

FEDERAL COLLEGE OF AGRICULTURE, KARAYE BILL, 2020

ARRANGEMENT OF SECTIONS

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A BILL

FOR

AN ACT TO ESTABLISH FEDERAL COLLEGE OF AGRICULTURE KARAYE,
PROVIDE FOR THE FUNCTIONS AND FOR RELATED MATTERS

Sponsored by Hon.

[] Commencement

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

PART 1 - ESTABLISHMENT, COMPOSITION AND FUNCTIONS OF FEDERAL
COLLEGE OF AGRICULTURE, KARAYE

1 1.-(1) The Federal College of Agriculture, Karaye, Kano state, as it
2 exist is hereby established by this Act and shall have such powers and
3 exercise such functions as are conferred on them by this Act.

Establishment
of Federal College
of Agriculture,
Karayem Kano
State

4 (2) The college shall be a body corporate with perpetual succession
5 and a common seal; with power to sue and be sued and shall have power to
6 acquire and dispose of interests in movable and immovable property and
7 may sue and be sued in its corporate name.

8 2.-(1) The governance of the college and the management of its
9 affairs shall vest in the Governing Council of the college concerned (in this
10 Act referred to as "the Council").

Governing
Council of the
College

11 (2) Without prejudice to the generality of subsection (1) of this
12 section, it shall be the responsibility of the Council to consider and approve:

13 (a) the day to day and plan of activities of the college;

14 (b) the programme of studies, courses, and research to be
15 undertaken by the Academy;

16 (c) the yearly estimates of the college; and

17 (d) the structure and investment plans of the college

18 3.-(1) The Council of the college ,shall consist of a chairman and
19 the following other members, to be appointed by the President:

Membership of
the Council of
the College

	1	(a) a representative of the Federal Ministry of education;
	2	(b) a representative of the alumni association of the college;
	3	(c) three persons appointed on individual merit on a nationwide basis
	4	who should have wide experience in the area of livestock or crop production
	5	(d) two representatives of the Academic Board of the college;
	6	(e) one representative of the ministry of Agriculture;
	7	(f) an Indigene of Kano State; and
	8	(g) the Provost of the college.
Tenure of office of members of the Council	9	4.-(1) Each member of the Council (other than an ex-officio member)
	10	shall hold office for a term of four years and shall be eligible for re-appointment
	11	for a further period of four years.
	12	(2) The office of a member appointed under sections 3 (1) (d) and 3 (2)
	13	(d) of this Act shall become vacant if:
	14	(a) the member resigns his office by notice in writing under his hand,
	15	addressed to the president through the Minister;
	16	(b) the member is convicted of any offence by any court ;
	17	(c) the member becomes a person of unsound mind; or
	18	(d) The member abuses his office
Functions of the College	19	5. The functions of the college shall be:
	20	(a) to encourage the advancement of learning and to hold out to all
	21	persons without distinction of race, creed, sex or political conviction, the
	22	opportunity of acquiring a higher education in agriculture;
	23	(b) to develop and offer academic programmes leading to the award of
	24	diplomas and certificates which emphasise planning, adaptive, technical,
	25	maintenance, developmental and productive skills in agriculture, agricultural
	26	engineering and allied professional disciplines with the aim of producing
	27	socially mature persons with capacity to improve on those disciplines and
	28	develop new ones, but also to contribute to the scientific transformation of
	29	agriculture in Nigeria;
	30	(c) to act as agents and catalysts, through training, research and

1 innovation for the effective and economic utilisation, exploitation and
2 conservation of Nigeria's natural, agricultural, economic and human
3 resources;

4 (d) to offer to the general population, as a form of public service,
5 the results of training and research in agriculture and allied disciplines and to
6 foster the practical application of those results;

7 (e) to establish appropriate relationships with other national
8 institutions involved in training, research and development of agriculture;

9 (f) to identify the agricultural problems and needs of Nigeria and to
10 find solutions to them within the context of overall national development;

11 (g) to provide and promote sound basic scientific training as a
12 foundation for the development of agriculture and allied disciplines, taking
13 into account indigenous culture, the need to enhance national unity, the need
14 to vastly increase the practical content of student training, and adequate
15 preparation of graduates for self-employment in agriculture and allied
16 professions;

17 (h) to promote and emphasise teaching, research and extension of
18 agricultural knowledge, including agriculture extension services and
19 outreach programmes, in-service training, continuing education, and on-
20 farm adaptive research;

21 (i) to offer academic programmes in relation to the training of
22 manpower for agriculture in Nigeria;

23 (j) to organise research relevant to training of agriculture with
24 emphasis on small- scale farming;

25 (k) to organise extension services and out-reach programmes for
26 technology transfer;

27 (l) to establish institutional linkages in order to foster collaboration
28 and integration of training, research, and extension activities; and

29 (m) to undertake any other activities appropriate for college of
30 Agriculture; and

Powers of the Council

1 (n) to perform such other functions as in the opinion of the Council
2 may serve to promote the objectives of the College.

