



THE SENATE
FEDERAL REPUBLIC OF NIGERIA

**FEDERAL COLLEGE OF EDUCATION BASSAMBIRI,
BAYELSA STATE (EST, ETC.) BILL, 2021
(SB: 755)**

A
BILL FOR
AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE FEDERAL
COLLEGE OF EDUCATION, BASSAMBIRI BAYELSA STATE AND FOR
OTHER MATTERS CONNECTED THEREWITH, (ESTABLISHMENT, ETC)
BILL 2021

FIRST READING

TUESDAY, 29TH JULY, 2021

SECOND READING

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TUESDAY, 16TH NOVEMBER, 2021

FEDERAL COLLEGE OF EDUCATION BASSAMBIRI, BAYELSA STATE [EST, ETC.] BILL, 2021



Arrangement of sections

1. Establishment of the Federal College of Education, Bassambiri Bayelsa State.
2. Functions of the College
3. Constitution and Principal Officers of the College
4. Powers of the Federal College of Education Bassambiri, Bayelsa State
5. Composition, Tenure and Powers of the Council of the College
6. Functions of the Council and its Finance and General Purpose Committee
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A

BILL FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE FEDERAL COLLEGE OF EDUCATION, BASSAMBIRI BAYELSA STATE AND FOR OTHER MATTERS CONNECTED THEREWITH, [ESTABLISHMENT, ETC, BILL 2021] [SB:755]

{ } Commencement.

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

PART I – CONSTITUTION AND FUNCTIONS OF THE COLLEGE AND ITS CONSTITUENT BODIES, ETC.

1. [1] There is established a body to be known as the Federal College of Education, Bassambiri Bayelsa State.
[a] which shall have such powers and exercise such functions as is conferred on it by this Bill.
[b] Which shall be a training institution for the development of teacher Education in the country.
Establishment of the Federal College of Education, Bassambiri Bayelsa State.

2. The functions of the College shall be-
[a] to provide full-time and part-time courses in teaching, instruction and training to produce middle and high level teachers-
[i] in technology, sciences/applied sciences, commerce, arts, social sciences, humanities and management; and
[ii] in such other fields of applied learning relevant to the needs of the development of Nigeria in the areas of industrial and agricultural production and distribution and for research in the development and adaptation of techniques as the Council may from time to time determine.
[b] to conduct courses in education for qualified teachers;
[c] to arrange conferences, seminars, inaugural lectures and workshops relative to the fields of learning specified in paragraph [a] of this clause; and
[d] to perform such other functions as in the opinion of the Council may serve to promote the objectives of the College.
Functions of the College

3. [1] The College shall consist of: -
[a] A Provost;
[b] Deputy Provost
[c] Academic Board;
[d] the persons holding the offices constituted by the First Schedule to this Bill other than those mentioned in paragraphs [a] to [c] of this subclause;
Constitution and Principal Officers of the College

[e] All holders of National Certificate in Education [NCE] and those undergoing other certifications in the College; and

[f] all other persons who are members of the College in accordance with provisions made by Regulation in that behalf.

[2] The First Schedule to this Bill shall have effect with respect to the principal officers of the College.

[3] Subject to Clause 5 of this Bill provision shall be made by Regulation with respect to the constitution of the Council, the Academic Board.

4. [1] For the carrying out of its objects as specified in Clause 2 of this Bill, Federal College of Education, Bassambiri, Bayelsa State shall have power:

Powers of the Federal
College of Education
Bassambiri, Bayelsa
State

[a] to offer courses of instruction, training and research in Education and allied areas for the production of quality and skilled teachers required to teach at lower, middle and higher levels of Education in Nigeria in particular and the world at large.

[b] to establish such colleges, campuses, institutes, schools, departments and other teaching and research units within the College as may from time to time be deemed necessary or desirable subject to the approval of National Commission for Colleges of Education

[c] to institute and award scholarships, exhibitions, bursaries, medals, prizes and other titles, distinctions, awards and forms of assistance;

[d] to provide for the discipline and welfare of members of the College;

[e] to hold examinations and grant, diplomas, certificates and other distinctions to persons who have pursued a course of study approved by the College and have satisfied such other requirements as the College may lay down;

[f] to demand and receive from any student or any other person attending the College for the purposes of instruction, such fees as the College may from time to time determine subject to the overall directives of the Minister;

[g] subject to Clause 20 of this Bill, to acquire, hold, grant, charge or otherwise deal with or dispose of movable and immovable property wherever it is situated;

