

NATIONAL METALLURGICAL TRAINING INSTITUTE, SAGAMU,

OGUN STATE BILL, 2019

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# A BILL

## FOR

AN ACT TO ESTABLISH THE NATIONAL METALLURGICAL TRAINING INSTITUTE, SAGAMU, OGUN STATE TO PROVIDE TRAINING, INFORMATION, SUPERVISION, GUIDANCE AND ADVICE TO STUDENTS, RESEARCHERS AND PERSONNEL IN IRON AND STEEL, AND OIL AND GAS INDUSTRIES FOR NATIONAL DEVELOPMENT AND FOR RELATED MATTERS

*Sponsored by Hon. Adewunmi Oriyomi Onanuga*

[ ] Commencement

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

1           PART I - ESTABLISHMENT OF THE NATIONAL METALLURGICAL  
2   TRAINING INSTITUTE, SAGAMU, OGUN STATE

3           1.-(1) There is hereby established the National Metallurgical  
4 Training Institute, Sagamu, Ogun State ( in this Act refereed to as "the  
5 Institute") which shall have the functions assigned to it in this Act

Establishment of the National Metallurgical Training Institute, Sagamu, Ogun State

6           (2) The Institute shall be a body corporate with perpetual  
7 succession and a common seal and it may sue or be sued in its corporate  
8 name

9           2. The objectives of the Institute shall be to:

Objectives of the Institute

10           (a) Establish, organize and run training courses for low and middle  
11 level manpower for the iron, gas, oil, steel and related industries in the area  
12 of welding technique;

13           (b) Minimize the need to send Nigerians overseas for professional  
14 training in metallurgy;

15           3.-(1) The Institute shall gave a Governing Board (in this Act  
16 referred to as "the Board") Which shall consist of:

Governing Board of the Institute

17           (a) a chairman to be appointed by the President on the  
18 recommendation of the Minister;

1 (b) One representatives of the Federal Ministry of Mines and Steel  
2 development;

3 (c) One representatives of the Nigerian Metallurgical Society;

4 (d) One representatives of the Federal Ministry of Education;

5 (e) The Rector of the Institute;

6 (f) One representatives of National Board for Technical Education;

7 (g) One representative of the Manufacturer's Association of Nigeria  
8 (Steel Group);

9 (h) Two other persons to be appointed by the Minister who by reason  
10 of their ability, experience and specialised knowledge of the Metallurgical and  
11 allied industries are capable of making useful contribution to the work of the  
12 Institute;

13 (i) The Registrar of the Institute who shall also be the secretary to the  
14 Board.

15 (2) The Chairman and members of the Board, who are not ex-officio  
16 members, shall be appointed by the president on the recommendation of the  
17 Minister.

Schedule

18 (3) The supplementary provisions set out in the schedule to this act  
19 shall have effect with Respect to the proceedings of the board and the other  
20 matters contained therein.

Tenure of office  
of the members  
of the Board

21 4.-(1) The Chairman shall hold office for a period of four years and  
22 may be re-appointed by the president for a final term of four years.

23 (2) A member of the Board, other than an ex-officio member, shall  
24 hold office for four years and may be re-appointed for a final term of four years.

Remuneration  
of the members  
of the Board

25 5.-(1) The Chairman and members of the Board shall be paid such  
26 emoluments as may be Specified in their letters of appointment.

27 (2) The allowances payable to members of the Board shall be in  
28 accordance with such rates as may be specified and approved by the Federal  
29 Government from time to time.

1                   6.-(1) If it appears to the Minister that the Chairman or any other     Removal from  
2                   member of the Board Should be removed from office on the ground of     office of a member  
3                   misconduct or inability to perform the functions of his office, the Minister     of the Board  
4                   shall make a recommendations to the President.

5                   (2) If the President, after making such inquiries as he considers  
6                   necessary approved the recommendation, he shall remove such member  
7                   from office.

8                   (3) A member of the Board may resign his appointment by a letter  
9                   to the President through the Minister.

