

**A LAW TO ESTABLISH THE KADUNA STATE COLLEGE
OF NURSING & MIDWIFERY, 2018**

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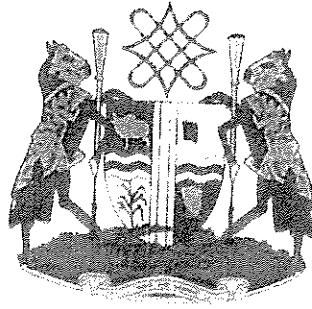
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**A LAW TO ESTABLISH THE KADUNA STATE COLLEGE
OF NURSING & MIDWIFERY, 2018**



Kaduna State of Nigeria

Law No. 30 2018

(December 15, 2018)

Commencement

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

Enactment

PART I

PRELIMINARY

1. This Law may be cited as the College of Nursing and Midwifery Law, 2018.

Citation

2. This Law shall come into operation on^{15th}.....day of.....December.....2018.

Operation

3. In this Law unless the context otherwise requires:

Interpretation

"Chairman" means the Chairman of the Governing Council or where the context requires, a Chairman of a Committee established under this Law;

"College" means the Kaduna State College of Nursing and Midwifery;

"Commissioner" means the Commissioner charged with the responsibility for health matters in the State;

"Council" means the Governing Council of the College;

"Deputy Provosts" means the Deputy Provosts of the College including the Heads of the Campuses;

"Governor" means the Governor of Kaduna State;

"Member" means member of the Governing Council including the Chairman of the Council;

"Provost" means Provost the College made by the Council under this Law;

"Regulations" means regulations of the College made by the Council under this Law;

"State" means the Kaduna State of Nigeria.

PART II

ESTABLISHMENT, OBJECTIVES AND POWERS OF THE COLLEGE

4. (1) There is hereby established a College of Nursing and Midwifery in the State, which shall be a body corporate, having perpetual succession, and a common seal, with powers to sue, and be sued in its corporate name. Establishment of the College
- (2) The College established under subsection 1 of this section shall be a multi-campus College.
5. The objectives of the College shall be to: Objectives
- (a) Provide courses of study, training and research in General Nursing, Midwifery and Public Health Nursing, and either singly or in affiliation with other Institutions and Universities, award diploma certificates, under-graduate and post-graduate degrees as may be accredited by relevant regulatory bodies.
- (b) Provide for:
- (i) Continuing Education in all specializations relevant to nursing and midwifery;
- (ii) Nursing, Midwifery and Science Curriculum Development.

6. (1) The College shall be a teaching, research and examining body and shall, subject to the provisions of this Law, have power to:
- Powers of the College
- (a) Provide rules and conditions under which persons may be admitted as students of the College for any particular course of study provided by the College;
 - (b) Make provision for required courses in all relevant academic and professional subjects;
 - (c) Make provisions for research and dissemination of knowledge;
 - (d) Establish departments and such units of learning and research as may be considered necessary;
 - (e) Establish such offices and posts, and to appoint persons and remove them from offices or posts and also prescribe their conditions of service;
 - (f) Provide and maintain such facilities as may be required by the College to meet its objectives;
 - (g) Demand and receive from any student or any other person attending the College, tuition and any other fees as the College may from time to time determine;
 - (h) Print or publish work or undertake services as may be deemed consistent with the objectives of the College;
 - (i) do all such other acts and things incidental to the foregoing powers as may advance the objectives of the College.
- (2) Subject to the provisions of this Law, the powers conferred on the College by subsection (1) of this section shall be exercised on behalf of the College by the Council or any of the Committees or in any other manner specified by this Law.

