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FEDERAL CAPITAL TERRITORY COLLEGE OF EDUCATION
(ESTABLISHMENT) ACT, 2014



ARRANGEMENT OF SECTIONS

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SCHEDULE

**FEDERAL CAPITAL TERRITORY COLLEGE OF EDUCATION
(ESTABLISHMENT) ACT, 2014**

ACT No. 5

AN ACT TO ESTABLISH THE FEDERAL CAPITAL TERRITORY COLLEGE OF
EDUCATION ; AND FOR RELATED MATTERS.

[16th Day of September, 2014]

Commence-
ment.

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

PART I—ESTABLISHMENT OF FEDERAL CAPITAL TERRITORY
COLLEGE OF EDUCATION

1.—(1) There is established for the Federal Capital Territory the College of Education (in this Act referred to as the “College”) which shall have such powers and exercise such functions as are conferred on it by this Act.

Establishment
of Federal
Capital
Territory
College of
Education.

(2) The College—

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

(b) may sue and be sued in its corporate name.

2.—(1) There is established for the College the Governing Council (in this Act referred to as “the Council”) which shall be responsible for the consideration and approval of—

Governing
Council of
the College.

(a) the plan of activities of the College ;

(b) the programme of studies, courses, and research to be undertaken by the College ;

(c) the annual estimates of the College ; and

(d) the investigation plans of the College.

(2) The provisions of the Schedule to this Act shall have effect with respect to the Council as specified therein.

Schedule.

3. The Council of the College shall consist of a Chairman and the following other members, to be appointed by the Minister—

Membership
of the
Council of
the College.

(a) the person responsible for education in the Federal Capital Territory ;

(b) a representative of a University who, in the case of a degree awarding College, shall come from the University to which the College is affiliated for the purpose of moderation ;

(c) a representative of the alumni association of the College ;

- (d) three persons appointed on individual merit on a nationwide basis who shall have wide experience of service in the public or private sector ;
- (e) two representatives of the Academic Board of the College ;
- (f) a representative of the National Commission for Women ;
- (g) a representative of the National Commission for Colleges of Education ; and
- (h) the Provost of the College.

Tenure of
Office of
Members of
the Council.

4. (1) A member of the Council (other than an ex-officio member) shall hold office for a term of four years and may be eligible for reappointment for a further period of four years.

(2) The office of a member appointed under section 3 of this Act shall become vacant if—

(a) the member resigns his office by notice in writing under his hand, addressed to the Minister ; or

(b) the Minister is satisfied that it is not in the interest of the College for the person appointed to continue in office and shall notify the member in writing to that effect.

Functions
of the
College.

5. The functions of the College shall be to—

(a) provide full-time courses in teaching, instruction and training—

(i) in technology, applied sciences, commerce, arts, social sciences, humanities and management,

(ii) in such other fields of applied learning relevant to the needs of the development of Nigeria, and

(iii) research in the development and adaptation of techniques as the Council may, from time to time, determine ;

(b) conduct courses in education for qualified teachers ;

(c) arrange conferences, seminars and workshops in relevant fields of learning ; and

(d) perform such other functions as, in the opinion of the Council, may promote the objectives of the College.

Powers of
the
Council.

6. The Council shall have powers to—

(a) hold examination and grant diploma, professional certificates and other distinctions to persons who have pursued a course of study approved and accredited by the National Commission for Colleges of Education ;

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

(c) hold public lectures and undertake printing, publishing and selling ;

(d) make gifts for any charitable purpose ;

(e) hold examinations in education for qualified teachers ;

(j) provide amenities for the welfare of the staff of the College ;

(g) invest the surplus funds of the College in securities specified by law as may be approved by the Minister ;

(h) borrow money in such manner and upon such security as the Minister may, from time to time, authorize ;

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

(j) recruit staff of the right calibre and determine the career structure of such staff ;

(k) establish and maintain such schools and other teaching units within the College or extramural departments as the Council may, from time to time, decide ;

(l) institute and award fellowships, medals, prizes and other titles ;

(m) mount exhibitions and displays designed to foster an appreciation of trends in and the scope and requirements of education ;

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

(o) create lectureships and other academic posts and offices and to make appointments thereto ;

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

(q) do such things incidental to its powers as may advance the objects of the College.

7.—(1) The Minister of the Federal Capital Territory shall be the Visitor of the College. Visitation.

(2) The Visitor shall, not less than once in every five years, conduct a visitation of the College or appoint a visitation panel consisting of not less than five experts to conduct the visitation for—

(a) the purpose of evaluating the academic and administrative performance of the College ; or

(b) such other purpose as the Visitor may deem fit.