10                   PART II - FUNCTION AND POWERS OF THE INSTITUTE

11                   7. The functions of the Institute shall be to:

12                   (a) Engage in the training of low and middle level manpower in     Functions of the  
13                   metallurgy and related Fields in the use of iron, gas, oil and steel industries     Institute  
14                   for national development;

15                   (b) Conduct courses in metallurgy and related subjects for students  
16                   and provide them with practical exercise;

17                   (c) Provide relevant information, supervision guidance and advice  
18                   to personnel in iron, gas oil and industries;

19                   (d) Carry out other activities as are necessary and expedient for the  
20                   full discharge of any of its functions under this Act.

21                   8. The Board:

22                   (a) Subject to the provision of this Act, be the government body-of     Functions of the  
23                   the Institute and shall be charged with the general control and supervision of     Board  
24                   the policy, staff, finances and property of the Institute;

25                   (b) Ensure that the Institute is staffed by persons with competences  
26                   in relevant Fields;

27                   (c) Ensure that proper accounts of the Institute are kept and that  
28                   those accounts are audited annually as specified in this Act; and

29                   (d) Control courses of study of the Institute and examinations held  
30                   in those courses.

Powers of the  
Institute

- 1                    9. For carrying out its objectives and function under Act, the Institute  
2 shall have power to:
- 3                    (a) Establish such unit and or departments within the Institute as may,  
4 from time to time, be deemed necessary;
- 5                    (b) Institute and award fellowship, scholarships, bursaries, medal,  
6 prize and other awards; (c) Provide for the discipline and welfare of the staff of  
7 the Institute;
- 8                    (d) Hold examinations and grant, diplomas, certificates and other  
9 distinctions to persons approved by the Institute as having satisfied the  
10 requirements of the Institute;
- 11                    (e) Determine and demand from any student or any other person  
12 attending the Institute For the purpose of instruction and training, such fees as  
13 the Institute may from time to time fix;
- 14                    (f) Acquire, hold, grant, charge or otherwise deal with or dispose of  
15 moveable and Immovable property;
- 16                    (g) Accept gifts, legacies and donations for particular purposed  
17 provided the terms and Conditions attached thereto are not detrimental to the  
18 objectives of the Institute;
- 19                    (h) Enter into contracts, establish trusts, act as trustees solely or  
20 jointly with any other Person and employ and act though agents:
- 21                    (i) Erect provide, equip and maintain libraries, lecture halls or  
22 residence, sport grounds, dining halls and other buildings suitable for the  
23 objectives of the Institute;
- 24                    (j) Undertake publishing and book sales and liaise with other  
25 professional bodies and Institutions in respect of book publishing for activities  
26 suitable for the objectives of the Institute;
- 27                    (k) Subject to any limitations or conditions imposed by this Act,  
28 invest any money accruing to the Institute by way of endowment, whether for  
29 general or special purposes and such other money as may no be immediately  
30 required for current expenditure in investments, securities or in the purchase or

1 improvement of land, with power from time to time to vary such investment;

2 (l) Make gifts for any charitable purposes and donations to  
3 professional bodies; and

4 (m) Do all such other things which are incidental to the foregoing.

5 **10.**-(1) Subject to the provision of this Act, the Board shall:

Powers of the  
Board

6 (a) Exercise on behalf of the Institute, the powers conferred on its  
7 under this act; and

8 (b) Do such other things as are necessary for the successful  
9 performance of its Function and those of the Institute.

10 (2) The Board may subject to its standing orders, appoint such  
11 standing and ad hoc Committees as the Board may think fit to consider and  
12 report on any matter with the Institute is concerned.

13 (3) Subject to the provisions of subsection (2) of this section, a  
14 committee appointed by virtue of that subsection shall be presided over by a  
15 member of persons, not necessarily member of the Board as the Board may  
16 determine.

17 **11.** The Minister may give to the Institute or Board, directives of a  
18 general nature or relating generally to matters of policy with regard to the  
19 performance by the Institute or the Board and it shall be the duty of the  
20 Institute or the Board to comply with those directives.

