

A BILL

FOR

AN ACT TO ESTABLISH THE FEDERAL COLLEGE OF AGRICULTURE (TECHNICAL), OGBOINBIRI, BAYELSA STATE, TO PROVIDE FULL TIME COURSES, TEACHING INSTRUCTION AND TRAINING IN AGRICULTURAL TECHNOLOGY, AGRICULTURE, AND CARRY OUT ITS DUE ADMINISTRATION AND MANAGEMENT FOR RELATED MATTERS, 2021

Sponsored by Hon. Preye Influence Goodluck Oseke

[] Commencement

ENACTED by the National Assembly of the Federal republic of Nigeria as follows;

1 1.-(1)There is hereby established a College to be known as the
2 Federal College of Agriculture (Technical), Ogboinbiri, Bayelsa State (in
3 this Act referred to as "the College") which shall have such powers and
4 exercise such functions as are conferred on it by this Act.

Establishment

5 (2) The College shall be a body corporate with perpetual
6 succession and a common seal and shall have power to acquire and dispose
7 of interests in moveable and immovable properties and may sue and be sued
8 in its corporate name.

9 2. The objects of the College shall be:

Objects of the College

10 (a) to encourage the advancement of learning and to hold out to all
11 persons without distinction of race, creed, sex or political conviction, the
12 opportunity of acquiring higher education in technical agriculture and
13 agriculture;

14 (b) to provide detailed identification of technical and skills
15 acquisition needs in technical modernized agriculture equipment's and
16 agriculture and develop training programmes to meet those needs;

17 (c) to develop and offer academic and professional programmes
18 leading to award of Professional certificates, Ordinary National Diplomas



1 and Higher National Diplomas which emphasise planning, adaptive, technical,
2 maintenance, developmental and production skills in agriculture, agricultural
3 equipment and technics, and contribute to the scientific transformation
4 Nigeria; with the aim of producing socially mature men and women with the
5 capacity not only to understand agriculture but to be apt in the use of
6 modernized technologies in Agriculture, and also develop these modern
7 technologies;

8 (d) to acts as agents catalysts, through training, research and
9 innovation for the effective and economic utilization, exploitation and
10 conservation of Nigeria's natural, technical agricultural, economic and human
11 resources;

12 (e) to be able to use modern technologies and tools in identifying the
13 agricultural problems and needs of Nigeria and to find solutions to them within
14 the context of overall national development;

15 (f) to establish appropriate relationships with other national
16 institutions involved in production, manufacturing, training of modern
17 agricultural tools and development of technologies in the Agricultural Sector.

Tenure of office
of Members of
the Council

18 3.-(1) A member of the Council (Other than an ex-officio member)
19 shall hold office for a term of four-years and shall be eligible for reappointment
20 for a further period of four years and no more.

21 (2) Any member of the Council other than an ex-officio member may
22 by notice to the Council resign its appointment.

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

Powers of the
Council

26 4.-(1) For the carrying out of its objects as specified in Section 1 sub 3
27 of this Act, the Council shall have power to:

28 (a) hold examination and grant diplomas, professional certificates
29 and other distinctions to persons who have pursued a course of study approved
30 and accredited by the National Board for Technical Education (NBTE) and

- 1 have satisfied such other requirement as the Council may lay down;
- 2 (b) demand and receive from any student or any other person attending the College for the purpose of instruction such fees as the Council may, with the prior approval of the Minister, from time to time to determine;
- 3 (c) establish technical agricultural, agricultural and rural extension services in various parts of Nigeria;
- 4 (d) hold public lectures and undertake printing, publishing and book selling;
- 5 (e) provide amenities for and make such, other provision for the welfare of the staff of the College;
- 6 (f) invest the funds of the College in securities specified by law or in such other securities in Nigeria as may be approved by the Minister;
- 7 (g) borrow money within Nigeria as may in such manner upon such security as the Minister may from time to time authorise;
- 8 (h) enter into such contracts as may be necessary or expedient for carrying into effect the objective of the College;
- 9 (i) recruit staff to the right calibre and determine the centre the career structure of such staff;
- 10 (j) establish and maintain such schools, institutes, extramural departments and other teaching and research units within the college as the Council may from time to time deem necessary;
- 11 (k) institute and award fellowships, scholarship, medals, prizes and other titles;
- 12 (l) erect, provide, equip and maintain such educational, recreational and residential facilities as the College may require from time to time;
- 13 (m) accept gifts, legacies and donations, but without obligations to accept the same for a particular purpose unless it approves the terms and conditions attaching thereto;
- 14 (n) enter into contracts, establish trust, acts as trustee, solely or

