

# A BILL

## FOR

AN ACT TO ESTABLISH THE NATIONAL INSTITUTE OF OIL AND GAS TECHNOLOGY AND ENTREPRENEURIAL STUDIES, EGBEMA, IMO STATE, AND TO MAKE COMPREHENSIVE PROVISIONS FOR DUE MANAGEMENT AND ADMINISTRATION, PROVIDE FOR DETAILED IDENTIFICATION OF AREAS IN OIL AND GAS TECHNOLOGY AND SKILLS ACQUISITION, ENTREPRENEURIAL STUDIES AND FOR RELATED MATTERS

*Sponsored by Hon. Uju, Kingsley Chima*

[ ] Commencement

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

1           1. There is established at Egbema, Imo State, an Institute to be  
2 known as the National Institute of Oil and Gas Technology and  
3 Entrepreneurial Studies (in this Bill referred to as the "Institute").

Establishment  
of the Institute

4           2. **-(1)** The Institute shall be a Body Corporate with Perpetual  
5 Succession and a Common Seal, and may sue and be sued in its Corporate  
6 name.

Governing Board  
of the Institute

7           (2) The administration of the Institute, and the direction of its  
8 affairs shall vest in the Board of Governors of the Institute (in this Act  
9 referred to as the "Board").

10          (3) The Board shall consist of:

11          (a) a Chairman and two other members to be appointed by the  
12 President;

13          (b) the Rector of the Institute;

14          (c) the two Deputy Rectors of the Institute;

15          (d) the Federal Director of Technology and Technical Skills;

16          (e) two representatives to be chosen from the Federal University of  
17 Technology, Owerri and any other Federal University of Technology in

1 Nigeria in rotation by the National Universities Commission;

2 (f) one representative of the Federal Polytechnics in Nigeria;

3 (g) one representative of the Ministry of the Niger Delta Affairs;

4 (h) two representatives of the Oil Companies operating in the  
5 catchment areas of the Institute or the State.

6 (4) Subject to subsection (4) of this Section, a person appointed as a  
7 member of the Board (not being an ex-officio member) shall hold office for  
8 four years and shall be eligible for re-appointment for one further period of  
9 same years.

10 (5) The President may terminate the appointment of a Member of the  
11 Board (not being an ex-officio member) if satisfied that it is not in the interest  
12 of the Institute that the person concerned should continue in office.

13 (6) Any member of the Board (not being an ex-officio member) may  
14 by notice in writing under his hand addressed to the Minister resign his office.

15 (7) The supplementary provisions contained in the schedule to this  
16 Act shall have effect with respect to the proceedings of the Board and the  
17 Establishment of the Governing Board of the Institute and other matters therein  
18 mentioned.

Functions of  
the Institute

19 3.-(1) The Functions of the Institute shall be:

20 (a) to provide detailed identification of Technology, technical and  
21 skills acquisition needs for the economy and develop training programmes to  
22 meet those needs, especially in the Oil and Gas Sector and Entrepreneurial  
23 Studies;

24 (b) to carry out training of students and artisans and re-training of  
25 professionals to meet newest requirements in the areas identified in paragraph  
26 (a) above;

27 (c) to establish a Residential Campus at Egbema, Imo State, and such  
28 other place(s) as may be decided by the Board;

29 (d) to establish an Audio-Visual Production Unit which shall produce  
30 suitable teaching support materials;

1 (e) to promote or undertake any other activity that in the opinion of  
2 the Board is calculated to help achieve the purposes of the Institute;

3 (f) The Institute shall ensure that the training approach to be  
4 followed at the Institute shall be highly job-specific and practical and shall  
5 utilise modern methods of management skills development usually utilised  
6 by similar establishments in order to attain the highest standards.

7 4.-(1) There shall be an officer of the Institute to be known as the  
8 Rector who shall be appointed by the President.

Appointment of  
the Rector of the  
Institute

9 (2) The Rector shall be the Chief Executive of the Institute and  
10 shall be responsible to the Board for the day-to-day management of the  
11 affairs of the Institute, together with the two Deputy Rectors to be appointed  
12 by the Board on the Recommendations of the Rector.

13 (3) The Rector shall hold office for a fixed term of five years,  
14 subject to renewal by the President for only one more term of same duration  
15 as well as the two Deputy Rectors.

16 (4) There may be appointed from time to time by the Board, such  
17 other staff, including teachers, instructors, staff of units and departments as  
18 may be required for the purpose of the efficient performance of the functions  
19 conferred on the Institute under or pursuant to this Act.

20 5. Service in the Institute shall be approved service for the  
21 purposes of the Pensions Act, and accordingly, officers and other persons  
22 employed in the Institute shall in respect of their services in the Institute be  
23 entitled to pensions, gratuities and other retirement benefits as are enjoyed  
24 by persons holding equivalent grades in the Civil Service of the Federation.

