



THE SENATE
FEDERAL REPUBLIC OF NIGERIA

**FEDERAL COLLEGE OF EDUCATION, BIRNIWA
(ESTABLISHMENT) BILL, 2022.
(HB. 383)**

A BILL
FOR

AN ACT TO ESTABLISH FEDERAL COLLEGE OF EDUCATION
BIRNIWA, 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.

FIRST READING

TUESDAY, 13TH JULY, 2021.

SECOND READING

WEDNESDAY, 29TH SEPTEMBER, 2021.

THIRD READING AND PASSAGE

WEDNESDAY, 13TH APRIL, 2022.

FEDERAL COLLEGE OF EDUCATION, BIRNIWA (ESTABLISHMENT) BILL, 2022.



Arrangement of Clauses

Clauses

1. Establishment of Federal College of Education Birniwa, Jigawa State.
 2. Governing Council of the College.
 3. Membership of the Council in the College.
 4. Tenure of members of the Council
 5. Functions of the College.
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A
BILL FOR

AN ACT TO ESTABLISH FEDERAL COLLEGE OF EDUCATION BIRNIWA, 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.

{ } Commencement

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

1. (1) There is established the Federal College of Education Birniwa (herein after referred to as "the College").
Establishment of
Federal College of
Education Birniwa,
Jigawa State.

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

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

2. (1) The governance and direction of the College affairs shall rest in the governing council of the college (in the Bill required to as "the Council").
Governing Council of
the College.

(2) The Council shall have the responsibility to consider and approve:
 - (a) the programme of studies to be undertaken in the College;
 - (b) the annual estimates of the College; and
 - (c) the investment plan of the College.
(3) The provision of the schedule to this Bill shall have effect with respect to the Council to as mentioned herewith.

3. The Council of the College shall consist of:
Membership of the
Council in the College.
 - (a) a Chairman and other members to be appointed by the President;
 - (b) a representative of the Federal Ministry of Education;
 - (c) a representative of the University of which the College is affiliated to for the purpose of moderation;
 - (d) two representatives of the academic board of the College;
 - (e) a representative of the National Commission for the College of Education; and
 - (f) the Provost of the College.

- 4.

(1) A member of the Council (other than the ex-official members) shall hold office for a term of four years and subject to the provision of subsection (2) of this section shall be eligible for re-appointment for a further period of four years and no more.

Tenure of members of the Council

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

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

(b) the Minister is satisfied that it is not in the interest of the College for the person appointed to continue in office and notifies the member in writing to that effect.

5. The Functions of the College shall be:

Functions of the College.

(a) to provide full-time courses in teaching instruction and training:

(i) in technology, applied sciences, arts, social science, humanities and management; and

(ii) in such other fields of applied learning relevant to the needs of development of Nigeria.

(b) to conduct courses in education for qualified teachers;

(c) to arrange conference, seminars and workshops relative to the functions of the college; and

(d) to perform such other functions as in the opinion of the Council may serve to promote the objective of the College.

6. The Council of the College shall have power to:

Power of the Council.

(a) hold examinations and grant NCE, Diplomas, Professional Certificates and other distinctions to persons, who have pursued of study approved and accredited by the National Commission for Colleges of Education;

(b) hold examinations in Education for qualified teachers;

(c) recruit staff and determine structure of such staff;

(d) demand and receive from any student or any other person attending the College for the purpose of construction such fees as the council may with the prior approval of the Minister, from time to time determine;

(e) hold public lectures and undertake printing, publishing and

bookselling;

(f) award fellowship, medals, prizes and other titles;

(g) establish and maintain such schools and other teaching units with the college or extra moral departments as the councils may from time to time determine;

(h) erect provide equip and maintain such educational recreational and residential facilities as the College may require;

(i) create lectureships and other academic post and offices and to make appointment thereof

(j) receive and make gifts;

(k) enter into such contracts as may be necessary or expedients for carrying into effects the objections of the College;

(l) provide amenities for and make such other provision for the welfare of the staff and students of the College;

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

(n) do such acts and things whether or not incidental to the foregoing power as may advance the objects of the College.

7. (1) The Minister responsible for education shall be the visitor of the college.

Visitation.

(2) The Visitor shall, not less than once in every five year, conduct a visitation to the College or appoint a visitation panel consisting of not less than five experts to conduct the visitation:

(a) for the purpose of evaluating the academic and administrative performance of the College; or

(b) for such other purpose as the visitor may deem fit.

8. (1) There shall be established for the College a Board to be known as the Academic Board which shall consist of the following members:

The academic board and its functions.

(a) the Provost of the College as the Chairman;

(b) all Heads of Departments;

(c) the College Bursar;

(d) the College Librarian; and

(e) not more than three members of the Academic staff other than the

heads of departments to be appointed by the Council.

(2) The Academic Board shall be responsible for:

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

(b) discharging any other functions which the council may from time to time delegate to it.

9. The Minister may give to the Council directions of the general character or relating generally to matter with regard to the exercise by the Council of its functions and it shall be the duty of the Council to comply with such directions. Power of Minister.

10. (1) There shall be a Provost for the college (herein after referred to as "the Provost") who shall be appointed by the president on the recommendation of the Minister. The Provost of the College.

(2) Where a vacancy occurs in the post of the provost, the Council shall:

(a) advertise the vacancy in reputable widely read newspaper in Nigeria specifying:

(i) the qualities of the person who may apply for the post;

(ii) the terms and conditions of service applicable to the post and thereafter draw up a short list of suitable candidates for consideration of the Minister.

