

FEDERAL POLYTECHNIC ISEVIN, OYO STATE (ESTABLISHMENT)

BILL, 2020

ARRANGEMENT OF SECTIONS

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A BILL

FOR

AN ACT TO ESTABLISH THE FEDERAL POLYTECHNIC ISEYIN, OYO STATE
TO PROVIDE FULL AND PART-TIME COURSES OF INSTRUCTION IN
DIFFERENT FIELDS OF STUDIES; AND FOR RELATED MATTERS

Sponsored by Hon. Shina Peller

[] Commencement

ENACTED by the National Assembly of the Federal Republic

Nigeria:

1 **1.**-(1) There is established the Federal Polytechnic Iseyin, Oyo
2 State (in this Act referred to as "Polytechnic") which shall have such powers
3 and perform such functions conferred on it by this Act.

Establishment
of the Federal
Polytechnic, Iseyin,
Oyo State

4 (2) The Polytechnic:

5 (a) is a body corporate with perpetual succession and a common
6 seal;

7 (b) may sue and be sued in its corporate name; and

8 (c) may acquire and dispose of interests in movable and
9 immovable property.

10 **2.**-(1) The Polytechnic shall:

Functions of
the Polytechnic

11 (a) provide full-time and part-time courses of instruction and
12 training to produce middle and high-level manpower:

13 (i) technology, applied Science, commerce and management; and

14 (ii) such other fields of applied learning relevant to the needs of the
15 development of Nigeria in the areas of industrial and agricultural
16 production, distribution and for research in the development and adaptation
17 of techniques as the Council may determine;

18 (b) arrange conference, seminars and study groups relative to the
19 fields of learning specified under subsection (1) (a);

20 (c) perform such other function as in the opinion of the Council

1 may serve to promote the objectives of the polytechnic.

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

Establishment
and Constitution
of the Council

5 3.-(1) There is established for the Polytechnic a Governing Council (in
6 this Act referred to as the Council").

7 (2) The Council shall consist of a chairman:

8 (a) four persons representing a variety of interests and broadly
9 representatives of the whole federation, at least one of whom shall be a woman;

10 (b) one person to represent the alumni association of the Polytechnic;

11 (c) a representative of the community where the Polytechnic is
12 situated;

13 (d) the Rector;

14 (e) the Deputy Rectors;

15 (f) one person representing the Federal Ministry of Education or
16 regulatory agency;

17 (g) two persons not below the rank of Senior Lecturer elected by the
18 Academic Board from among its members;

19 (h) three persons not below the rank of Senior Lecturer or its
20 equivalent elected by the Congregation from among its members in which one
21 shall be a non-teaching staff.

22 (3) The Chairman and members of the Council other than ex-officio
23 members shall be:

24 (a) appointed by the President;

25 (b) (persons of proven integrity, knowledgeable and acquainted with
26 the working and tradition of the technical and vocational education.

27 (4) Any member of the Council other than an ex-officio member:

28 (a) shall hold office for three years at the first instance; and

29 (b) may be eligible for re-appointment for another three years and no
30 more.

1 (5) The governing structure of the Polytechnic shall consist of:

2 (a) Governing Council;

3 (b) Academic Board;

4 (c) Management Committee;

5 (d) School Board; and

6 (e) Departmental Board.

7 (6) The supplementary provisions set out in the Schedule to this
8 Act, shall apply in relation to governing structure and other matters
9 specified in the Schedule.

10 4.-(1) The president shall be the Visitor to the Polytechnic.

Visitation

11 (2) The Visitor shall, at least once in every five years, conduct a
12 Visitation of the college or appoint a Visitation Panel, consisting of at least
13 five experts, to conduct the visitation:

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

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 Registrar to the Polytechnic who shall:

Register of the
Polytechnic

19 (a) be responsible to the Rector for the administration of the
20 Polytechnic; and

21 (b) shall perform such other duties as the Council the Rector may
22 require him to do.

23 (2) The Registrar shall:

24 (a) be the Secretary to the Council, the Academic Board and any
25 committee of the Council; and

26 (b) attend all the meetings of those bodies unless excused for good
27 reason by the Chairman of the Council.

