

A BILL

FOR

AN ACT TO ESTABLISH THE FEDERAL COLLEGE OF NURSING AND MIDWIFERY KAFIN MALAMAI, GARKO, KANO STATE TO PROVIDE TRAINING IN NURSING AND MIDWIFERY AND OTHER SPECIALTIES OF MEDICINE AND TO MAKE PROVISION FOR THE GENERAL ADMINISTRATION OF THE COLLEGE AND FOR RELATED MATTERS

Sponsored by : Hon, Abdulhakeem Kamllu Ado

[] Commencement

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

- 1 **1.**-(1) There is established the Federal College of Nursing and
2 Midwifery Kafin Malamai, Garko, Kano State (in this Bill referred to as "the
3 College"). Federal College
of Nursing and
Midwifery Kafin
Malamai, Garko,
Kano State
- 4 (2) The College shall be a body corporate with perpetual
5 succession and a common seal.
- 6 (3) The College may sue and be sued in its corporate name.
- 7 **2.**-(1) There is established for the College, a governing council Establishment
and Functions of
the Governing
Council of the
College
8 (herein referred to as "the Council").
- 9 (2) The Council shall have the responsibility to consider and
10 approve:
- 11 (a) The Programme of studies to be undertaken in the College;
- 12 (b) The annual estimates of the college; and
- 13 (c) The investment plan of the college.
- 14 (3) The provisions of the schedule to this Bill shall have effect with
15 respect to the council as mentioned herewith.
- 16 **3.**-(1) The Council of the college shall consist of: Membership of
the Council of the
College
- 17 (a) A Chairman and other members to be appointed by the
18 President;

- 1 (b) A representative of the Federal Ministry of Education;
- 2 (c) A representative of the University to which the college is affiliated
- 3 for the purpose of moderation;
- 4 (d) Two representatives of the academic board of the College;
- 5 (e) A representative of the Alumni Association of the College;
- 6 (f) A representative of the National Board for Technical Education;
- 7 and
- 8 (g) The Provost of the College

Tenure of Members
of the Council

9 **4.-(1)** A member of the council (other than the ex-officio members)
10 shall hold office for a term of four years and subject to the provision of
11 subsection (2) of this section shall be eligible for re-appointment for a further
12 period of four years and no more.

13 (2) The office of a member appointed under section 3 of this Bill shall
14 become vacant if:

15 (a) The member resigns from office by notice in writing under his
16 hand addressed to the Minister; or

17 (b) The Minister is satisfied that it is not in the interest of the college
18 for the person appointed to continue in office and notifies the person in writing
19 to that effect.

Objectives of
the College

20 **5.** The objectives of the college shall be:

21 (a) To provide training and research in Nursing, Midwifery and other
22 specialties of Nursing leading to the award of Professional Certificates,
23 Diplomas, Degrees and other Post Basic Certificates;

24 (b) To provide avenues for continuing education in Nursing,
25 Midwifery and other specialties of Nursing; and

26 (c) To provide such services that are necessary and incidental to the
27 objectives of the College.

28 (d) To organize conferences, seminars and workshops related to the
29 objectives of the college; and

30 (e) To perform such other functions as in the opinion of the council

1 may serve to promote the objective of the college.

2 **6.-(1)** The council of the college shall have power to:

Powers of the
Council

3 (a) Hold examinations and grant Diploma, Higher National
4 Diploma Certificates, Professional Certificates and other distinctions to
5 persons, who have pursued approved courses in the college;

6 (b) Hold examinations in Nursing and Midwifery;

7 (c) Recruit staff and determine structure of such staff;

8 (d) Demand and receive from any student or any other person
9 attending the college for the purpose of instruction such fees as the council
10 may with the approval of the Minister from time to time determine;

11 (e) Hold public lectures and undertake printing, publishing and
12 bookselling;

13 (f) Award fellowship, medals prizes and other titles;

14 (g) Establish and maintain such schools and other teaching units
15 within the college or extra moral departments as the council may from time
16 to time determine;

17 (h) Erect, provide, equip and maintain such educational, nursing
18 and midwifery facilities as the college may require;

19 (i) Create lectureships and other academic post and offices and to
20 make appointment thereof;

21 (j) Receive and make gifts;

22 (k) Enter into such contracts as may be necessary or expedient for
23 carrying into effect the objectives of the college;

24 (l) Provide amenities for and make such other provision for the
25 welfare of the staff and students of the college;

26 (m) Encourage and make provision for research in the college;

27 (n) Do such acts and things whether or not incidental to the
28 foregoing power as may advance the objects of the college.

