FEDERAL COLLEGE OF FORESTRY TECHNOLOGY AND RESEARCH,

AKAMKPA (ESTABLISHMENT, ETC.) BILL, 2019

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A BILL

FOR

AN ACT TO ESTABLISH THE FEDERAL COLLEGE OF FORESTRY TECHNOLOGY AND RESEARCH, AKAMKPA, TO PROVIDE FULL-TIME COURSES IN FORESTRY TECHNOLOGY, PRESERVATION, DEVELOPMENT AND OTHER FIELDS OF STUDIES AND TO MAKE PROVISIONS FOR THE GENERAL ADMINISTRATION OF THE COLLEGE AND FOR RELATED MATTERS

Sponsored by Senator Gershom Bassey

Commencement ENACTED by the National Assembly of the Federal Republic of Nigeria as follows: 1 1. There is hereby established the Federal Institute of Forestry, Establishment 2 Akamkpa specified in the First Schedule to this Act (in this Act severally of Federal College of Forestry, referred to as "the College") which shall have such powers and exercise such 3 Akamkpa 4 functions as are specified in this Act. 5 2.-(1) The functions of the college shall be Functions 6 (a) to provide full-time or part-time courses in forestry technology 7 training and award National and Higher National Diploma; 8 (b) to carry out research, training, extension and dissemination of 9 findings in forestry technology, development, applied science, commerce 10 and management; and 11 (c) to improve genetic resources of forest trees and ecosystem for 12 economic development; 13 (d) to improve silvicultural practices relating to forest trees of 14 - economic importance; 15 (e) to research on the control of pest and diseases of forest trees; 16 (f) to conduct research into the different suitable biological

•	1	materials and appropriate methods of control of ecological and environmental
	2	problems of the country in respect to desertification, soil erosion and
	. 3	deforestation;
	4	(g) to make suitable arrangements for the application of the result of
	. 5	the research work by the Federal, state governments and the private sector for
	6	the economic development of Nigeria;
	7	(h) to carry out such other fields of applied learning relevant to the
4.4	8	needs of the development of Nigeria in the area of industrial and agricultural
•	9	production and distribution and for research in the development and adaptation
	10	of forestry techniques as the Council may from time to time determine;
	. 11	(i) to arrange conferences, seminars and study groups relative to the
	. 12	fields of learning specified in section 2;
	13	(j) to perform such other functions as in the opinion of the Council
,	14	may serve to promote the objectives of the college
Establishment	15	3(1) There shall be established for the college a Council (hereafter in
and constitution of each Council,	· 16	this Act referred to as "the Council") which shall be a body corporate with
etc	17	perpetual succession and a common seal and may sue and be sued in its
	18	corporate name.
	19	(2) The Council shall consist of a Chairman and the following other
,	20	members, that is:
	21	(a) one person to represent the Ministry of Education;
	22	(b) one person to represent the Ministry of Agriculture;
	23	(c) one person with requisite knowledge and training in forestry
	24	. •
-	25	(d) one person to represent professional bodies whose disciplines are
	26	
	27	(e) one person selected from a Federal or State public utility statutory
	28	-
	29	(f) one person of standing in the community where the college i

situate;

*	1	Academic Board;
	2	(c) two members of the Academic Board not below the rank of Chief
	3	Lecturer, who were not members of the Search Team, shall consider the
	4	candidates on the short list drawn up under subsection (2) of this section
	- 5	through an examination of their curriculum vitae and interaction with them and
	6	recommend, through the Council, to the President, three candidates for his
	7	consideration.
	. 8	(4) The President shall appoint, as Rector, one of the candidates
•	9	recommended to him under the provisions of subsection (3) of this section.
	10	(5) Subject to this Act and the general control of the Council, the
	11	Rector shall be the Chief Executive of the college and shall be charged with
•	12	responsibility for matters relating to the day-to-day management operations of
	13	the college.
	14	(6) The Rector:
	15	(a) shall hold office for a period of four years beginning with the
	16	effective date of his appointment and on such terms and conditions as may be
	17	specified in his letter of appointment;
	18	(b) may be re-appointed for a further period of four years and no more.
Deputy Rector	19	9(1) There shall be for the college a Deputy Rector.
	20	(2) The Council shall appoint the Deputy Rector from among the
	21	chief lecturers in the college in one of the following ways:
	- 22	(a) from a list of three candidates, in order of preference, submitted by
	23	the Rector;
	24	(b) on the recommendation of a Selection Board constituted under
	. 25	this section for that purpose; or
	26	(c) on the nomination of the Rector.
	27	(3) The Selection Board referred to in subsection (2) of this section
	28	shall:
	29	(a) consist of:
	30	(i) the Chairman of the Council,

