

NATIONAL INSTITUTE FOR EDUCATIONAL PLANNING AND  
ADMINISTRATION (ESTABLISHMENT) BILL, 2019

ARRANGEMENT OF SECTIONS

*Section:*

PART I - ESTABLISHMENT, ETC. OF NATIONAL INSTITUTE FOR  
EDUCATIONAL PLANNING AND ADMINISTRATION

1. Establishment of National Institute for Educational Planning and Administration
2. Objectives of the Institute
3. Establishment and membership of the Governing Council
4. Tenure of office
5. Cessation of membership.
6. Emoluments, allowances of members of the Council
7. Functions of the Council

PART II - FUNCTIONS AND POWERS OF THE INSTITUTE

8. Functions of the Institute
9. Powers of the Institute

PART III - DIRECTOR-GENERAL, PRINCIPAL OFFICERS AND OTHER  
STAFF OF THE INSTITUTE

10. Director-General, Principal officers and other staff of the Institute
11. Other staff of the Institute
12. Conditions of service of the Institute
13. Establishment and composition of the Board of Studies

PART IV - ESTABLISHMENT OF THE BOARD OF STUDIES OF  
THE INSTITUTE

14. Functions of the Board of Studies
15. Fund of the Institute

PART V - FINANCIAL PROVISIONS

16. Power to borrow
17. Power to accept gift

18. Investments
19. Exemption from tax
20. Annual estimates and accounts.
21. Annual report
22. Limitation of suits.

PART VI - MISCELLANEOUS PROVISIONS

23. Directives by the Minister
  24. Mandatory training for officers in the educational sector and at the  
Institute
  25. Power to make regulations
  26. Interpretation
  27. Citation
- Schedules

# A BILL

## FOR

AN ACT TO ESTABLISH THE NATIONAL INSTITUTE FOR EDUCATIONAL PLANNING AND ADMINISTRATION TO PROMOTE STUDY AND PRACTICE OF EDUCATIONAL PLANNING AND ADMINISTRATION IN NIGERIA; AND FOR RELATED MATTERS

*Sponsored by Hon. Oluwole Oke*

[ ] Commencement

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

1 PART I - ESTABLISHMENT, ETC. OF NATIONAL INSTITUTE FOR  
2 EDUCATIONAL PLANNING AND ADMINISTRATION

3 1.-(1) There is established the National Institute for Educational  
4 Planning and Administration (in this Act referred to as "the Institute").

Establishment  
of National  
Institute for  
Educational  
Planning and  
Administration

5 (2) The Institute:

6 (a) is a body corporate with perpetual succession and a common  
7 seal;

8 (b) may sue and be sued in its corporate name; and

9 (c) may hold or dispose of property, movable or immovable.

10 2. The objective of the Institute is to promote the study and  
11 practice of educational planning and administration in Nigeria and explore  
12 all relevant and available avenues, potentials and resources to make the  
13 Institute:

Objectives of  
the Institute

14 (a) an active learning centre in skill acquisition in educational  
15 planning and administration; and

16 (b) a national centre of excellence for capacity building for  
17 education planners and managers in the education sector.

18 3.-(1) There is established for the Institute a Governing Council (in

Establishment  
and membership  
of the Governing  
Council

1 this Act referred to as "the Council") which shall have general control of the  
2 Institute.

3 (2) The Council shall consist of:

4 (a) a chairman and four other members;

5 (b) one representative each of the:

6 (i) Federal Ministry of Education,

7 (ii) United Nation Educational and Scientific Organisation country  
8 office in Nigeria,

9 (iii) academic staff of the Institute on rotation for one term at a time;

10 (c) one person to represent the National Universities Commission;

11 (d) the Director-General of the Institute; and

12 (e) the Registrar of the Institute who shall be the Secretary to the  
13 Council.

14 (3) The Chairman and members of the Council, other than ex-officio  
15 members, shall be appointed by the President.

First Schedule

16 (4) The supplementary provisions set out in the First Schedule to this  
17 Act shall have effect with respect to the proceedings of the Council and other  
18 matters contained in the Schedule.

