

A BILL

FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE FEDERAL COLLEGE OF NURSING, MIDWIFERY AND HEALTH SCIENCES AT ISIALA-MBANO IN IMO STATE AND FOR RELATED MATTERS

Sponsored by Hon. Miriam Onuoha

[] Commencement

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

PART I - ESTABLISHMENT

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1.-(1) There is hereby established a Federal College of Nursing, Midwifery and Health Sciences at Isiala-Mbano in Imo State.

Establishment of the Federal College of Nursing, Midwifery and Health Sciences

(2) The College shall:

(a) have the status of a tertiary institution with rights and privileges of such institutions; and

(b) be a body corporate with perpetual succession and a common seal with powers to sue and be sued in its corporate name.

2. The objects of the College shall be:

Objects of the College

(a) To provide training and research in Nursing, Midwifery, Health Sciences and other specialities of Nursing leading to the award of Professional Certificate, Diplomas and other post Basic Certificates;

(b) To provide avenues for continuing education in Nursing, Midwifery, Health Sciences and other related specialities of Nursing; and

(c) To provide such services that are necessary and incidental to the objects of the College.

3.-(1) The College shall be a teaching and examining body and shall, subject to the provisions of the Act and the regulations of the College have powers to:

Functions and powers of the College

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

- 1 admitted as students for any particular course of study provided by the College;
- 2 (b) Make provisions for research and the dissemination of
3 knowledge;
- 4 (c) Establish Departments and such other units of learning and
5 research as the purpose of the College may require;
- 6 (d) Create such offices and posts as the purpose of the College may
7 require and to appoint persons to and remove persons from such offices or posts
8 and prescribe their conditions of service;
- 9 (e) Maintain libraries, laboratories, workshops, lecture halls, hostels,
10 dining halls, sports field and other buildings of facilities of the College;
- 11 (f) Provide for residence, recreation and welfare of member of staff
12 and students of the College as may be deemed necessary;
- 13 (g) Demand and receive students and other persons attending the
14 College for the purpose of instruction such fees as the College may from time to
15 time determine;
- 16 (h) Prescribe rules for the discipline of students of the College;
- 17 (i) Conduct examinations and arrange for award of certificates and
18 distinctions to persons who pursue courses of studies approved by the College
19 and who satisfy such other requirements as may from time to time be
20 prescribed;
- 21 (j) Subject to specific limitations or conditions that may be imposed
22 by extant Government regulations, or circulars, invest any fund apportioned to
23 the College by way of endowment, whether for general or special purpose, and
24 such other monies as may not immediately be required for current expenditure
25 in any investment or securities;
- 26 (k) Print or publish works or undertake services as may be deemed
27 consistent with the objects of the College;
- 28 (l) Do such other acts and things necessary under this Act for the
29 attainment of the objects of the College or incidental to the powers of the
30 College; and

1 (m) Carry out any special or general directive consistent with
2 Government policy as the Secretary of Health may give in writing.

3 (2). Without prejudice to the generally of the provision of section 2
4 of this Act and subsection (1) of this section, the College may special
5 arrangement with the Nursing and Midwifery Council of Nigeria or other
6 examination bodies prepare its students for award of Certificates or other
7 distinctions.

8 (3). Subject to provisions of this Act and of any other statute, the
9 powers conferred on the College by subsection (1) of this section shall be
10 exercised on behalf of the College by the Council and the Committees
11 established for the College or by such officers and other staff of the College
12 as may be authorised in that behalf and may also be exercised through
13 Schools established under this Act.

14 4.-(1) The provost shall have custody of the common seal of the
15 College and shall be responsible for affixing

Common seal
of the College

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

19 PART II - GOVERNING COUNCIL OF THE COLLEGE

20 5.-(1) There shall be established for the College a Governing
21 Council to be known as the Governing Council of the College of Nursing,
22 Mid- Wifery, Health Sciences and other related specialities of Nursing
23 Isiala-Mbano.

Governing
Council

24 (2). The Council shall consist of:

25 (a) chairman, who shall be appointed on part time basis by the
26 Minister on the recommendation of the Secretary by Health;

27 (b) a representative of the Secretary of Health; (c) the provost of the
28 College;

29 (d) a representative of the Imo chapter of the National Association
30 of Nigerian Nurses and Midwives;

1 (e) two members to represent the interest of the Public to be appointed
2 by the Minister on the recommendation of the Secretary of Health;

3 (f) a representative of the Imo State Treasury;

4 (g) a representative from the Imo State Ministry of Justice;

5 (h) a representative of Imo State Ministry of Education;

6 (i) a director of nursing in Imo State Hospitals Management Board;
7 and

8 (j) the Director, Nursing Services of the Secretariat who shall also
9 serve as the Secretary;

Tenure of office

10 6.-(1) Members of the Council other than ex-officio members shall
11 hold office for a period of four years from the date of their appointment and
12 shall be eligible to re-appointment for one further term of four years and no
13 more.