3 6.-(1) For the carrying out of the functions of college ,the Council
4 shall have power to:

5 (a) undertake examinations and award diplomas, professional
6 certificates and other distinctions to persons who have pursued a course of
7 study approved and accredited by the National university Commission;

8 (b) collect from any student or any other person attending the
9 Academy for the purpose of instruction such fees as the Council may, with the
10 prior approval of the Minister, from time to time determine;

11 (c) hold public lectures and undertake printing, publishing and
12 bookselling;

13 (d) make gifts for any charitable purpose;

14 (e) hold examinations for student or teachers;

15 (f) provide amenities for and make such other provision for the
16 welfare of the staff of the college;

17 (g) invest the funds of the academy in securities specified by law or in
18 such other securities in Nigeria as may be approved by the Minister;

19 (h) borrow money within Nigeria in such manner and upon such
20 security as the Minister may from time to time authorise;

21 (i) enter into such contracts as may be necessary or expedient for
22 carrying into effect the objectives of the college;

23 (j) recruit staff of the right calibre and determine the career structure
24 of such staff;

25 (k) establish and maintain such schools and other teaching units
26 within the college; or extramural departments as the Council may, from time to
27 time, decide;

28 (l) institute and award fellowships, medals, prizes and other titles;

Visitation

29 7. -(1) The Minister of Agriculture shall be the Visitor of the college.

30 (2) The Visitor shall, not less than once in every five years, conduct a

visitation of the Academy; or appoint a visitation panel consisting of not less than five experts to conduct the visitation:

(a) for the purpose of evaluating the academic and administrative performance of the college ;or

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

8.-**(1)** The college Shall have a board to be known as the Academic Board which shall consist of the following members:

9 (a) the Provost of the college; who shall be the chairman;

10 (b) all heads of departments;

11 (c) the college Librarian; and

(d) not more than two members of the academic staff other than heads of departments to be appointed by the Council.

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

15 (a) overseeing the management of academic matters of the college
16 and among others the regulation of admission of students, the award of
17 certificates, scholarships, prizes and other academic distinctions;

(b) providing reports from time to time on such academic matters
to the Council as the Council may from time to time direct;

20 (c) carrying out any other functions which the Council may assign
21 or delegate to it.

22 **9.** The Minister may give directive to the council with regard to the Power of Minister
23 exercise by the Council of its functions under this Act and it shall be the duty to give directions
24 of the Council to comply with such directions. to the Council

25 **10. -(1)** There shall be a Provost of the college (in this Act referred
26 to as "the Provost") who shall be appointed by the President, in accordance
27 with the provisions of this section.

28 (2) Where a vacancy occurs in the post of Provost, the Council
29 shall:

30 (a) advertise the vacancy in a reputable journal or a widely read

- 1 newspaper in Nigeria specifying:
- 2 (i) the qualities of the person who may apply for the post;
- 3 (ii) the terms and conditions of service applicable to the post; and
- 4 thereafter draw up a short list of suitable candidates for consideration;
- 5 (b) constitute a search team consisting of:
- 6 (i) a member of the Council not being a member of the Academic
- 7 Board, as chairman;
- 8 (ii) two members of the academic Board not below the rank of chief
- 9 lecturer;
- 10 (iii) two members of the academic community of the college not
- 11 below the rank of chief lecturer to be selected by the Council, to identify and
- 12 draw up a short list of suitable persons who are not likely to apply for the post
- 13 for any reason whatsoever.
- 14 (3) A Joint Council and Academic Selection Board consisting of:
- 15 (a) the chairman of the Council;
- 16 (b) two members of the Council not being members of the Academic
- 17 Board;
- 18 (c) two members of the Academic Board not below the rank of chief
- 19 lecturer, who were not members of the search team, shall consider the
- 20 candidates and persons on the short lists drawn up under subsection (2) of this
- 21 section through an examination of their curriculum vitae and interaction with
- 22 them and recommend through the Council to the President, three candidates for
- 23 his consideration.
- 24 (4) The President shall appoint as Provost one of the candidates
- 25 recommended to him under the provisions of subsection (3) of this section.
- 26 (5) Subject to this Act and the general control of the Council, the
- 27 Provost shall be the chief executive of the college; and shall be charged with
- 28 general responsibility for matters relating to the day-to-day management
- 29 operations of the college;
- 30 (6) The Provost:

1 (a) shall hold office for a period of four years beginning with the
2 effective date of his appointment and on such terms and conditions as may
3 be specified in his letter of appointment; and

4 (b) may be reappointed for one further period of four years and no
5 more.

