

A BILL

FOR

AN ACT TO ESTABLISH THE FEDERAL POLYTECHNIC GARKO, KANO STATE, THAT SHALL PROVIDE FULL-TIME COURSES IN TECHNOLOGY, SOCIAL SCIENCES, APPLIED SCIENCES, MANAGEMENT AND OTHER FIELDS OF STUDIES AND TO MAKE PROVISIONS FOR THE GENERAL ADMINISTRATION OF SUCH POLYTECHNIC AND FOR RELATED MATTERS

Sponsored by Hon. Engr. Muhammad Ali Wudil

[] Commencement

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

1 ESTABLISHMENT, OBJECTIVES AND CONSTITUTION OF THE FEDERAL
2 POLYTECHNIC GARKO, KANO STATE

3 1.-(i) There is hereby Establish the Federal Polytechnic, Garko;
4 (ii) The Polytechnic shall be a body corporate with perpetual
5 succession and in a common seal and may sue or be sued in its corporate
6 name;

Establishment and Objectives of the Federal Polytechnic Garko

7 (iii) The Polytechnic shall be training institution for the
8 development of technology in Nigeria;

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

14 2. The Objectives of the Polytechnic shall be:

Objectives of the Polytechnic

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

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

18 and

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

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

7 (c) to arrange conferences, seminars and study groups relative to the
8 fields of learning specified in paragraph (a) of this subsection (1);

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

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

Constitution
and Principal
Officers of the
Polytechnic

15 **3.-(1)** There shall be established for the Polytechnic a council
16 (hereafter in this Act referred to as the "Council").

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

19 (a) One person to represent the universities;

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

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

23 (d) One person selected from a Federal or State Public utility statutory
24 corporation;

25 (e) One person of standing in the community where the Polytechnic is
26 situated;

27 (f) The Rector of the Polytechnic;

28 (g) One representative of the minister charged with responsibility for
29 matters relating to the Polytechnics;

30 (h) One representative of the permanent secretary of the Ministry

1 charged with responsibility for matters relating to technology;

2 (i) One representative of the state commissioner for Education; and

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

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

9 4.-(1) The minister of Education shall be the visitor to the Visitation
10 Polytechnic.

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

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

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

18 5.-(1) there shall be a Rector of the Polytechnic who shall be The Rector
19 appointed by the President in accordance with the provision of this section.

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

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

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

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

26 (b) constitute a search team consisting of:

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

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

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

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

6 (a) the chairman of council;

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

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

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

17 (5) subject to this Act and the general control of the council the rector
18 shall be the chief executive of the Polytechnic and shall be charged with
19 responsibility for matter relating to the day to day management operations of
20 the Polytechnic.

21 (6) The Rector:

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

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

Deputy Rector

26 **6.**-(1) there shall be for the Polytechnic a Deputy Rector.

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

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

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

3 (c) on the nomination of the Rector

4 (3) the selection Board referred to in subsection (2) of this section
5 shall:

6 (a) consist of:

7 (i) the chairman of the council;

8 (ii) the rector;

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

11 (iv) two members of the Academic; and

12 (4) the Deputy Rector;

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

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

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

19 (5) the deputy Rector;

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

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

25 7.-(1) There shall be a registrar to the Polytechnic who shall be
26 responsible to the RECTOR for the day to day administration of the
27 Polytechnic and shall perform such other duties as the councilor; as the case
28 may be the Rector may from time to time require him to do so.

Registrar of the
Polytechnic

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

1 (3) The Registrar shall be the secretary to:

2 (a) The Council;

3 (b) The Academic Board of the Council;

4 (c) Any Committee of the Council.

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

Tenure of the
Registrar

8 **8.**-(1) A Registrar:

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

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

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

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

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

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

Other Principal
Officers of the
Polytechnic

24 **9.**-(1) there shall be for the Polytechnic in addition to the Registrar:

25 (a) the Bursar; and

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

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

30 (3) the Polytechnic Librarians shall be responsible to the Rector for

1 the administration of the Polytechnic Library and the coordination of the
2 Library services in the teaching units of the Polytechnic.

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

5 10.-(a) A Principal Officer of the Polytechnic may resign his
6 appointment;

Resignation of
appointment of
Principal Officers

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

8 (c) in any other case by advise to the council

9 11.-(1) Subject to the provision of this Bill relating to the visitor,
10 the council shall be the governing body of the Polytechnic and shall be
11 charged with the general control and superintendence of the policy, finance
12 and property of the Polytechnic.

Functions of the
Council and its
Finance and General
Purpose Committee

13 (2) there shall be a committee of the council, to be known as the
14 finance and General purposes committee, which shall subject to the
15 directions of the council, exercise control over the property and expenditure
16 of the Polytechnic and perform such other functions of the council as the
17 council may from time to time delegate to it.

18 (3) Provision shall be made by statute with respect to the
19 constitution of the finance and General purposes committee.

20 (4) the council shall ensure that proper accounts of the polytechnic
21 are kept and that the accounts of the polytechnic are audited annually by an
22 independent firm of auditors approved by the council and that an annual
23 report is published by the polytechnic together with certified copies of the
24 said accounts as audited.

