

**A LAW
FOR
THE ESTABLISHMENT OF NASARAWA STATE SCHOOL OF
NURSING AND MIDWIFERY, LAFIA**

BE ENACTED by the Nasarawa State House of Assembly and by the authority of same as follows:

PART ONE: PRELIMINARY

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| S.1 | This law may be cited as the Nasarawa State School of Nursing and Midwifery Law and shall be deemed to have come into effect on the 26 th day of June, 1999. | Title and commencement |
| S.2 | There is hereby established for the State a School of Nursing and Midwifery Lafia, which shall be a body corporate with perpetual succession and a common seal having powers to sue and be sued in its name. | Establishment of School of Nursing/ Midwifery |
| S.3 | The objectives of the School shall be:
(i) To train the needed manpower or personnel of the State.
(ii) To provide a ground for training and continuing education of or the existing nursing manpower.
(iii) To serve as a nursing research laboratory.
(iv) To award certificates to professional nurses after the successful completion of their courses. | Objective of the School |
| S.4 | (1) Subject to the provisions of this law and the regulations of the Nursing/Midwifery Council of Nigeria for Schools of Nursing, the School shall have the following powers:
(i) To stipulate the required conditions for admission of students into the School.
(ii) To provide courses of instruction in academic and professional subjects for the students.
(iii) To organize or structure the School into such Departments or Units as would best attain the objects of the School.
(iv) To impart professional ethics, knowledge, skill and orientation in some other field of human endeavour relevant to the objectives of the School. | Functions of the Schools |

- (v) To create such offices as would help attain the objectives of the School.
 - (vi) To appoint, remove and discipline such persons to be appointed to offices under paragraph(v) above.
 - (vii) To provide such physical facilities as library, classroom blocks, laboratories, workshops, hostels, dinning halls and such other facilities as would meet the needs of the Schools.
 - (viii) To provide adequate residential, recreational and welfare amenities for the members of staff of the School.
 - (ix) To draw up rules and regulations for the discipline of the students.
 - (x) To conduct and moderate examinations for the award of certificates to students who have successfully completed or distinguished themselves in their courses of study.
 - (xi) To print and publish academic materials or undertake services as may be considered consistent with the objectives of the School.
 - (xii) To do all such other things incidental to the following powers.
- (2) Subject to the provisions of this law and of any other law, the powers conferred on the School by the foregoing provisions shall be exercised on behalf of the School by the Governing Council, the Principal or School Management Committee or any other body as shall be authorized.

PART TWO: VISITOR TO THE SCHOOL

School Visitor

S.5 There shall be a visitor to the School who shall be the Governor of the State.

The functions of the visitor to the School shall include:

- (i) Appointing a visitation panel of not more than five members to evaluate the academic and administrative performance of the School after four years and to receive same.
- (ii) Attending convocation ceremonies of the School.

Powers of the Visitor

- (iii) Intervening wherever there is a deadlock or crisis that is beyond the ability of other structures of the School.
- (iv) Issuing instructions in consequence of a visitation.

PART THREE: GOVERNING COUNCIL

- S.7 (1) There shall be established a Governing Council to be known as School of Nursing and Midwifery, Lafia. The Governing Council which shall include:
- (i) A Chairman and three other members one of whom must be a distinguished member of the Nursing and Midwifery Council of Nigeria (N.M.C.N).
 - (ii) The Commissioner of Health or his representatives.
 - (iii) A representative of the State Nursing and Midwifery Committee.
 - (iv) The Commissioner for Justice or his representative
 - (v) The Principal of the School.
 - (vi) A representative of the Academic Board of the School not below the rank of Senior Lecturer to be nominated by the Academic Board.

Establishment
and
composition of
Governing
Council

- (2) All the appointees under Subsection(1) above shall be on part-time basis.

- S.8 (1) A members of the Council shall hold office for a term of four years subject to renewal for a further term of four years only.

- (2) A member of the Council may resign his appointment at any time by notice in writing under his hand addressed to the Governor and on receipt of same by the Governor such appointment shall be deemed determined.

- (3) The office of a Council member shall become vacant if:

- (i) He dies; or
- (ii) He resigns his appointment; or

- (iii) He is removed by the Governor from office. If in his opinion it is not in interest of the School or public that such a member should continue.
- (4) Without prejudice to the provisions of Subsection(3) (iii) above, the Governor may determine the appointment of a member other than ex-officio member if he is of the opinion that such a member:
- (i) Is permanently physically or mentally incapacitated.
 - (ii) Has once convicted of an offence involving dishonesty.
 - (iii) Has a pecuniary interest that conflicts with his being a member of the Council PROVIDED that where a member is removed before the expiration of his tenure, the Governor may appoint such other person to complete the tenure of the person removed in so far as the new member represents the same interest as the person replaced.

S.9 Apart from the Chairman, any four members of the Council shall form a quorum at any meeting of the Council. Quorum

S.10 Subject to the provisions of this law, the Council shall have power to: Powers of the Council

- (a) Make regulations and conditions of service governing the conduct of staff and students in the School.
- (b) Superintend generally over the affairs of the School and in particular, the control of property and finances of the schools; and
- (c) Generally to do any other thing not otherwise provided for which in its opinion would enhance the attainment of the objectives of the School.

