

FEDERAL COLLEGE OF AGRICULTURAL TECHNOLOGY

OTUN EKITI BILL, 2022

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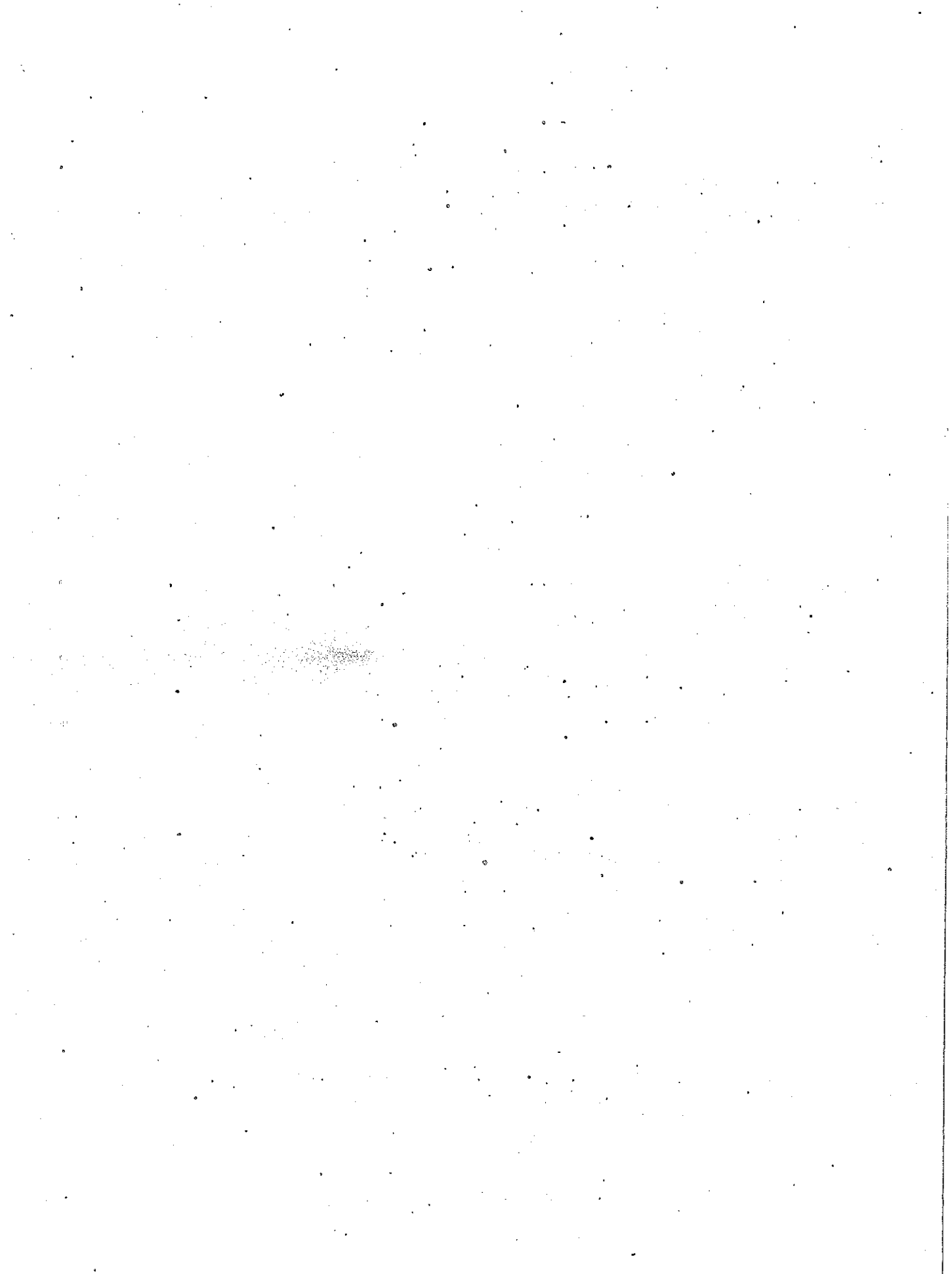
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# A BILL

## FOR

AN ACT TO ESTABLISH THE FEDERAL COLLEGE OF AGRICULTURAL TECHNOLOGY OTUN EKITI TO PROVIDE FULL-TIME COURSES IN AGRICULTURAL TECHNOLOGY, APPLIED SCIENCE MANAGEMENT AND OTHER FIELDS OF STUDIES AND TO MAKE PROVISIONS FOR THE GENERAL ADMINISTRATION OF THE COLLEGE; AND FOR RELATED MATTERS

*Sponsored by Hon. Olarewaju Kunle*

[ ] Commencement

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

1           1.-(1) There is established the Federal College of Agricultural  
2           Technology (in this Bill referred to as "the College").

