

## FEDERAL POLYTECHNIC OROGUN, DELTA STATE

## (ESTABLISHMENT) BILL, 2019

## ARRANGEMENT OF CLAUSES

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# A BILL

## FOR

AN ACT TO ESTABLISH THE FEDERAL POLYTECHNIC OROGUN, DELTA STATE TO PROVIDE FULL-TIME COURSES IN TECHNOLOGY, APPLIED SCIENCE, MANAGEMENT AND OTHER FIELDS OF STUDIES AND TO MAKE PROVISIONS FOR THE GENERAL ADMINISTRATION OF THE POLYTECHNIC AND FOR RELATED MATTERS

*Sponsored by Senator Ovie Omo-Agege*

[ ] Commencement

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

1           1. There is hereby established the Federal Polytechnic Orogun,  
2 Delta State specified in the Schedule to this Bill (in this Bill severally  
3 referred to as "the Polytechnic") which shall have such powers and exercise  
4 such functions as are specified in this Bill.

Establishment  
of the Federal  
Polytechnic  
Orogun, Delta  
State

5           2.-(1) The functions of the Polytechnic shall be-  
6           (a) to provide full-time or part-time courses of instruction and  
7 training-

Functions of  
Federal Polytechnic  
Orogun, Delta  
State

8           (i) in technology, applied science, commerce and management;  
9 and

10           (ii) in such other fields of applied learning relevant to the needs of  
11 the development of Nigeria in the area of industrial and agricultural  
12 production and distribution and for research in the development and  
13 adaptation of techniques as the Council may from time to time determine;

14           (b) to arrange conferences, seminars and study groups relative to  
15 the fields of learning specified in paragraph (a) of this sub-clause (1);

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

18           (2) Nothing in this Clause shall preclude the government of a State

Establishment  
and Constitution  
of the Council,  
etc.

1 or any of its agencies from setting up a polytechnic similar to any Polytechnic  
2 established under this Bill.

3 3.-(1) There shall be established for the Polytechnic a Council  
4 (hereafter in this Bill referred to as "the Council") which shall be a body  
5 corporate with perpetual succession and a common seal and may sue and be  
6 sued in its corporate name.

7 (2) The Council shall consist of a Chairman and the following other  
8 members, that is-

9 (a) one person to represent the Polytechnic;

10 (b) one person to represent the Manufacturers' Association of Nigeria;

11 (c) one person to represent professional bodies whose disciplines are  
12 taught at the Polytechnic;

13 (d) one person selected from a Federal or State public utility statutory  
14 corporation;

15 (e) one person of standing in the community where the Polytechnic is  
16 situate;

17 (f) the Rector of the Polytechnic;

18 (g) one representative of the Minister charged with responsibility for  
19 matters relating to Polytechnics;

20 (h) one representative of the Permanent Secretary of the Ministry  
21 charged with responsibility for matters relating to industries;

22 (i) one representative of the academic board of the Polytechnic;

23 (j) one representative of the State Commissioner of Education; and

24 (k) five other persons, at least one of whom shall be a woman, to be  
25 selected each on his personal merit based on his contribution to either the  
26 development of industry, technology or commerce or special interest in  
27 technical education.

28 (3) The Chairman and members of the Council other than ex-officio  
29 members shall be appointed by the President.

30 (4) The provisions set out in the Schedule to this Bill shall apply in

1 relation to the Constitution of the Council and the other matters therein  
2 specified.

3 4.-(1) The Minister of Education shall be the Visitor to the Visitation  
4 Polytechnic.

5 (2) The Visitor shall, not less than once in every five years, conduct  
6 a visitation of the college or appoint a Visitation Panel, consisting of not less  
7 than five experts. To conduct the visitation-

8 (a) for the purpose of evaluating the academic and administrative  
9 performance of the Polytechnic;

10 (b) for such other purpose or in respect of any other affairs of the  
11 Polytechnic as the Visitor may deem fit.

12 5.-(1) There shall be a Registrar to the Polytechnic who shall be Registrar of the  
13 responsible to the Rector for the day-to-day administration of the Polytechnic  
14 Polytechnic and shall perform such other duties as the Council or, as the case  
15 may be, the Rector may from time-to-time require him to do.

16 (2) The Registrar shall be the Secretary to the Council, the  
17 Academic Board and any committee of the Council and shall attend all the  
18 meetings of those bodies unless excused for good reason by the Chairman of  
19 the Council.

