

A BILL

FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE INSTITUTE OF INFORMATION COMMUNICATION TECHNOLOGY SULEJA, NIGER STATE; AND FOR OTHER MATTERS CONNECTED THEREWITH, 2020

Sponsored by Senator Musa, Mohammed Sani

[] Commencement

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

1 PART I - ESTABLISHMENT OF INSTITUTE OF INFORMATION

2 COMMUNICATION TECHNOLOGY SULEJA, NIGER STATE

3 1.-(1) As from the commencement of this Bill, the Institute of
4 Information Communication Technology Suleja, Niger State (in this Bill
5 referred to as "the Institute") shall be known and referred to as Institute of
6 Information Communication Technology Suleja, Niger State.

Establishment of Institute of Information Communication Technology Suleja, Niger State

7 (2) There is established a polytechnic to be known as the Institute
8 of Information Communication Technology Suleja, Niger State (in this Bill
9 referred to as the Institute).

10 2.-(1) There shall be established a Council for the Institute (in this
11 Bill referred to as "the Council") which shall be a body corporate with
12 perpetual succession and a common seal and may sue and be sued in its
13 corporate name.

Establishment and Composition of the Council of the Institute

14 (2) The Council shall consist of a Chairman and the following other
15 members, that is:

16 (a) the Rector of the Institute;

17 (b) one representative of the Academic Board of the Institute
18 elected by the Board;

19 (c) one representative of Manufacturer's Association of Nigeria.

20 MAN (to be coordinated by NBTE);

- 1 (d) one representative of Universities (to be submitted by NUC);
2 (e) one representative of Professional Bodies (to be coordinated by
3 NBTE);
4 (f) one representative of a Federal Utility Statutory Corporation;
5 (g) one representative of the community where the Institute is situated
6 (to be coordinated by the Polytechnic);
7 (h) one representative of the Minister charged with responsibilities
8 for matters relating to polytechnics;
9 (i) one representative of the Permanent Secretary, Federal Ministry of
10 Education (to be coordinated by the FME);
11 (j) one representative of the Permanent Secretary, Federal Ministry of
12 Industry, Trade and Investment (to be coordinated by the NBTE);
13 (k) one representative of the State Ministry of Education;
14 (l) five (5) other persons, at least one of whom must be a woman to be
15 selected each on personal merit based on contributions to development of
16 industry, technology or commerce or special interest in technical education;
17 (m) the Registrar (non-member) shall be Secretary to the Governing
18 Council.
- 19 (3) The Chairman and members for the Council other than ex-officio
20 members shall be appointed by the President on the recommendation of the
21 Minister of Education.
- 22 (4) The provision of the Schedule to this Bill shall have effect with
23 respect to the proceedings of the Council and the other matters mentioned
24 therein.
- 25 **3.**-(1) The Minister of Education shall be the Visitor to the Institute.
- 26 (2) The Visitor shall not less than once in every five (5) years conduct
27 a visitation to the polytechnic by appointing a Visitation Panel.
- 28 (3) The Visitation Panel shall consist of not less than five (5) experts
29 in relevant areas as provided in section 6 (1) (a) of this Bill to:
- 30 (a) evaluate academic and administrative performance of the

Visitation

1 polytechnic and

2 (b) for such other purpose as the Visitor may deem fit.

3 4.-(1) The Chairman and other members of the Governing Council
4 shall hold office for a period of three (3) years from the date of appointment
5 and may be eligible for re-appointment for a further term of three (3) years
6 and thereafter he shall no longer be eligible for re-appointment.

Tenure of Office
of Council
Members

7 (2) Where a vacancy exists due to resignation, death, or removal of
8 a member, a successor representing the same interest group shall be
9 appointed to hold office for the remaining tenure of his predecessor, so
10 however, that the successor shall represent the same interest as his
11 predecessor.

12 (3) Every member shall be paid appropriate stipends during his
13 tenure in office in accordance with rates specified from time to time by the
14 National Council of Ministers.

15 (4) A member of Council may resign his appointment by a notice in
16 writing addressed to the Minister of Education.

