

A BILL

FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF FEDERAL CO-OPERATIVE COLLEGES AND MATTERS CONNECTED THEREWITH

Sponsored by Senator Ike Ekweremadu

[] Commencement

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

- 1 1.-(1) There shall be established in the six geo-political zones of the Establishment
2 country, such number of Federal Co-operative Colleges (in this Act referred of Federal
3 to as "the College") as the Ministry may, with the approval of the President, Co-operative
4 determine from time to time. College
- 5 (2) Each College shall be a body corporate with perpetual
6 succession and a common seal and may sue or be sued in its corporate name.
- 7 (3) The College has power to hold and dispose of property whether
8 moveable or immovable.
- 9 2.-(1) There is established for each College, a Governing Council Establishment of
10 (in this Act referred to as "the Council") which shall comprise: Governing Council
- 11 (a) a Chairman who is a distinguished Co-operatives Manager or
12 educator of at least fifteen years experience;
- 13 (b) the Federal Director of Co-operatives or his representative;
- 14 (c) a representative of each of the following:
- 15 (i) the Ministry charged with responsibility for Co-operative
16 matters in the State in which the College is located,
- 17 (ii) the Co-operative Federation of Nigeria Limited
- 18 (iii) the Nigeria Labour Congress,
- 19 (iv) the Federal Ministry of Agriculture & Rural Development, and
- 20 (v) the Federal Ministry of Commerce;
- 21 (d) two other persons to be appointed by the President on the

1 recommendation of the Ministry of Agriculture & Rural Development; and
2 (e) the Provost of the College who shall also serve as Secretary to the
3 Council.

4 (2) A member of the Council, other than an ex-officio member shall be
5 appointed by the President on such terms and conditions as may be specified in
6 his letters of appointment.

7 (3) A member of the Council, other than an ex-officio shall hold office
8 for a term of four years from the date of his appointment and may be eligible for
9 re-appointment for a further term of four years and no more.

Schedule

10 (4) The provisions of the Schedule to this Act have effect in relation to
11 the matters contained in the Schedule.

Establishment
of Academic
Board

12 3.-(1) There shall be for each College an Academic Board (in this Act
13 referred to as "the Board") which shall consist of:

14 (a) the Provost of the College who shall be the Chairman of the Board;

15 (b) the Deputy Provost;

16 (c) all Heads of the academic departments of the College;

17 (d) the College Librarian; and

18 (e) the Registrar who shall be the Secretary to the Board.

19 (2) A member of the Board shall hold office for a period of two years
20 in the first instance and is eligible for re-appointment for a further term of two
21 years and no more.

22 (3) The Board shall meet at least once every semester or any time and
23 at the request of the Provost or any three members.

24 (4) The quorum for a meeting of the Board shall be a simple majority
25 of its members.

Functions of
the Academic
Board

26 4. The functions of the Board are to:

27 (a) supervise the training of candidates for the College;

28 (b) consider and approve courses and syllabuses of study for the
29 College;

1 (c) award or recommend to the Council the award of certificates
2 and distinctions;

3 (d) make arrangements for students to obtain practical experiences
4 of co-operative related matters;

5 (e) make regulations for the conduct of examinations of the
6 College;

7 (f) appoint examiners for the examinations of the College;

8 (g) appoint from its members or otherwise:

9 (i) examining boards,

10 (ii) boards of studies, or

11 (iii) committees, as may be deemed expedient and delegate to any
12 such board or committee any of the functions of the Board;

13 (h) consider matters relating to the professional and academic
14 work of the College;

15 (i) deal with matters referred to the Board by the Council; and

16 (j) furnish the Council with reports of the proceedings of the Board.

17 5. There shall be appointed for each College by the President, on
18 the recommendation of the Council, a Provost who shall be a person with
19 wide experience in matters with which the College is concerned and shall be
20 appointed in accordance with the regulations and conditions of service
21 approved by the Council.

Appointment
of Provost

22 6. The Provost of the College shall:

23 (a) be charged with the day to day management of the affairs of the
24 College, in accordance with such instructions as may, from time to time, be
25 given to the Provost by the Council;

26 (b) prepare annual estimates of the finances required by the
27 College for submission to the Council through the Board;

28 (c) prepare annual reports on the administrative programmes of the
29 College at any time as the Council may request for submission to the
30 appropriate authority; and

Functions of
Provost

1 (d) carry out such other function as may be assigned to him by the
2 Board or Council.

Committee of
Provosts

3 7.-(1) There shall be a Committee of Provosts of Federal Co-
4 operative Colleges (in this Act referred to as the "Committee of Provosts").

5 (2) The Chairmanship of the Committee of Provosts shall be rotated annually
6 amongst the Provosts of the Colleges.

Functions of
Committee of
Provost

7 8. The Committee of Provosts shall:

8 (a) co-ordinate the standard in the operation of the Colleges; and

9 (b) formulate and process a unified standard in the operation of the
10 Colleges.

Other Staff of
College

11 9. The Council may appoint such other staff for the College as it may
12 deem necessary for the proper discharge of its functions under this Act on such
13 remuneration and allowances as are applicable to officers of equivalent grades
14 in similar institutions.

