

FEDERAL CAPITAL TERRITORY EDUCATION RESOURCE CENTRE

(ESTABLISHMENT, ETC.) BILL, 2019

ARRANGEMENT OF SECTION

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A BILL

FOR

AN ACT TO ESTABLISH THE FEDERAL CAPITAL TERRITORY EDUCATION RESOURCE CENTRE CHARGED WITH THE RESPONSIBILITY TO, AMONG OTHER THINGS, PLAN AND IMPLEMENT CURRICULUM; MEASURE AND EVALUATE STUDENTS AND OTHER APPLICANTS FOR PLACEMENT INTO SCHOOLS UNDER THE ADMINISTRATION OF THE FEDERAL CAPITAL TERRITORY; AND FOR RELATED MATTERS

Sponsored by Hon. Benjamin Okezie Kalu

[] Commencement

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

1 PART I - ESTABLISHMENT, COMPOSITION, ETC. OF THE FEDERAL

2 CAPITAL TERRITORY EDUCATION RESOURCE CENTRE

3 1.-(1) There is hereby established for the Federal Capital Territory
4 Education Resource Centre (in this Bill referred to as "the Centre").

Establishment of
the Federal Capital
Territory Education
Resource Centre

5 (2) The Centre-

6 (a) shall be a body corporate with perpetual succession; and

7 (b) may sue and be sued in its corporate name.

8 2.-(1) The supervision of the Centre shall be under the department
9 responsible for Education in the Federal Capital Territory.

Administration
and supervision
of the Centre

10 (2) The Centre shall be headed by a Director who shall be-

11 (a) the administrative and professional head of the Centre;

12 (b) an experienced public servant and education; and

13 (c) appointed on merit by the Minister on the recommendation of
14 the person responsible for Education in the Federal Capital Territory.

15 (3) There shall be a Secretary who shall be-

16 (a) in charge of the general administration and common services of
17 the Centre; and

1 (b) a public servant, appointed on merit by the Minister on the
2 recommendation of the person responsible for Education in the Federal Capital
3 Territory.

4 (4) There shall be Deputy Directors who shall be responsible for-

5 (a) Curriculum Planning and Development Department;

6 (b) Measurement and Evaluation Department;

7 (c) Guidance and Counselling Department;

8 (d) Library Services Department;

9 (e) Planning, Research and Statistics Department;

10 (f) Education and Information Technology Department;

11 (g) Administration, Finance and Accounts Department; and

12 (h) such other departments as may be established from time to time.

Terms of officer
of Director and
other staff of
the Centre

13 3. The Director and other staff of the Centre shall be public servants
14 and shall hold office in accordance with the Public Service Rules.

15 PART II - FUNCTIONS OF THE CENTRE

Functions of
the Centre

16 4. The Centre shall be charged with the responsibilities for-

17 (a) curriculum planning and implementation;

18 (b) the conduct of examinations for schools under the administration
19 of the Federal Capital Territory;

20 (c) the admissions into schools under the administration of the
21 Federal Capital Territory;

22 (d) measurement and evaluation for admission, placement,
23 promotion and certification of the Junior Secondary School (JSS)
24 Examinations and authentication;

25 (e) evaluation and authentication of local and international certificate
26 for government agencies;

27 (f) the printing of examinations certificate and other official
28 documents;

29 (g) the preparation and distribution of teaching schemes and selection
30 of school text books;

1 (h) the provision of guidance and counselling services to schools
2 and the general public;

3 (i) the development and provision of library services to schools and
4 the general public;

5 (j) the development and distribution of instructional and training
6 materials to schools;

7 (k) the conduct of research into topical educational issues and
8 publications;

9 (l) the provision of science, language, workshop/conference
10 facilities for schools, out of school learners and the general public;

11 (m) data collection, collation, analysis and dissemination of
12 research information on educational matters;

13 (n) printing and consultancy services in book review,
14 examinations, library, guidance, conference and general training matters;
15 and

16 (o) teacher training and retraining.

17 PART III - GENERAL ADMINISTRATION OF THE CENTRE

18 5.-(1) The general administration of the Centre shall be guided by
19 the National Policy on Education and the Public Service Rules.

General
administration
of the Centre

20 (2) The Director shall be the Head and accounting officer of the
21 Centre.

22 (3) The Secretary shall be the head of the general administration
23 and common services department.

24 6. The Centre shall have the power to appoint, promote and
25 discipline staff of the Centre in accordance with the Public Service Rules.

