

FEDERAL COLLEGE OF MEDICAL AND PHARMACEUTICAL SCIENCES,
KONKIYEL (ESTABLISHMENT) BILL, 2019

ARRANGEMENT OF SECTIONS

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A BILL

FOR

AN ACT TO ESTABLISH FEDERAL COLLEGE OF MEDICAL AND PHARMACEUTICAL SCIENCES, KONKIYEL, TO PROVIDE PART-TIME AND FULL- TIME COURSES, TEACHING, INSTRUCTION AND TRAINING IN MEDICAL, PHARMACEUTICAL, LABORATORY AND APPLIED SCIENCES; AND TO PROVIDE FOR THE APPOINTMENT OF THE PROVOST AND OTHER OFFICERS OF THE COLLEGE TO CARRY OUT THE ADMINISTRATION AND THE DISCIPLINE OF STUDENTS OF THE COLLEGE AND FOR RELATED MATTERS

Sponsored by: Hon. Mansur Manu Soro

[] Commencement

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

1 1.-(1) There is established the Federal College of Medical and
2 Pharmaceutical Sciences, Konkiyel, Bauchi State (hereinafter referred to as
3 "the college").

Establishment of
the Federal College
of Medical and
Pharmaceutical
Sciences, Konkiyel

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

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

8 2.-(1) The governance and direction of the college affairs shall rest
9 in the governing council of the college (hereinafter referred to as "the
10 Council").

Governing Council
of the College

11 (2) The Council shall have the responsibility to consider and
12 approve:

13 (a) The Programme of studies to be undertaken in the college;

14 (b) The annual estimates of the college; and

15 (c) The investment plan of the college.

1 (3) The provision of the schedule to this Bill shall have effect with
2 respect to the Council as mentioned herewith.

Membership of
the Council of
the College

3 3. The Council of the college shall consist of:

4 (a) A chairman and other members to be appointed by the President;

5 (b) A representative of the Federal Ministry of Education;

6 (c) A representative of the university to which the college is affiliated
7 for the purposes of moderation;

8 (d) Two representatives of the academic board of the college;

9 (e) A representative of the National Commission for College of
10 Education; and

11 (f) The Provost of the college.

Tenure of
members of the
Council

12 4.-(1) A member of the Council (other than the ex officio members)
13 shall hold office for a term of four years and subject to the provision of
14 subsection (2) of this section shall be eligible for re-appointment for a further
15 term of four years.

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

18 (a) The member resigns from office by notice in writing under his
19 hand and addressed to the Minister; or

20 (b) The Minister is satisfied that it is not in the interest of the college
21 for the person to continue in office and notifies the member in writing to that.

Functions of
the College

22 5. The functions of the college shall be:

23 (a) To provide part-time and full-time courses in teaching,
24 instructions, and training in:

25 (i) Medical, Pharmaceutical, Laboratory, and Applied Sciences.

26 (ii) In such discipline of learning relevant to the delivery of quality
27 healthcare to Nigerians.

28 (b) To conduct courses in medical, pharmaceutical, laboratory, and
29 applied sciences;

30 (c) To arrange conferences, seminars, and workshops relative to the

1 functions of the college; and

2 (d) To perform such other functions as in the opinion of the Council
3 may promote the objectives of the college.

4 6. The Council of the college shall have power to:

Powers of the
Council

5 (a) Hold examinations and grant certificates, diplomas, and other
6 distinctions to persons who have pursued course of study approved and
7 accredited by the National Commission for Colleges of Education;

8 (b) Recruit staff and determine structure of such staff;

9 (c) Demand and receive from any student or any other person
10 attending the college, for the purpose of education or training, such fees as
11 the Council may with the approval of the Minister from time to time
12 determine;

13 (d) Hold public lectures and undertake printing, publishing, and
14 bookselling;

15 (e) Award fellowships, medals, prizes, and academic title;

16 (f) Establish and maintain such schools and other teaching units
17 with the college or extra moral departments as the Council may from time to
18 time determine;

19 (g) Erect, provide, equip, and maintain such educational
20 recreational and residential facilities as the college may require;

21 (h) Create lectureships and other academic post and offices and to
22 make appointment thereof receive and make gifts;

23 (i) Enter into such contracts as may be necessary or expedient for
24 carrying into effect the objective of the college;

25 (j) Provide amenities for and make such other provisions for the
26 welfare of the staff and students of the college;

27 (k) Encourage and make provision for research in the college; and

28 (l) Do such acts and things whether or not incidental to the
29 foregoing (a) to (k) as may advance the objects of the college.

The Visitor 1 7.-(1) The Minister responsible for education shall be the Visitor of
2 the college.

