

# A BILL

## FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE FEDERAL COLLEGE OF NURSING AND MIDWIFERY OBUOFFIA AWKUNANAW, ENUGU STATE AND FOR RELATED MATTERS

*Sponsored by Hon. Nnolim Nnaji*

[ ] Commencement

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

1 PART 1 - ESTABLISHMENT, POWERS AND FUNCTIONS OF THE COLLEGE

2 1.-(1) There is hereby established for the Federal College to be Establishment  
3 known as the Federal College of Nursing and Midwifery Obuoffia  
4 Awkunanaw, Enugu State.

5 (2) The College shall:

6 (a) Have the status of a tertiary institution with right and privileges  
7 of such institution; and

8 (b) Be a body corporate with perpetual succession and a common  
9 seal with powers to sue and be sued in its corporate name.

10 2. The object of College shall be: Object

11 (a) To provide training and research in general Nursing, Midwifery  
12 and other specialties of Nursing leading to the award of professional  
13 Certificates, Diplomas, Degrees and other post Basic Certificates;

14 (b) To provide avenues for continuing education in nursing,  
15 midwifery and other specialties of Nursing; and

16 (c) To provide such services that is necessary and incidental to the  
17 object of the College.

18 3.-(1) The College shall be a teaching and examining body and Powers of the  
19 shall subject to the provisions of this Bill and the regulations of the College College  
20 have powers to:

- 1 (a) Provide rules and conditions under which persons may be
- 2 admitted as student for any particular course of study provided by the College;
- 3 (b) Provide courses of instruction in the academic and professional
- 4 programmes for student (c) Make provision for research and the dissemination
- 5 of knowledge;
- 6 (c) Establish Department and such other units of learning and
- 7 research as the purpose of the College may require;
- 8 (d) Create such offices and post as the purpose of the College may
- 9 require and to appoint persons to and remove person from such office or posts
- 10 and prescribe their conditions of service;
- 11 (e) Maintain libraries, laboratories, workshops lecture halls, hostels,
- 12 dining halls, sport field and other building or facilities of the College;
- 13 (f) Provide for residence, recreation and welfare of members of staff
- 14 and students of the College as may be deemed necessary;
- 15 (g) Demand and receive from students and other persons attending the
- 16 College for the purpose of instruction such fees as the College may from time to
- 17 time determine;
- 18 (h) Prescribe rules for the discipline of student of the College;
- 19 (i) Conduct examination and arrange for award of certificates and
- 20 distinctions to persons who pursue courses of studies approved by the College
- 21 and who satisfy such other requirement as may from time to time be Prescribe;
- 22 (j) Subject to specific limitations or conditions that may imposed by
- 23 extant Government regulations or circular, invest any fund apportioned to the
- 24 College by way of endowment, whether for general or special purpose and such
- 25 monies as may not immediately be required be require for current expenditure
- 26 in any investment or securities.
- 27 (k) Print or publish works or undertake service as may be deemed
- 28 consistent with the object of the College;
- 29 (l) Do such other acts and things necessary under this Acts for the
- 30 attainment of the object of the object of the College or incidental to the powers

1 of the College; and

2 (m) Carry out any special or general directive consistent with  
3 Government policy as the secretary of health may give in writing.

4 (2) Without prejudice to the generality of the provision of section 2  
5 of this Act and subsection (1) this section, the College may by special  
6 arrangement with the Nursing and Midwifery council of Nigeria or other  
7 Examination bodies prepare it students for award of certificates or other  
8 distinctions.

9 (3) Subject to the provisions of this Bill and of any other statute.  
10 The Power conferred on the College by subsection (1) of this section shall be  
11 exercise on behalf of the College by the council and the committees  
12 established for the College or by such officers and other staff of the College  
13 as may be authorize in that behalf and may also be exercised through schools  
14 established under this Act.

15 4-(1) The provost shall have custody of the common seal of the  
16 College and shall be responsible for affixing same to documents.

17 (2) The common seal of the College shall not be used save upon the  
18 direction of the council and shall be authenticated by the signature of the  
19 Provost.

