

FEDERAL POLYTECHNIC KISHI, OYO STATE
(ESTABLISHMENT, ETC) BILL, 2020

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SCHEDULE

Supplementary Provisions relating to the Council

A BILL

FOR

AN ACT TO ESTABLISH THE FEDERAL POLYTECHNIC IN KISHI, PARTS OF OKE OGUN, OYO STATE TO PROVIDE FULL-TIME COURSES IN TECHNOLOGY, APPLIED SCIENCE MANAGEMENT AND OTHER FIELDS OF STUDIES AND TO MAKE PROVISIONS FOR THE GENERAL ADMINISTRATION OF SUCH POLYTECHNICS AND FOR RELATED MATTERS

Sponsored by Hon. Olumide Abiodun Ojerinde

[] Commencement

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

1 *Establishment of Federal Polytechnic Kishi, Oyo State*

2 1. There is hereby established the Federal Polytechnic Kishi, Oyo
3 State specified in the First Schedule to this Act (in this Act severally referred
4 to as "the polytechnic") which shall have such powers and exercise such
5 functions as are specified in this Act.

Establishment of
Federal Polytechnic
Kishi, Oyo State

6 2.-(1) The functions of the polytechnic shall be:

Functions of
Polytechnic

7 (a) to provide full-time or part-time courses of instruction and
8 training:

9 (i) in technology, applied science, commerce and management;

10 and

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

15 (b) to arrange conferences, seminars and study groups relative to
16 the fields of learning specified in paragraph (a) of this subsection (1);

17 (c) to perform such other functions as in the opinion of the Council
18 may serve to promote the objectives of the polytechnic.

Establishment
and constitution
of Council, etc:

1 (2) Nothing in this section shall preclude the government of a State or
2 any of its agencies from setting up a polytechnic similar to any polytechnic
3 established under this Act.

4 3.-(1) There shall be established for the polytechnic a Council
5 (hereafter in this Act referred to as "the Council") which shall be a body
6 corporate with perpetual succession and a common seal and may sue and be
7 sued in its corporate name.

8 (2) The Council shall consist of a Chairman and the following other
9 members, that is:

10 (a) one person to represent the universities;

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

12 (c) one person to represent professional bodies whose disciplines are
13 taught at the polytechnic;

14 (d) one person selected from a Federal or State public utility statutory
15 corporation;

16 (e) one person of standing in the community where the polytechnic is
17 situate;

18 (f) the Rector of the polytechnic;

19 (g) one representative of the Minister charged with responsibility for
20 matters relating to polytechnics;

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

23 (i) one representative of the academic board of the polytechnic;

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

25 (k) five other persons, at least one of whom shall be a woman, to be
26 selected each on his personal merit based on his contribution to either the
27 development of industry, technology or commerce or special interest in
28 technical education.

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

1 (4) The provisions set out in the Second Schedule to this Act shall Second Schedule
2 apply in relation to the constitution of the Council and the other matters
3 therein specified.

4 4.-(1) The Minister of Education shall be the Visitor to each Visitation
5 Polytechnic.

6 (2) The Visitor shall, not less than once in every five years, conduct
7 a visitation of the college or appoint a Visitation Panel, consisting of not less
8 than five experts. To conduct the visitation:

9 (a) for the purpose of evaluating the academic and administrative
10 performance of the polytechnic;

11 (b) for such other purpose or in respect of any other affairs of the
12 polytechnic as the Visitor may deem fit.

13 5.-(1) There shall be a Registrar to each polytechnic who shall be Registrar of
Polytechnic
14 responsible to the Rector for the day- to-day administration of the
15 polytechnic and shall perform such other duties as the Councilor, as the case
16 may be, the Rector may from time to time require him to do.

17 (2) The Registrar shall be the secretary to the Council, the
18 Academic Board and any committee of the Council and shall attend all the
19 meetings of those bodies unless excused for good reason by the chairman of
20 the Council.