3 (2) The Visitor shall, not less than once in every five years, conduct a
4 visitation to the college or appoint a visitation panel to consist of not less than
5 five experts to conduct the visitation:

6 (a) For the purpose of evaluating the academic and administrative
7 performance of the college; and

8 (b) For such other purpose as the Visitor may deem fit.

The Academic
Board and its
functions

9 8.-(1) There shall be established for the college a board to be known as
10 the Academic Board which shall consist of the following members:

11 (a) The Provost of the college as the chairman;

12 (b) All heads of departments;

13 (c) The college Bursar;

14 (d) The college Librarian; and

15 (e) Not more than three members of the academic staff other than the
16 heads of departments to be appointed by the Council.

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

18 (a) The direction and management of academic matters of the college
19 including the regulation of admission of students, the award of certificates,
20 scholarships, prizes, and other academic distinctions; and

21 (b) Discharging any other functions which the Council may from time
22 to time delegate to it.

Power of Minister

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

The Provost of
the College

27 10.-(1) There shall be a Provost for the college (hereinafter referred to
28 as "the Provost") who shall be appointed by the President on the
29 recommendation of the Minister.

30 (2) Where a vacancy occurs in the post of the Provost, the Council

1 shall advertise the vacancy in reputable widely-read newspaper in Nigeria
2 specifying:

3 (a) the academic qualifications and qualities of the person who
4 may apply for the post; and (b) the terms and conditions of service
5 applicable to the post and thereafter draw up a shortlist of suitable
6 candidates for consideration of the Minister.

7 (3) The President shall appoint as Provost one of the candidate;
8 recommended by the Minister.

9 (4) Subject to the general control of the Council, the Provost shall
10 be the chief executive of the college and shall be charged with general
11 responsibility for matters relating to the day-to-day management and
12 operations of the college.

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

16 11.-(1) There shall be for the college two deputy provosts namely: Deputy Provosts
17 Deputy Provost (Academic) and Deputy Provost (Administration).

18 (2) The Council shall appoint the deputy provosts from among the
19 chief lecturers in the college in any of the following ways, that is:

20 (a) From a list of five candidates in order of preference, submitted
21 by the Provost;

22 (b) On the recommendation of a Selection Board constituted for
23 that purpose; or

24 (c) On the nomination of the Provost

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

27 (a) the chairman of the Council;

28 (b) the Provost of the college; (c) two members of the Academic
29 Board; and

30 (d) two members of the Council not being members of the

1 Academic Board.

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

3 (a) assist the Provost in the performance of his function in Academic
4 matters of the college; and

5 (b) act as the Provost when the post of the Provost is vacant or if the
6 Provost is for any reason, absent or unable to perform his function.

7 (5) The Deputy Provost (Administration) shall:

8 (a) assist the Provost in administrative matters of the college; and

9 (b) perform such other functions as the Provost or the Council may
10 from time to time assign to him.

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

The Registrar
of the College

13 12.-(1) There shall be a Registrar for the college to be appointed by
14 the Council.

15 (2) The Registrar shall keep the records and conduct the
16 correspondence of the Council.

17 (3) The Registrar shall be the secretary to:

18 (a) the Council;

19 (b) the Academic Board; and

20 (c) any committee of the Council.

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

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

Other Principal
Officers of the
College

25 13.-(1) There shall be for the college in addition to the Registrar:

26 (a) the Bursar; and (b) the Librarian both of whom shall be appointed
27 by the Council.

28 (2) The Bursar shall be the chief financial officer of the college and
29 shall be responsible to the Provost for the day-to-day administration and
30 control of the financial affairs of the college.

1 (3) The Librarian shall be responsible to the Provost for the
2 administration of the college library and the coordination of the library
3 services in the teaching units of the college.

4 (4) The Bursar and the Librarian shall each office for a period of
5 five years and no more.

6 14. A principal officer of the college may resign his appointment:

Resignation of
appointment of
Principal Officer

7 (a) in the case of the Provost, by written notice to the Visitor; and

8 (b) in any other case, by written notice to the Council.

9 15.-(1) The Council may appoint other persons to be employees of
10 the college as the Council may deem fit to assist the Provost and the
11 Principal Officers in the performance of their functions.

Other employees
of the College

12 (2) The remuneration, tenure of office, and condition of service of
13 the employees of the college shall be determined by the Council in
14 consultation with the Federal Civil Service Commission.

15 16. Service in the college shall be approved service for the purpose
16 of the Pension Reform Act and accordingly officers and other persons
17 employed in the college shall be entitled to pensions, gratuities, and other
18 retirement benefits as may be prescribed in their respective letters of
19 appointment.

Pension

20 17.-(1) There shall be a Selection Board for the college which shall
21 consist of:

Selection Board
for other Principal
Officers

22 (a) the chairman of the Council;

23 (b) the Provost;

24 (c) four members of the Council not being members of the
25 Academic Board; and

26 (d) two members of the Academic Board.

