A BILL

FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE FEDERAL POLYTECHNIC, ABA, A比亚 STATE; AND FOR OTHER MATTERS CONNECTED THEREWITH

Sponsored by Senator T.A  Orji

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

1.-(1) The Abia State Polytechnic is hereby upgraded and established as the Federal Polytechnic Aba, Abia State which shall have such powers and exercise such functions as is conferred on it by this Act.

(2) The Polytechnic shall be a body corporate with perpetual succession and a common seal and shall have power to acquire and dispose of interests in movable and immovable property and may sue and be sued in its corporate name.

2.-(a) to provide full-time and part-time courses of instruction and training to produce middle and high level manpower:

(i) in technology, applied science, commerce 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 arrange conference, seminars and study groups relative to the fields of learning specified in paragraph (a) of this subsection (1);

(c) to perform such other functions as in the opinion of the Council may serve to promote the objectives of the Polytechnic.

(2) Nothing in this section shall preclude the government of a State
or any of its agencies from setting up a polytechnic similar to any polytechnic
established under this Act.

3.- (1) There shall be established for the Polytechnic a Governing
Council (hereafter in this Act referred to as "the Council").

(2) The Council shall consist of a Chairman and the following other
members:

(a) four persons representing a variety of interests and broadly
representative of the whole Federation, at least one of whom shall be a woman;
(b) one person to represent the alumni association;
(c) a representative of the community where the Polytechnic is
situated;
(d) the Rector;
(e) the Deputy Rector(s);
(f) one person representing the Federal Ministry of Education or
regulatory agency;
(g) two persons not below the rank of Chief Lecturer elected by the
Academic Board from among its members;
(h) three persons not below the rank of Senior Lecturer or its
equivalent elected by the Congregation from among its members in which one
shall be non-teaching staff.

(3)(i) The Chairman and members of the Council other than ex-
officio members shall be appointed by the President and Commander-in-Chief
of the Armed Forces;
(ii) Persons to be appointed to the Council shall be persons of proven
integrity, knowledgeable and acquainted with the working and tradition of the
Technical and Vocational Education.

(4) Any member of the Council other than an ex-officio member shall
hold office for a period of three years at the first instance and may be eligible for
re-appointment for another period of three years and no more.

(5) The governance structure of the Polytechnic shall be composed of:
(a) Governing Council;
(b) Academic Board;
(c) Management Committee;
(d) School Board; and
(e) Departmental Board.

(6) The provisions set out in the First Schedule to this Bill, shall apply in relation to the Council governance structure and other matters therein specified.

4.- (1) The President and Commander-in-Chief of the Armed Forces shall be the Visitor to the Polytechnic.
(2) The Visitor shall, not less than once in every five years, conduct a visitation of the college or appoint a Visitation Panel, consisting of not less than five experts, to conduct the visitation-
(a) for the purpose of evaluating the academic and administrative performance of the Polytechnic;
(b) for such other purpose or in respect of any other affairs of the Polytechnic as the Visitor may deem fit. [1993 No. 5]

5.- (1) There shall be a Registrar to the Polytechnic who shall be responsible to the Rector for the day-to-day administration of the polytechnic and shall perform such other duties as the Council or as the case may be, the Rector may from time to time require him.
(2) The Registrar shall be the Secretary to the Council, the Academic Board and any committee of the Council and shall attend all the meetings of those bodies unless excused for good reason by the chairman of the Council.
(3) In the absence of the Registrar, the Chairman of the Council may, after consultation with the Rector, appoint a suitable person to act as Secretary for any particular meeting of the Council.
(4) The Secretary to the Council or a person appointed to act under subsection (3) of this section, shall not vote on any question before the
Council or count towards a quorum unless he is so entitled as a member of the Council.

6.- (1) A Registrar shall hold office for a single tenure of five years beginning from the effective date of his appointment and on such terms and conditions as may be specified in the letter of his appointment;

(2) Where a Registrar has held office for five years or less on the commencement of this Act, he shall be deemed to have been serving his final term of office.

