

A BILL

FOR

A LAW TO PROVIDE FOR THE ESTABLISHMENT OF INTERNATIONAL AVIATION COLLEGE, ILORIN AND FOR CONNECTED PURPOSES

() Date of Commencement

BE IT ENACTED by the House of Assembly of Kwara State of Nigeria and by the authority of same as follows -

PART 1 - ESTABLISHMENT, OBJECTS, POWERS AND MEMBERSHIP OF THE COLLEGE

- 1. There is established for the State a College to be known as the International Aviation College, Ilorin (in this Law referred as "the College"). Establishment of the College.
- 2. The College - Incorporation of the College
 - (a) shall be a body corporate with perpetual succession having a Common seal;
 - (b) may purchase, acquire, hold, insurer and dispose of properties, movable and immovable, for the purpose of carrying out its functions under this Law; and
 - (c) may sue and be sued.
- 3. The College shall consist of the schools specified in Part 1 of the First Schedule to this Law and such other schools as may from time to time be established by the Council. Schools the Co
- 4. The objects of the College shall be to - Objects of the College
 - (a) operate initially as a business venture or organisation and later divest the State's interest to allow for public - private partnership;

- (b) establish, run and carry on business as proprietors and managers of aviation schools and educational establishments for training and instruction of pilots, flight engineers, air navigators, handlers, stewards, air hostesses, cabin crew and other aviation personnel;
- (c) provide courses of study, training and research in flight training or in air operation and management;
- (d) provide consultancy services on aviation and other related matters and provide the means whether by teaching, supervision, guidance or otherwise through which interested persons may be enabled to acquire skills and knowledge in aviation industry;
- (e) operate and act as professional advisers and trainers in aviation and other related services;
- (f) construct and build aviation structures, supply all instructional materials, apparatus, equipment and books for aviation training;
- (g) training of approved persons in installation, maintenance and operation as the case may be, of technical equipment the use of which is calculated or likely to increase the margin of operational safety of civil aircraft services;
- (h) provide avenue for continuing education in air operation and maintenance;
- (i) provide avenue for aviation curriculum development in line with best practices and international aviation standard ; and
- (j) engage in such other activities of a college of highest standard which serve to promote the objects of the College.

5. The College shall have the power to -

- (a) provide avenue for the delivery of necessary series of lectures and holding exhibitions, public meetings and classes in order to advance the course of study in the College;
- (b) conduct examinations, grant or issue certificates and other distinctions to persons that have satisfied such requirements as may from time to time be laid down by the College;
- (c) establish such departments, schools or other units of learning and research as may from time to time be deemed necessary;
- (d) establish runways, airstrips and other air fields required for training of pilots, flight engineers, air navigators, handlers and other aviation personnel;
- (e) carry on business as representative or agent of manufactures of aircrafts, engage in sales of aircraft spare parts and other components required for maintenance and routine checks;

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- (f) erect, provide, equip and maintain libraries, laboratories, lecture halls, halls of residence, refectories and sport fields, other buildings and facilities as may be necessary or suitable or convenient for any of the objects aforesaid;
- (g) provide for the residence, recreation and other welfare facilities for the staff and students of the College;
- (h) prescribe in its regulations the conditions under which persons may be admitted as students of the College for any course of study provided by the College;
- (i) arrange conferences, seminars, symposia, public workshops and enlightenment on aviation training, aeronautic engineering and other relative field of learning undertaken by the College;
- (j) establish such offices as the object of the College may require;
- (k) appoint persons to and remove them from the offices referred to in paragraph (h) for good cause and prescribe their conditions of service subject to the approval of the Council;
- (l) prescribe rules for the discipline of staff and students of the College;
- (m) institute and award scholarship, prizes, exhibitions, bursaries, medals and other forms of aid for the advancement of learning;
- (n) acquire, grant, or hold any movable and immovable property and to enter into any contract or other transactions;
- (o) accepts gifts, legacies and donations, but without obligation to accept the same for particular purpose, unless it approves the terms and conditions attached thereto;
- (p) borrow whether at interest or not and if need be upon the security of any or all the property, movable and immovable of the college such monies as the council may from time to time in its discretion find necessary or expedient to borrow, or to guarantee any loan advances or credit facilities after obtaining the approval of the Governor:
 - (q) print, publish, sell and produce such books or works as may from time to time be issued by the College;
- (r) carry on all or any of the businesses of manufacturers, buyers, sellers refiners of and dealers in all kind of paints oil, oleaginous and saponaceous substances, unguents ingredient and preparation of other solution as may be considered expedient and consistent with the object of the College;
- (s) demand and receive from any other person attending the college for the

purpose of instruction, such fees as the Council may from time to time prescribe:

- (t) raise money and other contributions in such manner as may be approved by the Governor on the recommendation of the Council;
- (u) establish trusts, act as trustees or managers solely or jointly with any property, legacy or endowment or gift in furtherance of the work and welfare of the College;
- (v) carry on transport business of all descriptions within and outside the country as common carriers whether by land, sea and rail for the purpose of transporting passengers, carriage of mails and goods; and
- (w) do other acts or things as are incidental or supplementary to the foregoing powers as may advance the objects of the College.

6. The following shall be members of the College -

Members of the College

- (a) the Chairman and Members of the Council;
- (b) the Rector;
- (c) the Executive Director;
- (d) the Registrar;
- (e) the Bursar;
- (f) the Librarian;
- (g) the Directors of the schools;
- (h) Director of works;
- (i) Director of medical services;
- (j) the heads of academic departments;
- (k) the members of the academic staff;
- (l) the members of the non-academic staff;
- (m) the graduates of the College;
- (n) the students of the College; and
- (o) such other persons as the Council may grant the status of membership.