Appointment
and discipline
of staff

26 7. The Centre may delegate any of its duties under section 4 and 6
27 of this Bill to any of the heads of departments.

Delegation of
duties

28 8.-(1) It is hereby declared that the service in the Centre shall be
29 approved service for the purpose of the Pension Reform Act 2004 and
30 accordingly, employees of the Centre shall be entitled to pensions, gratuities

Pension Reform
Act, 2004

1 and other retirement benefits as are prescribed under the Pension Reform Act.

2 (2) Notwithstanding the provisions of subsection (1) of this section,
3 nothing in this Bill shall prevent the appointment of a person to any office on
4 terms which preclude the grant of a pension, gratuity or other retirement benefit
5 in respect of that office.

6 (3) For the purposes of the application of the provisions of the Pension
7 Reform Act, any power exercisable by the Minister or other authority of the
8 Federal Capital Territory Administration, other than the power to make
9 regulations, is hereby vested in and shall be exercisable by the Management of
10 the Centre and not by any other person or authority.

11 PART IV - FINANCIAL PROVISIONS

Funds of the
Centre

12 9.-(1) The Centre shall establish and maintain a fund from which shall
13 be defrayed expenditure incurred by the Centre.

14 (2) There shall be credited to the fund established pursuant to
15 subsection (1) of this section such monies as may be provided by the Federal
16 Capital Territory Administration with the approval of the Minister for the
17 running of the Centre and all other assets accruing, from time to time, to the
18 Centre.

Expenditure of
the Centre

19 10. The Centre may from time to time, apply the proceeds of the fund
20 of the Centre established in pursuance of section 9 of this Bill-

21 (a) to meet the administrative and operating costs of the Centre;

22 (b) for the purchase or acquisition of property, equipment and other
23 capital expenditure and for the maintenance of any property acquired or vested
24 in the Centre;

25 (c) for purposes of investment; and

26 (d) for or in connection with all or any of the functions of the Centre
27 under this Bill or its subsidiary legislation.

Annual estimates
and accounts

28 11.-(1) The Centre shall, not later than 30th September in each year,
29 submit through the person responsible for Education in the Federal Capital
30 Territory to the Minister an estimate of its expenditure and income (including

1 payments to the Centre) for the next succeeding year.

2 (2) The Centre shall keep proper accounts in respect of each year
3 and proper records in relation to those accounts and shall cause its accounts
4 to be audited within 6 months after the end of each year by auditors
5 appointed from the list and in accordance with the guidelines supplied by the
6 Auditor-General of the Federation.

7 **12.** The Centre shall prepare and submit through the department
8 responsible for Education in the Federal Capital Territory to the Minister,
9 not later than 6 months after the end of each year, a report in such form as he
10 may direct on the activities of the Centre during the immediate preceding
11 year and shall include in such report a copy of the audited accounts of the
12 Centre for that year and the auditor's report on the accounts.

Annual reports

13 **13.-(1)** The Centre may, from time to time, borrow by overdraft or
14 otherwise such sums as it may require for the performance of its functions
15 under this Bill, upon the approval of the Minister.

Power to borrow

16 (2) The Centre shall not, without the approval of the Minister,
17 borrow money which exceeds, at any time, the amount specified by the
18 Minister.

19 **14.** The Centre may, subject to the provisions of this Bill and the
20 conditions of any trust created in respect of any property, invest all or any of
21 its funds in any securities prescribed by the Trustees Investment Act or in
22 such other securities as may, from time to time, be approved by the Minister.

Investment

23 **PART V - LEGAL PROCEEDINGS**

24 **15.-(1)** Subject to the provisions of the Bill, the provisions of the
25 Public Officers Protection Act shall apply in relation to any suit instituted
26 against an officer or employee of the Centre.

Limitation of
suit against the
Centre

27 (2) Notwithstanding anything contained in any enactment, no suit
28 against a member of the administrative team or any officer or any employee
29 of the Centre for any act done in pursuance or execution of this Bill or any
30 other enactment or law or any public duty or authority; or in respect of any

1 alleged neglect or default in the execution of this Bill or any other enactment or
2 law, duty or authority, shall lie or be instituted in any court unless it is
3 commenced-

4 (a) within 3 months next after the act, neglect or default complained
5 of; or

6 (b) in the case of a continuation of damage or injury, within 6 months
7 next after the ceasing thereof.