7.- (1) Subject to provision of this Act, the Council shall be the governing body of the Polytechnic concerned and shall have the general management of the affairs of the Polytechnic, and in particular, the control of the property and finances of the polytechnic; and shall have power to do anything which in its opinion is calculated to facilitate the carrying out of the activities of the Polytechnic and promote its best interests.

(2) The Council may acquire and hold such movable or immovable property as may be necessary or expedient for carrying into effect the provisions of this Act, and for the same purpose may sell, lease, mortgage or otherwise alienate or dispose of any property so acquired.

(3) The Council may enter into such contracts as may be necessary or expedient for carrying into effect the provisions of this Act.

(4) The Minister may give to the Council directions of a general character or relating generally to particular matters (but not any individual person or case) with regard to the exercise by the Council of its functions and it shall be the duty of the Council to comply with the directions.

8.- (1) There shall be a Rector for the Polytechnic ("the Rector") who shall be appointed by the President, Commander-in-Chief of the Armed Forces in accordance with the provision of this section.

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

(a) advertise the vacancy not later than six (6) months to the
expiration of the term of the sitting Rector in not less than two national
newspapers in Nigeria, specifying:

(i) the qualifications of the persons who may apply for the post,
who shall be a Chief Lecturer in the Polytechnic sector with at least five
years of experience on that position among other criteria; 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 the 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;

(iii) two members of Academic Staff not below the rank of Chief
Lecturers to be elected from among its members.

(3) A Joint Council, Academic Board and Congregation Selection
Board consisting of:

(a) the Chairman of the Council;

(b) two members of the Council not being members of the
Academic Board;

(c) two members of the Academic Board not below the rank of
Chief Lecturer, who were not members of the Search Team elected among
its members; and

(d) two members of the Congregation not below the rank of Chief
Lecturer who were not members of the Search Team, shall consider the candidates on the short list drawn up under
subsection (2) of this section through an examination of their curriculum
vitae and interaction with them and recommend in order of performance
ranking through the Council, to the President and Commander-in-Chief of
the Armed Forces, three candidates for his consideration.

(4) The President shall appoint, as Rector, one of the candidates
recommended to him under the provisions of subsection (3) of this section.

(5) Subject to this Act and the general control of the Council, the Rector shall be the Chief Executive of the Polytechnic and shall be charged with general responsibility for matters relating to the day-to-day management operations of the Polytechnic.

(6) The Rector shall:

(a)(i) hold office for a single term of five years beginning with the effective date of his appointment and on such terms and conditions as may be specified in his letter of appointment;

(ii) where a Rector was appointed on four-year tenure on the commencement of this Act, his tenure shall be extended for a period of one year to complete the single-tenure of five years in line with subsection (6) (a) above;

(iii) where a Rector is serving second tenure of four years on the commencement of this Act, he shall be deemed to have been serving his final term of office.

(b) have power to exercise general authority over staff and be responsible for discipline in the Polytechnic; and

(c) his remuneration shall be determined by the National Salaries and Wages Commission.

9.- (1) There shall be for the Polytechnic such number of Deputy Rectors as the Council may, from time to time, deem necessary for the proper administration of the Polytechnic.

(2) Where a vacancy occurs in the post of Deputy Rector, the Rector shall forward to the Academic Board a list of two candidates for each post of Deputy Rector that is vacant.

(3) The Academic Board shall elect for each vacant post one candidate from each list forwarded to it under subsection (2) of this section and forward his name to the Council for confirmation.

(4) Where-

(a) the Academic Board rejects the two candidates forwarded to it by
the Rector under subsection (2) of this section, the Rector shall submit another list.

(b) the Council rejects the name sent to it under subsection (3) of this section, the Academic Board shall send the name of the other candidate on the list forwarded to it by the Rector under subsection (2) of this section.

(5) The Deputy Rector(s) shall:

(a) assist the Rector in the performance of his functions;

(b) act in the place of the Rector when the post of Rector is vacant or if the Rector is for any reason absent or unable to perform their functions as Rector; and

(c) perform such other functions as the Rector or the Council may from time to time assign to him.

