

A BILL

FOR

AN ACT TO ESTABLISH THE FEDERAL INSTITUTE OF MINING AND GEOSCIENCES, EKITI IKORO, EKITI STATE TO PROVIDE COURSES OF INSTRUCTION, TRAINING AND RESEARCH IN THE EXPLORATION AND EXPLOITATION OF MINERALS FOR NATIONAL DEVELOPMENT; AND FOR RELATED MATTERS

Sponsored by Hon. Gaza Jonathan Gbefwi

Co-Sponsor:

Hon. Bamisile Olufemi

[] Commencement

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

1 PART I - ESTABLISHMENT OF FEDERAL INSTITUTE OF MINING AND
2 GEOSCIENCES, EKITI IKORO, EKITI STATE

3 1.-(1) There is established a body to be called the Federal Institute
4 of Mining and Geosciences, Ekiti Ikoro, Ekiti State (in this Bill referred to as
5 'The Institute').

Establishment
of Federal Institute
of Mining and
Geosciences, Ekiti
Ikoro, Ekiti State

6 (2) The Institute-

7 (a) Is a body corporate with perpetual succession and a common
8 seal; and

9 (b) May sue or be sued in its corporate name.

10 PART II - FUNCTIONS AND POWERS OF THE BOARD

11 2. The Institute shall-

Functions of the
Institute

12 (a) Provide courses of instruction, training and research in
13 geosciences and mining and produce technicians and such skilled personnel
14 normally required for the mining and related industries;

15 (b) Provide for the public and private sectors alike, laboratory

1 services for rock and mineral identification, sampling and mineral
2 beneficiation, mineral and metallurgical analysis;

3 (c) sponsor educational programmes pertaining to geosciences,
4 mining, processing technologies, production techniques, mining and
5 geosciences management, safety and other mining related issues;

6 (d) Disseminate to the public and industries any result of the research
7 or studies in developments pertaining to mining, processing and geosciences;

8 (e) Offer consultancy and technical services in geosciences, mineral
9 processing and mining to public and private establishments engaged in mining
10 and related industries;

11 (f) Conduct research in mining, quarrying and related industries;

12 (g) Collaborate with other similar institutions within and outside
13 Nigeria;

14 (h) Conduct and participate in conferences, symposia, seminars,
15 lectures, training courses and similar study arrangements that may enhance the
16 activities of the Institute;

17 (i) provide skilled training for the artisanal and small scale mining
18 operators; and

19 (j) Carry out any other activity for the realization of its mandate under
20 this Act.

21 PART III - STAFF OF THE INSTITUTE

Powers of the
Institute

22 **3.** The Institute shall have powers to-

23 (a) Establish such departments, divisions and units within the
24 Institute as may be deemed necessary;

25 (b) Establish such posts or positions and make appointments;

26 (c) Provide for the appointment, promotion, discipline, training and
27 welfare of staff of the Institute;

28 (d) Admit students for training and skill acquisition programmes and
29 award Certificates and Diplomas;

30 (e) demand from any student or any other person attending the

1 Institute for the purposes of instructions, training and research, such fees as
2 the Institute may determine;

3 (f) exercise disciplinary control over the students for acts of
4 misconduct as may be prescribed in the Institute's Students Handbook;

5 (g) acquire, hold, charge or otherwise deal with or dispose of
6 movable and immovable property;

7 (h) accept gifts, legacies and donations, provided the terms and
8 conditions attached are not in violation of any of the laws of the Federal
9 Republic of Nigeria and the purpose and objectives of the Institute;

10 (i) enter into contracts, establish trusts, act as trustees solely or
11 jointly with any other person and employ and act through agents;

12 (j) erect, provide, equip and maintain libraries, lecture halls or
13 residences, sports grounds, dining halls and other buildings suitable for the
14 objectives of the Institute;

15 (k) Make gifts for any charitable purposes and make donations to
16 professional bodies; and

17 (l) Do all such other things which are incidental to the powers of the
18 Institute.

19 4.-(1) there is established for the Institute a Governing Board (in
20 this Bill referred to as "the Board").