Powers of the  
Minister to give  
directives

21 PART III - STAFF OF THE INSTITUTE

22 **12.**-(1) The Principal Officers of the Institute shall consist of:

Appointment of  
Principal Officers  
of the Institute

23 (a) the Rector;

24 (b) the Director of Studies;

25 (c) the Registrar;

26 (d) the Bursar;

27 (e) the Librarian; and

28 (f) such other officers as may from time to time appointed;

29 (2) The principal officers of the institute other than the Rector shall  
30 be appointed by the Board.

Appointment  
of Rector of  
the Institute

1                   **13.**-(1) There shall be appointed for the Institute by the President, on  
2                   the recommendation of the Minister, a Rector who shall be a graduate of a  
3                   recognized university and has since his qualification been actively employed  
4                   or engaged in the metallurgical or allied industry in managerial capacity for a  
5                   continuous period of not less than ten years.

6                   (2) The Rector shall be the Chief Academic and Chief Executive  
7                   Officer of the Institute and shall be responsible for the day to day  
8                   administration of the Institute.

9                   (3) The Rector shall hold office for a period of four years and shall be  
10                  eligible for re-appointment for final term of four years.

11                  (4) Subject to the provision of this section, the Rector shall hold office  
12                  on such terms as may be specified in his letter of appointment.

Director of  
Studies

13                  **14.**-(1) There shall be a Director of Studies who shall be responsible  
14                  to and assist the Rector of the Institute in the execution of his duties.

15                  (2) Subject to the Provision of subsection (1) of this section, the  
16                  Director shall be in charge of co-ordinating the activities of the Heads of  
17                  Department in training, collation and publication of courses materials and  
18                  maintenance of infrastructure of the Institute.

19                  (3) The Director of Studies shall be appointed by the Board on the  
20                  recommendation of the Rector and shall hold office on such terms as may be  
21                  specified in his letter of appointment.

Appointment  
of Registrar of  
the Institute

22                  **15.** There shall be for Institute a Registrar who shall be the Head of  
23                  Administration of the Institute and shall be responsible to the Rector for the  
24                  day-to-day administration and control of the financial affairs of the Institute.

Appointment  
of Bursar of the  
Institute

25                  **16.** The Bursar shall be the Chief Finance officer of the Institute and  
26                  shall be responsible to the Rector for the day-to-day administration and control  
27                  of the financial affairs of the Institute

Appointment  
of Librarian

28                  **17.** The Librarian shall be responsible to the Rector for the  
29                  administration of the Institute's Libraries.



1           18.-(1) The Board may, from time to time appoint for the Institute, Appointment of  
2 such other staff as it may deem necessary, to assist the Rector in the other employees  
3 performance of his functions under this Act. of the Institute

4           (2) Without prejudice to the generality of subsection (1) of this  
5 section, the Board may appoint persons or employees of the Institute, either  
6 by way of transfer or secondment from any of the public service in the  
7 federation.

8           19. The remuneration, tenure and conditions of service of Conditions of  
9 employees of the Institute shall be as those applications to similar tertiary service of  
10 institutions in Nigeria. employees of  
the Institute

11           20.-(1) If it appears to the Board that the Rector should be removed Removal from  
12 from office, the Board shall make a recommendations to the Minister, who office of the  
13 after making such inquires as he deem fit, approve the recommendation. Rector

14           (2) The Minister shall, with the written approval of the president  
15 declare the office of the Rector Vacant.

16           21.-(1) If it appears to the Board that there are reasons for believing Removal and  
17 that a person employed as a member of the senior staff of the Institute, other Discipline of  
18 than the Rector, should be removed from office on grounds of misconduct or Senior Staff  
19 inability to discharge the function of his office, the Board through its  
20 appropriate committee shall:

21           (a) Give notice of those reasons to the person concerned;

22           (b) Afford him an opportunity of making representation on the  
23 matter to the board in person;

24           (c) If the person concerned or any other member of the Board so  
25 requests, within the period of one month beginning with the date of the  
26 notice, make arrangement:

27           (i) For the Appointments and Promotion Committee of the Board  
28 or an ad hoc committee of Board to investigate the matter and report to  
29 Board; and

30           (ii) For the person in question to be afforded an opportunity of

1 appearing before and being heard by the investigating committee.

