

A BILL

FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE FEDERAL COLLEGE OF EDUCATION USUGBENU, IRRUA, EDO STATE; AND FOR OTHER MATTERS CONNECTED THEREWITH

Sponsored Senator Clifford Ordia

[] Commencement

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

1 PART I - ESTABLISHMENT OF FEDERAL COLLEGE OF EDUCATION

2 USUGBENU, IRRUA, EDO STATE

3 1.-(1) There is established the Federal College of Education
4 Usugbenu, Irrua, Edo State which shall have such powers and exercise such
5 functions as is conferred on it by this Act.

Establishment of
Federal College
of Education
Usugbenu, Irrua,
Edo State

6 (2) The College shall be a body corporate with perpetual
7 succession and a common seal and shall have power to acquire and dispose
8 of interests in movable and immovable property and may sue and be sued in
9 its corporate name.

10 2. The functions of the College shall be-

Functions of the
College

11 (a) to provide full-time and part-time courses in teaching,
12 instruction and training to produce middle and high level teachers-

13 (i) in technology, sciences/applied sciences, commerce, arts, social
14 sciences, humanities and management; and

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

19 (b) to conduct courses in education for qualified teachers;

20 (c) to arrange conferences, seminars, inaugural lectures and

1 workshops relative to the fields of learning specified in paragraph (a) of this
2 section; and

3 (d) to perform such other functions as in the opinion of the Council
4 may serve to promote the objectives of the College.

Governing
Council of
College

5 **3.**-(1) The governance of the College and the direction of its affairs
6 shall vest in the Governing Council of the College (in this Bill referred to as
7 "the Council").

8 (2) Without prejudice to the generality of subsection (1) of this
9 section, it shall be the responsibility of the Council to consider and approve-

10 (a) the plan of activities of the College;

11 (b) the programme of studies, courses and research to be undertaken
12 by the College;

13 (c) the annual estimates of the College; and

14 (d) the investment plans of the College.

15 (3) The provisions of Schedule 1 to this Bill shall have effect with
16 respect to the Council as specified therein.

Membership of
the Governing
Council

17 **4.**-(1) The Council of the College shall consist of a Chairman to be
18 appointed by the President, Commander-in-Chief of the Armed Forces, and the
19 following other members:

20 (a) the Hon. Minister of Education or his Representative;

21 (b) two elected representatives of the Academic Board and the
22 congregation (one each) of the College;

23 (c) an elected representative of the National Commission for Colleges
24 of Education;

25 (d) a representative of the Alumni Association of the College;

26 (e) four persons of note in the areas of Arts, Sciences and Technical
27 Education, who shall be former or serving teachers/educationists, to be
28 appointed by the President, Commander-in-Chief of the Armed Forces;

29 (f) the Provost of the College;

30 (g) the Deputy Provost of the College; and

1 (h) the Registrar shall be a member and Secretary.

2 **5.**-(1) A member of the Council shall hold office for a term of four tenure of Council
3 years and, subject to the provisions of subsection (2) of this section, shall be Members
4 eligible for re-appointment for a further period of four years.

5 (2) The office of a member appointed under sections 4 (1) (d) and 4
6 (2) (d) of this Bill shall become vacant if-

7 (a) the member resigns his office by notice in writing under his
8 hand, addressed to the Minister; or

9 (b) the Minister is satisfied that it is not in the interest of the College
10 for the person appointed to continue in office and notifies the member in
11 writing to that effect.

12 **6.**-(1) For the carrying out of the functions of the College, the Power of the
13 Council shall have power to- Governing Council

14 (a) hold examinations and award diplomas, professional
15 certificates, Degrees and other distinctions of the College, to persons who
16 have pursued a course of study approved by the Council and who have
17 satisfied such other requirements as the Council as accredited by NCCE;

18 (b) demand and receive from any student or any other person
19 attending the College for the purpose of instruction such fees as the Council
20 may, with the prior approval of NCCE from time to time determine;

21 (c) hold public lectures and undertake printing, publishing and
22 bookselling;

23 (d) make gifts for any charitable purpose;

24 (e) hold examinations in education for qualified teachers;

25 (f) provide amenities for and make such other provision for the
26 welfare of the staff of the College;

27 (g) invest the funds of the College in securities specified by law or
28 in such other securities in Nigeria as may be approved by the NCCE;

