

THE SENATE
FEDERAL REPUBLIC OF NIGERIA

**FEDERAL COLLEGE OF MEDICAL LABORATORY
SCIENCE BILL, 2022
(HB. 1421)**

**A BILL FOR AN ACT TO ESTABLISH THE FEDERAL COLLEGE OF MEDICAL
LABORATORY SCIENCE AND TECHNOLOGY, JOS AND TO PROVIDE FOR COURSES
LEADING TO THE AWARD OF DEGREES, DIPLOMAS AND CERTIFICATES IN
MEDICAL LABORATORY TECHNOLOGY; AND FOR RELATED MATTERS**

FIRST READING

WEDNESDAY 5TH OCTOBER, 2022

SECOND READING

TUESDAY 7TH DECEMBER, 2022

THIRD READING

TUESDAY 7TH DECEMBER, 2022

FEDERAL COLLEGE OF MEDICAL LABORATORY SCIENCE BILL, 2022



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A BILL FOR AN ACT TO ESTABLISH THE FEDERAL COLLEGE OF MEDICAL LABORATORY SCIENCE AND TECHNOLOGY, JOS AND TO PROVIDE FOR COURSES LEADING TO THE AWARD OF DEGREES, DIPLOMAS AND CERTIFICATES IN MEDICAL LABORATORY TECHNOLOGY; AND FOR RELATED MATTERS

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Commencement.

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

1. - There is hereby established a Federal College of Medical Laboratory Science and Technology (In this Act referred to as "the College") which shall have the functions and powers conferred on it by this Act.

Establishment of the College

(1) The College shall be a body corporate with perpetual succession and a common seal and may sue and be sued in its corporate name

2. - The College shall consist of: -

Constitution of the College

(a) A Governing Board

(b) An Academic Board

(c) A Body to be called Congregation

(d) A Body to be called Convocation

3. - (1) there is also established for the College the Governing Council of the Federal College of Medical Laboratory Science (In this Act referred to as "the Council").

Establishment and composition of the governing Council of the College

(2) The Council shall consist of:

(a) A Chairman who is a Fellow of Medical Laboratory Science Council of Nigeria and shall be appointed by the President.

(b) A representative of each of the following Federal Ministries:-

(i) Health

(ii) Education

(c) A representative of the Association of Medical Laboratory Scientist of Nigeria.

(d) Two persons, at least one of whom shall be a woman, selected on their personal merit based on their contribution either to the development of Medical Laboratory Science or their special interest in Medical Science education.

(e) The Provost of the College and

(f) A representative of the Academic Board of the College.

Schedule

(3) The Supplementary Provisions set out in the Schedule to this Act shall have effect with respect to the

proceedings of the Council and other matters contained therein.

4. – (1) A member of the Council (other than an ex-officio member)

Tenure Office of
Members of Council

Shall hold Office for a term of three (3) years and subject to subsection (2) of this Section shall be eligible for re-appointment for a further period of three (3) years and no more.

(2) A member of Council other than an ex-officio member may by notice address to the Council resign his appointment.

(3) The Ministry may, in writing with the approval of the President remove any member of the Council if he is satisfied that it is not in the interest of the College that the member concerned should continue in office.

(4) Member of the Council other than ex-officio member shall be paid such remuneration and allowances as may from time to time be determined by the President.

5. - The function of the College shall be to:

Functions of the
College

(a) Provide courses of instruction, training and research in:

(i) Medical Laboratory Science

(ii) Such other fields of applied learning relevant to the needs of the development of Nigeria in the areas of Medical Laboratory Science courses; and for research in the development and adaption of techniques as the Council may from time to time determine.

(b) Produce technical, professional and such other skilled

Personnel normally required for Medical Laboratory Science,

(c) Arrange Conferences, Seminars and Study groups relevant to the fields of learning specified in subsection (a) above:

(d) Perform such other functions as in the opinion of the Council

may serve to promote the objective of the College.