2 (2) If the Board, after considering the report of the investigating  
3 committee, is satisfied that the person in question should be removed as  
4 aforesaid, the Board may remove the person concerned by an instrument in  
5 writing signed by the Chairman of the Board

6 (3) For a good cause, an employee may be suspended from office or  
7 his appointment may be terminated by the Board.

8 (4) For the purpose of sub-section (3) of this section, "good cause"  
9 means:

10 (a) Physical or mental incapacity, which the Board after obtaining  
11 medical advice considers to be such as to render the person concerned unable to  
12 discharge the function of his office;

13 (b) Conduct of a scandalous or other disgraceful nature which the  
14 Board considers to be such as to render the person unfit to continue to hold his  
15 office; or

16 (c) Conduct which the Board considers to be such as to constitute a  
17 failure or inability of the person concerned to discharge the functions of his  
18 office or to comply with the terms and conditions of his service.

19 (5) A person suspended pursuant to sub-section (3) of this section  
20 shall be placed on half pay and Board shall within six month of the suspension  
21 come to a decision as to:

22 (a) Whether to continue that person's suspension;

23 (b) Whether to reinstate that person to his office, in which case the  
24 Board shall restore his full emoluments to him with effect from the date of the  
25 suspension;

26 (c) Whether to terminate that person's appointment, in which case the  
27 person shall not be entitled to the proportion of his emoluments which might  
28 have been withheld during the period of suspension; or

29 (d) Where to take such lesser disciplinary action against that person  
30 (including the restoration of the proportion of his emoluments which might

1 have been withheld).

2 (6) Where the Board, pursuant to this section, decides to suspend  
3 and officer, the Board shall, within six months come to a final determination  
4 of the officer's case.

5 (7) It shall be duty of the person who signed the instrument of  
6 removal by virtue of sub- section (2) of this section to serve or cause to  
7 served on the person concerned, a copy of the instrument.

8 (8) Nothing in this section shall prevent the Board from making  
9 such regulations for the discipline of other categories of employees and  
10 workers of the Institute as it may fit.

11 22.-(1) Where a junior member of staff is accused of misconduct or  
12 inefficiency, the Rector may suspend him for the junior staff Disciplinary  
13 Committee to make recommendations as to the appropriate action to be  
14 taken by the Rector.

Discipline of  
Junior Staff

15 (2) In all cases under this section, the junior member of staff shall  
16 be informed in writing of the charge him and be given reasonable  
17 opportunity to defend himself

18 (3) The Rector may, after considering the recommendation made  
19 pursuant to subsection (1) of this section, downgrade, retire or dismiss the  
20 junior officer or terminate the appointment.

21 (4) A person aggrieved by a decision of the Rector under sub-  
22 section (3) of this Section may, within a period of 21 days from the date of the  
23 receipt of the letter Communicating the decision to him, address a petition to  
24 the Board to reconsider his case and the board's decision thereon shall be  
25 final.

26 23.-(1) It is hereby declared that service in the Institute shall be  
27 approved service for the purpose of Pension Reform Act, and accordingly.  
28 officers and other persons employed in the Institute shall in respect of their  
29 service in the Institute, be entitled to pension, and other retirement benefit so  
30 however that nothing in this Act shall prevent the appointment of a person to

Services in the  
Institute to be  
pensionable

1 any office on terms which Preclude the grant of a pension in respect of the  
2 office.

3 (2) For the purpose of the application of the provisions of the pension  
4 Reform Act any power exercisable thereunder by a Minister or other authority  
5 of the Government of the Federation, other than the power to make regulations  
6 under Section 23 thereof is hereby vested in and shall be exercisable by the  
7 Board and not by any other authority.

8 **PART IV - ACADEMIC BOARD OF THE INSTITUTE**

Establishment  
of the Academic  
Board of the  
Institute

9 **24.-(1)** There is hereby established for the Institute an Academic  
10 Board which shall consist of:

- 11 (a) The Rector of the Institute as Chairman;
- 12 (b) The Director of Studies;
- 13 (c) All Heads of Department;
- 14 (d) Two members elected by the Congregation;
- 15 (e) The Librarian;
- 16 (f) The Registrar of the Institute who shall be the Secretary to the  
17 Academic Board.