[h] to accept gifts, legacies and donations, but without obligation to accept the same for a particular purpose unless it approves the terms and conditions attached thereto;

[i] to establish trusts, Bill as trustee, solely or jointly with any other person, and employ and Bill through agents;

[j] to erect, provide, equip and maintain libraries, laboratories, workshops, lecture halls, halls of

residence, refectories, sports grounds, playing fields and other buildings or things necessary, suitable or convenient for any of the objects of the College;

[k] to hold public lectures and to undertake printing, publishing and book selling;

[l] subject to any limitations or conditions imposed by Regulation, to invest any moneys appertaining to the College by way of endowment it, not being immediately required for current expenditure in any investments or securities or in the purchase or improvement of land, with power from time to time, to vary any such investments to deposit any moneys for the time being not invested with any bank on deposit or current account;

[m] to borrow, whether on interest or not and if need be upon the security of any or all of the property, movable or immovable, of the College, such moneys as the Council may from time to time in its discretion find it necessary or expedient to borrow of to guarantee any loan, advances or credit facilities;

[n] to make gifts for any charitable purpose;

[o] to do anything which it is authorized or required by this Bill or by Regulation to do; and

[p] to do all such Bills or things, whether or not incidental to the foregoing powers, as may advance the objects of the College.

[2] Subject to the provisions of this Bill and of the Regulations and without prejudice to Clause 7[2] of this Bill, the powers conferred on the College by sub clause [1] of this Clause shall be exercisable on behalf of the College by the Council or by the Academic Board or in many other manners which may be authorized by the Regulation.

[3] The power of the College to establish further campuses and colleges within the College shall be exercisable by Regulation and not otherwise.

5. [1] The Council of the College shall consist of: -

[a] the Provost;

[c] the Deputy Provost[s];

[d] one person from the Ministry responsible for Education;

[e] four persons representing a variety of interests and broadly representative of the whole Federation to be appointed from:

[i] the Teacher's Registration Council;

[ii] Tertiary Education Trust Fund; and

[iii] two other persons, one of whom shall be a representative of the College host community.

Composition, Tenure
and Powers of the
Council of the College

[f] four persons appointed by the Academic Board from among its members;

[g] one person appointed by Academic Board from among its members.

[h] two persons representing the community appointed by the President.

[2] Persons to be appointed to the Council shall be of proven integrity, knowledgeable and familiar with the affairs and tradition of the College.

[3] The Council so constituted shall have a tenure of four years from the date of its inauguration provided that where a Council is found to be incompetent and corrupt, it shall be dissolved by the Visitor and a new Council shall be immediately constituted for the effective functioning of the College.

[4] The powers of the Council shall be exercised, as in this Bill and to that extent establishment circulars that are inconsistent with this Bill shall not apply to the College.

[5] The Council shall be free in the discharge of its functions and exercise of its responsibilities for the good management, growth and development of the College.

[6] The Council in the discharge of its functions shall ensure that disbursement of funds of the College complies with the approved budgetary ratio for –

[a] personnel cost;

[b] overhead cost;

[c] research and development;

[d] library developments; and

[e] the balance in expenditure between academic vis-à-vis non-academic Activities.

6. [1] Subject to the provisions of this Bill relating to the Visitor, the Council shall be the governing body of the College and shall be charged with the general control and superintendence of the policy, finances and property of the College.

[2] There shall be a committee of the Council, to be known as the Finance, and General Purposes Committee, which shall, subject to the directions of the Council, exercise control over the property and expenditure of the College and perform such other functions of the Council as the Council may from time to time delegate to it.

[3] Provision shall be made by Regulation with respect to the constitution of the Finance and General Purposes Committee.

[4] The Council shall ensure that proper accounts of the College are kept and that the accounts of the College are audited annually by an independent firm of auditors approved by the Council and

Functions of the
Council and its Finance
and General Purpose
Committee

that an annual report is published by the College together with certified copies of the said accounts as audited.

[5] Subject to this Bill and the Regulations, the Council and the Finance and General Purposes Committee may each make rules for the purpose of exercising any of their respective functions or of regulating their own procedure.

[6] Rules made under sub-Clause [5] of this Clause by the Finance and General Purposes Committee shall not come into force unless approved by the Council; and in so far and to the extent that any rules so made by that Committee conflict with any direction given by the Council, whether before or after the coming into force of the rules in question, the directions of the Council shall prevail.

