

## FEDERAL COLLEGE OF NURSING AND MIDWIFERY SOBE, EDO STATE

## (ESTABLISHMENT, ETC.) BILL, 2021

## ARRANGEMENT OF SECTION

*Section:*

## PART I - ESTABLISHMENT, OBJECTS, POWERS, FUNCTIONS ETC.

## OF THE COLLEGE

1. Establishment of the Federal College of Nursing and Midwifery
2. Objects of the College
3. Powers of the College

## PART II - GOVERNING COUNCIL OF THE COLLEGE

4. Tenure of Members
5. Functions of the Council
6. Functions of the Academic Committee
7. Secretary to the Council

## PART III - SCHOOLS, DEPARTMENTS AND UNITS WITHIN THE COLLEGE

8. School of Nursing
9. School of Midwifery
10. Units with the School

## PART IV - PRINCIPAL OFFICERS AND STAFF OF THE COLLEGE

11. Appointment of Provost
12. The Dean of the College
13. The Deputy Den of the College
14. The Registrar of the College
15. The Bursar of the College
16. The Librarian of the College
17. Removal and discipline of Academic, Administrative and Professional Staff

## PART V - ESTABLISHMENT AND FUNCTIONS OF COMMITTEES

18. Composition of the Committee
19. Functions of the Committee

PART VI - ACADEMIC BOARD

20. Composition of the Academic Board
21. Functions of the Academic Board

PART VII - SUPPLEMENTARY PROVISIONS

22. Transfer of Property to the College.
23. Property of the College
24. Expenditure of the College
25. Revenue of the College
26. Annual Estimate
27. Statement of Account
28. Account Audit
29. Interpretation.
30. Short Title

# 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 Ihonvbere*

[ ] 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 STATE

3 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; and

8 (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  
College

11 (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; and

16 (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 the

Powers of the  
College

20 College have powers to:



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

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

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

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

17 4.-(1) The provost shall have custody of the common seal of the  
18 College and shall be responsible for affixing same to documents.

Seal of the  
College

19 (2) The common seal of the College shall not be used save upon the  
20 4 direction of the Council and shall be authenticated by the signature of the  
21 Provost.

## 22 PART II - GOVERNING COUNCIL OF THE COLLEGE

23 5.-(1) There shall be establish for the College, a Government  
24 Council to be known as the Governing council of the Federal College of 9  
25 Nursing and Midwifery Sobe, Edo State.

Governing  
Council of the  
College

26 (2) The Council shall consist of:

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

29 (b) A representative of the Minister of health;

30 (c) The Provost of the College;

2 of Nigeria Nurses and Midwives;

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

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

Functions of  
the Council

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.

Functions of the  
Academic  
Committee

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

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

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

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

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

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

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

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

(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 it fit in that behalf, but no decision of such person or Committee shall take effect unless ratified by council.

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

Secretary to the  
Council

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

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

PART III - SCHOOLS, DEPARTMENTS AND UNITS WITHIN THE COLLEGE

Units within  
the College

10.-(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 with the approval of the Nursing and Midwifery Council of Nigeria establish.

(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.

(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

11. 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.

12. 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.

PART IV - PRINCIPAL OFFICERS AND STAFF OF THE COLLEGE

13. 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

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

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

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

(c) The Registrar;

(d) The College Librarian; and

(e) The Bursar.

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



1 approval of the Minister of Health.

2 *Federal College of Nursing and Midwifery, Sobe, Edo State Bill, 2021* 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  
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.

Appointment of  
Provost

9 (2) The Provost shall hold a higher degree in Nursing and shall be a  
10 5 registered Educator in Nursing, Midwifery or other specialty areas of 6  
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 9 the Provost for the administration of the schools.

Deans

14 (2) The Deans of schools in the College shall hold degrees in 11  
15 Nursing and shall be registered Educators in the Nursing specialty related 12  
16 to their respective schools and with not less than ten years of teaching 13  
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

1 The Regional  
2 Finance and General-Purpose Committee.

The Bursar of  
the College

3 19.-(1) The Bursar shall be the Chief Financial officer of the College  
4 and shall be responsible to the provost for the day-to-day administration of the  
5 financial affairs of the College.

6 (2) The Bursar shall be a qualified Accountant with not less than ten  
7 years post qualification experience.

The Librarian  
of the College

8 20.-(1) The Librarian shall be responsible to the provost for the co-  
9 ordination of Library services in College.

10 (2) The Librarian shall have a degree in library sciences with not less  
11 than ten years post qualification experience as a Librarian.

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

Removal from  
Office

15 22.-(1) The Principal officers and other Senior Staff of the College  
16 may be removed from office by the Minister for misconduct,  
17 incompetence, or any other justifiable reason on the recommendation of the  
18 council.

19 (2) The Council shall have power to remove any junior staff of the  
20 College for justifiable reasons.

#### 21 PART V - ESTABLISHMENT AND FUNCTIONS OF COMMITTEES

Finance and  
General Purpose

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;

(e) The Director of nursing services in the Ministry;

1  
2 Council; and

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

4 25. The Finance and General-Purpose committee shall:

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

Functions of the  
Committee

6 College;

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

8 and

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

10 26.-(1) Any body of persons established by this Act shall, without  
11 prejudice to the generality of the powers of that body, have power to  
12 constitute committees, which need not consist exclusively of members of  
13 that body, and to authorize a committee established by it;

14 (a) To exercise, on its behalf, such of its function as it may  
15 determine; and

16 (b) To co-opt members, and may direct whether or not co-opted 3  
17 members if any, shall be entitle to vote in that committee.

18 (2) Any two or more such bodies may arrange for the holding of 5  
19 joint meetings of those bodies or for the appointment of committees  
20 consisting of members of those bodies for the purpose of considering any  
21 matter within the competence of those bodies or any of them and either of  
22 dealing with it or of reporting on it to those bodies or any of them.

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

27 PART VI - ACADEMIC BOARD

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

Academic Board

composed of:

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

(b) The Dean of the School, as Deputy Chairman;

(c) The Deputy of Dean of the school;

(d) All Heads of Department of the schools;

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

(f) A representative of the Director, Nursing Service in the Ministry of Health;

(g) The school Librarian; and

(i) The Registrar who shall be the secretary of the Board.

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:

(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.

(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.

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

(4) Preparing curriculum for the school in line with guidelines from the Nursing and Midwifery Council of Nigeria and or other regulatory bodies.

(5) Performing such other functions that may be assigned to it by the Council.

#### PART VII - SUPPLEMENTARY PROVISIONS

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

1 the provision of this Act.

C 2196 *Federal College of Nursing and Midwifery, Sobe, Edo State Bill, 2021*  
2 31. In the absence of the council and until it is constituted for the

3 10 College, the functions and powers of the council under this Act may be 11  
4 exercised by the Minister of health in consultation with the Director of 12  
5 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:

Property of the  
College

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.

Expenditure of  
the College

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:

Revenue of the  
College

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;

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  
Account

10 37.-(1) The College shall prepare in respect of each financial year a  
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 is 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 Health

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.

