

A BILL

FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A TRAINING INSTITUTE TO BE KNOWN AS THE NIGERIAN COLLEGE OF MINING TECHNOLOGY, TO PROVIDE FOR ITS ORGANIZATION, CONTROL AND OPERATION, AND FOR RELATED MATTERS

Sponsored by Hon. Yusuf Ahmed Tijani

[] Commencement

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

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PART I - INSTITUTION

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1. There shall be establish a training Institute to be known as the Nigerian college of Mining Technology (in this Act referred to as "the College") which shall be a body corporate under that name and, subject to the provision of this Act.

Establishment of the Nigerian College of Mining Technology

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2. Subject to the provision of this Act, the College shall exercise the following powers and perform the following duties, namely-

Object of the College

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(a) to provide for instruction and research in such branches of mining, quarrying, engineering and technology, sciences and arts, as the College may think fit, and for the advancement of learning and dissemination of knowledge in such branches;

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(b) to hold examinations and grant degrees, diplomas and other academic distinctions or titles;

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(c) to confer honorary degrees or other distinctions;

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(d) to fix, demand and receive fees and other charges;

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(e) to establish, maintain and manage halls and hostels for the residence of students;

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(f) to supervise and control the residence and regulate the discipline of students of the College and to make arrangements for

19

- 1 promoting their health, general welfare and cultural and corporate life;
- 2 (g) to institute academic and other posts and to make appointments
- 3 thereto, except in the case of the Director;
- 4 (h) to frame Statutes and Ordinances and to alter, modify or rescind
- 5 the same;
- 6 (i) to deal with any property belonging to or vested in the College in
- 7 such manner as the College may deem fit for advancing the objects of the
- 8 College;
- 9 (j) to receive gifts, grants, donations or benefactions from the
- 10 Governments and to receive bequests, donations and transfers of movable or
- 11 immovable properties from testators, donors or transferors, as the case maybe;
- 12 (k) to co-operate with educational or other institutions in any part of
- 13 the world having objects wholly or partly similar to those of the College by
- 14 exchange of teachers and scholars and generally in such manner as may be
- 15 conducive to their common objects;
- 16 (l) to institute and award fellowships, scholarships, exhibitions,
- 17 prizes and medals; and
- 18 (m) to do all such things as may be necessary incidental or conducive
- 19 to the attainment of all or any of the objects of the College.

The College

20 3. The college as a body corporate shall have perpetual succession

21 and a common seal which shall be kept in the custody of the Principal of the

22 College; and the College may hold or acquire property, movable and

23 immovable, but shall not mortgage, charge or dispose of any property held by it

24 without the consent in writing of the Minister.

25 PART II - GOVERNING COUNCIL

26 4.-(1) The following shall be the governing bodies of the College-

- 27 (i) a Board;
- 28 (ii) a Senate; and
- 29 (iii) Such other authorities as may be declared by the Statutes to be the
- 30 authorities of the College.

1 (2) The Board of the College shall consist of the following persons,
2 namely-

3 (a) the Chairman, to be nominated by the President;

4 (b) the Director, *ex-officio*,

5 (c) one person to be nominated by the State Government in which
6 the College is situated, from among persons who in the opinion of that
7 Government, are technologists or industrialists of repute;

8 (d) four persons having special knowledge or practical experience
9 in respect of education, engineering or science, to be nominated by the
10 Council; and

11 (e) two professors of the College, to be nominated by the Senate.

12 (3) Save as otherwise provided in this section the term of office of
13 the Chairman or any other member of the Board shall be four years from the
14 date of his nomination.

15 (4) The term of office of an *ex-officio* member shall continue so
16 long as he holds the office by virtue of which he is a member.

17 (5) The term of office of a member nominated to fill a casual
18 vacancy shall continue for the remainder of the term of the member in whose
19 place he has been nominated.

20 (6) Notwithstanding anything contained in this section, an
21 outgoing member shall, unless the Board otherwise directs, continue in
22 office until another person is nominated as a member in his place.

23 (7) The members of the board shall be entitled to such allowances,
24 if any, from the College as may be provided for in the Statutes.

25 (1) Subject to the provisions of this Act, the Board of the College
26 shall be responsible for the general superintendence, direction and control of
27 the affairs of the College and shall exercise all the powers of the College not
28 otherwise provided for by this Act.

