

# A BILL

## FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE FEDERAL COLLEGE  
OF NURSING AND MIDWIFERY OTU-JEREMI AND FOR RELATED MATTERS

*Sponsored by Hon. Francis Ejirogbene Waive*

[ ] Commencement

BE IT ENACTED by the National Assembly of the Republic of  
Nigeria as follow:

1 PART 1 - ESTABLISHMENT, POWERS AND FUNCTIONS OF THE COLLEGE

2 1.-(1) There is hereby established for the Federal a College to be Establishment  
3 known as the Federal College of Nursing and Midwifery Otu-jeremi

4 (2) The College shall:

5 (a) Have the status of a tertiary institution with right and privileges  
6 of such institution; and

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

9 2. The object of College shall be: Object

10 (a) To provide training and research in general Nursing, Midwifery  
11 and other specialties of Nursing leading to the award of professional  
12 Certificates, Diplomas, Degrees and other post Basic Certificates;

13 (b) To provide avenues for continuing education in nursing,  
14 midwifery and other specialties of Nursing; and

15 (c) To provide such services that is necessary and incidental to the  
16 object of the College.

17 3.-(1) The College shall be a teaching and examining body and Powers of the  
18 shall subject to the provisions of this Bill and the regulations of the College  
19 have powers to:

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

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

8 (3) Subject to the provisions of this Bill and of any other statute.  
9 The Power conferred on the College by subsection (1) of this section shall be  
10 exercise 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 authorize in that behalf and may also be exercised through schools  
13 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 same to documents.

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 - GOVERNMENT COUNCIL OF THE COLLEGE

20 5.-(1) There shall be establish for the College a Government  
21 Council to be known as the Governing council of the Federal College of  
22 Nursing and midwifery Otu-jeremi

Governing  
Council of the  
College

23 (2) The council shall consist of:

24 (a) A chairman who shall be appointed on part time basis by the  
25 Commissioner on the recommendation of the secretary of health;

26 (b) A representation of the secretary of health;

27 (c) The provost of the College;

28 (d) A representation of the Delta State chapter of National  
29 association of Nigeria Nurses and midwives;

30 (e) Two member to represent the interest of the public to be

1 appointed by the minister on the recommendation of the secretary of health;  
 2 (f) A representative of Delta State treasury;  
 3 (g) A representative of Delta State Legal service Secretariat;  
 4 (h) A representative of Delta State Education secretariat;  
 5 (i) The director, finance and Administration in the secretariat;  
 6 (j) The director of Nursing in Delta State Hospitals Management  
 7 Board; and  
 8 (k) The director, Nursing service of the secretariat who shall also  
 9 serve as the secretary.

Tenure of  
Members

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 for reappointment 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 by 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 provisions of this Act, the council shall:

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

21 (b) Be charged with 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 attainment of objects  
 26 of the College.

27 FUNCTIONS OF THE ACADEMIC COMMITTEE

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

30 (a) Ensure that the courses and instructions provided by the College

1 conform to the required standard laid down from time to time by the Nursing  
2 And Midwifery council of Nigeria;

3 (b) Regulate the teaching of course offered by the College, and also  
4 regulate the conduct of examination with respect to the College;

5 (c) Approve contracts for procurement of equipment, furniture and  
6 other properties required for the purpose of the College;

7 (d) Approve contracts for maintenance of the premises and other  
8 properties of the College;

9 (e) Formulate policies and initiate programmes in all field of learning  
10 conducted by the College;

11 (f) Assess from time to time the course offered by the College; and

12 (g) Perform such other function as may be necessary.

13 (3) The council may delegate any of its functions, other than the  
14 Power to make regulates, to the chairman or any other person, Board or  
15 Committee it deems it fit in that behalf, but no decision of such person or  
16 Committee shall take effect unless ratified by council.

17 8. The Director, nursing service of the secretariat shall be the  
18 Secretary to the council, and for any particular meeting that he may be  
19 absent, he shall send a representative to act in that behalf.

Secretary of  
the Council

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

24 (2) The council shall afford the secretary of health facilities for  
25 obtaining information with respect to the property of the College and the  
26 functions of the council and he shall be furnished with returns, accounts and  
27 facilities for verification of the information in such manner and at such times  
28 as he may require.