17 PART II - FUNCTIONS AND POWERS

18 5.-(1) The functions of the Institute shall be:

Functions of
the Institute

19 (a) to provide Full-time and Part-time courses in Information
20 Communication Technology, Engineering Technology, Applied Sciences,
21 Management Sciences and other fields of study leading to the award of
22 Ordinary National Diploma, Higher National Diploma, and Certificates in
23 specialised programmes;

24 (b) to provide facilities and encourage research in all its area of
25 focus to aid the development of Nigeria in the areas of Industry, Commerce,
26 Technology and Engineering etc.

27 (c) to arrange conferences, seminars and study groups relevant to
28 the fields of learning specified in sub section (1)(a) in this section;

29 (d) to perform such other functions which in the opinion of the
30 Institute, may serve to promote its objectives;

1 (e) to provide a well-developed and articulate technical education
2 through consistent research, development and constant contact with renowned
3 institutions and appropriate industries;

4 (f) to provide appropriate training and vocational dexterity for a self-
5 reliant and focused Nigerian student, and also to provide industrial skills for
6 those who want to be employers of labour or gainfully employed;

7 (g) to perform such other functions as in the opinion of the Council,
8 may serve to promote the objectives of the Institute; and

9 (h) to carry out other activities as are necessary and expedient for the
10 full discharge of any of its functions pursuant to this Bill.

Functions of
the Governing
Council

11 **6.-** (1) Subject to the provisions of this Bill, the Council:

12 (a) shall be responsible for the general management of the affairs of
13 the Institute and in particular, the control of the property and finances of the
14 Polytechnic;

15 (b) shall have power to do anything which in its opinion is calculated
16 to facilitate the carrying out of activities of the polytechnic and promote its best
17 interest;

18 (c) shall set up committees for the purpose of working on specific
19 matters and making recommendations to the Board for necessary action;

20 (d) shall provide pieces of advice as may be necessary, for the interest
21 of the Institute on any matter referred to it;

22 (e) may enter into such contracts as may be necessary or expedient for
23 carrying into effect the provisions of the Federal Polytechnics Act;

24 (f) shall perform such other functions as in the opinion of the Council
25 may serve to promote the objectives of the Institute.

26 (2) The Minister may give to the Institute directives of a general
27 character or relating generally to matters of policy with regard to the exercise
28 by the Institute of its functions under this Bill and it shall be the duty of the
29 Institute to comply with such directives.

1 (d) The Rector shall hold office for a period of four (4) years from the
2 effective date of his appointment and on such terms and conditions as may be
3 determined by the Minister as set out in his letter of appointment;

4 (e) The Rector may be re-appointed for a further period of four (4)
5 years and no more.

6 *Appointment of the Deputy Rector*

7 (2) (a) The Deputy Rector shall be appointed by the Council as
8 specified in section 9 of the Federal Polytechnics Act;

9 (b) The Deputy Rector shall assist the Rector in the performance of his
10 functions and shall act in the place of the Rector when the Rector is absent or
11 unable to perform his functions or when the position of Rector is vacant;

12 (c) The Deputy Rector shall perform such other functions as the
13 Rector may from time to time assign;

14 (d) The Deputy Rector shall hold office for the period of two (2) years
15 from the effective date of his appointment and on such terms and conditions as
16 may be specified in the letter of appointment. He may be re-appointed for a
17 further period of two (2) years and no more.

18 *Appointment of the Registrar*

19 (3) (a) The Council shall appoint a Registrar who shall be the
20 secretary to the Council and attend all the meetings of the Council.;

21 (b) The Registrar shall be answerable to the Rector for the day-to-day
22 administration of the polytechnic and shall perform such other duties as the
23 Council or Rector may direct;

24 (c) The Registrar shall be Secretary to the Council, Academic Board
25 and any other committees of the Council and shall attend all meetings of these
26 committees unless excused for good reasons by the Chairman of the Council;

27 (d) If the Registrar is for any reason unable to attend a meeting of the
28 Council, the Chairman of the Council may, after consultation with the Rector,
29 appoint a suitable person to act as secretary for the particular meeting;

30 (e) The Secretary to Council or a person appointed to act under

1 subsection (3) of this section, shall not vote on any question before the
2 Council or counts towards a quorum, unless he is so entitled as a member of
3 the Council;

4 (f) The Registrar shall hold office for a period of five (5) years
5 beginning from the date of his appointment and on such terms and
6 conditions as may be specified in the letter of his appointment. He may be re-
7 appointed for a further period of five (5) years and no more.