7. (1) Membership of the College shall be open to persons of either sex and no person shall be required to satisfy requirements as to race (including ethnic group), place of birth or of family origin or religious or political persuasion as a condition of becoming or continuing to be a student of the college or the holder of any diploma or other awards of the College, or of any appointment or employment at the College, or a member of any body established under this Law.

Members
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(2) No person shall be subjected to disadvantage or accorded any advantage in relation to the College by reference to those matters referred to in subsection (1) of this section.

(3) Nothing in subsection (1) shall be construed as preventing the College from imposing any disability or restriction on any person where such person willfully refuses or fails on ground of religious or other beliefs to undertake any duty generally and uniformly imposed on other persons or any group of them, which duty having regard to its nature and the special circumstance pertaining thereto is, in the opinion of the college reasonable, justifiable and in the national interest.

PART II – THE GOVERNING COUNCIL, ETC. OF THE COLLEGE

8. (1) There is established for the College a Governing Council (in this Law referred to as "the Council").

Establishment ;
composition
of the Council.

(2) The Council shall consist of the following members who shall serve on part-time basis-

- (a) a chairman who shall be a person with requisite knowledge and experience in aviation industry and track record of administrative experience;
- b) five other persons, two from each senatorial district of the State, cognisance being taken of the Chairman;
- (c) one representative each of the following -
 - (i) Ministry of Finance,
 - (ii) Ministry of Works,
 - (iii) Ministry of Justice,
 - (iv) Governor's Office;
- (d) the Rector;
- (e) the Executive Director;
- (f) a representative of the-
 - (i) Academic Board of the College not below the rank of a Principal Lecturer or its equivalent, elected from among themselves,
 - (ii) College Congregation not below the rank of Principal Lecturer or its equivalent elected by and from among the congregation, and
 - (iii) Alumni Association.

(3) The officers referred to in paragraph 2(c) shall not be below the rank of Director.

9. The Chairman and other members of the Council other than ex-officio members shall be appointed by the Governor, who shall in making the appointment take into consideration qualification and experience of such persons in the aviation industry. Appointment of Members.
10. Members of the Council other than ex-officio members shall each hold office for four years. Tenure of office of members.
11. The Chairman and members of the Board shall be entitled to such remuneration whether by way of salaries, allowances or fees as may be determined by the Governor Remuneration of members.
12. (1) The Governor may revoke the appointment of any member of the Council at any time in the public interest.
- 13(1) If at any time the Governor is of the opinion that the Council ought to be dissolved he may by order dissolve the Council. Dissolution of the Council
- (2) If at any time the Council is dissolved the supervision of the College shall be under the Ministry of Works and Transport.
14. No person shall qualify to be appointed a member of the Council who - Disqualification
- (a) has been adjudged or otherwise declared a bankrupt under any law and has not been discharged;
- (b) is under a sentence of death imposed by any competent court of law or tribunal in Nigeria or under a sentence of imprisonment or fine for any offence involving dishonesty or fraud (by whatever name called) or for any other offence imposed on him by any court or tribunal or substituted by a competent authority for any other sentence imposed on him by such a court or tribunal;
- (c) within a period of less than ten years before the date of his appointment, he has been convicted and sentenced for an offence involving dishonesty or has been found guilty of a contravention of the Code of Conduct; or
- (d) he is otherwise disqualified by any law in force in Nigeria.
- 15(1). A member of the Council shall cease to be a member and his office become vacant if he - Vacant member
- (a) resigns his appointment in writing addressed to the Governor;
- (b) is removed from office by the Governor;
- (c) is incapacitated by prolonged physical, or mental illness or other causes from performing

the functions of his office.

- (d) he is absent from Nigeria continuously for more than six months in any one year;
- (e) he has been absent from three consecutive meetings of the council without the permission of the chairman in the case of a member and Governor, in case of the chairman;
- (f) is convicted of a criminal offence;
- (g) conducts himself in a manner deemed by the Governor to be inconsistent with the membership of the Council;
- (h) allows his financial or fiduciary interests to conflict with the operations of the College; and
- (i) in the case of a person with professional qualification, he is disqualified or suspended other than at his own request from practicing his profession by an order of a competent authority made in respect of that member.

(2) The Chairman of the Council shall notify the Governor of any vacancy occurring in the membership of the Council.

(3) Any vacancy occurring in the membership of the Council shall be filled by the appointment of a successor who shall have the same interest as his predecessor for the unexpired term of that member:

16. The Council shall-

- (a) be charged with the responsibility of the organisation, superintendence and policy planning of the College;
- (b) on behalf of the College, perform and exercise all the functions and powers conferred upon the College by this Law or any other enactment; and
- (c) promote the development of the College as a centre of academic excellence.
- (d) ensure that the courses of instructions provided by the College conform with the required standard;
- (e) regulate the conduct of examinations with respect to the courses provided by the College;
- (f) acquire equipment, furniture and other property required for the purposes of the College;

Functions of the
Council

- (g) maintain the premises and other properties of the College;
- (h) formulate policies and initiate programmes in all fields of learning conducted by the College;
- (i) have power to-
 - (i) appoint committees among its members and to delegate to them such of its powers and duties as it thinks fit and make rules for conduct of the business of the committees,
 - (ii) appoint advisory committees from among its members and from among other experienced persons where desirable, and
 - (iii) make regulations for the purpose of exercising any of its respective functions or regulating its own procedure, or the procedure of any committee appointed by it;
- (j) ensure that the courses of instructions provided by the college conform to the Government policy on civil aviation education, international best practices, and satisfy the needs of the institutions where pilots are likely to work on completion of their courses;
- (k) assess from time to time the courses offered by the College;
- (l) prepare and implement conditions of service for all categories of the staff of the College subject to the approval of the Council; and
- (m) perform such other functions as are necessary or expedient for promoting the objects of the College.

