

FEDERAL POLYTECHNIC DUKKU (ESTABLISHMENT) BILL, 2017

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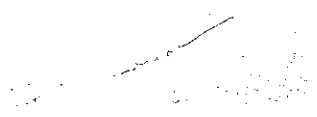
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A BILL

FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF FEDERAL POLYTECHNIC DUKKU, GOMBE STATE FOR THE PURPOSE OF PROVIDING QUALITATIVE EDUCATION IN SCIENCES, ARTS AND OTHER TECHNICAL KNOWLEDGE AND RESEARCH AND TRAINING AND FOR RELATED MATTERS

Sponsored by Hon. Aishatu Jibril Dukku

[] Commencement

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

PART I - ESTABLISHMENT, BOARD MEMBERSHIP, ETC

1 1.-(1) There is hereby established for the Federal Republic of
2 Nigeria an institution known as Federal Polytechnic Dukku, Gombe State
3 for the purpose of providing qualitative education in Sciences, Arts and
4 other Technical knowledge and Research and Training and for other related
5 matters connected therewith; herein this bill referred to as the 'institution or
6 institute' as the case may be.

Establishment

7 (2) The Institution shall be a body with the status of a public study
8 and research facility, corporate with perpetual succession and a common
9 seal, so that the institution may:

10 (a) Sue and be sued in its corporate name and

11 (b) Hold, acquire and dispose of any property or interest in
12 property, moveable or immoveable.

13 2.-(1) The governing body of the Institution shall be a team of
14 Board of Directors herein referred to in this bill as "the Board". The Board
15 shall consist of the following as Chairman, Vice Chairman and Members:

Board of Directors,
Appointment into
the Board

16 (a) A Chairman, to be appointed by the President of the Federal
17 Republic of Nigeria;

1 (b) The Rector, who shall be the Vice-Chairman of the Board and a
2 fulltime member;

3 (c) Six (6) other Members (with 1 Member representing each geo-
4 political Zone of the country) with cognate experience, initiatives and
5 Administrative capacity.

6 (2) All members of Board, other than the Rector shall be part-time
7 members.

8 (3) There shall be paid to the members of the Board such
9 remuneration as may be determined by the National Salaries Income and
10 Wages Commission with the exception of the Rector.

11 (4) All Members of the Board shall be appointed by the President C-
12 in-C of the Armed Force of the Federal Republic of Nigeria.

13 (5) Members appointed to the Board pursuant to paragraph (a and c)
14 of section 2, subsection 1 other than the Rector shall hold office for the period of
15 four (4) years renewable once for a further period of four (4) years only,
16 provided however that:

17 (a) Any member may resign his appointment at any given time by
18 notice in writing under his hand, addressed to the Minister of education who
19 shall forward same to the President C-in-C;

20 (b) If a member dies or resigns or otherwise vacates his office before
21 the expiration of his term, a fit proper and qualified person shall be appointed
22 by the President C-in-C for the remainder of the term of office of the member
23 and the successor shall represent the same interest and zone of his predecessor.

24 (c) A member may be removed from office by the President C-in-C on
25 the recommendation of the Minister of Education, if the Minister and other
26 Board members are satisfied that it is not in the interest of the institution or the
27 interest of the public that the member should continue in office.

28 **3. - (1) OFFICE OF THE RECTOR:**

29 (a) There shall be for the Institution a Rector herein this bill referred to
30 as 'the Rector', who shall be the head of the academic and administrative

1 functions, the Chief Accounting Officer of the Institution who shall also
2 report to the Minister of Education;

3 (b) The Rector of the Institution shall be a person of good moral
4 character who must have attained the educational status of not below
5 doctoral degree in relevant field as it relates to the Institution.

6 (2) OFFICE OF DEPUTY RECTOR (ACADEMICS):

7 (a) There shall be for the institution a Deputy Rector (Academic)
8 who shall be the head of the academic functions of the Institution who shall
9 also report to the Rector;

10 (b) The Deputy Rector (Academics) shall be a person of good moral
11 character who must have attained the educational status of not below
12 doctoral degree in relevant field as it relates to the institution.