8 *Appointment of the Bursar*

9 (4)(a) The Bursar shall be appointed by the Council on
10 recommendation of the Selection Board constituted under section 9 (3) of
11 the Federal Polytechnics Act;

12 (b) The Bursar shall be the Chief Financial Officer of the Institute
13 and shall be responsible to the Rector for the day-to-day administration and
14 control of the financial affairs of the polytechnic.

15 (c) The Bursar shall hold office for a period of five (5) years and
16 may be re-appointed for a further period of five (5) years and no more.

17 *Appointment of the Librarian*

18 (5)(a) The Librarian shall be appointed by the Council on
19 recommendation of the Selection Board constituted under section 9 (3) of
20 the Federal Polytechnics Act;

21 (b) The Librarian shall be responsible to the Rector for the
22 administration of the polytechnic library and the coordination of library
23 services in the academic unit of the polytechnic;

24 (c) The Librarian shall hold office for a period of five (5) years in
25 the first instance, and may be re-appointed for a further period of five (5)
26 years and no more.

27 **9.** A principal officer may resign his appointment:

28 (a) in the case of the Rector, by notice to the Minister of Education;

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

Resignation of
Appointment by
Principal Officers

Other Staff of
the Institute 1 **10.**-(1) The Council may appoint such other persons to be employees
2 of the Institute to assist the Rector or other principal officers in performance of
3 their functions under the Federal Polytechnics Act;

4 (2) The Power to appoint senior employees shall be exercised by the
5 Council on the recommendation of the Appointments and Promotions
6 Committee, Senior and in the case of junior employees, by the Council on the
7 recommendation of the Appointments and Promotions Committee, Junior
8 under the power vested in the Council pursuant to paragraph 3 of the Schedule
9 of this Bill.

Staff Resignations 10 **11.**-(1) The Council may, subject to the provisions of this Bill, make
11 staff regulations relating generally to the conditions of service of the staff of the
12 Institute and, without prejudice to the generality of the foregoing, such
13 regulations may provide for:

14 (a) the appointment, promotion and discipline (including dismissal)
15 of employees of the Institute; and

16 (b) appeals by such employees against dismissal or other disciplinary
17 measures, and until such regulations are made, any instrument relating to the
18 conditions of service of public officers in the polytechnic system shall be
19 applicable with such modifications as may be necessary to employees of the
20 Institute.

21 (2) Staff regulations made under subsection (1) of this section shall
22 not have effect until approved by the President and when so approved, they
23 need not to be published in the Gazette but the Council shall cause them to be
24 brought to the notice of all affected persons in such a manner as it may, from
25 time to time, determine.

Pensions 26 **12.**-(1) Pension service in the Institute shall be approved service for
27 the purposes of the Pensions Reform Act.

28 (2) Officers and other persons employed in the Institute shall be
29 entitled to pensions, gratuities and other retirement benefits as prescribed in the
30 Pensions Reform Act, so nothing in this Bill shall prevent the appointment of a

1 person to any office on terms which preclude that grant of a pension, gratuity
2 or other retirement benefit in respect of that office.

3 (3) For the purpose of the application of the provisions of the
4 Pensions Reform Act, any power exercisable thereunder by a Minister or
5 other Authority of the Government of the Federation, other than the power to
6 make regulations under section 23 thereof, is vested in and shall be
7 exercisable by the Council and not by any other person or authority.

8 PART IV - DISCIPLINE

9 13.-(1) The President may, in writing, remove any member of the
10 Council from office if it is established that his contributions run counter to
11 the purpose, interest and objectives of the polytechnic.

Removal of a
Member of
Council

12 (2) If it appears to the Council that a member of Council (other than
13 an ex-officio member) or the Rector should be removed from office on the
14 ground of misconduct or inability to perform the functions of his office, the
15 Council shall make a recommendation to the President and if the President
16 after making such enquiries as he considers necessary, approves the
17 recommendation, the President shall, in writing declare the office of such
18 member vacant.