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

24 (4) The secretary to the Council or a person appointed to act under
25 subsection (3) of this section, shall not vote on any question before the
26 Councilor count towards a quorum unless he is so entitled as a member of
27 the Council.

28 6.-(1) A Registrar: Tenure of office
of the Registrar

29 (a) shall hold office for a period of five years beginning from the
30 effective date of his appointment and on such terms and conditions as may

1 be specified in the letter of his appointment; and

2 (b) may be re-appointed for one further period of five years and no
3 more.

4 (2) Where on the commencement of this section, a Registrar has held
5 office:

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

8 (b) for more than five years but less than ten years, he shall complete
9 the maximum period of ten years and thereafter relinquish his post and be
10 assigned other duties in the polytechnic;

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

General functions
of the Council

14 7.-(1) Subject to provision of this Act, each Council shall be the
15 governing body of the polytechnic concerned and shall have the general
16 management of the affairs of the polytechnic, and in particular, the control of
17 the property and finances of the polytechnic; and shall also have power to do
18 anything which in its opinion is calculated to facilitate the carrying out of the
19 activities of the polytechnic and promote its best interests.

20 (2) The Council may acquire and hold such movable or immovable
21 property as may be necessary or expedient for carrying into effect the
22 provisions of this Act, and for the same purpose may sell, lease, mortgage or
23 otherwise alienate or dispose of any property so acquired.

24 (3) The Council may enter into such contracts as may be necessary or
25 expedient for carrying into effect the provisions of this Act.

26 (4) The Minister may give to the Council directions of a general
27 character or relating generally to particular matters (but not any individual
28 person or case) with regard to the exercise by the Council of its functions and it
29 shall be the duty of the Council to comply with the directions.

Staff

1
2 8.-(1) There shall be a Rector of the polytechnic ("the Rector") who
3 shall be appointed by the President in accordance with the provisions of this
4 section.

The Rector of
the Polytechnic

5 (2) Where a vacancy occurs in the post of Rector, the Council shall:

6 (a) advertise the vacancy in a reputable journal or widely read
7 newspaper in Nigeria, specifying:

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

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

11 (b) constitute a Search Team consisting of:

12 (i) a member of the Council, not being a member of the Academic
13 Board, as Chairman; (ii) two members of the Academic Board, not below the
14 rank of Chief Lecturer;

15 (iii) two members of the Academic Community of the college not
16 below the rank of Chief Lecturer, to be selected by Council, to identify and
17 draw up a short list of persons who are not likely to apply on their own
18 volition because they feel that it is not proper to do so.

19 (3) A Joint Council and Academic Board Selection Board
20 consisting of:

21 (a) the Chairman of the Council;

22 (b) two members of the Council not being members of the
23 Academic Board;

24 (c) two members of the Academic Board not below the rank of
25 Chief Lecturer, who were not members of the Search Team, shall consider
26 the candidates on the short list drawn up under subsection (2) of this section
27 through an examination of their curriculum vitae and interaction with them
28 and recommend, through the Council, to the President, three candidates for
29 his consideration.

30 (4) The President shall appoint, as Rector, one of the candidates

1 recommended to him under the provisions of subsection (3) of this section.

2 (5) Subject to this Act and the general control of the Council, the
3 Rector shall be the Chief Executive of the polytechnic and shall be charged
4 with responsibility for matters relating to the day-to-day management
5 operations of the polytechnic.

6 (6) The Rector:

7 (a) shall hold office for a period of four years beginning with the
8 effective date of his appointment and on such terms and conditions as may be
9 specified in his letter of appointment: may be re-appointed for a further period
10 of four years and no more.

Deputy Rector

11 9. There shall be for each polytechnic a Deputy Rector.

12 The Council shall appoint the Deputy Rector from among the chief lecturers in
13 the polytechnic in one of the following ways:

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

16 (b) on the recommendation of a Selection Board constituted under
17 this section for that purpose; or

18 (c) on the nomination of the Rector.

