Director, Training and Research shall-
- 3 (a) be a holder of at least a Masters Degree in Mining or Mineral
- 4 Processing Engineering or Geosciences;
- 5 (b) be registered with the Council of Mining Engineers and
- 6 Geoscientists of Nigeria; and
- 7 (c) have 20 years post qualification experience in the Mining,
- 8 Quarrying or Mineral Exploration Industry.
- 9 (2) The Director, Skills Acquisition and Development shall-
- 10 (a) be the holder of at least a Bachelor of Science Degree or Higher
- 11 National Diploma in Mining or Mineral Processing Engineering or
- 12 Geosciences;
- 13 (b) be registered with the Council of Mining Engineers and
- 14 Geoscientists;
- 15 (c) have 15 years post qualification experience with at least 10 years
- 16 work experience in the Mining, Quarrying or Mineral exploration Industry.
- 17 (3) The Director, Finance and Administration shall-
- 18 (a) be the holder of at least a Bachelor of Science or Higher National
- 19 Diploma in Accounting or Business Administration;
- 20 (b) have 15 years post qualification experience in the Bursary of a
- 21 Financial Industry, five of which years shall be at managerial level.
- 22 (4) The Director Legal Services shall be a Legal Practitioner with at
- 23 least 10 years post-qualification experience in legal practice who has attained
- 24 the rank not below that of a Director.
- Appointment of  
other staff of the  
Institute
- 25 **13.**-(1) The Board may, from time to time appoint for the Institute,
- 26 such other staff as it may deem necessary, to assist the Director General in the
- 27 performance of his functions under this Act.
- 28 (2) Without prejudice to subsection (1) of this section, the Board may
- 29 appoint persons or employees of the Institute either by way of transfer or
- 30 secondment in accordance with the Public Service Rules.



- 1                   **14.** The remuneration, tenure and conditions of service of  
2 employees of the Institute shall be as those applicable to staff of the  
3 Research Institutes. Conditions of  
Service of Staff  
of the Institute
- 4                   **15.** The Director General and other members of the Board may be  
5 removed from office by the President on the recommendation of the  
6 Minister- Removal from  
the Office of the  
Director General
- 7                   (a) for inability to perform the functions of his office due to bodily  
8 or mental incapacity;
- 9                   (b) on the ground of gross misconduct; or
- 10                  (c) where he makes a compromise with his creditors or is declared  
11 bankrupt;
- 12                  (d) for corruption; and
- 13                  (e) where he is convicted of a criminal offence.
- 14                  **1.6.-(1)** Where it appears to the Board that there are reasons for  
15 believing that a person employed as a member of the Senior Staff of the  
16 Institute, other than the Director General, shall be removed from office on  
17 grounds of gross misconduct or inability to perform the functions of his  
18 office, the Board through its appropriate Committee shall- Discipline of  
Senior Staff
- 19                  (a) give notice of those reasons to the person concerned;
- 20                  (b) afford the person an opportunity of making representation on  
21 the matter to the Board or appearing before the investigation Committee of  
22 the Board.
- 23                  (2) Where the Board, 'after considering the report of the  
24 investigation Committee, is satisfied that the person in question should be  
25 removed, the Board may remove the person concerned by an instrument in  
26 writing signed by the Chairman of the Board.
- 27                  (3) The Director General may, where in case of misconduct, by a  
28 member of staff which in the opinion of the Director General is prejudicial to  
29 the interest of the Institute, suspend that member, and the suspension shall be  
30 reported to the Board.

1 (4) For a good cause, an employee may be suspended from office or  
2 his appointment may be terminated by the Board and for the purpose of this  
3 sub-section, "good cause" means-

4 (a) physical or mental incapacity, which the Board, after obtaining  
5 medical advice, considers to be such as to render the person concerned unfit for  
6 the discharge of the functions of his office;

7 (b) conduct of a scandalous or other disgraceful nature which the  
8 Board considers to be such as to render the person unfit to continue to hold his  
9 office;

10 (c) conduct which the Board considers to be such as to constitute a  
11 failure or inability of the person concerned to discharge the functions of his  
12 office or to comply with the terms and conditions of his service.