PART III

THE GOVERNING COUNCIL OF THE COLLEGE

7. There is hereby established a Governing Council for the College. Governing Council
8. The Council shall comprise of: Composition of the Council
- (a) A Chairman to be appointed for the Council on part-time basis by the Governor;
 - (b) The Permanent Secretary of the Ministries responsible for Health matters;
 - (c) The Permanent Secretary of the Ministry responsible for Education;
 - (d) The Provost of the College;
 - (e) The Deputy Provosts of the College;
 - (f) The Librarian of the College;
 - (g) The Bursar of the College;
 - (h) The medical Director of the General Hospital;
 - (i) Director Nursing Services, State Ministry of Health;
 - (j) Three members to represent the public interest, at least one of whom shall be a woman;
 - (k) Representative of the Nursing and Midwifery Council of Nigeria;
 - (l) Representative of the National Board for Technical Education; and
 - (m) The Registrar of the College shall serve as the Secretary to the Council.
9. The Chairman and members, other than ex-officio members, shall hold office for a period of four (4) years from the date of Tenure of Members

their appointment and shall be eligible for re-appointment for another term of four (4) years only.

10. Any member of the Council other than an ex-officio member may by notice to the Council resign his appointment in writing under his hand and addressed to the Governor through the Chairman of the Council and the resignation shall become effective upon receipt by the Governor. Resignation of Members
11. The Governor may remove the Chairman or any other member other than ex-officio members, of the Council if: Removal of members by the Governor
- (i) he is found liable of misconduct in relation to his duties;
 - (ii) he becomes mentally and physically incapacitated;
 - (iii) he is adjudged bankrupt;
 - (iv) he is convicted of a felony or any offence involving dishonesty or fraud;
 - (v) he has been absent from five (5) consecutive meetings of the Board without any reasonable excuse;
 - (vi) in the case of a person possessed of professional qualification, he is disqualified from practicing his profession by the relevant professional body; or
 - (vii) for any other reason as he considers expedient.
12. Any vacancy occurring in the membership of the Council shall be filled by the appointment of a successor who shall represent the same interest as his predecessor for the remainder of the term of the predecessor. Vacancy
13. (1) The Council shall be the governing authority of the College with powers to: Powers of the Council
- (a) Make, amend or revoke regulations made under this Law for the management of the College;
 - (b) Prescribe rules for the discipline of the students of the College; and

- (c) Do such other things not otherwise provided for under this Law, as may be considered necessary to promote the best interest of the College;
- (2) The Council may delegate any of its functions (except the power to amend or revoke the provisions of any regulation) to the Chairman or any other committee it may so desire.

PROVIDED that no such decision of the chairman or of such committee shall take effect unless confirmed by the Council.

PART IV

THE MANAGEMENT AND STAFF OF THE COLLEGE

14. (1) The principal officers of the College shall include: Principal Officers
- (a) The Provost;
 - (b) All the Deputy Provosts;
 - (c) The Registrar;
 - (d) The Bursar;
 - (e) The Librarian;
 - (f) The Director of Works and Physical Planning; and
 - (g) Auditor.
15. (1) There shall be a Provost for the College to be appointed by the Governor on the recommendation of the Council upon such terms and conditions as he may consider fit and shall: Provost of the College
- (a) be the Chief Executive and Administrative Officer of the College and be responsible to the Council for maintaining and promoting efficiency and discipline in the College; and

- (b) to hold office for a period of four (4) years and may be re-appointed for another term of four (4) years only.
 - (2) Whenever a vacancy in the post of a Provost arises, the Council shall by notice in the journals of the College and other mass media advertise the vacancy and call for applications, specifying the terms and conditions applicable to the post.
 - (3) Council shall also constitute a selection team of five (5) members which shall shortlist candidates, interview them and thereafter recommend three names to Council in order of preference.
 - (4) The Council shall after due consideration of the report of the selection team, recommend the name of the three candidates in order of preference to the Governor, who shall appoint one of them as Provost.
16. (1) There shall be appointed for the College, such number of Deputy Provosts as may be required to head the campuses and be in charge of administration and academics. Deputy Provost
- (2) The Deputy Provosts shall hold office for a term of four (4) years and may be eligible for re-appointment for another term of four (4) years only.
 - (3) Whenever a vacancy in the post of a Deputy Provost arises, the Council shall by notice in the journals of the College and other mass media, advertise the vacancy and call for applications, specifying the terms and conditions applicable to the post.
 - (4) Council shall also constitute a selection team of five (5) members which shall shortlist candidates, interview them and thereafter recommend three names to Council in order of preference for Approval and Appointment.
 - (5) The Council shall after due consideration of the report of the selection team, recommend the names of the three candidate in order of preference to the Governor, who shall appoint one of them as Deputy Provost.