14 (2) Any member of the Council other than an ex-officio member may
15 notice to the Council resign his appointment.

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

Functions of
the Council

19 7.-(1) Subject to the provision of this Act, the Council Shall:

20 (a) be the governing authority of the College;

21 (b) be charged with the general control and superintendence of the
22 policies, finances and properties of the College;

23 (c) make regulations for the day to day management of the College;
24 and

25 (d) do any other thing necessary or incidental to attachment of objects
26 of the College;

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

29 (a) ensure that the courses and instructions provided by the College
30 conform to the required standard laid down from time to time by the Nursing

1 and Midwifery Council of Nigeria;

2 (b) regulate the teaching of courses offered by the College, and also
3 regulate the conduct of examinations with respect to the College;

4 (c) approve contracts for the procurement of equipments, furniture
5 and other properties required for the purpose of the College;

6 (d) approve the contracts for maintenance of the premises and other
7 properties of the College;

8 (e) formulate policies and initiate programmes for all fields of
9 learning conducted by the college;

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

11 (g) perform such other functions as may be necessary;

12 (3) The Nursing Council any of its functions, other than the power
13 to make regulations, to the Chairman or any other person Committee it
14 deems fit in that behalf, but no decision of such person or Committee shall
15 take effect unless ratified by the Council.

16 8. The Director, Nursing Services of the Secretariat shall be the
17 Secretary to the Council, and for any particular meeting. That he may be
18 absent, he shall send a representative to act in that behalf.

Secretary of the
Council

19 9.-(1) The Secretary of Health may give to the Council directions
20 as to the discharge of its functions in relation to matters appearing to the
21 Secretary of Health to affect Public interest and the Council shall give effect
22 to such directive.

Power of Secretary
of Health to give
directives

23 (2) The Council shall afford the Secretary of Health facilities for
24 obtaining information with respect to the Property of the College and the
25 functions of the Council and shall be furnished with returns, accounts and
26 afford to him facilities for verification of the information furnished in such
27 manner and at such times as he may require.

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

29 10.-(1) There shall be within the College a School of Nursing and
30 the a School of Midwifery and such other Schools as the Secretariat may

Schools

1 with the approval of the Nursing and Midwifery Council of Nigeria establish.

2 (2). Each school shall provide instruction for courses, conduct
3 research and carry out such other functions as may be prescribed by the Council
4 with the approval of the Secretary of Health.

5 (3). The constitution of and other matters relating to each school may
6 be prescribed by the Council with the approval of the Secretary of Health.

Departments

7 11. In furtherance of the provisions of Section 3(1)(c) of this Act, the
8 Council shall with the approval of the Secretary of Health establish for each
9 school such Departments as the Nursing and Midwifery Council of Nigeria
10 may from time to time prescribe.

Other Units

11 12. Subject to the provision of this Act, the Council may with the
12 approval of the Secretary of Health establish units for special purposes within
13 the College; and the name, constitution and functions of any units may be
14 prescribed by direction of the Council.

Provost of the
College

15 PART IV - PRINCIPAL OFFICERS AND STAFF OF THE COLLEGE
16 13. There shall be for the College a Provost and other principal
17 officers, the designations, qualifications, functions and appointments of whom
18 shall be as spelt out in sections 19 to 25 of this Act.

Principal Officers
of the College

19 14.-(1) The Principal Officers of the College shall include:

20 (a) The Provost of the College;

21 (b) The Deputy Deans (Academic and Administration) of the school in
22 the College;

23 (c) The Registrar;

24 (d) The College Librarian; and

25 (e) The Bursar.

26 (2). The Principal Officers of the College other than Deans an Deputy
27 Deans of Schools in the College shall be appointed by the Council subject to the
28 approval of the Minister through the Secretary of Health.

29 (3) The Deans and Deputy Deans of Schools in the College shall be
30 appointed by the Council.

1 15.-(1) The Provost shall be appointed from amongst the academic Appointment
2 staff of the College and shall be the Chief Executive and of the Provost
3 Administrator of the College and also be responsible to the Council for
4 maintaining and promoting efficiency and discipline in the College.

