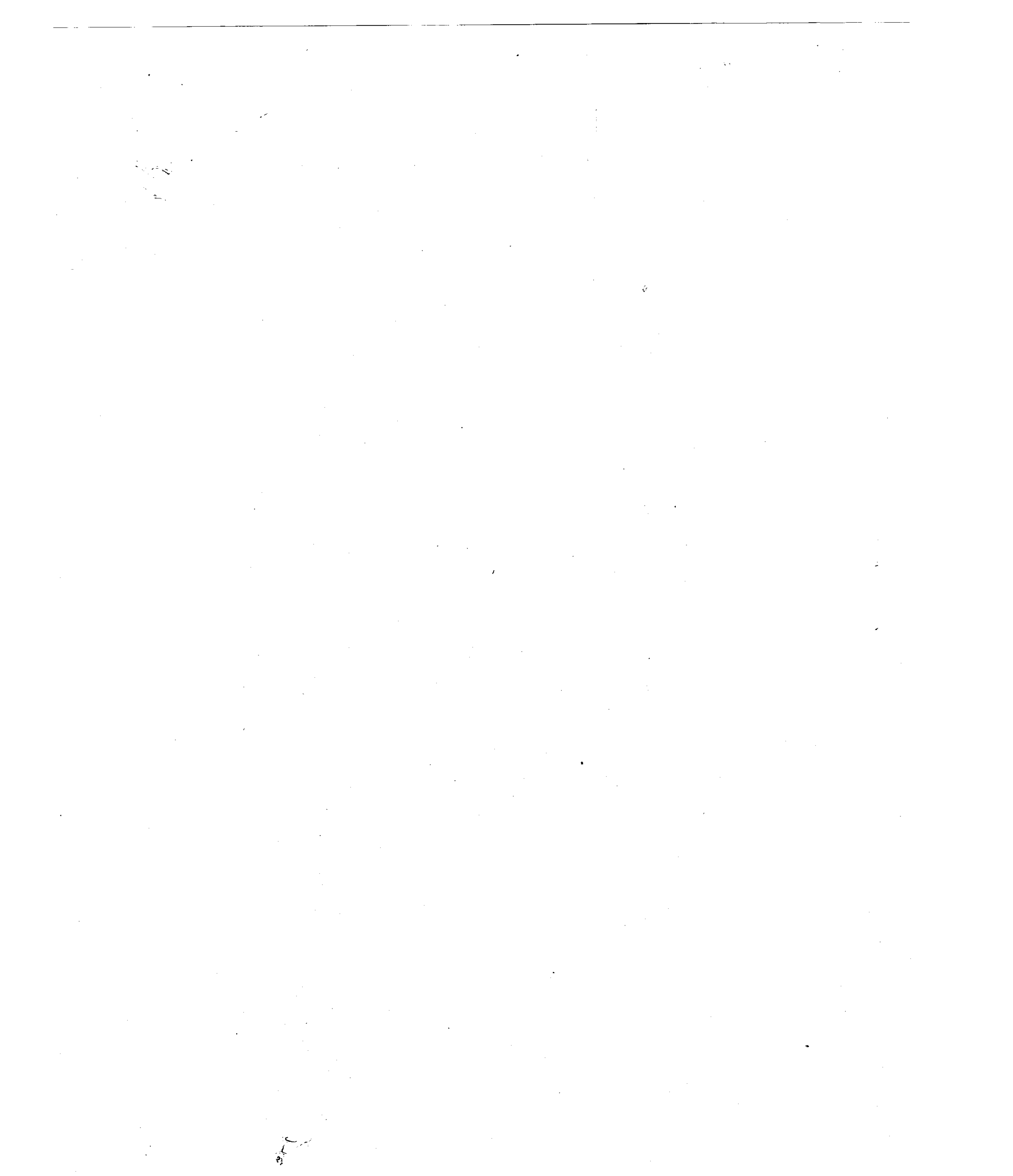


AIR FORCE INSTITUTE OF TECHNOLOGY OF NIGERIA, 2016

ARRANGEMENT OF THE CLAUSES

Clauses:

1. Establishment of the Nigeria Air Force Institute of Technology
 2. Objectives of the Institute
 3. Establishment and Composition of the Council
 4. Powers of the Institute
 5. Appointment of Academic Board
 6. Institute School Board
 7. Dean of School
 8. Staffing of the Institute
 9. Appointment of the Commandant
 10. Principal Staff Officer Coordination
 11. Appointment of the Provost
 13. Institute Registrar
 14. Institute Librarian
 15. Appointment of Principal Officers of the Institute
 16. Appointment of Other Academic and Non-Academic Staff of the
Institute
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A BILL

FOR

AN ACT TO ESTABLISH THE NIGERIAN AIR FORCE INSTITUTE OF TECHNOLOGY TO PROVIDE TECHNICAL TRAINING TO PERSONNEL OF THE NIGERIA AIR FORCE AND OTHER SERVICES OF THE NIGERIAN ARMED FORCES AND FOR OTHER CONNECTED PURPOSES

Sponsored by Senator Duro Faseyi

[] Commencement

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

1 PART 1 - ESTABLISHMENT, FUNCTIONS, MEMBERSHIP, ETC. OF THE
2 NIGERIAN AIR FORCE INSTITUTE OF TECHNOLOGY, GOVERNING
3 COUNCIL, ETC.

4 1.-(1) There is hereby established a body to be known as the Nigeria
5 Air Force Institute of Technology (in this Act referred to as "the Institute").

Establishment of the Nigerian Air Force Institute of Technology

6 (2) The Institute-

7 (a) shall be a body corporate with perpetual succession and
8 common seal; and

9 (b) may sue or be sued in its own name.

10 (3) The Institute shall provide to each of its entrants the knowledge,
11 skill, character Manpower, through the innovation of excellent academic
12 practices and character development modules.

13 2.-(1) The Objects of the Institute shall be to-

Objects of the Institute

14 (a) meet a higher level maintenance capability locally for aviation,
15 aerospace and allied specialties of the Nigerian Air Force, sister Services of
16 the Nigerian Armed Forces, Government Agencies and related
17 organizations, Nigeria as well as friendly African Countries and people of
18 other nationalities;

19 (b) expanded the horizon for indigenous research and development

1 efforts, through the provision of conducive atmosphere and' infrastructure that
2 will promote cooperation and collaboration with similar Institutions within
3 mid outside Nigeria;

4 (c) prepare Nigerian Air Force Personnel, those of the sister Services
5 of the Nigerian Armed Forces and Military Personnel from friendly African
6 Countries for brighter post-services employment as a means of their
7 integration to civil society and broadening the technical manpower of the
8 aviation industry;

9 (d) create a world space centre in the aerospace and aeronautical
10 engineering through the innovation of high class schools, facilities, a and multi
11 disciplinary research approach;

12 (e) attract International researchers and stakeholders in the aerospace,
13 aeronautics, aviation and allied industries.

14 (2) For carrying out of its objective as specified in section 2 of this
15 Act, the Institute shall have power-

16 (a) To establish such campuses, colleges, schools, extra-mural
17 departments and other teaching and research units within the Institute as may,
18 from time to time, be deemed necessary or desirable subject to the approval of
19 the National Universities Commission or the National Board for technical
20 Education as the case may be;

21 (b) To institute professorships, readerships or associate
22 professorships, lectureships and other post and offices and to make
23 appointments thereto;

24 (c) To Institute and award fellowships, scholarship, exhibitions,
25 bursaries, medals, prizes and tiles, distinctions, awards and other forms of
26 assistance;

27 (d) To provide for the discipline and welfare of members of the
28 Institute;

29 (e) To hold examinations and grant degrees, diplomas, certificates
30 and other distinctions to persons who have pursued a course of study approved

1 by the Institute and have satisfied such other requirements as the Institute
2 may lay down from time to time;

3 (j) To award honorary degrees, fellowships or academic titles;

4 (g) To demand and receive from any student or any other person
5 attending the Institute for the purpose of instruction such fees as the Institute
6 may, from time to time, determine subject to the overall directives of the
7 Governing Council;

8 (h) To acquire, hold, grant, charge or otherwise deal with the
9 dispose of moveable and immoveable property wherever situated;

10 (i) To accept gift, legacies and donations, but without obligation to
11 accept the same for a particular purpose unless it approves the terms and
12 conditions attaching thereto;