29 (2) Subject to the provisions of this Bill, the powers conferred on

	1	the college shall be exercisable on behalf of the college by the governing
	2	council.
Visitation	3	7. -(1) The Minister for Education shall be the Visitor of the College.
	4	(2) The visitor shall as often as circumstances may require, not less
	5	than once in every five years conduct a visitation to the College or appoint a
	6	visitation panel consisting of not less than five experts to conduct the visitation;
	7	(a) For the purpose of evaluating the academic and administrative
	8	performance of the college; or
	9	(b) For such other purpose as the Visitor may deem fit.
Academic Board and Functions	10	8. -(1) There shall be established for the College a Board to be known
	11	as the Academic Board which shall consist of the following members:
	12	(a) The Provost of the College as the Chairman;
	13	(b) All Heads of Departments;
	14	(c) The College Bursar;
	15	(d) The College Librarian;
	16	(e) Not more than three members of the Academic staff other than the
	17	Heads of Departments to be appointed by the Council.
	18	(2) The Academic Board shall be responsible for:
	19	(a) The direction and management of academic matters of the College
	20	including the regulation of admission of students, the award of certificates,
	21	scholarships, prizes and other academic distinctions;
	22	(b) Discharging any other function(s) which the council may from
	23	time to time delegate to it.
Powers of the Minister	24	9. The Minister may give to the council directions of a general
	25	character or relating generally to matters with regard to the exercise by the
	26	Council of its functions and it shall be the duty of the Council to comply with
	27	such directions.
The Provost of the College	28	10. -(1) There shall be a Provost for the college (hereinafter referred to
	29	as 'the Provost') who shall be appointed by the President on the
	30	recommendation of the Minister.

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

3 (a) Advertise the vacancy in a widely read newspaper in Nigeria
4 stating:

5 (i) The qualities of the person who may apply for the post;

6 (ii) The terms and conditions of service applicable to the post and
7 thereafter draw up a short list of suitable candidates for consideration of the
8 Minister.

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

11 (4) Subject to the general control of the Council the Provost shall
12 be the Chief Executive of the College and shall be charged with general
13 responsibility for matters relating to the day-to-day management and
14 operations of the College.

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

18 **11.**-(1) There shall be for the college two Deputy Provosts namely: Deputy Provost
19 Deputy Provost (Administration) and Deputy Provost (Academics).

20 (2) The Council shall select the Deputy Provosts from among the
21 chief lecturers in the College in any of the following ways, that is:

22 (a) From a list of five preferred candidates submitted by the
23 Provost;

24 (b) On the recommendation of a selection Board set up for that
25 purpose;

26 (c) On the recommendation of the Provost.

27 (3) The selection Board referred to in subsection (2) (b) of this
28 section shall consist of:

29 (i) The Chairman of the Council;

30 (ii) The Provost of the College;

- 1 (iii) Two members of the Academic Board; and
2 (iv) Two members of the Council who are not of the Academic Board.
3 (4) (a) The Deputy Provost (Administration) shall:
4 (i) Assist the Provost in administrative matters of the college; and
5 (ii) Act as the Provost when the post of the Provost is vacant or if the
6 Provost is for any reason, absent or unable to perform his function.
7 (b) The Deputy Provost (Academics) shall:
8 (i) Assist the Provost in the performance of his functions in Academic
9 matters of the college;
10 (ii) Perform such other functions as the Provost or the council may
11 from time to time assign to him.
12 (5) Each of the Deputy Provosts shall hold office for a period of two
13 years and no more.

