A BILL

FOR

AN ACT TO ESTABLISH THE NATIONAL INSTITUTE OF OIL AND GAS TECHNOLOGY AND ENTREPRENEURIAL STUDIES, EGBEMA, IMO STATE, AND TO MAKE COMPREHENSIVE PROVISIONS FOR DUE MANAGEMENT AND ADMINISTRATION, PROVIDE FOR DETAILED IDENTIFICATION OF AREAS IN OIL AND GAS TECHNOLOGY AND SKILLS ACQUISITION, ENTREPRENEURIAL STUDIES AND FOR RELATED MATTERS

Sponsored by Hon. Uju, Kingsley Chima

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

1. There is established at Egbema, Imo State, an Institute to be known as the National Institute of Oil and Gas Technology and Entrepreneurial Studies (in this Bill referred to as the "Institute").

2. -(1) The Institute shall be a Body Corporate with Perpetual Succession and a Common Seal, and may sue and be sued in its Corporate name.

   (2) The administration of the Institute, and the direction of its affairs shall vest in the Board of Governors of the Institute (in this Act referred to as the "Board").

   (3) The Board shall consist of:

   (a) a Chairman and two other members to be appointed by the President;

   (b) the Rector of the Institute;

   (c) the two Deputy Rectors of the Institute;

   (d) the Federal Director of Technology and Technical Skills;

   (e) two representatives to be chosen from the Federal University of Technology, Owerri and any other Federal University of Technology in
Nigeria in rotation by the National Universities Commission;
(f) one representative of the Federal Polytechnics in Nigeria;
(g) one representative of the Ministry of the Niger Delta Affairs;
(h) two representatives of the Oil Companies operating in the
catchment areas of the Institute or the State.
(4) Subject to subsection (4) of this Section, a person appointed as a
member of the Board (not being an ex-officio member) shall hold office for
four years and shall be eligible for re-appointment for one further period of
same years.
(5) The President may terminate the appointment of a Member of the
Board (not being an ex-officio member) if satisfied that it is not in the interest
of the Institute that the person concerned should continue in office.
(6) Any member of the Board (not being an ex-officio member) may
by notice in writing under his hand addressed to the Minister resign his office.
(7) The supplementary provisions contained in the schedule to this
Act shall have effect with respect to the proceedings of the Board and the
Establishment of the Governing Board of the Institute and other matters therein
mentioned.
3.- (1) The Functions of the Institute shall be:
(a) to provide detailed identification of Technology, technical and
skills acquisition needs for the economy and develop training programmes to
meet those needs, especially in the Oil and Gas Sector and Entrepreneurial
Studies;
(b) to carry out training of students and artisans and re-training of
professionals to meet newest requirements in the areas identified in paragraph
(a) above;
(c) to establish a Residential Campus at Egbema, Imo State, and such
other place(s) as may be decided by the Board;
(d) to establish an Audio-Visual Production Unit which shall produce
suitable teaching support materials;
(e) to promote or undertake any other activity that in the opinion of
the Board is calculated to help achieve the purposes of the Institute;

(f) The Institute shall ensure that the training approach to be
followed at the Institute shall be highly job-specific and practical and shall
utilise modern methods of management skills development usually utilised
by similar establishments in order to attain the highest standards.

4.- (1) There shall be an officer of the Institute to be known as the
Rector who, shall be appointed by the President.

(2) The Rector shall be the Chief Executive of the Institute and
shall be responsible to the Board for the day-to-day management of the
affairs of the Institute, together with the two Deputy Rectors to be appointed
by the Board on the Recommendations of the Rector.

(3) The Rector shall hold office for a fixed term of five years,
subject to renewal by the President for only one more term of same duration
as well as the two Deputy Rectors.

(4) There may be appointed from time to time by the Board, such
other staff, including teachers, instructors, staff of units and departments as
may be required for the purpose of the efficient performance of the functions
conferred on the Institute under or pursuant to this Act.

