

A BILL

FOR

AN ACT TO ESTABLISH THE FEDERAL POLYTECHNIC ADIKPO TO PROVIDE FULL-TIME COURSES IN TECHNOLOGY, APPLIED SCIENCE MANAGEMENT AND OTHER FIELDS OF STUDIES AND TO MAKE PROVISIONS FOR THE GENERAL ADMINISTRATION OF SUCH POLYTECHNICS

Sponsored by Senator Barnabas A.I. Gemade

[] Commencement

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

1 *Establishment of Federal Polytechnic Adikpo, Benue State*

2 1. There is hereby established the Federal Polytechnic Adikpo,
3 Benue State specified in the First Schedule to this Act (in this Act severally
4 referred to as "the polytechnic") which shall have such powers and exercise
5 such functions as are specified in this Act.

Establishment of
Federal Polytechnic
Adikpo, Benue
State

6 2.-(1) The functions of the polytechnic shall be:

Functions

7 (a) to provide full-time or part-time courses of instruction and
8 training:

9 (i) in technology, applied science, commerce and management;
10 and

11 (ii) in such other fields of applied learning relevant to the needs of
12 the development of Nigeria in the area of industrial and agricultural
13 production and distribution and for research in the development and
14 adaptation of techniques as the Council may from time to time determine;

15 (b) to arrange conferences, seminars and study groups relative to
16 the fields of learning specified in paragraph (a) of this subsection (1);

17 (c) to perform such other functions as in the opinion of the Council
18 may serve to promote the objectives of the polytechnic.

19 (2) Nothing in this section shall preclude the government of a State

1 or any of its agencies from setting up a polytechnic similar to any polytechnic
2 established under this Act.

Establishment
and Constitution
of each Council,
etc.

3 3.-(1) There shall be established for the polytechnic a Council
4 (hereafter in this Act referred to as "the Council") which shall be a body
5 corporate with perpetual succession and a common seal and may sue and be
6 sued in its corporate name.

7 (2) The Council shall consist of a Chairman and the following other
8 members, that is:

9 (a) one person to represent the universities;

10 (b) one person to represent the Manufacturers' Association of Nigeria;

11 (c) one person to represent professional bodies whose disciplines are
12 taught at the polytechnic;

13 (d) one person selected from a Federal or State public utility statutory
14 corporation;

15 (e) one person of standing in the community where the polytechnic is
16 situate;

17 (f) the Rector of the polytechnic;

18 (g) one representative of the Minister charged with responsibility for
19 matters relating to polytechnics;

20 (h) one representative of the Permanent Secretary of the Ministry
21 charged with responsibility for matters relating to industries;

22 (i) one representative of the academic board of the polytechnic;

23 (j) one representative of the State Commissioner of Education; and

24 (k) five other persons, at least one of whom shall be a woman, to be
25 selected each on his personal merit based on his contribution to either the
26 development of industry, technology or commerce or special interest in
27 technical education.

28 (3) The Chairman and members of the Council other than ex-officio
29 members shall be appointed by the President.

30 (4) The provisions set out in the Second Schedule to this Act shall

1 apply, in relation to the constitution of the Council and the other matters
2 therein specified.

3 4.-(1) The Minister of Education shall be the Visitor to each Visitation
4 Polytechnic.

5 (2) The Visitor shall, not less than once in every five years, conduct
6 a visitation of the college or appoint a Visitation Panel, consisting of not less
7 than five experts. To conduct the visitation:

8 (a) for the purpose of evaluating the academic and administrative
9 performance of the polytechnic;

10 (b) for such other purpose or in respect of any other affairs of the
11 polytechnic as the Visitor may deem fit.

12 5.-(1) There shall be a Registrar to each polytechnic who shall be Registrar of the
Polytechnic.
13 responsible to the Rector for the day- to-day administration of the
14 polytechnic and shall perform such other duties as the Councilor, as the case
15 may be, the Rector may from time to time require him to do.