6. – (1) subject to the provisions of this Act, the Council shall be the Governing Body of the College and shall control the general management of the affairs of the College and in particular, the control of the property and finances; and shall also have power to do anything which in its opinion is calculated to facilitate carrying out the activities of the College and promote its best interests;

Functions of the
Council

(2) The Council may acquire and hold such movable or immovable property as may be necessary or expedient for carrying into effect the provisions of this Act and for the same purpose may sell, lease, mortgage or otherwise alienate or dispose of any property so acquired;

(3) The Council may enter into such contract as may be necessary or expedient for carrying into effect the provisions of this Act.

7. - The College shall have power to: -

Powers of the College

(a) Award Diplomas and Certificate for courses provided by it under section 5 of this Act;

(b) Enter into such contracts as may be necessary or expedient for carrying into effect the provisions of this Act;

(c) Acquire, hold, lease, sell, mortgage or otherwise alienate or dispose of any property, movable or immovable;

(d) Invest its funds in such manner and to such extent as it may think necessary or expedient;

(e) Establish and maintain a library, comprising such books, journals, records, reports and other publications and information systems as may be required for the discharge of the functions conferred on the College by this Act;

(f) Accept gifts of land, money or other property upon such terms and conditions, if any, as may be specified by the person or Organization making the gift. Provided that the College shall not accept any gifts if the terms and conditions attached there to are inconsistent with its functions under this Act;

8.-The Minister may give the Council Directives of a General Character or relating generally to matters of Policy with regard to the exercise by the Council of functions under this Act and it shall be the duty of the Council to comply with such directives.

Directives by the Minister

9. - (1) There shall be a Provost for the College (in this Act referred to as "the Provost") who shall be a Fellow of Medical Laboratory Science Council of Nigeria and shall be appointed by the Board from a list supplied to it by the Academic Board, of three persons of high academic standing, proven administrative ability and good character, and on such terms and conditions of service as stipulated in his letter of appointment.

Appointment of the Provost of the College

(2) The Provost shall be the Chief Academic and Administrative Officer of the College.

10. - A person to be appointed Provost shall possess:

Qualification for the post of Provost

(a) A Post Graduate Degree in Medical Laboratory Science with evidence of publications in the relevant fields;

(b) Appropriate professional qualifications in Medical Laboratory Science and be registered with the Medical Laboratory Science Council of Nigeria.

(c) Not less than 10 years cognate experience in the field of Medical Laboratory Science.

11. - The Provost shall be responsible for: -

Duties of the Provost

- (a) The day to day administration of the College;
- (b) The exercise of general authority over the employees of the College; and
- (c) The discipline of the students in the College

12. - The Provost shall hold office for a period of four (4) years and shall be re-appointed for a further period of four (4) years and no more.

Tenure of Office of the Provost

13. - The Provost shall hold office on such terms and conditions as may be determined by the Minister and set out in his letter of appointment.

Terms and conditions of Office of the Provost

14. - Where the post of the Provost is vacant, the Council shall: - (a) advertise the vacancy in a reputable journal and widely read newspaper in Nigeria specifying:

Vacancy of Office of Provost

(i) The qualities of a person who may apply for the position;

(ii) The terms and conditions of service applicable to the post and thereafter, draw up a short list of suitable candidates for consideration;

(b) A Joint Committee of the Council and the Academic Board consisting of:

(i) The Chairman of the Council

(ii) two members of the Council not being members of the Academic Board and not below the rank of Chief Lecturer shall be considered the candidates on the short list drawn up under subsection (a) (ii) of this section through an examination of their curriculum vitae and interaction with them and recommend to the Council qualified candidates for its consideration

15. - (1) there shall be a Registrar for the College who shall be

Registrar of The College

Responsible to the Provost for the day-to-day administration of the College and shall perform such other duties as the Council, or as the case may be, the Provost may from time to time require him to do;

(2) The Registrar shall be the Secretary to the Council, the Academic Board and any Committee of the Council and shall attend all the meetings of those bodies unless excused for good cause or reason by the Chairman of the Council;

(3) Where the Registrar is absent for a meeting of the Council, the Chairman of the Council may, after consultation with the Provost, appoint a suitable person to act as secretary for any particular meeting of the Council;

(4) The Secretary to the Council or a person appointed to act under subsection (3) of this section shall not

be entitled to vote on any question before the Council or be counted towards a quorum unless such a person is so entitled as a member of the Council.