19 (3) The Selection Board referred to in subsection (2) of this section
20 shall:

21 (a) consist of:

22 (i) the Chairman of the Council;

23 (ii) the Rector;

24 (iii) two members of the Council not being members of the Academic
25 Board;

26 (iv) two members of the Academic Board; and

27 (b) make such inquiries as it deems fit before making the
28 commendation required under that subsection.

29 (4) The Deputy Rector:

30 (a) shall assist the Rector in the performance of his functions;

1 (b) act in the place of the Rector when the post of Rector is vacant
2 or if the Rector is for any reason absent or unable to perform his functions as
3 Rector; and

4 (c) perform such other functions as the Rector may, from time to
5 time, assign to him.

6 (5) The Deputy Rector:

7 (a) shall hold office for a period of two years beginning from the
8 effective date of his appointment and on such terms and conditions as may
9 be specified in his letter of appointment; and

10 (b) may be re-appointed for one further period of two years and no
11 more.

12 10.-(1) There shall be for each polytechnic the following other
13 principal officers in addition to the Registrar, that is:

Other principal
officers of the
Polytechnic

14 (a) the Bursar; and

15 (b) the polytechnic Librarian, who shall be appointed by the
16 Council on the recommendation of the Selection Board constituted under
17 section 9 (b) of this Act.

18 (2) The Bursar shall be the Chief Financial Officer of the
19 polytechnic and be responsible to the Rector for the day to day
20 administration and control of the financial affairs of the polytechnic.

21 (3) The polytechnic Librarian shall be responsible to the Rector for
22 the administration of the polytechnic library and the co-ordination of the
23 library services in the teaching units of the polytechnic.

24 (4) The Bursar or Librarian:

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

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

30 (5) Where on the commencement of this section, a Bursar or

1 Librarian has held office:
2 (a) for five years or less, he shall be deemed to be serving his first term
3 of office and may be reappointed for a further term of five years;
4 (b) for more than five years but less than ten years, he shall complete
5 the maximum period of ten years and thereafter relinquish his post and be
6 assigned other duties in the polytechnic;
7 (c) for ten years or more, the Council may allow him to serve as
8 Registrar for a further period of one year only and thereafter he shall relinquish
9 his post and be assigned other duties in the polytechnic.

Resignation of
appointment of
principal officers

10 **11.** A principal officer may resign his appointment:
11 (a) in the case of the Rector, by notice to the Visitor;
12 (b) in any other case,
13 by notice to the Council.

Selection Board
for other principal
officers

14 **12.-(1)** There shall be, for each college, a Selection Board which shall
15 consist of:
16 (a) the chairman of the Council;
17 (b) the Rector;
18 (c) four members of the Council not being members of the Academic
19 Board;
20 (d) two members of the Academic Board.
21 (2) The functions and procedure and other matters relating to the
22 Selection Board constituted under subsection (1) of this section shall be as the
23 Council may, from time to time, determine.

Other employees
of the Polytechnic

24 **13.-(1)** The Council may appoint such other persons to be employees
25 of the polytechnic as the Council may determine to assist the Rector and the
26 principal officers of the polytechnic in the performance of their functions under
27 this Act.

28 (2) The power to appoint all other employees of the polytechnic shall
29 be exercised:

30 (a) in the case of senior employees, by the Council on the

1 recommendation of the Appointment and Promotions Committee set up
2 under the provisions of paragraph 3 (2) (a) of the Second Schedule to this
3 Act;

4 (b) in the case of junior employees, by the Rector on the
5 recommendation of the Junior Staff Appointments and Promotions
6 Committee constituted under paragraph 3 (2) (b) of the Second schedule to
7 this Act.

8 (3) Subject to the provisions of this Act, the remuneration, tenure of
9 office and conditions of service of the employees of the Council shall be
10 determined by the Council in consultation with the Federal Civil Service
11 Commission.