(6) The Deputy Rectors:

(a) shall hold office for a single tenure of four years beginning from the effective date of his appointment and on such terms and conditions as may be specified in his letter of appointment;

(b) where a Deputy Rector was appointed on a two year tenure on the commencement of this Act, his tenure shall be extended for a period of two years to complete the single-tenure of four years in line with subsection (6)(a) above;

(c) where a Deputy Rector is serving second tenure of two years on the commencement of this Act, he shall be deemed to have been serving his final term of office.

10.- (1) There shall be for the polytechnic the following other principal officers in addition to the Deputy Rector(s):

(a) the Registrar;

(b) the Bursar; and

(c) the Polytechnic Librarian,

who shall be appointed by the Council on the recommendation of the Selection Board constituted under section 12 of this Act.
(2) The Bursar shall be the Chief Financial Officer of the Polytechnic and be responsible to the Rector for the day-to-day administration and control of the financial affairs of the Polytechnic.

(3) The Polytechnic Librarian shall be responsible to the Rector for the administration of the polytechnic library and the co-ordination of the library services in the teaching units of the Polytechnic.

(4) The Bursar or Librarian-

(a) shall hold office for a single tenure of five years beginning from the effective date of his appointment and on such terms and conditions as may be specified in his letter of appointment;

(b) where a Bursar or Librarian has held office for five years or less on the commencement of this Act, he shall be deemed to have been serving his final term of office.

11. A Principal Officer may resign his appointment:

(a) in the case of the Rector, by notice to the Visitor;

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

12.- (1) There shall be, for the Polytechnic a Selection Board which shall consist of:

(a) the Chairman of the Council;

(b) the Rector;

(c) four members of the Council not being members of the Academic Board;

(d) two members of the Academic Board not being members of Council and not below the rank of Chief Lecturer elected from among its members; and

(e) three members of the Congregation not below the rank of Principal Lecturer or its equivalent elected from among its members in which one shall be a non-teaching staff.

(2) The functions and procedure and other matters relating to the Selection Board constituted under subsection (1) of this section shall be as the
13.-(1) The Council may appoint such other persons to be employees of the Polytechnic as the Council may determine to assist the Rector and the Principal Officers of the Polytechnic in the performance of their functions under this Act.

(2) The power to appoint all other employees of the polytechnic shall be exercised:

(a) in the case of senior employees, by the Council on the recommendation of Appointment and Promotions Committee set up under the provisions of paragraph 3(2)(a) of the First Schedule to this Act;

(b) in the case of junior employees, by the Rector on the recommendation of the Junior Staff Appointment and Promotions Committee constituted under paragraph 3(2)(b) of the First Schedule to this Act.

(3) Subject to the provisions of this Act, the remuneration, tenure of office and conditions of service of the employees of the Council shall be determined by the Council in consultation with the Federal Civil Service Commission.

14.- (1) The Federal Civil Service Commission may by order published in the Federal Gazette declare the office of the Rector or any other person employed by the Council to be a pensionable office for the purposes of the Pensions Act.

[Cap. P4]

(2) Nothing in the provisions of subsection (1) of this section shall prevent the appointment of any person to any office on terms which preclude the grant of a pension or gratuity in respect of service in that office.

(3) A law or rule requiring a person to retire from the Public Service after serving for thirty five (35) years or having attained the age of 60 years in service, shall not apply to staff of Polytechnic.

(4) Notwithstanding anything to the contrary contained in the
Pensions Reform Act, the compulsory retirement age of staff of Polytechnic shall be sixty-five (65) years.

15.- (1) There shall be established for the Polytechnic a Board to be known as the Academic Board which shall consist of the following members:

(a) the Rector of the Polytechnic, as the Chairman;
(b) the Deputy Rector(s) of the Polytechnic;
(c) all Heads of academic Departments and units;
(d) the Polytechnic Librarian;
(e) not more than two members of the academic staff who are not members of the Academic Board and not below the rank of Senior Lecturer elected from among its members, such members shall serve for non-renewable term of three (3) years;
(f) all Deans and Academic Directors; and
(g) all Chief Lecturers.

