

FEDERAL COLLEGE OF FISHERIES, IBI, TARABA STATE

(ESTABLISHMENT) BILL, 2020

ARRANGEMENT OF CLAUSES

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FEDERAL COLLEGE OF FISHERIES, IBI, TARABA STATE

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FIRST SCHEDULE

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A BILL

FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE
FEDERAL COLLEGE OF FISHERIES, IBI, TARABA STATE: AND FOR
RELATED MATTERS

Sponsored By Hon. Shiddi Usman Danjuma

[] Commencement

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

PART I - ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF THE FEDERAL COLLEGE OF FISHERIES, IBI, TARABA STATE

1 1.-(1) There is hereby established as the Federal College of
2 Fisheries, Ibi, Taraba State.

3 (2) The College shall be a body corporate with perpetual
4 succession and a common seal and may sue or be sued in its corporate name.

5 (3) The College shall be a training institution for the development
6 of fisheries in the country.

7 (4) The College shall be supervised by the Federal Ministry of
8 Education through the National Universities Commission (NUC) who shall
9 be responsible for approving and regulating all academic programmes run in
10 the College, to ensure quality compliance and provide funds for academic
11 and research programmes, infrastructures and remunerations of employees.

12 (5) The objects of the College shall be:

13 (a) to encourage the advancement of learning and to hold out to all
14 persons without distinction of race, creed, sex or political conviction;

15 (b) to develop and offer academic and professional programmes
16 leading to the award of certificates, first degrees, post-graduate research,
17 diploma and higher degrees with emphasis on planning, developmental and
18 adaptive skills in Education, technology, applied science, agriculture,

Establishment
and Objectives
of the Federal
College of
Fisheries, Ibi,
Taraba State

1 commerce, arts, social science, humanities, management and allied
2 professional disciplines;

3 (c) to produce socially mature Educational men and women with
4 capabilities not to only understand Educational need of Nigeria as a nation, but
5 also to exploit existing Educational infrastructure and improve on it to develop
6 new ones;

7 (d) to act as agents and catalysts for effective Educational system,
8 through post graduate training, research and innovation, for effective
9 economic utilization and conservation of the country's human resources;

10 (e) to bring quality change in Education by focusing on teacher
11 Education through teaching and learning innovations;

12 (f) to collaborate with other national and international institutions
13 involved in training, research and development of Education with a view to
14 promoting governance, leadership and management skills among Educational
15 managers;

16 (g) to identify Educational needs of the society with a view to finding
17 solutions to them within the context of overall national development;

18 (h) to provide and promote sound basic Education training as a
19 foundation for the development of Nigeria, taking into account indigenous
20 culture and the need to enhance national unity;

21 (i) to provide higher Education and foster a systematic advancement
22 of the science and art of teacher Education;

23 (j) to provide for instruction in such branches of teacher Education as
24 it may deem necessary to make provision for research advancement and
25 dissemination of knowledge in such manner as it may determine;

26 (k) to provide teachers with operational competence for teaching in
27 pre-tertiary institutions, basic, senior secondary schools and non-formal
28 Education institutions;

29 (l) to undertake any other activities that is appropriate for a College of
30 Fisheries of the highest standard.

Constitution and
Principal Officers
of the College

- 1 2.-(1) The College shall consist of:
- 2 (a) a Rector;
- 3 (b) a Pro-Rector and a Council;
- 4 (c) a Provost and a Senate;
- 5 (d) a body to be called Congregation;
- 6 (e) a body to be called Convocation;
- 7 (f) the campuses and colleges of the College;
- 8 (g) the colleges, institutes and other teaching and research units of
- 9 the College;
- 10 (h) the persons holding the offices constituted by the First Schedule
- 11 to this Bill other than those mentioned in paragraphs (a) to (c) of this
- 12 subsection;
- 13 (i) all graduates and undergraduates of the College; and
- 14 (j) all other persons who are members of the College in accordance
- 15 with provisions made by statute in that behalf.

16 (2) The First Schedule to this Bill shall have effect with respect to

17 the principal officers of the College.

18 (3) Subject to section 5 of this Bill provision shall be made by

19 statute with respect to the constitution of the Council, the Senate,

20 Congregation and Convocation.

21 3.-(1) For the carrying out of its objects as specified in section 1 of

22 this Bill, Federal College of Fisheries, Ibi, Taraba State shall have power:

Powers of the
Federal College
of Fisheries, Ibi,
Taraba State and
its exercise

23 (a) to offer courses of instruction, training and research in

24 Education and allied areas for the production of quality and skilled teachers

25 required to teach at lower, middle and higher levels of Education in Nigeria

26 in particular and the world at large;

27 (b) to establish such colleges, campuses, institutes, schools,

28 departments and other teaching and research units within the College as may

29 from time to time be deemed necessary or desirable subject to the approval

30 of National Universities Commission;

1 (c) to institute Lecturerships, readerships or associate Lecturerships,
2 lectureships, and other posts and offices and to make appointments thereto;

3 (d) to institute and award fellowships, scholarships, exhibitions,
4 bursaries, medals, prizes and other titles, distinctions, awards and forms of
5 assistance;

6 (e) to provide for the discipline and welfare of members of the
7 College;

8 (f) to hold examinations and grant degrees, diplomas, certificates and
9 other distinctions to persons who have pursued a course of study approved by
10 the College and have satisfied such other requirements as the College may lay
11 down;

12 (g) to grant honorary degrees, fellowships or academic titles;

13 (h) to demand and receive from any student or any other person
14 attending the College for the purposes of instruction, such fees as the College
15 may from time to time determine subject to the overall directives of the
16 Minister;

17 (i) subject to section 20 of this Bill, to acquire, hold, grant, charge or
18 otherwise deal with or dispose of movable and immovable property wherever it
19 is situate;

20 (j) to accept gifts, legacies and donations, but without obligation to
21 accept the same for a particular purpose unless it approves the terms and
22 conditions attached thereto;

23 (k) to enter into contracts, establish trusts, act as trustee, solely or
24 jointly with any other person, and employ and act through agents;

25 (l) to erect, provide, equip and maintain libraries, laboratories,
26 workshops, lecture halls, halls of residence, refectories, sports grounds,
27 playing fields and other buildings or things necessary, suitable or convenient
28 for any of the objects of the College;

29 (m) to hold public lectures and to undertake printing, publishing and
30 book selling;

(n) subject to any limitations or conditions imposed by statute, to invest any moneys appertaining to the College by way of endowment it, not being immediately required for current expenditure in any investments or securities or in the purchase or improvement of land, with power from time to time, to vary any such investments to deposit any moneys for the time being not invested with any bank on deposit or current account;

(o) to borrow, whether on interest or not and if need be upon the security of any or all of the property, movable or immovable, of the College, such moneys as the Council may from time to time in its discretion find it necessary or expedient to borrow of to guarantee any loan, advances or credit facilities;

(p) to make gifts for any charitable purpose;

(q) to do anything which it is authorized or required by this Bill or by statute to do; and

(r) to do all such acts or things, whether or not incidental to the foregoing powers, as may advance the objects of the College.

(2) Subject to the provisions of this Bill and of the statutes and without prejudice to section 7(2) of this Bill, the powers conferred on the College by subsection (1) of this section shall be exercisable on behalf of the College by the Council or by the Senate or in many other manner which may be authorized by the statute.

(3) The power of the College to establish further campuses and colleges within the College shall be exercisable by statute and not otherwise.

4.-(1) The Rector shall, in relation to the College, take precedence before all other members of the College, and when he is present, shall preside at all meetings of Convocation held for conferring degrees.

Functions of the
Rector and
pro-Rector

(2) The Pro-Rector shall, in relation to the College, take precedence before all other members of the College, except the Rector and except the Provost when acting as chairman of Congregation or Convocation and the Pro-Rector shall, when he is present, be the chairman at

Composition,
Tenure and Powers
of the Council
of the College

1 all meetings of the Council.