Academic
Board and
its
Functions.

8.—(1) There shall be established for the College the Academic Board which shall consist of—

- (a) the Provost of the College who shall be the Chairman ;
- (b) the Deputy Provost, Deans of Schools, Professors, Readers, Chief-Lecturers and the Registrar who shall be the Secretary ;
- (c) the College Librarian ; and
- (d) not more than two members of the academic staff other than heads of departments to be elected by the Congregation.

(2) The Academic Board shall be responsible for—

- (a) the direction and management of academic matters of the College including the regulation of admission of students, the award of certificates, scholarships, prizes and other academic distinctions ;
- (b) making periodic reports on such academic matters to the Council as the Council may, from time to time, direct ;
- (c) discharging any other functions which the Council may, from time to time, delegate to it.

Power of
Minister to
give
directions to
the Council.

9. Subject to the provisions of this Act , the Minister may give to the Council directions of a general character or relating generally to matters of policy with regard to the exercise by the Council of its functions under this Act and the Council shall comply with such directions.

Provost of
the College

10.—(1) There shall be a Provost of the College (in this Act referred to as “the Provost”) who shall be appointed by the Minister in charge of the Federal Capital Territory, in accordance with the provisions of this section.

(2) Where a vacancy exists in the post of Provost, the Council shall—

(a) advertise the vacancy in a reputable journal or a widely read newspaper in Nigeria specifying—

- (i) the qualities of the person who may apply for the post, and
 - (ii) the terms and conditions of service applicable to the post, and thereafter draw up a short list of suitable candidates for consideration ;
- (b) constitute a search team consisting of—

(i) a member of the Council, not being a member of the Academic Board, as Chairman,

(ii) two members of the Academic Board not below the rank of a Chief Lecturer, and

(iii) two members of the academic community of the College, not below the rank of a chief lecturer to be selected by the Council, to identify and draw up a short list of suitable persons who are not likely to apply for the post for any reason.

(3) A joint Selection Board of Council and Academic Board shall consist of—

(a) the Chairman of the Council ;

(b) two members of the Council, not being members of the Academic Board, one of whom shall be the member appointed by the Minister ; and

(c) two members of the Academic Board, not below the rank of a Chief Lecturer, who were not members of the search team shall consider the candidates and persons on the short lists drawn up under subsection (2) of this section through the examination of their curriculum vitae and interaction with them and recommend, through the Council to the Minister, three candidates for his consideration.

(4) The Minister in charge of the Federal Capital Territory shall, if satisfied, appoint as Provost one of the candidates recommended to him under subsection (3) of this section.

(5) Subject to this Act and the general control of the Council, the Provost shall be—

(a) the Chief Executive of the College ; and

(b) charged with general responsibility for matters relating to the day-to-day management operations of the College.

(6) The Provost—

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

(b) may be reappointed for one further period of four years and no more.

11. (1) There shall be for the College a Deputy Provost.

Deputy
Provost.

(2) The Council shall appoint the Deputy Provost from among the Professors, Readers or Chief Lecturers in the College in one of the following ways—

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

(b) on the recommendation of a Selection Board constituted under this section for that purpose ; or

(c) on the nomination of the Provost.

(3) The Selection Board referred to in sub-section (2) of this section shall—

(a) consist of—

(i) the Chairman of the Council,

(ii) the Provost,

(iii) two members of the Council, not being members of the Academic Board, one of whom shall be the member appointed by the Minister, and

(iv) two members of the Academic Board ; and

(b) make such inquiries as it deems fit before making the recommendation required under that sub-section.

(4) The Deputy Provost shall—

(a) be in charge of academic activities and assist the Provost in the performance of his functions ;

(b) act in the place of Provost when the post of Provost is vacant or if, for any reason, the Provost is unable to perform his functions as Provost ; and

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

(5) The Deputy Provost—

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

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

Appointment
of Registrar
and other
Staff of the
College.

12.—(1) The Council of the College shall appoint a Registrar to the College (in this Act referred to as “the Registrar”) who shall—

(a) keep the records and conduct the correspondences of the Council ; and

(b) perform such other duties as the Council or Provost may, from time to time, direct.

(2) The Registrar shall, in addition to other duties conferred on him by or under this Act, be the secretary to the Council, the Academic Board and any committee of the Council and in his absence, the Council or any such committee may appoint some other person to act as secretary, and he shall not vote on any question before the Council or count towards a quorum.

(3) The Registrar shall hold office for a period of five years only beginning from the effective date of his appointment and on such terms and conditions as may be specified in his letter of appointment.