18 (2) The Rector shall preside at the meeting of the Academic Board and  
19 in his Absence the Director of studies shall preside but in their absence the  
20 members present shall elect one of their numbers to preside at the meeting.

21 (3) The Academic Board shall meet at least once in a semester.

22 (4) Subject to sub section (2) and (3) of this section: the Academic  
23 Board shall regulate its own procedure.

Function of the  
Academic Board

24 **25.** Subject to sub-section (2) of this section the Academic Board shall  
25 formulate, Regulate and continuously evaluate the academic programmes of  
26 the Institute Including:

27 (a) The organization and control of courses of study and the  
28 examination held in Connection with those courses;

29 (b) The award of diplomas, certificates and such other qualifications  
30 as may be prescribed in connection with examination held as aforesaid:

1 (c) Such other functions as the board may from time to time assign  
2 to it.

3 26.-(1) The Institute shall create such departments as may be Creation of  
Departments  
4 necessary from time to time.

5 (2) Each academic department shall have a Departmental Board.

6 (3) Each academic department shall elect from among its  
7 members, five members to serve on its Departmental Board two of such  
8 persons being elected as Chairman and Secretary respectively and all  
9 members so elected to the Departmental Board shall each hold office for a  
10 period of two academic sessions.

11 (4) Subject to such standing orders that may be made by the  
12 Academic Board for that purpose, each Department Board may carry out its  
13 duties as it deems fit.

14 (5) Each academic Department shall appoint a board of examiners  
15 and that Board shall be charged with the conduct of examination under this  
16 Section and thereafter make its recommendation to the Academic Board.

17 (6) Member of the Department Board and board of examiners shall  
18 not be entitled to any emoluments other than expenses reasonably incurred  
19 in the course of the business of the Board of the board, respectively.

20 27. Any candidate for any examination shall satisfy the Candidates for  
Examination  
21 appropriate Departmental Board:

22 (a) That he is a registered student of the Institute;

23 (b) That he is in possession of and is therein named as the holder of  
24 a Certificate that qualified him for admission to the Institute.

25 28. Diplomas and certificates shall be awarded to students of the Award of diplomas  
and Certificates  
26 institute who are of good character and learning and who have passed the  
27 examinations prescribed by the Academic Board for the award of same.

28 29.-(1) There shall be for the Institute a body known as Congregation  
29 congregation which shall consist of:

30 (a) the Rector;

- 1 (b) the Director of Studies;
- 2 (c) members of the Academic Boards;
- 3 (d) the Registrar;
- 4 (e) the Bursar;
- 5 (f) the Librarian; and
- 6 (g) Every member of staff who holds a minimum of Higher National
- 7 Diploma or its equivalent from a recognized institution.

8 (2) The Director of Studies shall be the Chairman at all meetings of  
9 congregation when he is present, and in his absence such other member of  
10 congregation present at the meeting as congregation may appoint for that  
11 meeting, shall be the Chairman at the meeting.

12 (3) The quorum of congregation shall be one third (or the number  
13 nearest to one third) of the total number of members of congregation whichever  
14 is less.

15 (4) Subject to the foregoing provision of this act congregation may  
16 regulate its own Procedure.

17 (5) Congregation shall be entitled to express by resolution or  
18 otherwise its opinion on all matter affecting the interest and welfare of the  
19 Institute and shall have such other function in addition to function of electing a  
20 member of the Academic Board.

21 **PART V - FINANCIAL PROVISIONS**

Fund of the  
Institute

22 **30.-(1)** The Institute shall establish and maintain a fund.

23 (2) There shall be paid and credited to the fund established pursuant to  
24 sub-Section (1) of this section:

25 (a) Such monies as may, from time to time, be granted to the Institute  
26 by the Government of the Federation or of state or any of their agencies;

27 (b) All monies raised for the purposes of the Institute by way of gifts,  
28 grant-in-aid, testamentary disposition or otherwise; and

29 (c) all subscriptions or fees, and charges for services rendered by the  
30 Institute.