13 (j) To enter into contracts, establish trust, act as trustee, solely or
14 jointly with any other person, and employ and act through agents;

15 (k) To erect, provide, equip and maintain libraries, laboratories,
16 lecture halls, halls of residence, refectories, sports grounds, playing fields
17 and other building or things necessary or suitable or convenient for any of
18 the objects of Institute;

19 (l) To hold public lectures and to undertake printing, publishing
20 and book-selling;

21 (m) Subject to any limitations on conditions imposed by statute, to
22 invest any money appertaining to the Institute by way of endowment, not
23 being immediately required for current expenditure, in any investments or
24 securities or the purchase or improvement of land, with power from time to
25 time to vary any such investment and to deposit any money for the time
26 being not invested with any bank on deposit or current account;

27 (n) To borrow, whether on interest or not if need be upon the
28 security of any or all of the properties, moveable or immoveable, of the
29 Institute, such monies as the council may, from time to time, in its direction
30 find necessary or expedient to borrow or to guarantee any loan, advance or

- 1 credit facilities;
- 2 (o) to make gift for any charitable purpose;
- 3 (p) to arrange for the general welfare of children of members of staff;
- 4 (q) To do anything which it is authorized or required by this Act or by
- 5 statute to do; and
- 6 (r) To do all such acts or things, whether or not incidental to the
- 7 foregoing powers, as may advance the objects of the Institute.
- 8 (3) The powers conferred on the Institute by subsection (2) of this
- 9 section shall be exercisable on behalf of the Institute by the councilor in any
- 10 other manner, which may be authorized by statute.
- 11 (4)The Council shall meet as at when necessary for the performance
- 12 of its functions under this Act.
- 13 3.-(1) There shall be for the Institute, a governing body to be known as
- 14 "the Council" which shall have responsibility for the administration and
- 15 general management of the Institute.
- 16 (2) The Council established pursuant to subsection (1) of this section
- 17 shall consist of the following members, that is-
- 18 (a) a Chairman who shall be the Air Officer in charge of Logistic;
- 19 (b) the Air Officer Commanding, Training Command;
- 20 (c) Air Officer in charge of Policy and Plans;
- 21 (d) the Director Air Force, Ministry of Defence;
- 22 (e) the Commandant of the Institute;
- 23 (j) Provost of the Institute;
- 24 (g) Representatives of Ministry of Science and Technology;
- 25 (h) Representatives of National Universities Commission;
- 26 (i) Representatives of National Board for Technical Education;
- 27 The Registrar of the Institute shall be the Secretary of the Council but not a
- 28 decision making member.

Establishment
and composition
of the Council

1 PART II - POWERS OF THE GOVERNING COUNCIL

2 4.-(1) the Institute shall be a Military Institute and shall have
3 powers to award its Diplomas, Higher Diplomas and Post Graduate
4 Diplomas and Degree in accordance with the academic standard as may be
5 prescribed by the National Board for technical Education and the National
6 Universities Commission from time to time.

Powers of the
Institute

7 (2) The Council may, subject to the provisions of this Act and
8 conditions of trust in respect of funds held or any property owned by the
9 Institute, invest any but not all of its funds with the same consent or general
10 authority.

11 5.-(1) There shall be an Executive Board which shall have control
12 of the academic affairs of the Institute and, subject to the powers of the
13 Governing council, the Academic Board shall have the following function,
14 that is to-

Appointment of
Academic Board

15 (a) Organise and control the teaching of academic courses and
16 examinations thereto;

17 (b) Determine the passes and failure of all courses in accordance
18 with the criteria for passing or failing as laid down in the academic policy;

19 (c) Deal with matters relating to admission into department and
20 school;

21 (d) Recommend to the Governing Council persons to be appointed
22 as external examiner for the Diplomas & Higher Degrees Examination;

23 (e) Deal with matters relating to research projects;

24 (f) Any other functions assigned or delegated to it, from time to
25 time, by the Governing Council.