29 (2) Without prejudice to the provisions of sub-section (1), the
30 Board shall-

Functions of the
Board

- 1 (a) take decisions on questions of policy relating to the administration
2 and working of the College;
- 3 (b) institute courses of study at the College;
- 4 (c) make Statutes;
- 5 (d) institute and appoint persons to academic as well as other posts in
6 the College;
- 7 (e) consider and pass resolutions on the annual report, the annual
8 accounts and the budget estimates of the College for the next financial year as it
9 thinks fit and submit them to the Minister together with a statement of its
10 developments plans;
- 11 (f) exercise such other powers and perform such other duties as may
12 be conferred or imposed upon it by this Act.

13 (3) The Board shall have the power to appoint such committees as it
14 considers necessary for the exercise of its powers and the performance of its
15 duties under this Act.

The Senate

- 16 6. The Senate shall consist of the following persons; namely-
- 17 (a) the Director, ex-officio who shall be the Chairman of the Senate;
- 18 (b) the Deputy Director, ex-officio;
- 19 (c) the professors appointed or recognised as such by the College for
20 the purpose of imparting instruction in the College; and
- 21 (d) three persons, not being employees of the College, to be
22 nominated by the Chairman in consultation with the Director; from among
23 educationists of repute, one each from the fields of science, engineering and
24 humanities.

Functions of
the Senate

25 7. Subject to the provisions of this Act, the Senate shall have the
26 control and general regulation, and be responsible for the maintenance, of
27 standards of instruction, education and examination in the College and shall
28 exercise such other powers and perform such other duties as may be conferred
29 or imposed upon it by the Statutes.

1 8.-(1) The Chairman shall ordinarily preside at the meetings of the
2 Board and at the Convocations of the College.

Meetings of the
Board

3 (2) It shall be the duty of the Chairman to ensure that the decisions
4 taken by the Board are implemented.

5 (3) The Chairman shall exercise such other powers and perform
6 such other duties as may be assigned to him by this Act.

7 9.-(1) The Director of the College shall be appointed by the Board
8 with the prior approval of the President.

Director of the
College

9 (2) The Director shall be the principal academic and executive
10 officer of the College and shall be responsible for the proper administration
11 of the College and for the imparting of instruction and maintenance of
12 discipline therein.

13 (3) The Director shall submit annual reports and accounts to the
14 Board.

15 (4) The Director shall exercise such other powers and perform such
16 other duties as may be assigned to him by this Act.

17 10. The Deputy Director of the College shall be appointed on such
18 terms and conditions as may be laid down by the Statutes and shall exercise
19 such powers and perform such duties as may be assigned to him by this Act.

Deputy Director
of the College

20 11.-(1) The Registrar of the College shall be appointed on such
21 terms and conditions as may be laid down by the Statutes and shall be the
22 custodian of records, the common seal, the funds of the College and such
23 other property of the College as the Board shall commit to his charge.

Registrar of the
College

24 (2) The Registrar shall act as the Secretary of the Board, the Senate,
25 and such committees as may be prescribed by the Statutes.

26 (3) The Registrar shall be responsible to the Director for the proper
27 discharge of his functions.

28 (4) The Registrar shall exercise such other powers and perform
29 such other duties as may be assigned to him by this Act.

30 12. The powers and duties of authorities and officers other than

Financial
provisions

1 those herein before mentioned shall be determined by the statutes.

2 **13.**-(1) The funds of the College shall comprise-

3 (a) money allocated to it in each year by the Government of the
4 federation and, while it continues to operate in Nigeria, by the special fund in
5 such shares as may be agreed from time to time;

6 (b) donations and subsidies;

7 (c) fees for training received from the College;

8 (d) monies from such other sources as may, from time to time, be
9 approved by the Board on behalf of the College.

10 (2) The Board shall cause accounts to be kept at all times of the
11 income and expenditure of the college and proper records in relation to those
12 accounts; and the accounts of the College shall be audited as soon as may be
13 after the end financial year to which the accounts relate by an auditor appointed
14 from the list and in accordance with the guidelines supplied by the Auditor-
15 General for the federation.

16 (3) The Board shall, not later than the thirtieth day of September in
17 each year after the commencement of this Act, prepare and submit to the
18 Minister a financial statement setting forth the assets and liabilities of the
19 College, the income and expenditures of the College for the previous fiscal
20 year, together with an estimate of the expenditure and income during the next
21 financial year.

22 **14.**-(1) The College shall maintain proper accounts and other relevant
23 records and prepare an annual statement of accounts, including the balance -
24 sheet, in such form as may be prescribed by the Federal Government in
25 consultation with the Auditor-General of the Federation.

