

A BILL

FOR

AN ACT TO ESTABLISH FEDERAL COLLEGE OF EDUCATION ILORIN, KWARA STATE, TO PROVIDE FULL-TIME COURSES TEACHING, INSTRUCTION AND TRAINING IN TECHNOLOGY, APPLIED SCIENCE, ARTS, SOCIAL SCIENCES, HUMANITIES AND MANAGEMENT; AND TO PROVIDE FOR THE APPOINTMENT OF THE PROVOST AND OTHER OFFICERS OF THE COLLEGE TO CARRY OUT THE ADMINISTRATION AND THE DISCIPLINE OF STUDENTS OF THE COLLEGE AND FOR RELATED MATTER

Sponsored by Hon. Abdulganiyu Cook Olododo

[] Commencement

ENACTED by the National Assembly of the Federal Republic of Nigeria:

1 1.-(1) There is established the Federal College of Education, Ilorin
2 (Hereinafter referred to as the College").

Establishment
of Federal College
of Education,
Ilorin

3 (2) The College shall be a body corporate with perpetual
4 succession and Ilorin, State Kwara common seal and shall have power to
5 acquire and dispose of interest in movable and immovable properties.

6 (3) The College may sue and be sued in its corporate name.

7 2.-(1) The governance and direction of the College affairs shall rest
8 in the Governing Council of the College (in the Bill required to as "the
9 Council").

Governing Council
of the College

10 (2) The Council shall have the responsibility to consider and
11 approve:

12 (a) The plan of activities of the College;

13 (b) The Programme of studies, courses and research to be
14 undertaken in the College; and

15 (c) The annual estimates of the College;

16 (d) the investment plans of the College.

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

Membership of
Council/Tenure
of Members of
the Council

3 3.-(1) The Council of the College shall consist of a chairman
4 appointed by the President and the following other members:

5 (a) a representative of the Federal Ministry responsible for education;

6 (b) a representative of the University to which the College is affiliated
7 for the purpose of moderation;

8 (c) two representatives of the Academic Board of the College;

9 (e) a representative of the National Commission for Colleges of
10 Education; and

11 (f) the Provost of the College.

12 (2) A member of the Council (other than the ex-official members)
13 shall hold office for a term of four years and subject to the provision of
14 subsection (3) of this section shall be eligible for re-appointment for a further
15 period of four years and no more.

16 (3) The office of a member appointed under section 3 of this Bill shall
17 become vacant if:

18 (a) The member resigns in office by notice of writing under his hand
19 addressed to the Minister; or

20 (b) The Minister is satisfied that it is not in the interest of the College
21 for the person appointed to continue in office and notifies the member in
22 writing to that effect.

Functions of
the College

23 4. The functions of the College shall be:

24 (a) To provide full-time courses in teaching instruction and training:

25 (i) In technology, applied sciences, arts, social science, humanities
26 and management; and

27 (ii) In such other fields of applied learning relevant to the needs of
28 development of Nigeria;

29 (b) To conduct courses in Education for qualified teachers;

30 (c) To arrange conference, seminars and workshops relative to the

1 functions of the College; and

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

4 5. The Council of the College shall have power to:

Power of the
Council

5 (a) Hold examinations and grant NCE, Diplomas, Professional
6 Certificates and other distinctions to persons, who have pursued of study
7 approved and accredited by the National Commission for Colleges of
8 Education;

9 (b) Hold examinations in Education for qualified teachers;

10 (c) Recruit staff and determine structure of such staff;

11 (d) Demand and receive from any student or any other person
12 attending the College for the purpose of construction such fees as the
13 Council may with the prior approval of the Minister, from time to time
14 determine;

15 (e) Hold public lectures and undertake printing, publishing and
16 bookselling;

17 (f) Award fellowship, medals, prizes and other titles;

18 (g) Establish and maintain such schools and other teaching units
19 with the College or extra moral departments as the Council may from time to
20 time determine;

21 (h) Erect provide equip and maintain such educational recreational
22 and residential facilities as the College may require;

23 (i) Create lectureships and other academic post and offices and to
24 make appointment thereof; (j) Receive and make gifts;

25 (k) Enter into such contracts as may be necessary or expedients for
26 carrying into effects the objections of the College;

27 (l) Provide amenities for and make such other provision for the
28 welfare of the staff and students of the College;

29 (m) Encourage and make provision for research in the College;

30 (n) Do such acts and things whether or not incidental to the

1 foregoing power as may advance the objects of the College:

Visitor

2 6.-(1) The minister responsible for education shall be the visitor of the
3 College.

4 (2) The visitor shall, not less than once in every five years, conduct a
5 visitation to the College or appoint a visitation panels consists of not less than
6 five experts to conduct the visitation:

7 (a) For the purpose of evaluating the academic and administrative
8 performance of the College; or

9 (b) For such other purpose as the visitor may deem fit.