6 **11.-(1)** There shall be for the college a Deputy Provost. Deputy Provosts

7 (2) The Council shall appoint the Deputy Provost from among the
8 chief lecturers in the Academy in one of the following ways, that is:

9 (a) from a list of three candidates in order of preference, submitted
10 by the Provost; or

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

13 (c) on the nomination of the Provost.

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

16 (a) consist of:

17 (i) the chairman of the Council;

18 (ii) the Provost;

19 (iii) two members of the Council not being members of the
20 Academic Board;

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

22 (b) make such inquiries as It deems fit before making the
23 recommendation required under that subsection.

24 (4) The Deputy Provost shall:

25 (a) assist the Provost in the performance of his functions;

26 (b) act in the place of the Provost when the post of Provost is vacant
27 or if the Provost is, for any reason, absent or unable to perform his functions
28 as Provost; and

29 (c) perform such other functions as the Provost or the Council may,
30 from time to time, assign to him.

The Registrar
and other staff
of the College

1 (5) The Deputy Provost:

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

5 (b) may be reappointed for one further period of two years and no
6 more.

7 **12.-(1)** The Council of the College shall appoint a Registrar to the
8 college (hereinafter referred to as the Registrar") who shall keep the records
9 and conduct the correspondence of the Council and shall perform such other
10 duties as the Council and subject thereto as the Provost may from time to time
11 direct.

12 (2) The Registrar shall, in addition to other duties conferred on him by
13 or under this Act, be the secretary to the Council, the Academic Board and any
14 committee of the Council and in his absence, the Councilor any such
15 committee may appoint some other person to act as secretary, and he shall not
16 vote on any question before the Councilor count towards a quorum.

17 (3) A Registrar:

18 (a) shall hold office for a period of five years beginning from the
19 effective date of his appointment and on such terms and conditions as may be
20 specified in his letter of appointment; and

21 (b) may be reappointed for one further period of five years and no
22 more.

23 (4) Where, on the commencement of this section, a Registrar
24 appointed before the commencement of this section has held office:

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

27 (b) for more than five years but less than ten years, he shall complete
28 the maximum period of ten years and thereafter relinquish his post and be
29 assigned other duties in the College;

30 (c) for ten years or more, the Council may allow him to serve as

1 Registrar for a further period of one year only and thereafter he shall
2 relinquish his post and be assigned other duties in the College.

3 13.-(1) There shall be for the college the following principal
4 officers in addition to the Registrar, that is:

Other principal
officers of the
College

5 (a) the Bursar; and

6 (b) the Librarian, who shall be appointed by the Council on the
7 recommendation of the Selection Board constituted under this Act.

8 (2) The Bursar shall be the chief financial officer of the Academy;
9 and be responsible to the Provost for the day-to-day administration and
10 control of the financial affairs of the college.

11 (3) The college Librarian shall be responsible to the Provost for the
12 administration of the Academy Library and the coordination of the library
13 services in the teaching units of the Academy.

14 (4) A Bursar or Librarian:

15 (a) shall hold office for a period of five years beginning from the
16 effective date of his appointment and on such terms and conditions as may
17 be specified in his letter of appointment; and

18 (b) may be reappointed for a further period of five years and no
19 more.

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

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

24 (b) for more than five but less than ten years, he shall complete the
25 maximum period of ten years and thereafter relinquish his post and be
26 assigned other duties in the College; (c) for ten years or more, the Council
27 may allow him to serve in that capacity for a further period of one year only
28 and thereafter he shall relinquish his post and be assigned other duties In the
29 college;

Resignation of appointment of principal officers	1	14. A principal officer may resign his appointment:
	2	(a) in the case of the Provost, by notice to the Visitor; and
	3	(b) in any other case, by notice to the Council.
Other employees of the College	4	15.-(1) The Council may appoint such other persons to be employees
	5	of the college as the Council may determine to assist the Provost and the
	6	principal officers of the college in the performance of their functions under this
	7	Act.
	8	(2) Subject to the provisions of this Act, the remuneration, tenure of
	9	office and conditions of service of the employees of the Council shall be
Selection Board for other principal officers	10	determined by the Council in consultation with the Federal Civil Service
	11	Commission.
	12	16.-(1) There shall be, for the college, a selection Board which shall
	13	consist of:
	14	(a) the chairman of the Council;
	15	(b) the Provost;
	16	(c) four members of the Council not being members of the Academic
	17	Board; and
	18	(d) two members of the Academic Board.
	19	(2) The functions, procedure and other matters relating to the
Pensions	20	Selection Board constituted under subsection (1) of this section shall be as the
	21	Council may, from time to time, determine.
	22	17.-(1) It is hereby declared that service in the college shall be in
Establishment of fund of the College	23	accordance with the pension Act.
	24	PART II - FINANCIAL PROVISIONS
	25	18.-(1) The Council shall establish and maintain a fund which shall be
	26	applied towards the promotion of the objectives specified in this Act.
	27	(2) There shall be paid and credited to the fund established under
	28	subsection (1) of this section:
	29	(a) such sums as may be made to the college through Annual budget;
	30	(b) all moneys raised for the purposes of the Council by way of gifts,

