

A BILL

FOR

AN ACT TO ESTABLISH FEDERAL COLLEGE OF INFORMATION COMMUNICATION AND TECHNOLOGY, OSOGBO, OSUN STATE, AS A TERTIARY INSTITUTION TO PROVIDE FOR ACADEMIC TEACHINGS, KNOWLEDGE AND DISCIPLINE IN INFORMATION COMMUNICATION AND TECHNOLOGY, AND FOR RELATED MATTERS

Sponsored by Hon. Adewale Morufu Adebayo

Co-Sponsor: Hon. Alhassan Rurum

[] Commencement

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

- 1 **1.**-(1) There is hereby established for the Federal Republic of Nigeria, Federal College of Information, communication and Technology (in this bill is known as ('the College')). Establishment of the Federal College of Information Communication and Technology
- 2
- 3
- 4 (2) The College shall:
- 5 (a) Have the status of a tertiary institution with rights and privileges of such institutions; and
- 6
- 7 (b) Be a body corporate with perpetual succession and a common seal with powers to sue and be sued in its corporate name.
- 8
- 9 (3) The college may, for the performance of its functions, acquire and hold movable and immovable property, dispose of property and enter into a contract or other transaction that relates to the aims of the college. Powers of the College
- 10
- 11
- 12 (4) The college may generate revenue and invest the revenue for the promotion of excellence in teaching, research and community service.
- 13
- 14 **2 .**-(1) The college shall have financial autonomy subject to this Act. Status of the College
- 15
- 16 (2) In order to promote equitable access, the college shall charge

	1	reasonable fees as determined by the Council in consultation with the Minister.
Objects of the College	2	3. The aims of the college are to provide a viable world class centre for
	3	higher education in technology education and to undertake research in
	4	accordance with the following principles:
	5	(a) promote education, training and capacity building in various
	6	academic disciplines;
	7	(b) provide global consultancy services to both the private sector and
	8	the public sector;
	9	(c) promote basic and applied research; and
	10	(d) create an entrepreneurial environment that will support
	11	innovation and product incubation development while fostering university
	12	industry linkages.
Campus of the College in Bigeria	13	Campus of the college in Nigeria
	14	4. -(1) The college shall establish the main campus of the college, in
	15	Osun State.
Award of OND/ HND	16	5. -(1) The college shall have the power to award its own HND,
	17	certificates including honorary diplomas and certificates.
	18	(2) The college may withdraw HND, diploma or certificate that the
	19	college has awarded, if the college has evidence that proves that
	20	(a) the HND, diploma or certificate was obtained through fraud or
	21	academic malpractice; or
	22	(b) the process of acquiring the HND, diploma or certificate was
	23	tainted by an act that in the opinion of the College undermines the integrity of
	24	the award.
	25	<i>Administration</i>
The College Council	26	6. -(1) The governing body of the College is a Council consisting of
	27	(a) a chairperson nominated by the President;
	28	(b) the deputy and Two (2) deputy provost of the college;
	29	(c) one representative of the Ministry of Education not below the rank
	30	of a director;

1 (d) two senior members of the college elected by the Convocation
2 representing the professorial and non- professorial staff;

3 (e) one representative of the Information Communication
4 Technology industry;

5 (f) three persons nominated by the President, at least one of whom
6 is a woman; and

7 (g) one representative of the students, nominated by the Students
8 Representative Council.

9 (2) The chairperson and other members of the Council shall be
10 appointed by the President;

11 (3) The President in making the nominations, under paragraphs (a)
12 and (g) of subsection (1), shall have regard to the academic qualifications,
13 leadership qualities, gender, expertise in finance, management, knowledge
14 and relevant experience in matters relevant to academic and public
15 administration and management.

16 **7. The Council shall**

Functions of the
Council

17 (a) ensure the implementation of the aims of the college;

18 (b) approve plans and programs of the college;

19 (c) prescribe the terms and conditions for the admission of a person
20 selected for any course of study and training organized by the college;

21 (d) institute awards and scholarship schemes in furtherance of the
22 aims of the college;

23 (e) approve the appointments and promotions of Deans, Directors
24 and Heads of Departments on the recommendations of the Appointments
25 and Promotions Committee of the Academic Board or as may be prescribed
26 in the Statutes of the college ;

27 (f) make professorial level appointments for the college on the
28 recommendation of the Appointments and Promotions Committee of the
29 Academic Board or as maybe prescribed in the Statutes of the college;

1 (g) ensure the timely audit of the finances of the college and proper
2 use of funds;

3 (h) oversee the internal organization of the college including the
4 establishment, variation and supervision of academic divisions, departments
5 and faculties;

6 (i) publish annual reports relating to the activities of the college;

7 (j) approve annual estimates of the income and statement of accounts
8 of the college; and

9 (k) perform any other function that is incidental to the achievement of
10 the aims of the college.