1 (3) The fund shall be managed in accordance with guidelines given  
2 by the Minister and without prejudice to the generality of the power to give  
3 guidelines under this subsection, the guidelines shall in particular contain  
4 such provision specifying the manner in which the assets of the Institute are  
5 to be held, and regulating the making of payments into and out of the fund.

6 31. The Institute may, from time to time, apply its fund:

Expenditure of  
the Institute

7 (a) To the cost of administration of the Institute and of any research  
8 under The Institute's administration;

9 (b) For reimbursing a member of any Committee set up by the  
10 Institute for Expenses expressly authorised by the Institute;

11 (c) For the provision of scholarships and other awards for the  
12 training of Staff of the Institute;

13 (d) For payment of salaries, fees or other remunerations,  
14 allowances, Pensions or superannuation payable to the employees of the  
15 Institute;

16 (e) For the maintenance of any property vested in the Institute.

17 32.-(1) The Institute may accept gift of land or other, money or  
18 other property, on such terms and Conditions if any, as may be specified by  
19 the person or Organisation making the gift.

Power to accept  
gifts

20 2) the Institute shall not accept a gift if the conditions attached by  
21 the person or Organisation making the gift are inconsistent with the  
22 objective and function of the Institute

23 33.-(1) The Institute may, with the consent of the Minister or in  
24 accordance with the General authority given by Federal Government,  
25 borrow by way of loan or overdraft, from any source any monies required by  
26 the Institute for meeting its obligation and discharging its functions under  
27 this Act, so however that where the sum or the aggregate of the sums  
28 involved at any one time lines not exceed the limit set by Minister, no such  
29 consent or authority shall be required.

Power to borrow

30 (2) Notwithstanding, subsection (1) of this section, where the sum

1 to be borrowed is in foreign currency, the Institute shall not borrow the sum  
2 without the prior approval of the Minister.

Annual Estimate  
Accounts and  
Audit

3 34.-(1) The Board shall cause to be prepare not later than 30th  
4 September in each year, an estimate of the expenditure and income of the  
5 Institute during the next succeeding year, and when prepared, they shall be  
6 submitted to the Minister through the Board.

7 (2) The Board shall cause to be kept proper accounts of the Institute  
8 and proper records in relation thereto and when certified by the Board the  
9 accounts shall be audited as provided in subsection (3) of this section.

10 (3) The accounts of the Institute shall be audited within six months  
11 after the end of each year by auditors appointed by the Board from list and in  
12 accordance with the guidelines supplied by the Auditor General for the  
13 Federation and the fees of the auditors and expenses of the auditors generally  
14 shall be paid from the funds of the Institute.

Annual Report

15 35. The Board shall, not later than 31 July in each, submit to the  
16 President report, in such Form as the President may, from time to time, direct  
17 on the activities of the Institute During the preceding year, and shall include in  
18 the report the audited account of the institute.

19 PART VI - DISCOVERIES INVENTIONS AND IMPROVEMENTS BY  
20 EMPLOYEES OF THE INSTITUTE

Discoveries  
inventions and  
improvements  
by employees  
of the Institute

21 36.-(1) subject to the provisions of the Act, the results in all  
22 researched discoveries, inventions and in all improvements in respect of  
23 processes, apparatus and machine made by:

- 24 (a) Employees of the Institute;
- 25 (b) Persons assisting the Institute with any investigation or research,
- 26 shall vest in the Institute.

27 (2) where the rights in any discoveries, inventions or improvements  
28 are vested in the Institute by virtue of subsection (1) of this section, the Board  
29 may award to the person responsible for the discoveries, inventions or  
30 improvements such bonus as it deems fit and make provisions for financial



1 participation by him in the profit derived from such discoveries, inventions  
2 or improvements to such an extent as the Minister may determine.