Establishment  
of Federal College  
of Agricultural  
Technology, Otun  
Ekiti

3           (2) The College-

4           (a) shall be a body corporate with perpetual succession and a  
5           common seal; and

6           (b) may sue or be sued in its corporate name.

7           2. The College shall-

Functions of the  
College

8           (a) provide full-time courses of instruction in industrial and  
9           agricultural production;

10           (b) encourage the advancement of learning and to hold out to all  
11           persons without distinction of race, creed, sex or political conviction, the  
12           opportunity of acquiring a higher education in agricultural technology and  
13           applied science;

14           (c) develop and offer academic and professional programmes  
15           leading to the award of ordinary national diplomas (OND) and higher  
16           national diplomas (HND), research in the development and adaptation of  
17           techniques as the Council may determine;

18           (d) arrange conferences, seminars and study groups relative to the

1 fields of learning specified in this section and higher diplomas which  
2 emphasise planning, adaptive, technical, maintenance, developmental and  
3 productive skills in agriculture, agricultural technology and allied disciplines  
4 with the aim of producing socially mature persons with capacity to improve on  
5 those disciplines and develop new ones and contribute to the scientific  
6 transformation of agricultural technology in Nigeria;

7 (e) act as agent and catalyst through post HND training, research and  
8 innovation for the effective and economic utilisation, exploitation and  
9 conservation of Nigeria's natural, agricultural, economic and human resources;

10 (f) offer to the general population, as a form of public service, the  
11 results of training and research in agricultural technology and allied disciplines  
12 and to foster the practical application of those results;

13 (g) establish appropriate relationships with other national institutions  
14 involved in training, research and development of agricultural technology;

15 (h) identify the agricultural technological problems and needs of  
16 Nigeria and to find solutions to them within the context of overall national  
17 development;

18 (i) provide and promote sound basic scientific training as a foundation  
19 for the development of agricultural technology and allied disciplines, taking  
20 into account indigenous culture, the need to enhance national unity, the need to  
21 vastly increase the practical content of student training, and adequate  
22 preparation of graduates for self-employment in agricultural technology and  
23 allied disciplines; and

24 (j) perform other functions as the Council may direct to promote the  
25 objects of the College.

26 3. -(1) There is established a Council for the College (in this Bill  
27 referred to as "the Council").

28 (2) The Council shall consist of a Chairman and-

29 (a) one person to represent the universities;

30 (b) one person to represent the Manufacturers' Association of Nigeria;

1 (c) one person to represent professional bodies whose disciplines  
2 are taught at the College;

3 (d) one person of standing in the community where the College is  
4 situate;

5 (f) the Rector of the College;

6 (g) one representative of the Minister charged with responsibility  
7 for matters relating to College;

8 (h) one representative of the Permanent Secretary of the Ministry  
9 charged with responsibility for matters relating to industries;

10 (i) one representative of the academic board of the College;

11 (j) one representative of the State Commissioner of Education; and

12 (k) five other persons, at least one of whom shall be a woman, to be  
13 selected each on his personal merit based on his contribution to either the  
14 development of agriculture, agricultural technology, technology or  
15 commerce or special interest in industry.

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

18 (4) The provisions set out in the First Schedule to this Act shall  
19 apply in relation to the constitution of the Council and the other matters  
20 specified in the First Schedule.

21 4.-(1) The Minister of Education shall be the Visitor to the College. Visitation

22 (2) The Visitor shall, not less than once in every five years, conduct  
23 a visitation of the college or appoint a Visitation Panel, consisting of not less  
24 than five experts to conduct the visitation for-

25 (a) the purpose of evaluating the academic and administrative  
26 performance of the College; and

27 (b) other purpose or in respect of other affairs of the College as the  
28 Visitor may deem fit.

29 5. -(1) There shall be a Registrar for the College who shall be Registrar of the  
30 responsible to the Rector for the day-to-day administration of the College College

1 and shall discharge other duties as the Council or the Rector may require him to  
2 discharge.