12 14.-(1) The Federal Civil Service Commission may by order
13 published in the Federal Gazette declare the office of the Rector or any other
14 person employed by the Council to be a pensionable office for the purposes
15 of the Pensions Act.

Application of
the Pensions Act

16 (2) Nothing in the provisions of subsection (i) of this section shall
17 prevent the appointment of any person to any office on terms which preclude
18 the grant of a pension or gratuity in respect of service in that office.

19 *Establishment of the Academic Board*

20 15.-(1) There shall be established for each polytechnic a board to
21 be known as the Academic Board which shall consist of the following
22 members:

The Academic
Board

23 (a) the Rector of the polytechnic, as the Chairman;

24 (b) the Deputy-Rector of the polytechnic;

25 (c) all Heads of Departments;

26 (d) the polytechnic Librarian; and

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

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

30 (a) the direction and management of academic matters of the

1 polytechnic including the regulation of admission of students, the award of
2 certificates and diplomas, scholarships, prizes and other academic distinctions;

3 (b) the making to the Council of such periodic reports on such
4 academic matter as the Academic Board may think fit or as the Council may
5 from time to time direct; and

6 (c) the discharge of any other functions which the Council may
7 delegate to it.

8 *Tenure of Office*

Removal from
office of members
of the Council
and the Rector

9 16.-(1) If it appears to the Council that a member of the Council (other
10 than an ex-officio member) or the Rector should be removed from office on the
11 ground of misconduct or inability to perform the functions of his office, the
12 Council shall make a recommendation to that effect to the President, and if the
13 President, after making such inquiries as he considers necessary, approves the
14 recommendation, the President, shall, in writing, declare the office of such
15 member vacant.

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

Removal and
discipline of
academic,
administrative
and technical
staff

19 17. If it appears to the Council that there are reasons for believing that
20 any person employed as a member of the academic, administrative or technical
21 staff of the polytechnic, other than the Rector, should be removed from office
22 on the ground of misconduct or inability to perform the functions of his office,
23 the Council shall:

24 (a) give notice of those reasons to the person in question;

25 (b) afford him an opportunity of making representations in person on
26 the matter to the Council; and

27 (c) if he or any three members of the Council so request within the
28 period of one month beginning with the date of the notice, make arrangements:

29 (i) if he is an academic staff, for a joint committee of the Council and
30 the Academic Board to investigate the matter and to report on it to the Council;

1 (ii) for a committee of the Council to investigate the matter, where
2 it relates to any other member of the staff of the polytechnic and to report on
3 it to the Council; and

4 (iii) for the person in question to be afforded an opportunity of
5 appearing before and being heard by the investigating committee with
6 respect to the matter, and if the Council, after considering the report of the
7 investigating committee, is satisfied that the person in question should be
8 removed as aforesaid, the Council may so remove him by an instrument in
9 writing signed on the directions of the Council.

10 (2) The Rector may, in a case of misconduct by a member of the
11 staff which in the opinion of the Rector is prejudicial to the interests of the
12 polytechnic, suspend such member and any such suspension shall forthwith
13 be reported to the Council.

14 (3) For good cause, any member of staff may be suspended from
15 office or his appointment may be terminated by the Council, and for the
16 purpose of this subsection, "good cause" means:

17 (a) any physical or mental incapacity which the Council, after
18 obtaining medical advice, considers to be such as to render the person
19 concerned unfit for the discharge of the functions of his office;

20 (b) any physical or mental incapacity which the Council, after
21 obtaining medical advice, considers to be such as to render the person
22 concerned unfit to continue to hold his office;

23 (c) conduct of a scandalous or other disgraceful nature which the
24 Council considers to be such as to render the person concerned unfit to
25 continue to hold his office; or

26 (d) conduct which the Council considers to be such as to constitute
27 failure or inability of the person concerned to discharge the functions of his
28 office or to comply with the terms and conditions of his service.