13 (3) OFFICE OF DEPUTY RECTOR (ADMINISTRATION):

14 (a) There shall be for the institution a Deputy Rector
15 (Administration) who shall be the head of the Administrative functions of
16 the Institution who shall also report to the Rector;

17 (b) The Deputy Rector (Administration) shall be a person of good
18 moral character who must have attained the educational status of not below
19 doctoral degree in relevant field as it relates to the institution.

20 (4) OFFICE OF THE REGISTRAR AND ACADEMIC SECRETARY:

21 (a) There shall be for the institution a Registrar and also an
22 Academic Secretary who shall perform the functions as so stipulated in the
23 scheme of service for all tertiary institutions;

24 (i) The duo shall also report to the Rector.

25 (b) The duo shall be persons of good moral character who must
26 have attained the educational status of not below Bachelor's degree with the
27 required working experience to hold such offices.

28 (5) MANAGEMENT COMMITTEE OF THE INSTITUTION:

29 Subject to the provision of this bill, the Management of the Institution shall
30 consist of the following;

- 1 (a) The Rector;
- 2 (b) The Deputy Rector Academics;
- 3 (c) The Deputy Rector Administration;
- 4 (d) The Registrar;
- 5 (e) The Academic Secretary;
- 6 (f) All Deans of all Faculties;
- 7 (g) All Head of Departments;
- 8 (h) A representative of the Ministry as may be nominated by the
- 9 Minister.

Operational
Academic
Faculties

10 4.-(1) The following Operational Academic Faculties are hereby
11 established for the Institute:

- 12 (a) Faculty of Engineering;
- 13 (b) Faculty of Agriculture;
- 14 (c) Faculty of Computer, Information and Communication
15 Technology;
- 16 (d) Faculty of Pure sciences;
- 17 (e) Faculty of Environmental Sciences;
- 18 (f) Faculty of Social Sciences;
- 19 (g) Faculty of Arts.

Academic
Departments

20 5.-(1) There shall be establish Academic Departments that falls under
21 the faculties as may depends on academic relating to the faculties as follows:

- 22 (a) Faculty of Engineering:
 - 23 (i) Department of Civil Engineering;
 - 24 (ii) Department of Electrical Engineering;
 - 25 (iii) Department of Mechanical Engineering;
 - 26 (iv) Department of Building Engineering;
 - 27 (v) Department of Chemical Engineering.
- 28 (b) Faculty of Agriculture:
 - 29 (i) Department of Agricultural Extension and Technology;
 - 30 (ii) Department of Agricultural Management and Administration;

- 1 (iii) Department of Forestry Management;
- 2 (iv) Department of Botany.
- 3 (c) Faculty of Computer, Information and Communication
- 4 Technology:
- 5 (i) Department of Computer Sciences;
- 6 (ii) Department of Software design and Technology;
- 7 (iii) Department of Information and Communication Technology;
- 8 (iv) Department of information and Communication Management;
- 9 (v) Department of Mass Communications.
- 10 (d) Faculty of Pure sciences:
- 11 (i) Department of Biological Sciences;
- 12 (ii) Department of Microbiology;
- 13 (iii) Department of Chemistry;
- 14 (iv) Department of Physics;
- 15 (v) Department of Nutrition and Food Sciences.
- 16 (e) Faculty of Environmental Sciences:
- 17 (i) Department of Geography;
- 18 (ii) Department of Urban and Regional Planning;
- 19 (iii) Department of environmental Management;
- 20 (iv) Department of Architecture.
- 21 (f) Faculty of Social Sciences:
- 22 (i) Department of Business Administration and Management;
- 23 (ii) Department of Public Administration;
- 24 (iii) Department of Political Sciences;
- 25 (iv) Department of Accountancy;
- 26 (v) Department of Banking and Insurance;
- 27 (vi) Department of Sociology;
- 28 (vii) Department of Economics.
- 29 (g) Faculty of Arts:
- 30 (i) Department of Home Management and Economics;

- 1 (ii) Department of theatre Arts;
- 2 (iii) Department of History;
- 3 (iv) Department of English;
- 4 (v) Department of Nigerian Languages;
- 5 (vi) Department of Religious Studies.

6 (2) Subject to the provisions sections 4 and 5 of this bill, the
 7 Management of this Institution in consultation of the Board and the Minister
 8 may establish additional Faculty or Department for the Institution if it deems fit
 9 for the effective conduct of the functions of the institution.

