

A BILL

FOR

AN ACT TO AMEND THE PETROLEUM TRAINING INSTITUTE, EFFURUN ACT 2004, CAP P16 LAWS OF THE FEDERATION OF NIGERIA AND FOR RELATED MATTERS, 2021

Sponsored by Hon. Obeuakpefe Anthony Afe

[] Commencement

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

- 1 1. The Petroleum Training Institute, Effurun, Act. No. 37, Amendment of
2 hereinafter referred to as the "Principal Act", is amended as follows: the Principal Act
- 3 2. Section 1(2) of the principal Act is hereby amended by deleting Amendment of
4 item "C" of the subparagraph. Section 1
- 5 3. Section 1(2) of the principal Act is hereby further amended by
6 the introduction of the following new paragraphs thus:
- 7 (c) Provide certifications for workers in oil and gas in Nigeria in
8 such skills normally required for Oil and Gas production value chain and
9 sustainable energy;
- 10 (d) Promote and actively participate in all research and
11 development initiatives by the operators in the petroleum and allied
12 industries;
- 13 (e) Attract and maintain conducive learning and research
14 atmosphere to sustain the pull on seminal intellectuals for the institution to
15 provide cutting edge solutions required in the petroleum and allied
16 industries;
- 17 (f) Provide training for personnel competencies, skills and
18 expertise requirements for work operations in the petroleum and allied
19 industry;
- 20 (g) Provide training requisite that may be appropriate for

1 standardization of competencies, skills and expertise for required personnel in
2 the petroleum and allied industry;

3 (h) Develop and add to industry knowledge through mandatory
4 internship placements for students of the institute;

5 (h) Serve as the principal centre for the periodic certification of
6 workers in the Oil and Gas Industry in Nigeria in such skills normally required
7 for Oil and Gas production value chain and sustainable energy;

8 (j) Perform such other functions as in the opinion of the Council may
9 serve to promote the objectives of the institute, including without prejudice to
10 the generality of the foregoing, the making of such regulations as may be
11 necessary for entry into and type of courses approved by the Institute, the
12 duration of such courses and their academic standards, and the recognized
13 equivalents of such certificates and diplomas that the Institute may award.

14 4. Section 2 of the principal Act is hereby amended by deleting
15 paragraphs (b);

16 (h) except paragraph (c) thereof and substituting therefor the
17 following new paragraphs:

18 (b) one person appointed by the Permanent Secretary to represent the
19 Ministry of Petroleum Resources;

20 (d) one person appointed by the Permanent Secretary to represent the
21 Ministry of Education from the Technical Education Department;

22 (e) The Chief Executive and Principal of the Institute;

23 (f) one person appointed by the Group Managing Director to
24 represent Nigeria National Petroleum Corporation (NNPC);

25 (g) one person representing the following professional organisations
26 on a rotational basis for a period not more than two terms of three years each at a
27 time - Nigerian Mining and Geosciences Society (NMGS), and Nigerian
28 Society of Engineers (NSE);

29 (h) one person nominated by chairman of Oil Producers Trade Section
30 OPTS of the Lagos Chambers of Commerce;

Amendment of
Section 2

1 (i) one person drawn from the Petroleum Technology
2 Development Funds;

3 (j) one person to represent the Nigerian Content Development and
4 Monitoring Board NCDMB;

5 (K) one person to represent the Institute Alumni.

6 5. Section 4 of the principal Act is amended by the introduction of
7 a new subsection (4) as follows:

Amendment of
Section 4

8 (4) "Any official of a relevant ministry or department of
9 government of the Federation or the Institute, whose duty it is to ensure that
10 the deductions referred to in section 10 of this Act is promptly paid into the
11 account of the Institute, knowingly or negligently fails to perform his duties
12 resulting in default in the prompt release of accrued funds to the Institute as
13 and when due, shall be guilty of a felony and on conviction be liable to a
14 three year prison term without option of fine".

15 6. Section 4 of the principal Act is further amended by the
16 introduction of a new subsection (5) thus:

17 "Any person saddled with supervision and or certification of the
18 quality and integrity of any project under construction or embarked upon by
19 a contractor engaged by or for the Institute, who either by omission or
20 commission, certifies a project (whether at intermediate or completion
21 stage), as meeting the architectural, building, construction or engineering
22 standards or any other standard required of such project, but which project
23 however does not meet the required architectural, building, construction or
24 engineering standards or any other standard of quality and integrity required
25 for such specific project; or which project upon completion fails in part or in
26 whole within a period of five years or such number of years normally
27 required in the trade or industry for such project to last, or specified in the
28 contract award for such project, shall be guilty of a felony and liable on
29 conviction to six months imprisonment without option of fine.