17. The Provost or Deputy Provost may be suspended or removed from office by the Governor for reasons of gross misconduct or inefficiency on the recommendation of the Council or in the interest of the public. Removal of Provost or Deputy Provost
18. (1) There shall be appointed for the College, a Registrar who shall be responsible to the Provost in the discharge of his duties including administrative matters regarding staff appointments, admissions and graduation of students. Registrar
- (2) The Registrar shall hold office for a term of four (4) years beginning from the effective date of his appointment and may be re-appointed for another term of four (4) years only on such terms and conditions as may be specified in his appointment.
- (3) Whenever a vacancy in the post of Registrar arises, the shall by notice in the journals of the College and other mass media advertise the vacancy and call for applications, specifying the term and conditions applicable to the post.
- (4) Council shall also constitute a selection team of five (5) members which shall shortlist candidates, interview them and thereafter recommend three names to Council in order of preference.
- (5) The Council shall after due consideration of the report of the selection team, appoint one of them to fill the vacant post of Registrar.
19. (1) There shall be appointed by the Council, a Bursar, who shall be the Chief Financial Officer of the College and shall be responsible to the Provost for the day to day administration of the financial affairs of the College. Bursar
- (2) The Bursar shall hold office for a term of four (4) years beginning from the effective date of his appointment and may be re-appointment for another term of four (4) years only on such terms and conditions as may be specified in his letter of appointment.
- (3) Whenever a vacancy in the post of Bursar arises, the Council shall by notice in the journals of the College and

other mass media advertise the vacancy and call for applications, specifying the terms and conditions applicable to the post.

- (4) Council shall also constitute a selection team of five (5) members which shall shortlist candidates, interview them and thereafter recommend three names to Council in order of preference.
 - (5) The Council shall after due consideration of the report of the selection team, appoint one of them to fill the vacant post of Bursar.
20. (1) There shall be a College Librarian to be appointed by the Provost who shall be responsible for the administration of the College Library and the co-ordination of Library services in the College. Librarian
- (2) The College Librarian shall hold office for a term of four (4) years beginning from the effective date of his appointment and may be re-appointment for another term of four (4) years only on such terms and conditions as may be specified in his letter of appointment.
 - (3) Whenever a vacancy in the post of Librarian arises, the Council shall by notice in the journals of the College and other mass media advertise the vacancy and call for applications, specifying the terms and conditions applicable to the post.
 - (4) Council shall also constitute a selection team of five (5) members which shall shortlist candidates, interview them and thereafter recommend three names to Council in order of preference.
 - (5) The Council shall after due consideration of the report of the selection team, appoint one of them to fill the vacant post of Librarian.
21. There shall be an Internal Auditor who shall be responsible to the Provost for the Auditing of all financial records of the College. Auditor

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|-----|--|---------------------------------------|
| 22. | The Senior Staff of the College on Grade Levels 07 and above shall be appointed and promoted by the Appointments, Promotion and Discipline Committee subject to the approval of the Governor on the recommendation of the Council. | Senior Staff |
| 23. | The Power to appoint staff on Grade 01-06 shall subject to the prior approval of the Governor vest in the Provost, but this function may be exercised on his behalf by the Registrar of the College to be assisted by an appropriate Committee provided that all such appointments shall reflect the diversity of the State. | Power to Appoint Staff from GL. 01-06 |
| 24. | The Council shall have power to suspend or dismiss any senior staff of the College for misconduct or inefficiency. | Discipline of senior staff |