3 (2) The Registrar is the secretary to the Council, the Academic Board  
4 and any committee of the Council and shall attend all the meetings of those  
5 bodies unless excused for good reason by the Chairman of the Council.

6 (3) In the absence of the Registrar, the Chairman of the Council may,  
7 after consultation with the Rector, appoint a suitable person to act as secretary  
8 for any particular meeting of the Council.

9 (4) The secretary to the Council or a person appointed to act under sub  
10 clause (3) shall not vote on any question before the Council or count towards a  
11 quorum unless he is entitled as a member of the Council.

Tenure of office  
of the Registrar

12 6.-(1) The Registrar-

13 (a) shall hold office for a period of five years beginning from the  
14 effective date of his appointment and on the terms and conditions as may be  
15 specified in the letter of his appointment; and

16 (b) may be re-appointed for a further period of five years and no more.

17 (2) Where, on the commencement of this section, a Registrar has held  
18 office for-

19 (a) five years or less, he shall be deemed to be serving his first term of  
20 office and may be re-appointed for a further term of five years;

21 (b) more than five years but less than 10 years, he shall complete the  
22 maximum period of 10 years and thereafter relinquish his post and be assigned  
23 other duties in the College; and

24 (c) ten years or more, the Council may allow him to serve as Registrar  
25 for a further period of one year only and thereafter he shall relinquish his post  
26 and be assigned other duties in the College.

General functions  
of each Council

27 7.-(1) The Council shall be the governing body of the College and  
28 shall have-

29 (a) the general management of the affairs of the College, and in  
30 particular, the control of the property and finances of the College; and

1 (b) power to do anything which, in its opinion, is calculated to  
2 facilitate the carrying out the activities of the College and promote its best  
3 interests.

4 (2) The Council may acquire and hold such movable or immovable  
5 property as may be necessary or expedient for carrying into effect the  
6 provisions of this Bill, and for the same purpose may sell, lease, and  
7 mortgage or otherwise alienate or dispose of any property so acquired.

8 (3) The Council may enter into contracts as may be necessary or  
9 expedient for carrying into effect the provisions of this Bill.

10 (4) The Minister may give to the Council directions of a general  
11 character or relating generally to particular matters (but not any individual  
12 person or case) with regard to the exercise by the Council of its functions and  
13 the Council shall comply with the directions.

14 PART II - STAFF

15 8.-(1) There is a Rector of the College (in this Bill referred to as "the  
16 Rector") who shall be appointed by the President in accordance with the  
17 provisions of this clause.

The Rector of  
the College

18 (2) Where a vacancy occurs in the post of Rector, the Council shall-

19 (a) advertise the vacancy in a reputable journal or widely read  
20 newspaper in Nigeria, specifying the-

21 (i) qualities of the person who may apply for the post, and

22 (ii) terms and conditions of service applicable to the post, and  
23 thereafter, draw up a short list of suitable candidates for consideration;

24 (b) constitute a Search Team consisting of-

25 (i) a member of the Council, not being a member of the Academic  
26 Board, as Chairman;

27 (ii) two members of the Academic Board, not below the rank of  
28 Chief Lecturer;

29 (iii) two members of the Academic Community of the college not  
30 below the rank of Chief Lecturer, to be selected by Council, to identify and



1 draw up a short list of persons who are not likely to apply on their own volition  
2 because they feel that it is not proper to do so.

3 (3) A Joint Council and Academic Board Selection Board consisting  
4 of-

5 (a) the Chairman of the Council;

6 (b) two members of the Council not being members of the Academic  
7 Board;

8 (c) two members of the Academic Board not below the rank of Chief  
9 Lecturer, who were not members of the Search Team, shall consider the  
10 candidates on the short list drawn up under sub clause (2) through an  
11 examination of their curriculum vitae and interaction  
12 with them and recommend, through the Council, to the President, three  
13 candidates for his consideration.

14 (4) The President shall appoint, as Rector, one of the candidates  
15 recommended to him under the provisions of sub clause (3).

16 (5) Subject to this Bill and the general control of the Council, the  
17 Rector shall be the Chief Executive of the College and shall be charged with  
18 responsibility for matters relating to the day-to-day management operations of  
19 the College.

20 (6) The Rector-

21 (a) shall hold office for four years beginning with the effective date of  
22 his appointment and on such terms and conditions as may be specified in his  
23 letter of appointment; and

24 (b) may be re-appointed for a further period of four years and no more.

