

FEDERAL COLLEGE OF AVIATION UYO, AKWA IBOM STATE

(ESTABLISHMENT, ETC.) BILL, 2020

ARRANGEMENT OF SECTIONS SECTION

*Establishment of the Federal-College of Aviation*

1. Establishment of Federal College of Aviation Uyo, Akwa Ibom State
2. Functions of the College
3. Establishment and constitution of each Council, etc.
4. Visitation
5. Register of the College
6. Tenure of office of the Registrar
7. General Functions of the Council

*Staff*

8. The Rector of the College
9. Deputy Rector
10. Other principal officers of the College
11. Resignation of appointment of principal officers
12. Selection Board for other principal officers
13. Other employees of the College
14. Application of the Pensions Act
15. Establishment of the Academic Board
16. The Academic Board

*Tenure of Office*

17. Removal from office of members of the Council and the Rector
18. Removal and discipline of academic, administrative and technical staff
19. Discipline of students
20. Discipline of junior staff
20. Audit of accounts
21. Funds of each Council

22. Donations for particular purposes
23. Payment into bank
24. Annual report

*Miscellaneous and Supplemental*

25. Power to make bye-laws
26. Prohibition of discrimination on account of race, religion, etc.
27. Quorum and Procedure of bodies established under this Act
28. Interpretation
29. Short Title

Schedule - Supplementary Provisions relating to the Council

# A BILL

## FOR

AN ACT TO ESTABLISH THE FEDERAL COLLEGE OF AVIATION TECHNOLOGY UYO, AKWA IBOM STATE, TO PROVIDE FULL-TIME COURSES IN VARIOUS SPECIALIZATIONS IN THE AVIATION INDUSTRY AND TO MAKE PROVISION FOR THE GENERAL ADMINISTRATION OF THE COLLEGE AND FOR RELATED MATTERS

*Sponsored by Hon. Aniekan Umanah*

[ ] Commencement

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

1                    *Establishment of Federal College of Aviation Uyo*

2                    1. There is hereby established the Federal College of Aviation  
3 Uyo, Akwa Ibom State specified in the First Schedule to this Act (in this Act  
4 severally referred to as "the College") which shall have such powers and  
5 exercise such functions as are specified in this Act.

Establishment  
of the Federal  
College of Aviation  
Uyo, Akwa Ibom  
State

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

Functions

7                    (a) to provide the highest quality full-time courses and training in  
8 the various aspects of expertise needed in Aviation industry, and in particular  
9 to award all classes of pilot certification in:

10                    (i) Aircraft maintenance;

11                    (ii) Air traffic control;

12                    (iii) Aeronautical technology;

13                    (iv) Cabin crew training;

14                    (v) Private and Commercial Pilot license training;

15                    (vi) Crew resource management;

16                    (vii) Safety/operation and risk management;

17                    (b) Be a centre of excellence that will provide opportunities for:

18                    (i) Refresher courses for pilots;

1 (ii) Research and development in the aviation industry;  
2 (iii) to arrange conferences, seminars and study groups relative to the  
3 fields of learning specified in section 2.

4 (c) to make suitable arrangement for the application of the research  
5 findings by the Governments and private sector for the economic development  
6 of Nigeria;

7 (d) to involve in such other fields of applied engineering and  
8 technological training relevant in the sector in furtherance of Aviation and  
9 economic development of Nigeria;

10 (e) to perform such other functions as in the opinion of the Council  
11 that may serve to promote the objectives of the College.

Establishment  
and Constitution  
of each Council,  
etc.

12 **3.-(1)** There shall be established for the College a Council (hereafter  
13 in this Act referred to as "the Council") which shall be a body corporate with  
14 perpetual succession and a common seal and may sue and be sued in its  
15 corporate name.

