

A BILL

FOR

AN ACT TO ESTABLISH FEDERAL COLLEGE OF EDUCATION Omu ARAN, TO PROVIDE FULL-TIME COURSES, TEACHING, INSTRUCTION AND TRAINING IN TECHNOLOGY, APPLIED SCIENCE, ARTS, SOCIAL SCIENCES, HUMANITIES AND MANAGEMENT; AND TO PROVIDE FOR THE APPOINTMENT OF THE PROVOST AND OTHER OFFICERS OF THE COLLEGE TO CARRY OUT THE ADMINISTRATION AND THE DISCIPLINE OF STUDENTS OF THE COLLEGE AND FOR RELATED MATTERS

Sponsored by Hon. Olawuyi, Raheem Tunji

[] Commencement

ENACTED by the National Assembly of the Federal Republic of Nigeria:

1 1.-(1) There is established the Federal College of Education Omu
2 Aran (Hereinafter referred to as "the college").

Establishment
of the Federal
College of
Education Omu
Aran

3 (2) The College shall be a body corporate with perpetual
4 succession and common seal and shall have power to acquire and dispose of
5 interest in movable and immovable properties.

6 (3) The College may sue and be sued in its corporate name.

7 2.-(1) The governance and direction of the college affairs shall rest
8 in the governing council of the college (in the Bill referred to as "the
9 Council").

Governing
Council of the
College

10 (2) The Council shall have the responsibility to consider and
11 approve:

12 (a) The Programme of studies to be undertaken in the college;

13 (b) The annual estimates of the college; and

14 (c) The investment plan of the college.

15 (3) The Provision of the schedule to this Bill shall have effect with
16 respect to the council as mentioned herewith.

Membership of
the Council in
the College

- 1 3.-(1) The council of the college shall consist of:
- 2 (a) A chairman and other members to be appointed by the President;
- 3 (b) A representative of the Federal Ministry of Education;
- 4 (c) A representative of the University of which the College is
- 5 affiliated to for the purpose of moderation;
- 6 (d) Two representatives of the academic board of the College;
- 7 (e) A representative of the National Commission for the College of
- 8 Education; and
- 9 (f) The Provost of the College.

Tenure of
Members of
the College

- 10 4.-(1) A member of the council (other than the ex-officio members)
- 11 shall hold office for a term of four years and subject to the provision of
- 12 subsection (2) of this section shall be eligible for re-appointment for a further
- 13 period of four years and also move.

14 (2) The office of a member appointed under section 3 of this Bill shall

15 become vacant if:

16 (a) The member resigns from office by notice in writing under his

17 hand addressed to the Minister; or

18 (b) The Minister is satisfied that it is not in the interest of the college

19 for the person appointed to continue in office and notifies the member in

20 writing to that effect.

Functions of
the College

21 5. The functions of the college shall be:

22 (a) To provide full-time courses in teaching instruction and training:

23 (i) In technology, applied sciences, arts, social science, humanities

24 and management; and

25 (ii) In such other fields of applied learning relevant to the needs of

26 development of Nigeria.

27 (b) To conduct Courses in Education for qualified teachers;

28 (c) To arrange conference, seminars and workshops relative to the

29 functions of the college; and

30 (d) To perform such other functions as in the opinion of the council

1 may serve to promote the objective of the college.

2 6. The council of the college shall have power to:

Powers of the
Council

3 (a) Hold examinations and grant NCE, Diplomas, Professional
4 Council Certificates and other distinctions to persons who have pursued
5 course of study approved and accredited by the National Commission for
6 Colleges of Education;

7 (b) Hold examinations in Education for qualified teachers;

8 (c) Recruit staff and determine structure of such staff;

9 (d) Demand and receive from any student or any other person
10 attending the college, for the purpose of construction, such fees as the
11 council may with the prior approval of the Minister, from time to time
12 determine;

13 (e) Hold public lectures and undertake printing, publishing and
14 bookselling;

15 (f) Award fellowship, medals, prizes and other titles;

16 (g) Establish and maintain such schools and other teaching units
17 with the college or extra moral departments as the councils may from time to
18 time determine;

19 (h) Erect, provide, equip and maintain such educational
20 recreational and residential facilities as the college may require;

21 (i) Create lectureships and other academic post and offices and to
22 make appointment thereof Receive and make gifts;

23 (j) Enter into such contracts as may be necessary or expedient for
24 carrying into effect the objective of the college;

25 (k) Provide amenities for and make such other provisions for the
26 welfare of the staff and students of the college;

27 (l) Encourage and make provision for research in the college;

28 (m) Do such acts and things whether or not incidental to the
29 foregoing. It shall be the duty of the Council to advance the objects of the College.