Deputy Rector

25 9.-(1) There is for the College, a Deputy Rector.

26 (2) The Council shall appoint the Deputy Rector from among the  
27 chief lecturers in the College-

28 (a) from a list of three candidates, in order of preference, submitted by  
29 the Rector;

30 (b) on the recommendation of a Selection Board constituted under

1 this clause for that purpose; or to identify and draw up a short list of persons  
2 who are not likely to apply on their own volition because they feel that it is  
3 not proper to do so.

4 (3) A Joint Council and Academic Board Selection Board  
5 consisting of-

6 (a) the Chairman of the Council;

7 (b) two members of the Council not being members of the  
8 Academic Board;

9 (c) two members of the Academic Board not below the rank of  
10 Chief Lecturer, who were not members of the Search Team, shall consider  
11 the candidates on the short list drawn up under sub clause (2) through an  
12 examination of their curriculum vitae and interaction  
13 with them and recommend, through the Council, to the President, three  
14 candidates for his consideration.

15 (4) The President shall appoint, as Rector, one of the candidates  
16 recommended to him under the provisions of sub clause (3).

17 (5) Subject to this Bill and the general control of the Council, the  
18 Rector shall be the Chief Executive of the College and shall be charged with  
19 responsibility for matters relating to the day-to-day management operations  
20 of the College.

21 (6) The Rector-

22 (a) shall hold office for four years beginning with the effective date  
23 of his appointment and on such terms and conditions as may be specified in  
24 his letter of appointment; and

25 (b) may be re-appointed for a further period of four years and no  
26 more.

27 10.-(1) There shall be for the College following other principal  
28 officers in addition to the Registrar the-

29 (a) Bursar; and

30 (b) College Librarian,

Other principal  
officers of the  
College

1 who shall be appointed by the Council on the recommendation of the Selection  
2 Board.

3 (2) The Bursar shall be the Chief Financial Officer of the College and  
4 is responsible to the Rector for the day-to-day administration and control of  
5 the financial affairs of the College.

6 (3) The College Librarian shall be responsible to the Rector for the  
7 administration of the College library and the co-ordination of the library  
8 services in the teaching units of the College.

9 (4) The Bursar or Librarian-

10 (a) shall hold office for a period of five years in the first instance and  
11 on such terms and conditions as may be specified in his letter of appointment;

12 (b) may be re-appointed for a further period of five years and no more.

13 (5) Where on the commencement of this section, a Bursar or Librarian  
14 has held office for-

15 (a) five years or less, he shall be deemed to be serving his first term of  
16 office and may be reappointed for a further term of five years;

17 (b) more than five years but less than 10 years, he shall complete the  
18 maximum period of 10 years and thereafter relinquish his post and be assigned  
19 other duties in the College; and

20 (c) ten years or more, the Council may allow him to serve as Registrar  
21 for a further period of one year only and thereafter he shall relinquish his post  
22 and be assigned other duties in the College.

Resignation of  
appointment of  
principal officers

23 11. A principal officer may resign his appointment-

24 (a) in the case of the Rector, by notice to the Visitor; and

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

Selection Board  
for other principal  
officers

26 12.--(1) There shall be, for the College, a Selection Board for other  
27 principal officers which shall consist of-

28 (a) the Chairman of the Council;

29 (b) the Rector;

1 (c) four members of the Council not being members of the  
2 Academic Board; and

3 (d) two members of the Academic Board.

4 (2) The functions, procedure and other matters relating to the  
5 Selection Board constituted under sub clause (1) shall be as the Council may  
6 determine.

7 13.-(1) The Council may appoint such other persons to be  
8 employees of the College as the Council may determine to assist the Rector  
9 and the principal officers of the College in the performance of their  
10 functions under this Bill. Other employees  
of the College

11 (2) The power to appoint all other employees of the College shall  
12 be exercised, in the case of-

13 (a) senior employees, by the Council on the recommendation of the  
14 Appointment and Promotions Committee set up under the provisions of  
15 paragraph 3 (2) (a) of the Second Schedule; and

16 (b) junior employees, by the Rector on the recommendation of the  
17 Junior Staff Appointments and Promotions Committee constituted under  
18 paragraph 3 (2) (b) of the Second schedule.

19 (3) Subject to the provisions of this Bill, the remuneration, tenure  
20 of office and conditions of service of the employees of the Council shall be  
21 determined by the Council in consultation with the Federal Civil Service  
22 Commission.