16. – (1) a Registrar: -

Tenure of Office of
the Registrar

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

(b) May be re-appointed for one further period of four years and no more

(2) Where on the commencement of this Act, a Registrar has held office:

(a) For four (4) years or less, he shall be deemed to be serving his first term of office and may be re-appointed for a further term of four years.

(b) for more than four (4) years but less than eight (8) years, he shall complete the maximum period of eight (8) years and thereafter relinquish his position and be assigned other duties in the College;

(c) for eight(8) years or more, the Council may allow him to serve as Registrar for a further period of one year only and thereafter he shall relinquish his post and be assigned other duties in the College

17. (1) there shall be for the College two (2) Deputy Provosts who shall assist the Provost in the discharge of his functions as follows: -

Appointment of the
Deputy Provosts

i. Deputy Provost I - Administration

ii. Deputy Provost II - Academics

(2) Each Deputy Provost shall be a person of high Academic and moral standing and manifest administrative experience, and shall be appointed by the Council on the recommendation of the Provost;

(3) the Council shall appoint the Deputy Provost from among the Chief Lecturers in the College in one of the following ways:-

(a) From a list of three candidates, in order of preference, submitted by the Provost, or

(b) On the recommendation of the Selection Board constituted for the College,

(3) The Selection Board referred to in subsection (3)(b) of this section shall consist of:-

(i) The Chairman of the Council

(ii) The Provost;

(iii) Two members of the Council not being members of the Academic Board,

(iv) Two members of the Academic Board, and

(b) Make such inquires as it deems fit before making the recommendation required under subsection

(3)(b)

(4) The Deputy Provosts shall:-

(a) Assist the Provost in the performance of his functions;

(b) Act (in the case of the Deputy Provost I) in the place of the Provost when the post of the Provost is vacant or if the Provost is, for any reason, absent or unable to perform his functions as Provost; and

(c) Perform such other functions as the Provost or the Council may from time to time, assign to them;

(5) A Deputy Provost: -

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

(b) May be re-appointed for one further period of four years and no more.

18. – (1) there shall be for the College the following other Principal Officers in addition to the Registrar, that is: -

Other
Officers
of
the
College

Principal
Officers
of
the
College

(a) The Bursar;

(b) The College Librarian;

(c) The Director of Works Services;

(d) The Director of Medical and Health Services; who shall be appointed by the Council on the recommendation of the Selection Board constituted under section 17 (3)(b) of this Act.

(2) The Bursar shall be the Chief Financial Officer of the College and shall be responsible to the Provost for the day to day administration and control of the financial affairs of the College.

(3) The College Librarian shall be responsible to the Provost for the administration of the College Library and the co-ordination of the library Services in the teaching units of the College.

(4) The Director of Works Services shall be responsible to the Provost for the maintenance of the College buildings, minor works, transport and the supervision of the College's constructions projects.

(5) The Director of Medical and Health Services shall be responsible to the Provost for the supervision of the Medical and Health Services and facilities of the College.

(6)(a) The Principal Officers mentioned in subsection (1) of this section, shall hold office for a period of four (4) years in the first instance and on such terms and conditions as may be specified in his letter of appointment.

(b) May be re-appointed for a further period of four (4) years and no more.

(c) Any question as to the scope of the responsibilities of the aforesaid Officers shall be determined by the Provost.