[7] There shall be paid to the members respectively of the Council, the Finance and General Purposes Committee and of any other committee set up by the Council, allowances in respect of travelling and other reasonable expenses, at such rates as may from time to time be fixed by the Minister.

[8] The Council shall meet as and when necessary for the performance of its functions under this Bill and shall meet at least three times in every year.

[9] If requested in writing by any five members of the Council, the chairman shall within 28 days after the receipt of such request call a meeting of the Council.

[10] Any request made under sub-Clause [9] of this Clause shall specify the business to be considered at the meeting and no business not so specified shall be transacted at that meeting.

7. [1] There shall be established for the College a Board to be known as the Academic Board, which shall consist of the following members-

The Academic Board
and its functions

[a] the Provost of the College, who shall be the Chairman;

[b] all Heads of Academic Units;

[c] the College Librarian;

[d] not more than two members of the academic staff Congregation, other than Heads of Departments to be appointed by the congregation; and

[e] Deputy Provosts, Deans, Academic Directors/Coordinators, all Chief lecturers with Ph.D/Professors.

[2] The Academic Board shall be responsible for:

[a] the direction and management of academic matters of the College including the regulation of admission of students, the award of certificates, scholarships, teaching and research, prizes and

other academic distinctions;

[b] making periodic reports on such academic matters to the Council; and

[c] discharging any other functions which the Council may from time to time delegate to it.

8. [1] The Minister of Education shall be the Visitor of the College.

Visitation

[2] The Visitor shall, not less than one in every five years, conduct a visitation to the college or appoint a visitation panel consisting of not less than five experts to conduct the visitation.

9. [a] There shall be a Management Committee made up of all the Principal Officers of the College, all Deans and Directors in the College.

Establishment of
Management
Committee

[b] The Provost shall be the Chairman of the Management Committee.

[c] The Management Committee shall meet at least once in a month to discuss and take decisions on matters of general interest to the College.

10. [a] [i] There shall be a School Board for each school in the College of Education made up of all the Academic Staff in that School.

Establishment of
School/Departmental
Board.

[ii] The School Board shall deal with academic matters and any other matter of interest to the School or any matter assigned to it by the Council, the Provost or the Academic Board.

[iii] The Dean shall be the Chairman of the School Board.

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

[b][i] There shall be a Departmental Board for each Department in the College of Education made up of all the Academic Staff in that department.

[ii] The Departmental Board shall deal with academic matters and any other matter of interest to the Department.

[iii] The Head of Department shall be Chairman of the Departmental Board.

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

[c] Where there is no qualified candidate for the position of Dean or Head of Department, the Provost shall appoint an Acting Dean not below the rank of Senior Lecturer or Acting Head of Department not below the rank of Lecturer I for a period of one year in the first instance and renewable once and no more.

[d] Nothing in this Bill shall prevent the Management Committee and Boards from making

supplementary rules to guide their proceedings provided such rules are not inconsistent with the provisions of this Bill.

11. [a] There shall be for the College of Education, a Congregation made up of both Academic and Senior non-teaching staff, who holds at least a first degree or its equivalent. Establishment of the Congregation.
- [b] The Provost shall be the Chairman of the Congregation.
- [c] The Congregation shall meet at least once in a year.
12. Subject to the provisions of this Bill, the Minister may give to the Council directives of a general character or relating generally to matters of policy with regard to the exercise by the Council of its functions under this Bill, and it shall be the duty of the Council to comply with such directives. Power of Minister over Council
13. [1] There shall be a Provost of the College [in this Bill referred to as "the Provost] who shall be appointed by the President, Commander-in-Chief of the Armed Forces in accordance with the provisions of this clause. Office of Provost
- [2] Where vacancy occurs in the post of Provost, the Council shall-
- [a] advertise the vacancy in a reputable journal or a widely read newspaper in Nigeria specifying-
- [i] the qualifications of the person who may apply for the post; and
- [ii] the terms and conditions of service applicable to the post, and thereafter draw up a short list of suitable candidates for consideration.
- [b] constitute a Search Team consisting of-
- [i] a member of Council, not being a member of the Academic Board, as Chairman;
- [ii] two members of the Academic Board not below the rank of Chief Lecturer/Professor;
- [iii] two members of the academic community of the College not below the rank of Principal Lecturer/Associate Professor/ Reader and not members of Academic Board to be selected by the Academic Staff Congregation to identify and draw up a short list of suitable persons who are not likely to apply for the post for any reason whatsoever.
- [3] A Joint Council and Academic Board Selection Committee shall consist of-
- [a] the Chairman of the Council;
- [b] two members of the Council, not being members of the Academic Board; and
- [c] two members of the Academic Board not below the rank of Chief Lecturer/Professor, who were not members of the Search Team, shall consider the candidates and persons on the shortlists drawn

up under subclause [2] of this clause through an examination of their curriculum vitae and interaction with them and recommend, through the Council, to the President, Commander-in-Chief of the Armed Forces, three candidates for his consideration.