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

18 (a) one person to represent the Civil Aviation department of Federal  
19 ministry of Aviation;

20 (b) one representative of Federal ministry of Education;

21 (c) one person to represent the Federal Ministry of Science and  
22 Technology;

23 (d) one person with requisite knowledge and training in Aviation  
24 industry;

25 (e) one person to represent professional bodies whose disciplines are  
26 taught at the college;

27 (f) one representative from a the state ministry in-charge of transport  
28 and or aviation;

29 (g) one person of good standing in the community where the college is  
30 Situate;

- 1 (h) the Rector of the college;
- 2 (i) one representative of the academic board of the college;
- 3 (j) one representative of the State Commissioner of Education;
- 4 (k) five other persons, at least one of whom shall be a woman, to be
- 5 selected each on his personal merit based on his contribution to either the
- 6 development of Aviation or special interest in Aviation education.

7 (3) The Chairman and members of the Council other than ex-

8 officio members shall be appointed by the President.

9 (4) The provisions set out in the Second Schedule to this Act shall

10 apply in relation to the constitution of the Council and the other matters

11 therein specified. Visitation

12 4.-(1) The Minister of Education shall be the Visitor to the College. Visitor

13 (2) The Visitor shall, not less than once in every five years, conduct

14 a visitation of the college or appoint a Visitation Panel, consisting of not less

15 than five experts to conduct the visitation:

16 (a) for the purpose of evaluating the quality of research, academic

17 and administrative performance of the college;

18 (b) for such other purpose or in respect of any other affairs of the

19 college as the Visitor may deem fit.

20 5.-(1) There shall be a Registrar of the college who shall be Registrar of  
21 responsible to the Rector and the day-to-day administration of the college  
22 and shall perform such other duties from time to time as may be required of  
23 him. College

24 (2) The Registrar shall be the secretary to the Council, the

25 Academic Board and any committee of the Council and shall attend the

26 meetings of those bodies unless excused for good reason by the chairman of

27 the Council.

28 (3) In the absence of the Registrar, the Chairman of the Council

29 after consultation with the Rector, appoint a suitable person to act as

30 secretary for any particular meeting of the Council.

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

Tenure of office  
of Registrar

5           **6.**-(1) To Register:

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

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

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

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

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

18           (c) for ten years or more, the Council may allow him to serve Register  
19 for a further period of one year only and thereafter shall relinquish his post and  
20 be assigned other duties in the college.

General function  
of the Council

21           **7.**-(1) Subject to provision of this Act, the Council shall be governing  
22 body of the College concerned and shall have the general management of the  
23 affairs of the college, and in particular, the control of the property and finances  
24 of the college; and shall also have power to do anything which in its opinion is  
25 calculated to facilitate the carrying out of the activities of the college and  
26 promote its best interests.

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

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

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

7 *Staff*

8 **8.**-(1) There shall be a Rector of the College who shall be appointed The Rector  
9 by the President in accordance with the provisions of this section.

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

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

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

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

16 (b) constitutes a Search Team consisting of:

17 (i) a member of the Council, not being a member of the Academic  
18 Board, as Chairman;

19 (ii) two members of the Academic Board, not below the rank of  
20 Chief Lecturer,

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

25 (3) A Joint Council and Academic Board Selection Board  
26 consisting of:

27 (a) the Chairman of the Council;

28 (b) two members of the Council not being members of the  
29 Academic Board;

30 (c) two members of the Academic Board not below the rank of

1 Chief Lecturer, who were not members of the Search Team, shall consider the  
2 candidates on the short list drawn up under subsection (2) of this section  
3 through an examination of their curriculum vitae and interaction with them and  
4 recommend, through the Council, to the President, three candidates for his  
5 consideration.

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

8 (5) Subject to this Act and the general control of the Council, the  
9 Rector shall be the Chief Executive of the College and shall be charged with  
10 responsibility for matters relating to the day-to-day management operations of  
11 the College.

12 (6) The Rector:

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

16 (b) may be re-appointed for a further period of four years and no more.

Deputy Rector

17 **9.**-(1) There shall be for the College a Deputy Rector.

