

# A BILL

## FOR

AN ACT TO ESTABLISH FEDERAL COLLEGE OF EDUCATION (SPECIAL) BIRNIN KUDU, JIGAWA STATE. TO PROVIDE FULL-TIME COURSES TEACHING, INSTRUCTION AND TRAINING IN TECHNOLOGY, APPLIED SCIENCE, ARTS, SOCIAL SCIENCES, HUMANITIES AND MANAGEMENT AND FOR RELATED MATTERS, 2019

*Sponsored by Hon. Magaji Da'u Aliyu*

[ ] Commencement

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

1           1.-(1) There is established the Federal College of Education  
2 (Special) Birnin Kudu (Herein after referred to as "The college").

Establishment  
of Federal College  
of Education  
(Special) Birnin,  
Kudu, Jigawa  
State

3           (2) The College shall be a body corporate with Education perpetual  
4 succession and common seal and shall take power to acquire and dispose of  
5 interest in movable and immovable properties.

6           (3) The College may sue and be used in its corporate name.

7           (4) Objectives of the college shall be:

8           (a) Encourage the advancement of learning and to hold out to all  
9 persons without distinction of race, creed, sex or political conviction of the  
10 opportunity of acquiring higher and liberal education;

11           (b) Provide Special courses of instruction and other facilities for  
12 the pursuit of learning in all its branches, and to make those facilities  
13 available on proper terms to such persons as are equipped to benefit from  
14 them.

15           2.-(1) The governance and direction of the College affairs shall rest  
16 in the governing council of the college (in the Bill referred to as "the  
17 Council").

Governing  
Council of the  
College

- 1 (2) The Council shall have the responsibility to consider and approve:  
 2 (a) the programme of studies to be undertaken in the College;  
 3 (b) the annual estimate of the College; and  
 4 (c) the investment plan of the College.

5 (3) The provision of the schedule of this Bill shall have effect with  
 6 respect to the Council as mentioned herewith.

Membership  
of the Council  
in the College

7 3.-(1) The council of the College shall consist of:

8 (a) a chairman and other members to be appointed by the President;

9 (b) a representative of the Federal Ministry of Education;

10 (c) A representative of the University of which the college is affiliated  
 11 to for the purpose of moderation;

12 (d) Two representatives of the academic board of the college;

13 (e) A representative of the National Commission for the Colleges of  
 14 Education; and

15 (f) The provost of the college.

Tenure of  
Members of the  
College

16 4.-(1) A member of the council( other than the ex-official members)  
 17 shall hold office for the term of four years and subject to the provision of sub-  
 18 Section (2) of this section shall be eligible for re-appointment for a further  
 19 period of four years and also move.

20 (2) The office of a member appointed under section 3 of this bill shall  
 21 become vacant if:

22 (a) The member resigns in office by notice of writing under his hand  
 23 addressed to the Minister; or

24 (b) The minister is satisfied that it is not in the interest of the college  
 25 for the person appointed to continue in office and notifies the member 20 in  
 26 writing to that effect may serve to promote the objective of the College.

Powers of the  
Council

27 5. The council of the college shall have power to:

28 (a) Hold examinations and grant Degree, NCE, Diploma,  
 29 professional Certificates and other distinction to persons, who have pursued  
 30 courses of study approved and accredited by the National Commission for

1 Colleges of Education (NCCE);

2 (b) hold examination in education for qualified teachers;

3 (c) Recruit staff and determine structure of such staff;

4 (d) Demand and receive from any student or any other person  
5 attending the college for the purpose of construction such fees as the Council  
6 may with the prior approval of the Minister, from time to time determine;

7 (e) Hold public lectures and undertake printing, publishing and  
8 bookselling;

9 (f) Award fellowship, medals, prize, prizes and other titles;

10 (g) Establish and maintain such schools and other teaching units  
11 with the college or extra moral department as the councils may time to time  
12 determine;

13 (h) Erect, provide, equip, and maintain such educational  
14 recreational and residential facilities as the College may require;

15 (i) Create lectureship and other academic post and offices and to  
16 make appointment thereof;

17 (j) Receive grants and give gifts;

18 (k) Enter into such contracts as may be necessary or expedients for  
19 carrying into effect the objectives of the college;

20 (l) Provide amenities for and make such other provision for the  
21 welfare of the staff and students of the college;

22 (m) encourage and make provision for research in the college;

23 (n) Do such acts and things whether or not incident to the foregoing  
24 powers as may advance the objects of the college.