(7) Where on the commencement of this Act, a Bursar, Librarian, Director of Works Services and Director of Medical and Health Services has held office: -

(a) For four (4) years or less, he shall be deemed to be serving his first term of office and may be re-appointed for a further term of four (4) Years

(b) For more than four (4) years but less than eight (8) years he, shall complete the maximum period of eight years (8) and thereafter relinquish his post and be assigned other duties in the College;

(c) For eight (8) years or more, he shall relinquish his post and be assigned to other duties in the College.

19. - Principal Officer may resign his appointment: -

Resignation of Appointment by Principal Officers

(a) In the case of the Provost, by notice to the Council who shall forward it to the President;

(b) In any other case, by notice to the Provost who shall forward it to the Council.

20. - (1) The Council may appoint such other persons to be employees of the College as the Council may determine to assist the Provost and the Principal Officers of the College in the performance of their functions under this Act.

Appointment of other employees of the College

(2) The power to appoint all other Staff of the College apart from the Provost and the Principal Officers shall be exercised;

(a) In the case of a Senior Staff, by the Council on the Recommendation of the Senior Staff Appointments and Promotions Committee set up under the provision of paragraph 2 (2) (a) of the Schedule to this Act;

(b) In the case of a Junior Staff, by the Provost on the Recommendation of the Junior Staff Appointments and Promotions Committee set up under paragraph 2 (2) (b) of the Schedule to this Act.

(3) The remuneration of staff of the College shall be determined by the Council with the approval of the Minister.

21 - (1) The Council may, subject to the provisions of this Act, make Staff regulations relating generally to the conditions of service of the staff of the College and without prejudice to the generality of the foregoing, such regulations may provide for:

Staff Regulations and Conditions of Service

(a) The appointment, promotion and discipline of employees of the College; and

(b) Appeals by such employees against dismissal or other disciplinary

measures, and until such regulations are made, any instrument relating to the Conditions of Service of Public Officers in the university system shall be applicable, with such modifications as may be necessary,

to employees of the College.

(c) The rates of remunerations, scales of salary, contract conditions, super-annuations arrangements and other conditions of service of members of the Academic, Administrative and Technical staff shall be determined from time to time by the Council.

(d) The Provost/CEO and other Academic staff shall retire on attainment of 65 years of age, while Non-Academic staff shall retire on attainment of 60 years of age as applicable to other Training/Research Institutions

(2) Staff regulations made under subsection (1) of this section shall not have effect until approved by the Minister and when so approved, the regulations need not be published in the gazette but the Council shall cause them to be brought to the notice of all affected persons in such manner as it may, from time to time, determine.

22 – (1) There shall be established for the College a Board to be

Establishment of
Academic Board for
the College

Known as the Academic Board which shall consist of the following members:

(a) The Provost of the College as the Chairman;

(b) The Deputy Provosts of the College,

(c) All Heads of Departments;

(d) The Librarian; and

(e) Not more than two members of the Academic Staff other than

Heads of Departments who may be appointed by the Academic Board.

(2) The Academic Board shall be responsible for:

(a) The Direction and Management of Academic matters of the College including the regulation of admission of students, the award of certificates in Medical Laboratory Science, based on agreed quota by NUC and MLSCN, scholarships, prizes and other Academic distinctions;

(b) Presenting to the Council of such periodic reports on such Academic matters as the Academic Board may think fit or as the Council may from time to time direct; and

(c) The discharge of any other functions which the Council may delegate to it.

Removal from Office

Removal of the
Provost from Office

23. Where it appears to the Council that the Provost should be removed from office, on the grounds of misconduct or conviction from a court of competent jurisdiction and or panel of inquiry if not challenge in court or inability to perform the functions of his office, the Council shall make a recommendation to that effect to the President and if the President, after making such inquiries as he considers necessary,

approves the recommendation, the President shall in writing, declare the office of the Provost vacant.