26 (2) The Academic Board shall consist of-

27 (a) the Institute provost, who shall be the chairman;

28 (b) the Deans of schools;

29 (c) the Heads of Academic Departments;

30 (d) all professors, whether Heads of Department or not;

- 1 (e) the Institute Librarian;
- 2 (f) two military of the Institute to be appointed by the commandant;
- 3 and
- 4 (g) the Institute Registrar, who shall be the Secretary.

5 PART III - ORGANIZATION OF THE ACADEMIC WORK

Institute School
Board

6 6.-(1) Each school shall be divided into such number of department as
7 may be prescribed.

8 (2) There shall be established in respect of each school, a school board
9 which, subject to the provision of this Act and to the direction of the Institute
10 provost shall-

11 (a) regulate the teaching and study of, and the conduct of examination
12 connected with the subjects assigned to the school;

13 (b) deal with any other matter to it by statute, or by the Institute
14 provost or by the Academic Board; and

15 (c) advice the Institute provost or the Academic Board on any matter
16 referred to it by the Institute provost or the Academic Board.

17 (3) Where a school consists of the two or more departments, each
18 department shall have its own board of studies, which shall be responsible to
19 and be under the control of the Academic Board.

20 (4) Each school Board shall consist of-

21 (a) the Dean of the school;

22 (b) the persons severally in charge of the Departments of the school;

23 (c) such numbers of lecturers assigned to the school and having
24 prescribed qualifications as the school Board may determine; and

25 (d) such numbers of person are not members of the Institute as the
26 school Board may, with general or special approval of the Academic Board.

27 (4) The quorum of the school Board shall be two third of the members
28 of the school Board, and subject to the provision of this statute and any
29 provision made by regulation on this behalf, the school Board may regulate its
30 own procedure.

1 7.-(1) The Dean of a school condition shall be appointed in such Dean of School
2 manner and hold office for such a time and subject to such condition, as may
3 be prescribed by regulations.

4 (2) If there is no professor in the' school, the office of the Dean of
5 the school shall be held by a number of the school holding the rank of reader
6 of senior lecturer or senior military officer of comparative academic
7 experience, on the basis of seniority as may be determined by the
8 Commandant.

9 (3) The Dean shall be the Chairman at all meetings of the school
10 Board when he is present and he shall be a member of all Committees and
11 other boards appointed by the school and when is absent from any meeting,
12 the most senior member present shall preside in the meeting.

13 (4) The Dean of the school shall exercise general superintendence
14 over the academic administrative affairs of the school, and it shall be the
15 function of the Dean to present grandaunts for the conferment of certificates
16 degrees, after having qualified at examinations held in the departments.

17 (5) The Dean of School may be removed from office by the
18 Commandant for good cause and in the event of a vacancy occurring,
19 following the removal of Dean, an acting Dean may be appointed by the
20 Commandant, provided that arrangement shall be made for a new Dean to be
21 appointed in the manner prescribed within a period of three months from the
22 date when the acting Dean assumed office.

23 (6) For the purpose of subsection (5) of this section "good cause"
24 shall mean-

25 (a) conviction for any officer which the Commandant considers to
26 be such as to render the person concerned unfit for the discharge of the
27 function;

28 (b) any physical or mental incapacity which the Commandant,
29 after obtaining medical advice, considers to be such as to render the person
30 unfit to continue to hold his office;

1 (c) conduct of scandalous or other disgraceful nature, which the
2 Commandant considers to be such as to render the person unfit to continue to
3 hold his office;

4 (d) conduct which the Commandant considers to be such as constitute
5 failure or inability of the person concerned to discharge the functions of his
6 office or to comply with the terms and conditions of service; or

7 (e) conduct which the Commandant to be generally of such nature as
8 to render the continuous appointment or service of the person concerned
9 prejudicial or detrimental to the interest of the Institute.

Staffing of the
Institute

10 8.-(1) The Nigeria Air Force shall post officers and airmen from time
11 to time to fill administrative, teaching and other military or academic vacancies
12 in the Institute.

13 (2) The Governing Council may appoint such person as civilian
14 members of the academic staff of the Institute for teaching, research, academic
15 and administration as it considers necessary and may approve terms and
16 conditions of service including provisions for the payment of pensions.

17 (3) Members of staff of Institute shall, unless exempted by the
18 Chairman take such oaths as to secrecy on assumption of duty and as may be
19 determined from time to time.