29 (h) borrow money within Nigeria in such manner and upon such
30 security as the NCCE may from time to time authorize;

1 (i) recruit staff of the right caliber and determine the career structure
2 of such staff;

3 (j) establish and maintain such schools and other teaching units within
4 the College or extramural departments as the Council may from time to time
5 decide;

6 (k) provide such courses of instruction either alone or in association
7 with other institutions whether in Nigeria or not as the Council may determine
8 approve;

9 (l) institute and award fellowships, medals, prizes and other titles;

10 (m) mount exhibitions and displays designed to foster an appreciation
11 of trends in the scope and requirements of education;

12 (n) erect, provide, equip and maintain such educational, recreational
13 and residential facilities as the College may require;

14 (o) create lecturerships and other academic posts and offices and to
15 make appointments thereto;

16 (p) encourage and make provision for research and research grant in
17 the College; and

18 (q) do such acts and things whether or not incidental to the foregoing
19 powers as may advance the objects of the College.

20 (2) The President and Commander-in-chief shall be the visitor to the
21 College.

22 (3) The Minister shall arrange visitation every 4 years on behalf of the
23 Visitor.

24 (4) The power of the Council to establish further schools within the
25 College shall be exercisable by order and not otherwise.

The Academic
Board and its
Functions

26 **7.-(1)** There shall be established for the College a Board to be known
27 as the Academic Board, which shall consist of the following members-

28 (a) the Provost of the College, who shall be the Chairman;

29 (b) all Heads of Academic Units;

30 (c) the College Librarian;

1 (d) not more than two members of the academic staff
2 Congregation, other than Heads of Departments to be appointed by the
3 congregation; and

4 (e) Deputy Provosts, Deans, Academic Directors/Coordinators, all
5 Chieflecturers with Ph.D/Professors.

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

7 (a) the direction and management of academic matters of the
8 College including the regulation of admission of students, the award of
9 certificates, scholarships, teaching and research, prizes and other academic
10 distinctions;

11 (b) making periodic reports on such academic matters to the
12 Council; and

13 (c) discharging any other functions which the Council may from
14 time to time delegate to it.

15 **8.**-(a) There shall be a Management Committee made up of all the
16 Principal Officers of the College, all Deans and Directors in the College;

Establishment of
Management
Committee

17 (b) The Provost shall be the Chairman of the Management
18 Committee;

19 (c) The Management Committee shall meet at least once in a month
20 to discuss and take decisions on matters of general interest to the
21 College.

22 **9.**-(a) (i) There shall be a School Board for each school in the
23 College of Education made up of all the Academic Staff in that School;

Establishment of
School/Departmental
Board

24 (ii) The School Board shall deal with academic matters and any
25 other matter of interest to the School or any matter assigned to it by the
26 Council, the Provost or the Academic Board;

27 (iii) The Dean shall be the Chairman of the School Board;

28 (iv) The Dean shall be elected from among the Academic Staff not
29 below the rank of Chief Lecturer in that School for a tenure of three years
30 and not immediately renewable.

1 (b)(i) There shall be a Departmental Board for each Department in the
2 College of Education made up of all the Academic Staff in that department;

3 (ii) The Departmental Board shall deal with academic matters and any
4 other matter of interest to the Department;

5 (iii) The Head of Department shall be Chairman of the Departmental
6 Board;

7 (iv) The Head of Department shall be elected from among the
8 Academic Staff not below the rank of Senior Lecturer in that department for a
9 tenure of three years and not immediately renewable.

10 (c) Where there is no qualified candidate for the position of Dean or
11 Head of Department, the Provost shall appoint an Acting Dean not below the
12 rank of Senior Lecturer or Acting Head of Department not below the rank of
13 Lecturer I for a period of one year in the first instance and renewable once and
14 no more;

15 (d) Nothing in this Bill shall prevent the Management Committee and
16 Boards from making supplementary rules to guide their proceedings provided
17 such rules are not inconsistent with the provisions of this Bill.

Establishment
of the Congregation

18 **10.**-(a) There shall be for the College of Education, a Congregation
19 made up of both Academic and Senior non-teaching staff, who holds at least a
20 first degree or its equivalent;

21 (b) The Provost shall be the Chairman of the Congregation;

Power of Minister
over Council

22 (c) The Congregation shall meet at least once in a year.