Tenure of office

19 4. The Chairman and members of the Council, other than ex-officio  
20 members, shall each hold office:

21 (a) for four years in the first instance and may be re-appointed for  
22 another four years and no more; and

23 (b) on such terms and conditions as may be specified in his letter of  
24 appointment.

Cessation of  
membership

25 5.-(1) A person ceases to hold office as the Chairman or member of the  
26 Council if:

27 (a) he becomes bankrupt, suspends payment or compounds with his  
28 creditors;

29 (b) he is convicted of a felony or any offence involving dishonesty or  
30 fraud;

1 (c) he becomes of unsound mind or is incapable of discharging his  
2 duties;

3 (d) he is guilty of a serious misconduct in relation to his duties;

4 (e) in the case of a person who possessed professional  
5 qualifications, he is disqualified or suspended, other than at his request,  
6 from practising his profession in any part of the world by an order of a  
7 competent authority made in respect of that member;

8 (f) he resigns his appointment by a letter addressed to the President;

9 (g) he has died.

10 (2) If a member of the Council ceases to hold office for any reason  
11 before the expiration of the term for which he is appointed, another person  
12 representing the same interest as that member shall be appointed to the  
13 Council for the unexpired term.

14 (3) A member of the Council may be removed by the President on  
15 the recommendation of the Minister if he is satisfied that it is not in the  
16 interest of the Institute or public for the member to continue in that office.

17 6. Members of the Council shall be paid such emoluments,  
18 remuneration and allowances as may be specified in their letters of  
19 appointment or as may be approved by the Federal Government.

Emoluments,  
allowances of  
members of the  
Council

20 7. The Council shall:

Functions of the  
Council

21 (a) formulate the policies of the Institute and be charged with the  
22 general control of such policies, finance and property of the Institute;

23 (b) ensure that the Institute is staffed with persons possessing high  
24 communicative competence in the theory and practice of educational  
25 planning and administration and other professions;

26 (c) ensure proper management of the assets of the Institute;

27 (d) ensure effective organisation of the Institute in accordance with  
28 the provisions of this Act;

29 (e) subject to this Act, provide for the welfare and discipline of the  
30 staff of the Institute; and

1 (f) perform such other functions as the President or Minister may  
2 assign to it.

3 PART II - FUNCTIONS AND POWERS OF THE INSTITUTE

Functions of  
the Institute

4 8.-(1) The Institute shall:

5 (a) serve as an inter-university centre to develop a critical mass of  
6 education sector planners and managers for the effective and efficient planning  
7 and management of the education system through capacity building:

8 (i) continuous training, research and information dissemination,

9 (ii) mandatory Postgraduate Diploma in educational leadership,

10 (iii) Annual Professional Development Programme (APDP) leading  
11 to award of certificate, diploma and advanced diploma,

12 (iv) providing practical and demonstrable internship for  
13 undergraduates and post graduate students of educational planning and  
14 administration for professionalism and award of certificate of participation,

15 (v) development and implementation of programmes for in-service  
16 training, re-training and orientation of workers at all levels of the educational  
17 sector in Nigeria leading to the award of certificates of attendance,

18 (vi) extension services for tertiary levels of education in respect of  
19 personnel, classroom and residential accommodation and other available  
20 resources considered adequate by such needy institutions in educational  
21 planning and administration, Internet Communication Technology (ICT) and  
22 related disciplines, and

23 (vii) enhance quality managers and administrators at all levels of  
24 education to Post Graduate Diploma in Educational Leadership (PGDEL);

25 (b) hold out to all persons without distinction of race, creed, sex or  
26 political conviction, the opportunity of acquiring proficiency in the learning,  
27 teaching and application of both the theory and practice of educational  
28 planning and administration in the educational system in Nigeria;

29 (c) develop appropriate modules to suit the needs of the various  
30 clientele of the Institute;

1 (d) provide an ambience having all the socio-cultural, physical and  
2 psychological facilities, that will facilitate the learning of educational  
3 planning and administration through a carefully coordinated simulation  
4 process (including problem solving approach, demonstration, group  
5 syndicate discussions, field trips and interactive activities) that allow the  
6 participants to achieve the understanding, use and practice of educational  
7 planning and administration in the educational system in Nigeria;

8 (e) serve as a centre for exchange information gathering,  
9 processing, dissemination on educational administration; of information,  
10 retrieval and planning;

11 (f) promote research into the theory and practice (including the  
12 problems) of educational planning and administration in Nigeria;

13 (g) promote the development and publication of materials in  
14 educational planning and administration; and

15 (h) carry any other activities as are necessary or expedient for the  
16 performance of its functions under this Act.