Funds of College

15 10.-(1) The College shall establish and maintain a fund from which
16 shall be defrayed all expenditure incurred by the College.

17 (2) There shall be paid into the fund:

18 (a) such moneys as may be granted to the College by the Federal
19 Government from time to time; and

20 (b) all other assets as may accrue to the College from time to time.

21 (3) The fund shall be managed in accordance with rules made by the
22 Minister responsible for matters relating to finance, and without prejudice to
23 the generality of the power to make rules under this sub-section, the rules shall
24 in particular contain provisions:

25 (a) specifying the manner in which the assets or the fund of the
26 College are to be held and relating to the making of payments to and from the
27 fund;

28 (b) requiring the keeping of proper accounts and records for purposes
29 of the fund and in such form as may be specified in the rules;

30 (c) for ensuring that the accounts of the College are audited annually

1 by an Auditor appointed by the Council from the list of Auditors supplied by
2 the Auditor-General of the Federation; and

3 (d) requiring that copies of the accounts and the audit report on the
4 account be forwarded to the Council not later than 3 months following the
5 end of the period to which the accounts relate.

6 11. The College shall not borrow money or lend money to anybody
7 except with the approval of the Council.

Borrowing
Power

8 12. The College shall cause to be prepared, not later than three
9 months before the end of each year, an estimate of its expenditure and
10 income during the next succeeding year and cause the estimate to be
11 submitted for the approval of the Council.

Annual Estimates,
Accounts and
Audit

12 13. In this Act, unless the context otherwise requires:

Interpretation

13 "Board" means the academic board established under Section 3 of this Act;

14 "College" means a College established pursuant to Section 1 (1) of this Act;

15 "Council" means the governing council established for the College under
16 Section 2 of this Act;

17 "Minister" means the Minister charged with responsibility for matters
18 relating to Co-operatives;

19 "Provost" means the Provost of the College appointed pursuant to Section 5
20 of this Act.

21 14. This Bill may be cited as the Federal Co-operative Colleges
22 Bill, 2017.

Short title

23 SCHEDULE

24 *Section 2(4)*

25 SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL, ETC.

26 *Proceedings of the College*

27 1. Subject to this Act and Section 27 of the Interpretation Act
28 (which provides for decisions of a statutory body to be taken by a majority of
29 its members and or the person presiding at any meeting, when a vote is
30 ordered to have a second or casting vote), the Council may make standing

1 orders regulating its proceedings or that of any of its Committee.

2 2. At any meeting of the Council, the Chairman shall preside and if
3 the Chairman is absent, the members present may appoint one of their
4 members to be the Chairman of the meeting.

5 3. The quorum at a meeting of the Council shall be the Chairman (or
6 in an appropriate case, the person presiding at the meeting pursuant to
7 paragraph 2 of this Schedule) and four other members.

8 4. Where on a special occasion, the Council desires to obtain the
9 advice of an expert on a particular matter, the Council may co-opt the expert as
10 a member for such period as the College may deem fit; but a person who is a
11 member by virtue of this subsection shall not be entitled to vote at any meeting
12 of the Council and shall not count towards a quorum.

13 *Committee*

14 5.-(1) The Council may appoint one or more committees to advise it
15 on the exercise and performance of its functions under this Act or to carry out
16 on behalf of the College or Council, such functions as the College may
17 determine.

18 (2) A committee appointed under this subsection shall consist of the
19 number of persons determined by the Council.

20 (3) A decision of a committee of the College or Council shall be of no
21 effect until it is confirmed by the Council.

22 *Miscellaneous*

23 6. The fixing of the seal of the College shall be authenticated by the
24 signature of the Chairman of the Council or the Provost if authorised by the
25 College for that purpose.

26 7. Any contract or instrument which if entered into or executed by a
27 person not being a body corporate would not be required to be made under seal
28 may be entered into or executed on behalf of the College or Council by any
29 person generally or specifically authorised in that behalf by the Council.

30 8. Any document purported to be a contract, instrument or other document duly

1 signed or sealed on behalf of the College shall be received in evidence and
2 shall unless the contrary is proved be deemed to be so executed.

3 9. The validity of any proceedings of the College, Council or any
4 of its committees shall not be affected by:

5 (a) any vacancy in its membership or the absence of any member;

6 (b) any defect in the appointment of a member; or

7 (c) reason that a person not entitled to do so took part in the
8 proceedings.

9 10. Any member of the College, Council or any of its committees
10 who has a personal interest in any contract or arrangement entered into or
11 proposed to be considered by the College, Council or committee shall
12 immediately disclose his interest to the College, Council or the committee as
13 the case may be and shall not vote on any question relating to the contract or
14 arrangement.

15 11. No member of the College shall be personally liable for any act
16 or omission done or made in good faith while engaged on the business of the
17 College.

EXPLANATORY MEMORANDUM

This Bill seeks to provide for the establishment of Federal Co-operative
Colleges in the six geo-political zones of Nigeria.

