

# A BILL

## FOR

AN ACT TO ESTABLISH FEDERAL COLLEGE OF EDUCATION (TECHNICAL) YAURI, KEBBI STATE TO PROVIDE FULL-TIME COURSES, TEACHING, INSTRUCTIONS AND TRAINING IN TECHNOLOGY, APPLIED SCIENCE, ARTS, SOCIAL SCIENCES, HUMANITIES AND MANAGEMENT AND TO CARRY OUT RESEARCH IN THE DEVELOPMENT AND ADAPTATION OF TECHNIQUES; AND FOR RELATED MATTERS, 2019

*Sponsored by Hon. Tanko Sununu Yusuf*

[ ] Commencement

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

1 PART I - ESTABLISHMENT OF FEDERAL COLLEGE OF EDUCATION

2 (TECHNICAL), YAURI, KEBBI STATE

3 1.-(1) There is established the Federal College of Education  
4 (Technical), Yauri (hereinafter referred to as "The College").

Establishment  
of Federal College  
of Education  
(Technical), Yauri,  
Kebbi State

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

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

9 (4) Objectives of the College shall be to:

10 (a) encourage the advancement of learning and to hold out to all  
11 persons without distinction of race, creed, sex or political conviction of the  
12 opportunity of acquiring higher and liberal education;

13 (b) provide technical courses of instruction and other facilities for  
14 the pursuit of learning in all its branches, and to make those facilities  
15 available on proper terms to such persons as are equipped to benefit from  
16 them.

Governing Council of the College	1	<b>2.</b> -(1) The governance and direction of the College affairs shall vest in
	2	the Governing Council of the College (in this Bill referred to as "the Council").
	3	(2) Without prejudice to the generality of subsection (1) of this
	4	section, it shall be the responsibility of the Council to consider and approve the:
	5	(a) plan of activities of the College;
	6	(b) programme of studies, courses, and research to be undertaken by
	7	the College;
	8	(c) annual estimates of the College; and
	9	(d) investment plans of the College.
	10	(3) The provisions of the Second Schedule to this Bill shall have effect
	11	with respect to the Council as specified therein.
Membership of the Council in the College	12	<b>3.</b> -(1) The Council of the College shall consist of:
	13	(a) a Chairman and other members to be appointed by the President;
	14	(b) a representative of the Federal Ministry of Education;
	15	(c) a representative of the University of which the College is affiliated
	16	to for the purpose of moderation;
	17	(d) two representatives of the academic board of the College;
	18	(e) a representative of the National Commission for the Colleges of
	19	Education; and
	20	(f) The Provost of the College.
Tenure of office of Members of the Council	21	<b>4.</b> -(1) A member of the Council (other than the ex-officio members)
	22	shall hold office for a term of four years and subject to the provision of sub-
	23	Section (2) of this section shall be eligible for re-appointment for a further
	24	period of four years and no more.
	25	(2) The office of a member appointed under section 3 of this bill shall
	26	become vacant if the:
	27	(a) member resigns his office by notice in writing under his hand
	28	addressed to the Minister; or
	29	(b) Minister is satisfied that it is not in the interest of the College for

1 the person appointed to continue in office and notifies the member in writing  
2 to that effect.

3 **5.** The functions of the College shall be-

Functions of  
the College

4 (a) to provide full-time courses in teaching, instruction and  
5 training-

6 (i) in Technology, Applied Science, Commerce, Arts, Social  
7 Science, Humanities and Management; and

8 (ii) in such other fields of applied learning relevant to the needs of  
9 the development of Nigeria in the areas of industrial and agricultural  
10 production and distribution and for research in the development and  
11 adaptation of techniques as the Council may from time to time determine;

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

13 (c) to arrange conferences, seminars and workshops relative to the  
14 fields of learning specified in paragraph (a) of this section; and

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

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

Powers of the  
Council

18 (a) hold examinations and award Degrees, NCE, Diplomas,  
19 professional certificates and other distinction to persons who have pursued  
20 courses of study approved and accredited by the National Commission for  
21 Colleges of Education;