(2) The Academic Board shall be responsible for:

(a) the direction and management of academic matters of the Polytechnic including the regulation of admission of students, the award of certificates and diplomas, scholarships, prizes and other academic distinctions;
(b) the making to the Council of such periodic reports on such academic matters as the Academic Board may think fit or as the Council may from time to time direct; and
(c) the discharge of any other functions which the Council may delegate to it.

Tenure of Office

16.- (1) Where it appears to the Governing Council that a member of the Council other than an ex-officio member or the Rector should be removed from office on the ground of misconduct or inability to perform the functions of his office, the Council shall make a recommendation through the Minister to the Federal Executive Council approves of it, the Minister shall declare the office of such member or Rector vacant.
The Minister may recommend the removal of any member of the Governing Council or Rector to the Federal Executive Council, if he is satisfied that it is not in the interest of the Public or of the Polytechnic that such a person should continue as a member of the Council.

In case of vacancy in the office of the Rector, the Council shall appoint an Acting Rector who shall not be in office for more than 6 months.

There shall be no sole administration in any Polytechnic in Nigeria.

17.-(1) If it appears to the Council that there are reasons for believing that any person employed as a member of the academic, administrative or technical staff of the polytechnic, other than the Rector, should be removed from office on the ground of misconduct or inability to perform the functions of his office, the Council shall:

(a) give notice of those reasons to the person in question;

(b) afford him an opportunity of making representations in person on the matter to the Council; and

(c) if he or any three members of the Council so request within the period of one month beginning with the date of the notice, make arrangements:

(i) if he is an academic staff, for a Joint Committee of the Council and the Academic Board to investigate the matter and to report on it to the Council;

(ii) for a Committee of the Council to investigate the matter, where it relates to any other member of the staff of the Polytechnic and to report on it to the Council; and

(iii) for the person in question to be afforded an opportunity of appearing before and being heard by the Investigating Committee with respect to the matter, and if the Council, after considering the report of the Investigating Committee, is satisfied that the person in question should be removed as aforesaid, the Council may so remove him by an instrument in
writing signed on the directions of the Council.

(2) The Rector may, in a case of misconduct by a member of the staff which in the opinion of the Rector is prejudicial to the interests of the Polytechnic, suspend such member and any such suspension shall forthwith be reported to the Council.

(3) For good cause, any member of staff may be suspended from office or his appointment may be terminated by the Council and for the purpose of this subsection, "good cause" means:

(a) any physical or mental incapacity which the Council, after obtaining medical advice, considers to be such as to render the person concerned unfit for the discharge of the functions of his office;

(b) any physical or mental incapacity which the Council, after medical advice, considers to be such as to render the person concerned unfit to continue to hold his office;

(c) conduct of a scandalous or other disgraceful nature which the Council considers to be such as to render the person concerned unfit to continue to hold his office;

(d) conduct which the Council considers to be such as to constitute failure or inability of the person concerned to discharge the functions of his office or to comply with the terms and conditions of his service.

(4) Any person suspended pursuant to subsection (2) or (3) of this section, shall be placed on half pay and the Council shall before the expiration of the period of three months after the date of such suspension consider the case against that person and come to a decision as to:

(a) whether to continue such person's suspension and if so on what terms (including the proportion of emoluments to be paid to him);

(b) whether to reinstate such person, in which case the Council shall restore his full emoluments to him with effect from the date of suspension;

(c) whether to terminate the appointment of the person in question, in which case such a person, will not be entitled to the proportion of his
emoluments withheld during the period of suspension;
(d) whether to take such lesser disciplinary action against such
person (including the restoration of such proportion of his emoluments that
might have been withheld) as the Council may determine, and in any case
where the Council, pursuant to this section, decides to continue a person's
suspension or decides to take further disciplinary action against a person, the
Council shall before the expiration of a period of three months from such
decision come to a final determination in respect of the case concerning any
such person.

(5) It shall be the duty of the person by whom an instrument of
removal is signed in pursuance of subsection (1) of this section, to use his
best endeavours to cause a copy of the instrument to be served as soon as
reasonably practicable on the person to whom it relates.

(6) Nothing in the foregoing provisions of this section shall prevent
the Council from making such regulations for the discipline of other
categories of staff and workers of the Polytechnic as it may think fit.