16 (2) The Registrar shall be the secretary to the Council, the
17 Academic Board and any committee of the Council and shall attend all the
18 meetings of those bodies unless excused for good reason by the chairman of
19 the Council.

20 (3) In the absence of the Registrar, the Chairman of the Council
21 may, after consultation with the Rector, appoint a suitable person to act as
22 secretary for any particular meeting of the Council.

23 (4) The secretary to the Council a person appointed to act under
24 subsection (3) of this section, shall not vote on any question before the
25 Councilor count towards a quorum unless he is so entitled as a member of
26 the Council.

27 6.-(1) A Registrar:

28 (a) shall hold office for a period of five years beginning from the Tenure of office
of the Registrar
29 effective date of his appointment and on such terms and conditions as may
30 be specified in the letter of his appointment; and

1 (b) may be re-appointed for one further period of five years and no
2 more.

3 (2) Where on the commencement of this section, a Registrar has held
4 office:

5 (a) for five years or less, he shall be deemed to be serving his first term
6 of office and may be re-appointed for a further term of five years;

7 (b) for more than five years but less than ten years, he shall complete
8 the maximum period of ten years and thereafter relinquish his post and be
9 assigned other duties in the polytechnic;

10 (c) for ten years or more, the Council may allow him to serve as
11 Registrar for a further period of one year only and thereafter he shall relinquish
12 his post and be assigned other duties in the polytechnic.

General functions
of the Council

13 7.-(1) Subject to provision of this Act, each Council shall be the
14 governing body of the polytechnic concerned and shall have the general
15 management of the affairs of the polytechnic, and in particular, the control of
16 the property and finances of the polytechnic; and shall also have power to do
17 anything which in its opinion is calculated to facilitate the carrying out of the
18 activities of the polytechnic and promote its best interests.

19 (2) The Council may acquire and hold such movable or immovable
20 property as may be necessary or expedient for carrying into effect the
21 provisions of this Act, and for the same purpose may sell, lease, mortgage or
22 otherwise alienate or dispose of any property so acquired.

23 (3) The Council may enter into such contracts as may be necessary or
24 expedient for carrying into effect the provisions of this Act.

25 (4) The Minister may give to the Council directions of a general
26 character or relating generally to particular matters (but not any individual
27 person or case) with regard to the exercise by the Council of its functions and it
28 shall be the duty of the Council to comply with the directions.

The Rector of
the Polytechnic

29 *Staff*

30 8.-(1) There shall be a Rector of the polytechnic ("the Rector") who

1 shall be appointed by the President in accordance with the provisions of this
2 section.

3 (2) Where a vacancy occurs in the post of Rector, the Council shall:

4 (a) advertise the vacancy in a reputable journal or widely read
5 newspaper in Nigeria, specifying:

6 (i) the qualities of the person who may apply for the post; and

7 (ii) the terms and conditions of service applicable to the post, and
8 thereafter, draw up a short list of suitable candidates for consideration;

9 (b) constitute a Search Team consisting of:

10 (i) a member of the Council, not being a member of the Academic
11 Board, as Chairman; (ii) two members of the Academic Board, not below the
12 rank of Chief Lecturer;

13 (iii) two members of the Academic Community of the college not
14 below the rank of Chief Lecturer, to be selected by Council, to identify and
15 draw up a short list of persons who are not likely to apply on their own
16 volition because they feel that it is not proper to do so.

17 (3) A Joint Council and Academic Board Selection Board
18 consisting of:

19 (a) the Chairman of the Council;

20 (b) two members of the Council not being members of the
21 Academic Board;

22 (c) two members of the Academic Board not below the rank of
23 Chief Lecturer, who were not members of the Search Team, shall consider
24 the candidates on the short list drawn up under subsection (2) of this section
25 through an examination of their curriculum vitae and interaction with them
26 and recommend, through the Council, to the President, three candidates for
27 his consideration.

28 (4) The President shall appoint, as Rector, one of the candidates
29 recommended to him under the provisions of subsection (3) of this section.