18 (2) The Council shall appoint the Deputy Rector from among the  
19 chief lecturers in the College in one of the following ways:

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

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

24 (c) on the nomination of the Rector.

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

27 (a) consists of:

28 (i) the Chairman of the Council,

29 (ii) the Rector,



1 (iii) two members of the Council not being members of the  
2 Academic Board,

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

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

6 (4) The Deputy Rector:

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

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

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

13 (5) The Deputy Rector:

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

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

19 **10.**-(1) There shall be for the College the following other principal  
20 officers in addition to the Registrar, that is:

Other principal  
officers of the  
College

21 (a) the Bursar;

22 (b) the college Librarian, who shall be appointed by the Council on  
23 the recommendation of the Selection Board constituted under section 9 (b)  
24 of this Act.

25 (2) The Bursar shall be the Chief Financial Officer of the College  
26 and be responsible to the Rector for the day to day administration and  
27 control of the financial affairs of the college.

28 (3) The college Librarian shall be responsible to the Rector for the  
29 administration of the college library and the co-ordination of the library  
30 services in the teaching units of the college.

1 (4) The Bursar or Librarian:

2 (a) shall hold office for a period of five years in the first instance and  
3 on such terms and conditions as may be specified in his letter of appointment:

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

5 (5) Where on the commencement of this section, a Bursar or Librarian  
6 has held office:

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

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

12 (c) for ten years or more, the Council may allow him to serve as

13 (d) Registrar for a further period of one year only and thereafter he  
14 shall relinquish his post and be assigned other duties in the college.

Resignation of  
appointment of  
principal officers

15 **11.** A principal officer may resign his appointment:

16 (a) in the case of the Rector, by notice to the Visitor;

17 (b) in any other case, by notice to the Council. Chief Officers.

Selection board  
for other officers

18 **12.**-(1) There shall be, for each college, a Selection Board which  
19 Selection shall consist of Board for other:

20 (a) the chairman of the Council; Chief Officers;

21 (b) the Rector;

22 (c) four members of the Council not being members of the Academic  
23 Board;

24 (d) two members of the Academic Board.

25 (2) The functions and procedure and other matters relating to the  
26 Selection Board constituted under subsection (1) of this section shall be as the  
27 Council may, from time to time, determine.

Other employees  
of the College

28 **13.**-(1) The Council may appoint such other persons to be employee  
29 of the College as the Council may determine to assist the Rector and the

1 principal officers of the College in the performance of their functions under  
2 this Act.

3 (2) The power to appoint all other employees of the college shall be  
4 exercised:

5 (a) in the case of senior employees, by the Council on the  
6 recommendation of the Appointment and Promotions Committee set up  
7 under the provisions of paragraph 3 (2) (a) of the Second 24 Schedule to this  
8 Act;

9 (b) in the case of junior employees, by the Rector on the  
10 recommendation of the Junior Staff Appointments and Promotions  
11 Committee constituted under paragraph 3 (2) (b) of the Second 28 schedule  
12 to this Act.

13 (3) Subject to the provisions of this Act, the remuneration, tenure of  
14 office and conditions of service of the employees of the Council shall be  
15 determined by the Council in consultation

16 **14.**-(1) The Federal Civil Service Commission may by order  
17 published in the Federal Gazette declare the office of the Rector or any other  
18 person employed by the Council to be a pensionable office for the purposes  
19 of the Pensions Act.

Application of  
the Pension Act

20 (2) Nothing in the provisions of subsection (1) of this section shall  
21 prevent the appointment of any person to any office on terms which  
22 precludes the grant of a pension or gratuity in respect of service in that  
23 office.

24 *Establishment of the Academic Board*

25 **15.**-(1) There shall be established for each college a board to be  
26 known as the Academic Board which shall consist of the following  
27 members:

The Academic  
Board

28 (a) the Rector of the College, as the Chairman;

29 (b) the Deputy-Rector of the college;

30 (c) all Heads of Departments;

1 (d) the college Librarian; and

2 (e) not more than two members of the academic staff, other than 61  
3 heads of departments, who may be appointed by the Academic Board.