5 (2) The Provost shall hold degree in Nursing and shall be a
6 registered Educator in Nursing, Midwifery or other specialty areas of
7 Nursing with not less than fifteen years of teaching experience

8 16.-(1) The Deans of Schools in the College shall be responsible to Deans
9 the Provost for the Administration of the Schools.

10 (2) The Deans of Schools in the College shall hold degree in
11 Nursing and shall be registered Educators in the Nursing specialty related to
12 their respective School and with not less than ten years of teaching
13 experience.

14 17.-(1) The Deputy Deans of Schools in the College shall be the Deputy Deans
15 Chief Assistants to the Deans of their respective Schools and shall perform
16 such duties as may be assigned to them by the Deans.

17 18.-(1) The Registrar of the College shall be the head of Registrar
18 administrator of the School and shall be responsible to the Provost.

19 (2) The Registrar shall be an experienced graduate of humanities
20 with not less than fifteen years experience in Public Administration

21 (3) The person holding the office of the Registrar of the College
22 shall by virtue of that office be the Secretary of Academic Board and the
23 Finance and General Purpose Committee.

24 19.-(1) The Bursar shall be the Chief Financial officer of the Bursar
25 College and shall be responsible to the Provost for the day to day
26 administrator of the financial affairs of the College.

27 (2) The Bursar shall be a qualified Accountant with not less than
28 ten years post qualification experience

29 20.-(1) The Librarian shall be responsible to the Provost for the co- Librarian
30 ordination of Library services in the College.

1 (2) The Librarian shall have a degree in Library Sciences with not less
2 than ten years post qualification experience as a Librarian.

Other Staff

3 21. The Council may appoint such other persons to be staff of the
4 College as it may deem fit on such terms and conditions as may be specified in
5 their instruments of appointment.

Removal from
office

6 22.-(1) The Principal Officers and other senior staff of the College
7 may be removed from office by the Minister for misconduct, incompetence or
8 any other justifiable reason on the recommendation of the Council (2) The
9 Council shall power to remove any junior staff of the College for justifiable
10 reasons.

Finance and
General Purpose
Committee

11 PART IV - ESTABLISHMENT AND FUNCTIONS OF COMMITTEE

12 23. There shall be a Committee of the Council to be known as the
13 Finance and General Purpose Committee

Composition
of Finance and
General Purpose
Committee

14 24.-(1) The Finance and General Purpose Committee shall consist of:

15 (a) the chairman of the Governing Council who shall be the
16 Chairman;

17 (b) the representative of the Secretary of Health;

18 (c) the Provost of the College;

19 (d) the Director of Finance and Administration in the Secretariat

20 (e) the Director of Nursing Services in the Secretariat;

21 (f) one member of the Academic Committee to be appointed by the
22 Council; and

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

24 25. The Finance and general Purpose Committee shall:

25 (a) exercise control over property, revenue and expenditure of the
26 College;

27 (b) award contracts for the execution of projects of the College; and

28 (c) Perform such other functions as the Council may Delegate to it.

Functions of
the Finance and
General Purpose
Committee

29 26.-(1) Further to the provisions of Section 11 of this Act, anybody of
30 persons established by this Act shall, without prejudice to the generality of the

Other Committees

1 powers of that body, have power to constitute Committees, which need not
2 consist exclusively of members of that body. and to authorize a Committee
3 established by it:

4 (a) To exercise, on its behalf, such of its functions as it may
5 determine; and

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

8 (2). Any two or more of such bodies may arrange for the holding of
9 joint meetings of those bodies or for the appointment of Committees
10 consisting of members of those bodies for the purpose of considering any
11 matter within the competence of those bodies or any of them and either of
12 dealing with it or of reporting on it to those bodies or any of them.

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

17 PART VI - ACADEMIC BOARD

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

20 28. The Academic Board of each School of the College shall be Composition
21 composed: of the Academic
Board

22 (a) The Provost of the College, as chairman;

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

24 (c) The Deputy of Deans of the School;

25 (d) All Heads of Departments of the School;

26 (e) One Academic staff not below the rank of Senior Lecturer to be
27 selected from each of the Departments of the School;

28 (f) A representative of the Director, Nursing Services in the
29 Secretariat;

30 (g) The School Librarian; and

Functions of
the Academic
Board

- 1 (h) The Registrar who shall be Secretary of the Board
- 2 29. Subject to the overall control and direction of the Council, the
- 3 Academic Board of each School of the College shall perform the following
- 4 functions:
- 5 (1) Regulating and organising the process of admissions, conduct of
- 6 examinations, award of certificates and all formalities relating to the
- 7 registration and licensing of graduates.
- 8 (2) Making recommendations to the Council on appointment of
- 9 academic staff of the School and on the organization of Departments, Libraries
- 10 and other units of learning and research in the school.
- 11 (3) Making guidelines for the purpose of exercising any of the
- 12 functions conferred on it under the provisions of this Section.
- 13 (4) Preparing curriculum for the School in line with guidelines from
- 14 the Nursing and Midwifery Council of Nigeria and or other regulatory bodies.
- 15 (5) Performing such other functions that may be assigned to it by the
- 16 Council.