23 **11.** Subject to the provisions of this Bill, the Minister may give to the
24 Council directives of a general character or relating generally to matters of
25 policy with regard to the exercise by the Council of its functions under this Bill,
26 and it shall be the duty of the Council to comply with such directives.

Office of Provost

27 **12.**-(1) There shall be a Provost of the College (in his Bill referred to
28 as "the Provost) who shall be appointed by the President, Commander-in-Chief
29 of the Armed Forces in accordance with the provisions of this section.

30 (2) Where vacancy occurs in the post of Provost, the Council shall-

1 (a) advertise the vacancy in a reputable journal or a widely read
2 newspaper in Nigeria specifying-

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

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

6 (b) constitute a Search Team consisting of-

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

9 (ii) two members of the Academic Board not below the rank of
10 Chief Lecturer/Professor;

11 (iii) two members of the academic community of the College not
12 below the rank of Principal Lecturer/Associate Professor/ Reader and not
13 members of Academic Board to be selected by the Academic Staff
14 Congregation to identify and draw up a short list of suitable persons who are
15 not likely to apply for the post for any reason whatsoever.

16 (3) A Joint Council and Academic Board Selection Committee
17 shall consist of-

18 (a) the Chairman of the Council;

19 (b) two members of the Council, not being members of the
20 Academic Board; and

21 (c) two members of the Academic Board not below the rank of
22 Chief Lecturer/Professor, who were not members of the Search Team, shall
23 consider the candidates and persons on the shortlists drawn up under
24 subsection (2) of this section through an examination of their curriculum
25 vitae and interaction with them and recommend, through the Council, to the
26 President, Commander-in-Chief of the Armed Forces, three candidates for
27 his consideration.

28 (4) The President, Commander-in-Chief of the Armed Forces shall
29 appoint as Provost one of the candidates recommended to him under the
30 provisions of subsection (3) of this section.

Tenure of and
Procedure for
the removal of
Provost

1 (5) Subject to this Bill and the general control of the Council, the
2 Provost shall be the Chief Executive of the College and shall be charged with
3 general responsibility for matters relating to the day-to-day management
4 operations of the College.

5 13.-(1) The Provost shall hold office for a period of 5 years only
6 beginning with the effective date of his appointment and on such terms and
7 conditions as may be specified in his letter of appointment.

8 (2) Where on the commencement of this Bill a Provost appointed
9 before the commencement of this Bill has held office-

10 (a) for less than five years, he shall be deemed to be serving his 5 years
11 single tenure and shall not have right for the renewal of his appointment for a
12 further term of four years;

13 (b) for more than five years and has more than 1 year to complete his
14 second term, the Council may allow him to serve as Provost for a further period
15 of one year only and thereafter he shall relinquish his post and be assigned other
16 duties in the College;

17 (c) for more than 5 years and has less than 1 year to complete his
18 second term, the Council may allow him to serve as Provost to complete his
19 second term and thereafter he shall relinquish his post and be assigned other
20 duties in the College.

21 (3) (a) The Provost may be removed from office by the Visitor on
22 grounds of gross misconduct or inability to discharge the functions of his
23 office as a result of infirmity of the body or mind after due consultation with the
24 Council and the Academic Board acting through the Minister of Education;

25 (b) When the proposal for the removal of the Provost is made, the
26 Council shall constitute a Joint Committee of Council and Academic Board
27 consisting of-

28 (i) three members of the Council one of whom shall be the chairman
29 of the Committee; and

30 (ii) two members of Academic Board, provided that where the ground

1 for the removal is infirmity of the body or mind, the Council shall seek
2 appropriate medical opinion.

3 (c) The Committee shall conduct investigation into the allegations
4 made against the Provost and shall report its findings to the Council;

5 (d) The Council shall where the allegations are proved inform the
6 Visitor who shall remove the Provost;

7 (e) There shall be no sole administrator in any Nigerian College of
8 Education;

9 (f) In any case of a vacancy in the office of the Provost, the Council
10 shall appoint an Acting Provost on the recommendation of the Academic
11 Board;

12 (g) An Acting Provost in all circumstances shall not be in office for
13 more than 6 months.

14 **14.**-(1) There shall be for the College Deputy Provost.