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

5 (a) the direction and management of academic matters of the college  
6 including the regulation of admission of students, the award of certificates and  
7 diplomas, scholarships, prizes and other academic distinctions;

8 (b) the making to the Council of such periodic reports on such  
9 academic matter as the Academic Board may think fit or as a Council may from  
10 time to time direct; and

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

13 *Tenure of Office*

Removal from  
office of members  
of the Council  
and Rector

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

21 (2) The President may remove any member of the Council if he is  
22 satisfied that it is not in the public interest or in the interest of the college that  
23 such member should continue as a member of the Council.

Removal and  
discipline of  
academic,  
administrative  
and technical  
staff

24 **17.**-(1) If it appears to the Council that there are reasons for believing  
25 that any person employed as a member of the academic, administrative or  
26 technical staff of the college, other than the Rector, should be removed from  
27 office on the ground of misconduct or inability to perform the functions of his  
28 office, the Council shall:

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

30 (b) afford him an opportunity of making representations in person on

1 the matter to the Council; and

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

5 (i) if he is an academic staff, for a joint committee of the Council  
6 and the Academic Board to investigate the matter and to report on it to the  
7 Council, or

8 (ii) for a committee of the Council to investigate the matter, where  
9 it relates to any other member of the staff of the college and to report on it to  
10 the Council, and

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

17 (2) The Rector may, in a case of misconduct by a member of the  
18 staff which in the opinion of the Rector is prejudicial to the interests of the  
19 college, suspend such member and any such suspension shall forthwith be  
20 reported to the Council (3) For good cause, any member of staff may be  
21 suspended from office or his appointment may be terminated by the  
22 Council, and for the purpose of this subsection, "good cause" means:

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

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

29 (c) conduct of a scandalous or other disgraceful nature which the  
30 Council considers to be such as to render the person concerned unfit to

1 continue to hold his office; or

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

5 (4) Any person suspended pursuant to sub section (2) or (3) of this  
6 section, shall be placed on half pay and the Council shall before the expiration  
7 of the period of three months after the date of such suspension consider the case  
8 against that person and come to a decision as to:

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

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

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

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

23 (5) It shall be the duty of the person by whom an instrument of  
24 removal is signed in of subsection (1) of this section, to use his best endeavors  
25 to cause a copy of the instrument to be served as soon as reasonably practicable  
26 on the person to whom it relates.

27 (6) Nothing in the foregoing provisions of this section shall prevent  
28 the Council from making such regulations for the discipline of other categories  
29 of staff and workers of the college as it may think fit.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30

*Discipline*

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

Discipline of students

(a) that the student shall not during such period as may be specified in the direction, participate in such activities of the college, or make use of such facilities of the college, as he may specify; or

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

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

(d) that the student be expelled from the college.

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

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

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

(5) The Rector may delegate his power under this section to a

1 disciplinary committee consisting of such members of the college as he may  
2 nominate.

3 (6) Nothing in this section shall be construed as preventing the  
4 restriction or termination of a student's activities at the college otherwise than  
5 on the ground of misconduct.

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

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

11 **19.**-(1) If any junior staff is accused of misconduct or inefficiency, the  
12 Rector may suspend him for not more than three months and forthwith shall  
13 direct the Junior Staff Appointments and Promotions Committee:

14 (a) to consider the case; and

15 (b) to make recommendations as to the appropriate action to be taken  
16 by the Rector.

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

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

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

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



1 *Financial Provisions*

2           **20.**-(1) Each Council shall keep proper accounts and proper Accounts, records  
3 records in relation thereto and shall cause to be prepared, not later than 1 and audit  
4 October in each financial year, an estimate of its revenue and expenditure for  
5 the ensuing financial year and when prepared, the estimate shall be  
6 submitted to the National Board for Technical Education for approval.