17. The supplementary provisions set out in the Second Schedule to this Law shall have effect with respect to the proceedings of the Council and other matters contained therein. Second Schedule

18. The Council may delegate any of its functions to any officer of the College or any member of the Council or a committee of the Council and may impose any condition for the exercise of such functions, except that nothing in this section shall prevent the Council from exercising any function so delegated Deleg: Power

19. (1) There shall be a committee to be known as Finance, Procurement and General Purpose Committee. The Finance, Procu and General Purpose Committee

(2) The committee shall consist of –

- (a) the Chairman of the Council, who shall be the Chairman;
- (b) the representative of –
 - (i) Ministry of Works and Transport,
 - (ii) Ministry of Finance;
- (c) the Rector;
- (d) the Executive Director;
- (e) the Bursar;
- (f) three members of the Council appointed by the Council, one of whom shall be a member of the Academic Board;
- (g) the Registrar, who shall be the secretary of the committee.

(3) The Committee shall meet whenever necessary for the performance of its functions under this Law.

(4) The Chairman, the Rector and three other members shall form a quorum of the committee.

(5) Subject to the directions of the Council, the committee shall –

- (a) exercise control over the property, revenue and expenditure of the College;
- (b) deal with any matter urgently requiring decision during the intervals between meeting of the Council, and shall report any such decision to the Council at its next meeting; and
- (c) perform such other functions of the Council as the Council may assign to it.

20. (1) There shall be a Committee to be known as the Appointments, Discipline and Promotions Committee.

Appointments, Discipline and Promotions Committee

(2) The committee shall consist of the following members -

- (a) a member of the Council nominated by the Chairman of the Council who shall be the Chairman of the committee;
- (b) the representative of –
 - (i) Ministry of Works and Transport,
 - (ii) Ministry of Finance;

- (c) the Rector;
 - (d) the Executive Director;
 - (e) two members of the council, one of whom shall be a member of the Academic Board;
 - (f) one representative of the non-academic staff not below the rank of a Principal Lecturer or its equivalent; and
 - (g) the Bursar.
- (3) The Registrar shall be the secretary to the committee.
- (4) Subject to the directions of the Council, the committee may -
- (a) consider and recommend to the Council the establishment of academic and senior non-academic posts in the College;
 - (b) receive and determine applications for study leave or leave of absence according to the regulations;
 - (c) advise the council on any matter pertaining to appointments and promotions of the senior staff; and
 - (d) consider any other matter referred to it by the Council.
- (5) The Chairman, Rector and three other members shall form the quorum of the committee.
- (6) The power to appoint junior staff shall be exercised by the Rector, subject to the approval of the Appointments, Discipline and Promotions Committee to any proposed appointment.

PART III - ADMINISTRATION

21 (1) There shall be a Rector for the College, to be appointed by the The Rector Governor on the recommendation of the Council from among the academic staff of the College: Provided that if there is no person within the College qualified to be appointed, the Governor may on the recommendation of the Council appoint the Rector from outside the College.

(2) A person to be appointed as Rector shall-

- (a) hold a university degree in engineering related courses and must be a captain; and
- (b) have a background in academics with at least 20 years working experience.

(3) The Rector shall hold office for a term of four years and he may be eligible for re-appointment for another term of four years.

(4) If the office of the Rector is vacant or for any reason it is impracticable to

appoint a person to the office of the Rector, the Governor may on the advice of the Council appoint an acting Rector to assume the functions of the office of the Rector

(5) Except on the recommendation of the Council, an appointment made under subsection (4), shall cease to have effect after the expiration of six months or on the assumption of office of a substantive Rector

(6) The Rector shall be -

- (a) the chief executive and academic officer of the College;
- (b) the accounting officer of the College;
- (c) responsible for the execution of the policies of the Council and the day-to-day administration of the College;
- (d) competent at all times to advise the Council on any matter affecting the policy, finance and administration of the College;
- (e) generally responsible for maintaining the efficient and good order of the College, and for ensuring the proper enforcement of the College regulations;
- (f) responsible for the maintenance of discipline among students and members of staff of the College, including the suspension of any student from classes and recommending to the Council of the expulsion of any student; and
- (g) competent to perform such other duties as may be conferred on him by this Law or as the council may from time to time assign to him.

(7) The Governor may on the advice of the Council remove the Rector from office on grounds of misconduct or inefficiency.

(8) The Rector shall hold office on such terms as to emoluments or otherwise as may be specified in his instrument of appointment.

(9) The Rector shall be assisted in the performance of his duties by the Deputy Rectors.

22. (1) There shall be an Executive Director for the College..

The Executive Director

(2) The Executive Director shall be appointed by the Governor on the recommendation of the Supervising Ministry for a term of two years, and may be re-appointed for another term or two years.

(3) The Governor may remove the Executive Director from office on the grounds of misconduct or inefficiency.

23. (1) There shall be a Registrar for the College.

The Registrar

(2) The Registrar shall be a graduate of Humanities/ social sciences with adequate experience in Administration.

(3) The Registrar shall be appointed by the Governor on the recommendation of the Council upon such terms and conditions as may be specified in his letter of appointment and shall hold office for four years from the date of his appointment and may be eligible for re-appointment for another term of four years.

(4) The Registrar shall, in addition to the duties assigned to him under the provisions of this Law, be responsible to the Rector for –

- (a) the day-to-day administration of the College;
- (b) keeping the records and conducting the correspondence of the College;
- (c) the administrative matters relating to staff appointment, admission of students, graduation and allocation of vehicles; and
- (d) any other duties as may be assigned to him.

(5) The Registrar shall be the Secretary of the Council and the Academic Board.

24. (1) There shall be a Director for each school of the College, to be appointed by the Council on the advice of the Rector, who shall be a member of the academic staff not below the rank of Principal Lecturer or its equivalent.

Directors of
Schools

(2) The Director of a School shall be the head of the School and be responsible for the day-to-day administration of the School subject to the control of the Rector.

(3) The Director of a School shall hold office for two years from the date of his appointment and may be eligible for re-appointment for a second term of two years.