28 (3) In the absence of the Registrar, the Chairman of the Council
29 may, 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 a person appointed to act under
2 subsections (3), shall not vote on any question before the Council count
3 towards a quorum unless he is so entitled as a member of the Council.

Tenure of office
of the Registrar

4 6.-(1) A Registrar shall hold office:

5 (a) for a single term of five years beginning from the effective date of
6 his appointment.

7 (b) on such terms and conditions as may be specified in the letter of his
8 appointment; and

9 (2) Where a Registrar has held office for five years or less on the
10 commencement of this Act, he is deemed to have been serving his final term of
11 office.

General function
of the Council

12 7.-(1) Subject to the provisions of this Act, the Council:

13 (a) shall be the governing body of the Polytechnic concerned; and

14 (b) shall have powers and control over the general management of the
15 affairs of the Polytechnic, and in particular, the property and finances of the
16 polytechnic; and

17 (c) may do anything which in its opinion is calculated to facilitate the
18 carrying out of the activities of the Polytechnic and promote its best interests.

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

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

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

The Rector of
the Polytechnic

29 8.-(1) There shall be a Rector of the Polytechnic (in this Act referred
30 to as "the Rector") who shall be appointed by the President in accordance with

1 the provision of this section.

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

4 (a) advertise the vacancy, not later than six months to the expiration
5 of the term of the sitting Rector in at least two national newspapers in
6 Nigeria, specifying the:

7 (i) qualifications of the persons who may apply for the post, which
8 shall be a Chief Lecturer in the Polytechnic sector with at least five years of
9 experience on that position among other criteria, and

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

12 (b) constitute a Search Team consisting of:

13 (i) a member of the Council, not being a member of the Academic
14 Board, as Chairman,

15 (ii) two members of the Academic Board, not below the rank of
16 Chief Lecturer,

17 (iii) two members of Academic Staff not below the rank of Chief
18 Lecturer to be elected from among its members.

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

21 (a) the Chairman of the Council;

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

24 (c) two members of the Academic Board not below the rank of
25 Chief Lecturer, who were not members of the Search Team elected among
26 its members; and

27 (d) two members of the Congregation not below the rank of Chief
28 Lecturer who were not members of the Search Team elected among its
29 members, shall consider the candidates on the short list drawn up under
30 subsection (2) through an examination of their curriculum vitae and

1 interaction with them and recommend in order of performance ranking through
2 the Council, to the President, three candidates for his consideration.

3 (4) the President shall appoint, as Rector, one of the candidates
4 recommended to him under subsection (3).

5 (5) Subject to this Act and the general control of the Council, the
6 Rector is the Chief Executive of the Polytechnic and is charged with general
7 responsibility for matters relating to the management operations of the
8 Polytechnic.

9 (6) The Rector shall hold office:

10 (a) for a single term of five years beginning with the effective date of
11 his appointment; and

12 (b) on such terms and conditions as may be specified in his letter of
13 appointment.

14 (7) Where a Rector:

15 (a) was appointed on a four-year term on the commencement of this
16 Act, his term of office shall be extended for one year to complete the single
17 tenure of five years in line with subsection (6); and

18 (b) is serving second tenure of four years on the commencement of
19 this Act, he shall be deemed to have been serving his final term of office.

20 (8) The Rector shall:

21 (a) have power to exercise general authority over staff;

22 (b) be responsible for discipline in the polytechnic; and

23 (c) have his remuneration determined by the National Salaries and
24 Wages Commission.

Deputy Rectors

25 9.-(1) There shall be for the Polytechnic such number of Deputy
26 Rectors as the Council may deem necessary for the proper administration of the
27 Polytechnic.

28 (2) Where a vacancy occurs in the post of Deputy Rector, the Rector
29 shall forward to the Academic Board a list of two candidates for each post of
30 Deputy Rector that is vacant.

1 (3) The Academic Board shall elect for each vacant post one
2 candidate from each list forwarded to it under subsection (2) and forward his
3 name to the Council for confirmation.

4 (4) Where.

5 (a) the Academic Board rejects the two candidates forwarded to it
6 by the Rector under subsection (2), the Rector shall submit another list;

7 (b) the Council rejects the name sent to it under subsection (3), the
8 Academic Board shall send the name of the other candidate on the list
9 forwarded to it by the Rector under subsection (2).

