

FEDERAL COLLEGE OF NURSING AND MIDWIFERY AHIAZU/EZINIHITE

MBAISE IMO-STATE (ESTABLISHMENT) BILL, 2021

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A BILL

FOR

AN ACT TO ESTABLISH THE FEDERAL COLLEGE OF NURSING AND
MIDWIFERY, ABIAZU/ EZINIHITTE MBAISE, IMO STATE AND FOR RELATED
MATTERS

Sponsored by Hon. Emeka Martins Chinedu

[] Commencement

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

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

2 1. There is hereby established a Federal College, to be known as
3 the Federal College of Nursing and Midwifery, Abiazu/Ezinhitte Mbaise.

Establishment

4 2. The college shall:

Corporate status

5 (a) Have the status of a tertiary institution with rights and
6 privileges; and

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

9 3. The objectives of the college shall be:

Objectives

10 (a) To provide training in General Nursing, Midwifery and other
11 specialties of Nursing, leading to the award of certificates, Diplomas and
12 other post-basic certificates;

13 (b) To provide avenues for continuing education in Nursing,
14 Midwifery and other specialties of Nursing; and

15 (c) To provide any other services that may be incidental to the
16 objectives of the college.

17 4. (1) The College shall be a teaching and examining body and
18 shall subject to the provisions of this Bill and regulations of the college, have
19 powers to:

Powers of the
College

20 (a) Provide rules and conditions under which persons may be

1 admitted as students into any particular programme offered by the college;

2 (b) Provide courses of instruction in the academic and professional
3 programmes, make provision for research and the dissemination of
4 knowledge;

5 (c) Establish departments and other such units for learning and
6 research as the objectives of the college may require;

7 (d) Create such offices and posts as the purpose of the college may
8 require and to appoint and remove persons in such offices and posts as their
9 conditions of service prescribe;

10 (e) Maintain physical infrastructure of the college;

11 (f) Provide for residence, recreational and welfare of staff and
12 students of the institution as may be needed;

13 (g) Demand from students and other persons attending the institution,
14 fees and other payments as the institution may from time to time determine;

15 (h) Prescribe rules for the discipline of students of the college;

16 (i) Conduct examinations and arrange for award of certificates to
17 persons who pursue courses of study at the college and who satisfy the
18 conditions that may from time to time be prescribed by the college;

19 (j) Subject to specific limitations imposed by extant government
20 regulations may invest any fund apportioned to the college by way of
21 endowment, whether for general or specific purposes and such monies may not
22 be immediately required for current expenditure in any investment or
23 securities;

24 (k) Print or publish works or undertake services as may be deemed
25 consistent with the objectives of the college;

26 (l) Do such other things necessary under this Act, for the attainment of
27 the objectives of the college, and;

28 (m) Carry out any general or special duties consistent with
29 government policy as the Minister for Health may give in writing;

30 (2) Without prejudice to the generality of the provisions of section 2

1 of this Bill and subsection (1) of this section, the college may by special
2 arrangement with the Nursing and Midwifery Council of Nigeria or other
3 examination bodies prepare its students for award of certificates or other
4 distinctions.

5 (3) Subject to the provisions of this Bill and any other statute, the
6 power conferred on the college by subsection (1) of this section shall be
7 exercised on behalf of the college by the governing council and committees
8 established for the college or by officers and other staff as may be authorized
9 under this Bill.

10 5.-(1) The provost shall have custody of the common seal of the
11 college and shall be responsible for affixing same to documents.

12 (2) The common seal of the college shall not be used, unless upon
13 the direction of the council and shall be authenticated by the signature of the
14 provost

15 PART II - THE GOVERNING COUNCIL

16 6.-(1) There shall be established for the college a governing
17 council, to be known as the governing council of the Federal College of
18 Nursing and Midwifery, Ahiazu/Ezinihitte Mbaise.

Functions of the
Governing Council

19 (2) The council shall consist of:

20 (a) A chairman, who shall be appointed by on a part time basis by
21 the Minister for Health on the recommendation of the Secretary of Health;

22 (b) A representative of the Secretary of Health;

23 (c) The Provost of the College;

24 (d) A representative of the Imo State chapter of the National
25 Association of Nigerian Nurses and Midwives;

26 (e) Two members to represent the interest of the public to be
27 appointed by the Minister on the recommendation of the Secretary of
28 Health;

29 (f) A representative of the Imo State treasury;

30 (g) A representative of the Imo State Judiciary;

- 1 (h) A representative of the Imo State Ministry of Education;
- 2 (i) The Director, Finance and Administration, Imo State Secretariat;
- 3 (j) The Director of Nursing, Imo State Hospital Management Board
- 4 and;
- 5 (k) The Director, Nursing Services, Imo State Secretariat, who shall
- 6 act as secretary.

