

NIGERIAN CIVIL DEFENCE ACADEMY PANDOGARI

(ESTABLISHMENT) BILL, 2020

ARRANGEMENT OF CLAUSES

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A BILL

FOR

AN ACT TO ESTABLISH NIGERIAN CIVIL DEFENCE ACADEMY TO SERVE AS AN INSTITUTION OF HIGH LEVEL MANPOWER DEVELOPMENT, WITH A MANDATE TO TRAIN CIVIL DEFENCE OFFICERS TO ACQUIRE AND ATTAIN THE HIGHEST STANDARDS OF PROFESSIONALISM AND AWARD SUCH CERTIFICATE AS MAY BE APPROVE BY THE RELEVANT ACADEMIC REGULATORY BODY FROM TIME TO TIME; AND FOR OTHER RELATED MATTERS

Sponsored by Sen. Mohammed Sani Musa

[] Commencement

ENACTED by the National Assembly of the Federal Republic of

Nigeria:

1 PART 1 - ESTABLISHMENT OF THE NIGERIAN CIVIL DEFENCE ACADEMY

2 1.-(1) There is established an Institution to be known as Nigerian
3 Civil Defence Academy Pandogari, Niger State (in this Bill referred to as
4 "the Academy") with powers to award relevant academic and professional
5 certificates in accordance with the highest academic standards as may be
6 prescribed by the relevant academic regulatory body.

Establishment
of Nigerian Civil
Defence Academy

7 (2) The Academy:

8 (a) shall be a body corporate with perpetual succession and a
9 common seal, and

10 (b) may sue or be sued in its corporate name.

11 2. The objects of the Academy is to:

12 (a) train and advance the skill of Civil Defence Officers by
13 equipping the officers to be combat ready at all time and to avail them with
14 opportunity of acquiring a higher and liberal education;

Objectives of
the Academy

15 (b) provide courses of instruction and other facilities for the pursuit

1 of teaching and learning on the rudiment of the service for effective service
2 delivery;

3 (c) nurture, equip and produce globally competitive Civil Defence
4 graduates with requisite knowledge, skills, and attitudes suitable for
5 leadership, scholarship, policing and community service;

6 (d) encourage, conduct and promote scholarship and research in
7 relevant fields of learning and human endeavour;

8 (e) relate its activities to the security, social, cultural and economic
9 needs of the people of Nigeria;

10 (f) attract top quality staff of international standard and create a centre
11 of excellence in the fields of study undertaken by the academy;

12 (g) do anything relevant to the development and maintenance of
13 sustainable prestige in the world of learning and best of traditions in Civil
14 Defence professionalism; and

15 (h) to undertake any other activity appropriate for any certificate
16 awarding Academy of the highest standard.

Powers of the
Academy

17 3. For the purposes of carrying out its objects as specified in clause 2
18 of this Bill, the Academy shall:

19 (a) establish such colleges, faculties, institutions, schools and
20 departments and other teaching and research units within the Academy as may
21 from time to time become necessary subject to the approval of the relevant
22 academic regulatory body;

23 (b) provide for the discipline and welfare of members of the Academy
24 except for discipline of Civil Defence Officers whose cases are to be decided
25 by the relevant body;

26 (c) hold examinations, award relevant certificates and distinctions to
27 persons who pursued a course of approved by the Academy and have satisfied
28 requirements laid by the Academy;

29 (d) institute and award fellowships, scholarships, exhibitions,

1 bursaries, medals, prizes and other titles, distinctions, awards, and other
2 forms of assistance;

3 (e) prescribe, from time to time, the conditions under which
4 persons shall be admitted to the Academy to undertake any course of study
5 or be allowed to continue in such course of study;

6 (f) withdraw from any of its beneficiary on what the Academy
7 deem to be good cause, any certificate, fellowship, studentship, bursary,
8 medal, prize or other academic titles conferred on him or her by the
9 Academy;

10 (g) demand and receive school fees from students, except students
11 from the Civil Defence Corp, or any Agencies that may be exempted from
12 time to time;

13 (h) subject to the provisions of the Land Use Act and with prior
14 written consent of the Federal Executive Council of the Federation, acquire,
15 hold, grant, charge or otherwise deal with or dispose of moveable and
16 immovable property wherever situate:

17 Provided that such consent shall not be required in the case of any
18 lease or tenancy, rack-rent for a term not exceeding twenty one years or any
19 lease or tenancy to a member of the Academy for residential purposes;

20 (i) enter into contracts, establish trusts, act as trustee, solely or
21 jointly with any person, and employ and act through agents;

22 (j) accept gifts, legacies and donations, but without obligation to
23 accept the same for a particular purpose unless it approves the terms and
24 conditions attached thereto;

25 (k) erect, provide, equip and maintain libraries, laboratories,
26 lecture halls, halls of residence, factories, sports grounds, playing fields and
27 other buildings necessary, suitable or convenient for the carrying out of the
28 objects of the Academy;

29 (l) hold public and inaugural lectures, symposia and seminars;

- 1 (m) undertake printing, publishing and selling of books and journals;
- 2 (n) invest any moneys of the Academy by way of endowment,
- 3 whether for general or special purposes as provided in this Bill;
- 4 (o) borrow, whether on interest or not and if need be upon the security
- 5 of any or all of the property moveable or immovable of the Academy, such
- 6 moneys as the Council may from time to time in its discretion find it necessary
- 7 or expedient to borrow or to guarantee any loan, advances or credit facilities;
- 8 and
- 9 (p) do such acts or things, whether or not incidental to the foregoing
- 10 powers, as may advance the objects of the Academy.