7           (2) At the end of each financial year but not later than 30 June the  
8 Council shall cause to be prepared a statement of its income and expenditure  
9 during the previous financial year.

10           (3) The statement of accounts referred to in subsection (2) of this  
11 section shall, when certified by the Rector, be audited by a firm of auditors  
12 appointed from the list and in accordance with the guidelines supplied by the  
13 Auditor-General of the Federation and shall be published in the annual  
14 report of the college.

15           **21.** The funds of the Council shall include:

16           (a) fees charged by and payable to the Council in respect of Funds of the  
17 students; Council

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

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

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

24           **22.**-(1) Donations of money to be applied to any particular purpose Donation for  
25 shall be placed to the credit of a special reserve account approved by the particular purposes  
26 Council until such time as they may be expended in fulfillment of such  
27 purpose.

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

Payment into bank 1 **23.** All sums of money received on account of the Council shall be  
2 paid into such bank for the credit of the Council as may be approved by the  
3 Council.

Annual report 4 **24.** The Council shall on or before 31 December in each year prepare  
5 and submit to the President through the Minister, a report of the activities  
6 during the preceding financial year and shall include in the report, the audited  
7 accounts of the college in respect of that financial year and the auditors'  
8 comments on the account.

9 *Miscellaneous and Supplemental*

Power to make bye-laws 10 **25.**-(1) The Council may make bye-laws relating to any matter within  
11 its competence under this Act other than matters for which provision is to be  
12 made by standing orders pursuant to paragraph 7 of the Schedule to this Act.

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

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

Exclusion of discrimination on account of race, religion etc. 19 **26.** No person shall be required to satisfy requirements as to any of  
20 the following matters, that is to say race (including ethnic grouping), sex, place  
21 of birth or of the family origin or religious or, political persuasion or as a  
22 condition of becoming or continuing to be a student at the College or as a holder  
23 of any certificate of the college, or of any appointment or employment at the  
24 College, or a member of anybody established by virtue of this Act; and no  
25 person shall be subjected to any disadvantage or accorded any advantage in  
26 relation to the college by reference to any of those matters:

27 Provided that, nothing in this section shall be construed as preventing  
28 the College from imposing any disability or restriction on any of the  
29 aforementioned persons where such a person willfully refuses or fails on  
30 grounds of religious belief to undertake any duty generally and uniformly

1 imposed on all such persons or any group of them which duty, having regard  
2 to its nature and the special circumstances pertaining thereto, in the opinion  
3 of the college reasonably justifiable in the national interest.

4           **27.** Subject to the provisions of paragraph 6 (2) of the Schedule to  
5 this Act and any standing orders or bye-law made under this Act, the quorum  
6 and procedure of any body of persons established by this Act shall be such as  
7 may be determined by that body.

Quorum and  
procedure of  
bodies established  
under this Act

8           **28.** In this Act, unless the context otherwise requires:

Interpretation

9 "The Academic Board" means the board establish under section 10 of this  
10 Act;

11 "The Appointments and Promotions Committee "means a body by that  
12 name established under paragraph 3 (2) (a) of the Schedule to this Act;

13 "College" means the Federal college of Aviation Uyo, Akwa Ibom State;

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

16 "The Minister" means the Minister charged with responsibly for matters  
17 relating to technical education;

18 "The Registrar" means the Registrar of Federal college of Aviation Uyo,  
19 Akwa Ibom State appointed under section 4 (1) of this Act;

20           **29.** This Bill may be cited as the Federal College of Aviation Uyo,  
21 Akwa Ibom State (Establishment, etc.) Bill, 2020.

Short title

1 SCHEDULE

2 [Section 7]

3 PUBLIC OFFICERS FOR THE PURPOSES OF THE CODE OF CONDUCT

4 SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

5 *Terms of office of members*

6 1.-(1) A member of the Council other than an ex-officio member shall  
7 hold office for a period of three years beginning with the date on which he was  
8 appointed and shall be eligible for re-appointment for a further term of three  
9 years and thereafter he shall no longer be eligible for re-appointment.