Establishment
of Governing
Board of the
Institute

21 (2) The Board shall consist of

22 (a) a Chairman, who is the Minister responsible for Mines;

23 (b) a representative of the Ministry responsible for mines;

24 (c) a representative of the Mining and Quarrying Industry,

25 (d) a representative of the Cement Manufacturing Industry,

26 (e) a representative of the Nigerian Mining and Geosciences
27 Society, and

28 (f) the Director of Mines Inspectorate of the Ministry responsible
29 for mines;

	1	(g) the Director-General of the Nigerian Geological Survey Agency;
	2	(h) the Registrar of the Council of Nigerian Mining Engineers and
	3	Geoscientists; and
	4	(i) the Director-General of the Institute;
	5	(3) There shall be a Legal Adviser of the Institute who shall serve as
	6	Secretary to the Board.
	7	(4) The members of the Board, who are not ex-officio members shall
	8	be appointed by the President on the recommendation of the Minister.
	9	(5) The supplementary provisions set out in the Schedule to this Bill
	10	shall have effect with respect to the proceedings of the Board and other relevant
	11	matters contained therein.
Tenure of office of members of the Board	12	5. A member of the Board, other than an ex-officio member, shall hold
	13	Tenure of office for four years and may be re-appointed for a final term of four
	14	years.
Remuneration of members of the Board	15	6. (1) The members of the Board shall be paid such emoluments as
	16	may be specified in their letters of appointment.
	17	(2) The allowances payable to members of the Board shall be in
	18	accordance with such rates as may be specified and approved by the Federal
	19	Government
Removal from office of a member of the Board	20	7. A member of the Board may be removed from office by the
	21	President where the member-
	22	(a) is unable to perform the functions of his office as a result of
	23	infirmity of the body or mind;
	24	(b) has committed gross misconduct;
	25	(c) makes a compromise with his or creditors or is declared bankrupt;
	26	(d) is insane or of unsound mind;
	27	(e) is convicted of criminal offence; or
	28	(f) is against national interest and the interest of the institute.
Functions of the Board	29	8. (1) The Board shall-
	30	(a) Subject to the provisions of this Bill, be the governing body of the

1 Institute and shall be charged with the general control and superintendence
2 of the policy, finance and property of the Institute;

3 (b) Ensure that the Institute is staffed by persons with requisite
4 competences;

5 (c) Ensure that proper accounts of the Institute are kept and that
6 those accounts are audited annually as specified in this Bill; and

7 (d) Present annual report on the activities of the Institute and
8 audited accounts of the Institute to the Minister.

9 (2) The Board may, subject to its standing orders, establish such
10 standing or ad hoc committees, as it may deem fit, to consider and report on
11 any matter with which the Institute is concerned.

12 **9.**-(1) The Management Staff of the Institute are-

Establishment
of Committees

13 (a) Director-General and Chief Executive Officer;

14 (b) Director of Training and Research;

15 (c) Director of Skills Acquisition and Development;

16 (d) Director of Finance and Administration; and

17 (e) Legal Adviser.

18 (2) The Management Staff of the Institute, other than the Director-
19 General, shall be appointed by the Board.

20 **10.**-(1) The President shall, on the recommendation of the Minister,
21 appoint a Director- General for the Institute.

Appointment of
Management staff
of the Institute

22 (2) The Director-General shall-

23 (a) be a holder of a minimum qualification of Master's Degree in
24 Mining or Mineral Processing Engineering or Geosciences;

25 (b) have a minimum of 25 years post-qualification experience;

26 (c) be a registered member of the Council of Mining Engineers and
27 Geoscientists of Nigeria.

28 (3) The Director-General is the Chief Academic, Administrative
29 and Accounting Officer of the Institute and is responsible for the day-to-day
30 administration of the Institute.

Appointment
of the Director-
General of the
Institute

1 (4) The Director-General shall hold office for four years which may
2 be renewed for a final term of four years.

3 (5) Subject to the provisions of this section, the Director-General shall
4 hold office on such terms as to emoluments and other conditions as may be
5 specified in his letter of appointment.

6 **11.**-(1) The Director, Training and Research shall-

7 (a) be a holder of at least a Masters Degree in Mining or Mineral
8 Processing Engineering or Geosciences;

9 (b) be registered with the Council of Mining Engineers and
10 Geoscientists of Nigeria; and

11 (c) have 20 years post qualification experience in the mining,
12 quarrying or mineral exploration industry.