Service in the  
Institute to be  
Pensionable  
Cap. 346

25 6.-(1) The Institute shall establish and maintain a FUND which  
26 shall be applied towards the promotion of the objectives specified in this  
27 Act.

Financial  
Provisions

28 (2) There shall be paid and credited to the fund established  
29 pursuant to subsection (1) of this section:

1 (a) such sums as may be provided by the Government of the  
2 Federation;

3 (b) fees charged for services rendered by the Institute; and

4 (c) all sums accruing to the Institute by way of gifts, testamentary  
5 dispositions, and endowments or contributions from philanthropic persons or  
6 organizations or otherwise howsoever described.

Power to accept  
gifts

7 7.-(1) The Institute may accept gifts of land, money or other property  
8 upon such terms and conditions, if any, as may be specified by the person or  
9 organization making the gift.

10 (2) The Institute shall not accept any gift if the conditions attached by  
11 the person or organization making the gift to the acceptance thereof are  
12 inconsistent with the functions and objectives of the Institute.

Borrowing  
power

13 8.-(1) The Institute may, with the consent of the Minister or in  
14 accordance with the general guidelines approved by the President, borrow by  
15 way of loan or overdraft from any source any money(s) required by the Institute  
16 for meeting its obligations and discharging its functions under this Act so  
17 however that where the sum or the aggregate of the sums involved at anyone  
18 time does not exceed One Hundred Million (N100,000,000.00), no such  
19 consent or authority shall be required.

20 (2) The Institute may, subject to the provisions of this Act and the  
21 conditions of any trust created in respect of any property, invest all or any of its  
22 funds with the life consent or general authority.

23 (3) The Board may invest any surplus funds of the Institute in such  
24 securities as may be approved by the President.

Annual estimates,  
accounts and  
audit

25 9.-(1) The Board shall cause to be prepared not later than 30th June in  
26 each year an estimate of the expenditure and income of the Institute during the  
27 next succeeding year and when prepared, they shall be submitted by the  
28 Minister.

29 (2) The Board shall cause to be kept proper accounts of the Institute  
30 and proper records in relation thereto and when certified by the Board, such

1 accounts shall be audited as provided in Subsection (3) of this Section.

2 (3) The accounts of the Institute shall be audited as soon as may be  
3 after the end of each year.

4 10. The Board shall, not later than 30th September in each year, Annual Report  
5 submit to the Minister a report on the activities of the Institute and its  
6 administration during the immediately preceding year and shall include in  
7 such report the audited accounts of the Institute.

8 11.-(1) The Board may, subject to the provisions of this Act, make Staff Regulations  
9 staff regulations relating generally to the conditions of service of the  
10 employees of the Institute and without prejudice to the generality of the  
11 foregoing, such regulations may provide for:

12 (a) the appointment, promotion and disciplinary control including  
13 dismissal) of employees of the Institute; and

14 (b) appeals by such employees against dismissal or other  
15 disciplinary measures; and until such regulations are made, any instrument  
16 relating to the conditions of service of officers in the Civil Service of the  
17 Federation shall be applicable, with such modifications as may be  
18 necessary, to the employees of the Institute.

19 (2) Staff Regulations made under subsection (1) of this Section,  
20 shall not have effect until approved by the Minister and when so approved,  
21 they need not be published in the Federal Gazette but the Board shall cause  
22 them to be brought to the notice of all affected persons in such manner as it  
23 may from time to time determine.

24 12. No suit shall be commenced against the Institute before the Procedure in respect  
25 of suites against the  
Institutes  
26 expiration of a period of one month after written notice of intention to  
27 commence the suit shall have been served upon the Institute by the intending  
28 plaintiff or his agent; and the notice shall clearly and explicitly state:

28 (a) the cause of action;

29 (b) the particulars of the claim;

30 (c) the name and place of abode of the intending plaintiff;