25 6.-(1) the minister responsible for education shall be the visitor of The Visitor  
26 the college the college;

27 (2) The visitor shall, not less than once in every five year conduct a  
28 Visitation to the college or appoint a visitation panels consist of not less than  
29 five experts to conduct the visitation:

30 (a) for the purpose of evaluating the academic and administrative

- 1 performance of the college; or
- 2 (b) for such other purpose as the visitors may deem fit.
- The Academic Board and its function 3 7.-(1) There shall be established for the college a board to be known as
- 4 the academic Board which shall consist of the following members:
- 5 (a) The power of the college as the chairman;
- 6 (b) all heads of departments;
- 7 (c) the College librarian; and
- 8 (d) not more than three members of the Academic staff other than the
- 9 heads of department to be appointed by the council.
- 10 (2) The Academic Board shall be responsible for:
- 11 (a) The Direction and management of academic and academic matters
- 12 of the college including the regulation of admission of student, the award of
- 13 certificate scholarship, prize and other academic distinction;
- 14 (b) discharging other functions which the council may from time to
- 15 time delegate to it.
- Power of Minister 16 8. The Minister may give to the directions of the general character or
- 17 relating generally to matters with regard to the exercise by the council of its
- 18 functions and it shall be the duty of the council to comply with such directions
- The Provost of the College 19 9.-(1) There shall be a provost for the college therein referred to as the
- 20 provost) who shall be appointed by the president on the recommendation of the
- 21 Ministers.
- 22 (2) where a vacancy occurs in the post of the provost, the council
- 23 shall:
- 24 (a) Advertise the vacancy in reputable widely read newspaper in
- 25 Nigeria specifying:
- 26 (i) The qualities of the person who may apply for the post;
- 27 (ii) The terms and conditions of the service applicable to the post and
- 28 thereafter draw up a short list of suitable candidates for examination of the
- 29 Minister.
- 30 (3) The President shall appoint a provost from one of the candidates

1 recommended by the minister.

2 (4) subject to the general control of the council if the provost shall  
3 be the chief executive of the college and shall be charged with general  
4 responsibility for matters relating to the day-to-day management and  
5 operations of the college.

6 (5) The provost shall hold offices for a period of five (5) years only  
7 and on such terms and conditions as may be specified in his letter of  
8 Appointment.

9 10.-(1) There shall be for the college two Deputy Provosts namely: Deputy Provost

10 (a) Deputy Provost (Academic) and the Deputy provost  
11 (administration).

12 (2) The council shall appoint the deputy provost from among the  
13 chief Lecturers in the college in any of the following way, that is:

14 (a) from a list of five candidates in order of preference, submitted  
15 by the provost;

16 (b) On the recommendation of selection Board constituted for their  
17 purpose; or

18 (c) On the nomination of the provost.

19 (3) The selection Board referred to in sub section 2 (b) of this  
20 section shall consist of:

21 (i) The Chairman of the council;

22 (ii) The Provost of the college;

23 (iii) Two members of the Academic board; and

24 (iv) Two members of the council not being members of the  
25 academic board.

26 (4) (a) The Deputy Provost (Academic) shall:

27 (i) Assist the provost in the performance of his function in  
28 academic matters of the college;

29 (ii) Acts as the provost when the post of the provost is vacant or if  
30 the Provost is for reasons absent or unable to perform his function,

1 (b) The Deputy Provost (administration) shall:

2 (i) Perform such others function as the provost or the council may  
3 from time to time assign to him.

4 (5) each of the deputy provost shall hold offices for a period of two  
5 years no more.

The Registrar  
and other Staff  
of the College

6 **11.**-(1) there shall be a registrar for the college to be appointed by the  
7 council.

8 (2) The registrar shall keep the records and conduct the  
9 correspondence of the council.

10 (3) The registrar shall be the secretary to:

11 (a) The council;

12 (b) The Academic Board of the council;

13 (c) Any committee of the council.

14 (4) The registrar may perform any duty as may be assigned to him by  
15 the council or the provost.

16 (5) The registrar shall hold office for a period of five years and no  
17 more.

Other Principal  
Officers of the  
College

18 **12.**-(1) There shall be for the college in addition to the registrar:

19 (a) The Bursar; and

20 (b) The college Librarian who shall be appointed by the council.

21 (2) The Bursar shall be the chief financial officer of the college and be  
22 responsible to the provost for the day-to-day administration and control of the  
23 financial affairs of the college.