22 (b) hold examinations in education for qualified teachers;

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

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

27 (e) hold public lectures and undertake printing, publishing and  
28 bookselling;

29 (f) award fellowships, medals, prizes and other titles;

30 (g) establish and maintain such schools and other teaching units

1 with the College or extra moral department as the Council may, time to time,  
2 determine;

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

5 (i) create lectureships and other academic posts and offices and to  
6 make appointments thereof;

7 (j) receive grants and give gifts;

8 (k) enter into such contracts as may be necessary or expedient for  
9 carrying into effect the objectives of the College;

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

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

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

The Visitor 15 **7.-(1)** The Minister responsible for education shall be the visitor of the  
16 College:

17 (2) The visitor shall, not less than once in every five years conduct a  
18 visitation to the College or appoint a visitation panel consisting of not less than  
19 five experts to conduct the visitation:

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

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

The Academic Board and its Function 23 **8.-(1)** There shall be established for the College a board to be known  
24 as the academic Board which shall consist of the following members:

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

26 (b) all heads of departments;

27 (c) the College librarian; and

28 (d) not more than three members of the Academic staff, other than the  
29 heads of departments to be appointed by the Council.

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

1 (a) the direction and management of academic and academic  
2 matters of the College including the regulation of admission of students, the  
3 award of certificates, scholarships, prizes and other academic distinctions;

4 (b) discharging other functions which the Council may, from time  
5 to time, delegate to it.

6 **9.** The Minister may give to the Council directions of a general  
7 nature or relating generally to matters with regard to the exercise by the  
8 Council of its functions and it shall be the duty of the Council to comply with  
9 such directions.

Power of the  
Minister to give  
direction to the  
Council

10 **10.-(1)** There shall be a Provost for the College (herein referred to  
11 as the 'Provost') who shall be appointed by the President on the  
12 recommendation of the Ministers;

The Provost of  
the College

13 (2) Where a vacancy occurs in the post of the Provost, the Council  
14 shall:

15 (a) advertise the vacancy in reputable and widely read newspapers  
16 in Nigeria specifying:

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

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

21 (3) The President shall appoint a Provost from one of the  
22 candidates recommended by the Minister.

23 (4) Subject to the general control of the Council, the Provost shall  
24 be the Chief Executive of the College and shall be charged with general  
25 responsibility for matters relating to the day-to-day management and  
26 operations of the College.

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

Deputy Provosts 1                    **11.** -(1) There shall be for the College two Deputy Provosts namely:  
2                    (a) Deputy Provost (Academic) and the Deputy Provost  
3 (Administration).  
4                    (2) The Council shall appoint the deputy Provosts from among the  
5 chief Lecturers in the College in any of the following way, that is:  
6                    (a) from a list of five candidates in order of preference, submitted by  
7 the Provost;  
8                    (b) on the recommendation of a selection Board constituted for that  
9 purpose; or  
10                   (c) on the nomination of the Provost.  
11                   (3) The selection Board referred to in subsection 2 (b) of this section  
12 shall consist of:  
13                   (i) the Chairman of the Council;  
14                   (ii) the Provost of the College;  
15                   (iii) two members of the Academic Board; and  
16                   (iv) two members of the Council not being members of the academic  
17 board.  
18                   (4) (a) The Deputy Provost (Academic) shall:  
19                   (i) assist the Provost in the performance of his functions in academic  
20 matters of the College;  
21                   (ii) act as the Provost when the post of the Provost is vacant or if the  
22 Provost is for any reason absent or unable to perform his function.  
23                   (b) The Deputy Provost (Administration) shall:  
24                   (i) perform such other functions as the Provost or the Council may,  
25 from time to time, assign to him.  
26                   (5) each of the deputy Provosts shall hold office for a period of two  
27 years and no more.

The Registrar  
and other Staff  
of the College 28                   **12.**-(1) There shall be a Registrar for the College to be appointed by  
29 the Council.  
30                   (2) The Registrar shall keep the' records and conduct the

1 correspondence of the Council.

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

3 (a) the Council;

4 (b) the Academic Board of the Council;

5 (c) any committee of the Council.