[4] The President, Commander-in-Chief of the Armed Forces shall appoint as Provost one of the candidates recommended to him under the provisions of subclause [3] of this clause.

[5] Subject to this Bill and the general control of the Council, the Provost shall be the Chief Executive of the College and shall be charged with general responsibility for matters relating to the day-to-day management operations of the College.

14. [1] The Provost shall hold office for a period of 5 years only beginning with the effective date of his appointment and on such terms and conditions as may be specified in his letter of appointment.

Tenure of and
Procedure for the
removal of Provost.

[2] Where on the commencement of this Bill a Provost appointed before the commencement of this Bill has held office-

[a] for less than five years, he shall be deemed to be serving his 5 years' single tenure and shall not have right for the renewal of his appointment for a further term of four years;

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

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

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

[b] When the proposal for the removal of the Provost is made, the Council shall constitute a Joint Committee of Council and Academic Board consisting of-

[i] three members of the Council one of whom shall be the chairman of the Committee; and

[ii] two members of Academic Board, provided that where the ground for the removal is infirmity of the body or mind, the Council shall seek appropriate medical opinion.

[c] The Committee shall conduct investigation into the allegations made against the Provost and shall report its findings to the Council.

[d] The Council shall where the allegations are proved inform the Visitor who shall remove the

Provost.

[e] There shall be no sole administrator in any Nigerian College of Education.

[f] In any case of a vacancy in the office of the Provost, the Council shall appoint an Acting Provost on the recommendation of the Academic Board.

[g] An Acting Provost in all circumstances shall not be in office for more than 6 months.

15. [1] There shall be for the College Deputy Provost.

[2] The Council shall appoint the Deputy Provost from among the Chief Lecturers in the college in one of the following ways that is-

[a] from a list of three candidates, in order of preference, submitted by the Provost; or

[b] on the nomination of one candidate by the Academic Board through election.

[3] The Deputy Provost shall-

[a] assist the Provost in the performance of his functions;

[b] act in the place of the Provost when the post of the Provost is vacant or if the Provost is, for any reason, absent or unable to perform his functions as Provost; and

[c] perform such other functions as the Provost or the Council may, from time to time, assign to him.

[4] The Deputy Provost-

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

[b] may be re-appointed for a further period of two years and no more.

[5] A Deputy Provost may be removed from office for good cause by the Council acting on the recommendation of the Provost and Academic board.

[6] "Good cause" for the purpose of this clause means gross misconduct or inability to discharge the functions of his office arising from infirmity of body or mind.

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

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

[a] the Registrar;

[b] the Bursar; and

[c] the College Librarian,

who shall be appointed by the Council on the recommendation of the Selection Board constituted under clause 12 [3].

Other Principal Officers.

17. [1] The Registrar shall keep the records and conduct the correspondence of the Council and shall perform such other duties as the Council subject thereto as the Provost may from time to time direct.

Functions of Registrar
and Tenure.

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

[3] [a] A Registrar shall hold office for a single term of five years only beginning from the effective date of his appointment and such terms and conditions as may be specified in his letter of appointment.

[b] Where on the commencement of this Bill a Registrar appointed before the commencement of this Bill has held office:

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

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

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

18. [1] The Bursar shall be the Chief Financial Officer of the College and be responsible to the Provost for the day-to-day administration and control of financial affairs of the college.

Functions of Bursar and
Tenure

[2] [a] A Bursar shall hold office for a single term of five years only beginning from the effective date of his appointment and such terms and conditions as may be specified in his letter of appointment.

[b] Where on the commencement of this Bill a Bursar appointed before the commencement of this Bill has held office-

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

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

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

19. [1] The College Librarian shall be responsible to the Provost for the administration of the College Library and co-ordination of the Library services in the teaching units of the College.

Functions of College Librarian and Tenure

[2] [a] A College Librarian shall hold office for a single term of five years only and upon such terms and conditions as may be specified in his letter of appointment.