20 PART II - GOVERNMENT COUNCIL OF THE COLLEGE

21 5-(1) There shall be establish for the College, a Government  
22 Council to be known as the Governing council of the Federal College of  
23 Nursing and midwifery Obuoffia Awkunanaw, Enugu State

24 (2) The council shall consist of:

25 (a) A chairman who shall be appointed on part time basis by the  
26 Commissioner on the recommendation of the secretary of health;

27 (b) A representation of the secretary of health;

28 (c) The provost of the College;

29 (d) A representation of the Enugu State chapter of National  
30 association of Nigeria Nurses and midwives;

- 1 (e) Two member to represent the interest of the public to be appointed
- 2 by the minister on the recommendation of the secretary of health;
- 3 (f) A representative of Enugu State treasury;
- 4 (g) A representative of Enugu State Legal Service Secretariat;
- 5 (h) A representative of Enugu State Education Secretariat;
- 6 (i) The director, finance and Administration in the Secretariat;
- 7 (j) The director of Nursing in Enugu State Hospitals Management
- 8 Board; and
- 9 (k) The director, Nursing service of the secretariat who shall also
- 10 Serve as the secretary.

Tenure of  
Members

11 **6-(1) Members of the council other than ex-officio members shall**

12 **hold office for a period of four years from the date of their appointment and**

13 **shall be eligible for reappointment for one further term of four years and no**

14 **more.**

15 (2) Any member of the council other than an ex officio member may

16 by notice to the council resign his appointment.

17 (3) Any vacancy occurring in the membership of the council shall be

18 filled by the appointed of a successor who shall represent the same interest as

19 his predecessor for the remainder of the term of the predecessor.

Functions of  
the Council

20 **7-(1) Subject to the provisions of this Act, the council shall:**

21 (a) Be the governing authority of the College;

22 (b) Be charged with general control and superintendence of the

23 policies, finances and properties of the College;

24 (c) Make regulations for the day to day management of the College;

25 and

26 (d) Do any other thing necessary or incidental to attainment of objects

27 of the College.

Functions of  
the Academic  
Committee

28 (2) Without prejudice to the provisions of subsection (1) of this

29 section, the council shall:

30 (a) Ensure that the courses and instructions provided by the College

1 conform to the required standard laid down from time to time by the Nursing  
2 And Midwifery council of Nigeria;

3 (b) Regulate the teaching of course offered by the College, and also  
4 regulate the conduct of examination with respect to the College;

5 (c) Approve contracts for procurement of equipment, furniture and  
6 other properties required for the purpose of the College;

7 (d) Approve contracts for maintenance of the premises and other  
8 properties of the College;

9 (e) Formulate policies and initiate programmes in all field of learning  
10 conducted by the College;

11 (f) Assess from time to time the course offered by the College; and

12 (g) Perform such other function as may be necessary.

13 (3) The council may delegate any of its functions, other than the  
14 Power to make regulates, to the chairman or any other person, Board or  
15 Committee it deems it fit in that behalf, but no decision of such person or  
16 Committee shall take effect unless ratified by council.

17 8. The Director, nursing service of the secretariat shall be the  
18 Secretary to the council, and for any particular meeting that he may be  
19 absent, he shall send a representative to act in that behalf.

Secretary to the  
Council

20 9.-(1) The Secretary of Health may give to the council directions as  
21 to the discharge of its function in relation to matters appearing to the  
22 Secretary of Health to affect public interest and the council shall give effect  
23 to such directive.

24 (2) The council shall afford the secretary of health facilities for  
25 obtaining information with respect to the property of the College and the  
26 functions of the council and he shall be furnished with returns, accounts and  
27 facilities for verification of the information in such manner and at such times  
28 as he may require.

1 PART III - SCHOOLS, DEPARTMENTS AND UNITS WITHIN THE COLLEGE

2 10.-(1) There shall be within the College a school of Nursing and a  
3 School of Midwifery and such other schools as the secretariat may with the  
4 approval of the Nursing and Midwifery council of Nigeria establish.

5 - (2) Each school shall provide instruction for courses, conduct  
6 research and carry out such functions as may be prescribed by the council with  
7 the approval of the secretary of Health.