19 14.-(1) If there are reasons for believing that any person employed
20 as a member of the academic, administrative or technical staff of the
21 polytechnic, other than the Rector, should be removed from office on the
22 ground of misconduct or inability to perform the functions of his office, the
23 Council shall:

Removal from
Office of s Staff
of the Institute

24 (a) give notice to the person of the reasons in question;
25 (b) afford him an opportunity to make representations in person on
26 the matter to the Council; and carry out such investigations and actions
27 pursuant to section 17 (1)(c) of the Federal Polytechnics Act.

28 (2) The Rector may, in a case of misconduct by a member of the
29 staff which in the opinion of the Rector is prejudicial to the interests of the
30 polytechnic, suspend such member and any such suspension shall forthwith

1 be reported to the Council.

2 (3) For good cause, any member of staff may be suspended from
3 office or his, appointment may be terminated by the Council by virtue of its
4 power pursuant to section 171 (3) of the Federal Polytechnics Act.

Discipline of
Students

5 **15.**-(1) Where it appears to the Rector that any student of the Institute
6 has been guilty of misconduct, the Rector may, without prejudice to any other
7 disciplinary powers conferred on him by this Bill or any regulations made
8 thereunder, direct that:

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

12 (b) the activities of the student shall, during such period as may be
13 specified in the direction, be restricted in such manner as may be so specified;

14 (c) the student be suspended for such period as may be specified in the
15 direction; or

16 (d) the student be expelled from the Institute.

17 (2) Where there is temporarily no Rector or where the Rector refuses
18 to apply any disciplinary measures, the Council may, either directly or through
19 some other staff, apply such disciplinary actions as are specified in subsection

20 (3) of this section to any student of the Institute who is guilty of
21 misconduct.

22 (3) Where a direction is given under sub section (1) (c) or (d) of this
23 section in respect of any student, the student may within 21 days from the date
24 of the letter communicating the decision to him, appeal to the Council and the
25 Council shall, after causing such inquiry to be made in the matter as the Council
26 considers just, either confirm or set aside the direction or modify it in such
27 manner as the Council may deem fit.

28 (4) The fact that an appeal from a direction is brought in pursuance of
29 subsection (5) of this section, shall affect the operation of the direction while
30 the appeal is pending.

1 (5) The Rector may delegate his powers under this clause to
2 disciplinary committee, consisting of such staff of the Institute as he may
3 nominate.

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

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

10 PART V - ACADEMIC BOARD

11 16.-(1) There is established as an integral part of the Institute an
12 Academic Board which shall consist of:

Establishment
of Academic
Board of the
Institute

- 13 (a) the Rector of the Institute;
14 (b) the Deputy Rector;
15 (c) the Registrar as secretary;
16 (d) the Librarian;
17 (e) Deans / Directors of Schools;
18 (f) Heads of Academic Departments / Units;
19 (g) not more than two (2) members of the academic staff other than
20 Heads of Departments/Units, to be appointed by the Academic Board.

21 (2) The Academic Board shall:

22 (a) give the direction and management of academic matters of the
23 polytechnic including the regulation of admission of students, the award of
24 certificates and diplomas, school prizes and other academic distinctions;

25 (b) formulate and continuously evaluate the academic programme
26 of the Institute;

27 (c) make periodic reports to the Council on such academic matters
28 as the Board may deem fit or as the Council may from time to time direct;

29 (d) the discharge of any other functions which the Council may
30 delegate to it.

1 (3) The Rector shall be the Chairman at the meeting of the Academic
2 Board and in his absence the Deputy Rector shall preside at such meeting, but
3 in the absence of both, the members present at the meeting shall appoint one of
4 their number to preside at the meeting.

5 (4) Subject to subsection (3) of this section, the Academic Board shall
6 have the power to regulate its own procedure.

7 PART VI - FINANCIAL PROVISIONS

Fund of the
Institute

8 17.-(1) The Institute shall establish and maintain a fund from which
9 shall be defrayed all expenditure incurred by the Institute in the performance of
10 its functions under this Bill.

11 (2) The fund of the Institute shall include:

12 (a) such sums as may, from time to time, be granted to the Institute by
13 the Federal Government;

14 (b) fees charged by and payable to the Institute in respect of students;

15 (c) any other amount charged or dues recoverable by the Institute;

16 (d) revenue from time to time accruing to the Institute by way of
17 subvention, grants in-aid, endowment or otherwise;

18 (e) interest on investment; and

19 (f) donations and legacies accruing to the Institute from any source,
20 for the general or special purposes of the Institute.