Establishment
of committees

11 **8.**(1) For the purpose of achieving the aims of the college, the
12 Council may establish standing or ad-hoc committees, made up of members or
13 non- members of the Council and assign them functions that the Council
14 considers appropriate.

15 (2) A committee comprised entirely of non-members of the Council
16 shall be advisory.

Tenure of office
of members of
the Council

17 **9.**(1) A member of the Council other than the Provost and an ex-
18 officio member shall hold office for a period of four years and is eligible for re-
19 appointment for another term only.

20 (2) A member shall not represent more than one person or institution
21 specified under section 6.

22 (3) Where a member of the Council is absent from three consecutive
23 meetings without reasonable cause, the office of that member shall become
24 vacant.

25 (4) A member of the Council, other than the provost and an ex- officio
26 member, may resign from office in writing addressed to the President through
27 the Minister.

28 (5) The President may revoke the appointment of a member for
29 inability to perform the functions of that member, for stated misconduct or for
30 any other just cause.

1 (6) Where the office of a member becomes vacant by reason of
2 death, resignation or the absence of the member from three consecutive
3 meetings without reasonable cause, another person nominated by the
4 relevant body shall be appointed for the unexpired term of the office.

5 (7) The chairperson of the Council shall, through the Minister,
6 notify the President of any vacancy that occurs in the membership of the
7 Council within one month of the occurrence of the vacancy.

8 **10.**-(1) The Council shall meet at least three times in each academic
9 year for the despatch of the business at the time and in the place determined
10 by the chairperson.

Meetings of the
Council

11 (2) The chairperson of the Council shall, upon the request of not
12 less than one-third of the members, convene a special meeting of the
13 Council.

14 (3) The quorum at a meeting of the Council is six members.

15 (4) The chairperson shall preside at each meeting of the Council
16 and in the absence of the chairperson, a member of the Council elected by
17 members present from among their number shall preside.

18 (5) Matters before the Council shall be decided by a simple
19 majority of the members present and voting and in the event of an equality of
20 votes, the person presiding shall have a casting vote.

21 (6) The Council may co-opt a person to attend and participate in
22 any of its meetings but a co-opted person is not entitled to vote at a meeting.

23 (7) The proceedings of the Council are not invalidated by reason of
24 a vacancy among the members or by a defect in the appointment or
25 qualification of a member.

26 (8) Unless otherwise provided, the Council shall determine and
27 regulate the procedure for its meetings.

28 **11.**-(1) A member of the Council who has an interest in a matter for
29 consideration shall-

Disclosure of
Interest

30 (a) disclose the nature of the interest and the disclosure shall form

1 part of the record of the consideration of the matter; and

2 (b) shall not participate in the deliberations of the Council in respect
3 of that matter.

4 (2) A member ceases to be a member of the Council if that member has
5 an interest in a matter before the Council and-

6 (a) fails to disclose that interest; or

7 (b) participates in the deliberations on the matter.

Allowances

8 **12.** Members of the Council and members of a committee of the
9 Council shall be paid allowances approved by the Minister in consultation with
10 the Minister responsible for Finance.

General powers
of the Council

11 **13.**-(1) The Council may provide for any act or thing in relation to the
12 University which the Council considers necessary or expedient.

13 (2) The conferment of particular powers on the Council by other
14 provisions of this Act shall not be taken to limit the generality of this section.

Principal Officers
of the College

15 **14.**-(1) The Principal Officers of the College are

16 (a) the provost;

17 (b) the chairperson of the Council; and

18 (c) the deputy provost.

19 (2) Before assuming office, the Principal Officers of the college shall
20 take and subscribe to the Oath of Office as specified in the Schedule.

Provost

21 **15.**-(1) The college shall have a provost who is appointed by the
22 Council and takes precedence over the other officers of the college.

23 (2) The criteria and modalities for appointment of the provost shall be
24 prescribed by the Statutes.

