

A BILL

FOR

AN ACT TO ESTABLISH THE FEDERAL COLLEGE OF AGRICULTURE (TECHNICAL) ENUGWU-UKWU, ANAMBRA STATE, TO PROVIDE FULL TIME COURSES, TEACHING INSTRUCTION AND TRAINING IN AGRICULTURAL TECHNOLOGY, AGRICULTURE, AND CARRY OUT ITS DUE ADMINISTRATION AND MANAGEMENT FOR RELATED MATTERS, 2021

Sponsored by Hon. Dozie Ferdinand Nwankwo

[] Commencement

ENACTED by the National Assembly of the Federal republic of Nigeria as follows;

- 1 1.-(1) There is hereby established a College to be known as the Establishment
- 2 Federal College of Agriculture (Technical), Enugwu-Ukwu, Anambra State and Objects
- 3 (in this Act referred to as "the College") which shall have such powers and
- 4 exercise such functions as are conferred on it by this Act.
- 5 (2)The College shall be a body corporate with perpetual succession
- 6 and a common seal and shall have power to acquire and dispose of interests
- 7 in moveable and immovable properties and may sue and be sued in its
- 8 corporate name.
- 9 (3) The objects of the College shall be:
- 10 (a) to encourage the advancement of learning and to hold out to all
- 11 persons without distinction of race, creed, sex or political conviction, the
- 12 opportunity of acquiring higher education in technical agriculture and
- 13 agriculture;
- 14 (b) to provide detailed identification of technical and skills
- 15 acquisition needs in technical modernized agriculture equipment's and
- 16 agriculture and develop training programmes to meet those needs;
- 17 (c) to develop and offer academic and professional programmes
- 18 leading to award of Professional certificates, Ordinary National Diplomas

1 and Higher National Diplomas which emphasise planning, adaptive, technical,
2 maintenance, developmental and production skills in agriculture, agricultural
3 equipment and technics, and contribute to the scientific transformation
4 Nigeria; with the aim of producing socially mature men and women with the
5 capacity not only to understand agriculture but to be apt in the use of
6 modernized technologies in Agriculture, and also develop these modern
7 technologies;

8 (d) to acts as agents catalysts, through training, research and
9 innovation for the effective and economic utilization, exploitation and
10 conservation of Nigeria's natural, technical agricultural, economic and human
11 resources;

12 (e) to be able to use modern technologies and tools in identifying the
13 agricultural problems and needs of Nigeria and to find solutions to them within
14 the context of overall national development;

15 (f) To establish appropriate relationships with other national
16 institutions involved in production, manufacturing, training of modern
17 agricultural tools and development of technologies in the Agricultural Sector;

18 (g) to provide and promote sound basic scientific technological
19 training as a foundation for the development of Agriculture in Nigeria, taking
20 into account indigenious of learning; and human endeavour.

21 (h) to organise research relevant to training in agricultural
22 technology;

23 (i) to organise extension services and out-reach programmes for
24 technology transfer;

25 (j) to establish institutional linkages in order to foster collaboration
26 and integration of training research, and extension activities; and

27 (k) to undertake any other activity appropriate for Technical College
28 of Agriculture.

1 shall vest in the Governing Council of the College (in this Act referred as the
2 "the Council").

3 (2) Without prejudice to the generality of subsection (1) of this
4 Section, it shall be the responsibility of the Council to consider and approve:

5 (a) the plan of activities of the College;

6 (b) the programme of studies, courses, and research to be
7 undertaken by the College;

8 (c) the annual estimates of the College; and

9 (d) the investment plans of the College.

10 (3) The provisions of the 1st part of this act shall have effect with
11 respect of the Council specified herein.

12 3.-(1) The Council shall consist of a chairman and the following
13 other members, to be appointed by the Minister of Education:

Membership of
the Council

14 (a) a representative of the Federal Ministry of Education;

15 (b) a representative of the Federal Ministry of Agriculture;

16 (c) a representative of the Federal Ministry of National Board for
17 Technical Education;

18 (d) a representative of the Agricultural research Counsel of
19 Nigeria;

20 (e) a representative of the Federal Ministry of Science and
21 Technology;

22 (f) a representative of the alumni association of the College;

23 (g) two representatives of the Academic Board College;

24 (h) a representatives of the National Commission for Colleges;

25 (i) the Provost of the College.

26 4.-(1) A member of the Council (other than an ex-officio member)
27 shall hold office for a term of four years and shall be eligible for
28 reappointment for a further period of four years and no more.