Bodies and
Officers of the
Academy

11 4.-(1) The Academy shall consist of the following:

12 (a) Academy Office: ...

13 (i) a Chancellor;

14 (ii) Chairman of Governing Council;

15 (iii) the Commandant;

16 (iv) the Academy Provost and a Senate; and

17 (v) the deputy Commandant (Academic);

18 (b) bodies:

19 (i) Governing Council;

20 (ii) Senate;

21 (iii) Congregation;

22 (iv) Academy Convocation; and

23 (v) Alumni and Cadets.

24 (c) Principal Officers:

25 (i) Registrar,

26 (ii) The Academy Provost,

27 (iii) Bursar,

28 (iv) Librarian,

29 (v) Director Academic Planning,

30 (vi) Director Physical Planning,

1 (vii) Director Health Services;

2 (viii) Deans of Faculties, Schools, Institutes, and Head of
3 Departments and other teaching and research units of the Academy as may
4 be specified by Council.

5 (2) The First Schedule to this Bill shall have effect with respect to
6 the principal and other officers of the Academy mentioned therein.

7 (3) Provision shall be made by Statute with respect to the
8 constitution of the following bodies, namely, the Governing Council,
9 Senate, Congregation and the Convocation.

10 5.-(1) There shall be a Chancellor for the Academy appointed by
11 the Visitor who shall, in relation to the Academy, take precedence before all
12 other members of the Academy and when present, shall preside at all
13 meetings of Convocation held for conferring certificates.

Appointment of
the Chancellor

14 (2) Where the chancellor is absent, the Academy Provost shall
15 preside over such meetings.

16 6.-(1) The Minister of Interior is the Chairman of the Governing
17 Council and in relation to the Academy takes precedence before members of
18 the Academy except the Chancellor and the Deputy Commandant
19 (Academic) when acting as Chairman of Congregation.

Chairman of the
Governing Council

20 (2) The Chairman of Council shall, when present, preside over all
21 meetings of the Governing Council.

22 (3) In the absence of the chairman, members present shall elect one
23 of its external members to preside over that particular meeting.

24 7. Subject to the provision of this Bill relating to the Visitor, the
25 Governing Council shall be the governing body of the Academy and shall
26 have responsibility for the general management of the affairs of the
27 Academy including appointment, promotion and discipline of all categories
28 of non-Civil Defence Officers as employees.

Governing
Council

29 8.-(1) The Governing Council shall:

30 (a) exercise control and superintendence over the policy, finances

Functions of the
Governing Council

- 1 and property of the Academy, including its public relations;
- 2 (b) appoint the Academy Provost and stipulate terms and conditions
- 3 of the appointment;
- 4 (c) consider and approve the terms and conditions of appointment and
- 5 remunerations of the Principal Officers and other non-Civil Defence staff of
- 6 the Academy;
- 7 (d) promote and discipline non-Civil Defence staff of the Academy on
- 8 the advice of the appropriate Committees;
- 9 (e) consider and approve the annual budget or estimates, and any
- 10 variation therein, as well as its external auditor's report;
- 11 (f) approve Senate recommendations for the appointment of emeritus
- 12 professors;
- 13 (g) appoint bankers and any other officers or agents who it deems
- 14 expedient to appoint and to cause proper books of account to be kept for all
- 15 sums received and expended by as well as the assets and liabilities of the
- 16 Academy;
- 17 (h) participate in the making, amendment or revocation of the statutes
- 18 of the Academy as required by the amendment clause of the Academy Law;
- 19 (i) make recommendations to the Visitor and act on his approvals;
- 20 (j) ensure that proper accounts of the Academy are kept and audited
- 21 annually by auditors appointed by Council;
- 22 (k) borrow money on behalf of the Academy;
- 23 (l) provide buildings, libraries, laboratories, premises, furniture,
- 24 apparatus and other equipment needed for carrying on the work of the
- 25 Academy pursuant to its objects;
- 26 (m) receive reports from the Senate on any matter relating to the
- 27 objects of the Academy;
- 28 (n) invest any money belonging to the Academy; and
- 29 (o) exercise all powers as may be conferred on the Council by this Bill
- 30 or by the statutes of the Academy and to carry into effect the provisions of this

1 Bill and the Academy statutes.

2 (2) The Council may delegate any of its powers or functions to any
3 person or persons, authority or committee except its powers relating to the
4 making, amending or revoking of the statute of the Academy.