25 (3) The provost shall hold office for a term of five years and is eligible
26 for re-appointment for another term only but not beyond the statutory
27 retirement age.

28 (4) The College shall preside at Congregation, meetings and
29 ceremonies of the college at which the is present.

30 (5) The College shall be served with the summons, minutes and other

1 documents related to meetings of the Council and may attend the meetings.

2 (6) The provost shall confer on qualified persons, HND, diplomas
3 and certificates awarded by the College in accordance with this Act and
4 procedures prescribed by Statutes.

5 (7) The Provost may delegate a function under subsection (6) by
6 directives in writing to the Council.

7 **16.**-(1) The Office of the provost shall become vacant on

Vacancy in the
Office of the
Provost

8 (a) resignation;

9 (b) death;

10 (c) removal from office; or

11 (d) the expiry of the term of office.

12 (2) The grounds and procedures for the removal of the Provost
13 from office shall be contained in the Statutes.

14 (3) Without limiting the other roles of the provost, where the
15 integrity and welfare of the college are threatened by any matter, the provost
16 may, in consultation with the Council, intervene.

17 **17.**-(1) The College shall have a provost who is appointed by the
18 Council.

The Provost

19 (2) The provost shall hold office on the terms and conditions
20 specified in the letter of appointment.

21 (3) The provost shall hold office for a term of four years and is
22 eligible for re-appointment for another term only.

23 (4) The provost is the academic and administrative head and chief
24 disciplinary officer of the college.

25 (5) The provost is responsible to the Council for maintaining order
26 and ensuring the efficient administration of the University.

27 (6) The provost shall perform such other functions as may be
28 prescribed by the Council in the Statutes of the college .

29 **18.**-(1) The Office of the provost shall become vacant on

Vacancy in the
Office of the
Provost

30 (a) resignation;

- 1 (b) death; or
- 2 (c) removal from office.
- 3 (2) The grounds and procedures for the removal of the provost from
- 4 office shall be contained in the Statutes.

Provost

Registrar of the
College

- 6 **19.**-(1) The Council shall appoint a Registrar for the college.
- 7 (2) The Registrar shall hold office on the terms and conditions
- 8 specified in the letter of appointment in accordance with the Statutes.
- 9 (3) The Registrar is responsible to the provost for the day- to- day
- 10 administration of the affairs of the college.
- 11 (4) The Registrar is the Secretary to the-
- 12 (a) Council;
- 13 (b) Academic Board; and
- 14 (c) other boards and committees that may be set up by Statutes.
- 15 (5) The Registrar shall-
- 16 (a) arrange the business of the Council;
- 17 (b) attend the meetings of the Council;
- 18 (c) record and keep the minutes of the meetings of the Council; and
- 19 (d) perform any other functions that the Council or the provost may
- 20 direct.

Director of Finance

- 21 **20.**-(1) The college shall appoint a Director of Finance for the college.
- 22 (2) The Director of Finance shall perform functions as prescribed in
- 23 the Statutes.
- 24 (3) The Director of Finance is responsible to the provost in the
- 25 performance of the functions of the Director of Finance.

Appointment
of academic,
administrative
and other staff

- 26 **21.**-(1) The Council may appoint academic, administrative and other
- 27 staff as are necessary for the effective performance of the functions of the
- 28 college .
- 29 (2) The terms and conditions of service of persons appointed under
- 30 subsection (1) shall be determined by the Council.

1 (iv) the policy and procedure for the assessment and examination of
2 students and for the discipline of students.

3 (d) regulate and assess the academic work of the college in the areas of
4 teaching and research;

5 (e) consider the resources required to support the academic activities
6 of the college;

7 (f) prepare, on its initiative, or at the request of the Council, reports
8 and recommendations on any matter affecting the college; and

9 (g) perform any other functions specified in the Statutes of the
10 college.

11 (2) Without limiting subsection (1), the Board shall advise the
12 Council generally and in particular on academic matters of the college subject
13 to the powers of the Council.

Internal organization
of the College

14 **26.**-(1) Subject to this Act, the Council may make arrangements as it
15 considers appropriate for the internal organization of the college, including the
16 establishment, supervision or variation of-

17 (a) halls of residence, academic faculties, administrative divisions,
18 Departments, independent profit centres and other bodies;

19 (b) lectureships, teaching and research; and

20 (c) academic and administrative posts and functions.

21 (2) The Council shall exercise the powers referred to in subsection
22 (1), only after the consultation with the Academic Board in so far as they relate
23 to matters which in the opinion of the Council are academic matters.