20 (3) In the absence of the Registrar, the Chairman of the Council  
21 may, after consultation with the Rector, appoint a suitable person to act as  
22 Secretary for any particular meeting of the Council.

23 (4) The Secretary to the Council or a person appointed to act under  
24 sub-clause (3) of this Clause, shall not vote on any question before the  
25 Council or count towards a quorum unless he is so entitled as a member of  
26 the Council.

27 6.-(1) A Registrar-

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

Tenure of Office  
of the Registrar

Functions of the Council and its Finance and General Purposes Committee t

1 (b) may be re-appointed for one further period of five years and no  
2 more.

3 7.-(1) Subject to provision of this Bill, the Council shall be the  
4 governing body of the Polytechnic and shall have responsibility for the general  
5 management of the affairs of the Polytechnic, and in particular, the control of  
6 the property and finances of the Polytechnic; and shall also have power to do  
7 anything which in its opinion is calculated to facilitate the carrying out of the  
8 activities of the Polytechnic and promote its best interests.

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

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

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

19 (5) There shall be a committee of the Council, to be known as the  
20 Finance and General Purposes Committee, which shall, subject to the  
21 directions of the Council, exercise control over the property and expenditure of  
22 the Polytechnic and perform such other functions of the Council as the Council  
23 may from time to time delegate to it.

24 (6) Provision shall be made by Statute with respect to the Constitution  
25 of the Finance and General Purposes Committee.

26 (7) The Council shall ensure that proper accounts of the Polytechnic  
27 are kept and that the accounts of the Polytechnic are audited annually by  
28 auditors appointed by the Council from the list and in accordance with  
29 guidelines supplied by the Auditor-General of the Federation; and that an  
30 annual report is published by the Polytechnic together with certified copies of

1 the said accounts as audited.

2 (8) Subject to this Bill the Statutes, the Council and the Finance and  
3 General Purposes Committee may each make rules for the purpose of  
4 exercising any of their respective functions or of regulating their own  
5 procedure.

6 (9) Rules made under sub-clause (8) of this Clause by the Finance  
7 and General Purposes Committee shall not come into force unless approved  
8 by the Council; and in so far and to the extent that any rules so made by that  
9 committee conflict with any directions given by the Council (whether  
10 before or after the coming into force of the rules in question), the directions  
11 of the Council shall prevail.

12 (10) There shall be paid to the members of the Council, of the  
13 Finance and General Purposes Committee and of any other committee set up  
14 by the Council respectively allowances in respect of traveling and other  
15 reasonable expenses, at such rates as may from time to time be fixed by the  
16 Council.

17 (11) The Council shall meet as and when necessary for the  
18 performance of its functions under this Bill, and shall meet at least three  
19 times in every year.

20 (12) If requested in writing by any five members of the Council, the  
21 Chairman shall within twenty-eight days after the receipt of such request  
22 call a meeting of the Council; and the request shall specify the business to be  
23 considered at the meeting, and no business not so specified shall be  
24 transacted at that meeting.

#### 25 *Staff*

26 § (1) There shall be a Rector of the Polytechnic ("the Rector") who  
27 shall be appointed by the President in accordance with the provisions of this  
28 Clause.

The Rector of  
the Polytechnic

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

30 (a) advertise the vacancy in a reputable journal or widely read

- 1 newspaper in Nigeria, specifying-
- 2 (i) the qualities of the person who may apply for the post; and
- 3 (ii) the terms and conditions of service applicable to the post, and
- 4 thereafter, draw up a short list of suitable candidates for consideration;
- 5 (b) constitute a Search Team consisting of-
- 6 (i) a member of the Council, not being a member of the Academic
- 7 Board, as Chairman;
- 8 (ii) two members of the Academic Board, not below the rank of Chief
- 9 Lecturer;
- 10 (iii) two members of the Academic Community of the college not
- 11 below the rank of Chief Lecturer, to be selected by Council, to identify and
- 12 draw up a short list of persons who are not likely to apply on their own volition
- 13 because they feel that it is not proper to do so.
- 14 (3) A Joint Council and Academic Board Selection Board consisting
- 15 of-
- 16 (a) the Chairman of the Council;
- 17 (b) two members of the Council not being members of the Academic
- 18 Board;
- 19 (c) two members of the Academic Board not below the rank of Chief
- 20 Lecturer, who were not members of the Search Team, shall consider the
- 21 candidates on the short list drawn up under sub-clause (2) of this Clause
- 22 through an examination of their curriculum vitae and interaction with them and
- 23 recommend, through the Council, three candidates for consideration.
- 24 (4) The President shall appoint, as Rector, one of the candidates
- 25 recommended to him under the provisions of sub-clause (3) of this Clause.
- 26 (5) Subject to this Bill and the general control of the Council, the
- 27 Rector shall be the Chief Executive of the Polytechnic and shall be charged
- 28 with responsibility for matters relating to the day-to-day management and
- 29 operations of the Polytechnic.
- 30 (6) The Rector-



