

A BILL

FOR

AN ACT TO ESTABLISH FEDERAL COLLEGE OF ENTREPRENEURSHIP AND SKILLS ACQUISITION ODE-ITSEKIRI, DELTA STATE, TO PROVIDE FULL-TIME COURSES, TEACHING INSTRUCTION AND TRAINING IN TECHNOLOGY, APPLIED SCIENCE, ARTS, SOCIAL SCIENCES, HUMANITIES AND MANAGEMENT; AND FOR RELATED MATTERS

Sponsored by Hon. Thomas Ereyitomi

[] Commencement

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

1 **1.**-(1) There is established the Federal College of Entrepreneurship
2 and Skills Acquisition Ode-Itsekiri, Delta State (in this Act referred to as
3 "the College").

Establishment
of Federal College
of Entrepreneurship
and Skills Acquisition
Ode-Itsekiri, Delta
State

4 (2) The College shall-

5 (a) be a body corporate with perpetual succession and common
6 seal; and

7 (b) have power to acquire and dispose of interest in movable and
8 immovable properties.

9 (3) The College may sue and be sued in its corporate name.

10 **2.**-(1) The governance and direction of the affairs of the College
11 shall rest in the Governing Council of the College (in the Act referred to as
12 "the Council").

Governing Council
of the College

13 (2) The Council shall have the responsibility to consider and
14 approve the -

15 (a) programme of studies to be undertaken in the College;

16 (b) annual estimates of the College; and

17 (c) investment plan of the College.

18 (3) The provisions of the Schedule to this Act shall have effect with

Schedule

	1	respect to the Council as mentioned in the Schedule.
Membership of the Council of the College	2	3. The Council of the College shall consist of-
	3	(a) a Chairman and other members to be appointed by the President;
	4	(b) a representative of the Federal Ministry responsible for Education;
	5	(c) a representative of the University of which the College is affiliated
	6	for the purpose of moderation;
	7	(d) two representatives of the Academic Board of the College;
	8	(e) a representative of the National Commission for Colleges of
	9	Education; and
	10	(f) the Provost of the College.
Tenure of members of the Council	11	4.-(1) A member of the Council, other than the ex-officio members,
	12	shall hold office for a term of four years and subject to the provision of
	13	subsection (2), shall be eligible for re-appointment for a further term of four
	14	years and no more.
	15	(2) The office of a member appointed under section 3 of this Act shall
	16	become vacant if the-
	17	(a) member resigns by notice in writing under his hand addressed to
	18	the Minister; or
	19	(b) Minister is satisfied that it is not in the interest of the College for
	20	the member appointed to continue in office and notifies the member in writing
	21	to that effect.
Functions of the College	22	5. The functions of the College shall be to-
	23	(a) provide full-time courses, teaching instruction and training in-
	24	(i) technology, applied sciences, arts, social sciences, humanities and
	25	management, and
	26	(ii) such other fields of applied learning relevant to the needs of
	27	development of Nigeria.
	28	(b) conduct courses in education for qualified teachers;
	29	(c) arrange conferences, seminars and workshops relative to the
	30	functions of the College; and

1 (d) perform such other functions as in the opinion of the Council
2 may serve to promote the objectives of the College.

3 **6.** The Council shall have power to-

Power of the
Council

4 (a) hold examinations and grant National Certificates in Education
5 (NCE), Diplomas, professional certificates and other distinctions to
6 persons, who have pursued courses of study approved and accredited by the
7 National Commission for Colleges of Education;

8 (b) hold examinations in education for qualified teachers;

9 (c) recruit staff and determine structure of such staff;

10 (d) demand and receive from any student or any other person
11 attending the College for the purpose of instruction, such fees as the Council
12 may with the prior approval of the Minister, from time to time determine;

13 (e) hold public lectures and undertake printing, publishing and
14 selling of books;

15 (f) award fellowships, medals, prizes and other titles;

16 (g) establish and maintain such schools and other teaching units
17 with the College or extra mural departments as the Council may from time to
18 time determine;

19 (h) erect, provide, equip and maintain such educational,
20 recreational and residential facilities as the College may require;

21 (i) create lectureships and other academic posts and offices and to
22 make appointments accordingly;

23 (j) receive and make gifts;

24 (k) enter into such contracts as may be necessary or expedient for
25 carrying into effect the objectives of the College;

26 (l) provide amenities for and make such other provision for the
27 welfare of the staff and students of the College;

28 (m) encourage and make provision for research in the College; and

29 (n) do such acts and things whether or not incidental to the
30 foregoing powers as may advance the objects of the College.