Deans of Faculties/
Heads of
Departments

10 6. -(a) There shall be for each faculty a Dean herein this bill referred
 11 to as "the Dean", who shall be the head of the academic and administrative
 12 functions of the faculty who shall also report to the Deputy Rector Academics:

13 (b) The Dean of each faculty shall be a person of good moral character
 14 who must have attained the educational status of not below doctoral degree in
 15 relevant field as it relates to the respective faculty;

16 (c) There shall be for each f Department a Head of Department, who
 17 shall be the head of the academic and administrative functions of the
 18 Department who shall also report to the Dean of the respective Faculty;

19 (d) The Head of department of each faculty shall be a person of good
 20 moral character who must have attained the educational status of not below
 21 doctoral degree in relevant field as it relates to the respective Department.

Administrative
Departments

22 7.-(1) There shall be establish Administrative Departments for the
 23 Institution to provide the needed support in line with the provision of the laws
 24 and scheme of service for tertiary Institutions, the Departments may include:

- 25 (a) Department of Administration and Personal;
- 26 (b) Department of Facility Management, Maintenance and Works;
- 27 (c) Department of legal Service;
- 28 (d) Department of Finance and Procurement.

29 (2) There shall be for each f Department a Director, who shall head the
 30 operational functions of the department who shall also report to the Rector.

(3) The Director shall be a person of good moral character who must have attained the educational status of not below a Bachelor degree with working experience as stipulated in the public service rules.

(4) The Rector in consultation with the Minister and the Board may issue regulations prescribing additional departments for the Institution or altering the departments listed in sub-section (1) of this section in any matter whatsoever.

(5) Notwithstanding the provision of this section, the Board shall have powers to set up any Committee to assist in the performance of its duties as prescribed under this bill.

(6) A committee set up under subsection (5) of this section shall consist of such member of persons as may be determined by the Board and the Management Committee, and a member of such committee shall hold office in accordance with the term of his appointment.

(7) A decision of any of each Committee shall not be effective unless ratified by the Board.

PART II - FUNCTIONS AND POWERS

8.-(1) Subject to without prejudice to the provision of the constitution of the Federal Republic of Nigeria, the Institution shall be responsible for the following functions:

(a) Admit Students to study courses offered by the Institution in such faculties as they may wish provided to fulfill all necessary requirements needed for admission;

(b) Award Ordinary National Diploma (OND) Certificates to students that earned such certificate after having written and pass the prescribe examinations in respective courses as so undertaken by the student;

(c) Award Higher National Diploma (HND) Certificate to students that earned such certificate after having written and pass the prescribed examinations in respective courses as so undertaken by the student;

Functions

1 (d) Award Bachelor's Degree (BA, B.Tech or B.Sc) Certificates to
2 students that earned such certificate after having written and pass the prescribe
3 examinations in respective courses as so undertaken by the student;

4 (e) Award Post Graduate Diploma (PGD) Certificate to students that
5 earned such certificate after having written and pass the prescribe
6 examinations in respective courses as so undertaken by the student;

7 (f) Provide atmosphere and facilities for research and studies;

8 (g) Organise conferences, seminars and intellectual discussion for the
9 purpose of promoting good governance and making viable recommendations
10 to the Government;

11 (h) Participate in any other activity that the law admits in the scheme
12 of functions for tertiary institutions.

13 (2) In discharging its general responsibility under subsection 1 above,
14 the institution shall:

15 (a) Enter into agreement with any person or conglomerate for the
16 supply, purchase, construction and maintenance or repair of any property
17 whether movable or immovable which is necessary or appropriate for the
18 purpose of promoting educational standard of the Institution;

19 (b) Prepare plans for the management of all public facilities or project
20 of the institution;

21 (c) In collaboration with the Ministry and other relevant stakeholders,
22 improve the quality of training and capacity building workshop for its staff;

23 (d) Implore stabilities that will prepare the staff and students for
24 future governance and leadership.