24. – (1) Where it appears to the Council that there are reasons for believing that any person employed as a member of the Academic Staff, Administrative or Technical staff of the College other than the Provost, should be removed from office on the ground of misconduct or inability to perform the functions of his office the Council shall;

Removal of Staff of
the College from
Office

(a) Give notice of those reasons to the person in question,

(b) Afford him an opportunity of making representations in person on the matter to the Council; and

(c) If he or any three members of the Council so request within the period of one month beginning with the date of the notice, make arrangements;

(i) If he is an Academic Staff, for a joint committee of the Council and the Academic Board to investigate the matter and report to the Council

(ii) For a Committee of the Council to investigate the matter, where it relates to any other member of staff of the College and report to the Council; and

(iii) For the person in question to be afforded an opportunity of appearing and making presentations before the Investigation Committee with respect to the matter. And if the Council after considering the report of the Investigating Committee, is satisfied that the person in question should be removed as aforesaid, the Council may so remove him by an instrument in writing signed on the directions of the Council.

(2) The Provost may, in the case of misconduct by a member of staff which in the opinion of the Provost is prejudicial to the interests of the College, suspend such member and any such suspension shall forthwith be reported to the Council.

(3) A member of staff may be suspended from office for good cause, or his appointment may be terminated by the Council. For the purpose of this Subsection, "good cause" means;

(a) Any physical or mental incapacity which the Council, after obtaining advice from a panel of two (2) Medical Experts constituted by the Council, considers to be such as to render the person concerned unfit for the

discharge of the functions of his office;

(b) Any physical or mental incapacity which the Council, after obtaining medical advice from a panel of two (2) Medical Experts constituted by the Council, considers to be such as to render the person concerned unfit to continue to hold his office;

(c) Conduct of a scandalous or disgraceful nature which the Council considers to be such as to render the person concerned unfit to continue to hold his office;

(d) Conduct which the Council considers to be such as to constitute failure or inability of the person concerned to discharge the functions of his Office or to comply with the terms and conditions of service.

(4) Any person suspended pursuant to subsection (2) or (3) of this

Section, shall be placed on half pay and the Council shall before the expiration of the three months after the date of such suspension considers the case against that person and come to a decision as to: -

(a) Whether to continue such person's suspension and if so on what terms (including the proportion of the emoluments to be paid to him);

(b) Whether to reinstate such person, in which case the Council shall restore his full emoluments to him with effect from the date of suspension;

(c) Whether to terminate the appointment of the person in question, in which case such a person, will not be entitled to the proportion of his emoluments withheld during the period of suspension;

(d) Whether to take such lesser disciplinary action against such person (including the restoration of such proportion of his emoluments that might have been withheld as the Council may determine, and in any case where the Council, pursuant to this section, decides to continue a person's suspension or decides to take further disciplinary action against a person, the Council shall before the expiration of a period of three months from such decision come to a final determination in respect of the case concerning any such person.

(5) It shall be the duty of the person by whom an instrument of removal is signed in pursuance of subsection (1) above to use his best endeavors to cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it relates.

(6) Nothing in the foregoing provisions of this section shall prevent the Council from making such

regulations for the discipline of other categories of staff and workers of the College as it may think fit.

Discipline

25. – (1) The Council may make rules providing for the Provost to conduct enquiries into alleged acts of misconduct (including lack of discipline) by students and such rules may make different provisions for different circumstances.

Discipline of
Students

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

(3) Subject to the provisions of this section, where it appears to the Provost that any student of the College has been guilty of misconduct, the Provost may without prejudice to any other disciplinary powers conferred on him by this Act or regulations, made hereunder direct:

(a) That the student shall not, during such period as may be specified in the Direction, participate in such activities of the College or make use of such facilities of the College as he may specify;

(b) That the activities of the students shall during such period as may be specified in the Direction, be restricted in such manner as may be so specified:

(c) That the student be suspended for such period as may be specified in the Directions: and

(d) That the student be expelled from the College.

(4) Where the post of the Provost is vacant or where the Provost refuses to apply any disciplinary measures the Council may either directly or through some other staff apply such disciplinary actions as are specified in subsection (1) of this section to any Student of the College who is considered guilty of misconduct.