10 (5) The Deputy Rectors shall:

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

12 (b) act in the place of the Rector when the post of Rector is vacant
13 or if the Rector is for any reason absent or unable to perform his function as
14 Rector; and

15 (c) perform such other functions as the Rector or the Council may
16 assign to them.

17 (6) The Deputy Rectors shall hold office:

18 (a) for a single term of four years beginning from the effective date
19 of their appointment; and

20 (b) on such terms and conditions as may be specified in their letter
21 of appointment.

22 (7) Where a Deputy Rector:

23 (a) was appointed on two-year term on the commencement of this
24 Act; his term shall be extended for a period of two years to complete the
25 Single term of four years in line with subsection (6); and

26 (b) is serving second term of two years on the commencement of
27 this Act, he shall be deemed to have been serving his final term of office.

28 10.-(1) there shall be for the Polytechnic the following other
29 principal officers in an addition to the Deputy Rectors:

30 (a) the Registrar,

Other Principal
Officers of the
Polytechnic

1 (b) Bursar, and
2 (c) the Librarian,
3 who shall all be appointed by the Council on the recommendation of the
4 Selection Board constituted under section 12 of this Act.

5 (2) The Bursar shall be the Chief Financial Officer of the Polytechnic
6 And be responsible to the Rector for the administration and control of the
7 Financial affairs of the Polytechnic.

8 (3) The Librarian shall be responsible to the Rector of the
9 administration of the Polytechnic library and the co-ordination of the library
10 services in the teaching units of the Polytechnic.

11 (4) The Bursar or Librarian shall hold office:

12 (a) for a single term of five years beginning from the effective date of
13 his appointment; and

14 (b) on such terms and conditions as may be specified in his letter of
15 appointment.

16 (5) Where a Bursar or Librarian has held office for five years or less
17 on the commencement of this Act, he is deemed to have been serving his final
18 term of office.

Resignation of
appointment of
principal officers

19 11. A principal officer may resign his appointment:

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

21 (b) in any other case, by notice to the Council.

Selection board
for the other
officers

22 12.-(1) There shall be, for the Polytechnic, a Selection Board which
23 Shall consist of:

24 (a) the Chairman of the Council;

25 (b) the Rector;

26 (c) four members of the Council not being members of the Academic
27 Board;

28 (d) two members of the Academic Board not being members of ,
29 Council and not below the rank of Chief Lecturer elected from among its
30 Members; and

1 (e) three members of the congregation not below the rank of
2 Principal Lecturer or its equivalent elected from among its members in
3 which one shall be a non-teaching staff.

4 (2) The functions, procedure and other matters relating to the
5 Selection Board shall be as the Council may determine.

6 13.-(1) The Council may appoint such other persons to be
7 employees of the Polytechnic as the Council may determine to assist the
8 Rector and principal officers of the Polytechnic in the performance of their
9 functions under this Act.

Other employees
of the Polytechnic

10 (2) The power to appoint all other employees of the Polytechnic
11 Shall be exercised:

12 (a) in the case of senior employees, by the Council on the
13 recommendation of Appointment and Promotions Committee set up under
14 the provisions of paragraph 3 (2) (a) of the Schedule to this Act;

15 (b) in the case of Junior employees, by the Rector on the
16 recommendation of the Junior Staff appointment and promotions committee
17 constituted under paragraph 3 (2) (b) of the Schedule to this Act.

18 (3) Subject to the provision of this Act, the remuneration, tenure of
19 office and Conditions of service of the employees of the Council shall be
20 determined by the Council in consultation with the Federal Civil Service
21 Commission.

22 14.-(1) The Federal Civil Service Commission may by order
23 published in the Federal Government Gazette declare the office of the
24 Rector or any other person employed by the Council to be a pensionable
25 office for the purposes of the Pension Reforms Act.

Application of
the Pension
Reform Act

26 (2) Nothing in the provisions of subsection (1) shall prevent the
27 appointment of any person to any office on terms which preclude the grant of
28 a pension or gratuity in respect of respect of service in that office.

29 (3) A law or rule requiring a person to retire from the Public Service
30 after serving for 35 years or having attained the age of 60 years in service,

1 shall not apply to staff of the Polytechnic.

2 (4) Notwithstanding anything to the contrary contained in the Pension
3 Reforms Act, the compulsory retirement age of staff of Polytechnic shall be 65
4 years.