S.11 The Council may delegate any of its functions except power to make or revoke regulations to any member or any other person or committee it may constitute, but no such decision shall take effect unless confirmed by the Management Committee. Delegation of functions

- S.12 There shall be a Secretary to the School who shall be a person with requisite qualifications appointable by the Council. Appointment and function of Secretary
- (2) The Secretary shall:
- (a) Attend all meetings and take notes of all minutes of the meetings except where excused.
 - (b) Handle and be the custodian of all correspondences and records of the School PROVIDED that where the Secretary is absent, the Chairman in consultation with the Principal shall appoint a suitable administrative staff of the School to act .

PART FOUR: THE ACADEMIC BOARD OF THE SCHOOL

- S.13 There shall be an Academic Board of the School charged with control of academic work of the School which shall consist of: Establishment and composition of Academic Board
- (i) The Principal of the School
 - (ii) The Vice Principal Administration
 - (iii) The Vice Principal Academic
 - (iv) The School Librarian
 - (v) All other Heads of Departments

The Principal shall preside over all meetings of the Board and in his absence the Vice Principal Administration shall act on that behalf.

- S.14 (1) Subject to general control by the Council, the Board shall perform the following functions: Functions of the Board
- (i) Managing and giving directions of all academic matters of school including curriculum of studies and admission regulations.

- (ii) Making regulations for the purpose of exercising any of the functions conferred on it under this law.
 - (iii) Any other functions that may be delegated to it by the Council.
- (2) The Board shall liaise with the State Nursing and Midwifery Committee in performing its functions under paragraph (i) and (ii) above.
 - (3) The Board may co-opt any person to advise it on any issue it deems necessary and that person while so acting shall not have a voting right.
 - (4) The Board may delegate any of its functions to a Committee it may constitute and that Committee's report shall be subject to ratification by the Board.

S.15 The Governor may by order in the State Gazette, transfer all or any property whether movable or immovable held used by or being applied for the purpose of the School to the said School and as from the date of such order any property so transferred under the said order shall without further assurance, vest in the School and shall be used for the purpose of the School.

- S.16 (1) The Council may on behalf of the School require and hold such movable or immovable property as may be necessary or expedient for the carrying into effect of the provisions of this law and for the same purpose, may sell, lease, mortgage or otherwise alienate or dispose of any property so acquired.
- (2) The Council may on behalf of the School invest the funds of the School in such manner and to such extent as may be necessary or expedient for carrying into effect the provisions of this law.

Power of the Council to hold property and enter into contract

S.17 The revenue of the School shall include:

Source of funds

- (i) Revenue from time to time accruing to the School by way of Government grants, subvention or endowment or other forms of grants in aid.
- (ii) Fees charged by and payable to the School by students.
- (iii) Any other monies, levels or dues or charges recoverable by the Council.
- (iv) Payment for publications or services rendered by the School.
- (v) Donations and legacies; and
- (vi) Revenue yielding ventures, such as sale of school forms, bookshops, printing and photocopying. Etc

S.18 (1) Before the end of each fiscal year or at such other times as may be required by the Council, the Principal shall present for consideration by the Council, estimates of revenue and expenditure for the following financial year and the said estimates shall be presented to the Governor for approval.

Preparation and presentation of financial estimates

(2) At the end of each fiscal year or at such other times as may be required by the Council, the Principal shall present for consideration by the Council statement of revenue and expenditure during the previous year together with a statement of assets and liabilities of the School which shall thereafter be presented to the Governor.

S.19 (1) The accounts of the School shall be audited by Auditors from a list of Auditors to be provided by the Auditor General and their fees shall be paid as provided in a guide by the Auditor General.

Auditing of School Accounts

(2) Notwithstanding the provisions of Subsection(1) above, the Auditor General's power to make periodic checks on the accounts of the School shall not be precluded.

SCHOOL MANAGEMENT COMMITTEE

S.20 (1) There shall be a School Management Committee to comprise of:

Establishment of composition of School Management Committee

- (a) The Principal as Chairman
- (b) The Vice Principal (Administration)
- (c) The Vice Principal (Academic)
- (d) The Bursar
- (e) The Director of Works
- (f) The School Secretary
- (g) The Librarian; and
- (h) The Director of Medical Service

(2) The Management Committee established under Subsection (1) above shall generally be responsible for the administrative routines of the School and implement policies of the Governing Council.

S.21 (1) Notwithstanding the generality of the provisions of S.20(1) above, the Principal shall be the professional and administrative head of the School and shall be responsible to the Governing Council for promoting efficiency and discipline in the School.

Powers of the principal Officers of the School

(2) The Vice Principal shall be the professional and administrative head of the school and shall be responsible to the Governing Council for promoting efficiency and discipline in the School.

(3) The Bursar shall be responsible to the Principal for the day-to-day administration of the financial affairs of the School.