8 (3) The constitution of and other matters relating to each schools may  
9 be prescribed by the council with the approval of the secretary of health

10 11. In furtherance of the provisions of section 3 (1) (c) of this Act, the  
11 council shall with the approval of the secretary of Health establish for each  
12 school such department as the Nursing and Midwifery council of Nigeria May  
13 from time to time prescribe.

14 12. Subject to the provision to this Act, the council may with the  
15 approval of the secretary of Health establish units for special purposes within  
16 the College; and the name, constitution and functions of any such units may be  
17 prescribe by director of the council.

18 PART IV - PRINCIPAL OFFICER AND STAFF OF THE COLLEGE

19 13. There shall be for the College a provost and other principal  
20 officers, the designations, qualifications, functions, appointments and removal  
21 of whom shall be as spelt out in section 15 to 22 of this Act.

22 14.-(1) The Principal Officers of the College shall include:

23 (b) The Deans of the schools in the College;

24 (c) The Deputy Deans (Academics and Administration) of the schools  
25 in the College;

26 (d) The Registrar;

27 (e) The College Librarian; and

28 (f) The Bursar.

29 (2) The principal officers of the College other than Deans and Deputy  
30 Deans of schools in the College shall be appointed by the council subject the

1 approval of the minister through the secretary of Health.

2 (3) The Deans and the Deputy Deans of schools in shall be  
3 appointed by the council.

4 15.-(1) The Provost shall be appointed from amongst the academic  
5 staff of the College and shall be the Chief Executive and Administrator of the  
6 College and also be responsible to the council for maintaining and  
7 promoting efficiency and discipline in the College.

Appointment of  
Provost

8 (2) The Provost shall hold a degree in Nursing and shall be a  
9 registered Education in Nursing, Midwifery or other specialty areas of  
10 Nursing with not less than fifteen years of teaching experience.

11 16.-(1) The Deans of schools in the College shall be responsible to  
12 the provost for the administration of the schools.

Deans

13 (2) The Deans of schools in the College shall hold degree in  
14 Nursing and shall be registered Educators in the Nursing specialty related to  
15 their respective schools and with not less than ten years of teaching  
16 experience.

17 17.-(1) The Deputy Deans of schools in the College shall be the  
18 assistants to the Deans of their respective schools and shall perform such  
19 duties as may be assign to them by the Deans.

Deputy Deans

20 (2) The Deputy Deans of schools in the College shall hold degree in  
21 Nursing and shall be Registered Educator in the Nursing specialty related to  
22 their respective schools with less than seven years teaching experience.

23 18.-(1) The Registrar of the College shall be the head of  
24 administration of the College shall be responsible to the provost.

The Registrar of  
the College

25 (2) The Registrar shall be an experienced graduate of humanities  
26 with not less than fifteen years' experience in public Administration

27 (3) The person holding the office of the Registrar of the College  
28 shall by virtue of that office be the secretary to the Academic Board and the  
29 finance and General purpose Committee.

The Bursar

1 **19.-(1)** The Bursar shall be the Chief Financial officer of the College  
 2 and shall be responsible to the provost for the day to day administration of the  
 3 financial affairs of the College.

4 **(2)** The Bursar shall be a qualified Accountant with not less than Ten  
 5 years post qualification experience.

The Librarian

6 **20.-(1)** the Librarian shall be responsible to the provost for the Co-  
 7 ordination of Library services in College.

8 **(2)** The Librarian shall have a degree in library sciences with not less  
 9 than ten years post qualification experience as a Librarian.

10 **21.** The Council may appoint such other persons to be staff of the  
 11 College as it may deems fit on such terms and conditions as may specified in  
 12 their instructions of appointment.

Removal from Office

13 **22.-(1)** The Principal officers and other senior staff of the College  
 14 may be removed from office by the Commissioner for misconduct,  
 15 incompetence, or any other justifiable reason on the recommendation of the  
 16 council.

17 **(2)** The council shall have power to remove any junior staff of the  
 18 College for justifiable reasons.

