

# A BILL

## FOR

AN ACT TO ESTABLISH THE FEDERAL CAPITAL TERRITORY EDUCATION RESOURCE CENTRE CHARGED WITH THE RESPONSIBILITY TO, AMONG OTHER THINGS, PLAN AND IMPLEMENT CURRICULUM; MEASURE AND EVALUATE STUDENTS AND OTHER APPLICANTS FOR PLACEMENT INTO SCHOOLS UNDER THE ADMINISTRATION OF THE FEDERAL CAPITAL TERRITORY; AND FOR RELATED MATTERS

*Sponsors:*

- |                            |                             |
|----------------------------|-----------------------------|
| Hon. Benjamin Okezie Kalu  | Hon. Abubakar Hassan Fulata |
| Hon. Kama Nkemkanma        | Hon. Ahmed Adamu Saba       |
| Hon. Hammed Adewale Waheed | Hon. Aliyu WakiliBoya       |
| Hon. Rodney Ambasowei      |                             |

[ ] Commencement

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

- 1 PART I - ESTABLISHMENT, COMPOSITION, ETC. OF THE FEDERAL
- 2 CAPITAL TERRITORY EDUCATION RESOURCE CENTRE
- 3 1.-(1) There is hereby established for the Federal Capital Territory
- 4 and Education Resource Centre (in this Bill referred to as "the Centre").
- 5 (2) The Centre-
- 6 (a) shall be a body corporate with perpetual succession; and
- 7 (b) may sue and be sued in its corporate name.
- 8 2.-(1) The supervision of the Centre shall be under the department
- 9 responsible for Education in the Federal Capital Territory.
- 10 (2) The Centre shall be headed by a Director who shall be -
- 11 (a) the administrative and professional head of the Centre;
- 12 (b) an experienced public servant and education; and

Establishment of the Federal Capital Territory Education Resource Centre

Administration and supervision of the Centre

1 (c) appointed on merit by the Minister on the recommendation of the  
2 person responsible for Education in the Federal Capital Territory.

3 (3) There shall be a Secretary who shall be-

4 (a) in charge of the general administration and common services of  
5 the Centre; and

6 (b) a public servant, appointed on merit by the Minister on the  
7 recommendation of the person responsible for Education in the Federal Capital  
8 Territory.

9 (4) There shall be Deputy Directors who shall be responsible for-

10 (a) Curriculum Planning and Development Department;

11 (b) Measurement and Evaluation Department;

12 (c) Guidance and Counselling Department;

13 (d) Library Services Department;

14 (e) Planning, Research and Statistics Department;

15 (f) Education and Information Technology Department;

16 (g) Administration, Finance and Accounts Department; and

17 (h) such other departments as may be established from time to time.

Terms of officer  
of Director and  
other staff of the  
Centre

18 **3.** The Director and other staff of the Centre shall be public servants  
19 and shall hold office in accordance with the Public Service Rules.

20 **PART II - FUNCTIONS OF THE CENTRE**

Functions of the  
Centre

21 **4.** The Centre shall be charged with the responsibilities for -

22 (a) curriculum planning and implementation;

23 (b) the conduct of examinations for schools under the administration  
24 of the Federal Capital Territory;

25 (c) the admissions into schools under the administration of the  
26 Federal Capital Territory;

27 (d) measurement and evaluation for admission, placement,  
28 promotion and certification of the Junior Secondary School (JSS)  
29 Examinations and authentication;

30 (e) evaluation and authentication of local and international certificate

- 1 for government agencies;
- 2 (f) the printing of examinations certificate and other official
- 3 documents;
- 4 (g) the preparation and distribution of teaching schemes and
- 5 selection of school text books;
- 6 (h) the provision of guidance and counselling services to schools
- 7 and the general public;
- 8 (i) the development and provision of library services to schools and
- 9 the general public;
- 10 (j) the development and distribution of instructional and training
- 11 materials to schools;
- 12 (k) the conduct of research into topical educational issues and
- 13 publications;
- 14 (l) the provision of science, language, workshop/conference
- 15 facilities for schools, out of school learners and the general public;
- 16 (m) data collection, collation, analysis and dissemination of
- 17 research information on educational matters;
- 18 (n) printing and consultancy services in book review,
- 19 examinations, library, guidance, conference and general training matters;
- 20 and
- 21 (o) teacher training and retraining.

22 PART III - GENERAL ADMINISTRATION OF THE CENTRE

23 5.-(1) The general administration of the Centre shall be guided by

24 the National Policy on Education and the Public Service Rules.

General  
administration  
of the Centre

25 (2) The Director shall be the Head and accounting officer of the

26 Centre.

27 (3) The Secretary shall be the head of the general administration

28 and common services department.