Donations for
particular purpose

21 18.-(1) Donations of money to be applied for any particular purpose
22 shall be placed to the credit of a special reserve account and may be invested in
23 such securities or other investments as may be approved by the Minister, until
24 such time as they may be expended in fulfilment of such purpose; provided that
25 the Institute shall not accept a donation from a particular purpose, if the terms
26 and conditions attached to such donation are inconsistent with the actions of
27 the Institute under this Bill.

28 (2) The interest derived from the investments referred to in subsection
29 (1) of this section (unless the terms of the donations otherwise required) shall
30 be deemed to be revenue of the Institute.

1 (3) Nothing in subsection (2) above shall make it obligatory for the
2 Council to publish any of the said bye-laws in the Gazette.

Regulations 3 **23.** The Council may, with the approval of the Minister, make
4 regulations for giving effect to the provisions of this Bill and without prejudice
5 to the foregoing regulations shall provide:

6 (a) the entry into and the type of courses approved for the Institute;

7 (b) the duration of the courses and academic standards; and

8 (c) the certificates, diplomas or degrees which may be awarded by the
9 Institute.

Interpretation 10 **24.** In this Bill, unless the context otherwise requires:

11 "Bye-laws" means bye-laws made under section 22 of this Bill;

12 "Council" means governing body of the Institute established under section 2 of
13 this Bill;

14 "Minister" means Minister charged with responsibility for matters relating to
15 education;

16 "Visitor" means Minister of Education;

17 "Property" includes rights, liabilities and obligations;

18 "Registrar" means the Registrar of the Institute;

19 "Institute" means Institute of Information Communication Technology Suleja,
20 Niger State established under section 1 of this Bill;

Short title 21 "Staff" means all persons employed by the Council to serve at the
22 Institute.

23 **25.** This Bill may be cited as Institute of Information Communication
24 Technology Suleja, Niger State (Establishment) Bill, 2020.

25 SCHEDULE

26 *[Section 2 (4)]*

27 *Proceedings of the Board*

28 1.-(1) Subject to this Bill and section 27 of the Interpretation Act, the
29 Council may make standing orders regulating the proceedings of the Council
30 or any committee thereof.

1 out on behalf of the Council such functions as the Council may determine.

2 (2) A committee appointed under this paragraph shall consist of such
3 number of persons (not necessarily all members of the Council) as may be
4 determined by the Council; and a person, other than a member of the Council,
5 shall hold office on the committee in accordance with the terms of his
6 appointment.

7 (3) A decision of a committee of the Council shall be of no effect until
8 it is confirmed by the Council.

9 *Miscellaneous*

10 4.-(1) The fixing of the seal of the Council shall be authenticated by
11 the signature of the Chairman and of any other member authorized generally or
12 specially by the Council to act for that purpose.

13 (2) Any contract or instrument which, if made by a person not being a
14 body corporate, would not be required to be under seal, may be made or
15 executed on behalf of the Institute by the Rector or any person generally or
16 specially authorized to act for that purpose by the Council.

17 (3) Any document purporting to be a document duly executed under
18 the seal of the Institute shall be received in evidence and shall, unless the
19 contrary is proved, be presumed to be so executed.

20 (4) Members of the Council who are not public officers shall be paid
21 off of moneys at the disposal of the Council such remuneration; fee or
22 allowances in accordance with such scale as may be approved, from time to
23 time, by the President.

24 (5) The validity of any proceedings of the committee of a Council
25 thereof shall not be adversely affected by a vacancy in the membership of the
26 committee of a Council or by reason that a person not entitled to do so took part
27 in the proceedings.

28 (6) Any member of the Council or any person holding office in a
29 committee of the Council who has a personal interest in any contract or
30 arrangement entered into or proposed to be considered by the Council or

- 1 committee thereof shall forthwith disclose his interest to the Council or
2 committee and shall not vote on any question relating to the contract or
arrangement.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Institute of Information Communication Technology Suleja, Niger State to provide full-time and part-time courses of instruction and training in Construction Technology, Engineering Technology, Applied Sciences, Management Sciences and other fields of study and to make provisions for the general administration of the Institute.