30 (5) Subject to this Act and the general control of the Council, the

1 Rector shall be the Chief Executive of the polytechnic and shall be charged
2 with responsibility for matters relating to the day-to-day management
3 operations of the polytechnic.

4 (6) The Rector:

5 (a) shall hold office for a period of four years beginning with the
6 effective date of his appointment and on such terms and conditions as may be
7 specified in his letter of appointment; may be re-appointed for a further period
8 of four years and no more.

Deputy of the
Polytechnic

9 9. There shall be for each polytechnic a Deputy Rector.

10 The Council shall appoint the Deputy Rector from among the chief lecturers in
11 the polytechnic in one of the following ways:

12 (a) from a list of three candidates, in order of preference, submitted by
13 the Rector;

14 (b) on the recommendation of a Selection Board constituted under
15 this section for that purpose; or

16 (c) on the nomination of the Rector.

17 (3) The Selection Board referred to in subsection (2) of this section
18 shall:

19 (a) consist of:

20 (i) the Chairman of the Council;

21 (ii) the Rector;

22 (iii) two members of the Council not being members of the Academic
23 Board;

24 (iv) two members of the Academic Board; and

25 (b) make such inquiries as it deems fit before making the
26 commendation required under that subsection.

27 (4) The Deputy Rector:

28 (a) shall assist the Rector in the performance of his functions;

29 (b) act in the place of the Rector when the post of Rector is vacant or if

1 the Rector is for any reason absent or unable to perform his functions as
2 Rector; and

3 (c) perform such other functions as the Rector may, from time to
4 time, assign to him.

5 (5) The Deputy Rector:

6 (a) shall hold office for a period of two years beginning from the
7 effective date of his appointment and on such terms and conditions as may
8 be specified in his letter of appointment; and

9 (b) may be re-appointed for one further period of two years and no
10 more.

11 10.-(1) There shall be for each polytechnic the following other
12 principal officers in addition to the Registrar, that is:

Other principal
officers of the
Polytechnic

13 (a) the Bursar; and

14 (b) the polytechnic Librarian, who shall be appointed by the
15 Council on the recommendation of the Selection Board constituted under
16 section 9 (b) of this Act.

17 (2) The Bursar shall be the Chief Financial Officer of the
18 polytechnic and be responsible to the Rector for the day to day
19 administration and control of the financial affairs of the polytechnic.

20 (3) The polytechnic Librarian shall be responsible to the Rector for
21 the administration of the polytechnic library and the co-ordination of the
22 library services in the teaching units of the polytechnic.

23 (4) The Bursar or Librarian:

24 (a) shall hold office for a period of five years in the first instance
25 and on such terms and conditions as may be specified in his letter of
26 appointment;

27 (b) may be re-appointed for a further period of five years and no
28 more.

29 (5) Where on the commencement of this section, a Bursar or
30 Librarian has held office:

1 (a) for five years or less, he shall be deemed to be serving his first term
2 of office and may be reappointed for a further term of five years;

3 (b) for more than five years but less than ten years, he shall complete
4 the maximum period of ten years and thereafter relinquish his post and be
5 assigned other duties in the polytechnic;

6 (c) for ten years or more, the Council may allow him to serve as
7 Registrar for a further period of one year only and thereafter he shall relinquish
8 his post and be assigned other duties in the polytechnic.

Resignation of
appointment of
principal officers

9 11. A principal officer may resign his appointment:

10 (a) in the case of the Rector, by notice to the Visitor;

11 (b) in any other case,

12 by notice to the Council.

Selection Board
for other principal
officers

13 12.-(1) There shall be, for each college, a Selection Board which shall
14 consist of:

15 (a) the chairman of the Council;

16 (b) the Rector;

17 (c) four members of the Council not being members of the Academic
18 Board;

19 (d) two members of the Academic Board.

20 (2) The functions and procedure and other matters relating to the
21 Selection Board constituted under subsection (1) of this section shall be as the
22 Council may, from time to time, determine.