1 jointly with any other person, and employ and act through agents;

2 (o) to provide and promote sound basic scientific technological
3 training as a foundation for the development of Agriculture in Nigeria, taking
4 into account indigenous of learning; and human endeavour;

5 (p) to organise research relevant to training in agricultural-
6 technology;

7 (q) to organise extension services and out-reach programmes for
8 technology transfer;

9 (r) to establish institutional linkages in order to foster collaboration
10 and integration of training research, and extension activities; and

11 (s) to undertake any other activity appropriate for Technical College
12 of Agriculture.

Governing Council
of the College

13 5.-(1) The governance of the College and the direction of its affairs
14 shall vest in the Governing Council of the College (in this Act referred as the
15 "the Council").

16 (2) Without prejudice to the generality of subsection (1) of this
17 Section, it shall be the responsibility of the Council to consider and approve:

18 (a) the plan of activities of the College;

19 (b) the programme of studies, courses, and research to be undertaken
20 by the College;

21 (c) the annual estimates of the College; and

22 (d) the investment plans of the College.

23 (3) The provisions of the part of this act shall have effect with respect
24 of the Council specified herein.

Membership
of the Council

25 6.-(1) The Council shall consist of a chairman and the following other
26 members, to be appointed by the Minister of Education:

27 (a) a representative of the Federal Ministry of Education;

28 (b) a representative of the Federal Ministry of Agriculture;

29 (c) a representative of the Federal Ministry of National Board for
30 Technical Education;

1	(d) a representative of the Agricultural research Counsel of Nigeria;	1
2	(e) a representative of the Federal Ministry of Science and Technology;	2
3	(f) a representative of the alumni association of the College;	3
4	(g) two representatives of the Academic Board College;	4
5	(h) a representative of the National Commission for Colleges;	5
6	(i) the Provost of the College;	6
7	(j) advance the objects of the College.	7
8	7. The functions of the College shall be	8
9	(a) to provide full-time courses in teaching instruction and training in:	9
10	(i) agriculture, agricultural technology, technology, applied sciences, arts social science, humanities and management; and	10
11	(ii) such other fields of applied learning relevant to the development of needs in Nigeria.	11
12	(b) to conduct courses in agriculture, technical agriculture and applied sciences for teachers;	12
13	(c) to arrange conferences, seminars and workshop relative to the functions of the College; and	13
14	(d) to perform such other functions which, in the opinion of the College may serve to promote the objectives of the College.	14
15	8-(1) The Minister shall be the Visitor of the College (2) The Visitor shall not less than once in every five (5) years conduct a visitation to the College or appoint a visitation panel to consist of not less than 5 experts to conduct the visitation for:	15
16	(a) the purpose of evaluating the academic and administrative performance of the College; or	16
17	(b) such other purpose as the Visitor may deem fit.	17

Functions of the College

The Visitor of the College

The Academic Board of the College

1 9. There shall be established for the College a board to be known as
2 the Academic Board which shall consist of the following members:
3 (a) the provost of the College as the Chairman;
4 (b) all heads of departments;
5 (c) the College Bursar;
6 (d) the College Librarian; and
7 (e) not more than 3 members of the academic staff other than the
8 heads of departments to be appointed by the Governing Council;

9 (2) The Academic Board shall be responsible for:

10 (a) the direction and management of academic matters of the College
11 including regulation of admission of students, the award of certificates,
12 scholarships, prizes and other academic distinction; and

13 (b) discharging of any other function which the Governing Council
14 may from time to time delegate it.

Directions

15 10. The Minister may give to the Governing Council directions of
16 general Character relating generally to matters with regard to the exercise by
17 the Council of its functions and it shall be the duty of the Governing Council to
18 comply with such directions.

The Provost of the College

19 11.-(1) There shall be the Provost of the College (in this bill referred as
20 the Provost) who shall be appointed by the President on the recommendation of
21 the Minister.

22 (2) where a vacancy occurs in the post of the Provost, the Governing
23 Council shall advertise the vacancy in a reputable widely read newspapers in
24 Nigeria specifying the:

25 (a) qualities of the person who may apply for the post, and

26 (b) terms and condition of service applicable to the post, and
27 thereafter draw up short list of suitable candidates for considerations.

28 (3) The President shall appoint as Provost one of the candidates
29 recommended to him by the Minister.