General Powers

25 9.-(1) The institution shall have powers to:

26 (a) Do all things which by this Act any other enactment are required or
27 permitted to be done by the institution;

28 (b) Monitor any matter that may affect the functions of the institution;

29 (c) Do anything that will ensure the advancement of the skills of
30 employees of the Institution including the provision of training facilities,

1 general research and establishment of centres;

2 (d) Perform any other actions or inaction reasonable and of
3 advantage or convenience needed to promote full discharge of its functions.

4 (2) Subject to any limitation impose by law, the Institution may
5 delegate any of its powers to any members of the Board or employee to
6 perform any of its functions.

7 10.-(1) Subject to the approval of the Ministers and the
8 recommendation of the Board, the Institution may borrow by way of
9 overdraft or otherwise such sum as it may require for efficient discharge of
10 its functions under this Act.

Powers to borrow

11 11.-(1) The Institution may accept gift of land, money, property or
12 other valuables from persons or organisation upon such terms that are
13 acceptable to the Institution if any, as may be specified by those making the
14 donation as long as the terms does not go in conflict with the provisions of
15 the Constitution of the Federal Republic of Nigeria.

Power to accept
gift and donations

16 (2) The Institution shall not accept any of such gifts as stated in
17 subsection (1) of this section if the terms attached thereto by those making
18 the donation are inconsistent with the functions of the Institution.

19 PART III - STAFF OF THE INSTITUTION

20 12.-(1) The Institution shall employ such number of Academic
21 staff as it may require on a permanent and pensionable status:

Academic Staff
and Non-Academic
Staff

22 (a) Such employed Academic staff may be on different lecturing
23 and teaching categories as may be prescribed by the scheme of service for
24 Academic staff;

25 (b) Such employed Academic staff shall earned remuneration as
26 prescribed for Academic Staff of Tertiary Institutions;

27 (c) Academic Staff shall report to the heads of the respective
28 departments of which they are assigned, taking cognizance of their
29 discipline and study line;

30 (d) The Academic staff shall be a person of good moral character

1 who must have attained the educational status of not below Bachelor's degree
2 in relevant field as it relates to the respective Departments.

3 (2) The Institution shall employ such number of Non-Academic staff
4 as it may require on a permanent and pensionable status:

5 (a) Such employed Non-Academic staff may be on different cadre,
6 salary grade levels and categories as may be prescribed by the scheme of
7 service for Non-Academic staff;

8 (b) Such employed Non-Academic staff shall earned remuneration as
9 prescribed for Non-Academic Staff of tertiary Institutions;

10 (c) Non-Academic Staff shall report to the heads of the respective
11 departments of which they are assigned;

12 (d) The Non-Academic staff shall be a person of good moral character
13 who must have attained the educational status of Secondary School Certificate
14 and or above depending on the grade level and seniority as so stipulate in the
15 employment terms.

16 (3) The Institution may from time to time appoint such other
17 employees as it may deems fit and necessary to assist in the discharge of its
18 functions under this Act.

19 (4) There shall be unit heads of all division and units of each of
20 department who shall be from among the employees of the Institution and shall
21 report to their various directors.

22 PART IV - POWERS OF THE INSTITUTION

Powers

23 13.-(1) The powers of the Institution under this section shall include
24 the power to:

25 (a) Promote and control all staff of the Institution as it may appear to if
26 necessary or expedient; and

27 (b) Dismiss, terminate, consider the resignation, withdrawal of
28 appointment and exercise disciplinary control over the staff of the Institution in
29 case of serious misconduct as may be specified under the public service rule
30 and regulations.

1 (2) In Collaboration with the Board, the Rector may recruit or
2 employ a category of staff for the Institution from time to time:

3 (a) Those Category of Staff that may be employed by the Rector as
4 stated in subsection 2 of this section shall only be the category of staff on the
5 junior cadre of the civil service.

6 (3) The Staff of the Institution shall be public officers of the Federal
7 Republic of Nigeria as defined by the Federal Civil Service Commission and
8 must adhere to the codes and conducts of the Federal Civil Service.

9 (4) The Institution may also from time to time engage such
10 consultants and experts or advisers or visiting lecturers as it may require for
11 the effective discharge of its functions:

12 (a) Employers under subsection 4 of this section shall serve on such
13 terms as may be specified in their appointment letters and their emolument
14 and remunerations specified based on the recommendations of the Board
15 and approval of the Minister.