17 9. The Institute shall have powers to:

Powers of the  
Institute

18 (a) coordinate the capacity building activities of education sector  
19 planners and managers;

20 (b) establish such departments within the Institute as may, be  
21 necessary;

22 (c) award fellowships, scholarships, bursaries, medals, prizes and  
23 other form of titles, distinctions and awards;

24 (d) hold examination and award diplomas, certificates and other  
25 distinctions to persons who have pursued a course of study approved by the  
26 Institute and have satisfied such other requirements as the Council may  
27 determine;

28 (e) demand and receive from any student, clientele of the Institute  
29 or any other person attending the Institute for the purpose of instruction such  
30 fees as the Institute may determine;

1 (f) enter into contracts and establish trusts either solely or jointly with  
2 any other person or organization, employ or act through agents;

3 (g) erect, provide, equip and maintain infrastructure or facilities  
4 necessary, suitable or convenient for the attainment of objectives of the  
5 Institute under this Act;

6 (h) hold public lectures, seminars, conferences and workshops and  
7 undertake the publication and sale of attainment of books and proceedings;

8 (i) give grants and gifts for any charitable purpose that is consistent  
9 with the functions of the Institute under this Act; and

10 (j) do any other thing which, in its opinion, will facilitate the  
11 performance of its functions under this Act.

12 PART III – DIRECTOR GENERAL, PRINCIPAL OFFICERS AND OTHER

13 STAFF OF THE INSTITUTE

Director General,  
principal officers  
and other staff  
of the Institute

14 10.-(1) There shall be for the Institute a Director General who shall-

15 (a) be appointed by the President on the recommendation of the  
16 Minister;

17 (b) be the Chief Executive and Accounting Officer of the Institute;

18 (c) be responsible for the execution of the policies and administration  
19 of the affairs of the Institute; and

20 (d) hold office-

21 (i) for five years and no more, and

22 (ii) on such terms and conditions as may be contained in his letter of  
23 appointment.

24 (2) The Registrar shall:

25 (a) be the Chief Administrative Officer of the Institute; and

26 (b) be responsible to the Director-General for the administrative work  
27 of the Institute;

28 (c) by virtue of that office, be Secretary to the Board of Studies; and

29 (d) hold office for five years and no more.

30 (3) The Bursar shall:



1 (a) be the Chief Financial Officer of the Institute;

2 (b) be responsible to the Director-General for the administration  
3 and control of the financial affairs of the Institute; and

4 (c) hold office for five years and no more.

5 (4) The Librarian shall:

6 (a) be responsible to the Director-General for the administration of  
7 the library and co-ordination of the library services in the Institute; and

8 (b) hold office for five years and no more.

9 (5) The Director of Works shall be responsible:

10 (a) to the Director-General for the administration of the Works  
11 Department; and

12 (b) for all works, services and maintenance of the Institute's  
13 facilities.

14 (6) All principal officers of the Institute, except Director-General,  
15 shall be appointed by the Council on the recommendation of the interview  
16 panel to be chaired by the Director-General.

17 11. The Council shall appoint for the Institute such other persons  
18 to assist the Director-General in the performance of the functions of the  
19 Institute under this Act.

Other staff of  
the Institute

20 12.-(1) The Institute shall operate as an inter-university centre of  
21 the Federal Ministry of Education and the salary and conditions of service of  
22 the employees of the Institute shall be:

Conditions of  
service of the  
Institute

23 (a) as determined, from time to time, by the Federal Government;

24 and

25 (b) in line with the University salary structures for teaching and  
26 non-teaching staff of the Institute:

27 (i) Training and Research Professor,

28 (ii) Assistant Training and Research Professor, and

29 (iii) Deputy Librarian.