13 (2) The Director, Skills Acquisition and Development shall-

14 (a) be the holder of at least a Bachelor of Science Degree or possess
15 higher experience in the mining, quarrying or mineral exploration industry, and
16 hold a National Diploma in Mining or Mineral Processing Engineering or
17 Geosciences;

18 (b) be registered with the Council of Mining Engineers and
19 Geoscientists; and

20 (c) have at least 15 years post-qualification experience with at least 10
21 years working experience in the mining, quarrying or mineral exploration
22 industry.

23 (3) The Director, Finance and Administration shall-

24 (a) be the holder of at least a Bachelor of Science or Higher National
25 Diploma in Accounting or Business Administration; and

26 (b) have 15 years post qualification experience in the bursary of a
27 financial industry, five of which years shall be at managerial level.

28 (4) The Legal Adviser shall be a legal practitioner with at least 10
29 years post-qualification experience in legal practice who has attained the rank
30 not below that of a Director.

1	12. -(1) The Board may appoint for the Institute such other staff as it	Qualifications of
2	may deem necessary to assist the Director-General in the performance of his	Directors and
3	functions under this Bill.	Legal Adviser
4	(2) Without prejudice to subsection (1), the Board may appoint	
5	persons or employees of the Institute either by way of transfer or	
6	secondment in accordance with the Public Service Rules.	
7	13. The remuneration, tenure and conditions of service of	Appointment of
8	employees of the Institute shall be as those applicable to staff of Research	other staff of the
9	Institutes.	Institute
10	14. The Director-General and other members of the Board may be	Removal from the
11	removed from office by the President on the recommendation of the	office of the
12	Minister-	Director-General
13	(a) for inability to perform the functions of his office due to bodily	and membership
14	or mental incapacity;	of the Board
15	(b) on the grounds of gross misconduct;	
16	(c) where he makes a compromise with his creditors or is declared	
17	bankrupt;	
18	(d) for corruption; or	
19	(e) where he is convicted of a criminal offence.	
20	15. -(1) Where it appears to the Board that there are reasons to	Discipline of
21	remove a member of the senior staff of the Institute, other than the Director-	senior staff
22	General, on grounds of gross misconduct or inability to perform the	
23	functions of his office, the Board, through its appropriate committee, shall-	
24	(a) give notice of those reasons to the person concerned; and	
25	(b) afford the person an opportunity to make representation on the	
26	matter to the Board or appear before the Investigation Committee of the	
27	Board.	
28	(2) Where the Board, after considering the report of the	
29	Investigation Committee, is satisfied that the person in question should be	
30	removed, the Board may remove the person concerned by an instrument in	

1 writing signed by the Chairman of the Board.

2 (3) The Director-General may, where in case of misconduct by a
3 member of staff which in the opinion of the Director-General is prejudicial to
4 the interest of the Institute, suspend that member and report the suspension to
5 the Board.

6 (4) For a good cause, an employee may be suspended from office or
7 his appointment may be terminated by the Board, and for the purpose of this
8 subsection, "good cause" means-

9 (a) physical or mental incapacity, which the Board, after obtaining
10 medical advice, considers to be such as to render the person concerned unfit for
11 the performance of the functions of his office;

12 (b) conduct of a scandalous or other disgraceful nature which the
13 Board considers to be such as to render the person unfit to continue to hold his
14 office; or

15 (c) conduct which the Board considers to be such as to constitute a .
16 failure or inability of the person concerned to perform the functions of his
17 office or to comply with the terms and conditions of his service.

18 (5) A person suspended under subsection (3) or (4) shall be placed on
19 half salary and the Board shall, before the expiration of a period of six months
20 after the suspension, decide on whether to-

21 (a) continue with that person's suspension;

22 (b) reinstate that person to his office, in which case the Board shall
23 restore his full emoluments to him with effect from the date of the suspension;

24 (c) terminate that person's appointment, in which case the person is
25 not entitled to the proportion of his emoluments which might have been
26 withheld during the period of suspension or as the Board may determine; or

27 (d) take such lesser disciplinary action against that person (including
28 the restoration of the proportion of his emoluments which might have been
29 withheld) as the Board may determine.