25 (5) subject to this Bill and the statutes, the council and the finance
26 and General purposes committee may each make rules for the purpose of
27 exercising any of their respective functions or of regulating their own
28 procedure.

29 (6) rules made under sub-section (5) of this section by the finance
30 and General purposes committee shall not come into force unless approved

1 by the council and in so far and to the extent that any rules so made by that
2 committee conflict with any direction given by the council, whether before or
3 after the coming into force of the rules in question, the directions of the council
4 shall prevail.

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

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

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

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

Other employees
of the Polytechnic

17 **12.**-(1) the council may appoint other persons to be employees of the
18 Polytechnic as the council may deem to assist the Rector and the principal
19 officers in the performance of their functions.

20 (2) the remuneration tenure of office and condition of service of
21 employee of the Polytechnic shall be determined by the council in conjunction
22 with the federal civil service commission.

Selection Board
for other Principal
Officers

23 **13.**-(i) there shall be selection Board for:

24 The Polytechnic which shall consist of:

25 (a) The chairman of the council;

26 (b) The Rector;

27 (c) Four members of the council not being members of the academics
28 Board; and

29 (d) two members of the academic Board

30 (2) the functions, procedure and other matters relating to the selection

1 Board constituted under subsection (i) of this section shall be determined
2 from time to time by the council.

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

Pensions

8 **15.**-(1) the Polytechnic shall establish and maintain a fund which
9 shall be applied towards the promotion of the objectives of this Bill.

Funds of the
Polytechnic

10 (2) there shall be paid and credited to the fund established under
11 subsection (i) of this section:

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

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

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

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

24 **16.**-(1) the Polytechnic may accept gifts or loan, money, or of other
25 property upon such terms and condition, of any as may be specified by the
26 person making the gifts.

Power to accept
gifts

27 (2) the Polytechnic shall not accept gift of the conditioned attached
28 to the gifts are inconsistent with the functions of the Polytechnic.

29 **17.** The Polytechnic shall keep proper accounts of its allocations,
30 payments, assets and liabilities and shall in respect of each year cause the

Account and
Audit

	1	account to be audited.
Annual Reports	2	18. The council shall as soon as may be after the expiration of each
	3	financials year, prepare and submit to the minister report of its activities during
	4	the immediate proceeding financial year and shall include in the report a copy
	5	of the audited account of the Polytechnic for that year and of the auditor's report
	6	of the accounts.
Interpretation	7	19. In this Bill:
	8	"Chairman" means the chairman of the council;
	9	"Polytechnic" means the Federal Polytechnic Garko established under section
	10	(1);
	11	"Minister" means the minister charged with responsibility for matter relating to
	12	technical education;
	13	"Council" means the governing council of the Polytechnic established under
	14	section 3 of this Bill;
	15	"Member" means a member of the council including the chairman;
	16	"Rector" means the rector of the Polytechnic established under section 5 of this
	17	Bill;
	18	"The Registrar" means the registrar of the Polytechnic appointed under section
	19	7(1) of this Act.
Citation	20	20. This Bill may be cited the Federal Polytechnic Garko
	21	(Establishment) Bill, 2020.
	22	SCHEDULE
	23	SUPPLEMENTARY PROVISION REACTING TO THE COUNCIL, ETC.
	24	<i>Terms of Service</i>
	25	1. There may be paid to the members of the council any committee,
	26	other than ex-officio members, such remuneration and Allowance may from
	27	time to time be determined by the president.
	28	2. Where vacancy occurs in respect of the Membership specified in
	29	section 5, it shall be filled by the appointment of a successor to hold office for
	30	the remainder of the term of office of his predecessor in office and such

1 successor shall represent the same interest as his predecessor.

2 3. The Council may act notwithstanding any vacancy in its
3 membership or any defect in the appointment of a member of the absence of
4 a member.

5 *Proceedings*

6 4.-(1) The Council shall meet for the Conduct of Business at such
7 times, places and on such days as the Chairman may appoint but shall meet
8 not less than once every four mouths.

9 (2) The Chairman may at time and shall at the request in Writing of
10 not less than Six members, convene a meeting of the council.

11 (3) Where the Council desires to obtain the advice of any person on
12 any particular matter. The council may co-opt persons who are members of
13 the council but person Co-opted shall not be entitled to Vote at a meeting of
14 the Council

15 (4) The Quorum of the council shall be one of the total members of
16 the Council, at least one of whom shall be a member appointed by the
17 President.

18 (5) Decision of the Council shall be made on approval by a simple
19 majority members.

20 *Miscellaneous*

21 5.-(1) The fixing of the seal of the Polytechnic shall be
22 authenticated by the signature of the Chairman, Rector and of some other
23 members of the council authorized generally or specially by the council to
24 act for that purpose.

25 (2) Any Contract or instrument which, if made or executed by a
26 person other Than a body corporate would not be required to be under seal
27 may be made executed on behalf of the Polytechnic by any person generally
28 or specially authorized to act for that purpose by the council.

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

EXPLANATORY MEMORANDUM

The Bill seek 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.