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

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

10 **13.**-(1) There shall be for the College in addition to the Registrar: Other Principal

11 (a) the Bursar; and Officers of the  
College

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

13 (2) The Bursar shall be the chief financial officer of the College and  
14 be responsible to the Provost for the day-to-day administration and control  
15 of the financial affairs of the College.

16 (3) The College Librarian shall be responsible to the Provost for the  
17 administration of the College library and the coordinator of the library  
18 services in the teaching units of the College.

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

21 **14.** A principal officer of the College may resign his appointment: Resignation of

22 (a) in case of the Provost, by notice to the visitor; and appointment of  
Principal Officers

23 (b) in any other case, by advice to the Council.

24 **15.**-(1) The Council may appoint other persons to be employees of Other employees  
of the College

25 the College as the Council may deem necessary to assist the Provost and the  
26 principal officers in the performance of their functions.

27 (2) The remuneration, tenure of office and condition of services of  
28 the employees of the College shall be determined by the Council in  
29 conjunction with the Federal Civil Service Commission.

Selection Board for other Principal Officers 1 **16.**-(1) There shall be a selection Board for the College which consist  
 2 of:  
 3 (a) the Chairman of the Council;  
 4 (b) the Provost;  
 5 (c) four members of the Council not being members of the Academic  
 6 Board; and  
 7 (d) two members of the Academic Board.

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

Pensions 11 **17.** Service in the College shall be approved services for the purpose  
 12 of the Pension Reform Act and accordingly, officers and other persons  
 13 employed in the College shall be entitled to pension, gratuity and other  
 14 retirement benefits as may be prescribed in their respective letters of  
 15 appointment.

16 **PART II - FINANCIAL PROVISIONS**

Establishment of Fund of the College 17 **18.**-(1) The College shall establish and maintain a Fund which shall  
 18 be applied towards the promotion of the objectives of this Bill.

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

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

23 (b) all monies raised by the Council by the way of gifts, grants in aid or  
 24 testamentary disposition; and

25 (c) all subscriptions fees and charges for services rendered by the  
 26 Council and all other sums that may accrue to the Council from any source.

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



1	<b>19.</b> -(1) The College may accept gifts or loans, money or other	Power to accept gifts
2	property upon such terms and conditions, of any as may be specified by the	
3	person making the gifts.	
4	(2) The College shall not accept any gift if the conditions attached	
5	to the gift are inconsistent with the functions of the College.	
6	<b>20.</b> The College shall keep proper accounts of its allocations,	Account and Audit
7	payments assets and liabilities and shall, in respect of each year, cause the	
8	accounts to be audited.	
9	<b>21.</b> The Council shall, as soon as may be after the expiration of	Annual Reports
10	each Financial year, prepare and submit to the Minister report of its activities	
11	during the immediate preceeding financial year and shall include in the	
12	report, a copy of the audited accounts of the College for that year and of the	
13	auditor's report on the accounts.	
14	<b>PART III - MISCELLANEOUS AND SUPPLEMENTARY</b>	
15	<b>22.</b> -(1) For the purpose of providing offices and premises	Offences and Penalties
16	necessary for the performance of its functions, the Council may-	
17	(a) purchase any interest in or take on lease any land; and	
18	(b) build, equip and maintain offices and premises.	
19	(2) The Council may, with the approval of the Minister, sell any	
20	interest in or lease any land, offices or premises held by it and no longer	
21	required for the performance of its functions.	
22	<b>23.</b> -(1) The Council may make rules providing for the Provost to	Discipline of Students
23	conduct enquiries into alleged breaches of discipline (including lack of	
24	diligence) by students and such rules may make different provisions for	
25	different circumstances.	
26	(2) The rules shall provide for the procedure and rules of evidence	
27	to be followed at enquiries under this section.	
28	(3) Subject to the provisions of subsection (1) of this section, where	
29	it is proved during the enquiry that any student of the College has been guilty	
30	of misconduct, the Provost may, without prejudice to any other disciplinary	

1 powers conferred on him by this Bill or any regulations made there under,  
2 direct-

3 (a) that the activities of the student shall during such period as may be  
4 specified in the directions, be restricted in such manner as may be so specified;

5 (b) that the student may be suspended for such period as may be  
6 specified in the direction; or

7 (c) that the student be expelled from the College.