3 (4) The provision of this section shall not apply in respect of a  
4 discovery or an invention or improvement contemplated in subsection (1) of  
5 this section, if in the opinion of the Board such discovery, invention or  
6 improvement was not made by the persons:

7 (a) In the course of his employment as an employee of the Institute;

8 (b) During the performance of functions in respect of which he has  
9 been placed at the disposal of the Institute;

10 (c) In the course of any investigation or research in which he  
11 assisted the Institute;

12 (d) In the course of any research in respect of which he receives a  
13 bursary or grant-in-aid from the Institute

14 PART VII - MISCELLANEOUS AND SUPPLEMENTARY

15 37.-(1) for the purpose of providing offices and premises necessary  
16 for the performance of its functions the Institute may:

Office and  
Premises

17 (a) Purchase or take on lease any interest in land, building or  
18 property;

19 (b) Build, equip and maintain offices and premises.

20 (2) The Institute may, subject to the Land use Act, sell or lease out  
21 land, office or premises held by it, which is no longer required for the  
22 performance of its functions under this Act.

23 38. The Institute shall establish and maintain a library comprising  
24 such books, record, and other publications as may be directed by the Board  
25 for the advancement of knowledge in the areas of work undertaken by it, for  
26 research purposes and for other purposes connected with the functions  
27 conferred on the Institute under this Act

Provisions of  
Library Service

28 39.-(1) No suit against the Institute, a member of the Board or an  
29 employee of the Institute of any act done in pursuance of or in execution of  
30 any law or any public duties or in respect of any alleged neglect or default in

Procedure in  
respect of suit  
against the  
Institute etc.

1 the execution of such law or duties shall lie or be instituted in any court unless it  
2 is commenced within twelve months next after the act, neglect or default  
3 complained of or, in the case of a continuance of damage or injury, within  
4 twelve month next after the ceasing thereof.

5 (3) No suit be commenced against the institute before the expiration  
6 of a period of one month after written notice of intention to commence the suit  
7 shall have been served upon the Institute by the intending plaintiff or his agent,  
8 and the notice shall clearly and explicitly state:

- 9 (a) The cause of action;  
10 (b) The particulars of claim;  
11 (c) The name and place of above of the intending plaintiff, and  
12 (d) The relief which he claim;

Service of  
documents

13 40. The notice referred to in subsection (2) of section 39 of this Act  
14 and any summons, notice or other document required or authorized to be  
15 served upon the Institute under the provisions of this Act or any other law may  
16 be served by delivering the same to the Chairman or the Rector at the principal  
17 office of Institute.

Indemnity of  
members of the  
Board and  
employees of  
the Institute

18 41. Every member of the Board agent, auditor or employee for the  
19 time being of the Institute shall be indemnified out of the assets of the Institute  
20 against any liability incurred by him in defending any proceeding whether civil  
21 or criminal, if any such proceeding is brought against him his capacity as such  
22 member, agent, auditor or employee and aforesaid

Power to make  
Regulations

23 42.-(1) The Board may, with the approval of the Minister, make  
24 regulations for giving Effect to the provision of this Act and without prejudice  
25 to the foregoing the regulations shall provide for matters including:

- 26 (a) The entry into and the type of courses and programmes approved  
27 by the Institute;  
28 (b) The duration of the courses and programmes, and  
29 (c) The diplomas, and certificates if any to be awarded by the Institute.

30 (2) Any regulations made pursuant to subsection (1) of this section

1 need not be published in the Federal Gazette, but the Board shall cause them  
2 to be brought to the notice of all affected persons in such manner as it may  
3 from time to time determine.

4 43.-(1) The Institute is hereby Established as the National  
5 Metallurgical Training Institute, Sagamu, Ogun State in accordance with the  
6 provision of this Act.

Establishment  
of National  
Metallurgical  
Training Institute,  
Sagamu, Ogun  
State

7 (2) A person who at the commencement of this Act was a member  
8 of staff or an employee of the institute shall as from commencement of this  
9 Act, become the holder of the appointment in the Institute with the status,  
10 rank designation and functions which corresponds as far as possible to those  
11 which appertained to him as a member of staff or employee of the Institute.

12 (3) All assets, right, liabilities and obligations which immediately  
13 before the commencement of this Act were assets, right, liabilities and  
14 obligations of the institute shall by virtue of this Act and without further  
15 assurance vest in or be taken over by the Institute.