15 (2) The Council shall appoint the Deputy Provost from among the
16 Chief Lecturers in the college in one of the following ways that is-

17 (a) from a list of three candidates, in order of preference, submitted
18 by the Provost; or

19 (b) on the nomination of one candidate by the Academic Board
20 through election.

21 (3) The Deputy Provost shall-

22 (a) assist the Provost in the performance of his functions;

23 (b) act in the place of the Provost when the post of the Provost is
24 vacant or if the Provost is, for any reason, absent or unable to perform his
25 functions as Provost; and

26 (c) perform such other functions as the Provost or the Council may,
27 from time to time, assign to him.

28 (4) The Deputy Provost-

29 (a) shall hold office for a period of two years beginning from the
30 effective date of his appointment and on such terms and conditions as may

Office of the
Deputy Provost
and Functions,
Tenure and
Procedure of
Removal

1 be specified in his letter of appointment; and

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

3 (5) A Deputy Provost may be removed from office for good cause by
4 the Council acting on the recommendation of the Provost and Academic board.

5 (6) "Good cause" for the purpose of this section means gross
6 misconduct or inability to discharge the functions of his office arising from
7 infirmity of body or mind.

Other Principal
Officers

8 **15.** There shall be for the College, the following principal officers, in
9 addition to the Provost and Deputy Provost, that is-

10 (a) the Registrar;

11 (b) the Bursar; and

12 (c) the College Librarian,

13 who shall be appointed by the Council on the recommendation of the Selection
14 Board constituted under section 12 (3).

Functions of
Registrar and
Tenure

15 **16.**-(1) The Registrar shall keep the records and conduct the
16 correspondence of the Council and shall perform such other duties as the
17 Council subject thereto as the Provost may from time to time direct.

18 (2) The Registrar shall, in addition to the other duties conferred on
19 him by or under this Bill, be a Secretary to the Council, Secretary to Academic
20 Board and any committee of the Council and in his absence, the Council or any
21 such committee may appoint some other persons to act as Secretary. The
22 Registrar shall not vote on any question before the Council or count towards a
23 quorum.

24 (3) (a) A Registrar shall hold office for a single term of five years only
25 beginning from the effective date of his appointment and such terms and
26 conditions as may be specified in his letter of appointment;

27 (b) Where on the commencement of this Bill a Registrar appointed
28 before the commencement of this Bill has held office:

29 (i) for less than five years, he shall be allowed to complete the five
30 years specified in his appointment letter and shall not have right for the renewal

1 of his appointment for a further term of five years;

2 (ii) for more than five years and has more than 1 year to complete
3 his second term, the council may allow him to serve as Registrar for a further
4 period of one year only and thereafter he shall relinquish his post and be
5 assigned other duties in the College;

6 (iii) for more than five years and has less than 1 year to complete his
7 second term, the council may allow him to serve as Registrar for a further
8 period of one year only and thereafter he shall relinquish his post and be
9 assigned other duties in the College.

Functions of
Bursar and Tenure

10 **17.-(1)** The Bursar shall be the Chief Financial Officer of the
11 College and be responsible to the Provost for the day-to-day administration
12 and control of financial affairs of the college.

13 (2) (a) A Bursar shall hold office for a single term of five years only
14 beginning from the effective date of his appointment and such terms and
15 conditions as may be specified in his letter of appointment;

16 (b) Where on the commencement of this Bill a Bursar appointed
17 before the commencement of this Bill has held office-

18 (i) for less than five years, he shall be allowed to complete the five
19 years specified in his appointment letter and shall not have right for the
20 renewal of his appointment for a further term of five years;

21 (ii) for more than five years and has more than 1 year to complete
22 his second term, The Council may allow him to serve as Bursar for a further
23 period of one year only and thereafter he shall relinquish his post and be
24 assigned other duties in the College;

25 (iii) for more than five years and has less than 1 year to complete his
26 second term, The Council may allow him to serve as Bursar for a further
27 period of one year only and thereafter he shall relinquish his post and be
28 assigned other duties in the College.