1 (a) shall hold office for a period of four years beginning with the  
2 effective date of his appointment and on such terms and conditions as may  
3 be specified in his letter of appointment;

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

6 9.-(1) There shall be for the Polytechnic a Deputy Rector.

Deputy Rectors

7 (2) The Council shall appoint the Deputy Rector from among the  
8 Chief Lecturers in the Polytechnic in one of the following ways-

9 (a) from a list of three candidates, in order of preference, submitted  
10 by the Rector;

11 (b) on the recommendation of a Selection Board constituted under  
12 this Clause; or

13 (c) on the nomination of the Rector.

14 (3) The Selection Board referred to in sub-clause (2) of this Clause  
15 shall-

16 (a) consist of-

17 (i) the Chairman of the Council;

18 (ii) the Rector;

19 (iii) two members of the Council not being members of the  
20 Academic Board; (iv) two members of the Academic Board; and

21 (b) make such inquiries as it deems fit before making the  
22 commendation required under that sub-clause.

23 (4) The Deputy Rector-

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

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

28 (c) perform such other functions as the Rector may, from time to  
29 time, assign to him.

30 (5) The Deputy Rector-

1 (a) shall hold office for a period of two years beginning from the  
2 effective date of his appointment and on such terms and conditions as may be  
3 specified in his letter of appointment; and

4 (b) may be re-appointed for one further period of two years and no  
5 more.

Other Principal  
Officers of the  
Polytechnic

6 **10.**-(1) There shall be for the Polytechnic the following other  
7 Principal Officers, that is-

8 (a) the Registrar under Clause 5 and 6 of this Bill;

9 (b) the Bursar; and

10 (b) the Polytechnic Librarian, who shall all be appointed by the  
11 Council on the recommendation of the Selection Board constituted under  
12 Clause 9 (2)(b) of this Bill.

13 (2) The Bursar shall be the Chief Financial Officer of the Polytechnic  
14 and be responsible to the Rector for the day-to-day administration and control  
15 of the financial affairs of the Polytechnic.

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

19 (4) The Bursar or Librarian-

20 (a) shall hold office for a period of five years in the first instance and  
21 on such terms and conditions as may be specified in his letter of appointment;

22 (b) may be re-appointed for a further period of five years and no more.

Resignation of  
Appointment  
of Principal  
Officers

23 **11.** A principal officer may resign his appointment-

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

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

Selection Board  
for other Principal  
Officers

26 **12.**-(1) There shall be, for each College, a Selection Board which shall  
27 consist of-

28 (a) the Chairman of the Council;

29 (b) the Rector;

30 (c) four members of the Council not being members of the Academic

1 Board; (d) two members of the Academic Board.

2 (2) The functions and procedure and other matters relating to the  
3 Selection Board constituted under sub-clause (1) of this Clause shall be as  
4 the Council may, from time-to-time, determine.

5 13. -(1) The Council may appoint such other persons to be  
6 employees of the Polytechnic as the Council may determine to assist the  
7 Rector and the Principal Officers of the Polytechnic in the performance of  
8 their functions under this Bill.

Other Employees  
of the Polytechnic

9 (2) The power to appoint all other employees of the Polytechnic  
10 shall be exercised-

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

14 (b) in the case of junior employees, by the Rector on the  
15 recommendation of the Junior Staff Appointments and Promotions  
16 Committee constituted under paragraph 3 (2) (b) of the Schedule to this Bill.

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

21 14.-(1) The Federal Civil Service Commission may by order  
22 published in the Federal Gazette declare the office of the Rector or any other  
23 person employed by the Council to be a pensionable office for the purposes  
24 of the Pensions Act.

Application of  
the Pensions Act

25 (2) Nothing in the provisions of sub-clause (1) of this Clause shall  
26 prevent the appointment of any person to any office on terms which preclude  
27 the grant of a pension or gratuity in respect of service in that office.