Tenure of office
of Members of
the Council

29 (2) Any member of the Council other than an ex-officio member
30 may by notice to the Council resign its appointment.

Powers of the
Council

1 (3) Any vacancy occurring in the membership of the Council shall be
2 filled by the appointment of a successor who shall represent the same interest as
3 his predecessor for the remainder of the term of the predecessor.

4 5.-(1) For the carrying out of its objects as specified in Section 1 sub 3
5 of this Act, the Council shall have power to:

6 (a) hold examination and grant diplomas, professional certificates
7 and other distinctions to persons who have pursued a course of study approved
8 and accredited by the National Board for Technical Education (NBTE) and
9 have satisfied such other requirement as the Council may lay down;

10 (b) demand and receive from any student or any other person
11 attending the College for the purpose of instruction such fees as the Council
12 may, with the prior approval of the Minister, from time to time to determine;

13 (c) establish technical agricultural, agricultural and rural extension
14 services in various parts of Nigeria;

15 (d) hold public lectures and undertake printing, publishing and book
16 selling;

17 (e) provide amenities for and make such other provision for the
18 welfare of the staff of the College;

19 (f) invest the funds of the College in securities specified by law or in
20 such other securities in Nigeria as may be approved by the Minister;

21 (g) borrow money within Nigeria as may in such manner upon such
22 security as the Minister may from time to time authorise;

23 (h) enter into such contracts as may be necessary or expedient for
24 carrying into effect the objective of the College;

25 (i) recruit staff to the right calibre and determine the centre the career
26 structure of such staff;

27 (j) establish and maintain such schools, institutes, extramural
28 departments and other teaching and research units within the college as the
29 Council may from time to time, deem necessary;

1 (k) institute and award fellowships, scholarship, medals, prizes
2 and other titles;

3 (l) erect, provide, equip and maintain such educational,
4 recreational and residential facilities as the College may require from time to
5 time;

6 (m) accept gifts, legacies and donations, but without obligations to
7 accept the same for a particular purpose unless it approves the terms and
8 conditions attaching thereto;

9 (n) enter into contracts, establish trust, acts as trustee, solely or
10 jointly with any other person, and employ and act through agents; and

11 (o) do such acts and things whether or not incidental to foregoing
12 powers as may advance the objects of the College.

13 6. The functions of the College shall be:

Functions of the
College

14 (a) to provide full-time courses in teaching instruction and training
15 in;

16 (i) agriculture, agricultural technology, technology, applied
17 sciences, arts, social sciences, arts social science, humanities and
18 management; and

19 (ii) such other fields of applied learning relevant to the
20 development of needs in Nigeria.

21 (b) to conduct courses in agriculture, technical agriculture and
22 applied sciences for teachers;

23 (c) to arrange conferences, seminars and workshop relative to the
24 functions of the College; and

25 (d) to perform such other functions which, in the opinion of the
26 College may serve to promote the objectives of the College.

27 7.-(1) The Minister shall be the Visitor of the College.

The Visitor of
the College

28 (2) The Visitor shall not less than once in every five (5) years
29 conduct a visitation to the College or appoint a visitation panel to consist of
30 not less than 5 experts to conduct the visitation for:

1 (a) the purpose of evaluating the academic and administrative
2 performance of the College; or

3 (b) such other purpose as the Visitor may deem fit.

The Academic
Board of the
College

4 8. There shall be established for the College a board to be known as
5 the Academic Board which shall consist of the following members-

6 (a) the provost of the College as the Chairman;

7 (b) all heads of departments;

8 (c) the College Bursar;

9 (d) the College Librarian; and

10 (e) not more than 3 members of the academic staff other than the
11 heads of departments to be appointed by the Governing Council.

12 (2) The Academic Board shall be responsible for-

13 (a) the direction and management of academic matters of the College
14 including regulation of admission of students, the award of certificates,
15 scholarships, prizes and other academic distinction; and

16 (b) discharging of any other function which the Governing Council
17 may from time to time delegate it.

Directions

18 9. The Minister may give to the Governing Council directions of
19 general Character relating generally to matters with regard to the exercise by
20 the Council of its functions and it shall be the duty of the Governing Council to
21 comply with such directions.

The Provost
of the College

22 10.-(1) There shall be the Provost of the College (in this bill referred
23 as the Provost) who shall be appointed by the President on the recommendation
24 of the Minister.