29 (4) Any person suspended pursuant to subsection (2) or (3) of this
30 section, shall be placed on half pay and the Council shall before the

1 expiration of the period of three months after the date of such suspension
2 consider the case against that person and come to a decision as to:

3 (a) whether to continue such person's, suspension and if so on what
4 terms (including the proportion of this emoluments to be paid to him);

5 (b) whether to reinstate such person, in which case the Council shall
6 restore his full emoluments to him with effect from the date of suspension;

7 (c) whether to terminate the appointment of the person in question, in
8 which case such a person, will not be entitled to the proportion of his
9 emoluments withheld during the period of suspension; or

10 (d) whether to take such lesser disciplinary action against such person
11 (including the restoration of such proportion of his emoluments that might
12 have been withheld) as the Council may determine, and in any case where the
13 Council, pursuant to this section, decides to continue a person's suspension or
14 decides to take further disciplinary action against a person, the Council shall
15 before the expiration of a period of three months from such decision come to a
16 final determination in respect of the case concerning any such person.

17 (5) It shall be the duty of the person by whom an instrument of
18 removal is signed in pursuance of subsection (1) of this section, to use his best
19 endeavours to cause a copy of the instrument to be served as soon as reasonably
20 practicable on the person to whom it relates.

21 (6) Nothing in the foregoing provisions of this section shall prevent
22 the Council from making such regulations for the discipline of other categories
23 of staff and workers of the polytechnic as it may think fit.

24 *Discipline*

25 **18.-(1)** Subject to the provisions of this section, where it appears to
26 the Rector that any student of the polytechnic has been guilty of misconduct,
27 the Rector may, without prejudice to any other disciplinary powers conferred
28 on him by this Act or regulations made hereunder direct:

29 (a) that the student shall not during such period as may be specified in
30 the direction, participate in such activities of the polytechnic, or make use of

1 such facilities of the polytechnic, as he may specify; or

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

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

7 (d) that the student be expelled from the polytechnic.

8 (2) Where there is temporarily no Rector or where the Rector
9 refuses to apply any disciplinary measures, the Council, either directly or
10 through some other staff, may apply such disciplinary actions as are
11 specified in subsection (1) of this section to any student of the polytechnic
12 who is guilty of misconduct.

13 (3) Where a direction is given under subsection (1) (c) or (d) of this
14 section in respect of any student, the student may, within a period of 21 days
15 from the date of the letter communicating the decision to him, appeal from
16 the direction to the Council; and where such an appeal is brought, the
17 Council shall, after causing such inquiry to be made in the matter as the
18 Council considers just, either confirm or set aside the direction or modify it
19 in such manner as the Council may think fit.

20 (4) The fact that an appeal from a direction is brought in pursuance
21 of subsection (3) of this section shall not affect the operation of the direction
22 while the appeal is pending.

23 (5) The Rector may delegate his power under this section to a
24 disciplinary committee consisting of such members of the polytechnic as he
25 may nominate.

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

29 (7) It is hereby declared that a direction under subsection (1) (a) of
30 this section may be combined with a direction under subsection (1) (b) of

1 this section.

2 (8) In all cases under this section, the decision of the Council shall
3 be final.

Discipline of
junior staff

4 19.-(1) If any junior staff is accused of misconduct or inefficiency, the
5 Rector may suspend him for not more than three months and forthwith shall
6 direct the Junior Staff Appointments and Promotions Committee:

7 (a) to consider the case; and

8 (b) to make recommendations as to the appropriate action to be taken
9 by the Rector.

10 (2) In all cases under this section, the officer shall be informed of the
11 charge against him and shall be given reasonable opportunity to defend
12 himself.

13 (3) The Rector may, after considering the recommendation made
14 pursuant to subsection (1) (b) of this section, dismiss, terminate, retire or down
15 grade the officer concerned.