(3) The President shall appoint as provost one of the candidates recommended by the Minister.

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

(5) The Provost shall hold office for a period of five years only and on such terms and conditions as may be specified in his letter of appointment.

11. (1) There shall be for the College two Deputy Provosts namely: Deputy Provost (Academic) and the Deputy Provost (Administration). Deputy provost.

(2) The Council shall select the deputy provosts from among the Chief Lecturers in the College in any of the following ways, that is:

(a) from a list of five candidates in order of preference, submitted by the

provost;

(b) on the recommendation of a selection Board constituted for their purpose; or

(c) on the nomination of the provost.

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

(i) the Chairman of the council;

(ii) the Provost of the college;

(iii) two members of the Academic board; and

(iv) two members of the council not being members of the Academic Board.

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

(i) assist the provost in the performance of his function in Academic matters of the college;

(ii) act as the provost when the post of the provost is vacant or if the provost is for any reason, absent or unable to perform his function.

(b) The Deputy Provost (Administration) shall:

(i) assist the provost in administrative matters of the college; and

(ii) perform such other functions as the provost or the council may from time to time assign to him.

(5) Each of the deputy provosts shall hold office for a period of two years and no more.

12. (1) There shall be a Registrar for the College to be appointed by the council.

The Registrar and other Staff of the College.

(2) The Registrar shall keep the records and conduct the correspondence of the council.

(3) The Registrar shall be the secretary to:

(a) the Council;

(b) the Academic Board of the Council;

(c) any committee of the Council.

(4) The Registrar may perform any duty as may be assigned to him by the councillor or the provost.

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

13. (1) There shall be for the college in addition to the Registrar:

Other Principal Officers
of the College.

(a) the Bursar; and

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

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

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

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

14. A Principal Officer of the College may resign his appointment:

Resignation of
appointment of
Principal Officer.

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

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

15. (1) The council may appoint other persons to be employees of the College as the council may deem to assist the provost and the principal officers in the performance of their functions.

Other employees of the
College.

(2) The remuneration, tenure of office and condition of services of the employee of the college shall be determined by the council in consultation with the Federal Civil Service Commission.

16. Service in the College shall be approved services for the purpose of the Pensions Reform Act and accordingly, officers and other persons employed in the College shall be entitled to pension, gratuity and other retirement benefits as may be prescribed in their respective letters of appointment.

Pensions.

17. (1) There shall be selection Board for the College which shall consist of:

Selection Board for
other Principal Officers.

(a) the Chairman of the Council;

(b) the Provost;

(c) four members of the Council not being members of the academics Board;
and

(d) two members of the Academic Board.

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

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

Fund of the College

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

(a) such sums as may from time to time be granted by the Federal Government through the National Commission for Colleges of Education;

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

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

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

19. (1) The College may accept gifts or loan, money or of other property upon such terms and conditions, of any as may be specified by the person making the gifts.

Power to accept gifts.

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

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

Account and audit.

21. The Council shall as soon as may be after the expiration of each Financial year, prepare and submit to the Minister a report of its activities during the immediate preceding financial year and shall include in the report a copy of the audited accounts of the college for that year and of the auditor's report of the accounts.

Annual reports.

22. In this Bill:

Interpretation.

"Chairman" means the Chairman of the Council;

matter, the Council may co-opt persons who are members of the Council but persons co-opted shall not be entitled to vote at a meeting of the Council.

(4) The Quorum of the Council shall be one third of the total members of the council, at least one of whom shall be a member appointed by the President.

(5) Decision of the Council shall be made on approval by a simple Majority of members.

Miscellaneous

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

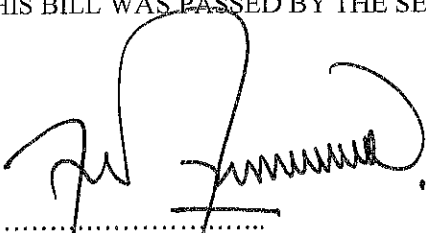
(2) Any contract or instrument which, if made or executed by a person other than a body corporate would not be required to be under seal may be made executed on behalf of the college by any person generally or specially authorized to act for that purpose by the council.

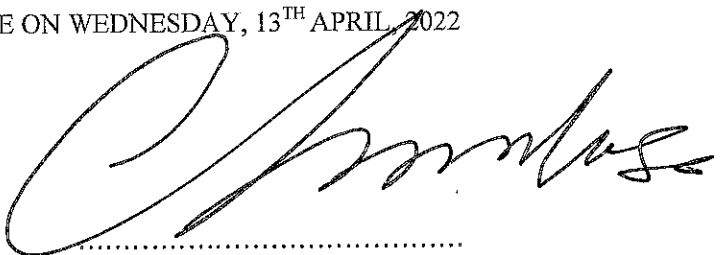
(3) Any document purporting to be duly executed under the seal of the College shall be received in evidence and shall unless the contrary is proved, be presumed to be so executed.

EXPLANATION MEMORANDUM

This Bill seeks to establish the Federal College of Education, Birniwa, Jigawa as an institution to offer full-time courses leading to the awards of National Certificates of Education, Diplomas etc.

THIS BILL WAS PASSED BY THE SENATE ON WEDNESDAY, 13TH APRIL, 2022


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President,
Senate of the Federal Republic of Nigeria


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Clerk,
Senate of the Federal Republic of Nigeria