30 (2) Service in the Institute shall be approved service for the

Act No. 4, 2014

1 purposes of the Pension; Reform Act, and accordingly, employees of the  
2 Institute are entitled to pension, gratuity and other retirement benefits in  
3 respect of that office.

4 (3) Without prejudice to the provisions of subsection (1), nothing in  
5 this Act prevents the appointment of a person to any office on terms which  
6 preclude the grant of a pension, gratuity or other retirement benefit in respect of  
7 that office.

Act No. 4, 2014

8 (4) For the purposes of the application of the Pensions Reform Act,  
9 any power exercisable under it by a Minister or other authority of the Federal  
10 Government, other than the power to make regulations under section 26 of this  
11 Act conferred on and shall be exercisable by the Council and not by any other  
12 person or authority.

13 (5) A staff of the Institute, other than the Director-General, shall be  
14 removed from office in accordance with the provisions of the Second Schedule  
15 to this Act.

16 PART IV - ESTABLISHMENT OF THE BOARD OF STUDIES OF

17 THE INSTITUTE

Establishment  
and composition  
of the Board of  
Studies

18 13.-(1) There is established for the Institute the Board of Studies (in  
19 this Act referred to as "the Board of Studies") which shall, subject to the  
20 provisions of this Act, be an integral part of the Institute.

21 (2) The Board of Studies shall consist of:

22 (a) the Director-General of the Institute who shall be the Chairman;

23 (b) the Coordinator of Programmes;

24 (c) the Head of Research Department;

25 (d) the Head of Training Department;

26 (e) the Head of Library Services;

27 (f) the Head of ICT Department;

28 (g) a representative each of -

29 (i) Training Department,

30 (ii) Research Department,

1 (iii) Library Department, and

2 (iv) ICT Department.

3 (3) The Director-General shall preside over all meetings of the  
4 Board of Studies and, in his absence, the Coordinator of Programme shall  
5 preside the meeting.

6 (4) The Board of Studies shall meet on quarterly basis.

7 (5) Subject to subsections (2) and (3), the Board of Studies shall  
8 regulate its own proceedings.

9 14. The Board of Studies shall:

Functions of the  
Board Studies

10 (a) subject to this Act, formulate, regulate and continuously  
11 evaluate the academic programmes of the Institute and determine the award  
12 of certificates and honours of the Institute; and

13 (b) perform such other functions as the Council may assign to it.

14 PART V - FINANCIAL PROVISIONS

15 15.-(1) The Institute shall establish and maintain a fund (in this Act  
16 referred to as "the Fund") which shall be applied towards the performance of  
17 its functions under this Act.

Fund of the  
Institute

18 (2) There shall be paid and credited to the Fund:

19 (a) any subvention or budgetary allocation from the Federal  
20 Government;

21 (b) grants and subventions from Tertiary Education Trust Fund  
22 (TETFUND) and non-governmental agencies;

23 (c) all money raised for the purposes of the Institute by way of gifts,  
24 grants- in-aid or testamentary disposition to the Institute;

25 (d) all subscriptions for fees and charges for services rendered by  
26 the Institute;

27 (e) all interests received in respect of money invested by the  
28 Institute; and

29 (f) all other assets, from time to time, accruing to the Institute.

30 (3) The Institute may apply the proceeds of the Fund accruing

1 under subsection (2) for:

2 (a) the cost of administration of the Institute and any research  
3 programme or body under the administration of the Institute;

4 (b) the provision of scholarships and other awards for the training of  
5 staff or employees of the Institute;

6 (c) the payment of salaries, fees or other remuneration, allowances,  
7 pensions and gratuities or superannuation payable to the Director-General and  
8 the staff and employees of the Institute;

9 (d) the maintenance of any property vested in the Institute; and

10 (e) all other matters that are connected with the functions of the  
11 Institute under this Act.

Power to borrow

12 16. The Institute may, with the approval of the Minister or in  
13 accordance with the general authority given by the Federal Government,  
14 borrow, by way of loan or overdraft, from any source any money required by  
15 the Institute to meet obligations and functions under this Act.