[b] Where on the commencement of this Bill a College Librarian appointed before the commencement of this Bill has held office-

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

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

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

20. A Principal Officer may resign his appointment-

How a principal Officer can resign

[a] in the case of the Provost, by notice to the Visitor;

[b] in any other case, by notice to the Council.

21. [1] [a] There shall be for the College, a Selection Board which shall consists of –

Appointment of Registrar, College Librarian and Bursar

[i] the Chairman of the Council;

[ii] the Provost;

[iii] four members of the Council not being members of Academic Board; and

[iv] two members of Academic Board.

[b] The functions, procedure and other matters relating to the Selection Board constituted under subclause [i] of this clause shall be as the Council may determine from time to time.

22. [1] The Council may appoint such other persons to be employees of the College as the Council may

Appointment of other

determine to assist the Provost and the Principal Officers of the College in the performance of their functions under this Bill. staff of the College that are not Principal officers

[2] Subject to the provisions of this Bill, the remuneration, tenure of office and conditions of service of the employees of the Council shall be determined by the Council in consultation with appropriate authorities.

[3] The Council may appoint such other persons to be employees of the College as the Council may determine to assist the Provost in the exercise of his functions under this Bill.

23. The remuneration, tenure of office and conditions of service of the Provost and other employees of the Council shall be determined by the Council, in consultation with the Head of the Civil Service of the Federation/Revenue Mobilization, Allocation and Fiscal Commission, National Salaries, Income and Wages Commission. Remuneration of Provost and other employees

24. [1] It is hereby declared that service in the College shall be approved service for the purposes of the Pensions Reform Act and accordingly, officers and other persons employed in the College, except Principal Officers shall, in respect of their service in the College, be entitled to pensions, gratuities and other retirement benefits as are prescribed thereunder, so however that nothing in this Bill shall prevent the appointment of a person to any office on terms which preclude the grant of a pension and gratuity in respect of that office. Pension Provision Act

[2] For the purposes of the application of the provisions of the Pensions Reform Act, any power exercisable thereunder by a Minister or other authority of the Government of the Federation [other than the power to make regulations under clause 23 thereof] shall be exercisable by the College and not by any other person or authority.

PART II – FINANCIAL PROVISIONS

25. [1] There shall be a general fund of the College which shall consist of the following: Establishment of College of Education Fund

[a] Annual budgetary allocation by the Federal Government through; Appropriation by the National Assembly

[b] grants-in-aid;

[c] fees;

[d] income derived from investments;

- [e] gifts, legacies, endowments and donations not accepted for a particular purpose;
 - [f] income derived from the exercise of any functions conferred or imposed on the University by this Bill;
 - [g] any other amounts, charges or dues recoverable by the College;
 - [i] revenue, from time to time, accruing to the University by way of subvention;
 - [j] interests on investments;
 - [k] donations and legacies accruing to the College from any source for the general or special purposes of the University; and
- [2] The general fund shall be applied for the purposes of the College.

26. [1] The Council may accept gifts of land, money or other property upon such terms and conditions, if any, as may be specified by the person making the gift. Power to Accept Gifts

[2] The Council shall not accept any gift if the conditions attached by the person making the gift are inconsistent with the functions of the Council.

27. The Council shall keep proper accounts of its receipts, payments, assets and liabilities and shall in respect of each year cause the accounts to be audited. Accounts and Audit

28. [1] All property held by or on behalf of the Provisional Council of the College shall, by virtue of this sub-Clause and without further assurance, vest in the College and be held by it for the purpose of the College. Transfer of Property

[2] The provisions of the Second Schedule to this Bill shall have effect with respect to, and to matters arising from, the transfer of property by this Clause and with respect to the other matters mentioned in that Schedule.

29. The Council shall soon after the expiration of each financial year prepare and submit to the Minister, through NCCE a report of its activities during the immediate preceding financial year and shall include in the report a copy of the audited accounts of the College for that year and of the auditor's report on the accounts. Annual Reports of Operations, Finance & Audit

PART III - MISCELLANEOUS AND SUPPLEMENTARY

30. [1] For the purpose of providing offices and premises necessary for the performance of its functions, the Council may- Offices Premises

- [a] purchase any interest in or take on lease any land; and
- [b] build, equip and maintain offices and premises.

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

31. [1] The Council may make rules providing for the Provost to conduct enquiries into alleged breaches of discipline [including lack of diligence] by students and such rules may make different provisions for different circumstances. Discipline of Student

[2] The rules shall provide for the procedure and rules of evidence to be followed at enquiries under this clause.