(5) Where a Direction is given under subsection (3) (c) or (d) above in respect of any Student, the Student may, within a period of twenty one (21) days from the date of the letter communicating the decision to him appeal from the Direction to the Council; and where such an appeal is brought, the Council shall, after causing such inquiry to be made in the matter as the Council considers just either confirm or set aside the Direction or modify it in such manner as the Council may think fit.

(6) The fact that an appeal from a Direction is pending pursuant to subsection (5) of these sections shall not affect the operation of the Direction while the appeal is pending.

(7) The Provost may delegate his powers under this section to a Disciplinary Committee of such members of the College as he may nominate.

(8) Nothing in this section shall be construed as terminating a Student's activity (ies) at the College except on the ground of misconduct.

(9) It is hereby declared that the Direction under subsection (3) (a) of this section may be combined with

a Direction under subsection (3) (b) of this section.

(10) In all cases under this section, the decision of the Governing Council shall be final.

26-(1) The Council shall keep proper records and accounts of its activities and shall cause to be prepared not later than 1st October in each financial year an estimate of its revenue and expenditure for the ensuing financial year and when prepared the estimates shall be submitted to the Minister for approval. Financial provisions

(2) At the end of each financial year but not later than 30th June, the Council shall cause to be prepared a statement of its income and expenditure during the previous financial year. The statement referred to in subsection (2) above shall, when certified by the Provost, be audited by a Firm of Auditors appointed by the Council from a list of four (4) Firms in accordance with the guidelines supplied by the Auditor General of the Federation and shall be published in the Annual Report of the College.

27 – (1) The College shall establish and maintain a fund from which shall be defrayed all expenditure incurred by the College in the performance of its functions under this Act. Establishment of Fund for the College

(2) The funds of the College shall include;

(a) Such sums as may, from time to time, be granted to the College by the Federal Government of Nigeria;

(b) Fees charged and payable to the College by the Students

(c) Any other amount, charged or dues recoverable by the College;

(d) Revenue from time to time accruing to the College by way of Subvention, grants-in-aid, endowment or otherwise;

(e) Interest on investments; and

(f) Donations and legacies accruing to the College from

any source, for the general or special purpose of the College

28. (1) Donations of money to be applied to any particular purpose shall be placed to the credit of a Special Reserve Account approved by the Council until such time as they may be expended in fulfillment of such purpose. Donations for particular purposes

(2) The Council shall not be obliged to accept a donation for a particular purpose unless it approves of the terms and condition attached to such donation.

29. All sums of money received on account of the College shall be paid into such bank as may be approved for the credit of the College's general current or deposit account. Payment into Bank

30. The Council shall on or before 31st December in each year prepare and submit to the President through the Minister a report of its activities during the preceding financial year and shall include in the Annual Report

report, the audited accounts of the College in respect of that financial year and the Auditor's comments on the account.

Miscellaneous and supplemental

31- (1) The Council may make bye-laws relating to any matter within its competence under this Act other than matters for which provision is to be made by standing orders pursuant to paragraph (6) of the schedule to this Act.

Power to make bye-laws

(2) All such bye-laws shall be in writing and shall come into force when sealed with the seal of the Council unless some other date for their commencement is prescribed therein.

(3) Nothing in subsection (2) above shall make it obligatory for the Council to publish any of the said bye-laws in the Gazette but the Governing Council shall bring such bye-laws to the notice of all affected persons.

32 –No person shall be required to satisfy requirements as to any of the following matters, that is to say, race (including ethnic grouping), sex, of place of birth, family origin, religious or political persuasion as a condition for becoming or continuing to be a Student at the College or as a holder of any certificate of the College or any appointment or employment at the College, or a member of any Body established by virtue of this Act; and no person shall be subjected to any disadvantage or accorded any advantage in relation to the College by reference to any of the aforementioned matters. Provided that nothing in this section shall be construed as preventing the College from imposing any disability or restriction on any person(s) where such person willfully refuses or falls on grounds of religious belief to undertake any duty generally and uniformly imposed on all such person(s) or any group of them which duty, having regard to its nature and the special circumstance pertaining thereto is, in the opinion of the College, reasonably justifiable in the national interest.

