

FEDERAL COLLEGE OF NURSING AND MIDWIFERY SOBE, EDO STATE

(ESTABLISHMENT, ETC.) BILL, 2021

ARRANGEMENT OF SECTION

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A BILL

FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE FEDERAL COLLEGE
OF NURSING AND MIDWIFERY SOBE, EDO STATE; AND FOR RELATED
MATTERS

Sponsored by Hon. Julius Ihonvhere

[] Commencement

BE IT ENACTED by the National Assembly of the Republic of
Nigeria as follow:1 PART 1 - ESTABLISHMENT, POWERS AND FUNCTIONS OF THE FEDERAL
2 COLLEGE OF NURSING AND MIDWIFERY SOBE, EDO STATE3 1.-(1) There is hereby established the Federal College of Nursing
4 and Midwifery Sobe, Edo State (in this Bill referred to as "the College").Establishment
of the College

5 (2) The College shall:

6 (a) Have the status of a tertiary institution with rights and privileges
7 of such institution; and8 (b) Be a body corporate with perpetual succession and a common
9 seal with powers to sue and be sued in its corporate name.

10 2. The object of College shall be:

Object of the
College11 (a) To provide training and research in general Nursing, Midwifery
12 and other specialties of Nursing leading to the award of professional
13 Certificates, Diplomas, Degrees, and other post Basic Certificates;14 (b) To provide avenues for continuing education in nursing,
15 midwifery, and other specialties of Nursing; and16 (c) To provide such services that is necessary and incidental to the
17 object of the College.18 3.-(1) The College shall be a teaching and examining body and
19 shall be subject to the provisions of this Bill and the regulations of thePowers of the
College

20 College have powers to:



(m) Do such other acts and things necessary under this Act for the attainment of the object of the College or incidental to the powers of the College; and

(n) Carry out any special or general directive consistent with Government policy as the Minister of health may give in writing.

(2) Without prejudice to the generality of the provision of Section 2 of this Act and subsection (1) this Section, the College may, by special arrangement with the Nursing and Midwifery Council of Nigeria or other Examination bodies, prepare its students for award of certificates or other distinctions.

(3) Subject to the provisions of this Bill and of any other statute, the power conferred on the College by subsection (1) of this section shall be exercised on behalf of the College by the Council and the committees established for the College or by such officers and other staff of the College as may be authorized in that behalf and may also be exercised through schools established under this Act.

4.-(1) The provost shall have custody of the common seal of the College and shall be responsible for affixing same to documents.

(2) The common seal of the College shall not be used save upon the direction of the Council and shall be authenticated by the signature of the Provost.

PART II - GOVERNING COUNCIL OF THE COLLEGE

5.-(1) There shall be established for the College, a Government Council to be known as the Governing council of the Federal College of Nursing and Midwifery Sobe, Edo State.

(2) The Council shall consist of:

(a) A Chairman who shall be appointed on part time basis by the Minister on the recommendation of the Board;

(b) A representative of the Minister of health;

(c) The Provost of the College;

Seal of the
College

Governing Council of the College

3 (e) Two Members to represent the interest of the public to be
4 appointed by the Minister on the recommendation of the Board;
5 (f) A representative of the Ministry of Justice, Edo State;
6 (h) A representative of the Ministry of Education, Edo State;
7 (i) The Director, Finance and Administration in the Secretariat;
8 (j) The Director of Nursing in Edo State Hospitals Management
9 Board; and
10 (k) The Director, Nursing Service of the Secretariat who shall also
11 serve as the Secretary.

Tenure of
Members

12 6.-(1) Members of the council, other than ex-officio members, shall
13 hold office for a period of four years from the date of their appointment and
14 shall be eligible for re-appointment for one further term of four years and no
15 more.

16 16.-(2) Any member of the council other than an ex officio member may
17 by notice to the council resign his appointment.

18 18.-(3) Any vacancy occurring in the membership of the council shall be
19 filled by the appointment of a successor who shall represent the same interest as
20 his predecessor for the remainder of the term of the predecessor.

21 7.-(1) Subject to the provisions of this Act, the Council shall:
22 (a) Be the governing authority of the College;
23 (b) Be charged with general control and superintendence of the 2
24 policies, finances, and properties of the College;
25 (c) Make regulations for the day-to-day management of the College;
26 and
27 (d) Do any other thing necessary or incidental to attainment of 6
28 objects of the College.