(4) The Director of a School shall be the chairman at all meetings of the Board of the school when he is present, and in his absence a member of the Board elected from amongst the members present at the meeting shall preside.

(5) The Director of a School shall –

- (a) exercise general superintendence over the academic and administrative affairs of the School; and

(b) present at the convocation for the conferment of diplomas, certificates, degrees and prizes in the branches of learning for which responsibility is allocated to the School.

(6) Part II of the First Schedule to this Law shall have effect in respect of Directors and Boards of School and other matters mentioned therein.

25. (1) There shall be a head of department for each academic department Heads of academic department.
College.

(2) Part II of the First Schedule to this Law shall have effect in respect of heads of the academic departments in the College and other matters mentioned therein.

26. There shall be a Bursar for the College who shall be the Chief Finance Officer. The Bursar
and shall be responsible to the Rector for the day-to-day administration and control of the financial affairs of the College.

27. There shall be a librarian for the college who shall be the responsible to the Rector for The Librarian
the administration of the College library, and shall be the co-ordinator of library services of the College.

28. There shall be a Director of Works who shall be responsible to the Rector for the Director of Works
physical development and maintenance of the College buildings, minor works, repairs, security, transport and supervision of College projects.

29. There shall be a Director of Medical Services for the College who shall be responsible Director of Medical Services
to the Rector for the administration of the College sickbay and the co-ordination of the College health services.

30. There shall be other staff of the College as follows – Other staff of the College
(a) academic staff;
(b) non-academic staff; and
(c) any other staff of the College as may be necessary for it to carry out its functions.

31. Subject to the provisions of this Law, any question as to the scope of Scope of responsibilities of principal officers.
the responsibilities or duties of any principal officer other than the Rector shall be determined by the Rector.

32. (1) The principal officers of the College other than the Rector shall be Appointment of staff
appointed by the Council on such terms and conditions as the Council may determine.

(2) Members of the academic and non-academic senior staff shall be appointed by the

Council on the advice of the Appointments, Discipline and Promotions Committee.

(3) The appointment of academic and non-academic senior staff by the Council may be on permanent, temporary or contract basis, as the Council may consider necessary.

33. The remuneration, terms and conditions of service of staff of the College including the Rector shall be determined by the Council.

Remuneration
and
conditions of
service

34. (1) The Governor shall be the Visitor of the College.

The Visitor

(2) The Visitor shall as often as the circumstances may require, not being less than once every four years, conduct a visitation of the College or direct that a visitation be conducted by such persons as the Visitor may consider fit out to carry out the function.

PART IV – DISCIPLINE

35. (1) If it appears to the Council that there are sufficient grounds for believing that any person employed as a member of the academic, senior administrative and other principal staff of the College should be removed from office or employment on the ground of misconduct or inability to perform the functions of his office or employment, the Council shall -

Removal and
discipline of
principal staff

- (a) give a notice in writing of those reasons to the person concerned;
- (b) afford the person an opportunity to make representation in person on the matter to the Council;
- (c) if the person concerned or any three members of the Council request within a period of one month, beginning from the date of the notice, make arrangements -
 - (i) if he is an academic staff, for a joint committee of the Academic Board and the Council to investigate the matter and to report its findings to the Council,
 - (ii) if he is a senior non-academic staff, for a committee of the Council to investigate the matter and to report its findings to the Council, and
 - (iii) for the person concerned to be afforded the opportunity to appear before the committee investigating the matter.

(2) The Council shall within three months of the receipt of the report of the investigation committee consider the report, and if satisfied that the person concerned should be removed, the Council may remove him by an instrument in writing.

(3) In the case of the Rector, the procedure prescribed in subsections (1) and (2) shall be followed, except that after considering the report of the investigation committee the

Council shall send its recommendations to the Governor through the Commissioner for appropriate action

36. (1) Without prejudice to subsection (2), the Rector may in any case of misconduct by a senior member of staff, which in opinion of the Rector is prejudicial to the interest of

Discipline
of senior
staff

the College, suspend that member and forthwith report the suspension to the Council.

(2) For good cause, any senior member of staff of the College may be suspended from office or have his appointment terminated by the Council, and for the purpose of this subsection a "good cause" means -

(a) conviction for any offence which the Council considers to be such as to render the person unfit for the discharge of the functions of his office;

(b) any physical or mental incapacitation which the Council, after obtaining medical advice, considers to be such as to render the person concerned unfit to continue to hold office;

(c) conduct of a scandalous or other disgraceful nature which the Council considers to be such as to render the person concerned unfit to hold his office; or

(d) proven incompetence or inability to comply with the terms and conditions of his employment.

(3) Any person suspended under subsection (1) shall be entitled to half of his salary or emoluments of his office or employment during the period of suspension and the Council shall before the expiration of a period of three months after the date of the suspension, consider-

(a) whether to continue with the person's suspension and if so, on what terms; or

(b) whether to reinstate the person, in which case the Council shall restore his full emoluments to him with effect from the date of suspension; or

(c) whether to terminate the appointment of the person in question, in which case the person shall not be entitled to the emoluments withheld during the period of suspension; or

(d) whether to take such lesser disciplinary action against the person (including the restoration of his emoluments which has been withheld) as the Council may determine.

(4) In any case where the Council decides under this section to continue a person's

suspension or decides to take further disciplinary action against him, the Council shall before the expiration of the period of six months from the decision, come to a final determination of the case.

(5) It shall be the duty of the person by whom an instrument of removal is signed to cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it relates.

(6) Nothing in the foregoing provisions of this section shall prevent the Council from prescribing by regulation other disciplinary measures to be applied to the staff of the College as it may deem fit.

(7) In the exercise of his powers under this section, the Rector may in case where he considers it appropriate, appoint a disciplinary panel of such member of staff of the College as he may deem necessary to advise him on any particular matter relating to discipline.