Exclusion or Discrimination on Account of Race, religion e.t.c

33- (1) By virtue of this Act, all property (movable and immovable) held by or on behalf of the College shall, as from the commencement of this Act, vest in the College.

Vesting of all assets and liabilities of the dissolved Federal College of Medical Laboratory College

(2) Upon the commencement of this Act:

(a) All rights, interest, obligations and liabilities of the College existing immediately before the commencement of this Act under any contract or instrument; or at law or in equity, apart from any contract or instrument, shall, by virtue of this Act, be assigned to and vested in the College;

(b) Any such contract or instrument as is mentioned in subparagraph (a) above shall be of the force and effect against or in favor of the college and shall be enforced fully and effectively as if the College had been named therein or had been a party thereto; and

(c) The College shall be subject to all the obligations and liabilities to which the College was subject to immediately before the commencement of this Act and all other persons shall, as from the commencement of this Act, have the same rights, power and remedies against the College as they had

against the College immediately before the said commencement.

(3) If immediately before the commencement of this Act a person was a member or an employee of the College that person shall be by virtue of this Act become a member or an employee of the College.

(4) Any proceeding or cause of action pending or existing before the commencement of this Act by or against the College may be commenced continued or enforced by or against the College as it might have been against the College if this Act had not been made.

34- In this Act, unless the context otherwise requires:

Interpretation

“Academic Board” means the board established under section 22 of this Act;

“Senior Staff Appointments and Promotions Committee” means a body by that name established under paragraph 2 (2) (a) of the schedule to this Act; “Junior Staff Appointments and Promotions Committee” means a body by that name set up under paragraph 2 (2) (b) of the schedule to this Act;

“Minister” means the Federal Minister charged with responsibility for matters relating to Health;

“Registrar” means the Registrar of the College appointed under section

15 (1) of this Act;

35. This Act may be cited as the Federal College of Medical Laboratory Science Bill, 2022.

Citation

SCHEDULE

SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

1- The Council may act notwithstanding any vacancy in its membership or the absence of any member or that a person not entitled to do so take part in its proceedings.

Committees

2- (1) The Council may appoint one or more Committees to which it may delegate any of its functions.

(2) Without prejudice to the generality of sub-paragraph (1) of this schedule, the Council shall appoint the following Committees that are:

(a) The Senior Staff Appointments and Promotions Committee which shall:

(i) Consist of a Chairman and four (4) members who shall be appointed by the Council, and four (4) other members who shall be appointed by the Provost from members of the Senior Staff of the College;

(ii) be charged with the responsibility of making recommendations to the Council on the appointment and promotion of the Academic and Senior Staff of the College and have a quorum of five (5) members; and if the Chairman of the Committee is absent from any meeting of the Committee, the members present shall elect one of their members to act as

Chairman for that particular meeting;

(b) the Junior Staff Appointments and Promotions Committee which shall consist of a Chairman and four (4) other members to be appointed by the Provost and shall have the powers set out in sections 20(2) (b) of this Act.

(c) The Committee on Students' Affairs which shall consist of the following members;

i. A Chairman who shall be appointed by the Provost from among the Senior Employees of the College;

ii. One member of the Council;

iii. Two members of the Academic Staff of the College;

iv. And four (4) students of the College;

d. The Committee on Student's Affairs shall be charged with the duty of:

i. Considering any matter which relates to the welfare of Students;

ii. Any other matter referred to it by either the Council or Students of the College;

e. Any matter which the Students refer to the Council shall be referred to the Committee on Students' Affairs in the first instance.

(3) No decision of a Committee shall have effect unless same is confirmed by the Council.

