

NIGERIA SUGAR TECHNOLOGY INSTITUTE BILL, 2020

ARRANGEMENT CLAUSES

Clause:

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INSTITUTE, SHONGA

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5. Remuneration of Members
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A BILL

FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF NIGERIA SUGAR TECHNOLOGY INSTITUTE, SHONGA; TO PROVIDE TECHNICAL AND VOCATIONAL TRAINING AND TEACHING INSTRUCTION IN EVERY ASPECT OF SUGAR PRODUCTION TECHNOLOGY AND SUCH OTHER FIELDS OF APPLIED SCIENCE RELEVANT TO THE DEVELOPMENT OF SUGAR PRODUCTION TECHNOLOGICAL MANPOWER IN NIGERIA, MATTERS OF ADMINISTRATION, DISCIPLINE OF STUDENTS AND FOR RELATED MATTERS

Sponsored by Hon. Ahmed Abubakar Ndakene

[] Commencement

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

1 1.-(1) There is hereby established an institute to be known as the
2 Nigerian Sugar Technology Institute, Shonga (in this Bill referred to as "the
3 Institute") which shall have the functions assigned to it by this bill.

Establishment
of the Nigeria
Sugar Technology
Institute, Shonga

4 (2) The Institute shall be a body corporate with perpetual
5 succession and a common seal and may sue and be sued in its corporate
6 name.

7 2.-(1)The Functions of the institute shall be:

Functions of
the Institute

8 (a) To provide full-time or part-time courses of instruction and
9 vocational training in all areas of sugar technology and other related field of
10 applied science;

11 (b) To provide basic standard and specialized courses of instruction
12 leading to award of qualifications including, certificates, diplomas and
13 higher national diplomas in techniques of sugarcane and sugar production
14 technologies, management, applied sciences and other related fields of
15 study with a view to building a store of technically competent, highly
16 skillful and efficient operators of the sugar sector of Nigerian economy;

1 (c) To provide vocational training in various technical and scientific
2 field of study relevant to sugar production;

3 (d) To develop courses and provide adequate training in the design,
4 installation, technical maintenance, of sugar production equipment;

5 (e) To train business managers for the sugar industry;

6 (f) To serve as a centre for promotion of research, innovation and
7 technology acquisition and adaptation in all aspects of sugar technology;

8 (g) To promote continuing education for the workforce of the sugar
9 industry by developing short courses and imparting training to the staff of
10 sugar factories, related industries and also to key personnel as well as
11 sugarcane cultivators;

12 (h) To organize conferences, seminars and short vocational courses
13 relative to sugar production;

14 (i) To prepare and publish books, records, reports, journals as may
15 seem desirable for the dissemination of research findings, seminars, symposia,
16 conferences, findings of workshops and lectures as aforesaid.

Establishment
and Composition
of the Governing
Council

17 3.-(1) There shall be established for the management of the affairs of
18 the Institute a body to be known as the Nigerian Institute of Sugar Technology
19 Council (in this Bill referred to as "the Council").

20 (2) The Council shall consist of a chairman appointed by the
21 president and the following members, that is;

22 (b) a representative of the Federal Ministry charged with the
23 responsibility for matters relating to the institute;

24 (c) a representative of National Sugar Development Council;

25 (d) a representative of Federal Ministry charged with responsibility
26 for higher education;

27 (e) a representative of the community where the institute is situated;

28 (f) a representative of the academic board;

29 (g) a representative of Sugar Manufacturers in Nigeria

30 (h) Director of the Institute;

1 (g) Such other persons as the president may from time to time
2 appoint.

3 4.-(1)The chairman and members other than the ex-officio Tenure of Office
4 members shall hold office For a period of 4 years and may be eligible; for re-
5 appointment for another term of 4 years Tenure of office.

6 (2) The Office of the Chairman or Any Member of the Council shall
7 become vacant if:

8 (a) He resigns his office by notice in writing under his hand
9 addressed to the office of the Chairman of the Council;

10 (b) The President may terminate the appointment of the chairman
11 or any other member of the council, if it is satisfied that it is no longer in the
12 interest of the institute for the chairman or any other member to continue in
13 office;

14 (c) He is incapable of performing the functions of his office by
15 reason of disease or infirmity and has been so declared by a medical
16 practitioner.