Other employees
of the Polytechnic

23 13.-(1) The Council may appoint such other persons to be employees
24 of the polytechnic as the Council may determine to assist the Rector and the
25 principal officers of the polytechnic in the performance of their functions under
26 this Act.

27 (2) The power to appoint all other employees of the polytechnic shall
28 be exercised:

29 (a) in the case of senior employees, by the Council on the
30 recommendation of the Appointment and Promotions Committee set up under

1 the provisions of paragraph 3 (2) (a) of the Second Schedule to this Act;

2 (b) in the case of junior employees, by the Rector on the
3 recommendation of the Junior Staff Appointments and Promotions
4 Committee constituted under paragraph 3 (2) (b) of the Second schedule to
5 this Act.

6 (3) Subject to the provisions of this Act, the remuneration, tenure of
7 office and conditions of service of the employees of the Council shall be
8 determined by the Council in consultation with the Federal Civil Service
9 Commission.

10 14.-(1) The Federal Civil Service Commission may by order
11 published in the Federal Gazette declare the office of the Rector or any other
12 person employed by the Council to be a pensionable office for the purposes
13 of the Pensions Act.

Application of
the Pensions Act

14 (2) Nothing in the provisions of subsection (1) of this section shall
15 prevent the appointment of any person to any office on terms which preclude
16 the grant of a pension or gratuity in respect of service in that office.

17 *Establishment of the Academic Board*

18 15.-(1) There shall be established for each polytechnic a board to
19 be known as the Academic Board which shall consist of the following
20 members:

The Academic
Board

21 (a) the Rector of the polytechnic, as the Chairman;

22 (b) the Deputy-Rector of the polytechnic;

23 (c) all Heads of Departments;

24 (d) the polytechnic Librarian; and

25 (e) not more than two members of the academic staff, other than
26 heads of departments, who may be appointed by the Academic Board.

27 (2) The Academic Board shall be responsible for:

28 (a) the direction and management of academic matters of the
29 polytechnic including the regulation of admission of students, the award of

1 certificates and diplomas, scholarships, prizes and other academic distinctions;

2 (b) the making to the Council of such periodic reports on such
3 academic matter as the Academic Board may think fit or as the Council may
4 from time to time direct; and

5 (c) the discharge of any other functions which the Council may
6 delegate to it.

7 *Tenure of Office*

Removal from
office of members
of the Council and
the Rector

8 16.-(1) If it appears to the Council that a member of the Council (other
9 than an ex-officio member) or the Rector should be removed from office on the
10 ground of misconduct or inability to perform the functions of his office, the
11 Council shall make a recommendation to that effect to the President, and if the
12 President, after making such inquiries as he considers necessary, approves the
13 recommendation, the President, shall, in writing, declare the office of such
14 member vacant.

15 (2) The President may remove any member of the Council if he is
16 satisfied that it is not in the public interest or in the interest of the polytechnic
17 that such member should continue as a member of the Council.

Removal and
discipline of
academic,
administrative
and technical
staff

18 17. If it appears to the Council that there are reasons for believing that
19 any person employed as a member of the academic, administrative or technical
20 staff of the polytechnic, other than the Rector, should be removed from office
21 on the ground of misconduct or inability to perform the functions of his office,
22 the Council shall:

23 (a) give notice of those reasons to the person in question;

24 (b) afford him an opportunity of making representations in person on
25 the matter to the Council; and

26 (c) if he or any three members of the Council so request within the
27 period of one month beginning with the date of the notice, make arrangements:

28 (i) if he is an academic staff, for a joint committee of the Council and
29 the Academic Board to investigate the matter and to report on it to the Council;

30 (ii) for a committee of the Council to investigate the matter, where it

1 relates to any other member of the staff of the polytechnic and to report on it
2 to the Council; and

3 (iii) for the person in question to be afforded an opportunity of
4 appearing before and being heard by the investigating committee with
5 respect to the matter, and if the Council, after considering the report of the
6 investigating committee, is satisfied that the person in question should be
7 removed as aforesaid, the Council may so remove him by an instrument in
8 writing signed on the directions of the Council.