18.- (1) Subject to the provisions of this section, where it appears to
the Rector that any student of the Polytechnic has been guilty of misconduct,
the Rector may, without prejudice to any other disciplinary powers
conferred on him by this Act or regulations made hereunder direct:
(a) that the student shall not during such period as may be specified
in the direction, participate in such activities of the Polytechnic, or make use
of such facilities of the Polytechnic, as he may specify;
(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;
(c) that the student be suspended for such period as may be
specified in the directions; and
(d) that the student be expelled from the Polytechnic.

(2) Where there is temporarily no Rector or where the Rector
refuses to apply any disciplinary measures, the Council, either directly or through some other staff, may apply such disciplinary actions as are specified in subsection (1) of this section to any student of the Polytechnic who is guilty of misconduct.

(3) Where a direction is given under subsection (1)(c) or (d) of this section in respect of any student, the student may, within a period of 21 days from the date of the letter communicating the decision to him, appeal from the direction to the Council; and where such an appeal is brought, the Council shall, after causing such inquiry to be made into the matter as the Council considers just, either confirm or set aside the direction or modify it in such manner as the Council may think fit.

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

(5) The Rector may delegate his power under this section to a Disciplinary Committee considering of such members of the Polytechnic as he may nominate.

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

(7) It is hereby declared that a direction under subsection (1)(a) of this section may be combined with a direction under subsection (1)(b) of this section.

(8) In all cases under this section, the decision of the Council shall be final.

(9) If any junior staff is accused of misconduct or inefficiency, the Rector may suspend him for not more than three months and shall forthwith direct the Junior Staff Appointments and Promotions Committee:

(a) to consider the case; and
(b) to make recommendations as to the appropriate action to be
taken by the Rector.

(2) In all cases under this section, the officer shall be informed of
the charge against him and shall be given reasonable opportunity to defend
himself.

(3) The Rector may, after considering the recommendation made
pursuant to subsection (1)(b) of this section, dismiss, terminate, retire or
down-grade the officer concerned.

(4) Any person aggrieved by the Rector's decision under
subsection (3) of this section, may within a period of 21 days from the date of
the letter communicating the decision to him, address a petition to the
Council to consider his case and the Council’s decision thereon shall be
final.

(5) In any case of gross misconduct on the part of a junior staff, the
Rector shall forthwith suspend him and thereafter refer the matter to the
Junior Staff Appointments and Promotions Committee to be dealt with
according to the foregoing provisions of this section.

20.-(1) The Council shall keep proper accounts and proper records
in relation thereto and shall cause to be prepared, not later than 1stOctober in
each financial year, an estimate of its revenue and expenditure for the
ensuing financial year and when prepared, the estimate shall be submitted to
the National Board for Technical Education for approval.

(2) At the end of each financial year but not later than 30thJune the
Council shall cause to be prepared a statement of its income and expenditure
during the previous financial year.

(3) The statement of accounts referred to in subsection (2) of this
section shall, when certified by the Rector, be audited by a firm of auditors
appointed from the list and in accordance with the guidelines supplied by the
Auditor General of the Federation and shall be published in the annual report
of the Polytechnic.
21. The funds of the Council shall include-
(a) fees charged by and payable to the Council in respect of students;
(b) any other amounts due to or recoverable by the Council;
(c) revenue from time to time accruing to the Council from the Federal Government by way of subvention, grant-in-aid, endowment or otherwise howsoever; and
(d) donations and legacies accruing to the Council from any source for the special purpose of the Council.

22.- (1) Donations of money to be applied to any particular purpose shall be placed to the credit of a special reserve account approved by the Council until such time as they may be expended in fulfillment of such purpose.

(2) No Council shall be obliged to accept a donation for a particular purpose unless it approves of the terms and conditions attached to such donation.

23. All sums of money received on account of the Council shall be paid into such bank for the credit of the Council as may be approved by the Council.

24. The Council shall on or before 31st December in each year prepare and submit to the President through the Minister, a report of the activities during the preceding financial year and shall include in the report, the audited accounts of the polytechnic in respect of that financial year and the auditor's comments on the account.