1 grants-in-aid or testamentary disposition; and

2 (c) all subscriptions, fees and charges for services rendered by the
3 Council and all other sums that may accrue to the Council from any source.

4 (3) The Council shall submit to the Minister, through the
5 University commission not later than three months before the end of each
6 financial year or at such other time as he may direct, an estimate of its
7 revenue and expenditure for the next succeeding financial year.

8 **19.**-(1) The Council may accept gifts.

Power to accept
gifts

9 (2) The Council shall not accept any gift if the conditions attached
10 by the person making the gift are inconsistent with the functions of the
11 Council.

12 **20.** The Council shall keep proper accounts and shall in respect of
13 each year cause the accounts to be audited.

Accounts and
audit

14 **21.** The Council shall prepare and submit to the Minister a report
15 of its activities during the immediately preceding financial year.

Annual reports

16 PART III - Miscellaneous and supplement

17 **22.**-(1) For the purpose of providing offices and premises
18 necessary for the performance of its functions, the Council may:

Offices and
premises

19 (a) purchase any interest in or take on lease any land; and

20 (b) build, equip and maintain offices and premises.

21 (2) The Council may, with the approval of the Minister, sell any
22 interest in or lease any land, offices or premises held by it and no longer
23 required for the performance of its functions.

24 **23.**-(1) The Council may make rules providing for the Provost to
25 conduct enquiries into alleged breaches of discipline (including lack of
26 diligence) by students and such rules may make different provisions for
27 different circumstances.

Discipline of
students

28 (2) The rules shall provide for the procedure and rules of evidence
29 to be followed at enquiries under this section.

30 (3) Subject to the provisions of subsection (1) of this section, where

1 It is proved during the enquiry that any student of the Academy has been guilty
2 of misconduct, the Provost may, without prejudice to any other disciplinary
3 powers conferred on him by this Act or any regulations made thereunder,
4 direct:

5 (a) that the student shall not, during such period as may be specified in
6 the direction, participate in such activities of the Academy, or make use of such
7 facilities of the Academy, as he may specify;

8 (b) that the student may be suspended for such period as may be
9 specified in the direction; or

10 (c) that the student be expelled from the Academy.

11 (4) Where there is temporarily no Provost or where the Provost
12 refuses to apply any disciplinary measures, the Council may, either directly or
13 through some other staff, apply such disciplinary actions as are specified in
14 subsection (3) of this section to any student of the college who is guilty of
15 misconduct.

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

23 (6) The fact that an appeal from a direction is brought in pursuance of
24 subsection (5) of this section shall not affect the operation of the direction while
25 the appeal is pending.

26 (7) The Provost may delegate his powers under this section to a
27 disciplinary committee consisting of such members of the college as he may
28 nominate.

29 (8) Nothing in this section shall be construed as preventing the
30 restriction or termination of a student's activities at the college otherwise than

1 on the ground of misconduct.

2 (9) It is hereby declared that the direction under subsection (3) (a)
3 of this section may be combined with a direction under subsection (3) (b) of
4 this section.

5 (10) In all cases under this section, the decision of the Council shall
6 be final unless reversed by the Minister on appeal by the student.

7 **24.** In this Act, unless the context otherwise requires:

Interpretation

8 "college" means Federal College of Agriculture, Karaye established under
9 section 1 of this Act;

10 "chairman" means the chairman of the Council;

11 "Council" means the Governing Council of the college established by or
12 pursuant to section 2 of this Act;

13 "Provost" means the Provost of an college appointed under section 9 of this
14 Act;

15 "functions" includes powers and duties;

16 "Minister" means the Minister of Education;

17 "member" means a member of the Council including the chairman.

18 **25.** This Bill may be cited as the Federal College of Agriculture,
19 Karaye Bill, 2020.

Citation

EXPLANATORY MEMORANDUM

This Bill seeks to establish Federal College of Agriculture Karaye, provide for the functions and to encourage the advancement of learning and to hold out to all persons without distinction of race, creed, sex or political conviction, the opportunity of acquiring a higher education in agriculture.