2 5.-(1) The Council of the College shall consist of:

3 (a) the Pro-Rector who shall be appointed by the President on the
4 recommendation of the Honourable Minister of Education;

5 (b) the Provost;

6 (c) the Deputy Provost(s);

7 (d) one person from the Ministry responsible for Education;

8 (e) four persons representing a variety of interests and broadly

9 representative of the whole Federation to be appointed from:

10 (i) the Teacher's Registration Council;

11 (ii) Tertiary Education Trust Fund; and

12 (iii) two other persons, one of whom shall be a representative of the

13 College host community.

14 (f) four persons appointed by the Senate from among its members;

15 (g) two persons appointed by Congregation from among its members;

16 (h) one person appointed by Convocation from among its members;

17 (i) two persons representing the community appointed by the

18 President.

19 (2) Persons to be appointed to the Council shall be of proven integrity,
20 knowledgeable and familiar with the affairs and tradition of the College.

21 (3) The Council so constituted shall have a tenure of four years from
22 the date of its inauguration provided that where a Council is found to be
23 incompetent and corrupt, it shall be dissolved by the Visitor and a new Council
24 shall be immediately constituted for the effective functioning of the College.

25 (4) The powers of the Council shall be exercised, as in this Bill and to
26 that extent establishment circulars that are inconsistent with this Bill shall not
27 apply to the College.

28 (5) The Council shall be free in the discharge of its functions and
29 exercise of its responsibilities for the good management, growth and
30 development of the College.

(6) The Council in the discharge of its functions shall ensure that disbursement of funds of the College complies with the approved budgetary ratio for:

- (a) personnel cost;
- (b) overhead cost;
- (c) research and development;
- (d) library developments; and
- (e) the balance in expenditure between academic vis-a-vis non-academic activities.

6.-(1) Subject to the provisions of this Bill relating to the Visitor, the Council shall be the governing body of the College and shall be charged with the general control and superintendence of the policy, finances and property of the College.

Functions of the Council and its Finance and General Purpose Committee

(2) There shall be a committee of the Council, to be known as the Finance, and General Purposes Committee, which shall, subject to the directions of the Council, exercise control over the property and expenditure of the College and perform such other functions of the Council as the Council may from time to time delegate to it.

(3) Provision shall be made by statute with respect to the constitution of the Finance and General Purposes Committee.

(4) The Council shall ensure that proper accounts of the College are kept and that the accounts of the College are audited annually by an independent firm of auditors approved by the Council and that an annual report is published by the College together with certified copies of the said accounts as audited.

(5) Subject to this Bill and the statutes, the Council and the Finance and General Purposes Committee may each make rules for the purpose of exercising any of their respective functions or of regulating their own procedure.

(6) Rules made under sub-section (5) of this section by the Finance

1 and General Purposes Committee shall not come into force unless approved by
2 the Council; and in so far and to the extent that any rules so made by that
3 Committee conflict with any direction given by the Council, whether before or
4 after the coming into force of the rules in question, the directions of the Council
5 shall prevail.

6 (7) There shall be paid to the members respectively of the Council, the
7 Finance and General Purposes Committee and of any other committee set up
8 by the Council, allowances in respect of travelling and other reasonable
9 expenses, at such rates as may from time to time be fixed by the Minister.

10 (8) The Council shall meet as and when necessary for the
11 performance of its functions under this Bill and shall meet at least three times in
12 every year.

13 (9) If requested in writing by any five members of the Council, the
14 chairman shall within 8 days after the receipt of such request call a meeting of
15 the Council.

16 (10) Any request made under sub-section (9) of this section shall
17 specify the business to be considered at the meeting and no business not so
18 specified shall be transacted at that meeting.

Functions of the
Senate of the
College

19 7.-(1) Subject to section 6 of this Bill and subsections (3) and (4) of
20 this section and the provisions of this Bill relating to the Visitor, it shall be the
21 general function of the Senate to organize and control the teaching by the
22 College, the admission of student where no other enactment provides to the
23 contrary and the discipline of students; and to promote research at the College.

24 (2) Without prejudice to the generality of subsection (1) of this section
25 and subject as therein mentioned, it shall in particular be the function of the
26 Senate to make provision for:

27 (a) the establishment, organization and control of campuses, colleges,
28 schools, institutes and other teaching and research units of the College and the
29 allocation of responsibility for different branches of learning;

30 (b) the organization and control of courses of study at the College and

1 of the examinations held in conjunction with those courses, including the
2 appointment of examiners, both internal and external;

3 (c) the award of degrees, and such other qualifications as may be
4 prescribed in connection with examinations held as aforesaid;

5 (d) the making of recommendations to the Council with respect to
6 the award to any person of an honorary fellowship or honorary degree or the
7 title of Lecturer emeritus;

8 (e) the establishment, organization and control of halls of residence
9 and similar institutions at the College;

10 (f) the supervision of the welfare of students at the College and the
11 regulation of their conduct;

12 (g) the granting of fellowships, scholarships, prizes and similar
13 awards in so far as the awards are within the control of the College; and

14 (h) determining what descriptions of dress shall be academic dress
15 for the purposes of the College, and regulating the use of academic dress.

16 (3) The Senate shall not establish any new campus, college, school,
17 department, institute or other teaching and research units of the College, or
18 any hall of residence or similar institution at the College without the
19 approval of the Council.

20 (4) Subject to this Bill and the statutes, the Senate may make
21 regulations for the purpose of exercising any function conferred on it either
22 by the foregoing provisions of this section or otherwise or for the purpose of
23 making provision for any matter for which provision by regulations is
24 authorized or required by this Bill or by statute.

25 (5) Regulations shall provide that at least one of the persons
26 appointed as the examiners at each final or professional examination held in
27 conjunction with any course of study at the College is not a teacher at the
28 College but is a teacher of the branch of learning to which the course relates
29 at some other College of high repute or a person engaged in practicing the
30 profession in a reputable organization or institution.

Functions of the
Provost

1 (6) Subject to right of appeal to the Council from a decision of the
2 Senate under this sub- section, the Senate may deprive any person of any
3 degree, diploma or other award of the College which has been conferred upon
4 him if after due enquiry he is found to have been guilty of dishonourable or
5 scandalous conduct in gaining admission into the College or obtaining that
6 award.

7 8.-(1) The Provost shall, in relation to the College, take precedence
8 before all other members of the College except the Rector and subject to
9 section 4 of this Bill except the Pro-Rector and any other person for the time
10 being acting as Chairman of the Council.

11 (2) Subject to sections 6, 7 and 14 of this Bill, the Provost shall have
12 the general function, in addition to any other functions conferred on him by this
13 Bill or otherwise of directing the activities of the College and shall be the Chief
14 Executive and Accounting Officer of the College and ex-officio Chairman of
15 the Senate.

16 (3) The Provost shall be the Chairman of the College Tenders' Board,
17 which is saddled with the responsibility of approving the conduct of public
18 procurement of goods, works and services within the approved threshold from
19 time to time.

20 (4) It shall be the responsibility of the Provost to establish and appoint
21 members of the Tenders' Board in line with the extant Public Procurement
22 Rules and Regulations.

23 PART II - GENERAL FUND, TRANSFER OF PROPERTY, ETC, TO THE
24 COLLEGE AND CONDITION OF SERVICE OF EMPLOYEES

General fund
of the College

25 9.-(1) There shall be a general fund of the College which shall consist
26 of the following:

- 27 (a) grants-in-aid;
28 (b) fees;
29 (c) income derived from investments;
30 (d) gifts, legacies, endowments and donations not accepted for a

1 particular purpose;

2 (e) income derived from the exercise of any functions conferred or
3 imposed on the College by this Bill;

4 (f) any other amounts, charges or dues recoverable by the College;

5 (g) revenue, from time to time, accruing to the College by way of
6 subvention;

7 (h) interests on investments;

8 (i) donations and legacies accruing to the College from any source
9 for the general or special purposes of the College; and

10 (j) Regular TETFUND interventions;

11 (2) The general fund shall be applied for the purposes of the
12 College.

13 10.-(1) All property held by or on behalf of the Provisional Council
14 of the College shall, by virtue of this sub-section and without further
15 assurance, vest in the College and be held by it for the purpose of the
16 College.

Transfer of
Property

17 (2) The provisions of the Second Schedule to this Bill shall have
18 effect with respect to, and to matters arising from, the transfer of property by
19 this section and with respect to the other matters mentioned in that Schedule.