Establishment
of the Academic
Board

5 **15.**-(1) There is established for the Polytechnic (in this Act referred to
6 as "the Academic Board") which shall consist of:

7 (a) the Rector of the Polytechnic, as Chairman;

8 (b) the Deputy Rectors of the Polytechnic;

9 (c) all heads of academic departments and units;

10 (d) the Polytechnic Librarian;

11 (e) not more than two members of the academic staff who are not
12 members of the Academic Board and not below the rank of Senior Lecturer
13 elected from among its members, such members shall serve for non-renewable
14 term of three years;

15 (f) all Deans and academic Directors; and

16 (g) all Chief Lecturers.

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

18 (a) the direction and management of academic matters of the
19 Polytechnic including the regulation of admission of students, the award of
20 certificates and diplomas, scholarships, prizes and other academic distinctions;

21 (b) the making to the Council of such periodic reports on such
22 academic matters Academic Board may deem fit or as the Council may direct;
23 and

24 (c) the discharge of any other function which the Council may
25 delegate to it.

Removal from
office of members
of the Council
and the Rector

26 **16.**-(1) Where it appears to the Council that a member of the Council,
27 Other than an ex-officio member or Rector, should be removed from office on
28 the ground of misconduct or inability to perform the functions of his office, the
29 Council shall make a recommendation through the Minister to the Federal
30 Executive Council for approval and the Minister shall declare the office of such

1 member or Rector vacant.

2 2) The Minister may recommend the removal of any member of the
3 Council or Rector to the Federal Executive Council, if he is satisfied that it is
4 not in the interest of the interest of the Public or of the Polytechnic that such a
5 person shall continue as a member of the Council.

6 (3) In case of vacancy in the office of the Rector, the Council shall
7 appoint an acting Rector who shall not be in office for more than six months.

8 (4) There shall be no sole administration in the Polytechnic.

9 17-(1) If it appears to the Council that there are reasons for
10 believing that a Person employed as a member of the academic,
11 administrative or technical staff of the Polytechnic, other than the Rector,
12 should be removed from office on the ground of misconduct or inability to
13 perform the functions of his office, the Council shall:

Removal and
discipline of
academic,
administrative
and technical staff

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

15 (b) afford him an opportunity of making representation in person
16 on the matter to the Council; and

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

20 (i) a joint committee of the Council and Academic Board to
21 investigate the matter, where it relates to an academic staff and to report on it
22 to the Council,

23 (ii) a committee of the Council to investigate the matter, where it
24 relates to any other member of the staff of the Polytechnic and report on it to
25 the Council, and

26 (iii) the person in question to be afforded an opportunity of
27 appearing before and being heard by the investigating committee with
28 respect to the matter, and if the Council, after considering the report of the
29 investigating committee, is satisfied that the person in question should be
30 removed as aforesaid, the Council may so remove him by instrument in

1 writing signed on the directions of the Council.

2 (2) the Rector may, in a case of misconduct by a member of the staff
3 which in the opinion of the Rector is prejudicial to the interest of the
4 Polytechnic, suspend such member and any such suspension shall immediately
5 be reported to the Council.

6 (3) For good cause, any member of staff may be suspended from
7 office or his appointment may be terminated by the Council and for the purpose
8 of this Subsection, "good cause" means:

9 (a) any physical or mental incapacity which the Council, after
10 obtaining medical advice, considers to be such as to render the person
11 concerned unfit for the performance of the functions of this office;

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

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

18 (d) conduct which the Council considers to be such as to constitute
19 failure or inability of the person concerned to perform the functions of his
20 office or to comply with the terms and conditions of his service.

21 (4) Any person suspended under subsection (2) or (3), shall be placed
22 on half pay and the Council shall before the expiration of the period of three
23 months after the date of such suspension consider the case against that Person
24 and come to a decision as whether to:

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

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

29 (c) terminate the appointment of the person in question, in which case
30 such a person, will not be entitled to the proportion of his emoluments withheld

1 during the period of suspension; or

2 (d) take such lesser disciplinary action against such person,
3 including the restoration of such proportion of his emoluments that might
4 have been withheld, as the Council may determine, and in any case where
5 the Council, pursuant to this section, decides to continue a person's
6 suspension or decides to take further disciplinary action against a person, the
7 Council shall before the expiration of a period of three months from such
8 decision come to a final determination in respect of the case concerning any
9 such person.