25 (2) where a vacancy occurs in the post of the Provost, the Governing
26 Council shall advertise the vacancy in a reputable widely read newspapers in
27 Nigeria specifying the:

28 (a) qualities of the person who may apply for the post, and

29 (b) terms and condition of service applicable to the post, and
30 thereafter draw up short list of suitable candidates for considerations.

1 (3) The President shall appoint as Provost one of the candidates
2 recommended to him by the Minister.

3 (4) subject to this Act and the general control of the Council, the
4 Provost shall be the chief executive of the College and shall be charged with
5 the general responsibility for matters relating to the day-day management of
6 the College.

7 (5) The Provost:

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

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

13 11.-(1) There shall be for the College 2 Deputy Provost namely- Deputy Provost

14 (a) Deputy Provost (Academics); and

15 (b) Deputy Provost (Administration).

16 (2) The Governing Council shall appoint the Deputy Provosts from
17 among the Chief Lecturers in the College in any of the following ways that
18 is-

19 (a) from a list of 5 candidates in order of preference, submitted by
20 the Provost;

21 (b) on the recommendation of a Selection Board constituted for the
22 purpose; or

23 (c) on the nomination of the Provost.

24 (3) The Deputy Provost (Academics) shall-

25 (a) assist the Provost in the performance of his functions in
26 academic matters of the College; and

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

29 (4) The Deputy Provost (Administration) shall-

30 (a) assist the Provost in administrative matters of the College; and

1 (b) perform such other function as the Provost or the Governing
2 Council shall from time to time assign to him.

3 (5) Each of the Deputy Provosts:

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

7 (b) may be reappointed for one further period of 2 years and no more.

Register of the
College

8 12.-(1) There shall be a Registrar for the College to be appointed by
9 the Governing Council.

10 (2) The Registrar shall keep the records and conduct the
11 correspondence of the Council.

12 (3) The Registrar shall be the Secretary to-

13 (a) the Governing Council;

14 (b) the Academic Board; and

15 (c) any committee of the Governing Council.

16 (4) The Registrar may perform any duty as may be assigned to him by
17 the Governing Council or the Provost.

18 (5) The Registrar shall:

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

22 (b) may be reappointed for one further period of 2 years and no more.

23 13.-(1) There shall be for the College in addition to the Registrar, the:

24 (a) Bursar; and

25 (b) College Librarian who shall be appointed by the Governing
26 Council.

27 (2) The Bursar shall be the chief financial officer of the College and be
28 responsible to the Provost for the day-to-day administration and control of the
29 financial affairs of the College.

Bursar and
Librarian of
the College

30 (3) The College Librarian shall be responsible to the Provost for the

1 administration and control of the financial affairs of the College.

2 (4) The Bursar and the College Librarian:

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

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

8 14. A Principal Officer of the College may resign his appointment:

Resignation of
Principal Officers

9 (a) in the case of the Provost, by notice to the Visitor; and

10 (b) in any other case, by notice to the Governing Council.

11 15.-(1) The Governing Council may appoint other persons to be
12 employees of the College as they deem it fit to assist the Provost and the
13 Principal Officer in the performance of their functions.

Other Employees
of the College

14 (2) The remuneration, tenure of office and condition of service of
15 the employees of the College shall be determined by the Governing Council
16 in consultation with the Federal Civil Service Commission.

17 16. Service in the College shall be approved service for the
18 purpose of the Pension Reform Act and accordingly, officers and other
19 persons employed in the College shall be entitled to pensions, gratuity and
20 other retirement benefits as may be prescribed in their respective letters of
21 appointment.

Pension

22 17.-(1) There shall be a Selection Board for the College which shall
23 consist of-

Selection Board

24 (a) the Chairman of the Governing Council;

25 (b) the Provost of the College;

26 (c) 4 members of the Governing Council not being members of the
27 Academic Board; and

28 (d) 3 members of the Academic Board.

29 (2) The functions, procedure and other matters relating to the
30 Selection Board constituted under subsection (1) of this section shall be

1 determined from time to time by the Governing Council.

Fund of the
College

2 18.-(1) The College shall establish and maintain a fund which shall be
3 applied towards the promotion of the objective of this Bill.

4 (2) There shall be paid and credited to the fund established under
5 subsection (1) of this section-

6 (a) such sums as may from time to time be granted by the Federal
7 Government;

8 (b) all monies raised by the Governing Council by way of gifts,
9 grants-in-aid and monetary depositions; and

10 (c) all subscription, fee and charges for services rendered by the
11 College and all other sums that may accrue to the College from any source.