	i	services in the teaching units of the conege,
	2	(4) The Bursar or Librarian:
	- 3	(a) shall hold office for a period of five years in the first instance and
	4	on such terms and conditions as may be specified in his letter of appointment;
	5	(b) may be re-appointed for a further period of five years and no more.
	6	(5) Where on the commencement of this section, a Bursar or Librarian
	7	has held office:
	8	(a) for five years or less, he shall be deemed to be serving his first term
	9	of office and may be reappointed for a further term of five years;
	10	(b) for more than five years but less than ten years, he shall complete
	11	the maximum period of ten years and thereafter relinquish his post and be
	12	assigned other duties in the college;
	13	(c) for ten years or more, the Council may allow him to serve as
	14	Registrar for a further period of one year only and thereafter he shall relinquish
	15	his post and be assigned other duties in the college.
Resignation of	16	11. A principal officer may resign his appointment:
ppointment of principal officers	17	(a) in the case of the Rector, by notice to the Visitor;
	18	(b) in any other case, by notice to the Council.
Selection Board or other principal	19	12(1) There shall be, for each college, a Selection Board which shall
officers	20	consist of:
	21	(a) the chairman of the Council;
	22	(b) the Rector;
•	23	(c) four members of the Council not being members of the Academic
	24	Board;
	25	(d) two members of the Academic Board.
	26	(2) The functions and procedure and other matters relating to the
	27	Selection Board constituted under subsection (1) of this section shall be as the
	28	Council may, from time to time, determine.
Other employees of the College	29	13(1) The Council may appoint such other persons to be employees
	30	of the college as the Council may determine to assist the Rector and the

known as the Academic Board which shall consist of the following members:

Board

- (a) the Rector of the college, as the Chairman;
- (b) the Deputy-Rector of the college;
- (c) all Heads of Departments:

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•	l	(d) the college Librarian; and
	2	(e) not more than two members of the academic staff, other than heads
	3	of departments, who may be appointed by the Academic Board.
	4	(2) The Academic Board shall be responsible for:
	5	(a) the direction and management of academic matters of the college
	6	including the regulation of admission of students, the award of certificates and
	7	diplomas, scholarships, prizes and other academic distinctions;
	8	(b) the making to the Council of such periodic reports on such
	9	academic matter as the Academic Board may think fit or as the Council may
	10	from time to time direct; and
	11	(c) the discharge of any other functions which the Council may
	12	delegate to it.
	13	Tenure of Office
Removal from	14	16(1) If it appears to the Council that a member of the Council (other
of the Council	15	than an ex-officio member) or the Rector should be removed from office on the
office of members	16	ground of misconduct or inability to perform the functions of his office, the
	17	Council shall make a recommendation to that effect to the President, and if the
	18	President, after making such inquiries as he considers necessary, approves the
	19	recommendation, the President, shall, in writing, declare the office of such
	20	member vacant.
	21	(2) The President may remove any member of the Council if he is
	22	satisfied that it is not in the public interest or in the interest of the college that
	23	such member should continue as a member of the Council.
Removal and discipline of	24	17(1) If it appears to the Council that there are reasons for believing
academic, administrative	25	that any person employed as a member of the academic, administrative or
and technical staff	26	technical staff of the college, other than the Rector, should be removed from
	27	office on the ground of misconduct or inability to perform the functions of his
	28	office, the Council shall:
	29	(a) give notice of those reasons to the person in question;
	30	(b) afford him an opportunity of making representations in person on