30 (6) Where the Board, pursuant to this section, decides to continue a

1 person's suspension or decides to take further disciplinary action against a
2 person, the Board shall, before the expiration of a period of six months from
3 that decision, come to a final determination in respect of the case concerning
4 that person.

5 (7) The person who signed the instrument of removal by virtue of
6 subsection (2) shall serve or cause to be served on the person concerned a
7 copy of the instrument.

8 (8) Nothing in this section prevents the Board from making such
9 regulations for the discipline of other categories of employees and workers
10 of the Institute as it may deem fit.

11 **16.**-(1) Where a junior member of staff is accused of misconduct or
12 inefficiency, the Director-General may suspend him for not more than three
13 months and shall further refer the matter to the Junior Staff Disciplinary-

Discipline of
junior staff

14 (a) consider the case; and

15 (b) make recommendations as to the appropriate action to be taken
16 by the Director- General.

17 (2) In all cases under this section, the junior member of staff shall
18 be informed in writing of the charges against him and be given reasonable
19 opportunity to defend himself.

20 (3) The Director-General may, considering recommendation made
21 pursuant to subsection (1) (b), downgrade, retire or dismiss the junior officer
22 or terminate his appointment.

23 (4) A person aggrieved or not satisfied by a decision of the Director
24 General under sub- section (3) may, within a period of 21 days of the receipt
25 of the letter communicating the decision to him, appeal to the Board to
26 reconsider his case and the Board's decision on that matter is final.

27 **17.**-(1) Service in the Institute is approved service for the purpose
28 of the Pension Reform Act, and officers and other persons employed in the
29 Institute are, in respect of their service in the Institute, entitled to pensions
30 and other retirement benefits as are enjoyed by persons holding equivalent

Service in the
Institute to be
pensionable

1 grades in the Public Service of the Federation.

2 (2) Nothing in this Bill shall prevent the appointment of a person to any
3 office on terms which preclude the grant of a pension in respect of that office.

4 PART IV- ACADEMIC BOARD OF THE INSTITUTE

Establishment
of the Academic
Board of the
Institute

5 **18.**-(1) There is established for the Institute an Academic Board which
6 shall consist of-

7 (a) the Director-General of the Institute as Chairman;

8 (b) the Director of Training and Research Department;

9 (c) the Director of Skills Acquisition and Development Department;

10 (d) the Head of Library Service Division; and

11 (e) the Legal Adviser of the Institute who shall be the Secretary of the
12 Academic Board.

13 (2) The Director-General shall preside at all meetings of the Academic
14 Board and, in his absence, the most senior academic Director shall preside at the
15 meeting, but in their absence, the members present at the meeting shall elect one
16 of them to preside.

17 (3) The Academic Board shall meet at least once in a semester.

18 (4) Subject to subsections (2) and (3), the Academic Board shall regulate
19 its own proceedings.

Functions of
the Academic
Board

20 **19.** The Academic Board shall formulate, regulate and continually
21 evaluate the academic programmes of the Institute, including-

22 (a) approval of courses of study and examinations held in connection
23 with those courses;

24 (b) the award of diplomas, certificates and such other qualifications as
25 may be prescribed in connection with examinations held; and

26 (c) such other functions as the Governing Board may assign to it.

Academic
Departments of
the Institute

27 **20.**-(1) The Academic Departments of the Institute are-

28 (a) Department of Training and Research comprising Geosciences,
29 Mining and Mineral Processing Divisions;

30 (b) Department of Skills Acquisition and Development comprising

1 Mineral Beneficiation Mill, Lapidary. Museum and Mineral Analyses
2 Laboratory: and

3 (c) Other Departments and Divisions of other specialty as may be
4 prescribed by the Board to meet the academic demands of the Institute.

5 (2) Each Department shall have a Departmental Committee and all
6 academic staff in a Department shall be members of the Departmental
7 Committee.

8 (3) Each Departmental Committee may discharge its duties in
9 accordance with such standing orders that may be made by the Academic
10 Board for that purpose as it deems fit.