Power to accept  
gift

16 17.-(1) The Institute may accept any gift of land, money or other  
17 property on such terms and conditions, if any, as may be specified by the person  
18 or organisation making the gift.

19 (2) The Institute shall not accept any gift if the conditions attached by  
20 the person or organisation offering the gift are inconsistent with the functions  
21 of the Institute or policy of the Federal Government.

Investments  
Cap. T22, LFN,  
2004

22 18. The Institute may, with the approval of the Minister, invest all or  
23 any of its funds in any security prescribed by the Trustee Investments Act or in  
24 such other securities or investments in accordance with the provisions of this  
25 Act and the conditions of any trust created in respect of any property or  
26 maintain a general reserve or otherwise utilise any surplus fund on such other  
27 securities as may be approved by the Minister.

Exemption  
from tax

28 19. The Institute is exempted from the payment of income tax on any  
29 income accruing from investments made by the Institute or otherwise.

1                   20.-(1) The Institute shall, not later than 30 September in each year,  
2                   submit to the Minister an estimate of its expenditure and income (including  
3                   payments to the Institute Fund) for the next succeeding year.

Annual estimates  
and accounts

4                   (2) The Institute shall:

5                   (a) keep proper accounts in respect of each year and proper records  
6                   in relation to those accounts; and

7                   (b) cause its accounts to be audited within six months after the end  
8                   of each year by auditors appointed from the list and in accordance with the  
9                   guidelines supplied by the Auditor-General for the Federation.

10                  21. The Institute shall:

Audit report

11                  (a) prepare and submit to the Minister, not later than 30 June in each  
12                  year, a report, in such form as the Minister may direct, on the activities of the  
13                  Institute during the immediate preceding year; and

14                  (b) include in the report a copy of the audited accounts of the  
15                  Institute for that year and the auditor's report on it.

16                                   PART VI - MISCELLANEOUS PROVISIONS

17                  22.-(1) No suit shall be commenced against the Institute in Court  
18                  except the intending plaintiff or his agent gives the Institute one month  
19                  written notice of intention to commence the suit.

Limitation of  
suits

20                  (2) The written notice under subsection (1) shall explicitly state:  
21                  the:

22                  (a) cause of action;

23                  (b) particulars of claim or the grievance sought to be redressed;

24                  (c) name, particulars and official address of the intending plaintiff;

25                  and

26                  (d) relief which the intending plaintiff claims.

27                  (3) The written notice under subsection (1) and any summons,  
28                  notice or other document required or authorised to be served on the Institute  
29                  under this Act or any other law shall be addressed to the Director-General or  
30                  sent by registered post to the head office of the Institute.

Directives by  
the Minister

1           23. The Minister may give to the Councilor Director-General such  
2 directives of a general nature or relating generally to matters of policy with  
3 regard to the performance of its or his functions as the Minister may consider  
4 necessary, and the Councilor the Director- General shall comply with the  
5 directives or cause them to be complied with.

Mandatory  
training for officers,  
in the educational  
sector and at the  
Institute

6           24.-(1) As from the commencement of this Act, any officer, staff or  
7 employee in the management cadre who is newly employed, promoted or  
8 transferred into the educational sector of the Public Service of the Federation  
9 shall undertake training or orientation in educational planning and  
10 administration at the Institute for such period as the Minister may determine.

11           (2) As from the commencement of this Act, any officer, staff or other  
12 employee serving in the management cadre of the educational sector of the  
13 Public Service of the Federation shall undertake in-service training in  
14 educational planning and administration at the Institute once in every three  
15 years for such duration or intervals as the Minister may determine.

Power to make  
regulations

16           25. The Minister may, on the recommendation of the Council, make  
17 regulations for giving effect to the provisions of this Act, and shall provide in  
18 particular for the:

19           (a) entry into and the type of courses and programmes approved for  
20 the Institute;

21           (b) duration of the courses and programmes; and

22           (c) certificates, if any, to be awarded by the Institute.