30 (4) subject to this Act and the general control of the Council, the

1 Provost shall be the chief executive of the College and shall be charged with
2 the general responsibility for matters relating to the day-day management of
3 the College.
4 (5) The Provost:
5 (a) shall hold office for a period of four years beginning with
6 effective date of his appointment and on such terms and conditions as may
7 be specified in his letter of appointment;
8 (b) may be reappointed for one further period of 4 years and no
9 more.
10 12.-(1) There shall be for the College 2 Deputy Provost namely: Deputy Provost
11 (a) Deputy Provost (Academics); and
12 (b) Deputy Provost (Administration).
13 (2) The Governing Council shall appoint the Deputy Provosts from
14 among the Chief Lecturers in the College in any of the following ways that
15 is:
16 (a) from a list of 5 candidates in order of preference, submitted by
17 the Provost;
18 (b) on the recommendation of a Selection Board constituted for the
19 purpose; or
20 (c) on the nomination of the Provost.
21 (3) The Deputy Provost (Academics) shall:
22 (a) assist the Provost in the performance of his functions in
23 academic matters of the College; and
24 (b) act as the Provost when the post of the Provost is vacant or if the
25 Provost is, for any reason, absent or unable to perform his functions.
26 (4) The Deputy Provost (Administration) shall:
27 (a) assist the Provost in administrative matters of the College; and
28 (b) perform such other function as the Provost or the Governing
29 Council shall from time to time assign to him.
30 (5) Each of the Deputy Provosts:

1 (a) shall hold office for a period of two years beginning with effective
2 date of his appointment and on such terms and conditions as may be specified
3 in his letter of appointment;

4 (b) may be reappointed for one further period of 2 years and no more.

Register of the
College

5 13.-(1) There shall be a Registrar for the College to be appointed by
6 the Governing Council.

7 (2) The Registrar shall keep the records and conduct the
8 correspondence of the Council

9 (3) The Registrar shall be the Secretary to:

10 (a) the Governing Council;

11 (b) the Academic Board; and

12 (c) any committee of the Governing Council.

13 (4) The Registrar may perform any duty as may be assigned to him by
14 the Governing Council or the Provost.

15 (5) The Registrar shall:

16 (a) shall hold office for a period of two years beginning with effective
17 date of his appointment and on such terms and conditions as may be specified
18 in his letter of appointment;

19 (b) may be reappointed for one further period of 2 years and no more.

Bursar and
Librarian of the
College

20 14.-(1) There shall be for the College in addition to the Registrar, the:

21 (a) Bursar; and

22 (b) College Librarian who shall be appointed by the Governing
23 Council.

24 (2) The Bursar shall be the chief financial officer of the College and be
25 responsible to the Provost for the day-to-day administration and control of the
26 financial affairs of the College

27 (3) The College Librarian shall be responsible to the Provost for the
28 administration and control of the financial affairs of the College.

29 (4) The Bursar and the College Librarian:

30 (a) Shall each hold office for a period of 4 years beginning with

1	effective date of his appointment and on such terms and conditions as may	
2	be specified in his letter of appointment; and	
3	(b) may be reappointed for one further period of 4years and no	
4	more	
5	15. A Principal Officer of the College may resign his appointment;	Resignation of
6	(a) in the case of the Provost, by notice to the Visitor; and	Principal Officers
7	(b) in any other case, by notice to the Governing Council.	
8	16.-(1) The Governing Council may appoint other persons to be	Other employees
9	employees of the College as they deem it fit to assist the Provost and the	of the College
10	Principal Officer in the performance of their functions.	
11	(2) The remuneration, tenure of office and condition of service of	
12	the employees of the College shall be determined by the Governing Council	
13	in consultation with the Federal Civil Service Commission.	
14	17. Service in the College shall be approved service for the	Pension
15	purpose of the Pension Reform Act and accordingly, officers and other	
16	persons employed in the College shall be entitled to pensions, gratitude and	
17	other retirement benefits as may be prescribed in their respective letters of	
18	appointment.	
19	18.-(1) There shall be a Selection Board for the College which shall	Selection Board
20	consist of:	
21	(a) the Chairman of the Governing Council;	
22	(b) the Provost of the College;	
23	(c) 4 members of the Governing Council not being members of the	
24	Academic Board; and	
25	(d) 3 members of the Academic Board.	
26	(2) The functions, procedure and other matters relating to the	
27	Selection Board constituted under subsection (1) of this section shall be	
28	determined from time to time by the Governing Council.	
29	Fund of the College	Fund of the
30	19.-(1) The College shall establish and maintain a fund which shall be	College

1 applied towards the promotion of the objective of this Bill.