16 (4) Any person aggrieved by the Rector's decision under subsection
17 (3) of this section, may within a period of 21 days from the date of the letter
18 communicating the decision to him, address a petition to the Council to
19 reconsider his case and the Council's decision thereon shall be final.

20 (5) In any case of gross misconduct on the part of a junior staff, the
21 Rector shall forthwith suspend him and thereafter refer the matter to the Junior
22 Staff Appointments and Promotions Committee to be dealt with according to
23 the foregoing provision of this section.

24 *Financial Provisions*

Audits of accounts

25 20.-(1) Each Council shall keep proper accounts and proper records in
26 relation thereto and shall cause to be prepared, not later than 1 October in each
27 financial year, an estimate of its revenue and expenditure for the ensuing
28 financial year and when prepared, the estimate shall be submitted to the
29 National Board for Technical Education for approval.

30 (2) At the end of each financial year but not later than 30 June the

1 Council shall cause to be prepared a statement of its income and expenditure
2 during the previous financial year.

3 (3) The statement of accounts referred to in subsection (2) of this
4 section shall, when certified by the Rector, be audited by a firm of auditors
5 appointed from the list and in accordance with the guidelines supplied by the
6 Auditor-General of the Federation and shall be published in the annual
7 report of the polytechnic.

8 21. The funds of the Council shall include:

Funds of the
Council

9 (a) fees charged by and payable to the Council in respect of
10 students;

11 (b) any other amounts due to or recoverable by the Council;

12 (c) revenue from time to time accruing to the Council from the
13 Federal Government by way of subvention, grant-in-aid, endowment or
14 otherwise howsoever;

15 (d) donations and legacies accruing to the Council from any source
16 for the special purpose of the Council.

17 22.-(1) Donations of money to be applied to any particular purpose
18 shall be placed to the credit of a special reserve account approved by the
19 Council until such time as they may be expended in fulfilment of such
20 purpose.

Donations for
particular purposes

21 (2) No Council shall be obliged to accept a donation for a particular
22 purpose unless it approves of the terms and conditions attached to such
23 donation.

24 23. All sums of money received on account of the Council shall be
25 paid into such bank for the credit of the Council as may be approved by the
26 Council.

Payment into bank

27 24. The Council shall on or before 31st December in each year
28 prepare and submit to the President through the Minister, a report of the
29 activities during the preceding financial year and shall include in the report,
30 the audited accounts of the polytechnic in respect of that financial year and

Annual report

1 the auditors' comments on the account.

2 *Miscellaneous and Supplemental*

Power to make
by-laws

3 25.-(1) The Council may make bye-laws relating to any matter within
4 its competence under this Act other than matters for which provision is to be
5 made by standing orders pursuant to paragraph 7 of the Schedule to this Act.

6 (2) All such bye-laws shall be in writing and shall come into force
7 when sealed with the seal of the Council unless some other date for their
8 commencement is prescribed therein.

9 (3) Nothing in subsection (2) of this section, shall make it obligatory
10 for the Council to publish any of the said bye-laws in the Federal Gazette but
11 the Council shall bring such bye-laws to the notice of all affected thereby.

Exclusion of
discrimination
on account of
race, religion, etc.

12 26. No person shall be required to satisfy requirements as to any of the
13 following matters, that is to say race (including ethnic grouping), sex, place of
14 birth or of the family origin or religious or political persuasion or as a condition
15 of becoming or continuing to be a student at the polytechnic or as a holder of
16 any certificate of the polytechnic, or of any appointment or employment at the
17 polytechnic, or a member of anybody established by virtue of this Act; and no
18 person shall be subjected to any disadvantage or accorded any advantage in
19 relation to the polytechnic by reference to any of those matters:

20 Provided that, nothing in this section shall be construed as preventing
21 the polytechnic from imposing any disability or restriction on any of the
22 aforementioned persons where such a person wilfully refuses or fails on
23 grounds of religious belief to undertake any duty generally and uniformly
24 imposed on all such persons or any group of them which duty, having regard to
25 its nature and the special circumstances pertaining thereto is, in the opinion of
26 the polytechnic, reasonably justifiable in the national interest.