5 9.-(1) The Council shall have the following standing committees:

Governing
Council Standing
Committee

6 (a) Finance and General Purposes Committee;

7 (b) Appointments, Promotions and Disciplinary Committee
8 (AP&DC);

9 (c) Tenders Board;

10 (d) Information and Publication Committee; and

11 (e) Security Committee.

12 (2) Provision shall be made by Statutes with respect to the
13 constitution and terms of reference of the Committees as deemed necessary.

14 (3) The Governing Council shall meet not less than four times in a
15 Calendar year and this is without prejudice to emergency or special
16 meetings.

17 10.-(1) There shall be a Commandant appointed by the Civil
18 Defence, Immigration and Prison Service Board on the recommendation of
19 the Commandant General of Civil Defence who shall, in relation to the
20 Academy, take precedence before all other members of the Academy except
21 the Chancellor and Chairman of the Governing Council and any other
22 person acting as Chairman of the Council.

Appointment
and functions of
Commandant

23 (2) Subject of this Bill, the Commandant shall have the general
24 function in addition to any other functions conferred on him by this Bill or
25 otherwise, of directing the activities of the Academy, and shall to the
26 exclusion of any other person or authority be the Chief Executive of the
27 Academy.

28 11.-(1) There shall be such numbers of Deputy Commandants and
29 Academy Provost as the Civil Defence, Fire, Immigration and Prison
30 Service Board may appoint.

Deputy
Commandant

1 (2) The Deputy Commandants shall assist the Commandant in
2 matters affecting the Academy.

3 (3) The Commandant while away from the Academy shall nominate
4 the most Senior deputy commandant to act for the Commandant in his absence.

5 (4) The Deputy Commandants shall be appointed by the Civil
6 Defence, Fire, Immigration and Prison Service Board on the recommendation
7 of the Commandant General of Civil Defence Corp.

Functions of
the Senate

8 12.-(1) Subject to the provisions of this Bill relating to the Visitor, the
9 Senate shall organize and control teaching and research at the Academy and the
10 admission, and discipline of Cadets on academic matters.

11 (2) Without prejudice to the generality of the provision of sub clause
12 (1) of this clause, the Senate shall, regulate:

13 (a) the establishment, organization and control of faculties and
14 departments and allocate responsibility to such faculties and departments;

15 (b) standards for the appointment and promotion of academic staff;

16 (c) the organization and control of courses of study and of the
17 examinations held in respect of such courses;

18 (d) the award of certificates, diploma and other qualification as may
19 be prescribed in connection with examinations held as aforesaid;

20 (e) the making of recommendations to the Governing Council with
21 respect to the award to any person of any deserving title;

22 ~~(f) participation in the selection of persons for admission as student
23 and cadet at the academy; and~~

24 (g) the grant of fellowship, scholarship, prize and similar awards in so
25 far as the awards are within the control of the Academy.

26 (3) The Senate may make regulations for the purpose of exercising
27 any function conferred on it by the provisions of sub clause (1) of this clause.

28 (4) The Senate may withdraw from any person any certificate,
29 diplomas or other award of the Academy which has been conferred upon him if
30 after due enquiry he is shown to have been guilty of dishonourable or

1 scandalous conduct in gaining admission into the Academy or obtaining that
2 award.

3 (5) The regulations made by the Senate shall provide that at least
4 one of the persons appointed as the external examiners at each examination
5 held in conjunction with any course of study is not a Lecturer at the
6 Academy but is a Lecturer of the branches of learning to which the course
7 relates at another University or other degree awarding institution of high
8 repute.

9 (6) The Senate shall consider other matters that may be referred to
10 it by the Governing Council.

11 13.-(1) The Senate shall have the following Standing Committees:

Senate Standing
Committees

12 (a) Academic Planning and Curriculum Development Committee;

13 (b) Library and Publications Committee;

14 (c) Ceremonies Committee;

15 (d) Research Grant Committee;

16 (e) Students' Welfare and Disciplinary Committee;

17 (f) Committee of Deans and Academic Directors;

18 (g) Sports Committee; and

19 (h) Business Committee.

20 (2) The Senate shall by Statute provide for the constitution and
21 terms of reference of the Committees established in Sub clause of this
22 Clause.

23 14.-(1) There shall be an Academy Provost appointed by the
24 Council who shall, in relation to the Academy, take precedence before all
25 other members of the Academy except the Chancellor and the Chairman of
26 Council, and the Commandant except in matters relating to the Senate.

Academy Provost

27 (2) Subject to the provisions of this Bill, the Academy Provost:

28 (a) must be a Professor;

29 (b) direct the academic activities of the Academy;

30 (c) shall, to the exclusion of any other person or authority, be the

1 academic officer and Chairman of the Senate and the Convocation in the
2 absence of the Chancellor.