Schedule

17 PART VII - SUPPLEMENTARY PROVISIONS

18 30. The supplementary provisions contained in the Schedule shall

19 have effect in relation to the proceedings of the various bodies appointed under

20 the provisions of this Act.

Transition

21 31. In the absence of the Council and until it is constituted for the

22 College the functions and powers of the Council under this Act may be

23 exercised by the Secretary of Health in consultation with the Director of

24 Nursing Services in the Secretariat.

Property of the
College

25 PART VIII - PROPERTY AND FINANCE

26 32. The Governor of Imo State, may, by order transfer any property

27 whether movable or immovable to the college and from the date of such order,

28 any property so transferred shall vest in the College and shall be used for the

29 purpose of the College.

1 33. The Council may, subject to the provisions of this Act: Power of the
Council to hold
property

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

4 (b) invest the funds of the College in such manner and such extent
5 as it may deem necessary or expedient; and

6 (c) enter into contractual agreements on behalf of College;

7 34.-(1) The Council shall have power to approve expenditure of Expenditure of
the College
8 over N 100,000.00 but not exceeding the N 1,000,000.00 per unit
9 transaction for the procurement of goods, works and services and shall refer
10 procurements exceeding the amount to the Secretary of Health.

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

13 (3) The thresholds mentioned in this Section may be adjusted, in
14 the case of:

15 (a) Subsection (1) by the Secretary of Health; and

16 (b) Subsection (2) by the Council

17 35. The revenue of the College shall include; Revenue of the
College

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

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

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

22 (d) Receipts for publications or services;

23 (e) Interest on investments;

24 (f) Donations and Legacies.

25 36. Before the end of each financial year, or at such other time as Annual Estimate
26 may be required by the Council, the Director, Finance and Administration or
27 the Provost shall present for Council estimates of revenue and expenditure
28 for the ensuing financial year and the accepted estimates shall be presented
29 to the Secretary of Health who shall cause same to be placed before the
30 Minister for approval.

1 37.-(1) The College shall prepare in respect of each financial year a
2 statement of account in such form as may be approved by the secretary of
3 Health and the said annual statement of accounts shall be a fair and accurate
4 statement of the financial positions of the College for the financial year to
5 which it relates.

6 (2) The said Annual Statement of Accounts shall be Audited by the
7 Auditor- General of the Federation or by Such competent auditors appointed
8 by him.

9 (3) The said audited statement of accounts, after verification by the
10 Council shall together with the auditor's report be forwarded to the secretary of
11 Health who shall cause the same to be placed before the Minister.

Interpretation

12 38. In this Act unless the context otherwise requires:

13 "Academic Board", means the Academic Board established under this Act.

14 "Chairman" means the Chairman of the Governing Council of the College or
15 where the context requires a chairman of the respective committees established
16 under this Act;

17 "College" means College of Nursing, Midwifery and Health Sciences Isiala-
18 Mbano;

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

21 "Executive Committee" means the Federal Executive Committee;

22 "Junior Staff" is a reference to staff on CONIHESS 01-05 or salary Grade Levels
23 01-06;

24 "Members" means members of the Council and include the Chairman of the
25 Council;

26 "Minister" Minister of Education;

27 "Provost" means the Provost of the College;

28 "Regulations" means any regulation formulated for the College by the Council;

29 "Secretariat" means Federal Ministry of Health

30 "Secretary" means the Secretary to the Council of the College and other-wise

1 means the Secretary of any Committee established under this Act:

2 "Secretary of Health" means the Permanent Secretary of the Federal
3 Ministry of Health;

4 "Senior Staff" is reference to staff on CONHESS 06-16 or Salary Grade
5 Level 07-17;

6 39. This Bill may be cited as Federal College of Nursing, Short title
7 Midwifery and Health Sciences Bill, 2021.

EXPLANATORY MEMORANDUM

This Bill seeks to provide for the establishment of the Federal College of
Nursing, Midwifery and Health Sciences at Isiala-Mbano in Imo State.