Proceedings of the Council

3-(1) The Council shall meet for the conduct of business at such times as the Chairman of the Council may appoint but the meeting of the Council shall hold not less than twice in a year.

(2) The Chairman of the Council may at any time and shall at the request in writing of not less than five (5) members of the Council summon a meeting of the Council.

(3) Particulars of the business to be transacted by the Council shall be circulated to Members with the Notice of the Meeting at least two weeks before the date of the meeting.

4- (1) Where the Council desires to obtain the advice of any person on any particular matter, it may co-opt such person as a member for a meeting whether or not expressly convened for the purpose of considering the particular matter but no co-opted member shall be entitled to vote or considered as part of the Quorum.

(2) Every question put before the Council at a meeting shall be decided by a simple majority of the members present and voting.

(3) Seven members shall form a quorum at any meeting of the Council.

(4) The Chairman shall, at any Meeting of the Council, have a vote and in the case of an equality of votes, may cast a deciding vote.

5- The Council may make standing orders with respect to holding meetings, the nature of notices to be given, the proceeding there upon, the keeping of minutes of such proceedings and the custody and production for inspection of such minutes.

6-Where the Chairman of the Council is absent from a meeting of the Council, the members present shall elect one (1) of their members to act as Chairman for the purposes of that meeting.

Miscellaneous

7-Any contract or instrument which if entered into by a person not being a body corporate would not be required to be under seal may in like manner be entered into or executed on behalf of the Council by any person generally or specifically authorized by it for that purpose.

8- (1) The Common Seal of the Council shall not be used or affixed to any document except in pursuance of a resolution duly passed at a properly constituted meeting of the Council and recorded in the Minutes of such Meeting.

(2) The fixing of the Seal of the Council shall be authenticated by the signature of the Chairman of the Council and some other member authorized generally or specifically by the Council to act for that purpose.

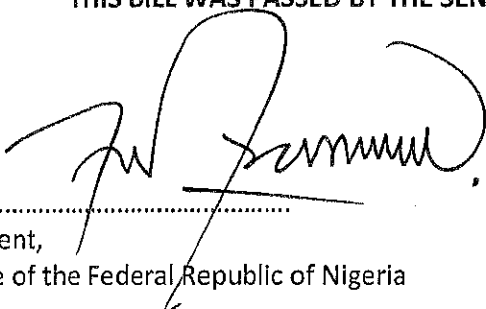
(3) Any document purporting to be a document duly executed under the Seal of the Council shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed.

9- Any member of the Council or a Committee thereof who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Council or a Committee. There of shall forthwith disclose his interest to the Council and shall not vote on any question relating to such contract or arrangement.

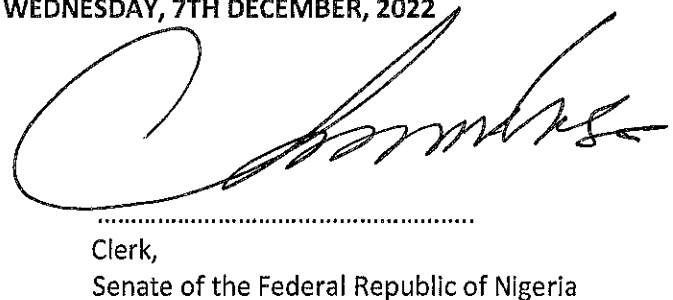
EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal College of Medical Laboratory Science, Jos, to make the Institution more effective in the discharge of its functions by strengthening the Organizational framework; and to bring its provision in conformity with current democratic principles and operations of existing Educational Institutions, and the Laws of the Federal Republic of Nigeria. The Bill also empowers the College to provide Courses of instruction leading to the Award of Degrees, Diplomas and Certificates in Medical Laboratory Science and other related courses.

THIS BILL WAS PASSED BY THE SENATE ON WEDNESDAY, 7TH DECEMBER, 2022



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President,
Senate of the Federal Republic of Nigeria



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Clerk,
Senate of the Federal Republic of Nigeria