10 (5) It is the duty of the person by whom an instrument of removal is
11 signed in Pursuance of subsection (1), to use his best endeavours to cause a
12 copy of the instrument to be served as soon as reasonably practicable on the
13 person to whom it relates.

14 (6) Nothing in this section shall prevent the Council from making
15 such regulations for the discipline of other categories of staff and workers of
16 the Polytechnic as it may deem fit.

17 **18.-(1)** Subject to the provisions of this section, where it appears to
18 the Rector that any student of the Polytechnic, has been guilty of
19 misconduct, the Rector may, without prejudice to any other disciplinary
20 powers conferred on him by this Act or regulations made, direct that:

21 (a) the student shall not, during such period as may be specified in
22 the direction, Participate in such activities of the Polytechnic, or make use of
23 such facilities of the Polytechnic, as he may specify;

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

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

29 (d) the student be expelled from the Polytechnic.

30 (2) Where there is temporarily no Rector or where the Rector

Discipline of
Students

1 refuses to apply any disciplinary measure, the Council, either directly or
2 through some other staff, may apply such disciplinary actions as are specified
3 in subsection (1) to any student of the Polytechnic who is guilty of misconduct.

4 (3) Where a direction is given under subsection (1) (c) or (d) in respect
5 of any student, the student may, within 21 days from the date of the letter
6 communicating the decision to him, appeal against the direction to the Council,
7 and where such an appeal is brought, the Council shall, after causing such
8 inquiry to be made in the matter as the Council considers just, either confirm or
9 set aside the direction or modify it in such manners as the Council may deem
10 fit.

11 (4) The fact that an appeal from a direction is brought in pursuance of
12 subsection (3) does not affect the operation of the direction while the appeal is
13 pending.

14 (5) The Rector may delegate his power under this section to a
15 disciplinary committee consisting of such members of the Polytechnic as he
16 may nominate.

17 (6) Nothing in this section shall be construed as preventing the
18 restriction on or termination of a student's activities at the Polytechnic
19 otherwise than on the ground of misconduct.

20 (7) A direction under subsection (1) (a) may be combined with a
21 direction under subsection (1) (b).

22 (8) In all cases under this section, the decision of the Council is final.

23 19.-(1) if any junior staff is accused of misconduct or inefficiency, the
24 Rector may suspend him for not more than three months and shall direct the
25 Junior Staff Appointments and Promotions Committee to:

26 (a) consider the case; and

27 (b) make recommendations as to the appropriate action to be taken by
28 the Rector.

29 (2) In all cases under this section, the officer shall be informed of the

1 charge against him and shall be given reasonable opportunity to defend
2 himself.

3 (3) The Rector may, after considering the recommendation made
4 under subsection (1) (b), dismiss, terminate, retire or down-grade the officer
5 concerned.

6 (4) Any person aggrieved by the Rector's decision under
7 subsection (3) may, within 21 days from the date of the letter communicating
8 the decision to him, address a petition to the Council to consider his case and
9 the Council's decision thereon shall be final.

10 (5) In any case of gross misconduct on the part of a junior staff, the
11 Rector shall immediately suspend him and thereafter refer the matter to the
12 Junior Staff Appointments and Promotions Committee to be dealt with
13 according to the provisions this section.

14 20.-(1) The Council shall keep proper accounts and proper records Audit accounts
15 In relation thereto and shall cause to be prepared, not later than 31 October In
16 each financial year, an estimate of its revenue and expenditure for the
17 ensuing financial year and when prepared, the estimate shall be submitted to
18 the National Board for Technical Education for approval.

19 (2) At the end of each financial year but not later than 30 June, the
20 Council Shall cause to be prepared a statement of its income and expenditure
21 during the previous financial year.

22 (3) The statement of accounts referred to in subsection (2) shall,
23 when certified by the Rector, be audited by a firm of auditors appointed from
24 The list and in accordance with the guidelines supplied by the Auditor-
25 General for the Federation and shall be published in the annual report of the
26 Polytechnic.