8 (4) Where there is temporarily no Provost or where the Provost  
9 refuses to apply any disciplinary measures, the Council may, either directly or  
10 through some other staff, apply such disciplinary actions as are specified in  
11 subsection (3) of this section to any student of the College who is guilty of  
12 misconduct.

13 (5) Where a direction is given under subsection (3) (c) or (d) of this  
14 section in respect of any student, the student may, within 21 days from the date  
15 of the letter communicating the decision to him, appeal from the direction to  
16 the Council, and where such an appeal is brought, the Council shall, after  
17 causing such inquiry to be made in the matter as the Council considers just,  
18 either confirm or set aside the direction or modify it in such manner as the  
19 Council may think fit.

20 (6) The fact that an appeal from a direction is brought in pursuance of  
21 subsection (5) of this section shall not affect the operation of the direction while  
22 the appeal is pending.

23 (7) The Provost may delegate his powers under this section to a  
24 disciplinary committee consisting of such members of the Colleges as he may  
25 nominate.

26 (8) Nothing in this section shall be construed as preventing the  
27 restriction or termination of a student's activities at the College otherwise than  
28 on the ground of misconduct.

29 (9) It is hereby declared that the direction under subsection (3) (a) of

1 this section may be combined with a direction under subsection (3) (b) of  
2 this section.

3 (10) In all cases under this section, the decision of the Council shall  
4 be final unless reversed by the Minister on appeal by the student.

5 **24.** In this Bill:

Interpretation

6 "Chairman" means the chairman of the Council;

7 "College" means the Federal College of Education (Technical) Yauri,  
8 established under Section (1) of this Bill;

9 "Council" means the Governing Council of the College established under  
10 Section 2 of this Bill;

11 "Function" includes power and duties;

12 "Minister" means the Minister charged with responsibility of education;

13 "Member" means a member of the Council, including the Chairman;

14 "Provost" means the Provost of the College established under Section 10 of  
15 this Bill.

16 **25.** This Bill may be cited as the Federal College of Education Citation  
17 (Technical) Yauri, (Establishment) Bill, 2019.

1 SCHEDULE

2 SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL, ETC.

3 *[Section 2 (3)]*

4 *Terms of service*

5 1. There may be paid to the members of the Council or any  
6 Committee, other than ex-officio members, such remunerations and  
7 allowances as 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 (1) (d) and 3 (2) (d), it shall be filled by the appointment of a successor  
10 to hold office for the remainder of the term of office of his predecessor in office  
11 and such 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 *Proceedings*

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

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

21 (3) At any meeting of the Council, the chairman shall preside; but in  
22 his absence, members present shall elect one of their members to preside at the  
23 meeting.

24 (4) Where the Council desires to obtain the advice of any person on  
25 any particular matter, the Council may co-opt persons who are not members of  
26 the Council but persons co-opted shall not be entitled to vote at a meeting of the  
27 Council.

28 (5) The quorum of the Council shall be one half of the total members  
29 of the Council, at least one of whom shall be a member appointed by the  
30 President.

1 (6) Decisions of the Council shall be made on approval by a simple  
2 majority of members.

3 *Miscellaneous*

4 5.-(1) The fixing of the seal of the College shall be authenticated by  
5 the signature of the chairman, Provost or some other members of the  
6 Council authorised generally or specially by the Council to act for that  
7 purpose.

8 (2) Any contract or instrument which, if made or executed by a  
9 person other than a body corporate would not be required to be under seal  
10 may be made or executed on behalf of the College by any person generally or  
11 specially authorised to act for that purpose by the Council.

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

EXPLANATORY MEMORANDUM

This Bill seeks to establish Federal College of Education (Technical) Yauri, Kebbi State, to provide Full-time Courses Teaching, instruction and Training in Technology, Applied Science, Arts, Social Sciences, Humanities and Management.