26 (2) The accounts of the College shall be audited by the Auditor-
27 General of the Federation and any expenditure incurred by him in connection
28 with such audit shall be payable by the College to the Auditor-General of the
29 Federation.

30 (3) The Auditor-General of the Federation and any person appointed

1 by him in connection with the audit of the accounts of the College shall have
2 the same rights, privileges and authority in connection with such audit as the
3 Auditor-General of the Federation has in connection with the audit of the
4 Government accounts, and, in particular, shall have the right to demand the
5 production of books, accounts, connected vouchers and other documents
6 and papers and to inspect the offices of the College.

7 (4) The accounts of the College as certified by the Auditor-General
8 of the Federation or any other person appointed by him in this behalf
9 together with the audit report thereon shall be forwarded annually to the
10 Federal Government and that Government shall cause the same to be laid
11 before the National Assembly.

12 15. The College shall constitute for the benefit of its employees,
13 including the Director in such manner and subject to such conditions as may
14 be prescribed by the Statutes, such pension, insurance and provident funds
15 as it may deem fit.

16 16. Subject to the provisions of this Act, the Statutes may provide
17 for all or any of the following matters, namely-

The Statutes

18 (a) the conferment of honorary degrees;

19 (b) the formation of departments of teaching;

20 (c) the fees to be charged for courses of study in the College and for
21 admission to the Examinations of degrees and diplomas of the College;

22 (d) the institution of fellowships, scholarship, exhibitions, medals
23 and prizes;

24 (e) the term of office and the method of appointment of officers of
25 the College;

26 (f) the qualification of teachers of the College;

27 (g) the classification, the method of appointment and the
28 determination of the terms and conditions of service of teachers and other
29 staff of the College;

30 (h) the constitution of pension, insurance and provident funds, for

- 1 the benefit of the officers, teachers and other staffs of the College;
- 2 (i) the constitution, powers and duties of authorities of the College;
- 3 (j) the establishment and maintenance of halls and hostels;
- 4 (k) the conditions of residence of students of the College and the
- 5 levying of fees for residence in the halls and hostels and of other charges;
- 6 (l) the manner of filling vacancies among members of the Board;
- 7 (m) the allowances to be paid to the Chairman and members of the
- 8 board;
- 9 (n) the authentication of the orders and decisions of the board;
- 10 (o) the meetings of the Board, the Senate, or any Committee, the
- 11 quorum at such meetings and the procedure to be followed in the conduct of
- 12 their business;
- 13 (p) any other matter which by this Act is to be or may be prescribed by
- 14 the Statutes.

15 17. Subject to the provisions of this Act, the College may provide for

16 all or any of the following matters namely-

- 17 (a) the admission of the students to the College;
- 18 (b) the courses of study to be laid down for all degrees and diplomas of
- 19 the College;
- 20 (c) the conditions under which students shall be admitted to the
- 21 degree or diploma courses and to the examinations of the College, and shall be
- 22 eligible for degrees and diplomas;
- 23 (d) the conditions of award of the fellowships, Scholarships,
- 24 exhibitions, medals and prizes;
- 25 (e) the conditions and mode of appointment and duties of examining
- 26 bodies, examiners and moderators;
- 27 (f) the conduct of examinations;
- 28 (g) the maintenance of discipline among the students of the College;
- 29 and
- 30 (h) any other matter which by this Act or the Statutes is to be or may be

1 provided for by the Ordinances.

2 **18.** The Federal Civil Service Commission may by order published
3 in the federal Gazette declare that service with the College shall be approved
4 service for the purposes of the Pensions Act.

Pensions in
special cases

5 **19.** -(1) Where any act, matter or thing falls to be prescribed under
6 this Act, any such act, matter or thing may be prescribed by regulations made
7 on behalf of the College by the board.

Regulations

8 (2) Regulations made under this section shall, when approved by
9 the Minister, be published in the Federal Gazette.

10 **20.** In this Act, unless the context otherwise requires-

Interpretation

11 "College" means the Nigerian College of Mining Technology established
12 under section 2 of this Act;

13 "Minister" means the Minister of the Government of the Federation charged
14 with responsibility for Steel and Mines;

15 "director" means the principal of the College;

16 "Board" means the governing board of the Fund established by Section 9;

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

18 "Auditor-General" means the Auditor-General for the Federation.

19 **21.** This Bill may be cited as the Nigerian College of Mining
20 Technology Bill, 2016.

Short Title

EXPLANATORY NOTE

This Bill seeks to make provision for the establishment of a training Institute to be known as the Nigerian College of Mining Technology, to provide for its organization, control and operation.