13 (5) A person suspended pursuant to sub-section (3) or (4) of this  
14 section shall be placed on half salary and the Board shall before the expiration  
15 of a period of six months after the suspension come to a decision as to where to-

16 (a) continue that person's suspension;

17 (b) reinstate that person to his office, in which case the Board shall  
18 restore his full emoluments' to him with effect from the date of the suspension;

19 (c) terminate that person's appointment, in which case the person shall  
20 not be entitled to the proportion of his emoluments which might have been  
21 withheld during the period of suspension or as the Board may determine; or

22 (d) take such lesser disciplinary action against that person (including  
23 the restoration of the proportion of his emoluments which might have been  
24 withheld) as the Board may determine.

25 (6) In any case where the Board, pursuant to this section, decides to  
26 continue a person's suspension or decides to take further disciplinary action  
27 against a person, the Board shall, before the expiration of a period of six months  
28 from that decision, come to a final determination in respect of the case  
29 concerning that person.

30 (7) It shall be the duty of the person who signed the instrument of

1 removal by virtue of subsection (2) of this section to serve or cause to be  
2 served on the person concerned, a copy of the instrument.

3 (8) Nothing in this section shall prevent the Board from making  
4 such regulations for the discipline of other categories of employees and  
5 workers of the Institute as it may deem fit.

6 17.-(1) Where a junior member of staff is accused of misconduct or Discipline of  
Junior Staff  
7 inefficiency, the Director General may suspend him for not more than three  
8 months and shall further refer the matter to the Junior Staff Disciplinary  
9 Committee-

10 (a) to consider the case; and

11 (b) to make recommendations as to the appropriate action to be  
12 taken by the Director General.

13 (2) In all cases under this section, the junior member of staff shall  
14 be informed in writing of the charges against him and be given reasonable  
15 opportunity to defend himself.

16 (3) The Director General may, considering recommendation made  
17 pursuant to sub section (1) (b) of this section, downgrade, retire  
18 or dismiss the junior officer or terminate his appointment.

19 (4) A person aggrieved or not satisfied by a decision of the Director  
20 General under sub-section (3) of this section may, within a period of 21 days  
21 of the receipt of the letter communicating the decision to him, appeal to the  
22 Board to reconsider his case and the Board's decision on that matter shall be  
23 final.

24 18.-(1) Service in the Institute shall be approved service for the Service in the  
Institute to be  
pensionable  
25 purpose of the Pension Reform Act, and accordingly, officers and other  
26 persons employed in the Institute shall in respect of their service in the  
27 Institute, be entitled to pensions and other retirement benefits as are enjoyed  
28 by persons holding equivalent grades in the public service of the federation.

29 (2) Nothing in this Act shall prevent the appointment of a person to

1 any office on terms which preclude the grant of a pension in respect of that  
2 office.

3 PART IV - ACADEMIC BOARD OF THE INSTITUTE

Establishment  
of the Academic  
Board of the  
Institute

4 **19.** -(1) There is established for the Institute, an Academic Board  
5 which shall consist of-

- 6 (a) the Director General of the Institute as Chairman;  
7 (b) the Director of Training and Research Department;  
8 (c) the Director of Skills Acquisition and Development Department;  
9 (d) the Head of Library Service Division; and  
10 (e) the Legal Adviser of the Institute who shall be the Secretary of the  
11 Academic Board.

12 (2) The Director General shall preside at all meetings of the Academic  
13 Board and in his absence the most senior academic Director shall preside at the  
14 meeting, but in their absence the members present at the meeting shall elect one  
15 of their number to preside.

16 (3) The Academic Board shall meet at least once in a semester.

17 (4) Subject to sub-sections (2) and (3) of this section, the Academic  
18 Board shall regulate its own proceedings.

Functions of  
the Academic  
Board

19 **20.** The Academic Board shall formulate, regulate and continually  
20 evaluate the academic programmes of the Institute, including-

- 21 (a) approval of courses of study and examinations held in connection  
22 with those courses;  
23 (b) the award of diplomas, certificates and such other qualifications as  
24 may be prescribed in connection with examinations held;  
25 (c) such other functions as the Governing Board may from time to  
26 time assign to it.