(4) Where, on the commencement of this section, a Registrar appointed before the commencement of this section has held office—

(a) for five years or less, he shall be deemed to be serving his first term of office ;

(b) the Council may allow him to serve as Registrar for a further period of one year only and thereafter he shall relinquish his post and be assigned other duties in the College.

13.—(1) There shall be for the College the following principal officers in addition to the Registrar—

Other
Principal
Officers of
the College.

(a) the Bursar, and

(b) the College Librarian, who shall be appointed by the Council on the recommendation of the Selection Board constituted under section 10 of this Act.

(2) The Bursar shall be the Chief Financial Officer of the College and be responsible to the Provost for the day-to-day administration and control of the financial affairs of the College.

(3) The College Librarian shall be responsible to the Provost for the administration of the College Library and the co-ordination of the Library services in the teaching units of the College.

(4) The Bursar or Librarian—

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

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

(5) Where, on the commencement of this section, a Bursar or Librarian has held office—

(a) for five years or less, he shall be deemed to be serving his first term of office and may be re-appointed for a further term of five years ;

(b) for more than five years but less than ten years, he shall complete the maximum period of ten years and thereafter relinquish his post and be assigned other duties in the College ;

(c) for ten years or more, the Council may allow him to serve in that capacity for a further period of one year only and thereafter he shall relinquish his post and be assigned other duties in the College.

Resignation
of
Appointment
by Principal
Officers.

14. A Principal Officer may resign his appointment in the following manner—

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

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

Other
employees
of the
College.

15.—(1) The Council may appoint such other persons to be employees of the College as the Council may determine to assist the Provost and the Principal Officers of the College in the performance of their functions under this Act.

(2) Subject to the provisions of this Act, the Remuneration, Tenure of Office and Conditions of Service of the employees of the Council shall be determined by the Council in consultation with the Federal Civil Service Commission.

Selection
Board for
other
Principal
Officers.

16.—(1) There shall be for the college, a Selection Board which shall consist of—

(a) the Chairman of the Council ;

(b) the Provost ;

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

(d) two members of the Academic Board.

(2) The Functions, Procedure and other matters relating to the Selection Board constituted under sub-section (1) of this Section shall be as the Council may, from time to time, determine.

Pensions Act
No. 2, 2004.

17.—(1) The service in the College shall be approved service for the purposes of the Pension Reform Act and accordingly, officers and other persons employed in the College shall, in respect of their service in the College, be entitled to pension, gratuities and other retirement benefits as are prescribed there-under, and nothing in this Act shall prevent the appointment of a person to any office on terms which preclude the grant of a pension and gratuity in respect of that office.

(2) For the purposes of the application of the provisions of the Pension Reform Act, any power exercisable by the Minister or other authority of the Government of the Federation (other than the power to make regulations) shall be exercisable by the College and not by any other person or authority.

Act No. 2.
2004.

PART II—FINANCIAL PROVISIONS

18.—(1) The Council shall establish and maintain a Fund which shall be applied towards the promotion of the objectives specified in this Act.

Establishment
of Fund for
the College.

(2) There shall be paid and credited to the Fund established under sub-section (1) of this Section—

(a) such sums as may, from time to time, be granted to the Council by the Minister ;

(b) all moneys raised for the purposes of the Council by way of gifts, grants-in-aid or testamentary disposition ; and

(c) all subscriptions, fees and charges for services rendered by the Council and all other sums that may accrue to the Council from any source.

(3) The Council shall submit to the Minister, not later than three months before the end of each financial year or at such other time as he may direct, an estimate of its revenue and expenditure for the next succeeding financial year.

19. The Council may accept gifts of land, money or other property upon such terms and conditions, if any, as may be specified by the person making the gift.

Power to
accept
Gifts.

20. The Council shall keep proper accounts of its receipts, payments, assets and liabilities and shall in respect of each year cause the accounts to be audited.

Accounts
and Audit.

21. The Council shall, after the expiration of each financial year, prepare annual reports and submit to the Minister a report of its activities during the immediate proceeding financial year and shall include in the report a copy of the audited accounts of the College for that year and of the auditor's report on the accounts.

Annual
Reports.

PART III—MISCELLANEOUS AND SUPPLEMENTARY

22.—(1) For the purposes of providing offices and premises necessary for the performance of its functions, the Council may—

Offices and
Premises.

(a) purchase any interest in or take on lease any land ; and

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

(2) The Council may, with the approval of the Minister, sell any interest in or lease any land, office or premises held by it and no longer required for the performance of its function.

Discipline of
Students.