11 (4) Each Departmental Committee shall be reconstituted as a
12 Committee of Examiners for the sole purpose of conducting examinations
13 under this section and thereafter make its recommendations to the Academic
14 Board.

15 **21.** A candidate for any examination shall satisfy that he-

Candidates for
Examination

16 (a) is a registered student of the Institute:

17 (b) possesses and holds a certificate that qualified him for
18 admission to the Institute; and

19 (c) has met the minimum requirements as set out by the Academic
20 Board

21 **22.** The Institute shall award diplomas and certificates to students
22 of the Institute who are of good character and learning and who have passed
23 the examinations prescribed by the Academic Board for the award of same.

Award of Diplomas
and Certificates

24 PART V - FINANCIAL PROVISIONS

25 **23.-(1)** The Institute shall establish and maintain a fund (in this Bill
26 referred to as The Fund") from which shall be defrayed all expenditure
27 incurred by the Institute.

Fund of the
Institute

28 (2) There shall be paid and credited to the Fund-

29 (a) such money as may be lent or granted to the Institute by the
30 Government of the Federation or of a State or any of their agencies;

1 (b) all money raised for the purposes of the Institute by way of gifts,
2 grants-in-aid testamentary disposition;

3 (c) all subscriptions or fees, and charges for services rendered by the
4 Institute;

5 (d) all interests received in respect of money invested by the Institute:

6 (e) all other assets accruing to the Institute: and

7 (f) budgetary allocations of the Federal Government.

8 (3) The Fund shall be managed in accordance with the Financial
9 Regulations of the Federal Government

Expenditure
of the Institute

10 **24.**-(1) The Institute may apply its funds-

11 (a) to the cost of administration of the Institute and of any research
12 under the Institute's administration;

13 (b) for reimbursing a member of any Committee set up by the Institute
14 for expenses expressly authorised by the Institute;

15 (c) for the provision of scholarships and other awards for the training
16 of staff of the Institute;

17 (d) for payment of salaries, fees or other remuneration, allowances,
18 pensions, superannuation payable to the employees of the Institute;

19 (e) for the maintenance of any property vested in the Institute; and

20 (f) for and in connection with, any of the functions of the Institute
21 under this Bill.

22 (2) Except as provided in subsection (1), no other remuneration shall
23 be paid to any member of any Committee set up by the Institute under this Bill.

Power to accept
gifts

24 **25.**-(1) The Institute may accept gifts of land, money or other
25 property, on such terms and conditions, as may be specified by the person or
26 organisation making the gift.

27 (2) The Institute shall not accept a gift if the conditions attached by the
28 person or organisation making the gift are inconsistent with the objectives or
29 functions of the Institute.

1 apparatus and machines made by-
2 (a) employees of the Institute, and
3 (b) persons assisting the Institute with any investigation or research,
4 shall vest in the Institute.

5 PART VII - MISCELLANEOUS PROVISIONS

Office and
Premises

6 **30.**-(1) For the purpose of providing offices and premises necessary
7 for the performance of its functions, the Institute may, subject to the Minister's
8 approval-

9 (a) purchase or take on lease any interest in land, building or property;
10 and

11 (b) build, equip and maintain offices and premises.

12 (2) The Institute may, subject to the approval of the Minister, sell or
13 lease out land, office or premises held by it, which it may no longer require for
14 the performance of its functions under this Bill.

Procedure in
respect of suit
against the
Institute

15 **31.**-(1) A person shall not commence a legal proceeding against the
16 Institute, a member of the Board or any employee of the Institute for any act
17 done in pursuance or execution of any law or of any public duty or in respect of
18 any alleged neglect or default in the execution of such law or duties in any court
19 unless it is commenced within 12 months next after the act, neglect or default
20 complained of or, in the case of a continuance of damage or injury, within three
21 months next after damage or injury ceases.

22 (2) A person shall not commence a legal proceeding against the
23 Institute before the expiration of a period of one month after written notice of
24 intention to commence the suit shall have been served upon the Institute by the
25 intending plaintiff or his agent, and the notice shall clearly state-

26 (a) the cause of action;

27 (b) the particulars of the claim;

28 (c) the name and place of abode of the intending plaintiff; and

29 (d) the relief which he claims.