Academic  
Departments of  
the Institute

27 **21.**-(1) The Academic Departments of the Institute shall be-

- 28 (a) Department of Training and Research comprising Geosciences,  
29 Mining and Mineral Processing Divisions;  
30 (b) Department of Skills Acquisition and Development comprising

1 Mineral Beneficiation Mill, Lapidary, Museum and Mineral Analyses  
2 Laboratory; and

3 (c) other Departments and Divisions of other specialty as may be  
4 prescribed by the Board, from time to time to meet the academic demands of  
5 the Institute.

6 (2) Each Department shall have a Departmental Committee and all  
7 Academic staff in a Department shall be members of that Committee.

8 (3) Each Departmental Committee may carry out its duties in  
9 accordance with such standing orders that may be made by the Academic  
10 Board for that purpose as it deems fit.

11 (4) Each departmental Committee shall be reconstituted as a  
12 Committee of Examiners for the sole purpose of conducting examinations  
13 under this section and thereafter make its recommendations to the Academic  
14 Board.

15 **22.** A candidate for any examination shall satisfy the following  
16 conditions that he-

Candidates for  
Examination

17 (a) is a registered student of the Institute;

18 (b) possesses and holds of a certificate that qualified him for  
19 admission to the Institute; and

20 (c) has satisfied the minimum requirements as set out by the  
21 Academic Board.

22 **23.** The Institute shall award diplomas and certificates to students  
23 of the Institute who are of good character and learning and who have passed  
24 the examinations prescribed by the Academic Board for the award of same.

Award of Diplomas  
and Certificates

25 PART V - FINANCIAL PROVISIONS

26 **24.**-(1) The Institute shall establish and maintain a fund from  
27 which shall be defrayed all expenditure incurred by the Institute.

Fund of the  
Institute

28 (2) There shall be paid and credited to the fund established  
29 pursuant to sub-section (1) of this section-

30 (a) such monies as may, from time to time, be lent or granted to the

1 Institute by the Government of the Federation or of a State or any of their  
2 Agencies;

3 (b) all monies raised for the purposes of the Institute by way of gifts,  
4 grants-in-aid testamentary disposition;

5 (c) all subscriptions or fees, and charges for services rendered by the  
6 Institute;

7 (d) all interests received in respect of monies invested by the Institute;

8 (e) all other assets, from time to time, accruing to the Institute; and

9 (f) budgetary allocations of the Federal Government.

10 (3) The funds shall be managed in accordance with the Financial  
11 Regulations of the Federal Government.

Expenditure of  
the Institute

12 **25.**-(1) The Institute may from time to time, apply its funds-

13 (a) to the cost of administration of the Institute and of any research  
14 under the Institute's administration;

15 (b) for reimbursing a member of any Committee set up by the Institute  
16 for expenses expressly authorised by the Institute;

17 (c) for the provision of scholarships and other awards for the training  
18 of staff of the Institute;

19 (d) for payment of salaries, fees or other remuneration, allowances,  
20 pensions, superannuation payable to the employees of the Institute;

21 (e) for the maintenance of any property vested in the Institute; and

22 (f) for and in connection with any of the functions of the Institute  
23 under this Act.

24 (2) Except as provided in subsection (1) of this section, no other  
25 remuneration shall be paid to any member of any Committee appointed by the  
26 Institute pursuant to this Act.

Power to accept  
Gifts

27 **26.**-(1) The Institute may accept gifts of land, money or other  
28 property, on such terms and conditions, as may be specified by the person or  
29 organisation making the gift.

30 (2) The Institute shall not accept a gift if the conditions attached by the

1 person or organisation making the gift are inconsistent with the objectives or  
2 functions of the Institute.

3           **27.**-(1) The Institute may, with the consent of the Minister or in Power to borrow  
4 accordance with the general authority given by the Federal Government,  
5 borrow by way of loan or overdraft, from any source any monies required by  
6 the Institute for meeting its obligations and discharging its functions under  
7 this Act.

8           (2) The sum or the aggregate of the sums involved or required at  
9 any time shall not exceed the limit set by the Minister, no such consent or  
10 authority shall be required.

11           (3) Notwithstanding, subsection (1) of this section, where the sum  
12 to be borrowed is in foreign currency, the Institute shall not borrow the sum  
13 without the prior approval of the Minister.