27 21.-(1) There is established for the Polytechnic a fund (in this Act Funds of the
28 Referred to as "the Fund"). Council

29 (2) The Fund shall consist:

- 1 (a) fees charged by and payable to the Council in respect of students;
2 (b) any other amounts due to or recoverable by the Council;
3 (c) revenue from time to time accruing to the Council from the
4 Federal Government by way of subvention, grant-in-aid, endowment or
5 otherwise; and
6 (d) donations and legacies accruing to the Council from any source
7 for the special purpose of the Council.

Donation for
particular purposes

8 **22.**-(1) Donations of money to be applied to any particular purpose
9 shall be placed to the credit of a special reserve account approved by the
10 Council until such time as they may be expended in fulfillment of such
11 purpose.

12 (2) The Council is not obliged to accept a donation for a particular
13 purpose unless approves the terms and conditions attached to such donation.

Payment into
bank

14 **23.** All sums of money received on account of the Council shall be
15 paid into such bank for the credit of the Council as may be approved by the
16 Council.

Annual report

17 **24.** The Council shall, on or before 31 December in each year, prepare
18 and submit to the President through the Minister, a report of the activities
19 during the preceding financial year shall include in the report, the audited
20 accounts of the polytechnic in respect of that financial year and the auditor's
21 comments on the account.

Power to make
Bye-laws

22 **25.**-(1) The Council may make bye-laws relating to any matter within
23 its competence under this Act other than matters for which provision is to be
24 made by standing orders under paragraph 7 of the Schedule to this Act.

25 (2) All such bye-laws shall be in writing and shall come into effect
26 when with the seal of the Council unless some other date for their
27 commencement is prescribed therein.

28 (3) Nothing in subsection (2), shall make it obligatory for the Council
29 to any of the bye-laws in the Federal Government Gazette but the Council shall
30 bring such bye-laws to the notice of all those affected by it.

1 26. A person shall not be required to satisfy requirements as to race
2 (including ethnic grouping), sex, place of birth or of family origin or
3 religious or political persuasion or as a condition of becoming or continuing
4 to be a student at the Polytechnic or as a holder of any certificate of the
5 polytechnic, or of any appointment or employment at the polytechnic, or a
6 member of anybody established by virtue of this Act, and no person shall be
7 subjected to any disadvantage or accorded any advantage in relation to the
8 polytechnic by reference to any of those matters:

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

9 Provided that, nothing in this section shall be construed as
10 preventing the Polytechnic from imposing any disability or restriction on
11 any of these persons where such persons willfully refuse or fails on grounds
12 of religious belief to undertake any duty, having regard to its nature and the
13 special circumstances pertaining thereto is, in the opinion of the
14 polytechnic, reasonably justifiable in the national interest.

15 27. Subject to paragraph 6 (2) of the Schedule to this Act and any
16 standing order or bye - law made under this Act, the quorum and procedure
17 of anybody of persons established by this Act shall be such as may be
18 determined by that body.

Quorum and
Procedure of
bodies establishment
under this Act

19 28. In this Act:

Interpretation

20 "Academic Board" means the Academic Board established under section 15
21 of this Act;

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

24 polytechnic "means the Polytechnic set up under section (1) of this Act;

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

27 "Minister" means the Minister charged with responsibility for matters
28 relating to technical education;

29 "President" means the President of the Federal Republic of Nigeria;

30 "Registrar" means that Registrar of the Polytechnic appointed under section

1 10(1)(a) of this Act.

Citation

2 29. This Bill may be cited as the Federal Polytechnic Iseyin, Oyo
3 State (Establishment) Bill, 2020.

4 SCHEDULE

5 *Section 3 (6), 13 (2) (a) (b)*

6 SUPPLEMENTARY PROVISIONS RELATING TO THE STRUCTURE AND

7 PROCEDURE OF THE COUNCIL

8 *Terms of office of members*

9 1.-(1) A member of the Council, other than ex-officio member shall
10 hold office for three years beginning with the date on which he is appointed and
11 may be eligible for re-appointment for another three years and no more.

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

15 (3) A member of the Council holding office as specified in paragraph
16 1 (1) of this Schedule may, by notice in writing to the Minister resign his office.

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

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

24 *Committees*

25 3.-(1) The Council may appoint one or more committees to which it
26 may delegate any of its functions.