Interpretation

23           26. In this Act:

24           "Board of Studies" means the Board of Studies of the Institute established  
25 under section (1) of this Act;

26           "Chairman" means the Chairman of the Council of the Institute appointed  
27 under section 3 (2) of this Act;

28           "Clientele of the Institute" includes students or other category of persons who  
29 participate or engage in any activity in the Institute or for whom the Institute  
30 carries out certain functions and responsibilities;

1 "Council" means the Governing Council of the Institute established under  
2 section 3 (1) of this Act;

3 "Director-General" means the Chief Executive and Accounting Officer of  
4 the Institute appointed under section 10 of this Act;

5 "Fund" means the Fund of the Institute established under section 16 (1) of  
6 this Act;

7 "Institute" means the National Institute for Educational Planning and  
8 Administration established under section 1 (1) of this Act;

9 "member" means a member of the Council and includes the Chairman; and

10 "Minister" means the Minister charged with responsibility for matters  
11 relating to education.

12 27. This Bill may be cited as the National Institute for Educational Citation  
13 Planning and Administration (Establishment) Bill, 2019.

14 SCHEDULES

15 FIRST SCHEDULE

16 *Section 3 (4)*

17 SUPPLEMENTARY PROVISIONS RELATING TO THE GOVERNING  
18 COUNCIL OF THE INSTITUTE

19 1.-(1) Subject to this Act and section 27 of the Interpretation Act,  
20 the Council may make standing orders regulating its proceedings or those of  
21 any of its committees.

22 (2) The quorum of the Council shall be the Chairman and two-  
23 thirds of the other members and the quorum of any committee of the Council  
24 shall be as determined by the Council.

25 2. The Council shall, for the purpose of this Act, meet eight times  
26 in each year and whenever it is summoned by the Chairman, if required to do  
27 so by notice given to him by at least four other members, the Chairman shall  
28 summon a meeting of the Council to be held within four days from the date  
29 which the notice is given.

30 3. Where the Council desires to obtain the advice of any person on

1 a particular matter, the Council may co-opt him for such period as it deems fit,  
2 but a person who is a member by virtue of this paragraph is not entitled to  
3 sitting allowance, vote at any meeting of the Council and shall not count  
4 towards a quorum.

5 4.-(1) The Council may set up one or more committees to perform on  
6 its behalf such functions under this Act as the Council may determine.

7 (2) A committee set up under this paragraph shall consist of such  
8 number of persons (not necessarily members of the Council as may be  
9 determined by the Council), and a person, other than a member of the Council,  
10 shall hold office on the committee in accordance with the terms of his  
11 appointment.

12 (3) A decision of a committee of the Council is of no effect until it is  
13 confirmed by Council.

14 5.-(1) The fixing of the seal of the Institute shall be authenticated by  
15 the signature of the Director-General or any other person authorised generally  
16 or specifically to act for that purpose by the Council or the Director-General.

17 (2) Any contract or instrument, which if made or executed by a person  
18 not being a body corporate, would not be required to be under seal, may be  
19 made or executed on behalf of the Institute by the Director-General or any  
20 person generally or specially authorised by the Council to act for that purpose.

21 6. The validity of any proceeding of the Council or its committee shall  
22 not be adversely affected by any vacancy in the membership of the Council or  
23 its committee, or by reason that a person not entitled to do so took part in the  
24 proceedings of the Council or committee.

25 7. A member who is directly or indirectly interested in any matter  
26 being deliberated upon or considered by the council or is interested in any  
27 contract made or proposed to be made by the Council shall, immediately after  
28 relevant facts have come to his knowledge, disclose the nature of his interest in  
29 writing or at a meeting of the Council.