The Academic
Board and its
functions

10 7.-(1) There shall be established for the College a board to be known
11 as the Academic Board which shall consist of the following members:

12 (a) The Provost of the College as the chairman;

13 (b) All heads of departments;

14 (c) The College bursar;

15 (d) The College Librarian; and

16 (e) Not more than three members of the Academic staff other than the
17 heads of departments to be appointed by the Council. (2) The Academic Board
18 shall be responsible for:

19 (a) The direction and management of academic matters of the College
20 including the regulation of admission of students, the award of certificates,
21 scholarships, prizes and other academic distinction; and

22 (b) Discharging any other functions which the Council may from time
23 to time delegate to it.

Powers of the
Minister

24 8. The minister may give to the Council directions of the general
25 character or relating generally to matter with regard to the exercise by the
26 Council of its functions and it shall be the duty of the Council to comply with
27 such directions.

The Provost of
the College

28 9.-(1) There shall be a Provost for the College (herein after referred to
29 as "the Provost") who shall be appointed by the president on the
30 recommendation of the minister.

1 (2) Where a vacancy occurs in the post of the provost, the Council
2 shall:

3 (a) Advertise the vacancy in reputable widely read newspaper in
4 Nigeria specifying:

5 (i) The qualities of the person who may apply for the post;

6 (ii) The terms and conditions of service applicable to the post and
7 thereafter draw up a short list of suitable candidates for consideration of the
8 minister.

9 (3) The President shall appoint as provost one of the candidates
10 recommended by the minister.

11 (4) Subject to the general control of the Council the provost shall be
12 the chief executive of the College and shall be charged with general
13 responsibility for matters relating to the day-to-day management and
14 operations of the College.

15 (5) The Provost shall hold office for a period of five years only and
16 on such terms and conditions as may be specified in his letter of
17 appointment.

18 10.-(1) There shall be for the College two deputy provosts namely: Deputy Provost

19 (1) Deputy Provost (Academic) and the Deputy Provost
20 (Administration).

21 (2) The Council shall the deputy provosts from among the chief
22 lecturers in the College in any of the following ways, that is:

23 (a) From a list of five candidates in order of preference, submitted
24 by the provost;

25 (b) On the recommendation of a selection Board constituted for
26 their purpose; or (c) On the nomination of the provost.

27 (3) The selection Board referred to under subsection (2) (b) of this
28 section shall consist of:

29 (a) The Chairman of the Council;

30 (b) The Provost of the College;

1 (c) Two members of the Academic board; and
2 (d) Two members of the Council not being members of the Academic
3 Board.

4 (4) (a) The Deputy Provost (Academic) shall:

5 (i) assist the provost in the performance of his function in Academic
6 matters of the college;

7 (ii) act as the provost when the post of the provost is vacant or if the
8 provost is for any reason, absent or unable to perform his function.

9 (b) The Deputy Provost (Administration) shall:

10 (i) assist the provost in administrative matters of the college; and

11 (ii) perform such other functions as the provost or the council may
12 from time to time assign to him.

13 (5) Each of the deputy provosts shall hold office for a period of two
14 years and no more.

The Registrar
and other staff
of the College

15 **11.**-(1) There shall be a Registrar for the College to be appointed by
16 the Council.

17 (2) The Registrar shall keep the records and conduct the
18 correspondence of the Council;

19 (3) The registrar shall be the secretary to:

20 (a) The Council;

21 (b) The Academic Board; and

22 (c) Any Committee of the Council.

23 (4) The registrar may perform any duty as may be assigned to him by
24 the Council or the Provost.

25 (5) The Registrar shall hold office for a period of five years and no
26 more.

Other Principal
Officers of the
College

27 **12.**-(1) There shall be for the College in addition to the Registrar:

28 (a) The Bursar; and

29 (b) The College Librarian who shall be appointed by the Council.

30 (2) The Bursar shall be the chief financial officer of the College and be

1 responsible to the Provost for the day -to- day administration and control of
2 the financial affairs of the College.

3 (3) The College Librarian shall be responsible to the provost for the
4 administration of the College library and the coordination of the library
5 services in the teaching units of the College.

6 (4) The Bursar and the College librarian shall each hold office for a
7 period of five years and no more.

8 **13.** A principal officer of the College may resign his appointment:

9 (a) In case of the Provost by notice to the visitor; and

10 (b) In any other case by notice to the Council.

Resignation of
appointment of
Principal Officer

11 **14.**-(1) The Council may appoint other persons to be employees of
12 the College as the Council may deem to assist the Provost and the Principal
13 Officers in the performance of their functions.

Other employees
of the College

14 (2) The remuneration, tenure of office and condition of service of
15 the employees of the College shall be determined by the Council, in
16 consultation with the Federal Civil Service Commission.