PART V

ESTABLISHMENT OF COMMITTEES

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|-----|--|-------------------------------------|
| 25. | There shall be established for the College the following Committees: | Establishment of Committees |
| | (i) Academic Committee; | |
| | (ii) Finance and General Purposes Committee; | |
| | (iii) Management Committee; and | |
| | (iv) Appointments, Promotion and Discipline Committee. | |
| 26. | The Academic Committee shall comprise: | Composition of Academic Committee |
| | (a) The Provost to serve as Chairman; | |
| | (b) The Deputy Provosts; | |
| | (c) Heads of departments in all the Campuses; and | |
| | (d) The secretary to be appointed by the Provost. | |
| 27. | (1) Subject to the general control and direction of the Council, the Academic Committee shall perform the following functions: | Functions of the Academic Committee |

- (a) The direction and management of all academic matters of the College including the regulation of admission, organization of examinations and all formalities related to registration and licensing with the Nursing and Midwifery Council of Nigeria;
 - (b) Make recommendation to the Council on matters relating to academic programmes and units of learning and research in the College;
 - (c) Make regulations for the purpose of exercising any of the functions conferred on it under the provisions of this Law; and
 - (d) Perform any other functions that may be delegated to it by the Council.
- (2) The Academic Committee may appoint sub-committees to advise it on its programmes to which it may delegate any of the functions conferred on it under this Section.

28. The Finance and General Purpose Committee shall consist of:

Composition of the Finance and General Purpose Committee

- (a) The Chairman of the Council as the Chairman;
- (b) The Permanent Secretary of the Ministry responsible for Health Matters;
- (c) Provost of the College;
- (d) The Registrar of the College;
- (e) The Bursar of the College; and
- (f) Two other members to be appointed by the Council from among its members at least one of whom shall be a female.

29. Subject to the general direction of the Council the Finance and General Purpose Committee shall:

Functions of the Finance and General Purpose Committee

- (a) exercise control over the property, revenue and expenditure of the College;

- (b) deal with on behalf of the Council, any matter requiring decision in the interval of the meetings of the Council; and
- (c) perform such other function as the Council may from time to time assign to it.

30. The Management Committee shall comprise:

Composition of Management Committee

- (a) The Provost who shall be the Chairman;
- (b) The Deputy Provosts;
- (c) The Bursar of the College;
- (d) Heads of departments of the College;
- (e) The College Librarian;
- (f) The Director of Works and Physical Planning of the College;
- (g) The Internal Auditor; and
- (h) The Registrar of the College who shall serve as Member/Secretary.

31. The Management Committee shall have powers to map out strategies for the smooth running of the College.

Power of the Management Committee

32. The Appointments, Promotion and Discipline Committee shall comprise:

Composition of the Appointments Promotion and Discipline Committee

- (a) The Provost;
- (b) Permanent Secretary of the Ministry responsible for Health matters;
- (c) The Deputy Provosts; and
- (d) The Registrar of the College who shall serve as Secretary.

33. Subject to the direction of the Council, the Committee may:

Functions of the Appointments Promotion and Discipline Committee

- (a) Recommend to the Council for approval of the promotion of officers on Grade Levels 07 and above approved by the Governor;
- (b) Interview shortlisted applicants for appointment to Senior Staff positions and recommend to the Council for approval;
- (c) Consideration of all disciplinary cases as may be brought for its considerations and recommendation to the Council; and
- (d) Perform such other functions of the Council as the Council may from time to time delegate to the Committee.

PART VI

FINANCIAL PROVISIONS

34. The Governor may by Order in the Gazette, transfer all or any property whether movable or immovable, held, used by or being applied for the purpose of the defunct Colleges of Nursing and Midwifery, Kafanchan and Tudun Wada to the College and as from the date of such Order any property so transferred under the said Order shall, without any further assurance vest in the College. Property and Financial of the College
35. (1) The Council may on behalf of the College acquire and hold such movable and immovable property as may be necessary or expedient for the carrying into effect the provisions of this Law. Powers to hold Property
- (2) Subject to the provisions of this Law, the Council may on behalf of the College enter into, vary, perform or cancel such contracts as may be necessary or expedient for carrying into effect the provisions of this Law.
36. The Funds of the College shall include: Funds of the College
- (a) Revenue from time accruing to the College by way of grants, subvention or endowment or other forms of grant-in-aid;

- (b) Any other amounts charged or dues approved by the School;
- (c) Receipt for publications or services;
- (d) Interest on Investments; and
- (e) Donations.