37. (1) If a junior member of staff is accused of misconduct or inefficiency, the Rector may suspend him for not more than three months and forthwith shall constitute a committee to- Discipline of junior staff

(a) consider the case; and

(b) make recommendations on the appropriate action to be taken by the Rector.

(2) In all cases under this section, the officer involved shall be informed in writing of the complaint against him and shall be given reasonable opportunity to defend himself.

(3) The Rector may after considering the recommendations made under subsection(1), dismiss, terminate, downgrade or apply lesser disciplinary measures to the officer concerned as he may consider fit.

(4) Any person aggrieved by the decision of the Rector under subsection (3) may within a period of 21 days from the date of receipt of the letter communicating the decision to him, address a petition to the Council to consider his case and the Council's decision thereon shall be final.

38. (1) Where it appears to the Rector that any student of the College has been guilty of indiscipline or misconduct the Rector may, without prejudice to any other disciplinary powers conferred by this Law or regulations made under it, direct - Discipline students

(a) that the activities of the students shall, during such period as may be specified in

- the direction, be restricted in such manner as may be specified:
- (b) that the students shall not, during such period as may be specified in the direction, participate in the activities of the College or make use of the facilities of the College as specified;
 - (c) that the student be suspended for such period as may be specified in the direction: or
 - (d) that the student be expelled from the College.

(2) Where a direction is given under subsection (1) in respect of any student, he may within 21 days from the date of the receipt of the letter communicating the decision to him, appeal on the direction to the Council; and where an appeal is brought, the council shall, after inquiry into the matter as it considers just, either confirm or set aside the direction or modify it in such manner as it thinks fit.

(3) The fact that an appeal from a decision is brought under subsection (2) shall not affect the enforcement of the direction while the appeal is pending.

(4) The Rector may delegate his powers under this section to a disciplinary committee consisting of such members of the College as he may appoint, except that in all cases of gross misconduct, the Provost shall refer the matter to the disciplinary committee so appointed.

(5) For the purpose of this section "gross misconduct" means improper behaviour, bad conduct, a specific act of wrong-doing susceptible to investigation and proof and it includes-

- (a) any willful act or omission or general misconduct to the prejudice of discipline and proper administration of the College including dishonesty, drunkenness, use of false certificates, destruction of College property, immorality, falsification or forgery of certificates or other documents.
- (b) conviction for a criminal offence; and
- (c) any act prejudicial to the good name of the College.

(6) In cases where there is doubt about how any act by a student should be classified, it may be referred by the Rector to the Academic Board for recommendation to the Council.

(7) Nothing in this section shall be construed as preventing the restriction or termination of a student's activities at the College other than on the grounds of misconduct.

(8) A direction under subsection (1) may be combined with a direction under subsection (2).

39 (1) The College shall –

(a) encourage the participation of students in any social activities that enhance educational development, public safety, public order, public morality and having positive impact on the educational advancement of the

College; and

(b) monitor strictly the registration and activities of any club or society existing or operating within the College.(2) Notwithstanding subsection (1) where any society by whatever name called or known operating within the college is pursuing activities which are -

(i) not in the interest of state security, public safety, public order, public morality or public health: or

(ii) illegal or inimical to educational development, destructive or unlawful, the Council, the Rector or any authority in charge of the College may, after conducting investigation, prescribe any such society and any member of the proscribed society may be made to face further disciplinary action including criminal prosecution in the court of Law.

40 (1) The College shall have a Committee on Students Affairs which shall be headed by the Student Affairs Officer and consist of such other members as the Rector shall consider necessary;

Committee on
Students Affa

(2) The Committee shall-

(a) advise the Rector on any matter relating to the welfare of students of the College; and

(b) consider other matters which the Council, the Academic Board, the Rector or the students may from time to time refer to it.

(3) The Committee may regulate its own procedure.

PART V – THE ACADEMIC BOARD

41. (1) There is established for the College a body to be known as the Academic Board consisting of -

Academic Board

(a) the Rector, who shall be the chairman;

(b) the Executive Director;

(c) the Librarian;

(d) the Directors of the schools;

(e) two elected members of each department of the College whose salary shall not be below grade level 13 or its equivalent; and

- (2) The Registrar shall be the secretary of the Academic Board.
- (3) The Academic Board shall be responsible for the general direction and management of all academic matters of the College including the regulation of admission of students and such other matters as the Council may from time to time refer to it.
- (4) Without prejudice to the generality of subsection (3), the Academic Board shall-
- (a) advise the Council and the Rector on all academic matters of the College including the award of certificates, prizes and other distinctions;
 - (b) organise and control courses of study run by the College and the examinations held in respect of those courses including the appointment of examiners, where necessary;
 - (c) regulate the admission of students into the College by conducting entrance examination and interviews or other systems of selecting candidates for admission into the College;
 - (d) draw up rules for the award of certificates, degrees and diplomas of the College;
 - (e) prepare the curriculum to be followed by the College;
 - (f) be responsible for making arrangements for the convening conferences and seminars and other research and training facilities for both academic and other staff and students of the College;
 - (g) make periodic reports on any academic matters it considers necessary to the Council; and
 - (h) perform such other functions as the Council may from time to time direct.
- (5) At any meeting of the Academic Board, the Rector shall preside and in his absence the Executive Director shall preside.
- (6) The Academic Board shall meet at such places and times as the Rector may direct.
- (7) Subject to this
- aaaaaaa Law, the Academic Board may regulate its own procedure.
- (8) Proceedings of the Academic Board shall not be invalidated by reason of any defect in the appointment of any member or by reason of any vacancy among its members.

42. (1) There shall be a sub-committee of the Academic Board which shall

Sub-committee
the Academic
Board

consist of the Rector as the chairman and such other members of the Academic Board and any other person as the Rector may, after consultation with the Academic Board, appoint.