3 (3) The Academy Provost shall be in charge of all academic matters
4 and shall be the Chairman of the Senate.

5 PART II - TRANSFER OF PROPERTY, ETC. TO THE ACADEMY

Academy
Property

6 15.-(1) All property held by or on behalf of the provisional Councilor
7 Planning and Implementation Committee (PIC) or any interim body by virtue
8 of this sub clause shall without further assurances vest in the Academy and be
9 held by it for the purposes of the Academy.

Second Schedule

10 (2) The provisions of the Second Schedule to this Bill shall have effect
11 with respect to matters arising from the transfer of property by this clause and
12 with respect to other matters mentioned in that Schedule.

13 PART III - STATUTES OF THE ACADEMY

Statutes of the
Academy

14 16.-(1) Subject to this Bill, the Academy may make statutes for any of
15 these purposes, that is to say:

16 (a) provision with respect to the composition and constitution of any
17 authority of the Academy;

18 (b) specifying and regulating the powers and duties of any authority
19 of the Academy, and regulating any other matters connected with the Academy
20 or any of its authorities;

21 (c) regulating the admission of Cadets where it is done by the
22 Academy, and their discipline and welfare;

23 (d) determining whether any particular matter is to be treated as an
24 academic or non-academic matter for the purpose of this Bill and any statute,
25 regulation or other instrument made there under; and

26 (e) make provision for any other matter for which provision by statute
27 is authorised or required by this Bill.

Cap. 123 LFN,
2004

28 (2) The Interpretation Act shall apply in relation to any statute made
29 under sub clause (1) of this clause as it applies to subsidiary instrument within
30 the meaning of section 19 (2) of Interpretation Act.

Procedure of
Statute

1 17.-(1) The powers of the Academy to make statutes shall be
2 exercised in accordance with the provision of this clause and not otherwise.

3 (2) A proposed statute shall not become law unless it has been
4 approved at a meeting of the:

5 (a) Senate by the votes of not less than two-thirds of the members
6 present and voting; and

7 (b) Governing Council by the votes of not less than two-thirds of
8 the members present and voting.

9 (3) A proposed statute may originate either in the Senate or in the
10 Council and shall be approved as required by sub clause (2) of this clause by
11 either one of those bodies before the other.

12 (4) A statute which:

13 (a) makes provisions for or alters the composition or constitution
14 of the Governing Council, the Senate or any other authority of the Academy;

15 (b) provides for the establishment of a new campus or college or for
16 the amendment or revocation of any statute whereby a campus or college
17 was established, shall not come into operation unless it has been approved
18 by the Minister.

19 (5) For the purpose of section 2 (1) of the Interpretation Act, a
20 statute shall be treated as being made on the date on which it is duly 2004
21 approved by the Governing Council after it is duly approved by the Senate,
22 or duly approved by the Governing Council, as the case may be or, in the
23 case of a statute falling within sub clause (4) of this clause on the date on
24 which it is approved by the Minister

25 PART IV - FINANCIAL PROVISIONS

26 18.-(1) The Academy shall establish an account into which shall be
27 paid the:

Funds of the
Academy

28 (a) budgetary allocation to the Academy from the Federal
29 Government;

30 (b) fees charged by the Academy, as provided for in this Bill or may

1 be provided from time to time;

2 (c) fees charged by the Academy in respect of students;

3 (d) fees, charges, dues or amount recoverable;

4 (e) revenue accruing to the Academy either by way of grant-in-aid or
5 endowment or otherwise;

6 (f) interests accruing from moneys invested;

7 (g) donations to the Academy from recognized sources; and

8 (h) accruing to the Academy from recognized sources.

9 (2) Revenue received by the Academy by way of endowments, gifts or
10 donations in aid of the finances of the Academy shall be entered in a register
11 kept for that purpose, showing the names of donors and any special conditions
12 were accepted.

13 (3) All property, money or funds donated for any specified purpose
14 shall be applied and administered in accordance with the purpose for which
15 they are donated and shall be accounted for separately.

16 (4) Any money withdrawn from the account established in sub-clause
17 (1) of this clause shall be applied for the purposes of the Academy.

Financial year
of the Academy

18 19. The Council shall fix the financial year for the purpose of
19 accounts of the Academy.

Keeping of proper
record of Account

20 20. The Governing Council shall keep proper accounts in respect of
21 the period of twelve months ending with the thirty-first day of December in
22 each year, and proper records in relation to those accounts, without prejudice to
23 any other requirement as to accounting or control imposed, whether by an
24 enactment or otherwise, with respect to the finances of the lands, endowments
25 and other property held by or for the purposes of the Academy.

Estimate of
income and
expenditure

26 21. The Council shall cause to be prepared annually a budget showing
27 the estimate of income and expenditure of the Academy for the ensuing
28 financial year and shall submit the same to the Governing Council not later than
29 three calendar months preceding the financial year, or such earlier date as the
30 Governing Council may request.