19 **PART V - ESTABLISHMENT AND FUNCTIONS OF COMMITTEES**

Finance and General Purpose

20 **23.** There shall be a committee of the council to known as the Finance  
 21 and general purpose committee.

Composition of the Committee

22 **24.-(1)** The finance and general purpose committee shall consist of:

23 **(a)** The chairman of the Governing council who shall be the chairman;

24 **(b)** The respective of the secretary of health,

25 **(c)** The provost of the College;

26 **(d)** The director of finance and administration in the secretariat;

27 **(e)** The director of nursing services in the secretariat;

28 **(f)** One member of the Academic Committee to be appointed by the  
 29 Council; and

30 **(2)** The Registrar shall be secretary of the committee.



- 1                   25. The finance and general purpose committee shall:
- 2                   (a) Exercise control over property, revenue and expenditure of the
- 3                   College;
- 4                   (b) Award contracts for the execution of project of the College; and
- 5                   (c) Perform such other functions as the council may delegate to it.

6                   26.-(1) Any body of persons established by this Act shall, without

7                   Prejudice to the generality of the powers of that body, have power to

8                   Constitute committees, which need not consist exclusively of members of

9                   that body, and to authorize a committee established by it;

10                   (a) To exercise, on its behalf, such of its function as it may

11                   determine; and

12                   (b) To co-opt members, and may direct whether or not co-opted

13                   members if any, shall be entitle to vote in that committee

14                   (2) Any two or more such bodies may arrange for the holding of

15                   Joint meetings of those bodies or for the appointment of committees

16                   consisting of members of those bodies for the purpose of considering any

17                   matter within the competence of those bodies or any of them and either of

18                   dealing with it or of reporting on it to those bodies or any of them.

19                   (3) The quorum and procedure of a committee establish or meeting

20                   held in pursuance of this section shall be such as may be determined by the

21                   body or bodies which have decide to establish the committee or hold the

22                   meeting.

23                   Part VI - Academic Board

24                   27. There shall be for each school of the College an Academic

25                   Board which shall be responsible for the academic work of the school.

26                   28. The Academic Board of each school of the College shall be

27                   composed of:

- 28                   (a) The provost of the College, as chairman;
- 29                   (b) The Dean of the school, as Deputy Chairman;
- 30                   (c) The Deputy of Dean of the school;

- 1 (d) All Heads of Department of the schools;
- 2 (e) One Academic staff not below the rank of senior Lecturer to be
- 3 selected from each of the Department of the school;
- 4 (f) A representative of the Director, Nursing Service in the Secretariat;
- 5 (g) The school Librarian; and
- 6 (h) The Registrar who shall be the secretary of the Board.

7 29. Subject to the overall control and direction of the council, the  
8 Academic Board of each school of the College shall perform the following  
9 Function:

- 10 (1) Regulating and organizing the process of admission, conduct of
- 11 Examinations, award of Certificates and all formalities relating to the
- 12 Registration and licensing of graduates.
- 13 (2) Making recommendation to the council on appointment of
- 14 Academic staff of the school and on the organization of department, Libraries
- 15 and other units of learn and research in the school.
- 16 (3) Making guideline for the purpose of exercising any of the
- 17 Functions conferred on it under the provisions of this section.
- 18 (4) Preparing curriculum for the school in line with guidelines from
- 19 the Nursing and Midwifery council of Nigeria and or other regulatory bodies.
- 20 (5) Performing such other functions that may be assigned to it by the
- 21 Council.

#### 22 PART VII - SUPPLEMENTARY PROVISIONS

23 30. The supplementary provision contained in the schedule shall have  
24 effect in relation to the proceeding of the various bodies appointed under the  
25 provision of this Act.

26 31. In the absence of the council and until it is constituted for the  
27 College, the functions and powers of the council under this Act may be  
28 Exercise by the secretary of health in consultation with the director of Nursing  
29 Services in the Secretariat.

## PART VIII - PROPERTY AND FINANCE

1  
2           32. The Government of Enugu State may, by order transfer any  
3 property whether movable or immovable to the College and from the date of  
4 such order, any property so transferred shall vest in the College and shall be  
5 used for the Purpose of the College.