1 SECOND SCHEDULE

2 *Section 12 (5)*

3 SUPPLEMENTARY PROVISIONS RELATING TO REMOVAL AND DISCIPLINE  
4 OF STAFF OF THE INSTITUTE

5 *Removal and Discipline of Senior Staff*

6 1.-(1) If it appears to the Council that there are reasons for  
7 believing that a person employed as a member of the senior staff of the  
8 Institute, other than the Director- General, shall be removed from office on  
9 grounds of misconduct or inability to perform the functions of his office, the  
10 Council shall, through its appropriate committee:

11 (a) give notice of those reasons to the person concerned;

12 (b) afford him an opportunity of making representations on the  
13 matter to the Council in person; and

14 (c) if the person concerned or any three members of the Council so  
15 request, within the period of one month beginning with the date of the  
16 notice, make arrangements:

17 (i) for the Senior Staff Appointments, Promotions and Disciplinary  
18 Committee of the Council or any ad-hoc Committee of the Council to  
19 investigate the matter and report on it to the Council, and

20 (ii) for the person in question to be afforded an opportunity of  
21 appearing before and being heard by the investigating committee on the  
22 matter.

23 (2) The Director-General, in a case of misconduct by a staff of the  
24 Institute which in the opinion of the Director-General is prejudicial to the  
25 interest of the Institute, may suspend that member and the suspension shall  
26 immediately be reported to the Council.

27 (3) The Council may suspend any staff or employee of the Institute  
28 from office or terminate his appointment for good cause and for the purpose  
29 of this subsection, "good cause" means:

30 (a) physical or mental incapacity which the Council, after

1 obtaining medical advice, considers to be such as to render the person  
2 concerned unfit for the discharge of the functions of his office;

3 (b) misconduct of a scandalous or other disgraceful nature which the  
4 Council considers to be such as to render the person concerned unfit to  
5 continue to hold his office; or

6 (c) conduct which the Council considers to be such as to constitute  
7 failure or inability of the person concerned to discharge the functions of his  
8 office or to comply with the terms and conditions of the service.

9 (4) A person suspended under subparagraph (3) or (4) shall be placed  
10 on half pay and the Council shall, before the expiration of a period of three  
11 months after the date of suspension consider the case against that person and  
12 come to a decision as to whether to:

13 (a) continue the suspension of the person in question and if so on what  
14 terms (including the proportion of his emoluments to be paid to him);

15 (b) reinstate the person in question to his office in which case the  
16 council shall restore his full emoluments or entitlements to him with effect  
17 from the date of the suspension;

18 (c) terminate the appointment of the person in question in which case  
19 the person shall not be entitled to the proportion of his emolument withheld  
20 during the period of the suspension;

21 (d) take such lesser disciplinary action against the person in question  
22 (including the restoration of the proportion of his emoluments that might have  
23 been withheld) as the Council may determine; or

24 (e) subject to this paragraph, the Council shall, where it decides to  
25 take further disciplinary action against a person, come to a final determination  
26 in respect of the case concerning the person before the expiration of a period of  
27 three months from that decision.

28 (5) The Chairman who signed the instrument of removal by virtue of  
29 subparagraph (2) of this paragraph to serve or cause to be served on the person  
30 concerned, a copy of the instrument.

1 (6) Nothing in this paragraph shall prevent the Council from  
2 making such regulations for the discipline of other categories of employees  
3 and workers of the Institute as it may deem fit.

4 *Discipline of Junior Staff*

5 2.-(1) Where a junior staff of the Institute is accused of misconduct  
6 or inefficiency, the Director-General may suspend the staff in question for a  
7 period of not more than three months and shall refer the matter to the Junior  
8 Staff Appointments, Promotion and Disciplinary Committee of the  
9 Management Board to:

10 (a) consider the case; and

11 (b) make recommendations as to the appropriate action to be taken  
12 by the Director-General.

13 (2) In all cases under this paragraph, the person accused of any  
14 misconduct or inefficiency shall be informed in writing of the charges  
15 against him and be given reasonable opportunity to defend himself.

16 (3) The Director-General may, after considering the  
17 recommendations made under subparagraph (1) (b) dismiss, retire or  
18 downgrade the person in question or terminate his employment.

19 (4) A person aggrieved by the decision of the Director-General  
20 under subparagraph (3) may within a period of 21 days from the date of the  
21 receipt of the letter, appeal to the Council to consider his case and the  
22 decision of the Council shall be final.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the National Institute for Educational Planning  
and Administration to promote study and practice of educational planning  
and administration in Nigeria.