20 PART III - STATUTES OF THE COLLEGE

21 11.-(1) Subject to this Bill, the College may make statutes for any
22 of the following purposes, that is to say:

Power of the
College to make
Statutes

23 (a) Making provision with respect to the composition and
24 constitution of any authority of the College;

25 (b) Specifying and regulating the powers and duties of any
26 authority of the College, and regulating any other matter connected with the
27 College or any of its authorities;

28 (c) Regulating the admission of students (where no other
29 enactment provides to the contrary), and their discipline and welfare;

30 (d) Determining whether any particular matter is to be treated as an

1 academic or non-academic matter for the purposes of this Bill and of any
2 statute, regulation or other instrument made thereunder; or

3 (e) Making provision for any other matter for which provision by
4 statute is authorized or required by this Bill.

5 (2) Subject to section 25(6) of this Bill, the Interpretation Act shall
6 apply in relation to any statute made under this section as it applies to a
7 subsidiary instrument within the meaning of section 28(1) of that Act.

8 (3) The statute contained in the Third Schedule to this Bill shall be
9 deemed to have come into force on the commencement of this Bill and shall be
10 deemed to have been made under this section by the College.

Third Schedule

11 (4) The power to make statutes conferred by this section shall not be
12 prejudiced or limited in any way by reason of the inclusion or omission of any
13 matter in or from the statute contained in the Third Schedule to this Bill or any
14 subsequent statute.

Mode of exercising
power to make
statutes

15 12.-(1) The power of the College to make statutes shall be exercised in
16 accordance with the provisions of this section and not otherwise.

17 (2) A proposed statute shall not become law unless it has been
18 approved:

19 (a) at a meeting of the Senate, by the votes of not less than two thirds
20 of the members present and voting; and

21 (b) at a meeting of the Council, by the votes of not less than two thirds
22 of the members present and voting.

23 (3) A proposed statute may originate either in the Senate or in the
24 Council, and may be approved as required by subsection (2) of this section by
25 either one of those bodies or the other.

26 (4) A statute which:

27 (a) makes provision for or alters the composition or constitution of the
28 Council, the Senate or any other authority of the College; or

29 (b) provides for the establishment of a new campus or college or for
30 the amendment or revocation of any statute.

(5) For the purpose of section 2(2) of the Interpretation Act, a statute shall be treated as being made on the date on which it is duly approved by the Council after having been duly approved by the Senate, or on the date on which it is duly approved by the Senate after having been duly approved by the Council, as the case may be or, in the case of a statute falling within subsection (4) of this section, on the date on which it is approved by the President.

(6) In the event of any doubt or dispute arising at any time:

(a) as to the meaning of any provision of a statute; or

(b) as to whether any matter is for the purposes of this Bill an academic or non-academic matter as they relate to such doubt or dispute, the matter may be referred to the Visitor, who shall take such advice and make such decision thereon as he shall think fit.

(7) The decision of the Visitor on any matter referred to him under sub-section (6) of this section shall be binding upon the authorities, staff and students of the College and where any question as to the meaning of any provision of a statute has been decided by the Visitor under that sub-section, no question as to the meaning of that provision shall be entertained by any court of law in Nigeria.

(8) Nothing in sub-section (7) of this section shall affect any power of a court of competent jurisdiction to determine whether any provision of a statute is wholly or partly void as being ultra vires or as being inconsistent with the Constitution of the Federal Republic of Nigeria, 1999.

13. A statute may be proved in any court by the production of a copy thereof bearing or having affixed to it a certificate purporting to be signed by the Provost or the Secretary to the Council to the effect that the copy is a true copy of a statute of the College.

Proof of Statute

PART IV - SUPERVISION AND DISCIPLINE

14.-(1) The President shall be the Visitor of the College.

The Visitor

(2) The Visitor shall cause a visitation to the College when

1 necessary, at least every five years, or direct that such a visitation be conducted
2 by such person or persons as the Visitor may deem fit and in respect of any of
3 the affairs of the College.

4 (3) It shall be the duty of the bodies and persons comprising the
5 College to make available to the Visitor and to any other person conducting a
6 visitation in pursuance of this section, such facilities and assistance as he or
7 they may reasonably require for the purposes of a visitation.

8 (4) The Visitor shall make the report of such visitations and write
9 paper thereon available to the Council which shall implement same.

Removal of
certain Members
of Council

10 15.-(1) If it appears to the Council that a member of the Council (other
11 than the Pro-Rector or the Provost) should be removed from office on the
12 ground of misconduct or inability to perform the functions of his office or
13 employment, the Council shall make a recommendation to that effect through
14 the Minister to the President, and the President, after making such enquiries (if
15 any) as he may consider appropriate approves the recommendation, he may
16 direct the removal of the person in question from office.

17 (2) It shall be the duty of the Minister to use his best endeavours to
18 cause a copy of the instrument embodying a direction under subsection (1) of
19 this section to be served as soon as reasonably practicable on the person to
20 whom it relates.

Removal and
discipline of
academic,
administrative
and professional
staff

21 16.-(1) If it appears to the Council that there are reasons for believing
22 that any person employed as a member of the academic, administrative or
23 professional staff of the College, other than the Provost, should be removed
24 from his office or employment on the ground of misconduct or of professional
25 inability to perform the functions of his office or employment, the Council
26 shall:

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

28 (b) afford him an opportunity of making representations in person on
29 the matter by the Council; and

30 (c) for the person in question to be afforded an opportunity of

1 appearing before and being heard by the investigating committee with
2 respect to the matter, and if the Council, after considering the report of the
3 investigating committee, is satisfied that the person in question should be
4 removed as aforesaid, the Council may so remove him by an instrument in
5 writing signed on the directions of the Council.

6 (2) The Provost may, in a case of misconduct by a member of the
7 staff which in the opinion of the Provost is prejudicial to the interest of the
8 College, suspend such member and any such suspension shall forthwith be
9 reported to the Council.

10 (3) For good cause, any member of the staff may be suspended
11 from his duties or his appointment may be terminated by the Council; and
12 for the purposes of this subsection "good cause" means:

13 (a) conviction for any offence which the Council considers to be
14 such as to render the person concerned unfit for the discharge of the
15 functions of his office;

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

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

22 (d) conduct which the Council considers to be such as to constitute
23 failure or inability of the person concerned to discharge the functions of his
24 office or to comply with the terms and conditions of his service; or

25 (e) conduct which the Council considers to be generally of such
26 nature as to render the continued appointment or service of the person
27 concerned prejudicial or detrimental to the interest of the College.

28 (4) Any person suspended pursuant to subsection (2) or (3) of this
29 section shall be on half pay and the Council shall before the expiration of a
30 period of three months after the date of such suspension consider the case

1 against that person and come to a decision as:

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

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

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

9 (d) whether to take such lesser disciplinary action against such person
10 (including the restoration of such proportion of his emoluments that might
11 have been withheld) as the Council may determine.

12 (5) In any case where the Council, pursuant to this section, decides to
13 continue a person's suspension or decides to take further disciplinary action
14 against a person, the Council shall before the expiration of a period of three
15 months from such decision come to a final determination in respect of the case
16 concerning any such person.

17 (6) 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 (7) Nothing in the foregoing provisions of this section shall:

22 (a) apply to any directive given by the Visitor in consequence of any
23 visitation; or

24 (b) prevent the Council from making regulations for the discipline of
25 other categories of workers of the College as may be prescribed.

Removal of
examiners

26 17.-(1) If, on the recommendation of the Senate, it appears to the
27 Provost that a person appointed as an examiner for any examination of the
28 College ought to be removed from his office or appointment, then, except in
29 such cases as may be prescribed by the Provost may, after affording the
30 examiner an opportunity of making representations in person on the matter to

1 the Provost, remove the examiner from the appointment by an instrument in
2 writing signed by the Provost.

3 (2) Subject to the provisions of regulations made in pursuance of
4 section 7(5) of this Bill, the Provost may, on the recommendation of the
5 Senate, appoint an appropriate person as examiner in the place of the
6 examiner removed in pursuance of subsection (1) of this section.