9 (2) The Rector may, in a case of misconduct by a member of the
10 staff which in the opinion of the Rector is prejudicial to the interests of the
11 polytechnic, suspend such member and any such suspension shall forthwith
12 be reported to the Council.

13 (3) For good cause, any member of staff may be suspended from
14 office or his appointment may be terminated by the Council, and for the
15 purpose of this subsection, "good cause" means:

16 (a) any physical or mental incapacity which the Council, after
17 obtaining medical advice, considers to be such as to render the person
18 concerned unfit for the discharge of the functions of his office;

19 (b) any physical or mental incapacity which the Council, after
20 obtaining medical advice, considers to be such as to render the person
21 concerned unfit to continue to hold his office;

22 (c) conduct of a scandalous or other disgraceful nature which the
23 Council considers to be such as to render the person concerned unfit to
24 continue to hold his office; or

25 (d) conduct which the Council considers to be such as to constitute
26 failure or inability of the person concerned to discharge the functions of his
27 office or to comply with the terms and conditions of his service.

28 (4) Any person suspended pursuant to subsection (2) or (3) of this
29 section, shall be placed on half pay and the Council shall before the
30 expiration of the period of three months after the date of such suspension

1 consider the case against that person and come to a decision as to:

2 (a) whether to continue such person's, suspension and if so on what
3 terms (including the proportion of this emoluments to be paid to him);

4 (b) whether to reinstate such person, in which case the Council shall
5 restore his full emoluments to him with effect from the date of suspension;

6 (c) whether to terminate the appointment of the person in question, in
7 which case such a person, will not be entitled to the proportion of his
8 emoluments withheld during the period of suspension; or

9 (d) whether to take such lesser disciplinary action against such person
10 (including the restoration of such proportion of his emoluments that might
11 have been withheld) as the Council may determine, and in any case where the
12 Council, pursuant to this section, decides to continue a person's suspension or
13 decides to take further disciplinary action against a person, the Council shall
14 before the expiration of a period of three months from such decision come to a
15 final determination in respect of the case concerning any such person.

16 (5) It shall be the duty of the person by whom an instrument of
17 removal is signed in pursuance of subsection (1) of this section, to use his best
18 endeavours to cause a copy of the instrument to be served as soon as reasonably
19 practicable on the person to whom it relates.

20 (6) Nothing in the foregoing provisions of this section shall prevent
21 the Council from making such regulations for the discipline of other categories
22 of staff and workers of the polytechnic as it may think fit.

23 *Discipline*

24 18.-(1) Subject to the provisions of this section, where it appears to
25 the Rector that any student of the polytechnic has been guilty of misconduct,
26 the Rector may, without prejudice to any other disciplinary powers conferred
27 on him by this Act or regulations made hereunder direct:

28 (a) that the student shall not during such period as may be specified in
29 the direction, participate in such activities of the polytechnic, or make use of
30 such facilities of the polytechnic, as he may specify; or

1 (b) that the activities of the student shall, during such period as may
2 be specified in the directions, be restricted in such manner as may be so
3 specified;

4 (c) that the student be suspended for such period as may be
5 specified in the directions; or

6 (d) that the student be expelled from the polytechnic.

7 (2) Where there is temporarily no Rector or where the Rector
8 refuses to apply any disciplinary measures, the Council, either directly or
9 through some other staff, may apply such disciplinary actions as are
10 specified in subsection (1) of this section to any student of the polytechnic
11 who is guilty of misconduct.

12 (3) Where a direction is given under subsection (1) (c) or (d) of this
13 section in respect of any student, the student may, within a period of 21 days
14 from the date of the letter communicating the decision to him, appeal from
15 the direction to the Council; and where such an appeal is brought, the
16 Council shall, after causing such inquiry to be made in the matter as the
17 Council considers just, either confirm or set aside the direction or modify it
18 in such manner as the Council may think fit.

19 (4) The fact that an appeal from a direction is brought in pursuance
20 of subsection (3) of this section shall not affect the operation of the direction
21 while the appeal is pending.