1 22. The Council shall cause to be prepared an Annual Report Annual Reports
2 which shall include the audited statement of the income and expenditure of
3 the Academy during the previous financial year and a statement of its assets
4 and liabilities as at the last day of the financial year.

5 23.-(1) The Council shall cause the accounts of the Academy to be Annual Audit
6 audited by external auditors appointed by the Council as soon as may be
7 after the end of each financial year or in manner prescribed by statute.

8 (2) The appointment, remuneration, functions, tenure of office and
9 other matters as the case may be, relating to the External Auditors, shall be
10 determined by the Council.

11 (3) The Council shall arrange for an internal audit system headed
12 by an officer of such status and reporting relationship as it may deem fit and
13 may make a statute for that purpose.

14 24. The Council shall arrange that all monies received on account Direction on
15 of the Academy shall be paid into such bank or banks as may be approved by Account opening
16 the Council to the credit of one of the accounts of the Academy opened or to
17 be opened with such bank or banks in accordance with the direction of the
18 Council.

19 PART V - SUPERVISION AND DISCIPLINE

20 25.-(1) The Visitor may as circumstances require, not being less Visitation of
21 than once every five years, conduct a visitation to the Academy and as deem the Academy
22 fit cause a visitation to the Academy to be conducted by such persons as the
23 Visitor may deem fit and in respect of any of the affairs of the Academy as
24 the need arises.

25 (2) It shall be the duty of the bodies and persons comprising the
26 Academy:

27 (a) to make available to the Visitor, and to other persons conducting
28 a visitation in pursuance of this section, such facilities and assistance as he or
29 they may reasonable require for the purposes of a visitation; and

30 (b) give effect to any instructions consistent with the provisions of

1 this Act which may be given by the Visitor in consequences of a visitation.

Removal of
Chairman and
Members of the
Council

2 26. If it appears to the Governing Council that:

3 (a) the Chairman; or

4 (b) a member of the Council;

5 should be removed from office on the ground of misconduct or inability to
6 perform the functions of his office, the Council shall make recommendation to
7 that effect to the Visitor, and the Visitor, after making such enquiries (if any) as
8 he considers appropriate, approves the recommendation, he may by an
9 instrument in writing signed by him, remove the person in question from office.

Removal of
Academy Provost
or Member of
Staff

10 27.-(1) If it appears to the Council that there are reasons for believing
11 that the Academy Provost or any other person employed as a member of the
12 staff of the Academy, should be removed from his employment on the ground
13 of misconduct or of inability to perform the functions of his office, the Council
14 shall:

15 (a) give notice, listing those reasons, to the person in question;

16 (b) set up a committee of the Council to investigate the matter and to
17 report on it to Council, provided that in the case of an academic staff, the
18 Committee shall be a joint Committee of Senate and Council;

19 (c) afford the person an opportunity of making representations in
20 person on the matter to the relevant Committee of Council and also to the
21 Council, if he so desires; and

22 (d) after considering the report of the investigation committee remove
23 him, if so recommended, by an instrument in writing signed on the directions of
24 the Council.

25 (2) Without prejudice to the provisions of this clause, if the person to
26 be so removed is a career Civil Defence Officer, the decision of the Council
27 shall be conveyed to the Commandant-General of Civil Defence Corp.

Suspension of
Staff of the
Academy

28 28.-(1) The Commandant may, in a case of misconduct by a member
29 of the staff, which in the opinion of the Academy Provost is prejudicial to the
30 interest of the Academy, suspend such member and any such suspension shall

1 forthwith be reported to the Council.

2 (2) For good cause, any member of non-Civil Defence staff may be
3 suspended from his duties or his appointment may be terminated by the
4 Council.

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

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

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

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

16 (d) 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
19 the Council, pursuant to this clause, decides to continue a person's
20 suspension or decides to take further disciplinary action against a person, the
21 Council shall, before the expiration of a period of three months from such
22 decision, come to a final determination in respect of the case concerning any
23 such person.

24 (4) Nothing in this Bill shall prevent the Council from making
25 regulations on the discipline of non-Civil Defence staff and workers of the
26 Academy as may be prescribed.

27 29. It shall be the duty of the person by whom an instrument of
28 removal is signed in pursuance of this Bill to use his best endeavours to
29 cause a copy of the instrument to be served, within 21 working days on the
30 person to whom it relates.

Duty serve
instrument of
removal

1 PART VI - MISCELLANEOUS AND GENERAL PROVISIONS

Disposal of land
of the Academy

2 30.-(1) The Council shall not dispose of or charge any lands or an
3 interest in any lands (including any lands transferred to the Academy by this
4 Bill) which are held by or on behalf of the Academy except with the prior
5 written consent, either general or special, of the Minister.