(2) The Registrar shall be secretary to the sub-committee, but in his absence or incapacity the Academic Board shall designate a member of the senior staff of the College to act as the secretary.

(3) The Academic Board may delegate to the sub-committee such of its functions as it thinks may be better and more conveniently carried out by the sub-committee.

43. (1) There is established for the College a Board of Examiners consisting of- Board of Examiners
- (a) the Rector who shall be the chairman;
 - (b) the Executive Director;
 - (c) the heads of departments of the College;
 - (d) the heads of the academic departments; and
 - 37. (e) all external examiners of the College.

(2) The Rector shall preside at the meetings of the Board and, in his absence, the Executive Director shall preside; but if both the Rector and the Deputy Rector are absent at any meeting, members present shall nominate one of the heads of departments present to preside at the meeting.

(3) It shall be the duty of the Board to -

- (a) draw up rules for the award of certificates, diplomas or degree to students of the College who qualify for the award;
- (b) ensure the proper conduct of the examinations of the College;
- (c) advise the Academic Board on curriculum development or variation;
- (d) consider the results of examinations of the College before presentation to the Academic Board for approval; and
- (e) do such other things as may be related to its duties.

PART VI- FINANCE

44. The funds and resources of the College shall include - Funds and resources of the College

- (a) subventions and grant in aid from the Local, State and Federal Governments;

- (a) fees and levies paid by students of the College;
- (b) amounts and charges or dues recoverable by the College;

- (c) gifts, donations, endowments, grants and incomes of the College;
- (d) rents from the letting or hiring of any property of the College;
- (e) sales of College forms, books, printing and photocopying; and
- (f) any other monies or properties accruing to the College from other source

45. All monies received on account of the College shall be paid into any bank account approved by the Council for the credit of the College. Bank account

46. The Council may with the prior approval of the Governor borrow by way of loan or overdraft from any source, money required by the College to meet its obligations and discharge its functions under this Law. Borrowing power

47. (1) Subject to subsection (2) the Council may accept gifts, grants or donations for the College. Gifts to the College

(2) The Council shall not accept any gift, grant or donation if the conditions attached are illegal or inconsistent with the functions of the College or against public policy.

48. (1) The Council shall - Accounts

- (a) cause proper accounts and records of all the College's financial transactions to be kept in a form consistent with the best accounting standards and practice; and
- (b) cause to be prepared in respect of each financial year, a statement of account

49. The accounts of the College shall be audited annually by external auditors appointed by the Council from a list of auditors provided by the Auditor-General of the State. Audit

51. (1) Not later than three months after the end of each financial year, the Council shall submit an annual report of its activities to the Governor through the Commissioner. Annual report

(2) The annual report shall -

- (a) contain a report dealing generally with the activities of the College and of the Council within the year to which the report relates;
- (b) contain a detailed presentation of the performance of the College during the reporting year stated against set targets; and
- (d) give an analysis of the opportunities and constraints having impact on the
- (e) College's
- (f) performance and the action proposed for addressing them.

(3) Without prejudice to the generality of subsection (1), the annual report shall include -

- (a) a certified copy of the audited account of the College in respect of the financial year and the auditors' comments thereon;

- (b) directives given by the Governor as the visitor of the College; and
- (c) such other information as the Governor may request.

PART VII – MISCELLANEOUS PROVISIONS^a

51.. (1) Subject to the provisions of this Law and any regulations made under it, the quorum and procedures of any committee established under this Law shall be as may be determined by the committee.

Other committees

(2) The chairman shall be an ex-officio member of the committee of the Council and the Board.

(3) The Rector shall be an ex-officio member of the committee of the Council and a member of Joint the Committee thereof.

52. (1) There shall be a common seal for the College.

Common seal

(2) The Registrar shall have custody of the common seal of the College and shall be responsible for affixing it to documents.

(3) The common seal of the College shall not be used except upon the direction of the Council, and shall be authenticated by the signature of the chairman or of the Rector or some other persons authorized by the Council and shall be officially and judicially noticed.

53. (1) The Governor may give directives of a general character on the discharge by Council of its functions in relation to matters appearing to the Governor to affect public interest, and the Council shall give effect to such directives.

Directives the Govern

(2) The Governor may give the Council specific directives for the purpose of remedying any defect which may be disclosed in the general arrangement of the Council for the discharge of its functions under this Law and the Council, shall give effect to such directions.

54. No suit shall be instituted against the College or any member of staff of the College or any person acting under the direction of the Council in respect of any act purporting to be done, or any neglect of duty under this Law until one month at least written notice of intention to commence the suit has been delivered at the office of the Council, and the notice shall state the cause of action, the name and place of abode of the intending claimant and the relief which he claims.

Legal proceeding

(2) In any suit by or against the Council, the Council may be represented in Court at any stage of the proceeding by-

- (a) a law officer;
 - (b) a legal practitioner; or
 - (c) a servant of the College authorised in writing in that behalf by the Chairman of the Council.
- (3) in this section "*suit*" includes an action initiated by summons or in such other manners as may be prescribed by rules of Court but does not include criminal proceedings.