17 5. Members of the Council may receive allowances as are Remuneration
18 applicable to government agencies and institutes or as may be stipulated by of Members
19 the Council in accordance with applicable Federal Government regulations.

20 6.-(1) If it appears to the council that the Chairman or any other Removal from
21 member other some ex-officio should be removed on grounds of misconduct Office
22 or inability to perform functions of his office, the council shall make a
23 recommendation to the President through the minister.

24 (2) If the President after making such inquiries as he considers
25 necessary approves the recommendation, the Minister shall, in writing,
26 declare the office of the chairman or such member vacant.

27 (3) The President shall also have the power to remove the Director-
28 General of the institute.

29 7. The Council shall have power to:

30 (a) Determine the general policy of the Institute;

Powers of the
Governing Council

1 (b) provide for the discipline and Welfare of members of staff of the
2 institute;

3 (c) erect, provide, equip and maintain libraries, lecture halls, halls of
4 residence and other buildings or structures necessary for the Institute;

5 (d) approve the training. Academic and research programmes of the
6 Institute;

7 (e) establish departments, schools, divisions, and other teaching and
8 research units within the institute as may from time to time be necessary or
9 desirable;

10 (f) determine the fees to be charged for courses of instruction, training
11 and other services rendered by the institute;

12 (g) constitute relevant committees to assist in executing specific
13 assignments for the Institute;

14 (h) institute lectureship and other posts necessary for the proper
15 running of the institute and make appointment thereto;

16 (i) institute and awards, fellowship, medals, scholarships,
17 exhibitions, and bursaries;

18 (j) promote or undertake any other activity that in the opinion of the
19 Council is calculated to help achieve the purposes of the Institute.

Director General 20 **9.-(1)** There shall be a Director-General of the Institute who shall be
21 appointed by the President.

22 (2) Subject to the general control of the Council, the Director-General
23 shall be the chief executive of the Institute and shall be responsible for the
24 execution of the policy of the Institute and the day-to-day running of the affairs
25 of the Institute.

Principal Officers
of the Institute

26 **10.** The other principal officers of the Institute shall be-

27 (a) the Registrar who shall be responsible to the Director-General for
28 the day-to-day administrative work of the Institute and who shall also be the
29 Secretary to the Council and, where no other person is so designated, act as
30 Secretary to any of its committees;

1 (b) the Librarian who shall be responsible to the Director-General
2 for the administration of the Institute's library;

3 (c) the Bursar who shall be responsible to the Director-General for
4 the day- to-day administration and control of the financial affairs of the
5 Institute.

6 **11.-(1)** The Council may appoint such fit and proper persons on Appointment of
7 permanent, temporary or contract basis as employees of the Institute as it other staff
8 may consider necessary.

9 (2) Without prejudice to the generality of subsection (1) of this
10 section, the Council may appoint persons as employees of the Institute,
11 either by way of transfer or secondment from any of the public services in
12 the Federation or otherwise howsoever, as it considers necessary.

13 **12.-(1)** The Director-General shall hold office for four years in the Condition of
14 first instance renewable for a period of four years at a time thereafter, on Service
15 such terms as to the emoluments of his office, and otherwise as may be
16 specified in his letter of appointment.

17 (2) The remuneration, tenure and conditions of service of
18 employees of the Institute (including the Director-General) shall be as those
19 applicable to staff in Nigerian Monotechnics and Polytechnics or otherwise
20 as may be determined, from time to time, by the Federal Government.

21 **13.-(1)** It is hereby declared that service in the Institute shall be Pensions
22 approved service for the purposes of the Pensions Act and, accordingly,
23 officers and other persons employed in the Institute shall, in respect of their
24 service in the Institute, be entitled to pensions, gratuities and other
25 retirement benefits as are prescribed thereunder so however that nothing in
26 this Act shall prevent the appointment of a person to any office on terms
27 which preclude the grant of a pension and gratuity in respect of that office.

28 (2) Notwithstanding anything to the contrary in the Pensions Act,
29 the compulsory retiring age of an academic staff of the Institute shall be
30 sixty-five years.