14           **28.**-(1) The Board shall cause to be prepared, not later than 30th Annual Estimates,  
15 September in each year, an estimate of the expenditure and income of the Accounts and  
16 Institute during the next succeeding year, and submit to the Minister. Audit

17           (2) The Institute shall keep proper accounts and proper records in  
18 relation to transactions approved or certified by the Board, the accounts  
19 shall be audited as provided in subsection (3) of this section.

20           (3) The accounts of the Institute shall be audited within six months  
21 after the end of each year by auditors appointed by the Board from the list  
22 and in accordance with guidelines supplied by the Auditor General for the  
23 Federation and the fees of the auditors and the expenses of the auditors  
24 generally shall be paid from the Fund of the Institute.

25           **29.** The Board shall, not later than 31st July in each year, submit to Annual Report  
26 the Minister, a report in such form as the Minister may, from time to time,  
27 direct on the activities of the Institute during the preceding year, and shall  
28 include in the report the audited accounts of the Institute.

Discoveries,  
Inventions and  
Innovations by  
the Institute

1 PART VI - DISCOVERIES, INVENTIONS AND INNOVATIONS BY

2 THE INSTITUTE

3 **30.**-(1) Subject to the provisions of this Act, the results in all  
4 researched discoveries, inventions and in all innovations in respect of  
5 processes, apparatus and machines made by-

6 (a) employees of the Institute; and

7 (b) persons assisting the Institute with any investigation or research  
8 shall vest in the Institute.

9 (2) The Board may make the discoveries, inventions, innovations and  
10 the rights referred to in subsection (1) of this section which are vested in the  
11 Institute available to the public for use, subject to such conditions and  
12 payments of such fees or royalties as the Board may determine.

13 (3) Where the rights in any discovery, invention or innovation are  
14 vested in the Institute by virtue of subsection (1) of this section, the Board may  
15 award to the person responsible for the discoveries, inventions or  
16 improvements such bonus as it deems fit and make provisions for financial  
17 participation by him in the profits derived from such discoveries, inventions or  
18 improvements to such extent as the Board may determine.

19 (4) The provisions of this section shall not apply in respect of a  
20 discovery or an invention or innovations under subsection (1) of this section,  
21 where in the opinion of the Board such discovery, invention or improvement  
22 was not made by the persons-

23 (a) in the course of his employment as an employee of the Institute;

24 (b) during the performance of functions in respect of which he has  
25 been placed at the disposal of the Institute;

26 (c) in the course of any investigation or research in which he assisted  
27 the Institute; or

28 (d) in the course of any research in respect of which he receives a  
29 bursary or grant-in-aid from the Institute.



## 1 PART VII - MISCELLANEOUS PROVISIONS

2 31.-(1) For the purpose of providing offices and premises Office and  
3 necessary for the performance of its functions, the Institute may, subject to Premises  
4 the Hon. Minister's approval-

5 (a) purchase or take on lease any interest in land, building or  
6 property;

7 (b) build, equip and maintain offices and premises.

8 (2) The Institute may, subject to the approval of the Hon. Minister,  
9 sell or lease out land, office or premises held by it, which it may no longer  
10 require for the performance of its functions under this Act.

11 32.-(1) A person shall not commence a legal proceeding against the Procedure in  
12 Institute, a member of the Board or any employee of the Institute for any act respect of suit  
13 done in pursuance or execution of any law or of any public duties or against the  
14 respect of any alleged neglect or default in the execution of such law or Institute, etc.  
15 duties shall lie or be instituted in any court unless it is commenced within  
16 twelve months next after the act, neglect or default complained of or, in the  
17 case of a continuance of damage or injury, within three (3) months next after  
18 the ceasing thereof.

19 (2) A person shall not commence against the Institute before the  
20 expiration of a period of one month after written notice of intention to  
21 commence the suit shall have been served upon the Institute by the intending  
22 plaintiff or his agent, and the notice shall clearly and explicitly state-

23 (a) the cause of action;

24 (b) the particulars of the claim;

25 (c) the name and place of abode of the intending plaintiff; and

26 (d) the relief which he claims.

27 33.-(1) Any person holding appointment in the Institute Savings  
28 immediately before the commencement of this Act shall be deemed to hold  
29 the appointment in the Institute under this Act.