1 **32.**-(1) Any person holding appointment in the Institute Savings
2 immediately Savings, before the commencement of this Bill shall be
3 deemed to hold the appointment in the Institute under the Act.

4 (2) Any right, duty or obligation of the Institute existing
5 immediately before the commencement of this Bill shall be deemed to be the
6 right, duty or obligation of the Institute under this Bill.

7 (3) A person who was a student of the Institute immediately before
8 the commencement of this Act is deemed to be a student of the Institute
9 under this Act.

10 **33.** In this Bill- Interpretation

11 "Academic Board" means the Academic Board established under section 19
12 (1) of this Bill;

13 "Board" means the Governing Board of the Institute established under
14 section 4(1):

15 "Chairman" means the Chairman of the Board of the Institute appointed
16 under section 4 (2) (a);

17 "Director-General" means the Director-General of the Institute appointed
18 under section 11(1);

19 "Institute" means the Nigerian Institute of Mining and Geosciences, Ekiti
20 Ikoro, Ekiti State established under section 1(1);

21 "Member" means a member of the Board and includes the Chairman;

22 "Minister" means the Minister responsible for mining;

23 "President" means the President of the Federal Republic of Nigeria; and

24 "management staff" means the Management Staff of the Institute appointed
25 under section 10(1) of this

26 Bill.

27 **34.** This Bill may be cited as the Federal Institute of Mining and Short title
28 Geosciences, Ekiti Ikoro, Ekiti State (Establishment) Bill, 2025.

1 SCHEDULE

2 SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD

3 1. Subject to the provisions of this Bill and section 27 of the
4 Interpretation Act, the Board may regulate its proceedings and make standing
5 orders with respect to the holding of its meetings and those of any of its
6 committees, the notices to be given, the proceedings, the keeping of minutes of
7 those proceedings and the custody and production for inspection of the
8 minutes.

9 2. The quorum of the Board is five and the quorum of a committee of
10 the Board is determined by the Board.

11 3.-(1) Subject to the provisions of any applicable standing order, the
12 Board shall meet whenever it is summoned by the Chairman and where the
13 Chairman is required to do so by notice given to him by at least six other
14 members, he shall summon a meeting of the Board to be held within 21 days
15 from the date on which the notice is given;

16 (2) At any meeting of the Board, the Chairman shall preside but where
17 he is absent, the members present at the meeting shall appoint one of them to
18 preside at that meeting:

19 (3) Where the Board wishes to obtain the advice of any person on a
20 particular matter, the Board may co-opt him as a member for such period as it
21 deems fit, but a person who is a member by virtue of this subparagraph is not
22 entitled to vote at any meeting of the Board and does not count towards a
23 quorum; and

24 (4) The Director-General shall summon another Board meeting
25 where the Chairman is indisposed and the scheduled meeting of the Board does
26 not hold, four weeks after the due date of the meeting.

27 *Committees*

28 4. The Board may set up one or more committees to perform, on its
29 behalf, such functions as the Board may deem fit.

30 5. A Committee set up under paragraph 4 shall comprise such number

1 of persons (not necessarily members of the Board) as may be determined by
2 the Board, and a person other than a member of the Board shall hold office
3 on the Committee in accordance with the terms of his appointment.

4 6. A decision of a Committee of the Board is of no effect until it is
5 confirmed by the Board.

6 *Miscellaneous*

7 7.-(1) The fixing of the seal of the Institute is authenticated by the
8 signature of the Director-General and Legal Adviser.

9 (2) Any document purporting to be a document duly executed
10 under the seal of the Institute shall be received in evidence and shall (except
11 the contrary is proved) be presumed to be so executed.

12 8. A member of the Board or a person holding office on a
13 Committee of the Board who has a personal interest in any contract or
14 arrangement entered into or proposed to be considered by the Board or
15 Committee shall-

16 (a) Disclose his interest to the Board or Committee and the
17 disclosure shall be made before the meetings; and

18 (b) not vote on any question relating to the contract or arrangement.

EXPLANATORY MEMORANDUM

This Bill seeks to establish a Federal Institute of Mining and Geosciences, Ekiti Ikoro, Ekiti State to provide courses of instruction, training and research in the exploration and exploitation of minerals for national development.