Student governance

24 **27.**-(1) The college shall have a Students' Representative Council.

25 (2) The Students' Representative Council is responsible for
26 representing students duly admitted and registered to study at the college.

27 (3) The constitution and other governing instruments of the Students'
28 Representative Council shall-

29 (a) be drawn up by the students subject to the approval of the
30 Academic Board; and

1 (b) conform to this Act, the Statutes of the college and any other
2 rules, regulations, directives and edicts duly issued by the college.

3 (4) The Statutes of the college may grant the Students'
4 Representative Council representation on appropriate bodies and organs of
5 the college.

6 **28.** The Council shall ensure the implementation of this Act by Statutes of the
7 Statutes which shall in particular, College

8 (a) regulate the-

9 (i) appointment;

10 (ii) conditions of service;

11 (iii) termination of appointment; and

12 (iv) retirement benefits;

13 of the employees of the College;

14 (b) determine the persons who form the academic staff of the
15 college;

16 (c) determine the persons who are authorized to enter into
17 transactions, sign contracts, cheques and other documents and negotiate
18 instruments on behalf of the college and to regulate the procedure in relation
19 to transactions entered into by the college;

20 (d) determine the academic calendar of the college;

21 (e) ensure that the seal of the college is kept under proper custody
22 and is used only on the authority of the Council;

23 (f) determine the rules and procedures relating to discipline of
24 students and staff of the college;

25 (g) determine procedures for the assessment and award of degrees,
26 diplomas and certificates of the college;

27 (h) determine the award of scholarships and bursaries; and

28 (i) provide for any matter which is required by this Act to be
29 prescribed by Statute.

- 1 (i) fees paid by students registered by the college;
- 2 (ii) fees, charges and dues in respect of services rendered by or
- 3 through the college;
- 4 (iii) proceeds from the sale of publications of the college;
- 5 (iv) grants, subscriptions, rents and royalties;
- 6 (c) returns on investments;
- 7 (d) donations and gifts; and
- 8 (e) moneys from any other source approved by the Council.

9 (2) Any sum of money received by or on behalf of the college shall
10 be paid into a bank account of the college opened by or on the authority of
11 the Council.

12 (3) The Council may invest the funds of the college that are not
13 required for immediate use as the Council considers appropriate.

14 (4) The college may receive support from the Government for its
15 capital expenditure.

16 **33.**-(1) The Council shall control and manage the finances of the
17 college and determine matters on the financial administration of the college. Management of
the Finances of
the College

18 (2) Without limiting subsection (1), where matters concerning the
19 financial administration of the college affects its education policy, the
20 Council shall, before determining the matter, consult the Board and consider
21 any recommendations or report of the Board.

22 **34.**-(1) The Council shall ensure that the college keeps books of
23 account and proper records in the form approved by the Auditor- General. Accounts and
audit

24 (2) The Council shall submit the annual accounts of the college to
25 the Auditor-General for audit within three months after the end of the
26 financial year and cause the accounts to be published at the time and in the
27 manner that the Council considers appropriate .

28 (3) The accounts shall be under the signature of the Provost and the
29 Director of Finance.

30 (4) The Auditor-General shall, not later than three months after the

1 receipt of the accounts, audit the accounts and forward a copy of the audit
2 report to the Minister.

Annual report
and other reports

3 **35.**-(1) The Council shall, within three months after the end of each
4 academic year, submit a report to the Minister covering the activities of the
5 college for the year to which the report relates and make that report available to
6 the public.

7 (2) The report submitted under subsection (1) shall include the report
8 of the Auditor-General.

9 (3) The Minister shall, within one month after the receipt of the annual
10 report, submit the report to Parliament with a statement that the Minister
11 considers necessary.

12 (4) The Council shall also submit to the Minister any other reports
13 which the Minister may require in writing.

Exemption from
taxes, duties and
other charges

14 **36.** The college is exempt from the payment of taxes, duties and other
15 charges that the Minister responsible for Finance may determine with the prior
16 approval of Parliament.

Anti-discrimination

17 **37.**-(1) Without limiting the power of the college to adopt affirmative
18 action policies, the college, or an officer of the college shall not discriminate
19 against a person on the basis of that person's race, ethnic origin, political
20 opinion, colour, gender, occupation, religion or creed, disability, social or
21 economic status to determine whether that person is to be-

22 (a) admitted as a student of the college;

23 (b) registered as a student of the college;

24 (c) permitted to graduate from the college;

25 (d) appointed as an academic staff or other staff member;

26 (e) promoted as an academic staff or other member; or

27 (f) granted any advantage, privilege or other benefit accorded to all
28 other persons.