5. Service in the Institute shall be approved service for the
purposes of the Pensions Act, and accordingly, officers and other persons
employed in the Institute shall in respect of their services in the Institute be
entitled to pensions, gratuities and other retirement benefits as are enjoyed
by persons holding equivalent grades in the Civil Service of the Federation.

6.- (1) The Institute shall establish and maintain a FUND which
shall be applied towards the promotion of the objectives specified in this
Act.

(2) There shall be paid and credited to the fund established
pursuant to subsection (1) of this section:
(a) such sums as may be provided by the Government of the Federation;
(b) fees charged for services rendered by the Institute; and
(c) all sums accruing to the Institute by way of gifts, testamentary dispositions, and endowments or contributions from philanthropic persons or organizations or otherwise howsoever described.

7.- (1) The Institute may accept gifts of land, money or other property upon such terms and conditions, if any, as may be specified by the person or organization making the gift.

(2) The Institute shall not accept any gift if the conditions attached by the person or organization making the gift to the acceptance thereof are inconsistent with the functions and objectives of the Institute.

8.- (1) The Institute may, with the consent of the Minister or in accordance with the general guidelines approved by the President, borrow by way of loan or overdraft from any source any money(s) required by the Institute for meeting its obligations and discharging its functions under this Act so however that where the sum or the aggregate of the sums involved at anyone time does not exceed One Hundred Million (₦100,000,000.00), no such consent or authority shall be required.

(2) The Institute may, subject to the provisions of this Act and the conditions of any trust created in respect of any property, invest all or any of its funds with the life consent or general authority.

(3) The Board may invest any surplus funds of the Institute in such securities as may be approved by the President.

9.- (1) The Board shall cause to be prepared not later than 30th June in each year an estimate of the expenditure and income of the Institute during the next succeeding year and when prepared, they shall be submitted by the Minister.

(2) The Board shall cause to be kept proper accounts of the Institute and proper records in relation thereto and when certified by the Board, such
accounts shall be audited as provided in Subsection (3) of this Section.

(3) The accounts of the Institute shall be audited as soon as may be
after the end of each year.

10. The Board shall, not later than 30th September in each year,
submit to the Minister a report on the activities of the Institute and its
administration during the immediately preceding year and shall include in
such report the audited accounts of the Institute.

11.-(1) The Board may, subject to the provisions of this Act, make
staff regulations relating generally to the conditions of service of the
employees of the Institute and without prejudice to the generality of the
foregoing, such regulations may provide for:

(a) the appointment, promotion and disciplinary control including
dismissal) of employees of the Institute; and

(b) appeals by such employees against dismissal or other
disciplinary measures; and until such regulations are made, any instrument
relating to the conditions of service of officers in the Civil Service of the
Federation shall be applicable, with such modifications as may be
necessary, to the employees of the Institute.

(2) Staff Regulations made under subsection (1) of this Section,
shall not have effect until approved by the Minister and when so approved,
they need not be published in the Federal Gazette but the Board shall cause
them to be brought to the notice of all affected persons in such manner as it
may from time to time determine.

12. No suit shall be commenced against the Institute before the
expiration of a period of one month after written notice of intention to
commence the suit shall have been served upon the Institute by the intending
plaintiff or his agent; and the notice shall clearly and explicitly state:

(a) the cause of action;

(b) the particulars of the claim;

(c) the name and place of abode of the intending plaintiff;
1. (d) the relief which he claims.

13. The notice referred to in Section 12 of this Act and any summons, notice or other document required or authorized to be served upon the Institute under the provisions of this Act or any other enactment or law may be served by delivering the same to the Chairman or the Rector of the Institute or by sending it by registered post addressed to the Rector at the principal office of the Institute.

14. In any action or suit against the Institute, no execution of attachment or process in the nature thereof shall be issued against the Institute but any sums of money which may, by the judgement of the Court, be awarded against the Institute, shall subject to any directions given by the Institute, be paid from the general reserve fund of the Institute.