Visitation	1	7.-(1) The Minister responsible for Education shall be the Visitor of
	2	the College.
	3	(2) The Visitor shall, at least, not less than once in every five years,
	4	conduct a visitation to the College or appoint a visitation panel consisting of
	5	not less than five experts to conduct the visitation-
	6	(a) for the purpose of evaluating the academic and administrative
	7	performance of the College; or
	8	(b) for such other purpose as the Visitor may deem fit.
The Academic Board and its functions	9	8.-(1) There is established for the College a Board known as the
	10	Academic Board which shall consist of the following members-
	11	(a) the Provost of the College as Chairman;
	12	(b) all Heads of Departments;
	13	(c) the College Bursar;
	14	(d) the College Librarian; and
	15	(e) not more than three members of the academic staff other than the
	16	heads of departments to be appointed by the Council.
	17	(2) The Academic Board shall be responsible for-
	18	(a) the direction and management of academic matters of the College
	19	including the regulation of admission of students, and award of certificates,
	20	scholarships, prizes and other academic distinction; and
	21	(b) discharging any other functions which the Council may from time
	22	to time delegate to it.
Power of Minister	23	9. The Minister may give to the Council directions of a general nature
	24	or relating generally to matters with regard to the exercise by the Council of its
	25	functions and it shall be the duty of the Council to comply with such directions.
The Provost of the College	26	10. -(1) There shall be a Provost for the College who shall be
	27	appointed by the President on the recommendation of the Minister.
	28	(2) Where a vacancy occurs in the post of the Provost, the Council
	29	shall-
	30	(a) advertise the vacancy in a reputable, widely read newspaper in

1 Nigeria specifying-

2 (i) the qualities of a 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 of the
5 Minister.

6 (3) The President shall appoint as Provost one of the candidates
7 recommended by the Minister.

8 (4) Subject to the general control of the Council the Provost shall
9 be the chief executive of the College and shall be charged with general
10 responsibility for matters relating to the management and operations of the
11 College.

12 (5) The Provost shall hold office for a term of five years only and on
13 such terms and conditions as may be specified in his letter of appointment.

14 **11.**-(1) There shall be for the College, two Deputy Provosts-

Deputy Provosts

15 (a) Deputy Provost (Academic); and

16 (b) Deputy Provost (Administration).

17 (2) The Council shall nominate the Deputy Provosts from among
18 the Chief Lecturers in the College in any of the following ways-

19 (a) from a list of five candidates in order of preference, submitted
20 by the Provost;

21 (b) on the recommendation of a Selection Board constituted for
22 that purpose; or

23 (c) on the nomination of the Provost.

24 (3) The Selection Board referred to in subsection 2 (b) shall consist
25 of-

26 (a) the Chairman of the Council;

27 (b) the Provost of the College;

28 (c) two members of the Academic Board; and

29 (d) two members of the Council not being members of the
30 Academic Board.

1 (4) (a) The Deputy Provost (Academic) shall-

2 (i) assist the Provost in the performance of his functions in academic
3 matters of the College;

4 (ii) act as the Provost when the post of the Provost is vacant or if the
5 Provost is, for any reason, absent or unable to perform his functions.

6 (b) The Deputy Provost (Administration) shall-

7 (i) assist the Provost in administrative matters of the college; and

8 (ii) perform such other functions as the Provost or the Council may
9 assign to him.

10 (5) Each of the Deputy Provosts shall hold office for a term of two
11 years and no more.

The Registrar and
other staff of the
College

12 **12.**-(1) There shall be a Registrar for the College to be appointed by
13 the Council.

14 (2) The Registrar shall keep the records and conduct the
15 correspondence of the Council.

16 (3) The Registrar shall be the Secretary to-

17 (a) the Council;

18 (b) the Academic Board of the Council; and

19 (c) any committee of the Council.

20 (4) The Registrar may perform any duty assigned to him by the
21 Council or the Provost.

22 (5) The Registrar shall hold office for a term of five years and no
23 more.

Other principal
officers of the
College

24 **13.**-(1) There shall be for the College in addition to the Registrar-

25 (a) the Bursar, and

26 (b) the College Librarian,

27 who shall be appointed by the Council.

28 (2) The Bursar shall be the chief financial officer of the College and be
29 responsible to the Provost for the administration and control of the financial
30 affairs of the College.

1 (3) The College Librarian shall be responsible to the Provost for the
2 administration of the College library and coordination of the library services
3 in the teaching units of the College.

4 (4) The Bursar and the College Librarian shall each hold office for
5 a term of five years and no more.

6 **14.** A principal officer of the College may resign his appointment-

Resignation of
appointment of
principal officer

7 (a) in case of the Provost by notice to the Visitor; and

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

9 **15.**-(1) The Council may appoint other persons to be employees of
10 the College as the Council may deem necessary to assist the Provost and the
11 principal officers in the performance of their functions.

Other employees
of the College

12 (2) The remuneration, tenure of office and conditions of service of
13 the employees of the College shall be determined by the Council in
14 consultation with the Federal Civil Service Commission.