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

2 10.-(1) There shall be within the College a school of Nursing and a  
3 School of Midwifery and such other schools as the secretariat may with the  
4 approval of the Nursing and Midwifery council of Nigeria establish.

5 (2) Each school shall provide instruction for courses, conduct  
6 research and carry out such functions as may be prescribed by the council with  
7 the approval of the secretary of Health.

8 (3) The constitution of and other matters relating to each schools may  
9 be prescribed by the council with the approval of the secretary of health

10 11. In furtherance of the provisions of section 3 (1) (c) of this Act, the  
11 council shall with the approval of the secretary of Health establish for each  
12 school such department as the Nursing and Midwifery council of Nigeria May  
13 from time to time prescribe.

14 12. Subject to the provision to this Act, the council may with the  
15 approval of the secretary of Health establish units for special purposes within  
16 the College; and the name, constitution and functions of any such units may be  
17 prescribe by director of the council.

18 PART IV - PRINCIPAL OFFICER AND STAFF OF THE COLLEGE

19 13. There shall be for the College a provost and other principal  
20 officers, the designations, qualifications, functions, appointments and removal  
21 of whom shall be as spelt out in section 15 to 22 of this Act.

Principal Officer  
of the College

22 14.-(1) The Principal Officers of the College shall include:

23 (b) The Deans of the schools in the College;

24 (c) The Deputy Deans (Academics and Administration) of the schools  
25 in the College;

26 (d) The Registrar;

27 (e) The College Librarian; and

28 (f) The Bursar.

29 (2) The principal officers of the College other than Deans and Deputy  
30 Deans of schools in the College shall be appointed by the council subject the

1 approval of the minister through the secretary of Health.

2 (3) The Deans and the Deputy Deans of schools in shall be  
3 appointed by the council.

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

Appointment  
of Provost

8 (2) The Provost shall hold a degree in Nursing and shall be a  
9 registered Education in Nursing, Midwifery or other specialty areas of  
10 Nursing with not less than fifteen years of teaching experience.

11 16.-(1) The Deans of schools in the College shall be responsible to  
12 the provost for the administration of the schools.

Deans

13 (2) The Deans of schools in the College shall hold degree in  
14 Nursing and shall be registered Educators in the Nursing specialty related to  
15 their respective schools and with not less than ten years of teaching  
16 experience.

17 17.-(1) The Deputy Deans of schools in the College shall be th  
18 assistants to the Deans of their respective schools and shall perform such  
19 duties as may be assign to them by the Deans.

Deputy Deans

20 (2) The Deputy Deans of schools in the College shall hold degree in  
21 Nursing and shall be Registered Educator in the Nursing specialty related to  
22 their respective schools with less than seven years teaching experience.

23 18.-(1) The Registrar of the College shall be the head of  
24 administration of the College shall be responsible to the provost.

The Registrar  
of the College

25 (2) The Registrar shall be an experienced graduate of humanities  
26 with not less than fifteen years' experience in public Administration

27 (3) The person holding the office of the Registrar of the College  
28 shall by virtue of that office be the secretary to the Academic Board and th  
29 finance and General purpose Committee.

- 1 (d) All Heads of Department of the schools;
- 2 (e) One Academic staff not below the rank of senior Lecturer to be
- 3 selected from each of the Department of the school;
- 4 (f) A representative of the Director, Nursing Service in the Secretariat;
- 5 (g) The school Librarian; and
- 6 (i) The Registrar who shall be the secretary of the Board.

7 29. Subject to the overall control and direction of the council, the

8 Academic Board of each school of the College shall perform the following

9 Function:

- 10 (1) Regulating and organizing the process of admission, conduct of
- 11 Examinations, award of Certificates and all formalities relating to the
- 12 Registration and licensing of graduates.
- 13 (2) Making recommendation to the council on appointment of
- 14 Academic staff of the school and on the organization of department, Libraries
- 15 and other units of learn and research in the school.
- 16 (3) Making guideline for the purpose of exercising any of the
- 17 Functions conferred on it under the provisions of this section.
- 18 (4) Preparing curriculum for the school in line with guidelines from
- 19 the Nursing and Midwifery council of Nigeria and or other regulatory bodies.
- 20 (5) Performing such other functions that may be assigned to it by the
- 21 Council.