Tenure of members

- 7 7.-(1) Members of the council other than ex-officio members shall
- 8 hold office for a period of four years from their date of first appointment and
- 9 shall be eligible for reappointment for only one more term.
- 10 (2) Any member of the council other than an ex-officio member, may
- 11 by notice to the council resign his appointment.
- 12 (3) Any vacancy occurring in the membership of the council shall be
- 13 filled by the appointment of a successor, who shall perform the same functions
- 14 as the predecessor.

Functions of
the Academic
Committee

- 15 8.-(1) Subject to the provisions of this Bill, the council shall:
- 16 (a) Be the governing authority of this college;
- 17 (b) Be charged with general control and superintendence of the
- 18 policies, finances and properties of the college;
- 19 (c) Make regulations for the day to day management of the college;
- 20 and
- 21 (d) Perform any other roles necessary for the attainment of the
- 22 objectives of the college.
- 23 (2) Without prejudice to the provisions of subsection (1) of this
- 24 section, the council shall:
- 25 (a) Ensure that the courses and instructions provided by the college
- 26 conform to standards laid down from time to time by the Nursing and
- 27 Midwifery Council of Nigeria;
- 28 (b) Regulate the teaching of courses offered by the college, and also
- 29 regulate the conduct of examinations with respect to the college;
- 30 (c) Approve contracts for the procurement of equipment, furniture

and properties required for the purpose of the college;

(d) Approve contracts for the maintenance of premises and other properties of the college;

(e) Formulate policies in all fields of learning provided by the college;

(f) Assess from time to time the courses offered by the college;

(g) Perform other such functions as may be necessary; and

(h) The council may delegate its functions other than the power to make regulations, to the chairman, committee or any other person or persons it may deem fit, but no decision of such committee or person shall take effect unless ratified by the council.

(3) The council may delegate any of its functions other than the power to make regulations, to the chairman or any other person, board or committee it deems fit in that regard, but no decision of such person or committee shall take effect unless ratified by council

9. The Director Nursing services of the secretariat shall be the secretary to the council, and for any particular meeting he or she may be absent, must send a representative to act in that capacity.

Secretary to the
Council

10.-(1) The secretary of health may give to the council, direction as to the discharge of its functions, with regards to matters of public interest;

(2) The council shall avail the secretary of Health, avenues for obtaining information with regards to the property of the college and the functions of the council, and shall be furnished with returns, accounts and facilities for the verification of information in such manner as may be required.

PART III- SCHOOLS, DEPARTMENTS UNITS WITHIN THE COLLEGE

11.-(1) There shall be within the college, a school of Nursing and a school of Midwifery and such other schools as the council shall with the permission of the Nursing and Midwifery Council of Nigeria establish.

(2) Each school shall provide instruction for courses, conduct

1 research and carry out functions as may be described by the council with the
2 approval of the secretary of health.

3 (3) The constitution of and other matters relating to each school may
4 be prescribed by the council with the approval of the secretary of health.

5 **12.** In furtherance of the provisions of section 4(1)(c) of this bill, the
6 council shall with the approval of the secretary of health establish for each
7 school such departments as the Nursing and Midwifery Council of Nigeria may
8 from time to time prescribe.

9 **13.** Subject to the provisions of this bill, the council may with the
10 approval of the secretary of health establish units for special purposes within
11 the college, and the name, constitution and function of such units shall be
12 prescribed by the director of the council.

13 **PART IV - PRINCIPAL OFFICERS AND STAFF OF THE COLLEGE**

14 **14.** There shall be for the college, a provost and other principal
15 officers, the designations, qualifications and functions, appointments and
16 removal of whom shall be spelt out in section 16-23 of this bill.

Principal Officers
of the College

17 **15.-(1)** The principal officers of the college shall be:

18 (a) Provost;

19 (b) The Deans of Schools in the college;

20 (c) Deputy Deans (Academic administration) of Schools in the
21 college;

22 (d) The Registrar;

23 (e) The college Librarian; and

24 (f) The Bursar.

25 (2) The principal officers of the college other than the Deans and
26 deputy Deans of schools in the college shall be appointed by the council,
27 subject to the approval of the minister through the secretary of health.

28 (3) The Deans and deputy Deans of schools shall be appointed by the
29 council.

1 16.-(1) The Provost shall be appointed from among the academic
2 staff of the college and shall be the chief executive and administrator of the
3 college and also answerable to the council for maintaining and promoting
4 discipline and efficiency in the college

Appointment of
Provost

5 (2) The provost shall hold a Degree in Nursing and shall be a
6 registered educator in Nursing, Midwifery or other specialties of Nursing
7 with no less than fifteen years of teaching experience.

