



THE SENATE
FEDERAL REPUBLIC OF NIGERIA

FEDERAL POLYTECHNIC, GARKO (ESTABLISHMENT) BILL, 2022

(HB. 820)

A BILL
FOR

AN ACT TO PROVIDE FOR ESTABLISHMENT OF FEDERAL POLYTECHNIC, GARKO, KANO STATE TO PROVIDE FULL-TIME COURSES IN TECHNOLOGY, SOCIAL SCIENCES, APPLIED SCIENCE, MANAGEMENT AND OTHER FIELDS OF STUDY AND TO MAKE PROVISIONS FOR THE GENERAL ADMINISTRATION OF THE POLYTECHNIC; AND FOR RELATED MATTERS, 2022.

FIRST READING

WEDNESDAY, 28TH SEPTEMBER, 2022.

SECOND READING

WEDNESDAY, 7TH DECEMBER, 2022.

THIRD READING

TUESDAY, 7TH DECEMBER, 2022.

FEDERAL POLYTECHNIC, GARKO (ESTABLISHMENT) BILL, 2022.



Arrangement of Clauses

Clauses

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2. Objectives of the Polytechnic.
3. Constitution and principal officers of the Polytechnic.
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5. The Rector.
6. Deputy Rector
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A BILL
FOR
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{ } Commencement

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

1. (1) There is hereby establish the Federal Polytechnic, Garko.

Establishment and objectives of the Federal Polytechnic, Garko.

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

(3) The Polytechnic shall be training institution for the development of technology in Nigeria.

(4) The Polytechnic shall be supervised by the Federal Ministry of Education through the National Board for Technical Education who shall be responsible for approving and regulating all academic programmes in the Polytechnic to ensure quality, compliance and provide funds for academic and research programmes, infrastructures and remunerations of employees.

2. The Objectives of the Polytechnic shall be:

Objectives of the Polytechnic.

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

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

(ii) in such other fields of applied learning relevant to the needs of the development of Nigeria in the area of industrial and agricultural production and distribution and for research in the development and adaptation of techniques as the council may from time to time determine.

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

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

(d) to develop and offer academic and professional programmes leading to the award of certificates, diploma, first degrees, with emphasis on technology, applied science, agriculture, commerce, arts, social science, humanities, management and allied professional disciplines;

(e) to perform such other functions in the opinion of the council may serve to promote the objectives of the Polytechnic.

3. (1) There shall be established for the Polytechnic a council (hereafter in this Bill referred to as the "Council").

Constitution and principal officers of the Polytechnic.

(2) The Council shall consist of a chairman and the following other members that is:

(a) one person to represent the universities;

(b) one person to represent the manufacturers Association of Nigeria;

(c) one person to represent professional bodies whose discipline are taught at the Polytechnic;

(d) one person selected from a Federal or State Public utility statutory corporation;

(e) one person of standing in the community where the Polytechnic is situated;

(f) the Rector of the Polytechnic;

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

(h) one representative of the permanent secretary of the Ministry charged with responsibility for matters relating to technology;

(i) one representative of the State Commissioner for Education; and

(j) five other persons at least one of whom shall be a woman to be selected on her personal merit based on her contribution to either the development of Industry, Technology or Commerce or Special Interest in technical education.

(3) The chairman and members of the council other than ex-officio members shall be appointed by the President.

4. (1) The President shall be the visitor to the Polytechnic.

Visitation.

(2) The Visitor shall not less than once in every five years Conduct a Visitation of the college or appoint a Visitation Panel to conduct the visitation:

(a) for the purpose of evaluating the academic administrative performance of the Polytechnic;

(b) for such other purpose or in respect of any other affairs of the Polytechnic as the visitor may deem fit.

5. (1) There shall be a Rector of the Polytechnic who shall be appointed by the President in accordance with the provision of this section.

The Rector.

(2) Where a vacancy occurs in the Post of Rector, the council shall:

(a) advertise the Vacancy in a reputable journal or widely read newspaper in Nigeria specifying:

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

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

(b) constitute a search team consisting of:

(i) a member of the council not being a member of the academic Board as chairman;

(ii) two members of the Academic Board not below the rank of chief Lecturer;

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

(3) A joint council and Academic Selection Board consisting of:

(a) the chairman of council;

(b) two members of the council not being members of the Academic Board;

(c) two members of the academic Board not below the rank of chief Lecturer, who were not members of the search team shall consider the candidates on the short list drawn up under subsection (2) of this section through an examination of their curriculum vitae and interaction with them and recommend, through the council to the president, three candidates for his consideration.

(4) The president shall appoint, as Rector, one of the candidates recommended to him under the provisions of subsection (3) of this section.