22 (5) The Rector may delegate his power under this section to a
23 disciplinary committee consisting of such members of the polytechnic as he
24 may nominate.

25 (6) Nothing in this section shall be construed as preventing the
26 restriction or termination of a student's activities at the polytechnic
27 otherwise than on the ground of misconduct.

28 (7) It is hereby declared that a direction under subsection (1) (a) of
29 this section may be combined with a direction under subsection (1) (b) of
30 this section.

1 (8) In all cases under this section, the decision of the Council shall
2 be final.

Discipline of
junior staff

3 19.-(1) If any junior staff is accused of misconduct or inefficiency, the
4 Rector may suspend him for not more than three months and forthwith shall
5 direct the Junior Staff Appointments and Promotions Committee:

6 (a) to consider the case; and

7 (b) to make recommendations as to the appropriate action to be taken
8 by the Rector.

9 (2) In all cases under this section, the officer shall be informed of the
10 charge against him and shall be given reasonable opportunity to defend
11 himself.

12 (3) The Rector may, after considering the recommendation made
13 pursuant to subsection (1) (b) of this section, dismiss, terminate, retire or down
14 grade the officer concerned.

15 (4) Any person aggrieved by the Rector's decision under subsection
16 (3) of this section, may within a period of 21 days from the date of the letter
17 communicating the decision to him, address a petition to the Council to
18 reconsider his case and the Council's decision thereon shall be final.

19 (5) In any case of gross misconduct on the part of a junior staff, the
20 Rector shall forthwith suspend him and thereafter refer the matter to the Junior
21 Staff Appointments and Promotions Committee to be dealt with according to
22 the foregoing provision of this section.

23 *Financial Provisions*

Audits of
accounts

24 20.-(1) Each Council shall keep proper accounts and proper records in
25 relation thereto and shall cause to be prepared, not later than 1 October in each
26 financial year, an estimate of its revenue and expenditure for the ensuing
27 financial year and when prepared, the estimate shall be submitted to the
28 National Board for Technical Education for approval.

29 (2) At the end of each financial year but not later than 30 June the
30 Council shall cause to be prepared a statement of its income and expenditure

1 during the previous financial year.

2 (3) The statement of accounts referred to in subsection (2) of this
3 section shall, when certified by the Rector, be audited by a firm of auditors
4 appointed from the list and in accordance with the guidelines supplied by the
5 Auditor-General of the Federation and shall be published in the annual
6 report of the polytechnic.

7 21. The funds of the Council shall include:

Funds of the
Council

8 (a) fees charged by and payable to the Council in respect of
9 students;

10 (b) any other amounts due to or recoverable by the Council;

11 (c) revenue from time to time accruing to the Council from the
12 Federal Government by way of subvention, grant-in-aid, endowment or
13 otherwise howsoever;

14 (d) donations and legacies accruing to the Council from any source
15 for the special purpose of the Council.

16 22.-(1) Donations of money to be applied to any particular purpose
17 shall be placed to the credit of a special reserve account approved by the
18 Council until such time as they may be expended in fulfilment of such
19 purpose.

Donations for
particular purposes

20 (2) No Council shall be obliged to accept a donation for a particular
21 purpose unless it approves of the terms and conditions attached to such
22 donation.

23 23. All sums of money received on account of the Council shall be
24 paid into such bank for the credit of the Council as may be approved by the
25 Council.

Payment into
Bank

26 24. The Council shall on or before 31st December in each year
27 prepare and submit to the President through the Minister, a report of the
28 activities during the preceding financial year and shall include in the report,
29 the audited accounts of the polytechnic in respect of that financial year and
30 the auditors' comments on the account.

Annual Report

1 *Miscellaneous and Supplemental*Power to make
bye-laws

2 25.--(1) The Council may make bye-laws relating to any matter within
3 its competence under this Act other than matters for which provision is to be
4 made by standing orders pursuant to paragraph 7 of the Schedule to this Act.