I	the matter to the Council; and
2	(c) if he or any three members of the Council so request within the
3	period of one month beginning with the date of the notice, make
4	arrangements:
5	(i) if he is an academic staff, for a joint committee of the Council
6	and the Academic Board to investigate the matter and to report on it to the
7	Council; or
8	(ii) for a committee of the Council to investigate the matter, where
9	it relates to any other metaber of the staff of the college and to report on it to
10	the Council; and
11	(iii) for the person in question to be afforded an opportunity of
12	appearing before and being heard by the investigating committee with
13	respect to the matter, and if the Council, after considering the report of the
14	investigating committee, is satisfied that the person in question should be
15	removed as aforesaid, the Council may so remove him by an instrument in
16	writing signed on the directions of the Council.
17	(2) The Rector may, in a case of misconduct by a member of the
18	staff which in the opinion of the Rector is prejudicial to the interests of the
19	college, suspend such member and any such suspension shall forthwith be
20	reported to the Council.
21	(3) For good cause, any member of staff may be suspended from
22	office or his appointment may be terminated by the Council, and for the
23	purpose of this subsection, "good cause" means:
24	(a) any physical or mental incapacity which the Council, after
25	obtaining medical advice, considers to be such as to render the person
26	concerned unfit for the discharge of the functions of his office;
27	(b) any physical or mental incapacity which the Council, after
28	obtaining medical advice, considers to be such as to render the person
29	concerned unfit to continue to hold his office; or
30	(c) conduct of a scandalous or other disgraceful nature which the

1	Council considers to be such as to render the person concerned unfit to continue
2	to hold his office; or
3	(d) conduct which the Council considers to be such as to constitute
4	failure or inability of the person concerned to discharge the functions of his
5	office or to comply with the terms and conditions of his service.
6	(4) Any person suspended pursuant to subsection (2) or (3) of this
7	section, shall be placed on half pay and the Council shall before the expiration
8	of the period of three months after the date of such suspension consider the case
9	against that person and come to a decision as to:
10	(a) whether to continue such person's, suspension and if so on what
11	terms (including the proportion of this emoluments to be paid to him);
12	(b) whether to reinstate such person, in which case the Council shall
13	restore his full emoluments to him with effect from the date of suspension;
14	(c) whether to terminate the appointment of the person in question, in
15	which case such a person, will not be entitled to the proportion of his
16	emoluments withheld during the period of suspension; or
17	(d) whether to take such lesser disciplinary action against such person
18	(including the restoration of such proportion of his emoluments that might
19	have been withheld) as the Council may determine, and in any case where the
20	Council, pursuant to this section, decides to continue a person's suspension or
21	decides to take further disciplinary action against a person, the Council shall
22	before the expiration of a period of three months from such decision come to a
23	final determination in respect of the case concerning any such person.
24	(5) It shall be the duty of the person by whom an instrument of
25	removal is signed in pursuance of subsection (1) of this section, to use his best
26	endeavours to cause a copy of the instrument to be served as soon as reasonably
27	practicable on the person to whom it relates.
28	(6) Nothing in the foregoing provisions of this section shall prevent
29	the Council from making such regulations for the discipline of other categories
30	of staff and workers of the college as it may think fit.

ļ	Discipline	
2	18(1) Subject to the provisions of this section, where it appears to Discipling students	ne of
3	the Rector that any student of the college has been guilty of misconduct, the	
4	Rector may, without prejudice to any other disciplinary powers conferred on	
5	him by this Act or regulations made hereunder direct:	
6	(a) that the student shall not during such period as may be specified	
7	in the direction, participate in such activities of the college, or make use of	
8	such facilities of the college, as he may specify;	
9	(b) that the activities of the student shall, during such period as may	
10	be specified in the directions, be restricted in such manner as may be so	
11	specified;	
12	(c) that the student be suspended for such period as may be	
13	specified in the directions; or	
14	(d) that the student be expelled from the college.	
15	(2) Where there is temporarily no Rector or where the Rector	٠
16	refuses to apply any disciplinary measures, the Council, either directly or	
17	through some other staff, may apply such disciplinary actions as are	
18	specified in subsection (1) of this section to any student of the college who is	
19	guilty of misconduct.	•
20	(3) Where a direction is given under subsection (1) (c) or (d) of this	
21	section in respect of any student, the student may, within a period of 21 days	
22	from the date of the letter communicating the decision to him, appeal from	
23	the direction to the Council; and where such an appeal is brought, the	
24	Council shall, after causing such inquiry to be made in the matter as the	
25	Council considers just, either confirm or set aside the direction or modify it	
26	in such manner as the Council may think iit.	
27	(4) The fact that an appeal from a direction is brought in pursuance	
28	of subsection (3) of this section shall not affect the operation of the direction	
29	while the appeal is pending.	
30	(5) The Rector may delegate his power under this section to a	