55. (1) Subject to this Law, the College may make provisions by regulations for the following purposes -

Power to
make
regulations

- (a) the composition and constitution of any authority of the College;
 - (b) the course of instruction to be provided for the students of the College;
 - (c) the duration and number of semesters of the College;
 - (d) the grant of scholarships and studentships;
 - (e) specifying and regulating the powers and duties of any authority of the College and regulating any other matter connected with the College or any of its authorities;
 - (f) regulating the admission of students and their discipline and welfare;
 - (g) determining whether any particular matter is to be treated as an academic or non academic matter for the purpose of this Law and of any regulation or other instrument made there under; or
 - (h) making provision for any other matter authorised or required by this Law.
- (2) The power of the College to make regulations shall be exercised in accordance with the provisions of this section.
- (3) A proposed regulation shall become effective only if it has been approved -
- (a) at a meeting of the Academic Board by the votes of not less than two thirds of the members present and voting; and
 - (b) at a meeting of the Council, by the votes of not less than two-thirds of the members present and voting.
- (4) An approved regulation shall be under the hand of the Rector with the seal of the College affixed.
- (5) The Council may, subject to the provisions of this Law, make staff regulations

relating generally to the conditions of service of the staff of the College and without prejudice to the generality of the foregoing, the regulations may provide for-

- (a) the appointment, promotion and discipline of the staff of the College including dismissal; and
 - (b) appeal by affected staff against dismissal or other disciplinary measures.
- (6) Until the regulations referred to in subsection (2) are made, the conditions of service in the Civil Service shall apply to the staff of the College with such modifications as may be necessary.
- (7) Subject to the provisions of this Law the Academic Board may make regulations providing for –
- (a) the academic management of the College;
 - (b) the qualifications necessary for admission to the College; and
 - (c) the carrying into effect of any provision of this Law relating to the functions of the Council

56. (1) Any member of staff may, during the period of secondment, apply in writing to the Council for transfer to the service of the College. Transfer to the service of the colle

(2) Any staff who has not applied for the transfer in accordance with subsection (1) or whose application has not been accepted and approved by the Council shall within the year revert to the Civil Service.

57. (1) The period of secondment may, in special circumstances and subject to any agreement between the Council and the staff be extended for a further period. Special extension c secondmer

(2) The extended period of secondment under this section shall be subject to the approval of the Civil Service Commission.

58. Any contract officer taking up appointment with the College shall resign such appointment from the Civil Service of the State. Contract officers

59. (1) All proper appointments of staff of the International Aviation College, Ilorin before the coming into force of this Law shall be deemed to have been made under this Law and the existing rights of such staff to pension, gratuity and other retirement benefits are by virtue of this section preserved. Existing st and vestin property

(2) All properties held by or on behalf of the International Aviation College, Ilorin shall by virtue of this subsection and without any conveyance, transfer or assignment vest in the

Council and be held by it for the purpose of the College.

(3) The staff of the International Aviation College, Ilorin are hereby transferred to the College.

(4) The students of the International Aviation College, Ilorin shall by virtue of this Law be transferred to the College.

(5) All acts done including all legal transactions of the International Aviation College, Ilorin are deemed to have been done by the College under this Law and are hereby preserved.

60. The College for the purpose of attaining and maintaining the highest academic standards and by special arrangements and agreement, shall affiliate with a university or any institution of higher learning for the purpose of –

Affiliation to university

(a) preparing its students for the matriculation requirements, certificates, diplomas, degrees, and other distinctions of such university or institution; and

(b) moderation and control of the award of certificates, diplomas, degrees and other honours and distinctions.

61. In this Law, unless the context otherwise requires -

Interpretation

"academic staff" means those members of the staff whose primary duty is teaching and research;

"Board of Examiners" means the Board of Examiners appointed under section 43;

"chairman" means the chairman of the Council;

"College" means the International Aviation College, Ilorin established by this Law;

"Commissioner" means the Commissioner charged with the responsibility for Works in the State;

"Council" means the Governing Council of the College established under section 8;

"Governor" means the Governor of Kwara State;

"member" means members of the Council including the Chairman;

"non-academic staff" means those members of staff who are not members of the academic staff;

"notice" means notice in writing;

"principal officers" means the Rector, Deputy Rectors, Registrar, Directors of

Schools., Bursar, Librarian, Director of Works, Director of Medical Service:

"property" includes interest, rights, liabilities and obligations;

"regulations" means regulations made as provided under this Law;

"school" means schools established under section 3 of this Law;

"State" means Kwara State of Nigeria;

"university" means the university to which the college is affiliated in accordance with section 60 of this Law;

"Visitor" means the Governor of Kwara State.

62. This Bill may be cited as the International Aviation College, Ilorin, Bill, 2017.

Citation

FIRST SCHEDULE (Section 3) PART 1

SCHOOLS OF THE COLLEGE

1. School of Flight.
2. School of Aircraft Engineering.
3. School of ATC.
4. School of Support Services.
5. Such other schools as may be established from time to time.

PART II

HEADS OF DEPARTMENTS, COLLEGES, BOARDS OF DEPARTMENT, ETC

1. (1) Without prejudice to section 24 of this Law, each school in the College shall have a Director who shall be appointed by the Council on the advice of the Rector from among not more than three senior academic staff members of the school nominated by the Board of the school.

(2) The Director of a school shall -

- (a) exercise general superintendence over the academic and administrative affairs of the school; and
- (b) present candidates to the convocation for the conferment of degrees, diplomas, certificates and prizes on the recommendations of the Board of the school after the vote of at least two-thirds of the members of the Board of the school to that effect has been taken at the meeting of the Board of the school.

(3) Where a Director has been removed the Rector shall -

- (a) invite nominations for the appointment of a new Director; or
- (b) appoint an acting Director who shall vacate his office immediately a substantive Director is appointed.

2. (1) There shall be a Committee of Directors of Schools, which shall consist of all the directors of schools in the College.

(2) The committee shall advice on such academic matters as may be referred to it by the Rector and the Academic Board.

(3) The committee shall regulate its own proceedings.

3. There shall be established in each school of the College a body to be known as Board of School which shall consist of -

(a) the Rector and the Deputy Rectors, who shall be ex-officio members;

(b) the Directors of the school;

(c) the heads of all the departments in the school;

(d) all the senior academic staff of the school; and

(e) such other persons, whether members of the school or not, as the Board of the school may with the approval of the Academic Board determine.