5 (2) All such bye-laws shall be in writing and shall come into force
6 when sealed with the seal of the Council unless some other date for their
7 commencement is prescribed therein.

8 (3) Nothing in subsection (2) of this section, shall make it obligatory
9 for the Council to publish any of the said bye-laws in the Federal Gazette but
10 the Council shall bring such bye-laws to the notice of all affected thereby.

Exclusion of
discrimination
on account of
race, religion,
etc.

11 26. No person shall be required to satisfy requirements as to any of the
12 following matters, that is to say race (including ethnic grouping), sex, place of
13 birth or of the family origin or religious or political persuasion or as a condition
14 of becoming or continuing to be a student at the polytechnic or as a holder of
15 any certificate of the polytechnic, or of any appointment or employment at the
16 polytechnic, or a member of anybody established by virtue of this Act; and no
17 person shall be subjected to any disadvantage or accorded any advantage in
18 relation to the polytechnic by reference to any of those matters:

19 Provided that, nothing in this section shall be construed as preventing
20 the polytechnic from imposing any disability or restriction on any of the
21 aforementioned persons where such a person wilfully refuses or fails on
22 grounds of religious belief to undertake any duty generally and uniformly
23 imposed on all such persons or any group of them which duty, having regard to
24 its nature and the special circumstances pertaining thereto is, in the opinion of
25 the polytechnic, reasonably justifiable in the national interest.

Quorum and
procedure of
bodies established
under this Act

26 27. Subject to the provisions of paragraph 6 (2) of the Schedule to this
27 Act and any standing orders or bye-law made under this Act, the quorum and
28 procedure of any body of persons established by this Act shall be such as may
29 be determined by that body.

1 28. In this Act, unless the context otherwise requires: Interpretation
 2 "The Academic Board" means the board establish under section 10 of this
 3 Act;
 4 "The Appointments and Promotions Committee" means a body by that
 5 name established under paragraph 3 (2) (a) of the Schedule to this Act;
 6 "Polytechnic" means the respective polytechnics set up under section 1 of
 7 this Act;
 8 "The Junior Staff Appointments and Promotion Committee" means a body
 9 by that name set up under paragraph 3 (2) (b) of the Schedule to this Act;
 10 "The Minister" means the Minister charged with responsibility for matters
 11 relating to technical education;
 12 "The Registrar" means the Registrar of each polytechnic appointed under
 13 section 4(1) of this Act.

14 29. This Bill may be cited as the Federal Polytechnic Adikpo (Est, Short Title
 15 etc) Bill, 2017.

SCHEDULE

[Section 7.]

PUBLIC OFFICERS FOR THE PURPOSES OF THE CODE OF CONDUCT

SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

Terms of office of members

16
 17
 18
 19
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 21 1.-(1) A member of the Council other than an ex-officio member
 22 shall hold office for a period of three years beginning with the date on which
 23 he was appointed and shall be eligible for re-appointment for a further term
 24 of three years and thereafter he shall no longer be eligible for re-
 25 appointment.

26 (2) Members of the Council holding office as specified in
 27 paragraph 1 (1) of this Schedule, shall be paid remuneration or allowance in
 28 accordance with rates specified from time to time by the National Council of
 29 Ministers.

30 (3) A member of the Council holding office as specified in

1 paragraph 1 (1) of this Schedule may by notice in writing to the Minister resign
2 his office.

3 2.-(1) Where a vacancy occurs in the membership of the Council, that
4 vacancy shall be filled by the appointment of a successor to hold office for the
5 remainder of the term of office of his predecessor; so however that the
6 successor shall represent the same interest as his predecessor.

7 (2) The Council may act notwithstanding any vacancy in its
8 membership or the absence of any member or that a person not entitled to do so
9 took part in its proceedings.

10 *Committees*

11 3.-(1) The Council may appoint one or more committees to which it
12 may delegate any of its functions.