	1	disciplinary committee consisting of such members of the college as he may
e.	2	nominate.
	3	(6) Nothing in this section shall be construed as preventing the
	4	restriction or termination of a student's activities at the college otherwise than
	5	on the ground of misconduct.
	6	(7) It is hereby declared that a direction under subsection (1)(a) of this
	7	section may be combined with a direction under subsection (1) (b) of this
	8	section.
	9	(8) In all cases under this section, the decision of the Council shall be
	10	final.
oiscipline of	11	19(1) If any junior staff is accused of misconduct or inefficiency, the
unior staff	12	Rector may suspend him for not more than three months and forthwith shall
	13	direct the Junior Staff Appointments and Promotions Committee:
	14	(a) to consider the case; and
	15	(b) to make recommendations as to the appropriate action to be taken
	16	by the Rector.
	17	(2) In all cases under this section, the officer shall be informed of the
	18	charge against him and shall be given reasonable opportunity to defend
	19	himself.
	20	(3) The Rector may, after considering the recommendation made
	21	pursuant to subsection (1) (b) of this section, dismiss, terminate, retire or down-
	22	grade the officer concerned.
	23	(4) Any person aggrieved by the Rector's decision under subsection
	24	(3) of this section, may within a period of 21 days from the date of the letter
	25	communicating the decision to him, address a petition to the Council to
	26	reconsider his case and the Council's decision thereon shall be final.
	27	(5) In any case of gross misconduct on the part of a junior staff, the
	28	Rector shall forthwith suspend him and thereafter refer the matter to the Junior
	29	Staff Appointments and Promotions Committee to be dealt with according to
	30	the foregoing provision of this section.

l	rinancial Provisions	
2	20(1) Each Council shall keep proper accounts and proper	Audits of accounts
3	records in relation thereto and shall cause to be prepared, not later than 1	
4	October in each financial year, an estimate of its revenue and expenditure for	
5	the ensuing financial year and when prepared, the estimate shall be	
6	submitted to the National Board for Technical Education for approval.	
7	(2) At the end of each financial year but not later than 30 June the	
8	Council shall cause to be prepared a statement of its income and expenditure	
9	during the previous financial year.	
10	(3) The statement of accounts referred to in subsection (2) of this	
11	section shall, when certified by the Rector, be audited by a firm of auditors	
12	appointed from the list and in accordance with the guidelines supplied by the	
13	Auditor-General of the Federation and shall be published in the annual	
14	report of the college.	
15	21. The funds of the Council shall include:	Funds of the Council
16	(a) fees charged by and payable to the Council in respect of	Council
17	students;	
18	(b) any other amounts due to or recoverable by the Council;	
19	(c) revenue from time to time accruing to the Council from the	
20	Federal Government by way of subvention, grant-in-aid, endowment or	
21	otherwise howsoever;	
22	(d) donations and legacies accruing to the Council from any source	
23	for the special purpose of the Council.	
24	22(1) Donations of money to be applied to any particular purpose	Donations for particular purpose
25	shall be placed to the credit of a special reserve account approved by the	1
26	Council until such time as they may be expended in fulfilment of such	
27	purpose.	
28	(2) No Council shall be obliged to accept a donation for a particular	
29	purpose unless it approves of the terms and conditions attached to such	
30	donation.	

grounds of religious belief to undertake any duty generally and uniformly

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1	imposed on all such persons or any group of them which duty, having regard	
2	to its nature and the special circumstances pertaining thereto is, in the	
3	opinion of the college, reasonably justifiable in the national interest.	
4	27. Subject to the provisions of paragraph 6 (2) of the Schedule to	Quorum and
5	this Act and any standing orders or bye-law made under this Act, the quorum	procedure of bodies establish under this Act
6	and procedure of any body of persons established by this Act shall be such as	
7	may be determined by that body.	
8	28. In this Act, unless the context otherwise requires:	Interpretation
9	"The Academic Board" means the board establish under section 10 of this	
10	Act;	
11	"The Appointm nts and Promotions Committee" means a body by that	-
12	name established under paragraph 3 (2) (a) of the Schedule to this Act;	
13	"College" means the Federal college of Forestry Technology and Research,	
14	Akamkpa;	
15	"The Junior Staff Appointments and Promotion Committee" means a body	
16	by that name set up under paragraph 3 (2) (b) of the Schedule to this Act;	
17	"The Minister" means the Minister charged with responsibility for matters	
18	relating to technical education;	
19	"The Registrar" means the Registrar of Federal college of Forestry	
20	Technology and Research, Akamkpa appointed under section 4 (1) of this	
21	Act.	
22	29. This Bill may be cited as the Federal College of Forestry	Short title
23	Technology and Research, Akamkpa (Establishment, etc.) Bill, 2019.	
24	Schedule	
25	[Section 7]	•
26	PUBLIC OFFICERS FOR THE PURPOSES OF THE CODE OF CONDUCT	
27	SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL	
28	Terms of office of members	
29	1(1) A member of the Council other than an ex-officio member	r
30	shall hold office for a period of three years beginning with the date on which	n