28 Establishment of the Academic Board.

29 15. -(1) There shall be established for the Polytechnic a board to be  
30 known as the

The Academic  
Board

1 Academic Board which shall consist of the following members-

2 (a) the Rector of the Polytechnic, as the Chairman;

3 (b) the Deputy-Rector of the Polytechnic;

4 (c) all Heads of Departments;

5 (d) the Polytechnic Librarian; and

6 (e) not more than two members of the Academic Staff, other than  
7 Heads of Departments, who may be appointed by the Academic Board.

8 (2) The Academic Board shall be responsible for-

9 (a) the direction and management of academic matters of the  
10 Polytechnic including the regulation of admission of students, the award of  
11 certificates and diplomas, scholarships, prizes and other academic distinctions;

12 (b) the making to the Council of such periodic reports on such  
13 academic matter as the Academic Board may think fit or as the Council may  
14 from time-to-time direct; and

15 (c) the discharge of any other functions which the Council may  
16 delegate to it.

17 *Temure of Office*

Removal from  
Office of Members  
of the Council  
and the Rector

18 16.-(1) If it appears to the Council that a member of the Council (other  
19 than an ex-officio member) or the Rector should be removed from office on the  
20 ground of misconduct or inability to perform the functions of his office, the  
21 Council shall make a recommendation to that effect to the President, and if the  
22 President, after making such inquiries as he considers necessary, approves the  
23 recommendation, the President, shall, in writing, declare the office of such  
24 member vacant.

25 (2) The President may remove any member of the Council if he is  
26 satisfied that it is not in the public interest or in the interest of the Polytechnic  
27 that such member should continue as a member of the Council.

Removal and  
Discipline of  
Academic,  
Administrative  
and Technical  
Staff

28 17.-(1) If it appears to the Council that there are reasons for believing  
29 that any person employed as a member of the academic, administrative or  
30 technical staff of the Polytechnic, other than the Rector, should be removed

1 from office on the ground of misconduct or inability to perform the  
2 functions of his office, the Council shall-

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

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

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

9 (i) if he is an academic staff, for a joint committee of the Council  
10 and the Academic Board to investigate the matter and to report on it to the  
11 Council; or

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

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

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

25 (3) For good cause, any member of staff may be suspended from  
26 office or his appointment may be terminated by the Council, and for the  
27 purpose of this sub-clause, "good cause" means-

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

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

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

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

10 (4) Any person suspended pursuant to sub-clause (2) or (3) of this  
11 Clause, shall be placed on half pay and the Council shall before the expiration  
12 of the period of three months after the date of such suspension consider the case  
13 against that person and come to a decision as to-

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

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

18 (c) whether to terminate the appointment of the person in question, in  
19 which case such a person, will not be entitled to the proportion of his  
20 emoluments withheld during the period of suspension; or

21 (d) whether to take such lesser disciplinary action against such person  
22 (including the restoration of such proportion of his emoluments that might  
23 have been withheld) as the Council may determine, and in any case where the  
24 Council, pursuant to this Clause, decides to continue a person's suspension or  
25 decides to take further disciplinary action against a person, the Council shall  
26 before the expiration of a period of three months from such decision come to a  
27 final determination in respect of the case concerning any such person.

28 (5) It shall be the duty of the person by whom an instrument of  
29 removal is signed in pursuance of sub-clause (1) of this Clause, to use his best  
30 endeavours to cause a copy of the instrument to be served as soon as reasonably

1 practicable on the person to whom it relates.

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

5 *Discipline*

6 18.-(1) Subject to the provisions of this Clause, where it appears to  
7 the Rector that any student of the Polytechnic has been guilty of misconduct,  
8 the Rector may, without prejudice to any other disciplinary powers  
9 conferred on him by this Bill or regulations made hereunder direct-

Discipline of  
Students

10 (a) that the student shall not during such period as may be specified  
11 in the direction, participate in such activities of the Polytechnic, or make use  
12 of such facilities of the Polytechnic, 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 be suspended for such period as may be  
17 specified in the directions; or

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

19 (2) Where there is temporarily no Rector or where the Rector  
20 refuse to apply any disciplinary measures, the Council, either directly or  
21 through some other staff, may apply such disciplinary actions as are  
22 specified in sub-clause (1) of this Clause to any student of the Polytechnic  
23 who is guilty of misconduct.