7 (3) It shall be the duty of the Provost on signing an instrument of
8 removal pursuant to this section, to use his best endeavours to cause a copy
9 of the instrument to be served as soon as reasonably practicable on the
10 person to whom it is related.

11 18.-(1) The Students shall be:

12 (a) represented in the College's Students Welfare Board and other
13 committees that deal with the affairs of students;

14 (b) Participate in various aspects of curriculum development;

15 (c) Participate in the process of assessing academic staff in respect
16 of teaching; and

17 (d) Be encouraged to be more self-assured as part of the national
18 development process.

19 (2) Subject to the provisions of this section, where it appears to the
20 Provost that any student of the College has been guilty of misconduct, the
21 Provost may, without prejudice to any other disciplinary powers conferred
22 on him by statute or regulations, direct:

23 (a) that the student shall not, during such period as may be specified
24 in the directions, participate in such activities of the College, or make use of
25 such facilities of the College, as may be so specified;

26 (b) that the activities of the student shall, during such period as may
27 be specified in the direction, be restricted in such manner as may be so
28 specified, or

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

Participation and
Discipline of
Students

1 (d) that the student be expelled from the College.

2 (3) Where a direction is given under subsection (1)(c) or (d) of this
3 section in respect of any student, that student may, within the prescribed period
4 and in the prescribed manner, appeal to the Council; and where such an appeal
5 is brought, the Council shall, after causing such inquiry to be made in the
6 matter as the Council considers just either confirm or set aside the direction or
7 modify it in such manner as the Council thinks fit.

8 (4) The fact that an appeal from a direction is brought in pursuance to
9 subsection (2) of this section shall not affect the operation of the direction while
10 the appeal is pending:

11 (a) The Provost may delegate his powers under this section to a
12 disciplinary board consisting of such members of the College as he may
13 nominate;

14 (b) Nothing in this section shall be construed as preventing the
15 restriction or termination of students' activities at the College otherwise than
16 on the ground of misconduct;

17 (c) A direction under subsection (2)(a) of this section may be
18 combined with a direction under subsection (2)(b) of this section.

19 PART V - MISCELLANEOUS AND GENERAL

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

20 19.-(1) No person shall be required to satisfy requirements as to any of
21 the following matters, that is to say, race (including ethnic grouping), sex,
22 account of race, place of birth or of family origin, or religious or political
23 persuasion, as a condition of becoming or continuing to be a student at the
24 College, the holder of any degree of the College or of any appointment or
25 employment at the College, or a member of anybody established by virtue of
26 this Bill; and no person shall be subject to any disadvantage or accorded any
27 advantage relation to the College, by reference to any of those matters.

28 (2) Nothing in subsection (1) of this section shall be construed as
29 preventing the College from imposing any disability or restriction on any of the
30 persons mentioned in that subsection where such person willfully refuses or

1 fails on grounds of religious belief to undertake any duty generally and
2 uniformly imposed on all such person or any group of them which duty,
3 having regard to its nature and the special circumstances pertaining thereto,
4 is in the opinion of the College reasonably justifiable in the national interest.

5 20. Without prejudice to the provisions of the Land Use Act, the
6 College shall not dispose of or charge any land or an interest in any land
7 (including any land transferred to the College by this Bill) except with the
8 prior written consent, either general or special, of the Governor:

Restriction on
disposal of lands
by College

9 Provided that such consent shall not be required in the case of any
10 lease or tenancy at a rack-rent for a term not exceeding 21 years or any lease
11 or tenancy to a member of the College for residential purpose.

12 21. Except as may be otherwise provided by statute or by
13 regulations, the quorum and procedure of any body of persons established
14 by this Bill shall be as determined by that body.

Quorum and
procedure of bodies
established by
this Bill

15 22. (1) Anybody of persons established by this Bill shall, without
16 prejudice to the generality of the powers of that body, have power to appoint
17 committees, which need not consist exclusively of members of that body,
18 and to authorize a committee established by it:

Appointment of
Committee, etc.

19 (a) to exercise, on its behalf, such of its functions as it may
20 determine;

21 (b) to co-opt members, and

22 (2) Any two or more such bodies may arrange for the holding of
23 joint meetings of those bodies, or for the appointment of committees
24 consisting of members of those bodies, for the purpose of considering any
25 matter within the competence of those bodies or any of them, and either of
26 dealing with it or of reporting on it to those bodies or any of them.

27 (3) Except as may be otherwise provided by statute or by
28 regulations, the quorum and procedure of a committee established or
29 meeting held in pursuance of this section, shall be such as may be
30 determined by the body or bodies which have decided to establish the

1 committee or hold the meeting.

2 (4) Nothing in the provisions of subsection (1), (2) and (3) of this
3 section shall be construed as:

4 (a) enabling the statutes to be made otherwise than in accordance with
5 section 1 of this Bill; or

6 (b) enabling the Senate to empower any other body to make
7 regulations of the award degrees or other qualifications.

8 (5) The Pro-Rector and the Provost shall be members of every
9 committee of which the members are wholly or partly appointed by the Council
10 (other than a committee appointed to inquire into the conduct of the officer in
11 question); and the Provost shall be a member of every committee of which the
12 members are wholly or partly appointed by the Senate.

Retiring age of
academic staff

13 23.-(1) Notwithstanding anything to the contrary in the Pension Act,
14 the compulsory retiring age of the following categories of staff shall be as
15 follows:

16 (a) Academic staff of the College in the non-teaching cadre shall be 65
17 years;

18 (b) Academic staff of the College in the Teaching Cadre shall be 70
19 years;

20 (c) Non-academic staff of the College shall be 65 years.

21 (2) A law or rule requiring a person to retire from the public service
22 after serving for 35 years shall not apply to an academic staff of the College.

Special provisions
relating to Pension
of Lecturers

23 24. An academic staff of the College who retires as a Lecturer in the
24 College shall be entitled to pension at a rate equivalent to his annual salary
25 provided that the Lecturer has served continuously in the College up to the
26 retirement age.

Miscellaneous
Administrative
Provisions

27 25.-(1) The seal of the College shall be such as may be determined by
28 the Council and approved by the Rector, and the affixing of the seal shall be
29 authenticated by any member of the Council and by the Provost, Secretary to
30 the Council or any other person authorized by statute.

1 (2) Any document purporting to be a document executed under the
2 seal of the College shall be received in evidence and shall, unless the
3 contrary is proved, be presumed to be so executed.

4 (3) Any contract or instrument which if made or executed by a
5 person not being a body corporate would not be required to be under seal,
6 may be made or executed on behalf of the College by any person generally or
7 specially authorized to do so by the Council.

8 (4) The validity of any proceedings of anybody established in
9 pursuance of this Bill shall not be affected by any vacancy in the
10 membership of the body, or by any defect in the appointment of a member of
11 the body or by reason that any person not entitled to do so took part in the
12 preceding.

13 (5) Any member of any such body who has a personal interest in
14 any matter proposed to be considered by that body shall forthwith disclose
15 his interest to the body and shall vote on any question relating to that matter.

16 (6) Nothing in section 12 of the Interpretation Act (which provides
17 for the application in relation to subordinate legislation of certain incidental
18 provisions) shall apply to statutes or regulations made in pursuance to this
19 Bill.

20 (7) The power conferred by this Bill on anybody to make statutes or
21 regulations shall include power to revoke or vary any statute (including the
22 statute contained in the Third Schedule of this Bill) or any regulation by a
23 subsequent statute or as the case may be, by a subsequent regulation and
24 statutes and regulations may make different provisions in relation to
25 different circumstances.

26 (8) No stamp or other duty shall be payable in respect of any
27 transfer of property to the College by virtue of section 8 or section 18 of this
28 Bill or the Second Schedule to this Bill.

29 (9) Any notice or other instrument authorized to be served by virtue

1 of this Bill may, without prejudice to any other mode of service, be served by
2 post.