i	he was appointed and shart be engine for re-appointment for a further term of
2	three years and thereafter he shall no longer be eligible for re-appointment.
3	(2) Members of the Council holding office as specified in paragraph 1
4	(1) of this Schedule, shall be paid remuneration or allowance in accordance
5	with rates specified from time to time by the National Council of Ministers.
5	(3) A member of the Council holding office as specified in paragraph
7	1 (1) of this Schedule may by notice in writing to the Minister resign his office.
8	2(1) Where a vacancy occurs in the membership of the Council, that
9	vacancy shall be filled by the appointment of a successor to hold office for the
10	remainder of the term of office of his predecessor; so however that the
1 I	successor shall represent the same interest as his predecessor.
12	(2) The Council may act notwithstanding any vacancy in its
13	membership or the absence of any member or that a person not entitled to do so
14	took part in its proceedings.
15	Committees
16	3(1) The Council may appoint one or more committees to which it
17	may delegate any of its functions.
18	(2) Without prejudice to the generality to sub-paragraph (1) of this
19	Schedule, the Council shall appoint the following committees, that is:
20	(a) the Appointments and Promotions Committee which shall without
21	prejudice to section 7 (4) of this Act:
22	(i) consist of a chairman to be appointed by the Rector from members
23	of he senior staff of the college and four other members who shall be appointed
24	by the Council;
25	(ii) be charged with the responsibility for making recommendations
26	to the Council on the appointment and promotion of the academic and senior
27	staff of the college and have a quorum of three members;
28	(b) the Junior Staff Appointments and Promotions Committee which
29.	shall consist of a chairman and four other members to be appointed by the
30	Council and shall have the powers set out in sections 7(5) and 14 of this Act;

count towards quorum.

6(1) Every question put before the Council at a meeting shall be	
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decided by a simple majority of the members present and voting.	
3 (2) Seven members shall form a quorum at any meeting of the	2
4 Council	
5 (3) The Chairman shall at any meeting of the Council, have a vote and	l,
6 in the case of an equality of votes, may exercise a casting vote.	÷
7. Subject as aforesaid, the Council may make standing orders with	h
respect to the holding of meetings, the nature of notices to be given, the	ie
9 proceedings thereat, the keeping of minutes of such proceedings and the	ne
10 custody and production for inspection of such minutes.	
8. If the Chairman of the Council is absent from a meeting of t	he
Council, the members present shall elect one of their number to act as chairm	an
for the purposes of that meeting.	
Miscellaneous	
9. Any contract or instrument which if entered into by a person	not
heing a body corporate would not be require to be under seal, may n	ike
manner be entered into or executed on behalf of the Council by any per	son
generally or specifically authorized by it for that purpose.	· · · · · · · · · · · · · · · · · · ·
19 10(1) The common seal of the Council shall not be used or affixed	d to
20 any document except in pursuance of a resolution duly passed at a prop	erly
21 constituted meeting of the Council and recorded in the minutes of	such
22 meeting.	
23 (2) The fixing of the seal of the Council shall be authenticated b	y the
24 signature of the chairman of the Council and some other members autho	rized
25 generally or specifically by the Council to act for that purpose.	
26 (3) Any document purported to be a document duly executed	under
the seal of the Council shall be received in evidence and shall, unless	ss the
28 contrary is proved, be deemed to be so executed.	
29 11. Any member of the Council or a committee thereof who	has a
30 personal interest in any contract or arrangement entered into or proposed	i to be

- l considered by the Council or a committee thereof, shall forthwith disclose
- 2 his interest to the Council and shall not vote on any question relating to such
- 3 contract or arrangement.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal College of Forestry Technology and Research, Akamkpa to provide full-time courses in Forestry Technology and development to improve genetic resources of forest trees and ecosystem for economic development and Applied Science Management and other fields of studies and to make provisions for the general administration of the College.