22 PART VII- SUPPLEMENTARY PROVISIONS

23 30. The supplementary provision contained in the schedule shall have

24 effect in relation to the proceeding of the various bodies appointed under the

25 provision of this Act.

26 31. In the absence of the council and until it is constituted for the

27 College, the functions and powers of the council under this Act may be

28 Exercise by the secretary of health in consultation with the director of Nursing

29 Services in the Secretariat.



## PART VIII - PROPERTY AND FINANCE

32. The Minister of the FCT may, by order transfer any property whether movable or immovable to the College and from the date of such order, any property so transferred shall vest in the College and shall be used for the Purpose of the College.

Transfer of Property

33. The council may, subject to the provision of this Act:

Property of the College

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

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

(c) Enter into contractual agreement on behalf of the College;

34.-(1) the council shall have power to approve expenditure of over N100,000.00 but not exceeding N1,000,000.00 per unit transaction for the procurement of the goods, works and services and shall refer procurements exceeding the amount to the secretary of Health.

Expenditure of the College

(2) The provost shall approve procurement of works, goods and Services not exceeding N100,000.00

(3) The threshold mentioned in this section may be adjusted, in the case of:

(a) Subsection (1), by the secretary of Health; and

(b) Subsection (2), by the council.

35. The revenue of the College shall include:

Revenue of the College

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

(b) Fees charges by and payable in respect of student;

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

(d) Receipts for publications or services;

(e) Interest on investments;

(f) Donations and Legacies.

Annual Estimate	1	<b>36.</b> Before the end of each financial year or at such other time as may
	2	be required by the council the director, finance and Administration or the
	3	provost shall present for council estimate of revenue and expenditure for the
	4	ensuring financial year and the accepted estimates shall be presented to the
	5	secretary Health and Human service secretary who shall cause same to be
	6	placed before the Commissioner for approval.
Statement of Account	7	<b>37.-(1)</b> the College shall prepare in respect of each financial year a
	8	Statement of account in such form as may be approved by the secretary of
	9	Health and the said annual statement of account shall be a fair and accurate
	10	statement of the financial position of the College for the financial year to which
	11	it relates.
Account Audit	12	(2) The said annual statement of accounts shall be audited by the
	13	auditor-General of the State or by such competent auditor appointed by him.
	14	(3) The said audited statement of accounts, after verification by the
	15	Council shall together with the auditor's report is forwarded to the secretary of
	16	Health who shall cause the same to be placed before the minister.
Interpretation	17	<b>38.</b> In this Act unless the context otherwise requires:
	18	"Academic Board" means the Academic Board established under this Act;
	19	"Chairman" means the Chairman of the Governing council of the College or
	20	where the context requires Chairman of the respective committees established
	21	under this Act;
	22	"College" means the Federal College of Nursing and Midwifer / Out-jeremi;
	23	"Council" means the governing council established under section 4(1) of this
	24	Act for the College;
	25	"Executive Committee" means the Delta State Executive Committee;
	26	"Commissioner" means the minister of the Delta State Commissioner;
	27	"Junior staff" is a reference to staff on CONHESS 01-05 or salary Grade levels
	28	01-06;
	29	"Members" means members of the council and includes the chairman of the
	30	Council:

- 1 "Provost" means the provost of the College;
- 2 "Regulations" means any regulation formulated for the College by the
- 3 council;
- 4 "Secretariat" means Health and human Services Secretariat of Delta State;
- 5 "Secretary" means the Secretary to the council of the College and other-wis :
- 6 means the Secretary of any Committees established under this Act;
- 7 "Secretary of Health" means the Secretary of Health and Human Services or
- 8 such other official as may be from time to time designation as head of the
- 9 body responsible for Health service under Delta State;
- 10 "Senior staff" is a reference to staff on CONHESS 06-16 or salary Grade
- 11 Levels 07-17.

12           39. This Bill may be cited as the Federal College of Nursing and   Citation

13 Midwifery Otu-jeremi Bill, 2019.

EXPLANATORY NOTE

This Bill seeks to provide for the establishment of the Federal College of Nursing and Midwifery Otu-jeremi, Ughelli South LGA of Delta State, and to provide training and research in general Nursing, Midwifery and other specialties of Nursing.

