

**A LAW TO PROVIDE FOR THE KADUNA STATE
SCHOLARSHIP AND LOANS BOARD, 2018**



Kaduna State of Nigeria

Law No *10* 2018

(*16th* February 2018)

Date of Commencement

**PART I
PRELIMINARY**

BE IT ENACTED by the House of Assembly of Kaduna State as follows: Enactment

1. This Law may be cited as the Kaduna State Scholarship and Loans Board Law, 2018. Short Title

2. This Law shall come into operation on the *16th* day of *February* 2018. Commencement

3. In this Law, unless the context otherwise requires: Interpretation

“Annual Work Plan” means the annual programme of activities relating to the payment of students scholarships as approved by the Board;

“Board” means the Kaduna State Scholarship and Loans Board established under section 4 of this Law;

“Commissioner” means the Commissioner responsible for Education matters in the State;

“Education” when construed in relation to the Ministry, shall include Science and Technology;

"Governor" means the Governor of Kaduna State;

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

"Scholarship" means non-refundable financial award and/or sponsorships to students including a bursary or annual award approved by the State;

"State" means Kaduna State of Nigeria;

"Student" means any Student of the State undergoing studies in recognised and accredited educational institution either within or outside Nigeria;

"Student Loan" means concessional loans granted to students in accordance with Sections 5 (iii) and Section 25 of this Law.

PART II
ESTABLISHMENT, COMPOSITION, POWERS
AND FUNCTIONS OF THE BOARD

4. (1) There is hereby established in the State a body to be known as the Kaduna State Scholarship and Loans Board.

Establishment of the Board

(2) The Board shall:

- (a) be a body corporate with perpetual succession and Common Seal;
- (b) may sue and be sued in its corporate name.
- (c) hold, acquire and manage moveable and immovable property.

5. The functions and powers of the Board are:

Functions and powers of the Board

- (i) To advertise in print and electronic media, receive and process applications for scholarship and loans by students;

- (ii) To award scholarships to students, subject to possession of valid admission, to enable them study in any institution within and outside Nigeria;
- (iii) To collaborate with financial institutions to set up a students' loan scheme to facilitate access to concessional loans by students and teachers on study leave without pay to finance their studies;
- (iv) To liaise with educational institutions within and outside Nigeria for information sharing in order to enhance the performance of its functions under this Law;
- (v) To review the progress of its activities and programmes and report to the Commissioner;
- (vi) To recommend changes and/or additions to current programmes especially the Annual Work plan;
- (vii) To collaborate with the Local, State and Federal Governments and their Agencies on matters relating to student scholarship and loans;
- (viii) To implement any State policy that gives priority to student scholarship and loans;
- (ix) To offer advice to the Commissioner on all matters relating to the award of scholarships and the operation of the students loan scheme; and
- (x) To perform such other functions as may be considered necessary or expedient to achieve the objectives of this Law.

6. The Board shall comprise of members to be appointed by the Governor as follows: Membership of the Board

- (a) A Chairman;
- (b) The Permanent Secretary of the Ministry responsible for education matters in the State to serve as Vice Chairman;
- (c) One representative each, not below the rank of a Director, of the Ministries, Departments and Agencies responsible for:

- (i) Establishment and Training;
 - (ii) Finance;
 - (iii) Budget and Planning;
 - (iv) Justice; and
 - (v) Local Government;
- (d) One member each representing the three Senatorial Districts of the State, at least one of whom shall be woman;
- (e) Two representatives of the participating Banks; and
- (f) The Executive Secretary to serve as Member/ Secretary to the Board.
7. A member other than an Ex-officio member shall hold office for a period of four (4) years and may be re-appointed for a further term of four (4) years only. Tenure
8. Notwithstanding the provision of section 8 of this Law, a member of the Board shall cease to hold office if: Cessation of Membership
- (a) he resigns his appointment as a member by a notice in writing addressed to the Governor;
 - (b) he has by reason of mental or physical infirmity become incapable of discharging his duties;
 - (c) he has been convicted of an offence which involves dishonesty;
 - (d) he has been involved in any act that may be considered inimical to the interest of the Board or the State;
 - (e) he has become bankrupt or made a compromise with his creditors;
 - (f) he is removed by the Governor who is satisfied that it is in the public interest to do so; and

- (g) in the case of a person who becomes a member by virtue of the office he holds, ceases to hold that office.
9. (1) The Board shall hold such number of meetings as may be necessary for the effective discharge of its functions, provided that it shall hold at least one meeting in each quarter of a year. Meetings
- (2) At a meeting of the Board:
- (a) the Chairman shall preside;
- (b) where the Chairman is not present, or if the office of the Chairman is vacant, the Vice Chairman shall preside and in the absence of both, the members present and voting shall choose one person from amongst themselves to preside over the meeting.
- (3) Every question at a meeting of the Board shall be determined by a majority of votes of the members present and voting, and in the case of any equal division of votes, the presiding chairman shall have a second or casting vote.
- (4) Not less than a simple majority of members may by notice in writing signed by them request the Chairman to call for a special meeting of the Board for the purpose set out in the notice and the Chairman shall thereupon call such a special meeting.
10. The quorum for any meeting of the Board shall be a simple majority of the total members thereof. Quorum
11. Subject to the provisions of this Law, the Board may make standing orders for the purpose of regulating the proceedings at its meetings. Standing Order
12. (1) The Board may appoint such number of standing or ad-hoc Committees as it thinks fit to consider and report any matter with which the service is concerned. Ad-hoc Committee
- (2) Every committee appointed under sub-section (1) of this section, shall be prescribed over by a member of the Board and shall be made up of a number of persons, not

necessarily members of the Board as the Board may determine in each case.