The Visitor

1 7.-(1) The minister responsible for education shall be the visitor of the
2 college.

3 (2) The visitor shall, not less than once in every five years, conduct a
4 visitation to the college or appoint a visitation panel to consist of not less than
5 five experts to conduct the visitation:

6 (a) For the purpose of evaluating the academic and administrative
7 performance of the college; or

8 (b) For such other purpose as the visitor may deem fit.

The Academic
Board and its
functions

9 8.-(1) There shall be established for the college a board to be known as
10 the Academic Board which shall consist of the following members:

11 (a) The Provost of the college as the chairman;

12 (b) All heads of departments;

13 (c) The college bursar;

14 (d) The college Librarian; and

15 (e) Not more than three members of the Academic staff other than the
16 heads of departments to be appointed by the council.

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

18 (a) The direction and management of academic matters of the college
19 including the regulation of admission of students, the award of certificates,
20 scholarships, prizes and other academic distinction;

21 (b) Discharging any other functions which the council may from time
22 to time delegate to it.

Power of
Minister

23 9. The minister may give to the council directions of general
24 character or relating generally to matters with regard to the exercise by the
25 council of its functions and it shall be the duty of the council to comply with
26 such directions.

The Provost
of the College

27 10.-(1) There shall be a Provost for the college (hereinafter referred to
28 as "the Provost") who shall be appointed by the president on the
29 recommendation of the minister.

1 (2) Where a vacancy occurs in the post of the provost, the council
2 shall:

3 (a) Advertise the vacancy in reputable widely read newspaper in
4 Nigeria specifying:

5 (i) The qualities of the person who may apply for the post;

6 (ii) The terms and condition of service applicable to the post and
7 thereafter draw up a short list of suitable candidates for consideration of the
8 minister.

9 (3) The President shall appoint as provost one of the candidates
10 recommended by the minister.

11 (4) Subject to the general control of the council the provost shall be
12 the chief executive of the college and shall be charged with general
13 responsibility for matters relating to the day-to-day management and
14 operations of the college.

15 (5) The Provost shall hold office for a period of five years only and
16 on such terms and conditions as may be specified in his letter of
17 appointment.

18 11-(1) There shall be for the college two deputy provosts namely: Deputy Provost
19 Deputy Provost (Academic) and the Deputy Provost (Administration).

20 (2) The council shall appoint the deputy provosts from among the
21 chief lecturers in the college in any of the following ways, that is:

22 (a) From a list of five candidates in order of preference, submitted
23 by the provost;

24 (b) On the recommendation of a selection Board constituted for
25 that purpose; or

26 (c) On the nomination of the provost;

27 (3) The selection Board referred to in Sub section2 (b) of this
28 section shall:

29 (a) Consist of:

30 (i) The Chairman of the council;

1 (i) The Provost of the college;
2 (iii) Two members of the Academic board; and
3 (iv) Two members of the council not being members of the Academic
4 Board.

5 (4) (a) The Deputy Provost (Academic) shall:

6 (i) Assist the provost in the performance of his function in Academic
7 matters of the College;

8 (ii) Act as the provost when the post of the provost is vacant or if the
9 provost is for any reason, absent or unable to perform his function.

10 (b) The Deputy Provost (Administration) shall:

11 (i) Assist the provost in administrative matters of the college; and

12 (ii) Perform such other functions as the provost or the council may
13 from time to time assign to him.

14 (5) Each of the deputy provosts shall hold office for a period of two
15 years and no more.

The Registrar
and other Staff
of the College

16 **12.**-(1) There shall be a registrar for the college to be appointed by the
17 council.

18 (2) The registrar shall keep the records and conduct the
19 correspondence of the Council;

20 (3) The registrar shall be the secretary to:

21 (a) The Council;

22 (b) The Academic Board; and

23 (c) Any Committee of the council.

24 (4) The registrar may perform any duty as may be assigned to him by
25 the councillor or the Provost.