Transfer of  
Property

6           33. The council may, subject to the provision of this Act:

Property of the  
College

7           (a) Acquire and hold such movable or immovable property as may  
8 be necessary or expedient for carrying into effect the provisions of this Act;

9           (b) Invest the funds of the College in such manner and to such  
10 extent as it may deem necessary or expedient; and

11          (c) Enter into contractual agreement on behalf of the College;

12          34.-(1) the council shall have power to approve expenditure of over  
13 N100,000.00 but not exceeding N1,000,000.00 per unit transaction for the  
14 procurement of the goods, works and services and shall refer procurements  
15 exceeding the amount to the secretary of Health.

Expenditure of  
the College

16          (2) The provost shall approve procurement of works, goods and  
17 Services not exceeding N100,000.00

18          (3) The threshold mentioned in this section may be adjusted, in the  
19 case of:

20           (a) Subsection (1), by the secretary of Health; and

21           (b) Subsection (2), by the council

22          35. The revenue of the College shall include:

Revenue of the  
College

23           (a) Revenue from time to time accruing to the College by way of  
24 Government grant, subvention or endowment or other forms of grant-in aid;

25           (b) Fees charges by and payable in respect of student;

26           (c) Any other amounts charges or dues recoverable by the College;

27           (d) Receipts for publications or services;

28           (e) Interest on investments;

29           (f) Donations and Legacies.

Annual Estimate 1 36. Before the end of each financial year or at such other time as may  
2 be required by the council the director, finance and Administration or the  
3 provost shall present for council estimate of revenue and expenditure for the  
4 ensuing financial year and the accepted estimates shall be presented to the  
5 secretary Health and Human service secretary who shall cause same to be  
6 placed before the Commissioner for approval.

Statement of Account 7 37.-(1) the College shall prepare in respect of each financial year a  
8 Statement of account in such form as may be approved by the secretary of  
9 Health and the said annual statement of account shall be a fair and accurate  
10 statement of the financial position of the College for the financial year to which  
11 it relates.

Account Audit 12 (2) The said annual statement of accounts shall be audited by the  
13 auditor-General of the State or by such competent auditor appointed by him.

14 (3) The said audited statement of accounts, after verification by the  
15 Council shall together with the auditor's report is forwarded to the secretary of  
16 Health who shall cause the same to be placed before the minister.

Interpretation 17 38. In this Act unless the context otherwise requires:  
18 "Academic Board" means the Academic Board established under this Act;  
19 "Chairman" means the Chairman of the Governing council of the College or  
20 where the context requires Chairman of the respective committees established  
21 under this Act;  
22 "College" means the Federal College of Nursing and Midwifery Obuoffia  
23 Awkunanaw, Enugu State;  
24 "Council" means the governing council established under section 4(1) of this  
25 Act for the College;  
26 "Executive Committee" means the Enugu State Executive Committee;  
27 "Commissioner" means the Commissioner of the Enugu State;  
28 "Junior staff" is a reference to staff on CONHESS 01-05 or salary Grade levels  
29 01-06;

- 1 "Members" means members of the council and includes the chairman of the  
2 Council;
- 3 "Provost" means the provost of the College;
- 4 "Regulations" means any regulation formulated for the College by the  
5 council;
- 6 "Secretariat" means Health and human Services Secretariat of Enugu State;
- 7 "Secretary" means the Secretary to the council of the College and other-wise  
8 means the Secretary of any Committees established under this Act;
- 9 "Secretary of Health" means the Secretary of Health and Human Services or  
10 such other official as may be from time to time designation as head of the  
11 body responsible for Health service under Enugu State;
- 12 "Senior staff" is a reference to staff on CONHESS 06-16 or salary Grade  
13 Levels 07-17.

14 39. This Bill may be cited as the Federal College of Nursing and Citation  
15 Midwifery Obuoffia Awkunanaw, Enugu State Bill, 2020.

#### EXPLANATORY NOTE

This Bill seeks to provide for the establishment of the Federal College of Nursing and Midwifery Obuoffia Awkunanaw, Enugu State, and to provide training and research in general Nursing, Midwifery and other specialties of Nursing.