[3] Subject to the provisions of subclause [1] of this clause, where it is proved during the enquiry that any student of the College has been found guilty of misconduct, the Provost may, without prejudice to any other disciplinary powers conferred on him by this Bill or any regulations made thereunder, direct-

- [a] that the student shall not, during such period as may be specified in the direction, participate in such activities of the College, or make use of such facilities of the College, as he may specify; or
- [b] that the activities of the student shall, during such period as may be specified in the directions, be restricted in such manner as may be so specified; or
- [c] that the student be suspended for such period as may be specified in the direction; or
- [d] that the student shall be expelled from the College.

[4] Where there is temporarily no Provost or where the Provost refuses to apply any disciplinary measures, the Council may, either directly or through some other staff, apply such disciplinary actions as are specified in subclause [3] of this clause to any student of the College who is guilty of misconduct.

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

[6] The fact that an appeal from a decision is brought in pursuance of the last foregoing subclause

shall not affect the operation of the decision while the appeal is pending, except the Council direct otherwise.

[7] The Provost may delegate his powers under this clause to a disciplinary committee, consisting of such members of the College as he may nominate.

[8] Nothing in this clause shall be construed as prevention or restriction or termination of a student's activities at the College otherwise than on the ground of misconduct.

[9] It is hereby declared that a direction under subclause [3] [a] of this clause may be combined with a direction under subclause [3] [b] of this clause.

[10] In all cases under this clause, the decision of the Council shall be final unless reversed by the Minister on appeal by the student.

32. In this Bill, unless the context otherwise requires-

Interpretation

"Chairman" means the Chairman of the Council;

"College" means any of the Federal College of Education established by clause 1 of this Bill;

"Council" means the Governing Council of the College established by or pursuant to clause 1 of this Bill;

"Provost" means the Provost of a College appointed under clause 9 of this Bill;

"Function" includes powers and duties;

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

"Member" means a member of the Council including the Chairman.

33. This Bill may be cited as the Federal College of Education Bassambiri, Bayelsa State [Est, etc.] Bill, 2021. Short Title

SCHEDULE

SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL, ETC

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

[1] Where a vacancy occurs in respect of the membership specified in clause 3 [1] [a] and [2] [d], it shall be filled by the appointment of a successor to hold offices for the remainder of the term of office of his predecessor.

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

- [1] The Council shall meet for the conduct of business at such times, places and on such days as the Chairman may appoint but shall meet not less than once in every three months.
- [2] The Chairman may at any time and shall, at the request in writing of not less than 6 members, convene a meeting of the Council.
- [3] At any meeting of the Council the Chairman shall preside but in his absence, members present shall elect one of their members to preside at the meeting.
- [4] Where the Council desires to obtain the advice of any person on any particular matter, the Council may co-opt persons who are not members of the Council but persons co-opted shall not be entitled to vote at a meeting of the Council.
- [5] The quorum of the Council shall be one half of the total members of the Council at least one of whom shall be a member appointed by the President, Commander-in-Chief of the Armed Forces.
- [6] Decisions of the Council shall be made on approval by a simple majority of members.

SEAL OF THE COLLEGE

- [1] The fixing of the seal of the College shall be authenticated by the signature of the Chairman, Provost and some other members of the Council authorized generally or specially by the Council to act for that purpose.
- [2] Any contract or instrument which, if made or executed by a person other than a body corporate would not be required to be under seal may be made and executed on behalf of the College by any person generally or specially authorized to act for that purpose by the Council.
- [3] Any document purporting to be duly executed under the seal of the College shall be received in evidence and shall, unless the contrary is proved, be presumed to be so executed.

EXPLANATORY MEMORANDUM

The Core objective of the Bill is to provide a legislative framework to support the establishment of the Federal College of Education, Bassambiri, Bayelsa State to nurture career teachers with a view to augmenting shortfall of teachers and to meet learning, research, instructional and teaching needs of the prospective students of the host communities in particular and Nigeria as a whole. The legislative framework designed for the College, is to among other things offer Nigeria Certificate in Education [NCE] and other certification in the areas of its core objects of interest on both full-time and part-time basis.

THIS BILL WAS PASSED BY THE SENATE ON TUESDAY, 16TH NOVEMBER, 2021

.....
President,
Senate of the Federal Republic of Nigeria

.....
Clerk,
Senate of the Federal Republic of Nigeria