23 14.-(1) The Federal Civil Service Commission may by order  
24 published in the Federal Gazette declare the office of the Rector or any other  
25 person employed by the Council to be a pensionable office for the purposes  
26 of the Pensions Act. Application of  
the Pensions Act

27 (2) Nothing in the provisions of sub clause (1) shall prevent the  
28 appointment of any person to any office on terms which preclude the grant  
29 of a pension or gratuity in respect of service in that office.

## PART III - ESTABLISHMENT OF THE ACADEMIC BOARD

The Academic Board

15.-(1) There is established for the College a board (in this Bill referred to as "the Academic Board") which shall consist of-

(a) the Rector of the College, as the Chairman;

(b) the Deputy-Rector of the College;

(c) all Heads of Departments;

(d) the College Librarian; and

(e) not more than two members of the academic staff, other than heads of departments, who may be appointed by the Academic Board.

(2) The Academic Board shall be responsible for the-

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

(b) making of periodic reports on academic matters to the Council as the Academic Board may deem fit or as the Council may direct; and

(c) performance of any other functions which the Council may delegate to it.

## PART IV - TENURE OF OFFICE

Removal from office of members of the Council and the Rector

16.-(1) If it appears to the Council that a member of the Council (other than an ex-officio member) or the Rector should be removed from office on the ground of misconduct or inability to perform the functions of his office, the Council shall make a recommendation to that effect to the President, and if the President, after making such inquiries as he considers necessary, approves the recommendation, the President, shall, in writing, declare the office of the member vacant.

(2) The President may remove any member of the Council if he is satisfied that it is not in the public interest or in the interest of the College that the member should continue as a member of the Council.

Removal and discipline of academic, administrative and technical staff

17.-(1) If it appears to the Council that there are reasons for believing that any person employed as a member of the academic, administrative or

1 the College from imposing any disability or restriction on any of the persons  
2 mentioned where the person will fully refuses or fails on grounds of  
3 religious belief to undertake any duty generally and uniformly imposed on  
4 all the persons or any group of them which duty, having regard to its nature  
5 and the special circumstances pertaining to it is, in the opinion of the  
6 College, reasonably justifiable in the national interest.

7           27. Subject to the provisions of paragraph 6 (2) of the Second  
8 Schedule and any standing orders or bye-law made under this Bill, the  
9 quorum and procedure of any body of persons established by this Bill shall  
10 be determined by that body.

Quorum and  
procedure of bodies  
established under  
this Bill

11           28. In this Bill-

Interpretation

12 "Academic Board" means the board establish under section 10 of this Act;

13 "Appointments and Promotions Committee" means a body by that name  
14 established under paragraph 3 (2) (a) of the Schedule to this Bill;

15 "Junior Staff Appointments and Promotion Committee" means the body set  
16 up under paragraph 3 (2) (b) of the Schedule to this Bill;

17 "Minister" means the Minister charged with responsibility for matters  
18 relating to education;

19 "Registrar" means the Registrar of the College appointed under section 5 (1)  
20 of this Bill.

21           29. This Bill may be cited as the Federal College of Agricultural  
22 Technology Otun Ekiti Bill, 2022.

Citation

## 1 SCHEDULE

2 [Section 7.]

## 3 PUBLIC OFFICERS FOR THE PURPOSES OF THE CODE OF CONDUCT

## 4 SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

5 *Terms of office of members*

6 1.-(1) A member of the Council other than an ex-officio member shall  
7 hold office for a period of three years beginning with the date on which he was  
8 appointed and shall be eligible for re-appointment for a further term of three  
9 years and thereafter he shall no longer be eligible for re-appointment.

10 (2) Members of the Council holding office as specified in paragraph 1  
11 (1) of this Schedule, shall be paid remuneration or allowance in accordance  
12 with rates specified from time to time by the National Council of Ministers.

13 (3) A member of the Council holding office as specified in paragraph  
14 1 (1) of this Schedule may by notice in writing to the Minister resign his office.

15 2.-(1) Where a vacancy occurs in the membership of the Council, that  
16 vacancy shall be filled by the appointment of a successor to hold office for the  
17 remainder of the term of office of his predecessor; so however that the  
18 successor shall represent the same interest as his predecessor.

19 (2) The Council may act notwithstanding any vacancy in its  
20 membership or the absence of any member or that a person not entitled to do so  
21 took part in its proceedings.