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

1 (4) The fact that an appeal from a direction is brought in pursuance of  
2 sub-clause (3) of this Clause shall not affect the operation of the direction while  
3 the appeal is pending.

4 (5) The Rector may delegate his power under this Clause to a  
5 disciplinary committee consisting of such members of the Polytechnic as he  
6 may nominate.

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

10 (7) It is hereby declared that a direction under sub-Clause (1) (a) of  
11 this Clause may be combined with a direction under sub-clause (1) (b) of this  
12 Clause.

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

Discipline of  
Junior Staff

15 19.-(1) If any junior staff is accused of misconduct or inefficiency, the  
16 Rector may suspend him for not more than three months and forthwith shall  
17 direct the Junior Staff Appointments and Promotions Committee- (a) to  
18 consider the case; and

19 (b) to make recommendations as to the appropriate action to be taken  
20 by the Rector.

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

24 (3) The Rector may, after considering the recommendation made  
25 pursuant to sub-clause (1) (b) of this Clause, dismiss, terminate, retire or down-  
26 grade the officer concerned.

27 (4) Any person aggrieved by the Rector's decision under sub-clause  
28 (3) of this Clause, may within a period of 21 days from the date of the letter  
29 communicating the decision to him, address a petition to the Council to  
30 reconsider his case and the Council's decision thereon shall be final.



1 (5) In any case of gross misconduct on the part of a Junior Staff, the  
2 Rector shall forthwith suspend him and thereafter refer the matter to the  
3 Junior Staff Appointments and Promotions Committee to be dealt with  
4 according to the foregoing provision of this Clause.

5 *Financial Provisions*

6 20.-(1) Each Council shall keep proper accounts and proper  
7 records in relation thereto and shall cause to be prepared, not later than 1 day  
8 of October in each financial year, an estimate of its revenue and expenditure  
9 for the ensuing financial year and when prepared, the estimate shall be  
10 submitted to the National Board for Technical Education for approval.

Audits of  
Accounts

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

14 (3) The statement of accounts referred to in sub-clause (2) of this  
15 Clause shall when certified by the Rector, be audited by a firm of auditors  
16 appointed from the list and in accordance with the guidelines supplied by the  
17 Auditor-General of the Federation and shall be published in the annual  
18 report of the Polytechnic.

19 21. The funds of the Council shall include-

Funds of the  
Council

20 (a) fees charged by and payable to the Council in respect of  
21 students;

22 (b) any other amounts due to or recoverable by the Council;

23 (c) revenue from time to time accruing to the Council from the  
24 Federal Government by way of subvention, Appropriation Act,  
25 Supplementary Appropriation Act, arrant-in-aid, endowment or otherwise  
26 howsoever;

27 (d) donations and legacies accruing to the Council from any source  
28 for the special purpose of the Council.

29 22.-(1) Donations of money to be applied to any particular purpose  
30 shall be placed to the credit of a special reserve account approved by the

Donations for  
Particular Purposes

1 Council until such time as they may be expended in fulfillment of such  
2 purpose.

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

Payment into  
Bank

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

Annual Report

9 24. The Council shall on or before 31 December in each year prepare  
10 and submit to the President through the Minister, a report of the activities  
11 during the preceding financial year and shall include in the report, the audited  
12 accounts of the Polytechnic in respect of that financial year and the auditors'  
13 comments on the account.

14 *Miscellaneous and Supplemental*

Power to make  
Bye-laws

15 25.-(1) The Council may make bye-laws relating to any matter within  
16 its competence under this Bill other than matters for which provision is to be  
17 made by standing orders pursuant to paragraph 7 of the Schedule to this Bill.

18 (2) All such bye-laws shall be in writing and shall come into force  
19 when sealed with the seal of the Council unless some other date for their  
20 commencement is prescribed therein.

21 (3) Nothing in sub-clause (2) of this Clause, shall make it obligatory  
22 for the Council to publish any of the said bye-laws in the Federal Gazette but  
23 the Council shall bring such bye-laws to the notice of all affected thereby.

Exclusion of  
Discrimination  
on Account of  
Race, Religion,  
etc.