Cap. 15, LFN,
2004

6 (2) For the purposes of the Land Use Act which provides for the
7 compulsory acquisition of Land for public purposes, the purposes of the
8 Academy shall be deemed to be public purposes of the Federation.

Powers of the
Bodies established
under this Bill

9 31.-(1) A body of persons established by this Bill, shall have power to
10 appoint committees consisting of members of that body and subject to the
11 provisions of this Bill to authorise a committee established by it to exercise, on
12 its behalf, such of its functions as it may determine.

13 (2) Subject to sub clause (1) of this clause, any two or more of such
14 bodies may arrange for the holding of joint meetings of those bodies, or for the
15 appointment of committees consisting of members of those bodies for the
16 purpose of considering any matter within the competence of those bodies or
17 any of them, and either of dealing with it or of reporting on it to those bodies or
18 any of them.

19 (3) Except as may be otherwise provided by regulation, the quorum
20 and procedure of a committee established for meetings held in pursuance of
21 this clause shall be such as may be specified by the bodies which established
22 the committee or holding the meetings.

23 Nothing in the foregoing sub clauses shall be construed as:

24 (a) enabling the Council to empower any other body to make statutes;

25 (b) enabling the Senate to empower any other body to make
26 regulations or to award degree or other qualification.

Seal of the
Academy

27 32.-(1) The Seal of the Academy shall be such as may be determined
28 by the Council and the fixing of the seal of the Academy shall be signed by the
29 Commandant and the Registrar.

30 (2) Academic Certificates issued by the Academy shall have the

1 Academy seal fixed and signed by the Academy Provost and the Registrar.

2 (3) Any contract or instrument which, if made or executed by a
3 person not being a body corporate, would not be required to be under seal
4 may be made or executed on behalf of the Academy by any person
5 authorized.

6 (4) Any division established for the Academy and designated by
7 regulation as a faculty shall be organized in accordance with the provisions
8 of the Third Schedule to this Bill.

9 33.-(1) The Governing Council may make statutes regulating the
10 constitution and conduct of the Academy and regulating any authority or
11 matter connected with the Academy.

Powers of the
Council to make
Statute

12 (2) The Governing Council shall forward to the Minister any
13 proposed statute made within twenty-one days for approval, provided that
14 the statute shall not have effect unless it is approved by the Minister.

15 (3) The Academy shall have power to amend its statutes through
16 the following bodies who shall initiate, approve or ratify proposals for
17 amendment that emanate from the:

18 (a) Senate shall be passed by a two-third majority, after which it is
19 forwarded to Council for consideration and recommendation and thereafter
20 to the Minister for processing to the National Assembly for approval;

21 (b) Councilor duly forwarded by Senate to Council shall be passed
22 by a simple majority and duly forwarded to the Visitor for approval; and

23 (c) Visitor shall be passed by a simple majority.

24 34.-(1) Subject to the provisions of this Bill, the provisions of the
25 Public Officers Protection Act shall apply in relation to any suit instituted
26 against an officer or employee of the Academy.

Public Officers
Protection Act
Cap. P41 LFN,
2004

27 (2) Notwithstanding anything contained in any other enactment,
28 no suit against a member of the Governing Council or any principal officer or
29 any other officer or employee of the Academy done in pursuance or
30 execution of this Bill or any enactment or law, or of any public duty authority

1 in respect of any alleged neglect or default in the execution of this Bill or any
2 other enactment or law, duty or authority, shall lie or be instituted in any court
3 unless it is commenced:

4 (a) within three months next after the act, neglect or default
5 complained of; or

6 (b) in the case of a continuation of damage or injury, within six
7 months next after the ceasing thereof.

8 (3) A suit shall not be commenced against a member of the Governing
9 Council or any principal officer or any other officer or employee of the
10 Academy before the expiration of a period of one month after written notice of
11 the intention to commence the suit shall have been served on the Academy by
12 the intending plaintiff or his agent.

13 (4) The notice referred to in sub clause (3) of this clause shall clearly
14 and explicitly state the cause of action, the particulars of the claim, the name
15 and place of abode of the intending plaintiff and the relief which he claims.

Interpretation

16 35. In this Bill:

17 "Academic staff" means a member of staff of the Academy whose sole and
18 primary responsibility is teaching, research and community service;

19 "Academic year" means two semesters covered by a period not more than
20 twelve calendar months within which students must complete a level of study;

21 "Administrative staff" means those persons in the employment of the Academy
22 other than academic staff who hold administrative, professional or technical
23 posts;

24 "Alumni Association" means any association recognised by the Council as
25 being representative of graduates or former students of the Academy;

26 "Approving authority" means the Federal Executive Council;

27 "Council" means the Governing Council established under clause 7 of this Bill;

28 "Commandant" means the Commandant of the Nigerian Civil Defence
29 Academy, Pandogari;