Miscellaneous and Supplemental

25.- (1) The Council may make bye-laws relating to any matter within its competence under this Act other than matters for which provision is to be made by standing orders pursuant to paragraph 7 of the Schedule to this Act.

(2) All such bye-laws shall be in writing and shall come into force when sealed with the seal of the Council unless some other date for their commencement is prescribed therein.
(3) (Nothing in subsection (2) of this section, shall make it obligatory for the Council to publish any of the said bye-laws in the Federal Gazette but the Council shall bring such bye-laws to the notice of all affected thereby.

26. No person shall be required to satisfy requirements as to any of the following matters, that is to say race (including ethnic grouping), sex, place of birth or of family origin or religious or political persuasion or as a condition of becoming or continuing to be a student at the polytechnic or as a holder of any certificate of the Polytechnic, or of any appointment or employment at the Polytechnic, or a member of anybody established by virtue of this Act; and no person shall be subjected to any disadvantage or accorded any advantage in relation to the Polytechnic by reference to any of those matters:

Provided that, nothing in this section shall be construed as preventing the polytechnic from imposing any disability or restriction on any of the aforementioned persons where such a person willfully refuses or fails on grounds of religious belief to undertake any duty, having regard to its nature and the special circumstances pertaining thereto is, in the opinion of the Polytechnic, reasonably justifiable in the national interest.

27. Subject to the provisions of paragraph 6(2) of the First Schedule to this Act and any standing orders or bye-law made under this Act, the quorum and procedure of any body of persons established by this Act shall be such as may be determined by that body.

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

"the Academic Board" means the board established under section 10 of this Act;
"the Appointments and Promotions Committee" means a body by that name established under paragraph 3(2)(a) of the Schedule to this Act;
"polytechnic" means the respective Polytechnic set up under this section 1 of this Act;
"the Junior Staff Appointments and Promotion Committee" means a body by
that name set up under paragraph 3(2)(b) of the Schedule to this Act;
"the Minister" means the Minister charged with responsibility for matters
relating to technical education;
"the Registrar" means the Registrar of the Polytechnic appointed under section
4(1) of this Act.

29. This Bill may be cited as the Federal Polytechnic Aba, Abia State,
2019.

FIRST SCHEDULE

PUBLIC OFFICERS FOR THE PURPOSES OF THE CODE OF CONDUCT

SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

Terms of office of members

1.-(1) A member of the Council other than an ex-officio member shall
hold office for a period of three years beginning with the date on which he was
appointed and shall be eligible for re-appointment for a further term of three
years and thereafter he shall no longer be eligible for re-appointment.

(2) Members of the Council holding office as specified in paragraph
1(1) of this Schedule, shall be paid remuneration or allowance in accordance
with rates specified from time to time by the National Council of Ministers.

(3) A member of the Council holding office as specified in paragraph
1(1) of this Schedule may by notice in writing to the Minister resign his office.

2.-(1) Where a vacancy occurs in the membership of the Council, that
vacancy shall be filled by the appointment of a successor to hold office for the
remainder of the term of office of his predecessor, so however that the
successor shall represent the same interest as his predecessor.

(2) The Council may act notwithstanding any vacancy in its
membership or the absence of any member or that a person not entitled to do so
took part in its proceedings.
Committees

(1) The Council may appoint one or more committees to which it may delegate any of its functions.

(2) Without prejudice to the generality of sub-paragraph (1) of this Schedule, the Council shall appoint the following committees, that is:

(a) the Appointments and Promotions Committees which shall:

(i) consist of Rector as the chairman and four other members who shall be appointed by the Council;

(ii) be charged with the responsibility for making recommendations to the Council on the appointment and promotion of the academic and senior non-teaching staff of the Polytechnic and have a quorum of three members.