	1	(d) the relief which he claims.
Service of documents	2	13. The notice referred to in Section 12 of this Act and any summons,
	3	notice or other document required or authorized to be served upon the Institute
	4	under the provisions of this Act or any other enactment or law may be served by
	5	delivering the same to the Chairman or the Rector of the Institute or by sending
	6	it by registered post addressed to the Rector at the principal office of the
	7	Institute.
Restriction on execution against the property of the Institution	8	14. In any action or suit against the Institute, no execution of
	9	attachment or process in the nature thereof shall be issued against the Institute
	10	but any sums of money which may, by the judgement of the Court, be awarded
	11	against the Institute, shall subject to any directions given by the Institute, be
	12	paid from the general reserve fund of the Institute.
Power to give directions	13	15. The Minister may give the Board directions of a general character
	14	or relating generally to particular matters (but not to any individual or case)
	15	with regard to the exercise - by the Board of its functions under this Act, and it
	16	shall be the duty of the Board to comply with such directions.
Interpretation	17	16. In this Act, unless the context otherwise requires:
	18	"the Board" means the Board of Governors of the Institute constituted as
	19	provided in Section 2(1) of this Act;
	20	"the Chairman" means the Chairman of the Board;
	21	"the Rector" means the Rector of the Institute;
	22	"the Institute" means the National Institute of Oil and Gas Technology and
	23	Entrepreneurial Studies established by Section 1 of this Act;
	24	"Member" means any member of the Board including the Chairman;
	25	"Minister" means the Minister charged with responsibility for Technology.
Short title	26	17. This Bill may be cited at the National Institute of Oil and Gas
	27	Technology and Entrepreneurial Studies (Establishment) Bill, 2021.

1 SCHEDULE

2 PROCEEDINGS OF THE BOARD

3 *Meetings*

4 1.-(1) Subject to this Act and to Section 27 of the Interpretation Act,  
5 Cap. 192 (which provides for the decisions of statutory body to be taken by a  
6 majority of the body and for the person presiding to have a second or casting  
7 vote), the Board may make standing Orders regulating the proceedings of  
8 the Board or of any committee thereof.

9 (2) The quorum of the Board shall be the Chairman and four other  
10 members, and the quorum of any committee of the Board shall be  
11 determined by the Board.

12 2.-(1) The Board shall meet not less than four times in each year,  
13 and subject thereto, the Board shall meet whenever it is summoned by the  
14 Chairman; and if the Chairman is required to do so by notice given to him by  
15 not less than three other members, he shall summon a meeting of the Board  
16 to be held within fourteen days from the date on which the notice is given.

17 (2) At any meeting of the Board, the Chairman shall preside; but if  
18 he is absent, the members present at the meeting shall appoint one of their  
19 members to preside at that meeting.

20 (3) Where the Board desires to obtain the advice of any person on a  
21 particular matter, the Board may co-opt him as a member for such period as  
22 it thinks fit; but a person who is a member by virtue of this sub-paragraph  
23 shall not be entitled to vote at any meeting of the Board and shall not count  
24 towards the quorum.

25 (4) Notwithstanding anything in the foregoing provisions of this  
26 paragraph, the first meeting of the Board shall be summoned by the Minister.

27 *Committees*

28 3.-(1) The Board may appoint one or more committees to carry out  
29 on behalf of the Board such of its functions as the Board may determine

30 (2) A committee appointed under this paragraph shall consist of

1 such number of persons (not necessarily all members of the Board) as may be  
2 determined by the Board, and a person other than a member of the Board shall  
3 hold office on the committee in accordance with the terms of his appointment.

4 (3) A decision of a committee of the Board shall be of no effect until it  
5 is confirmed by the Board.

6 *Supplementary*

7 4.-(1) The fixing of the Seal of the Institute shall be authenticated by  
8 the signature of the Chairman or of some other members authorized generally,  
9 or specially to act for that purpose by the Board.

10 (2) Any contract or instrument which if made or executed by a person  
11 not being a Body Corporate would not be required to be under Seal may be  
12 made or executed on behalf of the Institute by the Rector or any person  
13 generally, or specially authorized to act for that purpose by the Board.

14 (3) Any document purporting to be a document duly executed under  
15 the Seal of the Institute shall be received in evidence and shall, unless the  
16 contrary is proved, be presumed to be so executed.

17 (4) Members of the Board who are not public officers shall be paid out  
18 of moneys at the disposal of the Board such remuneration, fees or allowances in  
19 accordance with such scales as may be approved from time to time by the  
20 Minister.

21 (5) The validity of any proceedings of the Board or of a Committee  
22 thereof shall not be affected by any vacancy..on the membership of the Board  
23 or of committee, or by reason that a person not entitled to do so took part in the  
24 proceedings.

25 (6) Any member of the Board, and any person holding office on the  
26 committee of the Board, who has a personal interest in any contract or  
27 arrangement entered into or proposed to be considered by the Board or a  
28 committee thereof shall forthwith disclose his interest to the Board and shall  
29 not vote on any question relating to the contract or arrangement.



EXPLANATORY MEMORANDUM

This Bill seeks to establish the National Institute of Oil and Gas Technology and Entrepreneurial Studies, Egbema, Imo State, and to make comprehensive provisions for due management and administration, provide for detailed identification of areas in Oil and Gas Technology and Skills Acquisition, Entrepreneurial Studies.