17 **15.** Service in the College shall be approved service for the
18 purpose of pensions under any law regulating pensions and accordingly,
19 officers and other persons employed in the College shall be entitled to
20 pensions, gratuities and other retirement benefits as may be prescribed in
21 their respective letters of appointment.

Pensions

22 **16.**-(1) These shall be a selection Board for The College which
23 shall consist of:

Selection Board
for other Principal
Officers

24 (a) The Chairman of the Council;

25 (b) The Provost;

26 (c) Four members of the Council not being members of the
27 Academics Board; and

28 (d) Two members of the Academic Board.

29 (2) The functions, procedure and other matters relating to the
30 selection Board constituted under subsection (1) of this section shall be

1 determined from time to time by the Council.

Fund of the
College

2 17.-(1) The College shall establish and maintain a fund, which shall
3 be applied towards the promotion of the objection of this Bill.

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

6 (a) Such sums as may from time to time be granted by the Federal
7 Government through the National Commission for Colleges of Education;

8 (b) All monies raised by the Council by way of gifts, grants in aid or
9 test monetary disposition; and

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

12 (3) The Council shall submit to the minister, through the National
13 Commission for Colleges of Education not later than three months before the
14 end of each financial year or at such other time as he may direct an estimate of
15 its revenue and expenditure for the next succeeding financial year.

Power to accept
gift

16 18.-(1) The College may accept gifts of loan, money or of other
17 property upon such terms and conditions, of any as may be specified by the
18 person making the gifts.

19 (2) The College shall not any gift of the conditions attached to the gifts
20 are inconsistent with the functions of the College.

Account and
Audit

21 19. The College shall keep proper accounts of its receipt, payments,
22 assets and liabilities and shall in respect of each year cause the account to be
23 audited.

Annual Report

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

Discipline of
students

29 21.-(1) The Council may make rules providing for the Provost to
30 conduct enquiries into alleged breaches of discipline (including lack of

1 diligence) by students and such rules may make different provisions for
2 different circumstances.

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

5 (3) Subject to the provisions of subsection (1) of this section, where
6 it is proved during the enquiry that any student of the College has been guilty
7 of misconduct, the Provost may, without prejudice to any other disciplinary
8 powers conferred on him by this Act or any regulations made thereunder,
9 direct:

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

13 (b) that the activities of the student shall during such period as may
14 be specified in the directions, be restricted in such manner as may be so
15 specified;

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

18 (d) that the student be expelled from the College.

19 (4) Where there is temporarily no Provost or where the Provost
20 refuses to apply any disciplinary measures, the Council may, either directly
21 or through some other staff, apply such disciplinary actions as are specified
22 in subsection (3) of this section to any student of the College who is guilty of
23 misconduct.

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

1 (6) The fact that an appeal from a direction is brought in pursuance of
2 subsection (5) of this section shall not affect the operation of the direction while
3 the appeal is pending.

4 (7) The Provost may delegate his powers under this section to a
5 disciplinary committee consisting of such members of the College as he may
6 nominate.

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

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

Transitional and
Savings Provision

12 **22.-(1)** On the commencement of this Act, any person employed by or
13 serving in Kwara State College of Education Ilorin, shall be deemed to have
14 been employed or serving in the College established under this Act.

15 (2) All Assets or liabilities belonging to Kwara State College of
16 Education Ilorin shall be deemed to belong to the College established under
17 this Act.

Interpretation

18 **23.** In this Bill: "Chairman" means the chairman of the Council;
19 "College" means the Federal College of Education Ilorin established under
20 section (1) of this Bill;
21 "Council" means the Governing Council of the College established under
22 section 2 of this Bill;
23 "Function" includes power and duties;
24 "Minister" means the minister charged with responsibility of education;
25 "Member" means a member of the Council including the chairman;
26 "Provost" means the provost of the College established under section 10 of this
27 Bill.

Short title

28 **24.** This Bill may be cited as the Federal College of Education Ilorin,
29 Kwara State (Est.) Bill, 2019.

SCHEDULE

[Section 2 (3).]

SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL, ETC.

Terms of service

1. There may be paid to the members of the Council or any committee, other than ex officio members, such remuneration and allowances as may from time to time be determined by the President.

2. Where a vacancy occurs in respect of the membership specified in section 3, it shall be filled by the appointment of a successor to hold office for the remainder of the term of office of his predecessor in office and such successor shall represent the same interest as his predecessor.

3. 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.

Proceedings

4.-(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 every four months.

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

(3) 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.

(4) 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.

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

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Miscellaneous

5.-(1) The fixing of the seal of the College shall be authenticated by the signature of the chairman, Provost and of 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 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

This Bill seeks to establish the Federal College of Education, Ilorin, Kwara State to take over the assets and liabilities, including staff of Kwara State College of Education, Ilorin, to offer fulltime courses leading to the awards of National Certificates of Education, Diplomas etc.