13. Where the Board desires to obtain the advice of any person upon any matter, it may co-opt the person to be a member for such a meeting as may be required, and the person whilst so co-opted, shall have all the rights and privileges of a member save that he shall not be entitled to vote on any question or count towards a quorum. Powers to co-opt
14. No act or proceedings of the Board shall be invalid on account of any vacancy among its members or on account of the appointment of any member having been defective or by reason that a person not entitled to do so took part in the proceedings. Validity of proceedings
15. No member or staff of the Board shall be sued in his personal capacity for any act done or omitted to be done in the lawful performance of his duties under this Law. Indemnity
16. There shall be paid to every member of the Board other than ex-officio members, such remuneration and allowances as the Governor may determine from time to time. Remuneration of Members

PART IV MANAGEMENT AND STAFF OF THE BOARD

17. (1) There shall be an Executive Secretary for the Board who shall be appointed by the Governor. Executive Secretary
- (2) The Executive Secretary shall be the Accounting Officer and Chief Executive of the Board and responsible for the execution of the policies of the Board, the general management of its day to day affairs and shall carry out such functions as the Board may direct.
18. (a) The Board may subject to the conditions of the civil service appoint, train promote and discipline staff of the Board. Staff of the Board
- (b) The staff of the Board shall be public servants in the service of Kaduna State, and be paid with the conditions of service of the state.

PART V
FINANCIAL PROVISIONS

19. (1) The Board shall establish and maintain a fund from which there shall be defrayed all expenditure incurred by it. Establishment of the Fund
- (2) There shall be paid and credited into the fund of the Board:
- (a) such sums as may be appropriated to it by the State House of Assembly;
 - (b) all such monies paid to the Board by way of grants, donations, gifts, subsidies, charges, fees, subscriptions, interests and royalties;
 - (c) all monies which may vest in the Board under any enactment; and
 - (d) all other sums which may in any manner become payable to the Board in respect of any matter incidental to its powers or functions under this Law.
20. The Board shall prepare and submit to the Commissioner not later than the 30th day of June of each year, an estimate of income and expenditure of the Board for the next succeeding year. Estimates
21. (1) The Board shall cause to be kept proper books of accounts and other records in respect of its functions. Accounts
- (2) The Board shall prepare in respect of each financial year statement of accounts in such forms as the Commissioner may approve.
- (3) The said annual statement of accounts shall be fair and accurate statement of the financial position and of the result of the operations of the Board for the financial year to which it relates.
22. (1) The Board shall cause the annual statement of accounts required by Section 21 of this Law to be audited not later than six months after the end of each financial year, by Audit

the Auditor-General of the State, or by any other person authorised by him.

- (2) On or before the 30th of June of each year, the Board shall submit to the Commissioner an annual report of its activities for the preceding year along with a copy of the audited accounts.
23. Service in the Board shall be approved service for the purpose of payment of pension and other benefits to the staff of the Board in accordance with Pension Law in force in the State. Pension Matters

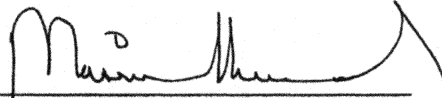
PART VI MISCELLANEOUS PROVISIONS

24. The Board may, with the approval of the Governor, and subject to the provisions of this Law, make Regulations to enhance the effective performance of its functions under this Law. The Regulations shall specify: Power to make Regulations
- (i) The categories of Scholarships approved by the State;
 - (ii) Priority Courses and/or Programmes;
 - (iii) Eligibility for the award of domestic Scholarship;
 - (iv) The procedures and other requirements for the award of Scholarship and student loans;
 - (v) The list of accredited institutions within the country;
 - (vi) The operations, tenor and interest rates applicable to the Loan Scheme;
 - (vii) Eligibility and criteria for International Scholarships;
 - (viii) Bonds and other repayment and service instruments to be executed by the beneficiaries; and
 - (ix) Such other details or information as may be necessary for the effective and efficient performance of the Board.
25. The Governor may give to the Board directions of a general or specific nature in relation to matters appearing to the Governor Direction by the Government

to affect students' interest and the Board shall give effect to such directions.

26. The Board shall provide itself with a common seal which shall be authenticated by the signature of the Executive Secretary or any other member authorised in that behalf by the Board. Common Seal
27. The rights, Interests, obligations, assets and liabilities of the Kaduna State Scholarship Board before the commencement of this Law, any contract or instrument whether in Law equity shall by virtue of this Law and without further assurance be vested in the Board. Savings
28. The Kaduna State Scholarship Board Law, 1982 is hereby repealed. Repeal

DATED AT KADUNA this^{16th}..... day of^{February}..... 2018

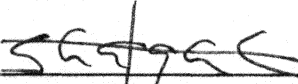

Malam Nasir Ahmad el-Rufai,
Governor, Kaduna State.

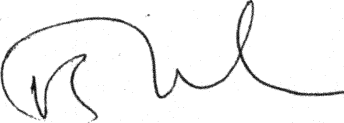
EXPLANATORY NOTE

(This note does not form part of this Law and has no legal effect).

The purpose of this Law is to establish the Kaduna State Scholarship and Loans Board and enlarge its functions to include the setting up of a students' loans scheme in collaboration with financial institutions.

This printed impression has been carefully compared with the Bill which has passed the Kaduna State House of Assembly and found to be true and correctly printed copy of the said Bill.


HON. AMINU ABDULLAHI SHAGALI
(Speaker)


BELLO ZUBAIRU IDRIS Esq.
(Clerk to the Legislature)