Restriction of
suits and execution

3 **26.-(1) Pre-Action Notice:**

4 (a) No legal proceeding shall be instituted and/or commenced against
5 the College or any of its agents in the course of their official duties unless a 3
6 months' Pre-Action Notice of such intention is served on the College by an
7 aggrieved party;

8 (b) The Notice shall state the reason and the cause of action intended
9 to be taken against the College, the particulars of the claim, the name and place
10 of abode of the intending plaintiff and the relief which he claims;

11 (c) For the avoidance of doubt, it is hereby declared that no suit shall
12 be commenced against an officer or servant of the College, in any case where
13 the College is vicariously liable for any alleged act, neglect or default of the
14 officer or servant in the performance or intended performances of his duties,
15 unless three months at least has elapsed after written notice of intention to
16 commence the same shall have been served on the College by the intending
17 plaintiff or his agent;

18 (d) In any suit against this College, no execution or attachment or
19 process in the nature thereof shall be issued against the College, but any sums
20 of money which may be judgment of the court be awarded against the College
21 shall, subject to any direction given by the court where notice of appeal has
22 been given by the College in respect of the said judgment, be paid by the
23 College from its general fund.

24 **(2) Service of Notices:**

25 Service upon the College of any notice, order or other document may be
26 effected by delivering the same or by sending it by registered post addressed to
27 the Registrar and Secretary of the Council.

Interpretation

28 **27.-(1) In this Bill, unless the context otherwise requires:**

29 "Campus" means any campus which may be established by the College;

30 "College" means the College established pursuant to section 2 (1) (b) of this

- 1 Bill for the College;
- 2 "Council" means the Governing Council of the College established by
3 section 5 of this Bill;
- 4 "Functions" includes powers and duties;
- 5 "Graduate" means a person on whom a degree, other than an honorary
6 degree, has been conferred by the College and any other person as may be
7 designated as a graduate by the Council, acting in accordance with the
8 recommendation of the Senate; (Erroneously omitted)
- 9 "Minister" means the Hon. Minister of Education;
- 10 "Notice" means notice in writing;
- 11 "Officer" does not include the Visitor;
- 12 "Prescribed" means prescribed by statute or regulations;
- 13 "Lecturer" means a person designated as a Lecturer of the College in
14 accordance with provisions made in that behalf by statute or by regulations;
- 15 "Property" includes rights, liabilities and Obligations;
- 16 "Provisional Council" means the provisional council appointed for the
17 College;
- 18 "Regulations" means regulations made by the Senate or the Council;
- 19 "Senate" means the Senate of the College established pursuant to section
20 2(1)(e) of this Bill;
- 21 "School" means a unit of closely related academic programmes;
- 22 "Statute" means a statute made by each College under section 10 of this Bill
23 and in accordance with the provisions of section 11 of this Bill, and
24 "the statutes" means all such statutes as are in force from time to time;
- 25 "Teacher" means a person holding a full-time appointment as a member of
26 the teaching or research staff of the College;
- 27 "Undergraduate" means a person registered as a student undergoing a course
28 of study for a first degree of the College or such other course in the College
29 as may be approved by the Senate as qualifying a student undergoing it for
30 the status of an under-graduate;

1 "College" means the Federal College of Fisheries, Ibi, Taraba State established
2 and incorporated by section I of this Bill.

3 (2) It is hereby declared that where in any provision of this Bill it is
4 laid down that the proposals are to be submitted or a recommendation is to be
5 made by one authority or another through one or more intermediate authorities,
6 it shall be the duty of every such intermediate authority to forward any
7 proposals of that or recommendations received by it in pursuance of that
8 provision to the appropriate authority; but any such intermediate authority
9 may, if it thinks fit, forward therewith its own comments thereon.

Short title

10 28. This Bill may be cited as the Federal College of Fisheries, Ibi,
11 Taraba State Bill, 2020.

SCHEDULES

FIRST SCHEDULE

[Section 2(2)]

PRINCIPAL OFFICERS OF THE COLLEGE

The Rector

17 1. The Rector shall be appointed by and hold office at the pleasure of
18 the President.

The Pro-Rector

20 2.-(1) The Pro-Rector who shall be the Chairman of Council shall be
21 appointed or removed from office by Mr. President upon recommendation by
22 the Minister of Education.

23 (2) Subject to the provisions of this Bill, the Pro-Rector shall hold
24 office for a period of four years beginning with the date of his appointment.

The Provost

26 3.-(1) There shall be a Provost of the College who shall be appointed
27 by the Council in accordance with the provisions of this paragraph.

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

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

- 1 (i) the qualities of the persons who may apply for the post; and
2 (ii) the terms of conditions of service applicable to the post, and
3 thereafter draw up a short list of suitable candidates for the post for
4 consideration:
- 5 (b) constitute a Search Team consisting of:
- 6 (i) a member of the Council, who is not a member of the Senate, as
7 chairman;
- 8 (ii) two members of the Senate who are not members of the
9 Council, one of whom shall be a Lecturer;
- 10 (iii) two members of Congregation who are not members of the
11 Council, one of whom shall be a Lecturer, to identify and nominate for
12 consideration, suitable persons who are not likely to apply for the post on
13 their own volition because they felt that it is not proper to do so.
- 14 (3) A Joint Council and Senate Selection Board consisting of:
- 15 (a) the Pro-Rector, as chairman;
- 16 (b) two members of the Council, not being members of the Senate;
- 17 (c) two members of the Senate who are Lecturers, but who were not
18 members of the Search Team, shall consider the candidates and persons in
19 the shortlist drawn up under subsection (2) of this paragraph through an
20 examination of their curriculum vitae and interaction with them, and
21 recommend to the Council three candidates for further consideration.
- 22 (4) The Council shall select and appoint as the Provost one
23 candidate from among the three candidates recommended to it under
24 subsection (3) of this section and thereafter inform the Visitor.
- 25 (5) The Provost shall hold office for a single term of five years only
26 on such terms and conditions as may be specified in his letter of
27 appointment.
- 28 (6) The Provost may be removed from office by the Council on
29 grounds of gross misconduct or inability to discharge the functions of his
30 office as a result of infirmity of the body or mind, at the initiative of the

1 Council, Senate or the Congregation after due process.

2 (7) When the proposal for the removal of the Provost is made, the

3 Council shall constitute a Joint Committee of Council and Senate consisting of:

4 (i) three members of the Council, one of whom shall be the Chairman
5 of the committee; and

6 (ii) two members of the Senate:

7 Provided that where the ground for removal is infirmity of the body or
8 mind, the Council shall seek appropriate medical opinion.

9 (8) The committee shall conduct investigation into the allegations
10 made against the Provost and shall report its findings to the Council.

11 (9) The Council may where the allegations are proved remove the
12 Provost or apply any other disciplinary action it may deem fit and notify the
13 Visitor accordingly provided that a Provost who is removed shall have right of
14 appeal to the Visitor.

15 (10) There shall be no sole administrator in the College.

16 (11) In any case of a vacancy in the office of the Provost, the Council
17 shall appoint an acting Provost on recommendation of the Senate.

18 (12) An acting Provost in all circumstances shall not be in office for
19 more than 6 months.

20 *Deputy Provost*

21 4.-(1) There shall be for the College such number of Deputy Provosts
22 as Council may from time to time deem necessary for the proper administration
23 of the College.

24 (2) Where a vacancy occurs in the post of Deputy Provost, the Provost
25 shall forward to the Senate a list of two candidates for each post of Deputy
26 Provost that is vacant.

27 (3) The Senate shall select for each vacant post one candidate from
28 each list forwarded to it under subsection (2) of this paragraph and forward his
29 name to the Council for confirmation.

30 (4) A Deputy Provost shall-

- 1 (a) assist the Provost in the performance of his functions;
- 2 (b) act in the place of the Provost when the post of the Provost is
- 3 vacant or if the Provost is, for any reason, absent or unable to perform his
- 4 functions as Provost; and
- 5 (c) perform such other functions as the Provost or the Council may,
- 6 from time to time, assign to him.
- 7 (5) A Deputy Provost:
- 8 (a) shall hold office for a period of two years beginning from the
- 9 effective date of his appointment and on such terms and conditions as may
- 10 be specified in his letter of appointment; and
- 11 (b) may be reappointed for one further period of two years and no
- 12 more.
- 13 (c) may be removed from office for good cause by the Council
- 14 acting on the recommendations of the Provost and Senate.
- 15 (d) "Good cause" for the purpose of this section means gross
- 16 misconduct or inability to discharge the functions of his office arising from
- 17 infirmity of the body or mind.