... that may be imposed, the
 ... ing to the College, whether
 ... such other monies, in any
 ... rchase or improvement of
 ... y such investment.

Powers to Invest Monies

... ar or at such times as may
 ... rovost shall present to the
 ... d expenditure of the College
 ... d the said estimates shall be
 ... Council not later than 30th

Financial Estimates

... shall have the right of access
 ... s of the School and shall be
 ... explanations as he may deem
 ... the accounts of the School.

Audit

... shall be audited annually by
 ... the Council from a list of
 ... Auditor-General of the State.

Statement of Revenue and
 Expenditure

... (6) months after the end of
 ... he Governor with;

... accounts;

... d report and full report of the

... the State of affairs of the
 ... al year under review.

- (2) The College shall cause its audited accounts to be published in the State Gazette after complying with subsection (1) of this section.

PART VII

GENERAL PROVISIONS

41. The Registrar shall have custody of the common seal of the College and shall be responsible for affixing same to documents. Custody of the College Seal
- (1) The common seal shall not be used save upon direction of the Council and shall be authenticated by the signature of the Provost.
- (2) The Commissioner may give to the Council directions as to the discharge of its functions in relation to matters that affect public interest.
42. Service in the College shall be approved service for the purpose of payment of pension in accordance with the State's Pension Reform Law, 2016 and therefore the Provost and all other staff of the College shall be entitled to payment of pension and other retirement benefits as provided in the Pension Reform Law. Service in the College
43. The Council may appoint committees to which it may delegate of its responsibilities and Committee functions. Power to Delegate Responsibilities
- (1) Without prejudice to any of the provisions of this Law, the Council may take standing orders with respect to the holding of its meetings, the proceedings there at, the keeping of minutes of such proceedings the custody and production for inspection of such minutes and other matters that may be considered necessary or desirable.
- (2) The Academic Committee and the Management Committee of the College may, with the approval of the Board, make similar standing orders and without prejudice to the generality of the sub paragraph, the standing orders may make provisions for special meetings and election of a temporary Chairman.

44. No act or other proceedings of the Council, the Academic Committee or any committee shall be invalid by reasons only that:
- (a) there is some defect in the appointment of a person purporting to be a member of any of the above bodies; or
- (b) there is any vacancy among the members.
45. The provisions of the Public Officers Protection Law, Laws of Kaduna State Cap shall apply.
46. The Council shall allow the Commissioner access to facilities for obtaining information with respect to the property of the College, the functions of the Council and shall furnish him with returns, facilities for verification of the information furnished in such manner and at such times as the Commissioner may require.
47. All action taken in pursuance to the Repealed Laws shall be deemed to have been made under this Law.
48. The Kaduna State School of Nigeria and Midwifery Kafanchan, Law No.2 of 1999 and Kaduna State College of Midwifery, Tudun Wada Kaduna, Law No 2, 2014 are hereby repealed.

Vacancy

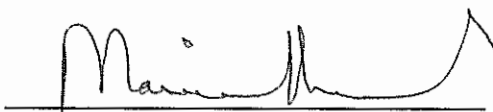
Application of Public Officers Protection Laws of Kaduna State

The Council shall Allow Access to Facilities for Information

Savings

Repeal

DATED AT KADUNA this^{15th}..... day of December.....2018

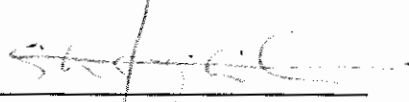

Malam Nasir Ahmad el-Rufai, OFR
 Governor, Kaduna State.

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 School of Nursing and Midwifery with Multiple College Campuses.

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)