24 (3) The college Librarians shall be responsible to the provost for the  
25 administration of the college library and the coordinator of the library services  
26 in the teaching units of the college.

27 (4) The Bursar and the college librarian shall each hold office for a  
28 period of five years and no more.

Resignation of  
appointment of  
Principal Officer

29 **13.** A principal officer of the college may resign his appointment:

30 (a) in case of the provost by notice to the visitor for; and

1 (b) in any other case by advise to the council.

2 ~~14.-(1) the council may appoint other persons to the employes of~~  
 3 ~~the college as the council may deem to assist the provost and the principal~~  
 4 ~~officers in the performance of their functions.~~

5 ~~(2) The remuneration tenure of office and condition of services of~~  
 6 ~~the employee of the college shall be determined by the council in~~  
 7 ~~conjunction with the Federal Civil Services Commission.~~

8 15. Service in the college shall be approved services for the  
 9 purpose of the pension is reform and accordingly, officers and other persons  
 10 employed in the college shall be entitled to pension; gratuity and other  
 11 retirement benefits as may be prescribed in their respect we letters of  
 12 appointment.

Pensions

13 16.-(1) These shall be selection Board for:

14 The college which shall consist of:

Selection Board  
for other Principal  
Officers

15 (a) The chairman of the council;

16 (b) The provost;

17 (c) Four members of the council not being members of the  
 18 academics Board; and

19 (d) Two members of the Academic Board.

20 (2) The functions, procedure and other matters relating to the  
 21 selection Board constituted under subsection (1) of this section shall be  
 22 determined from time to time by the council.

23 17.-(1) The College shall establish and maintain a fund which shall  
 24 be applied towards the promotion of the objectives of this Bill.

Fund of the  
College

25 (2) There shall be paid and credited to the fund established under  
 26 subsection (1) of this section:

27 (a) Such sums as may from time to time be granted by the federal  
 28 Government through the National Commission for Colleges of Education;

29 (b) all monies raised by the council by the way of gift, grants in aid  
 30 or test monetary disposition; and

1 (c) all subscription fees and charges for services rendered by the  
2 council and all other sums that may accrue to the council from any sources.

3 (3) The council shall submit to the minster, through the National  
4 Commission for Colleges of Education not later than three months before the  
5 end of each financial year or at such other time as he may direct an estimate of  
6 its revenue and expenditure for the next succeeding financial year.

Power to accept  
gifts

7 18.-(1) The college may accept gifts or loan, money or of other  
8 property upon such terms and condition, of any as may be specified by the  
9 person making the gifts.

10 (2) the college shall not accept any gift of the conditioned attached to  
11 the gifts are inconsistent with the functions of the college.

Account and  
Audit

12 19. The College shall keep proper accounts of its allocations,  
13 payments assets and liabilities and shall in respect of each year cause the  
14 account to be audited

Annual Reports

15 20. The council shall as soon as may be after the expiration of each  
16 Financials year, prepare and submit to the minister report of its activities during  
17 the immediate proceeding financial year and shall include in the report a copy  
18 of the audited accounts of the college for that year and of the auditor's report of  
19 the accounts.

Interpretation

20 21. In this Bill:  
21 "Chairman" means the chairman of the council;  
22 "College" means the Federal College of Education (Special) Birnin Kudu  
23 established under Section (1) of this Bill;  
24 "Council" means the governing Council of the college established under  
25 section 2 of this Bill;  
26 "Function" includes power and duties;  
27 "Minster" means the minster charged with responsibility of education;  
28 "Member" means a member of the council including the chairman;  
29 "Provost" means the provost of the college established under section 10 of this  
30 Bill.





1 Majority of members.

2 *Miscellaneous*

3 5.-(1) The fixing of the seal of the college shall be authenticated by the  
4 Signatures of the chairman, provost and of some other members of the council  
5 Authorized generally or specially by the council to act for that purpose.

6 (2) Any contract or instrument which, if made or executed by a person  
7 other than a body corporate would not be required to be under seal may be made  
8 executed on behalf of the college by any person generally or specially  
9 authorized to act for that purpose by the council.

10 (3) Any document purporting to be duly executed under the seal of the  
11 College shall be received in evidence and shall unless the contrary is proved, be  
12 presumed to be so executed.

#### EXPLANATORY MEMORANDUM

This Bill seeks to establish Federal College of Education (Special) Birnin Kudu, Jigawa State, to provide Full-time Courses Teaching, instruction and Training in Technology, Applied Science, Arts, Social Sciences, Humanities and Management.