30 "Cadet" means an undergraduate in training at the Academy to be a Civil

- 1 Defence Officer;
- 2 "Congregation" means the Congregation of the Academy established by
3 clause 4 of this Bill;
- 4 "Convocation" means an assemblage of all officers, Students, staff, alumni
5 and friends of the Academy for the purposes of conferring degrees, diplomas
6 and certificates and such other matters as may be prescribed from time to
7 time;
- 8 "Deputy Commandant" means the Deputy Commandant of Civil Defence
9 Academy, Pandogari;
- 10 "Graduate" means a person on whom a degree other than an honorary degree
11 has been conferred by the Academy;
- 12 "Good cause" means conviction by a competent Court, any physical or
13 mental incapacity, conduct of a scandalous or other disgraceful nature,
14 membership of a secret cult or being found at initiation ceremony of any
15 occult group or any other conduct which the Council considers to be such as
16 to render the person concerned unfit to continue to hold his office;
- 17 "Faculty" means any Faculty which may be established by the Academy;
- 18 "Formal meeting" means a meeting for which due notice is given;
- 19 "Functions" includes powers and duties;
- 20 "Instructors or lecturers" means a person holding a full time appointment as
21 a member of the teaching or research or instructing staff of the Academy;
- 22 "Minister" means the Minister of the Government of the Federation
23 responsible for Ministry of Interior;
- 24 "Professor" means a person designated as a professor of the Academy in
25 accordance with provision made in that behalf by Statute or by Regulation;
- 26 "Property" includes rights, liabilities and obligations; "Regulations" means
27 regulations made under the relevant provisions of this Bill;
- 28 "Senate" means the Senate established under clause 4 of this Bill;
- 29 "Statute" means a statute made by the Governing Council and having effect
30 in accordance with clause 16 of this Bill;

1 "Undergraduate" means a person undergoing a course of study at the Academy
2 pursuant to the acquisition of a first degree;

3 "Visitor" means the President, Commander in Chief of the Armed Forces of the
4 Federal Republic of Nigeria who is also the Proprietor of the Academy.

Citation

5 36. This Bill may be cited as Nigerian Civil Defence Academy
6 Pandogari (Establishment) Bill, 2020.

7 SCHEDULES

8 FIRST SCHEDULE

9 *Clause 4*

10 PRINCIPAL AND OTHER KEY OFFICERS OF THE ACADEMY

11 *The Chancellor*

12 1. The Chancellor shall be appointed by the Visitor for a term of four
13 years subject to renewal for another term of four years and no more.

14 2. The Chancellor shall take office on the date when notice of his
15 appointment is published in the Gazette of the Federal Republic of Nigeria and,
16 subject to provisions of this Bill, shall hold office for a maximum period of
17 eight years beginning with that date.

18 3. If it appears to the Visitor that the Chancellor should be removed
19 from office on the ground of misconduct or of inability to perform the functions
20 of his office, the Visitor may, by notice in the Federal Gazette, remove the
21 Chancellor from office.

22 *The Chairman of Governing Council*

23 4. The Chairman Governing Council shall be appointed or removed
24 from office by the Visitor.

25 *Commandant*

26 5.-(1) The Commandant shall be appointed by the Visitor on the
27 advice of the Civil Defence, Fire, Immigration and Prison Service Board
28 through the Commandant General of Civil Defence.

29 (2) The Commandant shall hold office for four years only.

Deputy Commandant

6.-(1) There shall be a Deputy Commandant.

(2) The Deputy Commandant shall assist and act on behalf of the Commandant in all matters relating to professional training of Civil Defence Officers in the Academy.

(3) The Deputy Commandant shall act for the Commandant in his absence.

(4) The Deputy Commandant shall be appointed by the Immigration and Prison Service Board on the advice of the Commandant General of Civil Defence.

(5) The supervision of the welfare of Cadets at the Academy and the regulation of their conduct.

(6) Determine what descriptions of dress shall be academic dress for purpose of the Academy, and regulating the use of the academic dress.

Academy Provost

7.-(1) The Academy Provost shall assist and act on behalf of the Commandant in all academic matters and shall be the chairman of the Senate and Congregation.

Procedure for Appointment

(2) The Academy Provost shall be appointed following an interview conducted for candidates of professorial rank by a committee composed of the Chairman of Council, 4 external members of Council, 2 persons representing Senate in Council and the Registrar as Secretary.

(3) Recommendations of the interview panel is presented to Council which, in turn, deliberates and makes a final decision on the candidate to be appointed as Academy Provost.

(4) The Academy Provost shall, be a member of the Council, Chairman of Senate, member of Faculty boards, institutes and any other bodies of the Academy set up by statute and or any Committee appointed by any of those bodies.

1 *Registrar*

2 8.-(1) There shall be a Registrar, who shall be responsible to the
3 Commandant for the day to day administration of the affairs (other than
4 financial affairs) of the Academy.