20 (4) No civilian personnel employed in any capacity, whether or not a
21 member of a trade union, shall engage or take part in any strike.

22 (5) Any civilian personnel who contravenes the provisions of
23 subsection (4) of this section, is guilty of an offence and liable on conviction to
24 a fine of not less than N200,000.00 or to imprisonment for term of not less than
25 six months or to both such fine and imprisonment.

26 PART IV - PRINCIPAL OFFICERS

Appointment of
the Commandant

27 9.-(1) There shall be appointed for the Institute, a Commandant,
28 whose appointment and removal from office shall be in accordance with
29 military posting, and who shall be responsible to the Governing Council for-

30 (a) giving to the Governing Council such information on the activities

1 of the Institute as the Chairman of the Board may require; and

2 (b) authorizing programmes and plans for giving effect to policy
3 approved by the Governing Councilor to any direction of the Governing
4 Council, subject to all or any of the powers in this section as may be
5 delegated to him by the Governing Council.

6 (2) The fact that any power has been delegated to the Commandant
7 pursuant to sub-section (1) of this section shall not preclude the Governing
8 Council itself from exercising them in any special case.

9 (3) The powers referred to in subsection (2) of this section shall
10 include-

11 (a) the executive control over the military and civilian staff of the
12 Institute;

13 (b) the supervision of accounts and records;

14 (c) the preparation for approval of programmes and plans
15 necessary to carry into effect approved policy or any directive of the
16 Governing Council;

17 (d) the interpretation of such policy to other staff of the Institute;

18 (e) the making of any staff recommendations to the Governing
19 Council; and

20 (j) the establishment of organizational structures, committees and
21 definitions of duties provided that nothing in this Act shall be deemed to
22 detract from the military powers of command of the Commandant, which
23 shall include the powers to try service personnel in accordance with the
24 Armed Forces Act.

25 (4) The Commandant shall in exercise of his disciplinary powers
26 have similar powers to that of an Air Officer Commanding or its equivalent
27 in the conduct of summary trial or convening a Court Martial under the
28 Armed Forces Act.

29 **10.** There shall be appointed for the Institute a Principal Staff
30 Officer Coordination, whose appointment and removal from office shall be

Principal Staff
Officer Coordination

1 in accordance with military posting, and who shall assist the Commandant in
2 the running of the Institute in accordance with the provisions of this Act.

Appointment of
the Provost

3 **11.** There shall be appointed an Institute Provost (in this Act referred
4 to as the "provost") who shall be responsible to the Commandant for the co-
5 ordination of all academic activities of the Academic Branch and shall perform
6 such other functions as the Governing Council or the Commandant as the case
7 may be, shall assign to him from time to time.

Institute Registrar

8 **12.** There shall be for the Institute a Registrar, who shall be
9 responsible to the provost for the day-to-day administrative work of the
10 Academic Board.

Institute Librarian

11 **13.** There shall be for the Institute a Librarian who shall be
12 responsible to the Provost for the administration of the library services in the
13 Institute and its School and Departments.

Appointment of
Principal Officers
of the Institute

14 **14.-(1)** When a vacancy occurs in the office of the Institute Registrar
15 and institute Librarian, HO NAF will fill the vacancies accordingly non-
16 academic positions, a selection committee shall be constituted which shall
17 consist of-

- 18 (a) the Commandment;
19 (b) the Principal Staff Officer Coordination;
20 (c) the Provost; and
21 (d) two members appointed by the Academic Board.

22 (2) The selection committee after making such inquiries as it thinks fit
23 shall recommend a candidate to the council for the appointment to the vacant
24 post and after considering the recommendation of the selection committee, the
25 Council may make an appointment to that post.