(5) Subject to this Bill and the general control of the council the Rector shall be the chief executive of the Polytechnic and shall be charged with responsibility for matter relating to the day to day management operations of the Polytechnic.

(6) The Rector:

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

(b) may be reappointed for a further period of four years and no more.

6. (1) There shall be for the Polytechnic a Deputy Rector.

Deputy Rector.

(2) The council shall appoint the Deputy Rector from among the Chief lecturers in the Polytechnic in one of the following ways:

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

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

(c) on the nomination of the Rector.

(3) The selection Board referred to in subsection (2) of this section shall:

(a) consist of:

(i) the chairman of the council;

(ii) the rector;

(iii) two members of the council not being members of the Academic Board; and

(iv) two members of the Academic.

(4) The Deputy Rector:

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

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

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

(5) The Deputy Rector:

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

(b) may be reappointed for one further period of two years and no more.

7. (1) There shall be a registrar to the Polytechnic who shall be responsible to the Rector for the day to day administration of the Polytechnic and shall perform such other duties as the council or; as the case may be the Rector may from time to time require him to do so.

Registrar of the
Polytechnic.

(2) The Registrar shall keep the record and conduct the correspondence of the council.

(3) The Registrar shall be the secretary to:

(a) the Council;

(b) the Academic Board of the Council;

(c) any Committee of the Council.

(4) In the absence of the Registrar, the chairman of the council may after consultation with the Rector appoint a suitable person to act as secretary for any particular meeting of the council.

8. (1) A Registrar —

Tenure of the
Registrar.

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

(b) may be reappointed for one further period of five years and no more.

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

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

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

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

9. (1) There shall be for the Polytechnic in addition to the Registrar:

Other Principal Officers of the Polytechnic.

(a) the Bursar; and

(b) the Polytechnic Librarian who shall be appointed by the council.

(2) The Bursar shall be the chief financial officer of the Polytechnic and be responsible to the Rector for the day to day administration and control of the financial affairs of the Polytechnic.

(3) The Polytechnic Librarians shall be responsible to the Rector for the administration of the Polytechnic Library and the coordination of the Library services in the teaching units of the Polytechnic.

(4) The Bursar and the Polytechnic Librarian shall each hold office for a period of five years and no more.

10. A Principal Officer of the Polytechnic may resign his appointment:

Resignation of appointment of principal officer.

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

(b) in any other case by advise to the council.

11. (1) Subject to the provision of this Bill relating to the visitor, the council shall be the governing body of the Polytechnic and shall be charged with the general control and superintendence of the policy, finance and property of the Polytechnic.

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 Polytechnic 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 polytechnic are kept and that the accounts of the polytechnic are audited annually by an independent firm of auditors approved by the council and that an annual report is published by the polytechnic 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 and General purposes committee shall not come into force unless approved by the council and in so far and to the extent that any rules so made by that committee conflict with any direction given by the council, whether before or after the coming into force of the rules in question, the directions of the council shall prevail.

(7) There shall be paid to the member respectively of the council, the finance and General purposes committee and of any other committee set up by the council, allowances in respect of travelling and other reasonable expenses at such rates as may from time to time be fixed by the Minister.

(8) The council shall meet as and when necessary for the performance of its functions under this bill and shall meet at least three times in every year.

(9) If requested in writing by any five members of the council, the chairman shall within 28 days after the receipt of such request call a meeting of the council.

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

12. (1) The council may appoint other persons to be employees of the Polytechnic as the council may deem to assist the Rector and the principal officers in the performance of their functions.

Other employee of the Polytechnic.

(2) The remuneration tenure of office and condition of service of employee of the Polytechnic shall be determined by the council in conjunction with the Federal Civil Service Commission.

13. (1) There shall be selection Board for the Polytechnic which shall consist of:

Selection board for other principal officers.

(a) the chairman of the council;

(b) the Rector;

(c) four members of the council not being members of the academics Board; and

(d) two members of the academic Board.

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

14. Service in the Polytechnic shall be approved services for the purpose of the pension reform and accordingly, officers and other persons employed in the Polytechnic shall be entitled to pension, gratuity and other retirement benefits as may be prescribed in their respective letters of appointment.

Pensions.

15. (1) The Polytechnic shall establish and maintain a fund which shall be applied towards the promotion of the objectives of this Bill.

Funds of the Polytechnic.

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

(a) such sums as may from time to time be granted by the Federal Government by way of subvention, grant-in-aid, endowment or otherwise howsoever;

(b) donations and legacies accruing to the council from any source for the special purpose of the council;

(c) all subscription fees and charges for services rendered by the council and all other sums that may accrue to the council from any sources.