29 (2) For the purpose of subsection (1), "an officer of the college"
30 includes a Principal Officer, staff or other employee, an agent, servant or any

1 other person performing or acting in an official capacity for or on behalf of
2 the college.

3 (3) For the purpose of this section, "discriminate" means to give
4 different treatment to different persons attributable only or mainly on the
5 grounds stated in subsection (1).

6 38.-(1) A student admitted to the college, shall take the Matriculation
7 Matriculation Oath and sign the Matriculation Register.

8 (2) A student who fails to sign the Matriculation Register shall be
9 prevented by the college from graduating.

10 39.-(1) There is established by this Act a body to be known as the Dispute
11 Osun Information Communication Technology college Appeals Board. settlement

12 (2) The Council shall appoint the Members of the Appeals Board.

13 (3) The Appeals Board shall consist of-

14 (a) a chairperson who is a retired justice of the Superior Courts of
15 Judicature or a lawyer qualified to be so appointed;

16 (b) two lawyers of at least ten years standing at the Bar who are
17 persons of high moral integrity, one of whom is a woman; and

18 (c) two persons who are not lawyers or employees of the college
19 who are persons of high moral integrity, one of whom is a woman.

20 (4) The Appeals Board shall hear and determine on appeal, matters
21 on-

22 (a) an act or omission in contravention of this Act or the Statutes
23 enacted by the Council;

24 (b) breach of an employment contract by the college;

25 (c) the promotion of persons duly employed by the college;

26 (d) grievances by a student against the college on matters related to
27 welfare and discipline; or

28 (e) any other matter or dispute referred to the Appeals Board by the
29 Council.

30 (5) The chairperson and two other members of the Appeals Board,

1 constitute a panel for the hearing and determination of a case or matter before
2 the Appeals Board.

3 (6) In the absence of the chairperson, one of the two lawyers as
4 specified in paragraph (b) of subsection (3), shall act as chairperson.

5 (7) The Council shall establish the rules and procedure which govern-

6 (a) the operation of the Appeals Board;

7 (b) the appointment and remuneration of the members of the Appeals
8 Board;

9 (c) the functions of the acting chairperson;

10 (d) the establishment of the Secretariat of the Appeals Board, and

11 (e) any other relevant matter.

Interpretation

12 **40.** In this Act, unless the context otherwise requires,
13 "Academic year" in relation to teaching, appointment, retirement and related
14 matters means the period from the 1st day of August in a calendar year to the
15 31st day of July of the next following year or any other period determined by
16 the Academic Board;

17 "Board" means the Academic Board of the College established under this Bill;

18 "Calendar" means the official program of activities of the college with
19 respective dates;

20 "College" means a collection of academically-related establishments such as
21 Faculties, Schools and Institutes;

22 "Council" means the governing body of the college established under section
23 6;

24 "independent profit centre" means a professional development and research
25 centre for training, design, manufacturing, and processes which leads to
26 commercialism and a profitable venture or activity;

27 "junior member" means a student enrolled for the time being in the college;

28 "junior staff " means a person in the employment of the college of the rank
29 below the Administrative Assistant or its equivalent;

30 "Minister" means the Minister responsible for Education;

1 "operative date" means the day on which a Statute is enacted; "
2 professor" means a full professor;
3 "professorial status" refers to the ranks of professor and associate professor;
4 "Provost" means the person appointed under section 19 to the office of the
5 college;
6 "Statutes" means administrative guidelines enacted by the college Council
7 in accordance with the Act to govern the internal operation of the college;
8 "support staff" means a person other than senior staff employed by the
9 college who is an Administrative Assistant or of a rank lower than an
10 Administrative Assistant;
11 "college" means the Rivers Information Communication Technology
12 college established under section 1; and
13 "provost" means the person appointed under section 16 as the provost of the
14 college.

15 **41.** This Bill may be cited as the Federal College of Information Citation
16 Communication Technology Osogbo, Osun State Bill, 2023.

EXPLANATORY MEMORANDUM

This Bill seeks to establish Federal College of Information Communication
Technology Osun State to make comprehensive provisions for it due
management and administration.