The Registrar
of the College

- 14 **12.**-(1) There shall be a Registrar for the College to be appointed by
15 the Council.
16 (2) The Registrar shall keep the records and conduct the
17 correspondence of the Council.
18 (3) The Registrar shall be the Secretary to:
19 (a) The Council;
20 (b) The Academic Board; and
21 (c) Any Committee of the Council.
22 (4) The Registrar may perform any duty as may be assigned to him by
23 the Council or the Provost.
24 (5) The Registrar shall hold office for a period of five years and no
25 more.

Other Principal
Officers of the
College

- 26 **13.**-(1) There shall be for the college in addition to the Registrar:
27 (a) The Bursar; and
28 (b) The College Librarian who shall be appointed by the Council.
29 (2) The Bursar shall be the chief financial officer of the college and be
30 responsible to the Provost for the day-to-day administration and control of the

1 financial affairs of the college.

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

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

7 **14.** A Principal Officer of the College may resign his appointment:

Resignation of
appointment of
Principal Officers
of the College

8 (a) In case of the Provost by notice to the Visitor; and

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

10 **15.**-(1) The Council may appoint other persons to be employees of
11 the College as the Council may deem fit, to assist the Provost and the
12 Principal Officers of College in the performance of their functions.

Other employees
of the College

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

16 **16.** Service in the College shall be approved service for the
17 purpose of the Pension Reform Act, 2004 and accordingly, officers and other
18 persons employed of the College shall be entitled to pension's gratuity and
19 other retirement benefits as may be prescribed in their respective letters of
20 appointment.

Pensions

21 **17.**-(1) There shall be a selection Board for the College, consisting
22 of:

Selection Board
for other Principal
Officers

23 (a) The Chairman of the Council;

24 (b) The Provost of the College;

25 (c) Four Members of Council, not members of the Academic Board

26 and;

27 (d) Two members of the Academic Board.

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

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

1 Malamai, Garko, Kano State established under section (1) of this Bill;
2 "Council" means the Governing Council of the College established under
3 section (2) of this Bill;
4 "Function" includes power and duties;
5 "Minister" means the Minister charged with responsibility for Education;
6 "Member" means a Member of the Council including the Chairman;
7 "Provost" means the Provost established in section (10) of this Bill.

8 23. This Bill may be cited as Federal College of Nursing and Midwifery Kafin Malamai, Garko, Kano State (Establishment) Bill, 2024. Short title
9

10 SCHEDULE

11 [Section 2(3)]

12 SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL, ETC

13 *Terms of Service*

14 1. There may be paid to the members of the Council or any
15 Committee other than ex-officio members, such remuneration and
16 allowances as may from time to time be determined by the President.

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

21 3. The Council may act notwithstanding any vacancy in its
22 membership or any defect in the appointment of a member or the absence of
23 a member.

24 *Proceedings*

25 4.-(1) The Council shall meet for the conduct of its business at such
26 time, place and on such days as the Chairman may appoint but shall meet not
27 less than once every four months.

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

30 (3) Where the council desires to obtain the advice of any person on

1 any particular matter, the Council may co-opt persons who are not members of
2 the council but persons co-opted shall not be entitled to vote at a meeting of the
3 council.

4 (4) The quorum of the council shall be one half of the total members of
5 the Council, at least one of whom shall be a member appointed by the
6 President.

7 (5) Decisions of the Council shall be made on approval by a simple
8 majority of members.

9 *Miscellaneous*

10 5.-(1) The fixing of the seal of the college shall be authenticated by the
11 signature of the Chairman, Provost and of some members of the Council
12 authorized generally or specially by the Council to act for that purpose.

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

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

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal College of Nursing and Midwifery Kafin Malamai, Garko, Kano State, to provide training and research in nursing, midwifery and other specialties of nursing leading to the award of professional certificates, diplomas, degrees and other post basic certificate and to make provision for the general administration of the College.