Amendment of
Section 8

1 7. Section 8 of the principal act is hereby deleted and replaced with the
2 following new section thus:

3 8(1) Subject to the provisions of this section, where it appears to the
4 principal of the institute that a student has been guilty of misconduct, the
5 principal may, in consultation with the academic board, and without prejudice
6 to any other disciplinary power conferred on him by statute or regulations,
7 direct as follows:

8 (a) the student shall not during the period as may be specified in the
9 direction, participate in such activities of the institute, or use any facility of the
10 institute as may be specified; or

11 (b) the activities of the student shall, during such period as may be
12 specified in the direction restricted in such manner as may be specified in the
13 direction, or

14 (c) the student be rusticated for such period of time as may be
15 specified in the direction, or

16 (d) the student be expelled from the institute.

17 (2) Where a direction is given under subsection 1 (c) or (d) of this
18 section, the student concerned may within the period and in the prescribed
19 manner appeal to the council, and the council upon receipt of such appeal shall
20 cause an enquiry to be made on the subject matter, and may set aside, confirm
21 or vary the order as it sees fit based on the facts presented for review.

22 (3) The fact that an appeal is brought in pursuance of subsection 2 of
23 this section shall not affect the operation of the direction while the appeal is still
24 pending.

25 (4) The principal may delegate his powers under this section to a
26 Disciplinary Committee consisting of members of the institute as he may
27 nominate.

28 (5) Nothing in this section shall be construed as extinguishing the
29 power to terminate or restrict the activities of a student at the institute other than
30 on grounds of misconduct.

1 (6) Without prejudice to the provision of subsection (1) of this
2 section, nothing shall prevent the principal from taking immediate
3 disciplinary action against a student as he adjudges appropriate, and report
4 thereafter to the board of the institute.

5 (7) It is hereby declared that a direction under subsection (1)(a) of
6 this section may be combined with a direction under subsection (1)(b) of the
7 same section.

8 (8) No student or staff shall resort to a court of law without proof of
9 having exhausted the internal integral mechanism prescribed for resolving
10 dispute, grievances, and or seeking redress.

11 8. Section 10 of the principal Act is hereby amended by the
12 insertion of the following paragraphs:

Amendment of
Section 10

13 (f) The Nigerian National Petroleum Corporation (NNPC) shall
14 have the responsibility for funding research, training and facility building
15 and upgrading in the institute similar to the responsibility of the Federal
16 Ministry of Education in conventional tertiary institutions/ universities;

17 (g) Oil and Gas companies in public sector shall domicile not less
18 than 25 percentages of all their training funds in the Institute in line with the
19 local content obligations enshrined in the Nigerian Oil and Gas Industry
20 Content Development Act (NCDNB);

21 (h) NOCs shall domicile not less than 15% of training funds, while
22 IOCs shall domicile not less than 10% of training funds in the institute:

23 PROVIDED that any accrued fund, deductibles or monies due to
24 the Institute but which remain unremitted for two quarters, shall be
25 recoverable as a liquidated debt by the management of the Institute;
26 anybody of persons having interest in the Institute or any civil society
27 organization on behalf of the Institute, at no cost to the Institute by the body
28 of persons or civil society organization, through an action in the Federal
29 High Court in the name of the Institute.

Amendment of
Schedule 1 9. The schedule to section 2(3) of the principal act is hereby amended
2 by the deleting of the word "Four" appearing in the first sentence immediately
3 before the word "members" in paragraph 6(2) and replacing it with the word"
4 Six.

Interpretation 5 10. In this Act the following words shall have the meaning assigned
6 to them:
7 "Council" means the governing Council of the Institute established by the
8 principal Act or as amended by this Act;
9 "Group Managing Director" means the Group Managing Director of Nigeria
10 National Petroleum Corporation (NNPC);
11 "IOCs" means International Oil Companies;
12 "Oil and Gas companies" refers to Oil and Gas companies operating in Nigeria
13 whether onshore or offshore;
14 "NOCs" means National Oil Companies;
15 "Principal" shall have the same meaning assigned to it in the principal Act;
16 "Permanent Secretary" means the Permanent Secretary in the Ministry of
17 Petroleum Resources.

Citation 18 11. This Bill may be cited as the Petroleum Training Institute
19 (Amendment) Bill, 2021.

EXPLANATORY NOTES

This Bill seeks to amend the Petroleum Training Institute Act to expand the scope of study and give more powers and responsibilities to the Institute.