18 *Office of the Registrar*

19 5.-(1) There shall be for the College, a Registrar, who shall be the

20 chief administrative officer of the College and shall be responsible to the

21 Provost for the day-to-day administrative work of the College except as

22 regards matters for which the Bursar is responsible in accordance with

23 paragraph 6(2) of this Schedule.

24 (2) The person holding the office of the Registrar shall by virtue of

25 that office be Secretary to the Council, the Senate, Congregation and

26 Convocation.

27 *Other Principal Officers of the College*

28 6.-(1) There shall be for the College the following principal

29 officers, in addition to the Registrar, that is:

- 30 (a) the Bursar; and

1 (b) the College Librarian, who shall be appointed by the Council on
2 the recommendation of the Selection Board constituted under paragraph 7 of
3 this Schedule.

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

7 (3) The College Librarian shall be responsible to the Provost for the
8 administration of the College Library and the co-ordination of the library
9 services in the College and its campuses, colleges, schools, departments,
10 institutes and other teaching or research units.

11 (4) Any question as to the scope of the responsibilities of the aforesaid
12 officers shall be determined by the Provost

13 *Selection Board for other Principal Officers*

14 7.-(1) There shall be, for the College, a Selection Board for the
15 appointment of principal officers, other than the Provost or Deputy Provost,
16 which shall consist of:

17 (a) the Pro-Rector, as chairman;

18 (b) the Provost;

19 (c) four members of the Council not being members of the Senate; and

20 (d) two members of the Senate.

21 (2) The functions, procedure and other matters relating to the
22 Selection Board constituted under subsection (1) of this paragraph shall be as
23 the Council may, from time to time, determine.

24 (3) The Registrar, Bursar and Librarian shall hold office for a single
25 term of five years only beginning from the effective date of their appointments
26 and on such terms and conditions as may be specified in their letters of
27 appointment.

28 (4) Notwithstanding subsection (3) of this section, the Council may,
29 upon satisfactory performance, extend the tenure of the Registrar, Bursar or
30 Librarian for a further period of one year only and thereafter such principal

1 officer shall relinquish his post and be assigned to other duties in the
2 College.

3 *Resignation and Re-appointment*

4 8.-(1) Any officer mentioned in the foregoing provisions of this
5 Schedule may resign his office:

6 (a) in the case of the Rector or Pro-Rector, by notice to the Visitor;

7 (b) in any other case, by notice to the Council and the Council shall,
8 in the case of the Provost, immediately notify the Visitor.

9 (2) Without prejudice to paragraph 4 of this Schedule, a person
10 who has ceased to hold an office so mentioned otherwise than by removal
11 for misconduct shall be eligible for re-appointment to that office.

12 *SECOND SCHEDULE*

13 *TRANSITIONAL PROVISIONS AS TO PROPERTY, FUNCTIONS, ETC.*

14 *Transfer of Property to College*

15 1. Without prejudice to the generality of section 9 (1) of this Bill:

16 (a) the reference in that subsection to property held by the
17 Provisional Council shall include a reference to the right to receive and give
18 a good discharge for any grants or contributions which may have been voted
19 or promised to the Provisional Council;

20 (b) all debts and liabilities of the Provisional Council outstanding
21 shall become debts or liabilities of the College.

22 2.-(1) All agreements, contracts, deeds and other instruments to
23 which the Provisional Council was a party shall, so far as possible and
24 subject to any necessary modifications, have effect as if the College had
25 been a party thereto in place of the Provisional Council.

26 (2) Documents not falling within subsection (1) of this paragraph,
27 including enactment which refer, whether specially or generally, to the
28 Provisional Council, shall be construed in accordance with that sub-section
29 so far as applicable.

30 (3) Any legal proceedings or application to any authority pending

1 by or against the Provisional Council may be continued by or against the
2 College.

3 *Registration of transfers*

4 3.-(1) If the law in force at the place where any property transferred by
5 this Bill is situate provides for the registration of transfers of property of the
6 kind in question (whether by reference to an instrument of transfer or
7 otherwise), the law shall, so far as it provides for alterations of a register (but
8 not for avoidance of transfers, the payment of fees or any other matter) apply,
9 with necessary modifications, to the property aforesaid.

10 (2) It shall be the duty of the body to which any property is transferred
11 by this Bill to furnish the necessary particulars of the transfer to the proper
12 officer of the registration authority, and of that officer to register the transfer
13 accordingly.

14 *Transfer of Functions, etc.*

15 4.-(1) The first meeting of the Council shall be convened by the Pro-
16 Rector on such date and in such manner as he may determine.

17 (2) The persons who were members of the Provisional Council shall
18 be deemed to constitute the Council until the date when the Council as set up
19 under the Third Schedule to this Bill shall have been duly constituted.

20 (3) The first meeting of the Senate as constituted by this Bill shall be
21 convened by the Provost on such date and in such manner as he may determine.

22 (4) The persons who were members of the Academic Board
23 immediately before the coming into force of this Bill shall be deemed to
24 constitute the Senate of the College until the date when the Senate as set up
25 under the Third Schedule to this Bill shall have been duly constituted.

26 (5) Subject to any regulations which may be made by the Senate after
27 the date on which this Bill is made, the schools, school boards and students of
28 the College immediately before the coming into force of this Bill shall on that
29 day become schools, school boards and students of the College as constituted
30 by this Bill.

(6) Persons who were Deans of schools and Heads of Academic Departments shall continue to be Deans or HODs of the corresponding School/Department, until new appointments are made in pursuance of the statutes.

(7) Any person who was a member of the staff of the College as established or was otherwise employed by the Provisional Council shall become the holder of an appointment at the College with the status, designation and functions which correspond as nearly as may be to those which appertained to him as member of that staff or as such an employee.

THIRD SCHEDULE

Section 9 (3)]

FEDERAL COLLEGE OF FISHERIES, IBI, TARABA STATE

STATUTE NO. 1

ARRANGEMENT OF ARTICLES

Articles

1. The Council
2. The Finance and General Purposes Committee
3. The Senate
4. The Congregation
5. Convocation
6. Division of Colleges
7. College/School Boards
8. Dean of the College
9. Selection of certain Principal Officers
10. Creation of academic posts
11. Appointment of academic staff
12. Appointment of administrative and professional staff
13. Interpretation.
14. Short Title

The Council

1
2 1.-(1) The composition of the Council shall be as provided in section 5
3 of this Bill.

4 (2) Any member of the Council holding office otherwise than in
5 pursuance of section 5 (a), (b), (c), or (d) of this Bill may, by notice to the
6 Council, resign his office.

7 (3) A member of the Council holding office otherwise than in
8 pursuance of section 5 (a), (b), (c), or (d) of this Bill shall, unless he previously
9 vacates it, vacate that office on the expiration of the period of four years
10 beginning with effect from 1 August in the year which he was appointed.

11 (4) Where a member of the Council holding office otherwise than in
12 pursuance of section 5 (a), (b), (g), or (h) of this Bill vacates office before the
13 expiration of the period aforesaid, the body or person by whom he was
14 appointed may appoint a successor to hold office for the residue of the term of
15 his predecessor.

16 (5) A person ceasing to hold office as a member of the Council
17 otherwise than by removal for misconduct shall be eligible for re-appointment
18 for only one further period of four years.

19 (6) The quorum of the Council shall be five, at least one of whom shall
20 be a member appointed pursuant to section 5 (d) or (e) of this Bill.

21 (7) If the Pro-Rector is not present at a meeting of the Council, such
22 other member of the Council present at the meeting as the Council may appoint
23 as respects that meeting shall be the chairman at that meeting, and subject to
24 section 4 of this Bill and the foregoing provisions of this paragraph, the Council
25 may regulate its own procedure.

26 (8) Where the Council desires to obtain advice with respect to any
27 particular matter may co-opt not more than two persons for that purpose, and
28 the persons co-opted may take part in the deliberations of the Council at any
29 meeting but shall not be entitled to vote.