29 6. The Centre shall have the power to appoint, promote and

30 discipline staff of the Centre in accordance with the Public Service Rules.

Appointment and  
discipline of staff

Delegation of duties 1 7. The Centre may delegate any of its duties under section 4 and 6 of  
2 this Bill to any of the heads of departments.

Pension Reform Act, 2004 3 8.-(1) It is hereby declared that the service in the Centre shall be  
4 approved service for the purpose of the Pension Reform Act 2004 and  
5 accordingly, employees of the Centre shall be entitled to pensions, gratuities  
6 and other retirement benefits as are prescribed under the Pension Reform Act.

7 (2) Notwithstanding the provisions of subsection (1) of this section,  
8 nothing in this Bill shall prevent the appointment of a person to any office on  
9 terms which preclude the grant of a pension, gratuity or other retirement benefit  
10 in respect of that office.

11 (3) For the purposes of the application of the provisions of the Pension  
12 Reform Act, any power exercisable by the Minister or other authority of the  
13 Federal Capital Territory Administration, other than the power to make  
14 regulations, is hereby vested in and shall be exercisable by the Management of  
15 the Centre and not by any other person or authority.

16 PART IV - FINANCIAL PROVISIONS

Funds of the Centre 17 9.-(1) The Centre shall establish and maintain a fund from which shall  
18 be defrayed expenditure incurred by the Centre.

19 (2) There shall be credited to the fund established pursuant to  
20 subsection (1) of this section such monies as may be provided by the Federal  
21 Capital Territory Administration with the approval of the Minister for the  
22 running of the Centre and all other assets accruing, from time to time, to the  
23 Centre.

Expenditure of the Centre 24 10. The Centre may from time to time, apply the proceeds of the fund  
25 of the Centre established in pursuance of section 9 of this Bill -

26 (a) to meet the administrative and operating costs of the Centre;

27 (b) for the purchase or acquisition of property, equipment and other  
28 capital expenditure and for the maintenance of any property acquired or vested  
29 in the Centre;

30 (c) for purposes of investment; and

1 (d) for or in connection with all or any of the functions of the Centre  
 2 under this Bill or its subsidiary legislation.

3 11.-(1) The Centre shall, not later than 30th September in each Annual estimates  
and account  
 4 year, submit through the person responsible for Education in the Federal  
 5 Capital Territory to the Minister an estimate of its expenditure and income  
 6 (including payments to the Centre) for the next succeeding year.

7 (2) The Centre shall keep proper accounts in respect of each year  
 8 and proper records in relation to those accounts and shall cause its accounts  
 9 to be audited within 6 months after the end of each year by auditors  
 10 appointed from the list and in accordance with the guidelines supplied by the  
 11 Auditor-General of the Federation.

12 12. The Centre shall prepare and submit through the department Annual reports  
 13 responsible for Education in the Federal Capital Territory to the Minister,  
 14 not later than 6 months after the end of each year, a report in such form as he  
 15 may direct on the activities of the Centre during the immediate preceding  
 16 year and shall include in such report a copy of the audited accounts of the  
 17 Centre for that year and the auditor's report on the accounts.

18 13.-(1) The Centre may, from time to time, borrow by overdraft or  
 19 otherwise such sums as it may require for the performance of its functions  
 20 under this Bill, upon the approval of the Minister.

21 (2) The Centre shall not, without the approval of the Minister, Power to borrow  
 22 borrow money which exceeds, at any time, the amount specified by the  
 23 Minister.

24 14. The Centre may, subject to the provisions of this Bill and the Investment,  
Cap. 449 LFN.  
 25 conditions of any trust created in respect of any property, invest all or any of  
 26 its funds in any securities prescribed by the Trustees Investment Act or in  
 27 such other securities as may, from time to time, be approved by the Minister.

28 PART V - LEGAL PROCEEDINGS

29 15.-(1) Subject to the provisions of the Bill, the provisions of the Limitation of suit  
against the Centre  
 30 Public Officers Protection Act shall apply in relation to any suit instituted

1 against an officer or employee of the Centre.

2 (2) Notwithstanding anything contained in any enactment, no suit  
3 against a member of the administrative team or any officer or any employee of  
4 the Centre for any act done in pursuance or execution of this Bill or any other  
5 enactment or law or any public duty or authority; or in respect of any alleged  
6 neglect or default in the execution of this Bill or any other enactment or law,  
7 duty or authority, shall lie or be instituted in any court unless it is commenced-

8 (a) within 3 months next after the act, neglect or default complained  
9 of; or

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

12 (3) No suit shall be commenced against a member of the  
13 administrative team or any other officer or employee of the Centre before the  
14 expiration of a period of 1 month after written notice of the intention to  
15 commence the suit shall have been served on the Centre by the intending  
16 plaintiff or his agent.