15 **16.** Service in the College shall be approved service for the purpose
16 of the Pensions Reform Act and accordingly, officers and other persons
17 employed in the College shall be entitled to pension, gratuity and other
18 retirement benefits as may be prescribed in their respective letters of
19 appointment.

Pensions
Act No. 4, 2014

20 **17.**-(1) There shall be a Selection Board for the College which shall
21 consist of-

Selection Board

22 (a) the Chairman of the Council;

23 (b) the Provost;

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

26 (d) two members of the Academic Board.

27 (2) The functions, procedure and other matters relating to the
28 Selection Board constituted under subsection (1) shall be determined from
29 time to time by the Council.

Fund of the College	1	18. -(1) The College shall establish and maintain a Fund which shall
	2	be applied towards the promotion of the objectives of this Act.
	3	(2) There shall be paid and credited to the Fund established under
	4	subsection (1) -
	5	(a) such sums as may from time to time be granted by the Federal
	6	Government through the National Commission for Colleges of Education;
	7	(b) all money raised by the Council by way of gifts, grants-in-aid or
	8	testamentary disposition;
	9	(c) all subscription fees and charges for services rendered by the
	10	Council; and
	11	(d) all other sums that may accrue to the Council from any sources.
	12	(3) The Council shall submit to the Minister, through the National
	13	Commission for Colleges of Education, not later than three months before the
	14	end of each financial year or at such other time as the Minister may direct an
	15	estimate of its revenue and expenditure for the next financial year.
Power to accept gifts	16	19. -(1) The College may accept gifts, money or of other property
	17	upon such terms and conditions, as may be specified by the person making the
	18	gifts.
	19	(2) The College shall not accept any gift if the conditions attached to
	20	the gift are inconsistent with the objectives of the College.
Accounts and Audit	21	20. The College shall keep proper accounts of its receipts, allocations,
	22	payments, assets and liabilities and shall in respect of each year cause the
	23	accounts to be audited.
Annual report	24	21. The Council shall as soon as may be after the expiration of each
	25	financial year, prepare and submit to the Minister a report of its activities
	26	during the immediate preceding financial year and shall include in the report a
	27	copy of the audited accounts of the College for that year and of the auditor's
	28	report of the accounts.
Interpretation	29	22. In this Bill-
	30	"Chairman" means the Chairman of the Council;

1 "College" means the Federal College of Entrepreneurship and Skills
2 Acquisition Ode-Itsekiri, Delta State established under section 1 of this Act;
3 "Council" means the Governing Council of the College established under
4 section 2 of this Act;
5 "function" includes power and duties;
6 "Minster" means the Minster charged with the responsibility for education;
7 "Member" means a member of the Council including the Chairman;
8 "Provost" means the Provost of the College appointed under section 10 of
9 this Act.

10 **23.** This Bill may be cited as the Federal College of Citation
11 Entrepreneurship and Skills Acquisition Ode-Itsekiri, Delta State
12 (Establishment) Bill, 2023.

1 SCHEDULE

2 *Section 2 (3)*

3 SUPPLEMENTARY PROVISION RELATING TO THE COUNCIL, ETC.

4 *Terms of Service*

5 1. There may be paid to the members of the Council or any of its
6 committees, other than ex- officio members, such remuneration and
7 allowances as may be determined by the President.

8 2. Where vacancy occurs in respect of the membership specified in
9 section 3, it shall be filled by the appointment of a successor to hold office for
10 the remainder of the term of office of his predecessor in office and such
11 successor shall represent the same interest as his predecessor.

12 3. The Council may act notwithstanding any vacancy in its
13 membership or any defect in the appointment of a member or absence of a
14 member.

15 *Proceedings*

16 4.-(1) The Council shall meet for the conduct of business at such
17 times, places and on such days as the Chairman may appoint but shall meet not
18 less than once every four months.

19 (2) The Chairman may at any time, and shall, at the request in writing
20 of not less than six members, convene a meeting of the Council.

21 (3) Where the Council desires to obtain the advice of any person on
22 any particular matter, the Council may co-opt persons who are not members of
23 the Council but persons co-opted shall not be entitled to vote at a meeting of the
24 Council.

25 (4) The quorum of the Council shall be one-half of the total members
26 of the Council, at least, one of whom shall be a member appointed by the
27 President.

28 (5) Decision of the Council shall be made on approval by a simple
29 majority of members.

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Miscellaneous

5.-(1) The affixing of the seal of the College shall be authenticated by the signatures of the Chairman, Provost and of some other members of the Council Authorised by the Council to act for that purpose.

(2) Any contract or instrument which, if made or executed by a person other than a body corporate would not be required to be under seal, may be made or executed on behalf of the College by any person authorised to act for that purpose by the Council.

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

EXPLANATION MEMORANDUM

This Bill seeks to establish the Federal College of Entrepreneurship and Skills Acquisition Ode-Itsekiri, Delta State as institution to offer full-time courses leading to the award of National Certificates of Education, Diplomas etc.