23.—(1) The Council may make rules providing for the Provost to conduct enquires into alleged breaches of discipline (including lack of diligence) by students and such rules may make different provisions for different circumstances.

(2) The rules shall provide for the procedure and rules of evidence to be followed at enquiries under this section.

(3) Subject to the provisions of sub-section (1) of this Section, where it is proved during the enquiry that any student of the College has been guilty of misconduct, the Provost may, without prejudice to any other disciplinary powers conferred on him by this Act or any regulation made thereunder, direct—

(a) that the student shall not, during such period as may be specified in the direction, participate in such activities of the College or make use of such facilities of the College, as he may specify ;

(b) that the activities of the student shall, during such period as may be specified in the direction, be restricted in such manner as may be so specified ;

(c) that the student may be suspended for such period as may be specified in the direction ; or

(d) that the student be expelled from the College.

(4) Where there is temporarily no Provost or where the Provost refuses to apply any disciplinary measure, the Council may, either directly or through some other staff, apply such disciplinary actions as are specified in sub-section (3) of this Section to any student of the College who is guilty of misconduct.

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

(6) The fact that an appeal from a direction is brought under sub-section (5) of this Section shall not affect the operation of the direction while the appeal is pending.

(7) The Provost may delegate his powers under this Section to a disciplinary committee consisting of such members of the College as he may nominate.

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

(9) The direction under sub-section (3) (a) of this Section may be combined with a direction under sub-section (3) (b) of this Section.

(10) In all cases under this Section, the decision of the Council is final unless it is reversed by the Minister on appeal by the student.

24. In this Act—

Interpretation.

“*Chairman*” means the Chairman of the Council appointed under section 3 of the Act ;

“*College*” means the Federal Capital Territory College of Education established under section 1(1) of this Act and “*Colleges*” shall be construed accordingly ;

“*Council*” means the Governing Council of the College established under section 2(1) of this Act ;

“*Congregation*” means academic and non-academic staff of the College with First Degree either B.A or B.SC ;

“*Functions*” includes powers and duties ;

“*Member*” means a member of the Council including the Chairman ;

“*Minister*” means the Minister charged with responsibility for matters relating to the Federal Capital Territory ;

“*Provost*” means the Provost of the College appointed under section 10(1) of this Act ;

“*The person responsible for education in the FCT*” means the person appointed by the Minister to oversee the education sector in the FCT.

25. This Act may be cited as the Federal Capital Territory College of education (Establishment) Act, 2014. Citation.

SCHEDULE

Section 2 (2)

SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL, ETC.

Terms of Service

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

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

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

Proceedings

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

(2) The Chairman may, at any time at the request in writing of not less than 6 members, convene a meeting of the Council.

(3) At any meeting of the Council, the Chairman shall preside, but in his absence, members present shall elect one of them to preside at the meeting.

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

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

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

Miscellaneous

5.—(1) The fixing of the seal of the College shall be authenticated by the signature of the Chairman, Provost and of some other members of the Council authorised generally or specially 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 generally or specially 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.

I certify, in accordance with section 2 (1) of the Acts Authentication Act, Cap. A2, Laws of the Federation of Nigeria 2004, that this is a true copy of the Bill passed by both Houses of the National Assembly.

SALISU ABUBAKAR MAIKASUWA, OON, mni
Clerk to the National Assembly
28th Day of August, 2014.

EXPLANATORY MEMORANDUM

This Act establishes the Federal Capital Territory College of Education to provide full-time courses in teaching, instruction and training in, among other things, technology, applied sciences, commerce, arts, social sciences, humanities and management.

**SCHEDULE TO FEDERAL CAPITAL TERRITORY COLLEGE OF EDUCATION
(ESTABLISHMENT) BILL, 2014**

(1) <i>Short Title of the Bill</i>	(2) <i>Long Title of the Bill</i>	(3) <i>Summary of the Contents of the Bill</i>	(4) <i>Date Passed by the Senate</i>	(5) <i>Date Passed by the House of Representatives</i>
Federal Capital Territory College of Education (Establishment) Bill, 2014.	An Act to establish the Federal Capital Territory College of Education ; and for related matters.	This Act establishes the Federal Capital Territory College of Education to provide full-time courses in teaching, instruction and training in, among other things, technology, applied sciences, commerce, arts, social sciences, humanities and management.	9th July , 2014.	27th May, 2014.

Federation of Nigeria, 2004.

I ASSENT



SALISU ABUBAKAR MAIKASUWA, OON, mni
Clerk to the National Assembly
28th Day of August, 2014

DR. GOODLUCK EBELE JONATHAN, GCFR
President of the Federal Republic of Nigeria
16th Day of September, 2014