13 (2) Without prejudice to the generality to sub-paragraph (1) of this
14 Schedule, the Council shall appoint the following committees, that is:

15 (a) the Appointments and Promotions Committee which shall without
16 prejudice to section 7 (4) of this Act:

17 (i) consist of a chairman to be appointed by the Rector from members
18 of the senior staff of the polytechnic and four other members who shall be
19 appointed by the Council;

20 (ii) be charged with the responsibility for making recommendations
21 to the Council on the appointment and promotion of the academic and senior
22 staff of the polytechnic and have a quorum of three members;

23 (b) the Junior Staff Appointments and Promotions Committee which
24 shall consist of a chairman and four other members to be appointed by the
25 Council and shall have the powers set out in sections 7 (5) and 14 of this Act;

26 (c) the Committee on Students' Affairs, which shall consist of the
27 following members:

28 (i) a chairman who shall be appointed by the Rector from among the
29 senior employees of the polytechnic;

30 (ii) one member of the Council;

1 (iii) two members of the academic staff of the polytechnic; and
2 (iv) four students of the polytechnic, and the Committee on
3 Students' Affairs shall be charged with the duty of:

4 (i) considering any matter which relates to the welfare of students;
5 (ii) any other matter referred to it by either the Council or students
6 of the polytechnic;

7 (iii) any matter which the students wish to refer to the Council shall
8 be referred to the Committee on Students' Affairs in the first instance.

9 (3) No decision of a committee shall have effect unless it is
10 confirmed by the Council.

11 *Proceedings of the Council*

12 4.-(1) The Council shall meet for the conduct of business at such
13 times as the chairman of the Council may appoint but shall meet not less than
14 twice in a year.

15 (2) The chairman of the Council may at any time and shall at the
16 request in writing of not less than five members of the Council summon a
17 meeting of the Council.

18 (3) Particulars of the business to be transacted shall be circulated to
19 members with the notice of the meeting at least two weeks before the date of
20 the meeting.

21 5. Where the Council desires to obtain the advice of any person on
22 any particular matter, it may co-opt such person as a member for a meeting
23 whether or not expressly convened for the purpose of considering the
24 particular matter but no co-opted member shall be entitled to vote or shall
25 count towards quorum.

26 6.-(1) Every question put before the Council at a meeting shall be
27 decided by a simple majority of the members present and voting.

28 (2) Seven members shall form a quorum at any meeting of the
29 Council.

30 (3) The Chairman shall, at any meeting of the Council, have a vote

1 and, in the case of an equality of votes, may exercise a casting vote.

2 7. Subject as aforesaid, the Council may make standing orders with
3 respect to the holding of meetings, the nature of notices to be given, the
4 proceedings thereat, the keeping of minutes of such proceedings and the
5 custody and production for inspection of such minutes.

6 8. If the Chairman of the Council is absent from a meeting of the
7 Council, the members present shall elect one of their number to act as chairman
8 for the purposes of that meeting.

9 *Miscellaneous*

10 9. Any contract or instrument which if entered into by a person not
11 being a body corporate would not be required to be under seal, may in like
12 manner be entered into or executed on behalf of the Council by any person
13 generally or specifically authorised by it for that purpose.

14 10.-(1) The common seal of the Council shall not be used or affixed to
15 any document except in pursuance of a resolution duly passed at a properly
16 constituted meeting of the Council and recorded in the minutes of such
17 meeting.

18 (2) The fixing of the seal of the Council shall be authenticated by the
19 signature of the Chairman of the Council and some other member authorised
20 generally or specifically by the Council to act for that purpose.

21 (3) Any document purporting to be a document duly executed under
22 the seal of the Council shall be received in evidence and shall, unless the
23 contrary is proved, be deemed to be so executed.

24 11. Any member of the Council or a committee thereof who has a
25 personal interest in any contract or arrangement entered into or proposed to be
26 considered by the Council or a committee thereof, shall forthwith disclose his
27 interest to the Council and shall not vote on any question relating to such
28 contract or arrangement.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal Polytechnic Adikpo to provide full-time courses in Technology, Applied Science Management and other fields of studies and to make provisions for the general administration of such polytechnics.