1 *The Finance and General Purposes Committee*

2 2.-(1) The Finance and General Purposes Committee of the
3 Council shall consist of:

4 (a) the Pro-Rector, who shall be the chairman of the Committee at
5 any meeting at which he is present;

6 (b) the Provost and Deputy Provosts;

7 (c) six other members of the Council appointed by the Council, two
8 of whom shall be selected from among the four members of the Council
9 appointed by the Senate and one member appointed to the Council by
10 Congregation;

11 (d) the Permanent Secretary of the Federal Ministry of Education,
12 or in his absence, such member of his Ministry as he may designate to
13 represent him; and

14 (e) the Executive Secretary of the Petroleum Technology
15 Development Fund, or in his absence, such member of the Fund as he may
16 designate to represent him.

17 (2) The quorum of the Committee shall be five.

18 (3) Subject to any directions given by the Council, the Committee
19 may regulate its own procedure.

20 *Annual budget and estimates, etc.*

21 (4) (i) The estimates of income and expenditure for a financial year
22 shall be presented by the Provost to the Council and may be approved by the
23 Council before the beginning of that financial year;

24 Provided that the Provost may during any financial year present
25 and the Council may approve supplementary estimates of income or
26 expenditure.

27 (ii) The annual and supplementary estimates shall be prepared in
28 such form and shall contain such information as the Council may direct.

29 *Gifts, donations, etc.*

30 (5) (i) The Council may on behalf of the College accept by way of

1 grants, gift, testamentary disposition or otherwise, property and money in aid.
2 of the finances of the College on such conditions as it may approve.

3 (ii) Registers shall be kept of all donations to the College including
4 the names of donors and any special conditions under which any donation may
5 have been given:

6 Provided that the College shall not be obliged to accept a donation for
7 a particular purpose unless it approves of the terms and conditions attaching to
8 such donation.

9 (iii) All property, money or funds donated for any specific purposes
10 shall be applied and administered in accordance with the purposes for which
11 they are donated and shall be accounted for separately.

12 *Payment into bank*

13 (6) All sums of money received on account of the College shall be
14 paid into such bank as may be approved by the Council for the credit of the
15 College's general, current or deposit account:

16 Provided that the Council may invest, as it deems fit, any money not
17 required for immediate use other than donations of money referred to in
18 subsection (1) of this section.

19 *Audit*

20 3.-(1) The Council shall cause the accounts of the College to be
21 audited by auditors appointed by the Council as soon as may be after the end of
22 each financial year or for any such other period as the Council may require.

23 (2) The appointment and other matters relative to the auditors, their
24 continuance in office and their functions, as the case may be, shall, subject to
25 the provisions of this section, be prescribed by statute.

26 *The Senate*

27 4.-(1) The Senate shall consist of:

28 (i) the Provost;

29 (ii) Deputy Provosts;

30 (iii) the Deans of respective Colleges;

- 1 (iv) the Lecturers in the College;
- 2 (v) Heads of Academic Departments and Units;
- 3 (vi) the College Librarian;
- 4 (vii) One elected representative of each College;
- 5 (viii) Two members of Academic Staff elected by the
- 6 Congregation;
- 7 (ix) One elected representative of each department;
- 8 (x) Two members representing a variety of interests of the
- 9 professional bodies outside the College appointed by the Senate on the
- 10 recommendation of the Provost;
- 11 (xi) Registrar - Secretary.
- 12 (2) The procedure for election of members of Senate to the Council
- 13 shall be prescribed by Regulations
- 14 (3) The Provost shall be the chairman at all meetings of the Senate
- 15 when he is present, and in his absence any of the Deputy Provosts present at
- 16 the meeting as the Senate may appoint for that meeting shall be the chairman
- 17 at the meeting.
- 18 (4) The quorum of the Senate shall be one quarter or the nearest
- 19 whole number less than one quarter; and subject to paragraph (3) of this
- 20 Article, the Senate may regulate its own procedure.
- 21 (5) An elected member may, by notice to the Senate, resign his
- 22 office.
- 23 (6) Subject to paragraph (8) of this article, there shall be elections
- 24 for the selection of elected members which shall be held in the prescribed
- 25 manner on such day in the month of May or June in each year as the Provost
- 26 may from time to time determine.
- 27 (7) An elected member shall hold office for the period of two years
- 28 beginning with 1 August in the year of his election, and may be a candidate at
- 29 any election held in pursuance to paragraph (6) of this article in the year in
- 30 which his period of office expires, so however that no person shall be such a

1 candidate if at the end of his current period of office he will have held office as
2 an elected member for a continuous period of six years or would have so held
3 office if he had not resigned it.

4 (8) No election shall be held in pursuance of this article in any year if
5 the number specified in the certificate given in pursuance to paragraph (11) of
6 this article does not exceed by more than one the figure which is thrice the
7 number of those elected members holding office on the date of the certificate
8 who do not vacate office during that year in pursuance of paragraph (7) of this
9 article.

10 (9) For the avoidance of doubt it is hereby declared that no person
11 shall be precluded from continuing in or taking office as an elected member by
12 reason only of reduction in the after 30 April in any year in which he is to
13 continue in or take office as all elected member.

14 (10) If so requested in writing by any fifteen members of the Senate,
15 the Provost or in his absence any of the Deputy Provost duly appointed by him,
16 shall convene a meeting of the Senate to be held not later than the tenth day
17 following that on which the request was received.

18 (11) In this article "total of non-elected members" means as respect
19 any year, such number as may be certified by the Provost on 30 April of that
20 year to be the number of persons holding office as members of the Senate on
21 that day otherwise than as elected members.

22 *Congregation*

23 5.-(1) Congregation shall consist of:

24 (i) Provost;

25 (ii) the Deputy Provosts;

26 (iii) the full-time members of the academic staff

27 (iv) The Registrar;

28 (v) The Librarian;

29 (vi) Every member of the administrative staff who holds a degree,
30 other than honorary degree, of any College recognized for the purposes of this

1 statute by the Provost.

2 (2) Subject to section 4 of this Bill, the Provost shall be the
3 chairman at all meetings of Congregation when he is present; and in his
4 absence any of the Deputy Provosts present at the meeting as Congregation
5 may appoint for that meeting, shall be the chairman at the meeting.

6 (3) The quorum of Congregation shall be one third or the whole
7 number nearest to one third of the total number of members of Congregation
8 of fifty, whichever is less.

9 (4) A certificate signed by the Provost specifying:

10 (a) the total number of members of Congregation for the purpose of
11 any particular meeting or meetings of Congregation; or

12 (b) the names of the persons who are members of Congregation
13 during a particular period, shall be conclusive evidence of that number or, as
14 the case may be, of the names of those persons.

15 (5) The procedure for election of members of Congregation to the
16 Council and the Senate shall be prescribed by Regulations.

17 (6) Subject to the foregoing provisions of this article, Congregation
18 may regulate its own procedure.

19 (7) Congregation shall be entitled to express by resolutions or
20 otherwise its opinion on all matters affecting the interest and welfare of the
21 College and shall have such other functions, in addition to the function of
22 electing a member of the Council, as may be provided by statute or
23 regulations.

24 *Convocation*

25 6.-(1) Convocation shall consist of:

26 (i) the officers of the College mentioned in the First Schedule to
27 this Bill;

28 (ii) All teachers within the meaning of this Bill;

29 (iii) All other persons whose names are registered in accordance
30 with paragraph (2) of this article.

1 (2) A person shall be entitled to have his name registered as a member
2 of convocation if:

3 (a) he is either a graduate of a College or a person satisfying such
4 requirements as may be prescribed for the purposes of this paragraph; and

5 (b) he applies for the registration of his name in the prescribed manner
6 and pay the prescribed fees.

7 (3) Regulations shall provide for the establishment and maintenance
8 of a register for the purpose of this paragraph and subject to paragraph (4) of
9 this article may provide for the payment, from time to time, of further fees by
10 persons whose names are on the register and for the removal from the register
11 of the name of any person who fails to pay those fees.

12 (4) The person responsible for maintaining the register shall, without
13 the payment of any fees, ensure that the names of all persons who are for the
14 time being members of the Convocation by virtue of paragraph (1) (a) or (b) of
15 this article are entered and retained on the register.