Functions of
College Librarian
and Tenure

29 **18.-(1)** The College Librarian shall be responsible to the Provost
30 for the administration of the College Library and co-ordination of the

1 Library services in the teaching units of the College.

2 (2) (a) A College Librarian shall hold office for a single term of five
3 years only and upon such terms and conditions as may be specified in his letter
4 of appointment;

5 (b) Where on the commencement of this Bill a College Librarian
6 appointed before the commencement of this Bill has held office-

7 (i) for less than five years, he shall be allowed to complete the five
8 years specified in his appointment letter and shall not have right for the renewal
9 of his appointment for a further term of five years;

10 (ii) for more than five years and has more than 1 year to complete his
11 second term, the Council may allow him to serve as College Librarian for a
12 further period of one year only and thereafter he shall relinquish his post and be
13 assigned other duties in the College;

14 (iii) for more than 5 years and has less than 1 year to complete his
15 second term, the Council may allow him to serve as College Librarian to
16 complete his second term and thereafter he shall relinquish his post and be
17 assigned other duties in the College.

How a principal
Officer can resign

18 **19.** A Principal Officer may resign his appointment-

19 (a) in the case of the Provost, by notice to the Visitor;

Appointment of
Registrar, College
Librarian and
Bursar

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

21 **20.-(1)** (a) There shall be for the College, a Selection Board which
22 shall consists of-

23 (i) the Chairman of the Council;

24 (ii) the Provost;

25 (iii) four members of the Council not being members of Academic
26 Board; and

27 (iv) two members of Academic Board.

28 (b) The functions, procedure and other matters relating to the
29 Selection Board constituted under subsection (i) of this section shall be as the

1 **24.**-(1) The Council shall establish and maintain a fund which shall be
2 applied towards the promotion of the objectives specified in this Bill.

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

5 (a) such sums as may from time to time be granted to the Council by
6 the Government of the Federation;

7 (b) all monies raised for the purposes of the Council by way of gifts,
8 grants-in-aid or testamentary dispositions;

9 (c) all subscriptions, fees and charges for services rendered by the
10 Council and all other sums that may accrue to the Council from any source.

11 (3) The Council shall submit to the Minister, not later than 3 months
12 before the end of each financial year or at least at such other time as he may
13 direct, an estimate of its revenue and expenditure for the succeeding financial
14 year.

Power to accept
gifts

15 **25.**-(1) The Council may accept gifts of land, money or other property
16 upon such terms and conditions, if any, as may be specified by the person
17 making the gift.

18 (2) The Council shall not accept any gift if the conditions attached by
19 the person making the gift are inconsistent with the functions of the
20 Council.

Accounts and
Audit

21 **26.** The Council shall keep proper accounts of its receipts, payments,
22 assets and liabilities and shall in respect of each year cause the accounts to be
23 audited.

Annual Reports
of Operations,
Finance and Audit

24 **27.** The Council shall soon after the expiration of each financial year
25 prepare and submit to the Minister, through NCCE a report of its activities
26 during the immediate preceding financial year and shall include in the report a
27 copy of the audited accounts of the College for that year and of the auditor's
28 report on the accounts.

Offices and
premises

29 PART III - MISCELLANEOUS AND SUPPLEMENTARY

30 **28.**-(1) For the purpose of providing offices and premises necessary

1 for the performance of its functions, the Council may-

2 (a) purchase any interest in or take on lease any land; and

3 (b) build, equip and maintain offices and premises.

4 (2) The Council may, with the approval of the Minister, sell any
5 interest in or lease any land, offices or premises held by it and no longer
6 required for the performance of its functions.

Discipline of
students

7 **29.**-(1)The Council may make rules providing for the Provost to
8 conduct enquiries into alleged breaches of discipline (including lack of
9 diligence) by students and such rules may make different provisions for
10 different circumstances.

11 (2) The rules shall provide for the procedure and rules of evidence
12 to be followed at enquiries under this section.

13 (3) Subject to the provisions of subsection (1) of this section, where
14 it is proved during the enquiry that any student of the College has been found
15 guilty of misconduct, the Provost may, without prejudice to any other
16 disciplinary powers conferred on him by this Bill or any regulations made
17 thereunder, direct-

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

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

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

26 (d) that the student shall be expelled from the College.

27 (4) Where there is temporarily no Provost or where the Provost
28 refuses to apply any disciplinary measures, the Council may, either directly
29 or through some other staff, apply such disciplinary actions as are specified
30 in subsection (3) of this section to any student of the College who is guilty of

1 misconduct.