(3) The council shall on or before 31ST December in each year prepare and submit to the President through the Minister, a report of the activities during the preceding financial year and shall include in the report, the audited accounts of the Polytechnic in respect of that financial year and the auditors comments on the Account.

16. (1) The Polytechnic may accept gifts or loan, money, or of other property upon such terms and condition, of any as may be specified by the person(s) making the gifts. Power to accept gifts.

(2) The Polytechnic shall not accept gift if the condition attached to the gifts are inconsistent with the functions of the Polytechnic.

17. The Polytechnic shall keep proper accounts of its allocations, payments, assets and liabilities and shall in respect of each year cause the account to be audited. Account and audit.

18. The council shall as soon as may be after the expiration of each financials year, prepare and submit to the minister report of its activities during the immediate proceeding financial year and shall include in the report a copy of the audited account of the Polytechnic for that year and of the auditor's report of the accounts. Annual reports.

19. In this Bill:

"Chairman" means the chairman of the council;

"Polytechnic" means the Federal Polytechnic, Garko established under section 1;

"Minister" means the minister charged with responsibility for matter relating to technical education;

"Council" means the governing council of the Polytechnic established under section 3 of this Bill;

"Member" means a member of the council including the chairman;

"Rector" means the rector of the Polytechnic established under section 5 of this Bill;

"The Registrar" means the registrar of the Polytechnic appointed under section 7 (1) of this Bill.

20. This Bill may be cited the Federal Polytechnic, Garko (Establishment) Bill, 2022. Citation.

SCHEDULE

SUPPLEMENTARY PROVISION REACTING TO THE COUNCIL, ETC.

Terms of Service

1. There may be paid to the members of the council any committee, other than ex-officio members, such remuneration and allowance may from time to time be determined by the president.
2. Where vacancy occurs in respect of the membership specified in section 5, it shall be filled by the appointment of a successor to hold office for the remainder of the term of office of his predecessor in office and such successor shall represent the same interest as his predecessor.
3. The Council may act notwithstanding any vacancy in its membership or any defect in the appointment of a member or the absence of a member.

Proceedings

4. (1) The Council shall meet for the Conduct of Business at such times, places and on such days as the Chairman may appoint but shall meet not less than once every four mouths.
- (2) The Chairman may at time and shall at the request in Writing of not less than Six members, convene a meeting of the council.
- (3) Where the Council desires to obtain the advice of any person on any particular matter. The council may co-opt persons who are members of the council but person Co-opted shall not be entitled to Vote at a meeting of the Council
- (4) The Quorum of the council shall be one third of the total members of the Council, at least one of whom shall be a member appointed by the President.
- (5) Decision of the Council shall be made on approval by a simple majority members.

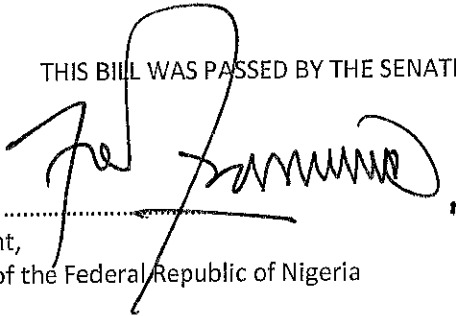
Miscellaneous

5. (1) The fixing of the seal of the Polytechnic shall be authenticated by the signature of the Chairman, Rector and of some other members of the council authorized generally or specially by the council to act for that purpose.
- (2) Any Contract or instrument which, if made or executed by a person other Than a body corporate would not be required to be under seal may be made executed on behalf of the Polytechnic by any person generally or specially authorized to act for that purpose by the council.
- (3) Any document purporting to be duly executed under the seal of the Polytechnic shall be received in evidence and shall unless the contrary is proved, be presumed to be so executed.

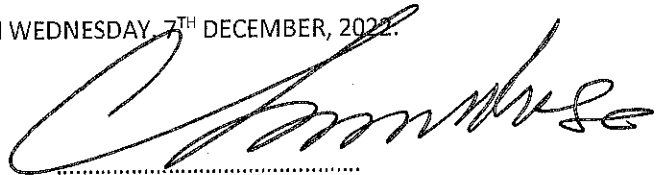
EXPLANATORY MEMORANDUM

The Bill seeks to establish Federal Polytechnic, Garko shall provide Full-Time Courses in Technology, Instruction and Training in the Sciences, Social Sciences, applied sciences, management and other field of studies and to make provisions for the General Administration of such Polytechnic.

THIS BILL WAS PASSED BY THE SENATE ON WEDNESDAY, 7TH DECEMBER, 2022.



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President,
Senate of the Federal Republic of Nigeria



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Clerk,
Senate of the Federal Republic of Nigeria