15. The Minister may give the Board directions of a general character or relating generally to particular matters (but not to any individual or case) with regard to the exercise - by the Board of its functions under this Act, and it shall be the duty of the Board to comply with such directions.

16. In this Act, unless the context otherwise requires:

"the Board" means the Board of Governors of the Institute constituted as provided in Section 2(1) of this Act;

"the Chairman" means the Chairman of the Board;

"the Rector" means the Rector of the Institute;

"the Institute" means the National Institute of Oil and Gas Technology and Entrepreneurial Studies established by Section 1 of this Act;

"Member" means any member of the Board including the Chairman;

"Minister" means the Minister charged with responsibility for Technology.

17. This Bill may be cited at the National Institute of Oil and Gas Technology and Entrepreneurial Studies (Establishment) Bill, 2021.
SCHEDULE

PROCEEDINGS OF THE BOARD

Meetings

1.- (1) Subject to this Act and to Section 27 of the Interpretation Act, Cap. 192 (which provides for the decisions of statutory body to be taken by a majority of the body and for the person presiding to have a second or casting vote), the Board may make standing Orders regulating the proceedings of the Board or of any committee thereof.

(2) The quorum of the Board shall be the Chairman and four other members, and the quorum of any committee of the Board shall be determined by the Board.

2.- (1) The Board shall meet not less than four times in each year, and subject thereto, the Board shall meet whenever it is summoned by the Chairman; and if the Chairman is required to do so by notice given to him by not less than three other members, he shall summon a meeting of the Board to be held within fourteen days from the date on which the notice is given.

(2) At any meeting of the Board, the Chairman shall preside; but if he is absent, the members present at the meeting shall appoint one of their members to preside at that meeting.

(3) Where the Board desires to obtain the advice of any person on a particular matter, the Board may co-opt him as a member for such period as it thinks fit; but a person who is a member by virtue of this sub-paragraph shall not be entitled to vote at any meeting of the Board and shall not count towards the quorum.

(4) Notwithstanding anything in the foregoing provisions of this paragraph, the first meeting of the Board shall be summoned by the Minister.

Committees

3.- (1) The Board may appoint one or more committees to carry out on behalf of the Board such of its functions as the Board may determine

(2) A committee appointed under this paragraph shall consist of
such number of persons (not necessarily all members of the Board) as may be
determined by the Board, and a person other than a member of the Board shall
hold office on the committee in accordance with the terms of his appointment.
(3) A decision of a committee of the Board shall be of no effect until it
is confirmed by the Board.

Supplementary

4.-(1) The fixing of the Seal of the Institute shall be authenticated by
the signature of the Chairman or of some other members authorized generally,
or specially to act for that purpose by the Board.
(2) Any contract or instrument which if made or executed by a person
not being a Body Corporate would not be required to be under Seal may be
made or executed on behalf of the Institute by the Rector or any person
generally, or specially authorized to act for that purpose by the Board.
(3) Any document purporting to be a document duly executed under
the Seal of the Institute shall be received in evidence and shall, unless the
contrary is proved, be presumed to be so executed.
(4) Members of the Board who are not public officers shall be paid out
of moneys at the disposal of the Board such remuneration, fees or allowances in
accordance with such scales as may be approved from time to time by the
Minister.
(5) The validity of any proceedings of the Board or of a Committee
thereof shall not be affected by any vacancy on the membership of the Board
or of committee, or by reason that a person not entitled to do so took part in the
proceedings.
(6) Any member of the Board, and any person holding office on the
committee of the Board, who has a personal interest in any contract or
arrangement entered into or proposed to be considered by the Board or a
committee thereof shall forthwith disclose his interest to the Board and shall
not vote on any question relating to the contract or arrangement.
EXPLANATORY MEMORANDUM

This Bill seeks to establish the National Institute of Oil and Gas Technology and Entrepreneurial Studies, Egbema, Imo State, and to make comprehensive provisions for due management and administration, provide for detailed identification of areas in Oil and Gas Technology and Skills Acquisition, Entrepreneurial Studies.