5 (2) The person holding the office of the Registrar shall, by virtue of
6 that office, be Secretary to Council, Senate, Congregation and Convocation.
7 The Registrar also serves as custodian of the seal and other legal documents of
8 the Academy.

9 *Bursar*

10 9. There shall be a Bursar who shall be the chief financial officer of the
11 Academy and shall be responsible to the Commandant for the day-to-day
12 administration and control of the financial affairs of the Academy.

13 *Librarian*

14 10. There shall be a Librarian who shall be responsible to the
15 Academy Provost for the administration of the Academy library and the
16 coordination of all library services in the Academy and its campuses, faculties,
17 schools, institutes, departments and other teaching and research units.

18 *Appointment*

19 11.-(1) The Principal Officers (Registrar, Bursar, Academy Provost
20 and Librarian) shall be appointed by the Council for a term of four years
21 renewable for another term of four years subject to performance evaluation.

22 (2) The Officers shall be appointed on such terms as to the
23 emoluments of their offices as may be specified in their respective instruments
24 of appointment.

25 (3) Any question as to the scope of responsibilities of the aforesaid
26 officers in paragraphs 5, 6 and 7 shall be determined by the Council.

27 *Other Key Officers*

28 12.-(1) There shall also be other key officers of directorate rank as
29 follows:

30 (a) Director of Academic Planning;

- 1 (b) Director of Physical Planning;
- 2 (c) Director of Health Services;
- 3 (d) Director of Student Affairs; and
- 4 (e) Director of Information Communication Technology.

5 (2) The officers shall be appointed by the Council.

6 *Resignation of Appointment*

7 13. Any officer mentioned in the foregoing provisions of this

8 Schedule may resign his office:

9 (a) in the case of the Chancellor and Chairman of Council, by

10 notice to the Visitor;

11 (b) in any other case, by notice to the Governing Council of which

12 the Council shall immediately notify the Civil Defence, Fire, Immigration

13 and Prison Service Board;

14 (c) in the case of the Commandant or the Deputy Commandant by

15 Notice to the Immigration and Prison Service Board; and

16 (d) in the case of any other non-Police officer, by notice to the

17 Council.

18 SECOND SCHEDULE

19 TRANSITIONAL PROVISIONS AS TO PROPERTY, FUNCTIONS, ETC.

20 *Clause 15*

21 *Transfer of Property to the Academy*

22 1. Without prejudice to the generality of clause 15 of this Bill, the

23 reference in that sub clause to property held by the Provisional Council shall

24 include a reference to the right to receive and give a good discharge for any

25 grant or contribution which may have been voted or promised the

26 Provisional Council Transfer of liabilities.

27 2.-(1) All debts and liabilities of the Provisional Council

28 outstanding shall become debts or liabilities of the Academy.

29 (2) All agreements, contracts, deeds, and other instruments to

30 which the Provisional Council was a party shall, so far as possible and

1 subject to any necessary modification, have effect as if the Academy had been a
2 party thereto in place of the provisional Council.

3 (3) Documents not falling within sub-paragraph (1) of this paragraph,
4 including enactments, which refer whether specially or generally to the
5 Provisional Council, shall be construed in accordance with that sub-paragraph
6 so far as applicable.

7 (4) Any legal proceedings or application to any authority pending by
8 or against the Provisional Council may be continued by or against the
9 Academy.

10 *Registration of Transfer of Property*

11 3. If the law in force at the place where any property transferred by this
12 Bill is situated provides for the registration of transfers or property of the kind
13 in question (whether by reference to an instrument of transfer or otherwise), the
14 law shall, so far as it provides for alterations of a register (but not for avoidance
15 of transfers, the payment of fees or any other matter) apply with the necessary
16 modifications to the transfer of the property is transferred by this Bill to furnish
17 the necessary particulars of the transfer to the proper officer of the registration
18 authority, and of that officer to register the transfer accordingly.

19 *First Meeting of Council and Senate*

20 4.-(1) The first meeting of the Council shall be convened by the
21 Chairman on such date and in such manner as he may determine.

22 (2) The first meeting of the Senate as constituted by this Law shall be
23 convened by the Academy Provost on such date and in such manner as he may
24 determine.

25 *Prior Appointments*

26 5.-(1) The persons who were members of the provisional council shall
27 be deemed to constitute the Council until the date when the Council set up
28 under the Third Schedule to this Bill shall be duly constituted.

29 (2) Any person who was employed by the Visitor or anybody acting
30 for him, the Academy or any other Interim body for the purpose of establishing

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the Academy before its approval may become the holder of an appointment at the Academy with the status, designation and functions which correspond as nearly as may be to those which appertained to him or her as a member of staff or as an employee of the Academy.

EXPLANATORY MEMORANDUM

This Bill seeks to establish Nigerian Civil Defence Academy to serve as an institution for high level manpower development, with a mandate to train Civil Defence Officers to acquire and attain the highest standards of professionalism and issue such certificate as may be approve by the relevant academic regulatory body from time to time.