27 (2) Without prejudice to the generality of subparagraph (1) of this
28 schedule, the Council shall appoint the following committees:

29 (a) the Appointments and Promotions Committees which shall:

30 (i) consist of Rector as the chairman and four other members who

1 shall be appointed by the Council;

2 (ii) be charged with the responsibility for making
3 recommendations to the Council on the appointment and promotion of the
4 academic and senior non-teaching staff of the polytechnic and have a
5 quorum of three members;

6 (b) the Junior Staff Appointments and Promotions Committee
7 which shall consist of a Deputy Rector as chairman and four other members
8 to be appointed by the Rector and shall have the powers set out in section 13
9 (2)(b) and section 19 of this Act;

10 (c) the Committee on Students' Affairs which shall consist of:

11 (i) a Deputy Rector as chairman;

12 (ii) one member of the Council;

13 (iii) Dean of Students Affairs;

14 (iv) two members of the academic staff not below the rank of
15 Senior Lecturer; and

16 (d) two representatives of the Students Union of the Polytechnic
17 and Committee on Students Affairs shall be charged with the duty of:

18 (i) considering any matter which relates to the welfare of students,

19 (ii) any other matter referred to it by either the Council or
20 Management of the polytechnic,

21 (iii) any matter which the students wish to refer to the Council shall
22 be referred to the Management in the first instance which may in turn refer
23 the matter to the Committee on Students' Affairs.

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

26 *Proceeding of the Council*

27 4.-(1) The Council shall meet for the conduct of business once in a
28 quarter except for emergency.

29 (2) The chairman of the Council may at any time and shall at the
30 request in writing of not less than five members of the Council summon a

1 meeting of the Council.

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

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

10 5.-(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) Two-third of members shall form a quorum at any meeting of the
13 Council.

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

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

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

23 *Miscellaneous*

24 8. Composition and Functions of Management Committee, School
25 and Departmental Boards.

26 9.- (1) There shall be a Management Committee consisting of all the
27 Principal Officers of the Polytechnic, all Deans and Directors in the
28 Polytechnic and the:

29 (a) Rector shall be the Chairman of the Management Committee; and

30 (b) Management Committee shall meet at least once in a month to

1 discuss and take decisions on matters of general interest to the Polytechnic.

2 (2) There shall be a School Board for each school in the
3 Polytechnic made up of all the Academic Staff in that School and the:

4 (a) School Board shall deal with academic matters and any other
5 matter of interest to the School or any matter assigned to it by the Council,
6 the Rector or the Academic Board;

7 (b) Dean shall:

8 (i) be the chairman of the School Board, and

9 (ii) be elected from among the Academic Staff not below the rank
10 of Chief Lecturer in that School for a term of three years and not
11 immediately renewable.

12 (3) There shall be a Departmental Board for each Department in the
13 Polytechnic consisting of all the Academic Staff in that department and the:

14 (a) Departmental Board shall deal with academic matters and any
15 other matter of interest to the Department;

16 (b) Head of Department shall:

17 (i) be chairman of the Department Board,

18 (ii) be elected from among the Academic staff not below the rank of
19 Senior Lecturer in the department for a term of three years and not
20 immediately renewable.

21 (4) Where there is no qualified candidate for the position of Dean
22 or Head of Department, the Rector shall appoint an Acting Dean not below
23 the rank of Senior Lecturer or Acting Head of Department not below the
24 rank of Lecturer I for a period of one year in the first instance and renewable
25 once and no more.

26 (5) Nothing in this Act shall prevent the management Committee
27 and Boards from making supplementary rules to guide their proceedings
28 provided such rules are not inconsistent with the provision of this Act.

29 *Establishment of the Congregation*

30 10. There shall be for the polytechnic, a Congregation consisting

1 of both Academic and Senior Non-Teaching staff, who holds at least a first
2 degree or it equivalent the:

3 (a) Rector shall be the Chairman of the Congregation; and (b)
4 Congregation shall meet at least once in a

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

9 12.-(1) The common seal of the Council shall not be used or affixed to
10 any document except in pursuance of the resolution duly passed at a properly
11 Constituted meeting of the Council and recorded in the minutes of such
12 Meeting.

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

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

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

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal Polytechnic Iseyin, Oyo State to provide full and part-time courses of instruction in different fields of studies.