16 (5) A person who reasonably claims that he is entitled to have his
17 name on the register shall be entitled on demand to inspect the register or a copy
18 of the register at the principal times of the College at all reasonable times.

19 (6) The register shall, unless the contrary is proved, be sufficient
20 evidence that any person named therein is not, a member of Convocation; but
21 for the purpose of ascertaining whether a particular person was such a member
22 on a particular date, any entries in and deletions from the register made on or
23 after that date shall be disregarded.

24 (7) The quorum of Convocation shall be fifty or one third or the whole
25 number nearest to one third or the whole number of members of Convocation
26 whichever is less.

27 (8) Subject to section 4 of the Act, the Rector shall be chairman at all
28 meetings of Convocation when he is present, and in his absence the Provost
29 shall be the chairman at the meeting.

30 (9) Convocation shall have such functions, in addition to the function

1 of appointing a member of the Council, as may be provided by statute or
2 regulations.

3 *Division of Colleges*

4 7. Each College shall be divided into such number of branches as
5 may be prescribed.

6 *College Boards*

7 8.-(1) There shall be established in respect of each College, a Board
8 of Studies which, subject to the provisions of this Statute, and subject to the
9 directions of the Provost, shall:

10 (a) Regulate the teaching and study of, and the conduct of
11 examinations connected with, the subjects assigned to the college;

12 (b) Deal with any other matter assigned to it by statute or by the
13 Provost or by the Senate; and

14 (c) Advise the Provost or the Senate on any matter referred to it by
15 the Provost or the Senate.

16 (2) Each College Board of Studies shall consist of:

17 (a) the Provost;

18 (b) the Dean;

19 (c) the persons severally in charge of the branches of the school;

20 (d) the College Examination Officer;

21 (e) such of the teachers assigned to the college and having the
22 prescribed qualifications as the Board may determine; and

23 (f) such persons, whether or not members of the College, as the
24 Board may determine with the general or special approval of the Senate.

25 (3) The quorum of the Board shall be eight members or one quarter,
26 whichever is greater, of the members for the time being of the board; and
27 subject to the provisions of this statute and to any provision made by
28 regulations in that behalf, the Board may regulate its own procedure.

29 *Deans of the Colleges*

30 9.-(1) The Board of each College shall, at a meeting in the last term

1 of any academic year which the term of office of the Dean expires, nominate
2 one of its members, being one of the Lecturers assigned to that teaching unit,
3 for appointment by the Senate as Dean of the College

4 (2) The person appointed under paragraph 1 of this Article shall act as
5 Dean of the College and chairman of all meetings of the College Board when he
6 is present and shall be a member of all committees and other boards appointed
7 by the College.

8 (3) The Dean shall hold office for two years and shall be eligible for
9 re-appointment one further period of two years. Thereafter he shall not be
10 eligible for re-appointment until two years have elapsed.

11 (4) The Dean of a College shall exercise general superintendence over
12 the academic and administrative affairs of the College.

13 (5) It shall be the function of the Dean to present to Convocation for
14 the conferment of degrees to persons who have qualified for the degrees of the
15 College at examination held in the branches of learning for which
16 responsibility is allocated to that College.

17 (6) There shall be a committee to be known as the Committee of
18 Deans consisting of all the Deans of the several Colleges and that Committee
19 shall advise the Provost on all academic matters and on particular matters
20 referred to the College by the Senate.

21 (7) The Dean of a College may be removed from office for good cause
22 by the College Board after a vote would have been taken at a meeting of the
23 Board, and in the event of a vacancy occurring following the removal of a
24 Dean, an acting Dean may be appointed by the Provost:

25 Provided that at the next College Board meeting an election shall be
26 held for a new Dean.

27 (8) In this article "good cause" has the same meaning as in section
28 15(3) of the Act.

29 *Departmental Board of Studies*

30 10.-(1) There shall be a Departmental Board of Studies whose

1 membership shall be made of all academic staff of the Department;

2 (2) It shall be headed by a Lecturer who shall be appointed by the
3 Provost and in the absence of a Lecturer, a senior academic staff shall be
4 appointed in acting capacity;

5 (3) For a Lecturer the term is for 3 years while 1 year is for acting
6 capacity.

7 (4) The Board shall superintend over all teachings and
8 examinations in the Department;

9 (5) The Board shall handle all disciplinary matters in the
10 Department and make recommendations to the College where necessary;

11 (6) Allocation of courses in the department shall be done by the
12 Departmental Board on recommendation of the Head of Department.

13 *Selection of Directors of Physical Planning and Development,*

14 *Works and Services and Health*

15 11.-(1) When a vacancy occurs in the office of the Directors of
16 Physical Planning and Development, Works and Services and Health, a
17 Selection Board shall be constituted by the Council which shall consist of:

18 (a) the Pro-Rector;

19 (b) the Provost;

20 (c) two members appointed by the Council, not being members of
21 the Senate;

22 (d) Two members appointed by the Senate.

23 (2) The Selection Board after making such inquiries as it thinks fit,
24 shall recommend a candidate to the Council for appointment to the vacant
25 office; and after considering the recommendation of the board the Council
26 may make an appointment to that office.

27 *Tenure of Directors*

28 12. A Director shall hold office on such terms and conditions as
29 may be specified in his letter of appointment subject to the extant
30 Regulations.

Creation of Academic Posts

13. Recommendations for the creation of academic posts other than principal officers shall be made by the Senate to the Council through the Finance and General Purposes Committee.

Appointment of Academic Staff

6 14-(1) Subject to the Act and statutes, the filling of vacancies in
7 academic posts (including newly created ones) shall be the responsibility of the
8 Council through the Departments and Colleges.

9 (2) For the purpose of filling such vacancies, suitable selection boards
10 to select and make appointments on behalf of the Council shall be set up.

11 (3) For appointment to Lecturers, Associate Lecturers or Readerships
12 or equivalent posts, a Board of Selection, with power to appoint, shall consist
13 of:

- 14 (a) the Provost - Chairman;
15 (b) Deputy Provost - Member;
16 (c) The Dean of the College - Member;
17 (d) Head of Department - Member;
18 (e) such other person(s), not exceeding two in number, deemed
19 capable of helping the Board in assessing both the professional and academic
20 suitability of a candidate under consideration, as the Senate may from time to
21 time appoint; and
22 (f) Registrar - Secretary.

23 (4) For other academic posts, a Selection Board, with power to
24 appoint, shall consist of:

- 25 (a) the Provost or his representative- Chairman;
26 (b) The Dean of the College - Member;
27 (c) Head of the Department concerned - Member;
28 (d) An internal member of Council (not below the Rank of Senior
29 Lecturer from the sister college in the Candidate's subject-area) - Member;
30 (e) Registrar or his representative - Secretary;

(5) All appointments to senior library posts shall be made in the same way as equivalent appointments in the academic cadre; and for all such posts other than that of the Librarian, the Librarian shall be a member of the Selection Board.

(6) Boards of Selection may interview candidates directly or consider the reports of specialist interviewing panels and shall in addition, in the case of Lecturers, Associate Lecturers, Readerships or equivalent Posts, consider the reports of External Assessors relevant to the area in which the appointment is being considered. Quorum shall be three (3) including the Chairman.

Appointment of Administrative and Professional Staff

15.-(1) The administrative and professional staff of the College other than principal officers shall be appointed by the Council on its behalf by the Provost in accordance with delegation of powers made by the Council on its behalf.

(2) A Selection Board, with power to appoint, shall consist of:

(i) Provost;

(ii) Deputy Provost;

(iii) Registrar;

(iv) Bursar;

(v) College Librarian;

(vi) The Head of Department concerned;

(vii) Establishment and Human Resources Officer who shall serve as Secretary. Quorum shall be three (3) including the Chairman.

Interpretation

16. In this Statute, the expression "the Act" means the Federal College of Fisheries, Ibi, Taraba State Act and any word or expression defined in the Act has the same meaning in this Statute.

Short Title

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17. This Statute may be cited as the Federal College of Fisheries, Ibi,

Taraba State Statute No. 1.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal College of Fisheries, Ibi, Taraba State.