29 29.-(2) Without prejudice to the provisions of subsection (1) of this
30 section, the Council shall:

Functions of
the Council

Functions of the
Academic
Committee

1 (a) Ensure that the courses and instructions provided by the 11
2 College conform to the required standard laid down from time to time by 12
3 the Nursing and Midwifery council of Nigeria;

4 (b) Regulate the teaching of courses offered by the College, and
5 also regulate the conduct of examination with respect to the College;

6 (c) Approve contracts for procurement of equipment, furniture and
7 other properties required for the purpose of the College;

8 (d) Approve contracts for maintenance of the premises and other
9 properties of the College;

10 (e) Formulate policies and initiate programmes in all fields of
11 learning conducted by the College;

12 (f) Assess from time to time the courses offered by the College; and

13 (g) Perform such other function as may be necessary.

14 (3) The council may delegate any of its functions, other than the
15 Power to make regulations, to the Chairman or any other person, Board or
16 Committee it deems it fit in that behalf, but no decision of such person or
17 Committee shall take effect unless ratified by council.

18 8. The Director, Nursing service of the secretariat shall be the
19 Secretary to the council, and for any particular meeting that he may be
20 absent, he shall send a representative to act in that behalf.

Secretary to the
Council

21 9.-(1) The Secretary of Health may give to the council directions as
22 to the discharge of its functions in relation to matters appearing to the
23 Secretary of Health to affect public interest and the Council shall give effect
24 to such directive.

25 (2) The council shall afford the Secretary of Health facilities for
26 obtaining information with respect to the property of the College and the
27 functions of the council and he shall be furnished with returns, accounts and
28 facilities for verification of the information in such manner and at such times

10. The Council. PART III - SCHOOLS, DEPARTMENTS AND UNITS WITHIN THE COLLEGE

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 Ministry of Health may establish with the approval of the Nursing and Midwifery Council of Nigeria.

12. (2) Each school shall provide instruction for courses, conduct research, and carry out such functions as may be prescribed by the council with the approval of the Minister of Health.

13. (3) The constitution of and other matters relating to each school may be prescribed by the council with the approval of the Minister of Health.

14. (1) In furtherance of the provisions of Section 3(1)(c) of this Act, the council shall with the approval of the secretary of Health establish for each school such department as the Nursing and Midwifery Council of Nigeria may from time to time prescribe.

15. (2) Subject to the provision to this Act, the council may with the approval of the Minister of Health establish units for special purposes within the College; and the name, constitution, and functions of any such units may be prescribed by director of the Council.

16. PART IV - PRINCIPAL OFFICERS AND STAFF OF THE COLLEGE

17. (1) There shall be for the College a provost and other principal officers, the designations, qualifications, functions, appointments, and removal of whom shall be as spelt out in section 15 to 22 of this Act.

Principal Officers of the College

18. (1) The Principal Officers of the College shall include:

19. (a) The Deans of the Schools in the College;

20. (b) The Deputy Deans (Academics and Administration) of the schools in the College;

21. (c) The Registrar;

22. (d) The College Librarian; and

23. (e) The Bursar.

24. (2) The principal officers of the College other than Deans and Deputy

25. Directors of Schools.

1 approval of the Minister of Health.

2 ~~15.-(1) The~~ Deans and the Deputy Deans of schools shall be appointed
3 by the Council.

4 15.-(1) The Provost shall be appointed from amongst the Principal
5 Officers and Staff of the College academic staff of the College and shall be

Appointment of
Provost

6 the Chief Executive and Administrator of the College and also be
7 responsible to the council for maintaining and promoting efficiency and
8 discipline in the College.

9 (2) The Provost shall hold a higher degree in Nursing and shall be a
10 registered Educator in Nursing, Midwifery or other specialty areas of
11 Nursing with not less than fifteen years of teaching experience.

12 16.-(1) The Deans of schools in the College shall be responsible to
13 the Provost for the administration of the schools.

Deans

14 (2) The Deans of schools in the College shall hold degrees in
15 Nursing and shall be registered Educators in the Nursing specialty related
16 to their respective schools and with not less than ten years of teaching
17 experience.

18 17.-(1) The Deputy Deans of schools in the College shall be the
19 assistants to the Deans of their respective schools and shall perform such
20 duties as may be assigned to them by the Deans.