17 (4) The notice referred to in subsection (3) of this section shall clearly  
18 and explicitly state the cause of action, the particulars of the claim, the name  
19 and place of abode of the intending plaintiff and the relief which he claims.

Restriction on  
execution against  
property of the  
Centre

20 **16.** A notice, summons or other document required or authorized to  
21 be served on the Centre under the provisions of this Bill or any other enactment  
22 or law may be served by delivering it to the Director or by sending it by  
23 registered post addressed to the Director as the principal officer of the Centre.

Service of  
documents

24 **17.-(1)** In any action or suit against the Centre, no execution or  
25 attachment of process in the nature thereof shall be issued against the Centre  
26 unless not less than 3 months' notice of the intention to execute or attach has  
27 been given to the Centre.

28 (2) Any sum of money which by the judgement of any court has been  
29 awarded against the Centre shall, subject to any direction given by the court  
30 where notice of appeal against the judgement has been given, be paid from the

1 fund of the Centre.

2 18. A member of the administrative team or any officer or Indemnity of  
3 employee of the Centre shall be indemnified out of the assets of the Centre officers  
4 against any liability incurred by him in defending any proceeding, whether  
5 civil or criminal, if the proceeding is brought against him in his capacity as a  
6 member, Director, officer or other employee of the Centre.

7 19.-(1) A member of the administrative team or any officer or Secrecy  
8 employee of the Centre shall-

9 (a) not, for his personal gain, make use of any information which  
10 has come to his knowledge in the exercise of his power or is obtained by him  
11 in the ordinary course of his duty as a member of the administrative team or  
12 as an officer or employee of the Centre;

13 (b) treat as confidential any information which has come to his  
14 knowledge in the exercise of his power or is obtained by him in the  
15 performance of his duties under this Bill;

16 (c) not disclose any information referred to under paragraph (b) of  
17 this subsection, except when required to do so by a court or in such other  
18 circumstances as may be prescribed by the supervisory team, from time to  
19 time.

20 (2) Any person who contravenes the provisions of subsection (1) of  
21 this section commits an offence and is liable on conviction to imprisonment  
22 for a term of not exceeding 2 years or a fine not less than N20,000 or to both  
23 such imprisonment and fine.

24 20. The Minister may give to the Centre or the Director such Directives by the  
25 directives of a general nature or relating generally to matters of policy with Minister, etc.  
26 regard to the exercise of its or his functions as he may consider necessary  
27 and it shall be the duty of the Centre or the Director to comply with the  
28 directives or cause them to be complied with.

29 21. The Minister may, make such regulations as are necessary or Regulations  
30 expedient for giving full effects to the provisions of this Bill and for the due

1 administration of its provisions.

2 PART VI - MISCELLANEOUS PROVISIONS

Committees 3 22. The Centre shall, from time to time, constitute committees  
4 necessary for its functions.

Relationship  
with other bodies 5 23. The Centre shall maintain good working relationship with related  
6 national bodies, other States Education Resource Centres, examination bodies,  
7 universities, research institutions and other such bodies as may be useful to the  
8 enhancement of the performance of its functions.

Interpretation 9 24. In this Bill, unless the context otherwise requires-  
10 "administrative team" includes the Director and all Heads of Departments of  
11 the Centre;  
12 "Centre" means the Federal Capital Territory Education Resource Centre;  
13 "Director" means the Director of the Centre;  
14 "Management committee" of the Department responsible for Education  
15 comprises the person responsible for Education in the Federal Capital Territory  
16 as Chairman, and the Education Agencies/Boards which shall for the time  
17 being include the Director DPI, the Chairman SES, the Chairman USES, the  
18 Director AME, the Provost of the COE, the Director ERC, and the Director of  
19 Administration and Finance of the Department responsible for Education in the  
20 Federal Capital Territory;  
21 "Minister" means the Minister charged with the responsibility for the Federal  
22 Capital Territory;  
23 "staff" includes an officer or employee of the Centre; and  
24 "the person responsible for Education in the Federal Capital Territory" means  
25 the person appointed by the Minister to oversee the education sector in the  
26 Federal Capital Territory.

Citation 27 24. This Bill may be cited as the Federal Capital Territory Education  
28 Resource Centre (Establishment, etc.) Bill, 2023.



EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal Capital Territory Education Resource Centre charged with the responsibility to, among other things, plan and implement curriculum, measure and evaluate students and other applicants for placement into schools under the administration of the Federal Capital Territory.