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

9 (6) The fact that an appeal from a decision is brought in pursuance of
10 the last foregoing subsection shall not affect the operation of the decision while
11 the appeal is pending, except the Council direct otherwise.

12 (7) The Provost may delegate his powers under this section to a
13 disciplinary committee, consisting of such members of the College as he may
14 nominate.

15 (8) Nothing in this section shall be construed as prevention or
16 restriction or termination of a student's activities at the College otherwise than
17 on the ground of misconduct.

18 (9) It is hereby declared that a direction under subsection (3) (a) of this
19 section may be combined with a direction under subsection (3) (b) of this
20 section.

21 (10) In all cases under this section, the decision of the Council shall be
22 final unless reversed by the Minister on appeal by the student.

Interpretation

23 **30.** In this Act, unless the context otherwise requires-
24 "Chairman" means the Chairman of the Council;
25 "College" means any of the Federal College of Education specified in Schedule
26 1 to this Bill;
27 "Council" means the Governing Council of the College established by or
28 pursuant to section 1 of this Act;
29 "Provost" means the Provost of a College appointed under section 9 of this Act;
30 "function" includes powers and duties;

1 "Minister" means the Minister charged with responsibility for matters
2 relating to education;

3 "Member" means a member of the Council including the Chairman. Short title

4 **31.** This Bill may be cited as the Federal College of Education
5 Usugbenu, Irrua, Edo State (Est, etc.) Bill, 2019.

6 SCHEDULE

7 *Section 3 (3)*

8 SCHEDULE I

9 SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL, ETC

10 *Terms of Service*

11 *Remuneration of Council Members*

12 1. There may be paid to the members of the Council or any
13 Committee, such remuneration and allowances as may from time to time be
14 determined by the President, Commander-in-Chief of the Armed Forces.

15 *Vacancy of Council Seat*

16 2. Where a vacancy occurs in respect of the membership specified
17 in section 3 (1) (a) and (2) (d), it shall be filled by the appointment of a
18 successor to hold offices for the remainder of the term of office of his
19 predecessor.

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

23 *Proceedings*

24 4.-(1) The Council shall meet for the conduct of business at such
25 times, places and on such days as the Chairman may appoint but shall meet
26 not less than once in every three months.

27 (2) The Chairman may at any time and shall, at the request in
28 writing of not less than 6 members, convene a meeting of the Council.

29 (3) At any meeting of the Council the Chairman shall preside but in
30 his absence, members present shall elect one of their members to preside at

1 the meeting.

2 (4) Where the Council desires to obtain the advice of any person on
3 any particular matter, the Council may co-opt persons who are not members of
4 the Council but persons co-opted shall not be entitled to vote at a meeting of the
5 Council.

6 (5) The quorum of the Council shall be one half of the total members
7 of the Council at least one of whom shall be a member appointed by the
8 President, Commander-in-Chief of the Armed Forces.

9 (6) Decisions of the Council shall be made on approval by a simple
10 majority of members.

11 *Miscellaneous*

12 5.-(1) The fixing of the seal of the College shall be authenticated by
13 the signature of the Chairman, Provost and some other members of the Council
14 authorized generally or specially by the Council to act for that purpose.

15 (2) Any contract or instrument which, if made or executed by a person
16 other than a body corporate would not be required to be under seal may be made
17 and executed on behalf of the College by any person generally or specially
18 authorized to act for that purpose by the Council.

19 (3) Any document purporting to be duly executed under the seal of the
20 College shall be received in evidence and shall, unless the contrary is proved,

be presumed to be so executed.

EXPLANATORY NOTE

(This note does not form part of the above Act, but is intended to explain its purport)

This Bill seeks to establish the Federal College of Education Usugbenu, Irrua, Edo State. The functions of the College, amongst other things are:

(a) to provide full-time and part-time courses in teaching, instruction and training to produce middle and high level teachers in technology, applied sciences, commerce, arts, social sciences, humanities, Law and management;

(b) carry out research in the development and adaptation of techniques as the Council may, from time to time, determine.

The Bill also provides for the appointment of a Provost to be the Chief Executive of the College, Principal Officers and other members of staff.

Other provisions relate to the discipline of students, finances, pensions of staff and supplementary matters: schedule 1 to the Act prescribes the terms of service of members of the Council and proceedings thereof.