24 26. No person shall be required to satisfy requirements as to any of  
25 the following matters, that is to say race (including ethnic grouping), sex, place  
26 of birth or of the family origin or religious or political persuasion or as a  
27 condition of becoming or continuing to be a student at the Polytechnic or as a  
28 holder of any certificate of the Polytechnic, or of any appointment or  
29 employment at the Polytechnic, or a member of any body established by virtue  
30 of this Bill; and no person shall be subjected to any disadvantage or accorded

1 any advantage in relation to the Polytechnic by reference to any of those  
2 matters:

3 Provided that, nothing in this Clause shall be construed as  
4 preventing the polytechnic from imposing any disability or restriction on  
5 any of the aforementioned persons where such a person willfully refuses or  
6 fails on grounds of religious belief to undertake any duty generally and  
7 uniformly imposed on all such persons or any group of them which duty,  
8 having regard to its nature and the special circumstances pertaining thereto  
9 is, in the opinion of the Polytechnic, reasonably justifiable in the national  
10 interest.

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

Quorum and  
Procedure of  
Bodies established  
under this Bill

15 28. In this Bill, unless the context otherwise requires-

Interpretation

16 "The Academic Board" means the board established under Clause 15 of this  
17 Bill;

18 "The Appointments and Promotions Committee" means a body by that  
19 name established under paragraph 3 (2) (a) of the Schedule to this Bill;

20 "Polytechnic" means the respective polytechnic set up under Clause 1 of this  
21 Bill;

22 "The Junior Staff Appointments and Promotion Committee" means a body  
23 by that name set up under paragraph 3 (2) (b) of the Schedule to this Bill;

24 "The Minister" means the Minister charged with responsibility for matters  
25 relating to technical education;

26 "The Registrar" means the Registrar of the Polytechnic appointed under  
27 Clause 5 of this Bill.

28 29. This Bill may be cited as the Federal Polytechnic Orogun,  
29 Delta State Bill 2019.

Short title

## 1 SCHEDULE

## 2 SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

3 [Clause 7]

## 4 PUBLIC OFFICERS FOR THE PURPOSES OF THE CODE OF CONDUCT

## 5 SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

6 *Terms of Office of Members*

7 1.-(1) A member of the Council other than an ex-officio member shall  
8 hold office for a period of three years beginning with the date on which he was  
9 appointed and shall be eligible for re-appointment for a further term of three  
10 years and thereafter he shall no longer be eligible for re- appointment.

11 (2) Members of the Council holding office as specified in paragraph 1  
12 (1) of this Schedule, shall be paid remuneration or allowance in respect of  
13 traveling and other reasonable expenses, at such rates as may from time to time  
14 be fixed by the Council, of the Finance and General Purposes Committee and  
15 of any other committee set up by the Council.

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

18 2.-(1) Where a vacancy occurs in the membership of the Council, that  
19 vacancy shall be filled by the appointment of a successor to hold office for the  
20 remainder of the term of office of his predecessor; so however that the  
21 successor shall represent the same interest as his predecessor.

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

25 *Committees*

26 3.-(1) The Council may appoint one or more committees to which it  
27 may delegate any of its functions.

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

30 (a) the Appointments and Promotions Committee which shall without

1 prejudice to Clause 13 (2) (a) of this Bill-

2 (i) consist of a Chairman to be appointed by the Rector from  
3 members of the Senior Staff of the Polytechnic and four other members who  
4 shall be appointed by the Council;

5 (ii) be charged with the responsibility for making  
6 recommendations to the Council on the appointment and promotion of the  
7 academic and Senior Staff of the Polytechnic and have a quorum of three  
8 members;

9 (b) the Junior Staff Appointments and Promotions Committee  
10 which shall consist of a chairman and four other members to be appointed by  
11 the Council and shall have the powers set out in Clause 13 (2) (b) of this Bill;

12 (c) the Committee on Students' Affairs which shall consist of the  
13 following members-

14 (i) a Chairman who shall be appointed by the Rector from among  
15 the senior employees of the Polytechnic;

16 (ii) one member of the Council;

17 (iii) two members of the Academic Staff of the polytechnic; and

18 (iv) four students of the Polytechnic, and the Committee on  
19 Students' Affairs shall be charged with the duty of-

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

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

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

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

27 *Proceedings of the Council*

28 4.-(1) The Council shall meet for the conduct of business at such  
29 times as the Chairman of the Council may appoint but shall meet not less  
30 than twice in a year.



1 any document except in pursuance of a resolution duly passed at a properly  
2 constituted meeting of the Council and recorded in the minutes of such  
3 meeting.

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

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

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

#### EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal Polytechnic Orogun, Delta State to provide full-time courses in technology, applied science, management and other fields of studies and to make provisions for the General Administration of the Polytechnic.