8 17.-(1) The Deans of Schools in the college shall be answerable to
9 the Provost for the administration of the schools.

Dean

10 (2) The Deans of the schools in the college shall hold a Degree in
11 Nursing and shall be registered educators in specialties relevant to their
12 respective schools and with a teaching experience of not less than ten years.

13 18. The deputy Deans of schools in the college shall be assistants to
14 the Deans of their respective schools and shall perform duties assigned to
15 them by their Deans.

Deputy Dean

16 (2) The deputy Deans of the schools in the college shall hold a
17 Degree in Nursing and shall be registered educators in specialties relevant to
18 their respective schools and with a teaching experience of not less than
19 seven years.

20 19.-(1) The Registrar of the college shall be the head of
21 administration of the college and shall be answerable to the provost.

The Registrar of
the College

22 (2) The Registrar must be a graduate of humanities with at least
23 fifteen years' experience in public administration.

24 (3) The person holding the position of Registrar of the college shall
25 by virtue of the position be the secretary to the Academic Board and the
26 finance and General Purpose Committee.

27 20.-(1) The Bursar shall be the chief financial officer of the college
28 and shall be accountable to the Provost for the day to day administration of
29 financial affairs of the college.

The Bursar

30 (2) The Bursar shall be a qualified Accountant with not less than 10

	1	years' post-qualification experience.
The Librarian	2	21.-(1) The Librarian shall be accountable to the Provost for the
	3	coordination of library services in the college.
	4	(2) The Librarian shall have a Degree in Library science and a
	5	minimum of ten years' experience as librarian.
	6	22. The council may appoint such other persons to be staff of the
	7	college for justifiable reasons on such terms and conditions as may be
	8	specified.
Removal from office	9	23.-(1) The principal officers and other senior staff of the college may
	10	be removed from office by the commissioner on the basis of misconduct,
	11	incompetence or any other justifiable reason on the recommendation of the
	12	council.
	13	(2) The council shall have power to remove any junior staff of the
	14	college for justifiable reasons.
	15	PART V - ESTABLISHMENT AND FUNCTIONS OF COMMITTEES
Finance and General Purpose Committee	16	24. There shall be a committee of council known as Finance and General
	17	purpose committee.
Composition of the Committee	18	25.-(1) The finance and General Purpose Committee shall consist of:
	19	(a) The chairman of the governing council, who shall be the chairman;
	20	(b) The representative of the secretary of health;
	21	(c) The Provost;
	22	(d) The Director, Finance and administration at the secretariat;
	23	(e) The Director, Nursing services at the secretariat;
	24	(f) One member of the academic committee to be appointed by the
	25	council; and
	26	(g) The Registrar shall be the secretary of the committee.
Functions of the Committee	27	26. The Finance and General Purpose Committee shall:
	28	(a) Exercise control over property, revenue and expenditure of the
	29	college;
	30	(b) Award contracts for the execution of projects of the college; and

(c) Perform such other functions as the council may delegate to it.

27.-(1) Anybody of persons established by this bill shall, without prejudice to the generality of powers of that body shall have power to constitute committees, which need not consist exclusively of members of that body, and to authorize a committee established by it:

(a) To exercise on behalf of it, such of its function as may be determined by it;

(b) To co-opt members, and may direct the coopted members if any, shall be entitled to vote in that committee.

(2) Any two of such bodies may arrange for a joint meeting of such bodies, or for the appointment of committees consisting of members of such bodies for the purpose of considering matters within the competence of such bodies, or any of them, or either of dealing with it, or of reporting on it to those bodies or any of them.

(3) The quorum and procedure of a committee established or meeting held in pursuance of this section shall be such as may be determined by the body or bodies which have decided to establish the committee or hold the meeting.

PART VI - ACADEMIC BOARD

28. There shall be for each school of the college and Academic Board, which shall be responsible for the academic work of the school.

29. The Academic board of each school of the college shall be composed of:

(a) The Provost of the college as chairman;

(b) The Dean of the school as Deputy Chairman;

(c) The Deputy Dean of the school;

(d) All heads of Departments of the school;

(e) One academic staff not below the rank of senior lecturer, to be selected from each department of the school;

1 (f) A representative of the Director, Nursing Services at the
2 secretariat;

3 (g) The school librarian; and

4 (h) The Registrar, who shall be the secretary of the board.

5 30. Subject to the overall control of the council, the academic board of
6 each school of the college shall perform the following functions:

7 (1) Regulating and organizing the process of admissions, conduct of
8 examinations, award of certificates, and all formalities relating to the
9 registration and licensing of graduates.

10 (2) Making recommendation to the council on appointment of staff of
11 the school and the organization of departments, libraries and other units of
12 learning in the school.