16 (4) Anything made or done or having effect as if made before the  
17 commencement of this Act by the institute and having any resulting or  
18 continuing effect shall be treated as from the commencement of this act as if  
19 it were made or done by the Institute.

20 44.-(1) In this Act, unless the context otherwise requires:

Interpretation

21 "Rector" means the Rector of the Institute appointed under the Act;

22 "Chairman" means the Chairman of Board of the Institute;

23 "Board" means the Board of the Institute;

24 "Institute" means the National Metallurgical Training Institute, Sagamu,  
25 Ogun State establish by section 1 of the Act;

26 "Member" means a member of Board and includes the Chairman;

27 "Minister" means the Minister charge with responsibility for steel  
28 Development;

29 "President" means the President of the Federal Republic of Nigeria;

30 "principal Officer" means the Principal Officers of the Institute appointed

1 under Act Section 12 of this Act;  
2 "Academic Board" means the Academic Board established pursuant to Section  
3 24 of this Act.

Short title

4 45. This Bill may be cited as the National Metallurgical Training  
5 Institute, Sagamu Ogun State Bill, 2019.

6 SCHEDULE

7 SUPPLEMENTARY PROVISION RELATION TO THE BOARD ETC

8 1. Subject to the provisions of this Act and section 27 of the  
9 Interpretation Act, the Board shall have power to regulate its proceedings and  
10 may make standing orders with respect to the holding of its meetings and those  
11 of any of its committees, the notice to be given, the proceedings thereat, the  
12 keeping of minutes of those proceedings and the custody and production for  
13 inspection of the minutes.

14 2. The quorum of the Board shall be five and the quorum of a  
15 committee of the Board shall be determined by the Board.

16 3.-(1) Subject to the provision of any application standing orders, the  
17 Board shall meet whenever it is summoned by the Chairman and if the  
18 Chairman is required so to do by notice given to him by not less than six other  
19 member he shall summon a meeting of the Board to be held within twenty one  
20 days from the date on which the notice is given.

21 (2) at any meeting of the Board, the Chairman shall preside but if he is  
22 absent the members present at the meeting shall appoint one of their number to  
23 preside at the meeting.

24 (3) where the Board wishes to obtain the advice of any person on a  
25 particular matter, the Board may co-opt him as a member for such period as it  
26 thinks fit but a person who is a member by virtue of this sub-paragraph shall not  
27 be entitled to vote at any meeting of the Board and shall not count towards a  
28 quorum.

29 *Committees*

30 4. The Board may appoint one or more Committees to carry out on

1       behalf of the Board, such of its function as the Board may determine.

2               5. The Committee appointed under this schedule shall consist of  
3       such number of person (not necessarily members of the Board) as may be  
4       determine by the Board, and a person other than a member of the Board shall  
5       hold office on the Committee in accordance with the terms of his  
6       appointments.

7               6. A decision of a committee of the Board shall be of no effect  
8       until it is confirmed by the Board miscellaneous

9               7.-(1) The fixing of the seal of the Institute shall be authenticated  
10       by the signature of the Chairman and Rector.

11              (2) Any document purposing to be a document duly executed under  
12       the seal of the Institute, shall be received in evidence and shall unless the  
13       contrary is proved be presumed to be so executed.

14              8. The validity of the proceeding of the Board or any of its  
15       committees shall not be affected by:

16              (a) A vacancy in the meeting of the Board or of the committee;

17              (b) Reason that a person not entitled to do so took part in the  
18       proceedings; or

19              (c) A defect in the appointment of a member.

20              9. A member of the Board and a person holding office on a  
21       committee of the Board, who has a personal interest in any contract or  
22       arrangement entered into or proposed to be considered by the Board or  
23       Committee:

24              (a) Shall forthwith disclose his interest to the Board or Committee  
25       as the case may be; and

26              (b) Shall not vote on any question relating to the contract or  
27       arrangement.

EXPLANATORY MEMORANDUM

*(This memorandum does not form part of the Bill but is intended  
to explain its purport)*

This Bill seeks to establish the National Metallurgical Training Institute, Sagamu, Ogun State, to provide training, information, supervision, guidance and advice to students, researchers and personnel in iron and steel, and Oil and gas industries for national development.