30 (2) Any right, duty or obligation of the Institute existing

1 immediately before the commencement of this Act shall be deemed to be the  
2 right, duty or obligation of the Institute under this Act.

3 (3) A person who was a student of the Institute immediately before the  
4 commencement of this Act shall be deemed to be a student of the Institute under  
5 this Act.

Interpretation

6 **34.** In this Act-

7 "Academic Board" means the Academic Board established by Section 19 of  
8 this Act;

9 "Board" means the Governing Board of the Institute;

10 "Chairman" means the Chairman of the Board of the Institute;

11 "Director General" Means the Director General of the Institute appointed  
12 under Section 11 of this Act;

13 "Institute" means the Nigerian Institute of Mining and Geosciences established  
14 by Section 1 of this Act;

15 "Member "means a member of the Board and includes the Chairman;

16 "Minister" means the Minister responsible for Mining;

17 "President" Means the President of the Federal Republic of Nigeria;

18 "Management Staff" means the Management Staff of the Institute appointed  
19 under Section 10 of this Act.

Short Title

20 **35.** This Bill may be cited as the Nigerian Institute of Mining and  
21 Geosciences Jos, Bill, 2016.

22 SCHEDULE

23 SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD, ETC.

24 1. Subject to the provisions of this Act and Section 27 of the  
25 Interpretation Act, the Board shall have power to regulate its proceedings and  
26 may make standing orders with respect to the holding of its meetings and those  
27 of any of its committees, the notices to be given, the proceedings, the keeping  
28 of minutes of those proceedings and the custody and production for inspection  
29 of the minutes.

30 2. The quorum of the' Board shall be five and the quorum of a

1 committee of the Board shall be determined by the Board.

2 3.-(a) Subject to the provisions of any applicable standing orders,  
3 the Board shall meet whenever it is summoned by the Chairman and where  
4 the Chairman is required so to do by notice given to him by not less than six  
5 other members, he shall summon a meeting of the Board to be held within  
6 twenty one days from the date on which the notice is given;

7 (b) At any meeting of the Board, the Chairman shall preside but  
8 where he is absent, the members present at the meeting shall appoint one of  
9 their member to preside at that meeting;

10 (c) Where the Board wishes to obtain the advice of any person on a  
11 particular matter, the Board may co-opt him as a member for such period as  
12 it deems fit, but a person who is a member by virtue of this sub-paragraph  
13 shall not be entitled to vote at any meeting of the Board and shall not count  
14 towards a quorum;

15 (d) The Director General shall summon another Board Meeting  
16 where the Chairman is indisposed and the scheduled meeting of the Board  
17 did not hold, four weeks after the due date of the meeting.

18 *Committees*

19 4. The Board may appoint one or more committees to carry out on  
20 its behalf, such of its functions as it may deem fit.

21 5. A Committee appointed under this schedule shall comprise such  
22 number of persons (not necessarily members of the Board) as may be  
23 determined by the Board and a person other than a member of the Board  
24 shall hold office on the Committee in accordance with the terms of his  
25 appointment.

26 6. A decision of a Committee of the Board shall be of no effect until  
27 it is confirmed by the Board.

28 *Miscellaneous*

29 7.-(1) The fixing of the seal of the Institute shall be authenticated  
30 by the signature of the Director General and the Institute's Legal Adviser.

1           (2) Any document purporting to be a document duly executed under  
2 the seal of the Institute, shall be received in evidence and shall except the  
3 contrary is proved it is presumed to be so executed.

4           8. A member of the Board and a person holding Office on a  
5 Committee of the Board, who has a personal interest in any contract or  
6 arrangement entered into or proposed to be considered by the Board or the  
7 Committee-

8           (a) shall disclose his interest to the Board or Committee and the  
9 disclosure shall made before the meetings; and

10          (b) shall not vote on any question relating to the contract or  
11 arrangement.

#### EXPLANATORY MEMORANDUM

*(This Memorandum does not form part of this Act but is intended to  
explain its purport)*

This Bill seeks to establish the Nigerian Institute of Mining and Geosciences, Jos, to serve as a Institute to provide courses of instruction, training and research in exploration and exploitation of minerals for national development and related matters.