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

13 (3) A member of the Council holding office as specified in paragraph  
14 1 (1) of this Schedule may by notice in writing to the Minister resign his office.

15 2.-(1) Where a vacancy occurs in the membership of the Council, that  
16 vacancy shall be filled by the appointment of a successor to hold office for the  
17 remainder of the term of office of his predecessor; so however that the  
18 successor shall represent the same interest as his predecessor.

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

22 *Committees*

23 3.-(1) The Council may assign one or more committees to which it  
24 may delegate any of its functions.

25 (2) Without prejudice to the generality to sub-paragraph (1) of this  
26 Schedule, the Council shall assign the following committees, that is:

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

29 (i) consists of a chairman to be appointed by the Rector from members

1 of the senior staff of the College and four other members who shall be  
2 appointed by the Council:

3 (i) be charged with the responsibility for making  
4 recommendations to the Council on the appointment and promotion of the  
5 academic and senior staff of the college and have a quorum of three  
6 members:

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

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

13 (i) a chairman who shall be appointed by the Rector from among  
14 the senior employees of the college;

15 (ii) one member of the Council;

16 (iii) two members of the academic staff of the college; and

17 (iv) four students of the college, and the Committee on Students'  
18 Affairs shall be charged with the duty of:

19 (a) considering any matter which relates to the welfare of students;

20 (b) any other matter referred to it by either the Council or students  
21 of the college;

22 (c) any matter which the students wish to refer to the Council shall  
23 be referred to the Committee on Student's Affairs in the first instance.

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

26 *Proceedings of the Council*

27 4.-(1) The Council shall meet for the conduct of business at such  
28 times as the chairman of the Council may appoint but shall meet not less than  
29 twice in a year.

30 (2) The chairman of the Council may at any time and shall at the

1 request in writing of not less than five members of the Council summon a  
2 meeting of the Council.

3 (3) Individuals of the business to be transacted shall be circulated to  
4 members with the notice of the meeting at least two weeks before the date of the  
5 meeting.

6 5. Where the Council desires to obtain the advice of any person on any  
7 particular matter it may co-opt such person as a member for a meeting whether  
8 or not expressly convened for the purpose of considering the particular matter  
9 but no co-opted member all be entitled to vote or shall count towards quorum.

10 6.-(1) Every question put before the Council at a meeting shall be  
11 decided by a simple majority of the members present and voting.

12 (2) Seven members shall form a quorum at any meeting of the Council

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

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

19 8. If the Chairman of the Council is absent from a meeting of the  
20 Council, the members present shall elect one of their number to act as chairman  
21 for the purposes of that meeting.

22 *Miscellaneous*

23 9. Any contract or instrument which if entered into by a person not  
24 being a body corporate would not be require to be under seal, may n like  
25 manner be entered into or executed on behalf of the Council by any person  
26 generally or specifically authorized by it for that purpose.

27 10.-(1) The common seal of the Council shall not be used or affixed to  
28 any document except in pursuance of a resolution duly passed at a properly  
29 constituted meeting of the Council and recorded in the minutes of such  
30 meeting.

1                   (2) The fixing of the seal of the Council shall be authenticated by  
2                   the signature of the chairman of the Council and some other members  
3                   authorized generally or specifically by the Council to act for that purpose.

4                   (3) Any document purported to be a document duly executed under  
5                   the seal of the Council shall be received in evidence and shall, unless the  
6                   contrary is proved, be deemed to be so executed.

7                   11. Any member of the Council or a committee itself who has a  
8                   personal interest in any contract or arrangement entered into or proposed to  
9                   be considered by the Council or a committee thereof, shall forthwith  
10                  disclose his interest to the Council and shall not vote on any question  
11                  relating to such contract or arrangement.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal College of Aviation Uyo, Akwa Ibom State to provide full-time courses leading to award of certificates in the various fields of Aviation Management and development in Nigeria, and to make provisions for the general administration of the College.