Interpretation

27 27. In this Act, unless the context otherwise requires:
28 "The Academic Board" means the board establish under section 10 of this Act;
29 "The Appointments and Promotions Committee" means a body by that name
30 established under paragraph 3 (2) (a) of the Schedule to this Act;

1 "Polytechnic" means the respective polytechnics set up under section 1 of
2 this Act;

3 "The Junior Staff Appointments and Promotion Committee" means a body
4 by that name set up under paragraph 3 (2) (b) of the Schedule to this Act;

5 "The Minister" means the Minister charged with responsibility for matters
6 relating to technical education;

7 "The Registrar" means the Registrar of each polytechnic appointed under
8 section 4 (1) of this Act.

9 28. This Bill may be cited as the Federal Polytechnic Kishi, Oyo
10 State (Est, etc) Bill, 2020.

11 SCHEDULE

12 [Section 7.]

13 SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

14 *Terms of office of members*

15 1.-(1) A member of the Council other than an ex-officio member
16 shall hold office for a period of three years beginning with the date on which
17 he was appointed and shall be eligible for re-appointment for a further term
18 of three years and thereafter he shall no longer be eligible for re-
19 appointment.

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

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

27 2.-(1) Where a vacancy occurs in the membership of the Council,
28 that vacancy shall be filled by the appointment of a successor to hold office
29 for the remainder of the term of office of his predecessor; so however that the
30 successor shall represent the same interest as his predecessor.

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

4 *Committees*

5 3.-(1) The Council may appoint one or more committees to which it
6 may delegate any of its functions.

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

9 (a) the Appointments and Promotions Committee which shall without
10 prejudice to section 7 (4) of this Act:

11 (i) consist of a chairman to be appointed by the Rector from members
12 of the senior staff of the polytechnic and four other members who shall be
13 appointed by the Council;

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

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

20 (c) the Committee on Students' Affairs which shall consist of the
21 following members:

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

24 (ii) one member of the Council;

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

26 (iv) four students of the polytechnic, and the Committee on Students'
27 Affairs shall be charged with the duty of:

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

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

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

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

5 *Proceedings of the Council*

6 4.-(1) The Council shall meet for the conduct of business at such
7 times as the chairman of the Council may appoint but shall meet not less than
8 twice in a year.

9 (2) The chairman of the Council may at any time and shall at the
10 request in writing of not less than five members of the Council summon a
11 meeting of the Council.

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

15 5. Where the Council desires to obtain the advice of any person on
16 any particular matter, it may co-opt such person as a member for a meeting
17 whether or not expressly convened for the purpose of considering the
18 particular matter but no co-opted member shall be entitled to vote or shall
19 count towards quorum.

20 6.-(1) Every question put before the Council at a meeting shall be
21 decided by a simple majority of the members present and voting.

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

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

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

30 8. If the Chairman of the Council is absent from a meeting of the

1 Council, the members present shall elect one of their number to act as chairman
2 for the purposes of that meeting.

3 *Miscellaneous*

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

8 10.-(1) The common seal of the Council shall not be used or affixed to
9 any document except in pursuance of a resolution duly passed at a properly
10 constituted meeting of the Council and recorded in the minutes of such
11 meeting.

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

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

18 11. Any member of the Council or a Committee thereof who has a
19 personal interest in any contract or arrangement entered into or proposed to be
20 considered by the Council or a Committee thereof, shall forthwith disclose his
21 interest to the Council and shall not vote on any question relating to such
22 contract or arrangement.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal Polytechnic Kishi, Oyo State to ensure equity and access to tertiary education in Oke Ogun area of Oyo State. The Polytechnic is a conventional citadel with restricted programmes.