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

4 (a) such sums as may from time to time be granted by the Federal
5 Government;

6 (b) all monies raised by the Governing Council by way of gifts,
7 grants-in-aid and monetary depositions; and

8 (c) all subscription, fee and charges for services rendered by the
9 College and all other sums that may accrue to the College from any source,

10 (3) The Governing Council shall submit to the Minister, through the
11 National Commission for College of Education not later than three months
12 before the end of each financial year or at such other time as he may direct an
13 estimate of its revenue and expenditure for the next succeeding financial year.

Power to accept
gift

14 20.-(1) The College may accept gifts, money or of other property and
15 upon such terms and conditions, if any, as may be specified by the person
16 making the gifts.

17 (2) The College shall not accept any gift if the conditions attached in
18 the gifts are inconsistent with the functions of the College.

Accounts and
Audit

19 21. The College shall keep proper accounts of its receipts, payment
20 assets and liabilities and shall in respect of each year cause the accounts to be
21 audited.

Annual reports

22 22. The Governing Council shall as soon as may be after the
23 expiration of each financial year, prepare and submit to the Minister a report of
24 its activities during the immediate preceding financial year and shall include in
25 the report a copy of the audited accounts of the College for that year and of the
26 auditor's report of the accounts.

Interpretation

27 23. In this Bill:

28 "Chairman" means the Chairman of the Governing Council;

29 "College" means the Federal Technical College of Agriculture Ogboinbiri
30 established under section (1) of this Bill;

1 "Council" means the Governing Council of the College established under

2 section 2 of this Bill;

3 "Functions" includes powers and duties;

4 "Minister" means the Minister charged with responsibility for education;

5 "Members" means a member of the Governing Council including the

6 Chairman;

7 "Provost" means the Provost of the College established under section 10 of

8 this Bill.

9 24. This Bill may be cited as the Federal Technical College of

Citation

10 Agriculture Ogbomirin (Establishment, etc) Bill, 2021.

11 SCHEDULE

12 (Section 2(3))

13 SUPPLEMENTARY PROVISION RELATING TO THE

14 GOVERNING COUNCIL ETC

15 Terms of Service

16 1. There may be paid to the members of the Governing Council or

17 any committee, other than ex-officio members, such remuneration and

18 allowances as may from time to time be determined by the President.

19 2. Where a vacancy occurs in respect of the membership specified

20 in section 3, it shall be filled by the appointment of a successor to hold office

21 for the remainder of the term of his predecessor in office and such successor

22 shall represent the same interest as his predecessor.

23 3. The Governing Council may act notwithstanding any vacancy

24 in its membership or any defect in the appointment of a member or the

25 absence of a member.

26 Proceedings

27 4.-(1) The Governing Council shall meet for the conduct of

28 business at such times, places and such days as the Chairman may appoint

29 but shall meet not less than once every four months.

30 (2) The Chairman may at any time and shall, at the request in

1 writing of not less than five members, convene a meeting of the Governing
2 Council.

3 (3) At any meeting of the Council the Chairman shall preside; but in
4 his absence, members present shall elect one of their members to preside at the
5 meeting.

6 (4) Where the Governing Council desires to obtain the advice of any
7 person on any particular matter, the Council may co-opt persons who are not
8 members of the Governing Council but the person shall not be entitled to vote
9 at a meeting of the Governing Council.

10 (5) The Quorum of the Governing Council shall be one and half of the
11 total members of the Governing Council, at least one of whom shall be a
12 member appointed by the Minister.

13 (6) Decisions of the Council shall be made on approval by a simple
14 majority of members.

15 *Miscellaneous*

16 5.-(1) The fixing of the seal of the College shall be authenticated by
17 the signature of the Chairman, Provost and of some other members of the
18 Governing Council authorized generally or specially by the Governing
19 Council to act for that purpose.

20 (2) Any contract or instrument which, if made or executed by a person
21 other than a body corporate would not be required to be under seal may be made
22 executed on behalf of the College by any person generally or specially
23 authorised to act for that purpose by the Council.

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

EXPLANATORY MEMORANDUM

This Bill seeks to provide for the establishment of the Federal College of Agriculture (Technical) Ogbomirin, Bayelsa State, to provide full time courses, teaching instructions and training in Agriculture and carry out its due Administration and Management.