8 (3) No suit shall be commenced against a member of the
9 administrative team or any other officer or employee of the Centre before the
10 expiration of a period of 1 month after written notice of the intention to
11 commence the suit shall have been served on the Centre by the intending
12 plaintiff or his agent.

13 (4) The notice referred to in subsection (3) of this section shall clearly
14 and explicitly state the cause of action, the particulars of the claim, the name
15 and place of abode of the intending plaintiff and the relief which he claims.

Restriction on
execution against
property of the
Centre

16 **16.** A notice, summons or other document required or authorized to
17 be served on the Centre under the provisions of this Bill or any other enactment
18 or law may be served by delivering it to the Director or by sending it by
19 registered post addressed to the Director as the principal officer of the Centre.

Service of
document

20 **17.-(1)** In any action or suit against the Centre, no execution or
21 attachment of process in the nature thereof shall be issued against the Centre
22 unless not less than 3 months' notice of the intention to execute or attach has
23 been given to the Centre.

24 (2) Any sum of money which by the judgement of any court has been
25 awarded against the Centre shall, subject to any direction given by the court
26 where notice of appeal against the judgement has been given, be paid from the
27 fund of the Centre.

Indemnity of
Officers

28 **18.** A member of the administrative team or any officer or employee
29 of the Centre shall be indemnified out of the assets of the Centre against any
30 liability incurred by him in defending any proceeding, whether civil or

1 criminal, if the proceeding is brought against him in his capacity as a
2 member, Director, officer or other employee of the Centre.

3 19.-(1) A member of the administrative team or any officer or Secrecy
4 employee of the Centre shall-

5 (a) not, for his personal gain, make use of any information which
6 has come to his knowledge in the exercise of his power or is obtained by him
7 in the ordinary course of his duty as a member of the administrative team or
8 as an officer or employee of the Centre;

9 (b) treat as confidential any information which has come to his
10 knowledge in the exercise of his power or is obtained by him in the
11 performance of his duties under this Bill;

12 (c) not disclose any information referred to under paragraph (b) of
13 this subsection, except when required to do so by a court or in such other
14 circumstances as may be prescribed by the supervisory team, from time to
15 time.

16 (2) Any person who contravenes the provisions of subsection (1) of
17 this section commits an offence and is liable on conviction to imprisonment
18 for a term of not exceeding 2 years or a fine not less than N20,000 or to both
19 such imprisonment and fine.

20 20. The Minister may give to the Centre or the Director such Directives by the
Minister
21 directives of a general nature or relating generally to matters of policy with
22 regard to the exercise of its or his functions as he may consider necessary
23 and it shall be the duty of the Centre or the Director to comply with the
24 directives or cause them to be complied with.

25 21. The Minister may, make such regulations as are necessary or Regulations
26 expedient for giving full effects to the provisions of this Bill and for the due
27 administration of its provisions.

28 PART VI - MISCELLANEOUS PROVISIONS

29 22. The Centre shall, from time to time, constitute committees Committees
30 necessary for its functions.

Relationship
with other bodies 1 **23.** The Centre shall maintain good working relationship with related
2 national bodies, other States Education Resource Centres, examination bodies,
3 universities, research institutions and other such bodies as may be useful to the
4 enhancement of the performance of its functions.

Interpretation 5 **24** In this Bill, unless the context otherwise requires-
6 "administrative team" includes the Director and all Heads of Departments of
7 the Centre;
8 "Centre" means the Federal Capital Territory Education Resource Centre;
9 "Director" means the Director of the Centre;
10 "Management committee" of the Department responsible for Education
11 comprises the person responsible for Education in the Federal Capital Territory
12 as Chairman, and the Education Agencies/Boards which shall for the time
13 being include the Director DPI, the Chairman SES, the Chairman USES, the
14 Director AME, the Provost of the COE, the Director ERC, and the Director of
15 Administration and Finance of the Department responsible for Education in the
16 Federal Capital Territory; "Minister" means the Minister charged with the
17 responsibility for the Federal Capital Territory;
18 "staff" includes an officer or employee of the Centre; and
19 "the person responsible for Education in the Federal Capital Territory" means
20 the person appointed by the Minister to oversee the education sector in the
21 Federal Capital Territory.

Citation 22 **24.** This Bill may be cited as the Federal Capital Territory Education
23 Resource Center (Est.) Bill, 2019.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal Capital Territory Education Resource Centre charged with the responsibility to, among other things, plan and implement curriculum, measure and evaluate students and other applicants for placement into schools under the administration of the Federal Capital Territory.