13 (3) Making guidelines for the purpose of exercising any of the
14 functions conferred on it under the provisions of this section.

15 (4) Preparing curricula for the school in line with the guidelines of the
16 Nursing and Midwifery Council of Nigeria and other regulatory bodies.

17 (5) Performing such other function that may be assigned to it by the
18 council.

19 **PART VII - SUPPLEMENTARY PROVISIONS**

20 31. The supplementary provisions contained in the schedule shall
21 have effect in relation to the proceedings of the various bodies appointed under
22 the provisions of this bill.

23 32. In the absence of the council and until it is constituted for the
24 college, the functions and powers of the college under this bill may be
25 exercised by the secretary of health in consultation with the Director of
26 Nursing services at the secretariat.

27 **PART VIII - PROPERTY AND FINANCE**

28 33. The Minister for Health may by order transfer any property,
29 whether movable or immovable, to the college and from the date of such
30 transfer, any such property so transferred shall belong to the college and shall

1 be used for the purpose of the college.

2 34. The council may, subject to the provisions of this bill:

Property of the
College

3 (a) Acquire and hold such movable or immovable property as may
4 be expedient in carrying out the provisions of this Bill;

5 (b) Invest the funds of the college in such manner and to such
6 extent as it may deem necessary or expedient; and

7 (c) Enter into contractual agreement on behalf of the college;

8 35.-(1) The council shall have power to approve of expenditure of
9 over N100,000 but not exceeding N1,000,000 per unit transaction for the
10 procurement of goods, works or services and shall refer procurements
11 exceeding the amount to the secretary of health.

Expenditure of
the College

12 (2) The Provost shall approve procurement of goods and services
13 not exceeding N100,000.

14 (3) The threshold stipulated in this section may be adjusted in case
15 of:

16 (a) Subsection (1) by the secretary of health;

17 (b) Subsection (2) by the council.

18 36. The revenue of the college shall include:

Revenue of the
College

19 (a) Revenue from time to time accruing from the government by
20 way of grants, subventions, endowment or other grant -in aid;

21 (b) Fees charged by and payable in respect of students;

22 (c) Any other charges or dues recoverable by the college;

23 (d) Receipts for publications or services;

24 (e) Interests on investments;

25 (f) Donations and legacies.

26 37. Before the end of each financial year or such other time as may

Annual estimate

27 be required by the council, the director Finance and Administration or the
28 Provost shall present to the council estimate of revenue and expenditure for
29 the ensuing financial year and the accepted estimates shall be presented to
30 the Secretary, Health and Human Services who shall cause same to be

1 presented before the commissioner for approval.

Statement of
account

2 38.-(1) The college shall prepare with respect to each financial year, a
3 statement of account as may be approved by the secretary of health, and the
4 said annual statement shall be a fair and accurate statement of the financial
5 position of the college for the financial year to which it relates;

Account audit

6 (2) The said annual account shall be audited by Auditor general of the
7 state or such auditor appointed by him;

8 (3) The said audited statement of accounts, after verification by the
9 council shall together with the auditor's report be forwarded to the secretary of
10 Health, who shall tender same before the Minister;

Interpretation

11 39. In this Bill, unless the context otherwise requires, 'Academic
12 board' means the academic board established under this Bill;
13 'Chairman' means the chairman of the governing council of the college, or
14 where the context requires, chairmen of the respective committees established
15 by the college;
16 'Council' means the governing council established in section 5(1) of this bill
17 for the college;
18 'Executive committee' means the Imo State Executive committee;
19 'Commissioner' means the Minister or Imo State Commissioner for Health;
20 'Junior staff' is a reference to staff on ONHESS 1-5 or salary grade level 1-6;
21 'Members' means members of the council and includes the chairman of the
22 council;
23 'Provost' means provost of the college;
24 'Regulations' means any regulation formulated for the college by the council;
25 'Secretariat' means Health and Human Services secretariat of Imo State;
26 'Secretary' means secretary to the governing council of the college and
27 otherwise means secretary to any committee established under this Bill;
28 'Secretary of Health' means the secretary of Health and Human Services of
29 such other official as may be from time to time designated as the head of the
30 body responsible for health in Imo State;

- 1 'Senior staff' means staff on CONHESS 6-16 or salary grade level 7-17.
- 2 40. This Bill may be cited as the Federal College of Nursing and Citation
- 3 Midwifery Ahiazu/Ezinihitte Mbaise Imo State Bill, 2021.

EXPLANATORY MEMORANDUM

This Bill seeks to provide for the establishment of the Federal College of Nursing and Midwifery Ahiazu/Ezinihitte Mbaise, Imo State, to provide training in General Nursing, Midwifery and other specialties of Nursing.