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

Fund of the College 1 18.-(1) The college shall establish and maintain a fund which shall be
2 applied towards the promotion of the objective of this Bill
3 (2) There shall be paid and credited to the fund established under sub-
4 section (1) of this section:
5 (a) such sums as may from time to time granted by the Federal
6 Government through the National Commission for Colleges of Education;
7 (b) all monies raised by the Council by way of gifts, grants,
8 endowments, or monetary dispositions; and
9 (c) all subscription, fees and charges for services rendered by the
10 Council and all other sums that may accrue to the Council from any source.
11 (3) The Council shall submit to the Minister, through the National
12 Commission for Colleges of Education, not later than three months before the
13 end of each financial year or at such other time as the Minister may direct, an
14 estimate of its revenue and expenditure for the next succeeding financial year.

Power to accept gifts 15 19.-(1) The college may accept gifts of money or property upon such
16 terms and conditions, if any, as may be prescribed by the person making the
17 gifts.
18 (2) The college may not accept any gift if the conditions attached to
19 the gifts are inconsistent with the functions of the college.

Account and audit 20 20. The college shall keep proper accounts of its receipts, payments,
21 assets, and liabilities and shall in respect of each year cause the account to be
22 audited

Annual reports 23 21. The Council shall, soon after the expiration of each year, prepare
24 and submit to the Minister a report of its activities during the immediate
25 preceding financial year and shall include in the report a copy of the audited
26 accounts of the college for that year and of the auditor's report of the accounts.

Interpretation 27 22. In this Bill:
28 "chairman" means the chairman of the Governing Council;
29 "college" means the Federal College of Medical and Pharmaceutical Sciences,
30 Konkiyel, Bauchi State established under section 1(1) of this Bill;

1 "Council" means the Governing Council of the college established under
2 section 2 of this Bill;

3 "function" includes power and duties;

4 "Minister" means the minister charged with the responsibility of overseeing
5 the Federal Ministry of Education;

6 "member" means a member of the Governing Council including the
7 chairman;

8 "President" means the President and Commander-in-Chief of the Armed
9 Forces of the Federal Republic of Nigeria;

10 "Provost" means the Provost of the college established under section 10 of
11 this Bill.

12 23. This Bill may be cited as the Federal College of Medical and Citation
13 Pharmaceutical Sciences, Konkiyel (Establishment) Bill, 2019.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal College of Medical and Pharmaceutical Sciences, Konkiyel to address the acute shortage of medical and pharmaceutical personnel in the North-East region of Nigeria through the provision of quality education and relevant trainings in the areas of medical, pharmaceutical, and related sciences. The education and training; will culminate in the award of academic certificates, diplomas, professional certificates, and other academic distinctions.

1 SCHEDULE

2 [Section 2(3)]

3 SUPPLEMENTARY PROVISION RELATING TO THE COUNCIL, ETC.

4 *Terms of Service*

5 1. There may be paid to the members of the Council or any committee
6 thereof, other than ex officio members, such remuneration and allowances as
7 may from time to time be determined by the President.

8 2. Where a vacancy occurs in respect of the membership specified in
9 section 3, it shall be filled by the appointment of a successor to hold office for
10 the remainder of the term of office of his predecessor in office and such
11 successor shall represent the same interest as his predecessor.

12 3. The Council may act notwithstanding any vacancy in its
13 membership or any defect in the appointment of a member or the absence of a
14 member.

15 4.-(1) The Council shall meet for the conduct of business at such
16 times, places, and on such days as the chairman may appoint but shall meet not
17 less than once every four months

18 (2) The chairman may at any time and shall at the request in writing of
19 not less than six members, convene a meeting of the Council.

20 (3) Where the Council desires to obtain the advice of any person on
21 any particular matter, the Council may co-opt persons who are not members of
22 the Council but persons co-opted shall not be entitled to vote at a meeting of the
23 Council.

24 (4) The quorum of the Council shall be one-half of the total members
25 of the Council, at least one of whom shall be a member appointed by the
26 President.

27 (5) Decisions of the Council shall be arrived at by votes of a simple
28 majority of members in attendance at a Council meeting.

29 *Miscellaneous*

30 5.-(1) the fixing of the seal of the college shall be authenticated by the

1 signature of the chairman, Provost, and of some other members of the
2 Council authorised generally or specially by the Council to act for that
3 purpose.

4 (2) any contract or instrument which, if made or executed by a
5 person other than a body corporate would not be required to be under seal
6 may be made or executed on behalf of the college by any person generally or
7 specially authorised for that purpose by the Council.

8 (3) Any document purporting to be duly executed under the seal of
9 the college shall be received in evidence and shall, unless the contrary is
10 proven, be presumed to be so executed.