4. (1) The Board of a school shall -

(a) advice the college on, and assist the Director in, the general superintendence of academic and administrative matters of the school;

(b) consider and present to the Academic Board the examination results of the students of the school;

(c) advice the Academic Board and other organs of the College on such matters as may from time to time be referred to it; and

(d) consider such matters as may from time to time be referred to it by the Departmental Board of the school;

(2) Subject to the direction of the Academic Board, the Board of a school may meet at such places and times as it may determine, and shall regulate its own proceedings.

5. (1) There shall be established in each department of the College, a body to be known as the Departmental Board which shall consist of -

(a) the head of department; and

(b) all senior teaching and other senior staff of the department.

(2) The Departmental Board shall -

(a) consider and approve for presentation to the Board of School the

examination results of the department;

- (b) advise the Board of School on academic and other matters of the department;
 - (c) organise and run the department; and
 - (d) perform such other functions as the Academic Board and the Board of School may from time to time refer to it.
- (3) The Departmental Board shall be subject to the control and direction of the Academic Board through the school.

6. (1) Every academic department in the college shall have a head of department, who shall be appointed by the Rector on the advice of the Director of the school from among the academic staff of the school, who shall not be below the rank of Senior Lecturer or its equivalent.

(2) The Head of Department shall be the chairman at all meetings of the department when he is present.

(3) The head of department shall exercise general superintendence over the academic and administrative affairs of the department and shall be responsible to the Rector.

7. (1) There shall be a Congregation of the College, consisting of-

- (a) the Rector;
- (b) the Executive Director;
- (c) all full time academic staff; and
- (d) every member of the non-academic staff who holds a degree or its equivalent of any recognised university or institution of higher learning.

(2) The Rector shall be the chairman at all meetings of the Congregation, but in his absence the members present shall choose one person from among themselves to be the chairman at that meeting.

(3) The quorum of the Congregation shall be one-third (or the whole number nearest to one-third) of the total number of the members of the congregation.

(4) The Congregation shall be entitled to discuss and declare an opinion on any matter relating to the College.

SECOND SCHEDULE

(Section 16)

SUPPLEMENTARY PROVISIONS FOR THE COUNCIL AND CONSTITUENT BODIES OF THE COLLEGE

1. (1) The chairman may at any time direct the Registrar to summon a meeting of the Council.

(2) Any member of the Council may by notice in writing signed by him, request the chairman to summon a special meeting of the Council for the purpose set out in such notice and the chairman shall thereupon order a special meeting to be summoned.

(3) The Council shall meet at such times and places as the chairman may appoint, but the Council shall hold at least four meetings in an academic year.

(4) At a meeting of the Council -

(a) the chairman of the Council shall preside;

(b) if the chairman is absent, or if the office of the chairman is vacant, the members of the Council who are present shall choose one person from among themselves to preside at the meeting, and the person presiding shall have all the powers of the chairman at that meeting.

2. At any meeting of the Council the chairman and ten other members including the Rector shall form a quorum, but if the chairman is absent eleven members including the Rector shall form a quorum.

Quorum.

3. Where the Council, or any of its committees, desires to obtain the advice of any person on any matter it may invite the person for the purpose of considering the matter and the person may take part in the deliberation but shall not be entitled to vote.

Power to co-opt member.

4. (1) Subject to the provisions of this Law the council may make standing orders regarding -

Standing orders.

(a) notice to be given of meetings;

(b) the proceeding at meetings;

(c) the custody and production for inspection of minutes of meetings; and

(d) other matters that may be considered necessary or desirable.

(2) The Board, Finance, Procurement and General Purpose Committee or any other committee may with the approval of the Council, and without prejudice to the generality of the provisions of subsection (1), make standing orders regarding -

(a) notice to be given of meetings;

(b) the proceedings at such meetings;

(c) the custody and production for inspection of such minutes;

(d) special meeting and election of temporary chairman; and

(e) other matters that may be considered necessary or desirable.

5. No act or other proceedings of the Council, or any committee shall be invalid by reason only that there is a defect in the appointment of a person as member or that there is vacancy in the membership.

Validity of
proceeding

6. (1) The Rector may at any time direct the Registrar to summon a meeting of the Board.

Summoning of
meetings

(2) The chairman appointed by a committee may summon a meeting of particular committee.

7. (1) Every question before the Council or any other body established under the provisions of this Bill at any meeting shall be determined by a simple majority vote of the members present.

Voting

(2) The chairman and every member shall at any meeting have one vote but in the case of equality of votes, the chairman of the meeting shall have a casting vote.

8. (1) Where the Registrar is absent at a meeting of any of the bodies established under this Law, the chairman, in consultation with the Rector, may appoint any suitable administrative staff to act as secretary for the particular meeting.

Minutes of
meetings

(2) The Registrar shall keep an accurate record of meetings in the minute's book provided for such purpose.

(3) The minutes of every meeting shall be signed by the chairman of the meeting after it has been approved at the next meeting.

(4) The minutes of the proceedings of the Council of a committee of the Council shall be properly kept in books provided for such purpose.

(5) Copies of minutes prepared by the Registrar shall as soon as the proceedings have taken place be sent to –

(a) the members of the Council; and

(b) the members of the relevant committee.

(6) The books in which the proceedings of the Council or of a committee of the Council are kept shall be opened to the inspection of any member of the Council, the Commissioner or the Governor or any other person authorised by the Governor.

9. (1) The Council may appoint such other committees (including standing and ad-hoc committees) to advise it or take other action on any matter which the Council may participate in, or for other purposes whether general or special relating to the functions of the Council which in the opinion of the Council would be better regulated or managed by means of a committee.

Committees

- (2) A committee appointed under this paragraph shall -
- (a) consist of such number of persons (not necessarily members of the Council as may be determined by the Council) and a person other than a member of the Council shall hold office on the committee in accordance with the terms of his appointment; and
 - (b) be presided over by a member of the Council.
- (3) A decision of a committee of the council shall be of no effect until it is confirmed by the Council.
- (4) Subject to the provisions of this Law the committee may make standing orders for regulating its own proceedings.