	1	(3) A law or rule requiring a person to retire from the public service
	2	after serving for thirty-five years shall not apply to an academic staff of the
	3	Institute.
	4	(4) For the purposes of the application of the provisions of the
	5	Pensions Act, any power exercisable thereunder by a Minister or other
	6	authority of the Federal Government (not being power to make regulations
	7	under section 23 thereof) is hereby vested in and shall be exercisable by the
	8	Institute and not by any other person or authority.
Establishment of the Fund of the Institute	9	14. -(1) The institute shall establish and maintain a fund which shall be
	10	applied towards the promotion of the objectives specified in this Bill.
	11	(2) There shall be paid to the fund established pursuant to subsection
	12	(1) of this section:
	13	(a) Such sums as may be provided by the government of the
	14	federation for payment into the fund;
	15	(b) Any fees charged for services rendered by the institute, and
	16	(c) All other sums accruing to the institute by way of gifts,
	17	testamentary disposition and endowments, or contributions philanthropic
	18	persons or organizations or otherwise howsoever.
	19	(3) All expenses of incurred by the institute shall be defrayed from the
	20	fund established.
Power to accept gifts	21	15. -(1) Subject to subsection (2) of this section, the Council may
	22	accept gifts of land, money, books or other property upon such terms and
	23	conditions, if any, as may be specified by the person making the gift.
	24	(2) The Council shall not accept any gift if the conditions attached
	25	thereto by the person making the gift are inconsistent with the functions of the
	26	Council under this Act.
Borrowing power	27	16. -(1) The Institute may, with the consent of the Attorney-General or
	28	in accordance with the general authority given by the Federal Government,
	29	borrow by way of loan or overdraft from any source any moneys required by
	30	the Institute to meet its obligations and to discharge its functions under this Act

1 so however that no such consent or authority shall be required where the sum
2 or the aggregate of the sums involved at any time does not exceed such
3 amount as is for the time being specified in relation to the Institute by the
4 Federal Government.

5 (2) The Institute may, subject to the provisions of this Act and the
6 conditions of any trust created in respect of any property, invest all or any of
7 its funds with the like consent or general authority.

8 (3) The Council may invest any surplus funds of the Institute in
9 such securities as may be permitted by law.

10 17.-(1) The Council shall cause to be prepared not later than five
11 months before the end of each year an estimate of the expenditure and
12 income of the Institute during the next succeeding financial year and when
13 prepared they shall be submitted to the Attorney-General.

Annual Estimates,
Accounts and
audit

14 (2) The Council shall cause to be kept proper accounts and proper
15 records in relation thereto and when certified by the Council such accounts
16 shall be audited as provided in subsection (3) of this section.

17 (3) The accounts of the Institute shall be audited as soon as
18 practicable after the end of each year by auditors appointed from the list of
19 auditors and in accordance with the guidelines supplied by the Auditor-
20 General of the Federation.

21 18.-(1) For the purposes of providing residential accommodation
22 for its staff, offices and premises as may be considered necessary for the
23 performance of its functions, the Council may:

Residence,
Offices and
Premises

24 (a) purchase or take on lease any interest in land; and

25 (b) build, furnish, equip and maintain residential quarters, offices
26 and premises.

27 (2) The Council may, with the approval of the Attorney-General,
28 sell or lease any residential quarters, land, offices or premises held by it and
29 no longer required for the performance of its functions.

Staff Regulations

1 **19.**-(1) The Institute shall subject to the provisions of this Act, make
2 staff regulations relating generally to the conditions of service of the
3 employees of the Institute and, without prejudice to the generality of the
4 foregoing, such regulations may provide for-

5 (a) the appointment, promotion and disciplinary control (including
6 dismissal) of employees of the Institute; and

7 (b) appeals by such employees against dismissal or other disciplinary
8 measures, and until such regulations are made, any instrument relating to the
9 conditions of service of officers in the civil service of the Federation shall be
10 applicable, with such modifications as may be necessary, to the employees of
11 the Institute.

12 (2) Staff regulations made under subsection (1) of this section shall
13 not have effect until approved by the Minister, and when so approved they need
14 not be published in the Federal Gazette but the Council shall cause them to be
15 brought to the notice of all affected persons in such manner as it may from time
16 to time determine.

Discipline of
Students

17 **20.**-(1) Subject to the provisions of this section, where it appears to
18 the Director that any student of the Institute has been guilty of misconduct, the
19 Director may, without prejudice to any other disciplinary powers conferred on
20 him by rules, direct-

21 (a) that the student shall not, during such period as may be specified in
22 the direction, participate in such activities of the Institute as may be so
23 specified;

24 (b) that the activities of the student shall, during such period as may be
25 specified in the direction, be restricted in such manner as may be so specified;

26 (c) that the student be rusticated for such period as may be specified in
27 the direction; or

28 (d) that the student be expelled from the Institute.