Appointment of
other Academic
and Non-Academic
Staff of the
Institute

26 **15.-(1)** An interview panel to interview candidates, not above the
27 grade of as senior lecturer or equivalent shall be constituted. Consisting of-

- 28 (a) the Institute Provost who shall be the Chairman;
29 (b) the Dean of the relevant Schools;
30 (c) the Head of the Departments concerned, except that if the Head of

- 1 Department is himself a candidate, he shall not serve on the interview panel;
- 2 (d) the Institute Registrar, who shall be the secretary of the
- 3 interview panel; and
- 4 (e) at least two persons recommended by the Dean to the provost
- 5 and such persons must have knowledge of the subject or field in respect of
- 6 which candidates are being assessed or interviewed, and must not be of
- 7 lower status than that of the post being interviewed for.
- 8 (2) For the purpose of filling any vacancies occurring in the post of
- 9 Professors or Reader, an Academic committee set up under subsection (3) of
- 10 this section, shall sit as a selection board. To select and recommend to the
- 11 Institute Governing Council, suitable persons to fill the vacant posts.
- 12 (3) The Academic Committee, when sitting as a selection board,
- 13 under subsection (2) of this section, shall consist of-
- 14 (a) the Commandant;
- 15 (b) the Provost;
- 16 (c) the Dean of the School concerned;
- 17 (d) two members of the Committee appointed by the Governing
- 18 Council, one of whom shall be a member of the staff of the School or
- 19 candidates directly.
- 20 **16.-(1) Any officer referred to in the provisions of this Act may**
- 21 **resign his office-**
- 22 (a) in line with military tradition; or
- 23 (b) if civilian, by notice to the Governing Council, through the
- 24 Commandant.
- 25 (2) Subject as may be otherwise specified, a person who has ceased
- 26 to hold office so mentioned otherwise that by removal for misconduct, shall
- 27 be eligible for reappointment to that office .
- 28 **17. In this Act unless the context otherwise require-**
- 29 **"Institute" means the Nigerian Air Force Institute of Technology established**
- 30 **in section 1;**

Method of
Registration

Interpretation

1 "Council" means the Governing Council established in section 3;

2 "Officer" has the same meaning as in the Armed Forces Act.

Citation

3 18. This Bill may be cited as the Nigerian Air Force Institute of
4 Technology Bill, 2016.

5 SCHEDULE

6 *Section 5 (3)*

7 SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL.

8 *Powers of Council*

9 1. The Council shall have powers to do anything which in its opinion
10 is calculated to facilitate the carrying on the activities of the Institute.

11 *Proceeding of the Council*

12 2.-(1) Subject to the provisions of this Act, the Council may in the
13 name of the Institute make standing orders regulating the proceedings of the
14 Institute or of the Council, and in the exercise of its powers under this Act, may
15 set up committees in the general interest of the Institute, and make standing
16 orders therefore.

17 (2) Standing orders shall provide for decision to be taken by a
18 majority of the members, and, in the event of equality of votes, for the President
19 or the Chairman, as the case may be, to have a second or casting vote.

20 (3) Standing orders made for a committee shall provide that the
21 committee report back to the Council on any matter not within its competence
22 to decide upon.

23 (4) The quorum of the Council shall be nine, and the quorum of a
24 committee of the Council shall be as be fixed by the Council.

25 *Meeting of the Council*

26 3.-(1) Subject to the provisions of any standing orders of the Council,
27 the Council shall meet whenever it is summoned by the Chairman, and if the
28 Chairman is required to do so by notice in writing given to him by not less than
29 seven other members, he shall summon a meeting of the Council to be held
30 within seven days from the date on which the notice is given.

1 may require, by any person generally or specially authorised to act for that
2 purpose by the Council.

3 (3) Any document purporting to be a document duly executed under
4 the seal of the Institute shall be received in evidence and shall unless the
5 contrary is proved is deemed to be so executed.

6 (4) The validity of any proceedings of the Council or of a committee of
7 the Council shall not be affected by any vacancy in membership, or of any
8 defect in the appointment of a member of the Institute or of the Council or of a
9 person to serve on the committee, or by reason that a person not entitled to do so
10 took part in the proceedings.

11 (5) Any member of the Council, and any person holding office on a
12 committee of the Council, who has a personal interest by the Council or a
13 committee thereof, shall forthwith disclose his interest to the Registrar or to the
14 Council, as the case may be, and shall not vote on any question relating to the
15 contract or arrangement.

EXPLANATORY MEMORANDUM

This Bill seeks to provide for the establishment of the Air Force Institute of Technology to provide technical training to personnel of Nigerian Air Force and Other Services of the Armed Forces in Nigeria and Other African Countries.