Deputy Deans

21 (2) The Deputy Deans of schools in the College shall hold degrees
22 in Nursing and shall be Registered Educators in the Nursing specialty
23 related to their respective schools with not less than seven years teaching
24 experience.

25 18.-(1) The Registrar of the College shall be the head of
26 administration of the College shall be responsible to the provost.

The Registrar
of the College

27 (2) The Registrar shall be an experienced graduate of humanities
28 with not less than fifteen years' experience in public Administration

29 (3) The person holding the office of the Registrar of the College

The Bursar of
the College

1 (1) The Registrar shall
 2 1 Finance and General-Purpose Committee.
 3 The Finance and
 4 19.-(1) The Bursar shall be the Chief Financial officer of the College
 5 and shall be responsible to the provost for the day-to-day administration of the
 6 financial affairs of the College.
 7 (2) The Bursar shall be a qualified Accountant with not less than ten
 8 years post qualification experience.

The Librarian
of the College

9 20.-(1) The Librarian shall be responsible to the provost for the co-
 10 ordination of Library services in College.
 11 (2) The Librarian shall have a degree in library sciences with not less
 12 than ten years post qualification experience as a Librarian.

13 21. The Council may appoint such other persons to be staff of the
 14 College as it may deem fit on such terms and conditions as maybe specified in
 15 their instructions of appointment.

Removal from
Office

16 22.-(1) The Principal officers and other Senior Staff of the College
 17 may be removed from office by the Minister for misconduct,
 18 incompetence, or any other justifiable reason on the recommendation of the
 19 council.
 20 (2) The Council shall have power to remove any junior staff of the
 21 College for justifiable reasons.

Finance and
General Purpose

PART V - ESTABLISHMENT AND FUNCTIONS OF COMMITTEES

22 23. There shall be a committee of the council to known as the Finance
 23 and General-Purpose Committee.

Composition of
the Committee

24 24.-(1) The Finance and General-Purpose Committee shall consist of:
 25 (a) The chairman of the Governing Council who shall be the
 26 chairman;
 27 (b) The representative of the Minister of Health;
 28 (c) The Provost of the College;
 29 (d) The Director of finance and administration in the Ministry;
 29 (e) The Director of nursing services in the Ministry.

Council, and

(2) The Registrar shall be Secretary of the Committee.

25. The Finance and General-Purpose committee shall:

(a) Exercise control over property, revenue and expenditure of the

College:

(b) Award contracts for the execution of projects of the College;

and

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

26.-(1) Any body of persons established by this Act shall, without prejudice to the generality of the powers of that body, 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 its behalf, such of its function as it may determine; and

(b) To co-opt members, and may direct whether or not co-opted members if any, shall be entitled to vote in that committee.

(2) Any two or more such bodies may arrange for the holding of 5 joint meetings of those bodies or for the appointment of committees consisting of members of those bodies for the purpose of considering any matter within the competence of those bodies or any of them and 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

27. There shall be for each school of the College an Academic Board which shall be responsible for the academic work of the school.

C Academic Board

composed of:

3. (a) The Provost of the College, as Chairman;
4. (b) The Dean of the School, as Deputy Chairman;
5. (c) The Deputy of Dean of the school;
6. (d) All Heads of Department of the schools;
7. (e) One academic staff not below the rank of senior lecturer to be selected from each of the Department of the school;
8. (f) A representative of the Director, Nursing Service in the Ministry of Health;
9. (g) The school Librarian; and
10. (i) The Registrar who shall be the secretary of the Board.

13. **29. Subject to the overall control and direction of the council, the Academic Board of each school of the College shall perform the following functions:**

16. (1) Regulating and organizing the process of admission, conduct of examinations, award of certificates and all formalities relating to the registration and licensing of graduates.
19. (2) Making recommendation to the Council on appointment of academic staff of the school and on the organization of departments, libraries and other units of learning and research in the school.
22. (3) Making guidelines for the purpose of exercising any of the functions conferred on it under the provisions of this section.
24. (4) Preparing curriculum for the school in line with guidelines from the Nursing and Midwifery Council of Nigeria and or other regulatory bodies.
26. (5) Performing such other functions that may be assigned to it by the Council.

28. **PART VII - SUPPLEMENTARY PROVISIONS**

29. **30. The supplementary provision contained in the schedule shall 7 have effect in relation to the proceeding of the various bodies appointed 8 under**

1 the provision of this Act.