29 (2) Where a direction is given under subsection (1) of this section in
30 respect of any student, the student may within the prescribed period and in the

1 prescribed manner, appeal from the direction to the Council, and where such
2 an appeal is brought, the Council shall, after causing such inquiry to be made
3 in the matter as the Council considers just, either confirm or set aside the
4 direction or modify it in such manner as the Council thinks fit.

5 (3) The fact that an appeal from a direction is brought in pursuance
6 of the last fore-going subsection shall not affect the operation of the
7 direction while the appeal is pending.

8 **21.** In this Act, unless the context otherwise requires-

Interpretation

9 "Council" means the Governing Council of the Institute constituted under
10 section 2 of this Act;

11 "chairman" means the chairman of the Council;

12 "Director" means the Director of the Institute;

13 "Institute" means the Nigerian Institute of Transport Technology established
14 by section 1 of this Act;

15 "member" includes the chairman of the Council;

16 "Minister" means the Minister charged with responsibility for matters
17 relating to the Institute and "Ministry" shall be construed accordingly.

18 **22.** This Bill may be cited as the Nigeria Sugar Technology
19 Institute Bill, 2020.

Short title

1 SCHEDULE

2 SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

3 *Proceedings of the Council*

4 1.-(1) Subject to this Act and to section 27 of the Interpretation Act
5 (which provides for the decisions of a statutory body to be taken by a majority
6 of the members of the body and for the person presiding to have a second or
7 casting vote), the Council may make standing orders regulating its proceedings
8 or of any committee thereof.

9 (2) The quorum at any meeting of the Council shall be seven and the
10 quorum of any committee of the Council shall be determined by the Council.

11 2.-(1) The Council shall meet not less than four times in each year and,
12 subject thereto, the Council shall meet whenever it is summoned by the
13 chairman; and if the chairman is required to do so by notice given to him by not
14 less than five other members, he shall summon a meeting of the Council to be
15 held within fourteen days from the date on which the notice is given.

16 (2) At any meeting of the Council the chairman shall preside but if he
17 is absent, the members present at the meeting shall appoint one of their number
18 to preside at that meeting.

19 (3) Where the Council desires to obtain the advice of any person on a
20 particular matter, the Council may co-opt him as a member for such period as it
21 thinks fit but a person who is a member by virtue of this sub-paragraph shall not
22 be entitled to vote at any meeting of the Council and shall not count towards the
23 quorum.

24 (4) Notwithstanding anything in the foregoing provisions of this
25 paragraph, the first meeting of the Council shall be summoned by the Minister.

26 (5) The validity of any proceedings of the Council or of a committee
27 thereof shall not be affected by any vacancy in the membership of the
28 Council or committee, or by any defect in the appointment of a member of the
29 Council or committee, or by reason that a person not entitled to do so took part
30 in the proceedings.

1 *Committees*

2 3.-(1) The Council may appoint one or more committees to carry
3 out, on behalf of the Council, such of its functions as the Council may
4 determine.

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

10 (3) A decision of a committee of the Council shall be of no effect
11 until it is confirmed by the Council.

12 *Miscellaneous*

13 4.-(1) The fixing of the seal of the Institute shall be authenticated
14 by the signature of the chairman or of some other member authorised
15 generally or specially to act for that purpose by the Council.

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

21 (3) Any document purporting to be a document duly executed
22 under the seal of the Institute shall be received in evidence and shall, unless
23 the contrary is proved, be presumed to be so executed.

24 5. Members of the Council who are not public officers shall be
25 paid out of monies at the disposal of the Council such remuneration, fees or
26 allowances in accordance with such scales as may be approved from time to
27 time by the President.

28 6. Any member of the Council or a committee thereof who has a
29 personal interest in any contract or arrangement entered into or proposed to
30 be considered by the Council or a committee thereof shall forthwith disclose

- 1 his interest to the Council and shall not vote on any question relating to such
- 2 contract or arrangement.

EXPLANATORY MEMORANDUM

This Bill seeks to provide for the establishment of Nigeria Sugar Technology Institute, Shonga; to provide technical and vocational training and teaching instruction in every aspect of sugar production technology and such other fields of applied science relevant to the development of sugar production technological manpower in Nigeria, matters of administration, discipline of students.