12 (3) The Governing Council shall submit to the Minister, through the
13 National Commission for College of Education not later than three months
14 before the end of each financial year or at such other time as he may direct an
15 estimate of its revenue and expenditure for the next succeeding financial year.

Power to accept
gifts

16 19.-(1) The College may accept gifts, money or of other property and
17 upon such terms and conditions, if any, as may be specified by the person
18 making the gifts.

19 (2) The College shall not accept any gift if the conditions attached in
20 the gifts are inconsistent with the functions of the College.

Accounts and
audit

21 20. The College shall keep proper accounts of its receipts, payment
22 assets and liabilities and shall in respect of each year cause the accounts to be
23 audited.

Annual reports

24 21. The Governing Council shall as soon as may be after the
25 expiration of each financial year, prepare and submit to the Minister a report of
26 its activities during the immediate preceding financial year and shall include in
27 the report a copy of the audited accounts of the College for that year and of the
28 auditor's report of the accounts.

Interpretation

29 22. In this bill-

30 "Chairman" means the Chairman of the Governing Council;

1 "College" means the Federal Technical College of Agriculture Enugwu-
2 Ukwu established under section (1) of this Bill;

3 "Council" means the Governing Council of the College established under
4 section 2 of this Bill;

5 "Functions" includes powers and duties;

6 "Minister" means the Minister charged with responsibility for education;

7 "Members" means a member of the Governing Council including the
8 Chairman;

9 "Provost" means the Provost of the College established under section 10 of
10 this Bill.

11 23. This Bill may be cited as the Federal Technical College of Agriculture Eungwu- Ukwu (Establishment, etc) Bill, 2021. Citation

12 SCHEDULE

13 (Section 2(3))

14 SUPPLEMENTARY PROVISION RELATING TO THE GOVERNING
15 COUNCIL ETC

16 *Terms of Service*

17 1. There may be paid to the members of the Governing Council or
18 any committee, other than ex-officio members, such remuneration and
19 allowances as may from time to time be determined by the President.

20 2. Where a vacancy occurs in respect of the membership specified
21 in section 3, it shall be filled by the appointment of a successor to hold office
22 for the remainder of the term of his predecessor in office and such successor
23 shall represent the same interest as his predecessor.

24 3. The Governing Council may act notwithstanding any vacancy
25 in its membership or any defect in the appointment of a member or the
26 absence of a member.

27 *Proceedings*

28 4.-(1) The Governing Council shall meet for the conduct of
29 business at such times, places and such days as the Chairman may appoint
30

1 but shall meet not less than once every four months.

2 (2) The Chairman may at any time and shall, at the request in writing
3 of not less than five members, convene a meeting of the Governing Council.

4 (3) At any meeting of the Council the Chairman shall preside; but in
5 his absence, members present shall elect one of their members to preside at the
6 meeting.

7 (4) Where the Governing Council desires to obtain the advice of any
8 person on any particular matter, the Council may co-opt persons who are not
9 members of the Governing Council but the person shall not be entitled to vote
10 at a meeting of the Governing Council.

11 (5) The Quorum of the Governing Council shall be one and half of the
12 total members of the Governing Council, at least one of whom shall be a
13 member appointed by the Minister.

14 (6) Decisions of the Council shall be made on approval by a simple
15 majority of members.

16 *Miscellaneous*

17 5.-(1) The fixing of the seal of the College shall be authenticated by
18 the signature of the Chairman, Provost and of some other members of the
19 Governing Council authorized generally or specially by the Governing
20 Council to act for that purpose.

21 (2) Any contract or instrument which, if made or executed by a person
22 other than a body corporate would not be required to be under seal may be made
23 executed on behalf of the College by any person generally or specially
24 authorised to act for that purpose by the Council.

25 (3) Any document purporting to be duly executed under the seal of the
26 College shall be received in evidence and shall, unless the contrary is proved
27 presumed to be so executed.

EXPLANATORY MEMORANDUM

This Bill seeks to provide for the establishment of the Federal College of Agriculture (Technical) Enugwu-Ukwu, Anambra State, to provide full time courses, teaching instructions and training in Agriculture and carry out its due Administration and Management.

THE UNIVERSITY OF CHICAGO

PHYSICS DEPARTMENT

5720 S. UNIVERSITY AVENUE

CHICAGO, ILLINOIS 60637

TEL: 773-936-3700

FAX: 773-936-3700