(b) the Junior Staff Appointments and Promotions Committee which shall consist of a Deputy Rector as Chairman and four other members to be appointed by the Rector and shall have the powers set out in section 13(2)(b) and section 19 of this Act;

(c) the Committee on Students' Affairs which shall consist of the following members:

(i) a Deputy Rector as chairman;

(ii) one member of the Council;

(iii) Dean of Students Affairs;

(iv) two members of the academic staff not below the rank of Senior Lecturer; and

(d) two representatives of the Students Union of the Polytechnic;

and a committee on students affairs shall be charged with the duty of:

(i) considering any matter which relates to the welfare of students;

(ii) any other matter referred to it by either the Council or management of the Polytechnic;

(iii) any matter which the students wish to refer to the Council shall be referred to the management in the first instance which may in turn refer
the matter to the Committee on Students' Affairs.

(3) No decision of a Committee of the Council shall have effect unless it is confirmed by the Council.

Proceedings of the Council

4.- (1) The Council shall meet for the conduct of business once in a quarter except for emergency.

(2) The Chairman of the Council may at any time and shall at the request in writing of not less than five members of the Council summon a meeting of the Council.

(3) Particulars of the business to be transacted shall be circulated to members with the notice of the meeting at least two weeks before the date of the meeting.

5. Where the Council desires to obtain the advice of any person on any particular matter, it may co-opt such person as a member for a meeting whether or not expressly convened for the purpose of considering the particular matter but no co-opted member shall be entitled to vote or shall count towards quorum.

6.- (1) Every question put before the Council at a meeting shall be decided by a simple majority of the members present and voting.

(2) Two thirds of members shall form a quorum at any meeting of the Council.

(3) The Chairman shall, at any meeting of the Council, have a vote and, in the case of an equality of votes, may exercise a casting vote.

7. Subject as aforesaid, the Council may make standing orders with respect to the holding of meetings, the nature of notices to be given, the proceedings thereat, the keeping of minutes of such proceedings and the custody and production for inspection of such minutes.

8. If the Chairman of the Council is absent from a meeting of the Council, the members present shall elect one of their number to act as chairman for the purposes of the meeting.
Miscellaneous

9. Composition and Functions of Management Committee, School and Departmental Boards:

(a)(i) There shall be a Management Committee made up of all the Principal Officers of the Polytechnic, all Deans and Directors in the Polytechnic;

(ii) the Rector shall be the Chairman of the Management Committee; and

(iii) the Management Committee shall meet at least once in a month to discuss and take decisions on matters of general interest to the Polytechnic.

(b) (i) There shall be a School Board for each school in the Polytechnic made up of all the Academic Staff in that School;

(ii) The School Board deal with academic matters and any other matter of interest to the School or any matter assigned to it by the Council, the Rector 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.

(c) (i) There shall be a Departmental Board for each Department in the Polytechnic 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.

(d) Where there is no qualified candidate for the position of Dean
or Head of Department, the Rector 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.

(e) Nothing in this Act 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 Act.

Establishment of the Congregation

10.-(a) There shall be for the Polytechnic, a Congregation made of
both Academic and Senior Non-Teaching staff, who holds at least a first degree
or its equivalent;
(b) The Rector shall be the Chairman of the Congregation;
(c) The Congregation shall meet at least once in a year.

11. Any contract or instrument which if entered into by a person not
being a body corporate would not be required to be under seal, may in like
manner be entered into or executed on behalf of the Council by any person
generally or specifically authorized by it for that purpose.

12.- (1) The common seal of the Council shall not be used or affixed to
any document except in pursuance of a resolution duly passed at a properly
constituted meeting of the Council and recorded in the minutes of such
meeting.

(2) The fixing of the seal of the Council shall be authenticated by the
signature of the Chairman of the Council and some other member authorized
generally or specifically by the Council to act for that purpose.

(3) Any document purporting to be a document duly executed under
the seal of the Council shall be received in evidence and shall, unless the
contrary is proved, be deemed to be so executed.

13. Any member of the Council or a committee thereof who has a
personal interest in any contract or arrangement entered into or proposed to be
considered by the Council or a committee thereof, shall forthwith disclose his
interest to the Council and shall not vote on any question relating to such contract or arrangement.

EXPLANATORY MEMORANDUM

This Bill seeks to provide for the establishment of the Federal Polytechnic, Aba, Abia State; and to provide full-time and part-time courses of instruction and training to produce middle and high level manpower.