16 **14.-(1)** The Institution may subject to the provision of this Act and
17 in consultation with the Federal Civil Service Commission, make staff rules
18 and regulations relating generally to the conditions of service of its
19 employees and without prejudice to the generality of the foregoing, such
20 regulations may provide for:

21 (a) The appointment, promotion and discipline, which include
22 dismissal of employees of the institution;

23 (b) Listen to and consider appeal by employees against
24 disciplinary measures.

25 (2) Pending the release of the regulations described in subsection 1
26 of this section, the employers of the Institution shall be governed by the
27 terms and conditions generally applicable to all officers of the Federal Civil
28 Service of the Federal Republic of Nigeria.

29 (3) In the discharge of their respective duties employees shall also
30 take into special recognition of all rules and financial regulations and other

Staff Regulations

1 Acts that guide the conduct or otherwise of Civil and Public Servants in the
2 Federal Republic of Nigeria.

3 (4) Staff rules and regulations issued by the Institution under
4 subsection 1 of this section shall not have effect until approved by the Board
5 and officially published in the Federal Government gazette.

6 PART V - FINANCIAL PROVISIONS

Financial
Provisions

7 15.-(1) The Financial Provisions of the Institution shall be based on
8 the annual budgetary provisions made through the Federal Ministry of
9 Education.

10 (2) Income from any other investment or other property acquired by
11 or vested in the Institution.

12 (3) Subject to the provisions of section 7 of this Act, all other sum
13 accruing to the Institution by way of gift or grants, endowment or donations
14 made to the institution.

15 (4) The Rector shall keep proper account and records for the purpose
16 which the funds were used.

17 (5) The Institution shall operate accounts with banks provided it is not
18 in conflict with the constitution of the Federal Republic of Nigeria.

19 (6) Subject to the approval of the Minister and in consultation with the
20 Board may undertake some degrees of Corporate Social responsibilities (CSR)
21 to the host community.

Annual Estimate,
Accounts Audit

22 16.-(1) The Institution shall not later than 31st December of each year
23 submit its financial report and record to the Minister for onward submission to
24 the President C-in-C.

25 (2) The financial report must also be made public through publication
26 in at least 3 local Newspapers not later than 31st December of each year.

Annual Report

27 17.-(1) The Institution shall also not later than 31st December of each
28 year submit to the Minister a Comprehensive report on the activities carried
29 out by the Institution during the year, and also the annual report of all activities
30 shall be made public in not less than 3 local Newspapers.

PART VI - REGULATIONS AND SUPPLEMENTARY PROVISION

18.-(1) Every member of the Board and Employees of the Institution shall have the rules and regulations of the Institution binding on him for which breach of such rules may lead to disciplinary actions.

Regulation

19.-(1) Every member of the Board and Employees shall be indemnified out of the assets of the Institution against any liability incurred by him/her defending any proceeding whether civil or criminal.

Indemnity

20.-(1) The Institution shall have a common seal such as may be determined by the Board:

Common Seal
of the Institution

(a) The common seal shall be authenticated by the Signature of the Rector or any member as authorized by the Board in an event of absence of the Rector.

21.-(1) In this Act, unless the content otherwise requires:

Interpretation

(a) "The Institution" means the Federal Polytechnic Dukku, Gombe State;

(b) "The Board" means the governing Board of the Institution;

(c) "The Rector", means the Rector of the Federal Polytechnic Dukku, Gombe State, and the Chief Accounting Officer of the Institute;

(d) "The Minister" means the Honourable Minister of Education for the Federal Republic of Nigeria charged with the responsibility of overseeing all Federal Institutions under the Federal ministry of Education;

(e) "Members" means Members of the governing Board of the Federal Polytechnic Dukku, Gombe State;

(f) "The President C-in-C" means the President, Commander in Chief of the Armed Forces of the Federal Republic of Nigeria.

22. This Bill may be cited as the Federal Polytechnic Dukku (Establishment) Bill, 2017.

Short Title

EXPLANATORY MEMORANDUM

This Bill seeks to provide for the establishment of Federal Polytechnic Dukku, Gombe State for the purpose of providing qualitative education in Sciences, Arts and other Technical knowledge and Research and Training.