22 *Committees*

23 3.-(1) The Council may appoint one or more committees to which it  
24 may delegate any of its functions.

25 (2) Without prejudice to the generality to sub-paragraph (1) of this  
26 Schedule, the Council shall appoint the following committees, that is-

27 (a) the Appointments and Promotions Committee which shall without  
28 prejudice to section 7 (4) of this Act-

29 (i) consist of a chairman to be appointed by the Rector from members  
30 of the senior staff of the polytechnic and four other members who shall be

1 appointed by the Council;

2 (ii) be charged with the responsibility for making  
3 recommendations to the Council on the appointment and promotion of the  
4 academic and senior staff of the polytechnic and have a quorum of three  
5 members;

6 (b) the Junior Staff Appointments and Promotions Committee  
7 which shall consist of a chairman and four other members to be appointed by  
8 the Council and shall have the powers set out in sections 7 (5) and 14 of this  
9 Act;

10 (c) the Committee on Students' Affairs which shall consist of the  
11 following members-

12 (i) a chairman who shall be appointed by the Rector from among  
13 the senior employees of the polytechnic;

14 (ii) one member of the Council;

15 (iii) two members of the academic staff of the polytechnic; and

16 (iv) four students of the polytechnic, and the Committee on  
17 Students' Affairs shall be charged with the duty of-

18 (i) considering any matter which relates to the welfare of students;

19 (ii) any other matter referred to it by either the Council or students  
20 of the polytechnic;

21 (iii) any matter which the students wish to refer to the Council shall  
22 be referred to the Committee on Students' Affairs in the first instance.

23 (3) No decision of a committee shall have effect unless it is  
24 confirmed by the Council.

25 *Proceedings of the Council*

26 4.-(1) The Council shall meet for the conduct of business at such  
27 times as the chairman of the Council may appoint but shall meet not less than  
28 twice in a year.

29 (2) The chairman of the Council may at any time and shall at the  
30 request in writing of not less than five members of the Council summon a



1 meeting of the Council.

2 (3) Particulars of the business to be transacted shall be circulated to  
3 members with the notice of the meeting at least two weeks before the date of the  
4 meeting.

5 5. Where the Council desires to obtain the advice of any person on any  
6 particular matter, it may eo-opt such person as a member for a meeting whether  
7 or not expressly convened for the purpose of considering the particular matter  
8 but no eo-opted member shall be entitled to vote or shall count towards  
9 quorum.

10 6.-(1) Every question put before the Council at a meeting shall be  
11 decided by a simple majority of the members present and voting.

12 (2) Seven members shall form a quorum at any meeting of the  
13 Council.

14 (3) The Chairman shall, at any meeting of the Council, have a vote  
15 and, in the case of an equality of votes, may exercise a casting vote.

16 7. Subject as aforesaid, the Council may make standing orders with  
17 respect to the holding of meetings, the nature of notices to be given, the  
18 proceedings thereat, the keeping of minutes of such proceedings and the  
19 custody and production for inspection of such minutes.

20 8. If the Chairman of the Council is absent from a meeting of the  
21 Council, the members present shall elect one of their number to act as chairman  
22 for the purposes of that meeting.

23 *Miscellaneous*

24 9. Any contract or instrument which if entered into by a person not  
25 being a body corporate would not be required to be under seal, may in like  
26 manner be entered into or executed on behalf of the Council by any person  
27 generally or specifically authorised by it for that purpose.

28 10.-(1) The common seal of the Council shall not be used or affixed to  
29 any document except in pursuance of a resolution duly passed at a properly

1 constituted meeting of the Council and recorded in the minutes of such  
2 meeting.

3 (2) The fixing of the seal of the Council shall be authenticated by  
4 the signature of the Chairman of the Council and some other member  
5 authorised generally or specifically by the Council to act for that purpose.

6 (3) Any document purporting to be a document duly executed  
7 under the seal of the Council shall be received in evidence and shall, unless  
8 the contrary is proved, be deemed to be so executed.

9 11. Any member of the Council or a committee thereof who has a  
10 personal interest in any contract or arrangement entered into or proposed to  
11 be considered by the Council or a committee thereof, shall forthwith disclose  
12 his interest to the Council and shall not vote on any question  
13 relating to such contract or arrangement.

#### EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal College of Agricultural Technology Otun Ekiti to provide full-time courses in agricultural technology, applied science management and other fields of studies and to make provisions for the general administration of the College.