26 (5) The Registrar shall hold office for a period of five years and no
27 more.

Other Principal
Officers of the
College

28 **13.**-(1) There shall be for the college in addition to the registrar:

29 (a) The Bursar; and

30 (b) The College Librarian who shall be appointed by the council.

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

4 (3) The college Librarian shall be responsible to the provost for the
 5 administration of the college library and the coordination of the library
 6 services in the teaching units of the college.

7 (4) The Bursar and the college librarian shall each hold office for a
 8 period of five years and no more.

9 14. A principal officer of the college may resign his appointment:

10 (a) In case of the provost by notice to the visitor; and

11 (b) In any other case by notice to the council.

12 15.-(1) The council may appoint other persons to be employees of
 13 the college as the council may deem fit to assist the Provost and the Principal
 14 Officers in the performance of their functions.

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

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

23 17.-(1) There shall be a Selection Board for:

24 The college which shall consist of:

25 (a) The Chairman of the council;

26 (b) The Provost;

27 (c) Four members of the council not being members of the
 28 Academics Board; and

29 (d) Two members of the Academic Board.

30 (2) The functions, procedure and other matters relating to the

Resignation of
 appointment of
 Principal Officer

Other employees
 of the College

Pension

Selection Board
 for other Principal
 Officers

1 selection Board constituted under subsection (1) of this section shall be
2 determined from time to time by the council.

Fund of the
College

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

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

7 (a) Such sums as may from time to time be granted by the Federal
8 Government through the National Commission for Colleges of Education;

9 (b) All monies raised by the council by way of gifts, grants in aid or
10 monetary disposition; and

11 (c) All subscription, fees and charges for services rendered by the
12 council and all other sums that may accrue to the council from any Source.

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

Power to accept
gifts

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

20 (2) The College shall not accept any gift if the conditions attached to
21 the Account and gifts are inconsistent with the functions of the college.

Account and
Audit

22 20. The college shall keep proper accounts of its receipt, payments,
23 assets and liabilities and shall in respect of each year cause the account to be
24 audited.

Annual Reports

25 21. The council shall as soon as may be-after the expiration of-each
26 financial year, prepare and submit to the minister a report of its activities during
27 the immediate proceeding financial year and shall include in the report a copy if
28 the audited accounts of the college for that year and of the auditor's report of the
29 accounts.

1 22. In this Bill: Interpretation
 2 "Chairman" means the chairman of the council;
 3 "College" means the Federal College of Education Omu Aran established
 4 under section(1) of this Bill;
 5 "Council" means the Governing Council of the college established under
 6 section 2 of this Bill;
 7 "Function" includes power and duties;
 8 "Minister" means the minister charged with responsibility of education;
 9 "Member" means a member of the council including the chairman;
 10 "Provost" means the provost of the college established under section 10 of
 11 this Bill.

12 23. This Bill may be cited as the Federal College of Education, Citation
 13 Omu Aran (Establishment) Bill, 2019.

SCHEDULE

[Section 2(3).]

SUPPLEMENTARY PROVISION RELATING TO THE COUNCIL, ETC.

Terms of service

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

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

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

28 4.-(1) The Council shall meet for the conduct of business at such Proceedings
 29 times, places and on such days as the chairman may appoint but shall meet
 30 not less than once every four months.

1 (3) The chairman may at any time and shall at the request in writing of
2 not Less than six members, convene a meeting of the council.

3 (4) Where the council desires to obtain the advice of any person on
4 any particular matter, the council may co-opt persons who are not members of
5 the council but persons co-opted shall not be entitled to vote at a meeting of the
6 council.

7 (5) The Quorum of the Council shall be one half of the total members
8 of the Council, at least one of whom shall be a member appointed by the
9 President.

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

12 *Miscellaneous*

13 5.-(1) The fixing of the seal of the college shall be authenticated by the
14 signature of the chairman, Provost and of some other members of the Council
15 authorized generally or specially by the Council to act for that purpose.

16 (2) Any contract or instrument which, if made or executed by a person
17 other than a body corporate would not be required to be under seal may be made
18 executed on behalf of the college by any person generally or specially
19 authorized to act for that purpose by the council.

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

EXPLANATION NOTE

This Bill seeks to establish the Federal College of Education, Omu Aran as
institute to offer full-time courses leading to the awards of National
Certificates of Education, Diplomas etc.