2 C 2196 Federal College of Nursing and Midwifery, Sobe, Edo State Bill, 2021

3 31. In the absence of the council and until it is constituted for the
 4 10 College, the functions and powers of the council under this Act may be 11.
 5 exercised by the Minister of health in consultation with the Director of 12
 Nursing Services in the Ministry of Health.

6 **PART VIII - PROPERTY AND FINANCE**

7 32. The Government of Edo State may, by order transfer any
 8 property whether movable or immovable to the College and from the date of
 9 such order, any property so transferred shall vest in the College and shall be
 10 used for the purpose of the College.

Transfer of
Property

11 33. The Council may, subject to the provisions of this Act:

12 (a) Acquire and hold such movable or immovable property as may
 13 be necessary or expedient for carrying into effect the provisions of this Act;

14 (b) Invest the funds of the College in such manner and to such
 15 extent as it may deem necessary or expedient; and

16 (c) Enter into contractual agreement on behalf of the College;

17 34.-(1) the council shall have power to approve expenditure of over
 18 N100,000.00 but not exceeding N1,000,000.00 per unit transaction for the
 19 procurement of goods, works and services and shall refer procurements
 20 exceeding the amount to the Minister of Health.

21 (2) The Provost shall approve procurement of works, goods and
 22 services not exceeding N100,000.00.

23 (3) The threshold mentioned in this section may be adjusted, in the
 24 case of:

25 (a) Subsection (1), by the Minister of Health; and

26 (b) Subsection (2), by the Council.

27 35. The revenue of the College shall include:

28 (a) Revenue from time to time accruing to the College by way of 2
 29 Government grant, subvention or endowment or other forms of grant-in aid;

30 (b) Fees charges by and payable in respect of students;

Property of
the College

Expenditure of
the College

Revenue of the
College

1 (c) Any other amounts charges or dues recoverable by the College;

2 (d) Receipts for publications or services;

3 (e) Interest on investments;

4 (f) Donations and Legacies.

Annual Estimate 5 36. Before the end of each financial year or at such other time as may
6 be required by the council, the Director, Finance and Administration or the
7 Provost shall present to the Council, an estimate of revenue and expenditure for
8 the ensuing financial year and the accepted estimates shall be presented to the
9 Minister of Health.

Statement of 10 37.-(1) The College shall prepare in respect of each financial year a
Account 11 statement of account in such form as may be approved by the Minister of
12 Health and the said annual statement of account shall be a fair and accurate
13 statement of the financial position of the College for the financial year to which
14 it relates.

15 (2) The said annual statement of accounts shall be audited by the
16 Auditor-General of the State or by such competent auditor appointed by him.

17 (3) The said audited statement of accounts, after verification by the
18 Council shall together with the auditor's report be forwarded to the Minister of
19 Health.

Interpretation 20 38. In this Act unless the context otherwise requires:

21 "Academic Board" means the Academic Board established under this Act;

22 "Chairman" means the Chairman of the Governing Council of the College or
23 where the context requires Chairman of the respective committees established
24 under this Act;

25 "College" means the Federal College of Nursing and Midwifery Sobe, Edo
26 State;

27 "Council" means the Governing Council established under section 4(1) of this
28 Act for the College;

29 "Executive Committee" means the Edo State Executive Committee;

30 "Minister" means the Minister of the Edo State.

1 "Junior staff" is a reference to staff on CONHESS 01-05 or salary Grade
2 levels 01-06;
3 "Members" means members of the Council and includes the Chairman of
4 the Council;
5 "Provost" means the Provost of the College;
6 "Regulations" means any regulation formulated for the College by the
7 council;
8 "Secretary" means the Secretary to the council of the College and otherwise
9 means the Secretary of any Committees established under this Act;
10 "Secretary of Health" means the Secretary of Health and Human Services or
11 such other official as may be from time-to-time designation as head of the
12 body responsible for Health service under Edo State;
13 "Senior staff" is a reference to staff on CONHESS 06-16 or salary Grade
14 Levels 07-17.

15 39. This Bill may be cited as the Federal College of Nursing and Short title
16 Midwifery Sobe, Edo State Bill, 2021.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal College of Nursing and Midwifery Sobe, Edo State, to among other things provide full-time courses, teaching, instruction and training in General Nursing, Midwifery and other specialties of Nursing, and to carry out research in the development and adaption of techniques; and also make provision for the appointment of a Provost and the officials of the College to carry out the administration and the discipline of students of the College.