(4) The Director of Works shall be responsible to the Principal for the maintenance of School structures, other physical facilities, repairs, minor works, transport and supervision of School projects generally.

(5) The Secretary shall in addition to the duties assigned to him under the provisions of this law, be

responsible to the Principal for the execution of the decisions made by the Council, the Academic Board and the Management Committee and for administrative matters pertaining to staff appointments, admission and graduation of students.

- (6) The Librarian shall be responsible to the Principal for the day to day administration of the School Library and the coordination of library services in the School.
- (7) The Heads of Departments of various courses of the School shall be directly responsible to the Principal through the Vice Principal Administration and Vice Principal Academic for the administration as well as promotion of efficiency academic excellence and discipline in their Departments.
- (8) The Director of Medical Services shall be responsible to the Principal for the administration of the School Clinic and coordination of the School health services.

S.22 (1) APPOINTMENT OF STAFF

- (2) The Principal shall be appointed by the Governor on the recommendations of the Council for a term of four years. Notwithstanding the provision of (10) above, the person holding the office of the Principal shall be deemed to have been appointed in accordance with the provisions of Subsection(1) above.
- (3) The Council in so recommending a person or appointment into the office of the Principal shall consider requisite qualification and experience.
- (4) The terms and conditions of appointment shall be as a guaranteed by the Council.

Appointment of Principal

- S.23 (1) The Vice Principal Administration and the Vice Principal Academic shall be appointed by the Council on recommendations of the Academic Board.

Appointment of Vice Principal

- (2) Vice Principals when appointed shall hold office for a period of four years subject to renewal for a further period of two years and no more.
- (3) In recommending appointees to the office of the Vice Principal, the Academic Board shall ensure that such a person is not below the rank of senior Lecturer and must be a Nurse or Midwife who has been with the School.
- (4) Subject to the provisions of this law, the Vice Principal Administration shall act in place of the Principal when the Principal is for any reasons absent or unable to perform his functions as Principal or such functions as the Council may assign from time to time.
- (5) The Vice Principal Academic shall act in place of the Vice Principal Administration and the Principal when the offices of the Vice Principal Administration and Principal are vacant or if both of them are for any reason, absent or unable to perform their functions as Principal and Vice Principal Administration or such other functions as the Council may from time to time assigned to him.

- S.24 The Secretary, Bursar, Librarian, Director of Works and Director of Medical Services shall be appointed by the Council on recommendation of a Committee to be constituted by the Council on recommendation of a Committee to be constituted by the Council PROVIDED that the Director of Nursing Services shall be a member. Appointment of principals officers
- S.25 All other Senior Academic and Administrative Staff of the School shall be appointed by the Council on the recommendation of such a Committee of which the Principal shall be the Chairman as it may constitute for advising it. Appointment of senior staff
- S.26 (1) The power to appoint intermediate and junior staff of the School shall be exercised by the Principal in consultation with the School Management Committee. Appointment of immediate and junior staff

- (2) The Principal may suspend or remove from office any member of the junior or intermediate staff of the School subject to such conditions as may be determined by the Management Committee.

S.27 Subject to the provisions of this law, the remuneration, scales allowances and other entitlements and conditions of service of the staff of the School shall be determined by the Council.

S.28 (1) Any Senior member of staff of the School may for reasons of misconduct or inefficiency be suspended or removed from office by the Council.

Suspension of senior staff

- (2) No such staff shall be suspended or removed from office unless he shall have been given reasons thereof and the opportunity to make representations afforded him.

S.29 (1) Any member of staff of the School may subject to conditions determined by the Council resign his appointment with the School by notice addressed to the School.

Resignation of appointment by staff

- (2) Such member of staff of the School who ceases to hold office otherwise than by reason of removal on grounds of misconduct or inefficiency shall be eligible for reappointment.

S.30 Subject to the provisions of this law and any other law or regulations made thereunder, the quorum and procedure of any Committee established under this law shall be as may be determined by the said Committee.

Quorum of Committee

S.31 (1) Subject to the provisions of this law, the Principal shall have power to suspend for such period as he may in his discretion determine any student or group of students from attending the School for any cause which he considers adequate to warrant such action and such suspension shall soon thereafter be reported to the Academic Board.

Suspension and expulsion of students

- (2) The Principal may in consultation with the Academic Board expel any student for misconduct subject to approval of the Governing Board.

S.32 (1) The common seal of the School shall not be used except upon the direction of the Governing Council and shall be authenticated by the signature of the Chairman or some other persons in the manner directed by the Council and shall be deemed officially and judicially recognized.

Custody and usage of the School seal

- (2) The Council may make, add, delete or otherwise amend the provisions of any regulations with the approval of the Governor and such provisions shall as so amended be published in the State Gazette.

- (3) The Governor may after consultation with the Council give to it directions of a general nature as to the discharge of its functions in relation to matters appearing to the Governor to affect the public general and functions of the School and the Council shall be obliged to give effect to such directives.

- (4) The Council shall afford the Governor facilities for obtaining information with respect to the property of the School and shall furnish him with returns, accounts and other information with respect thereto and afford him facilities for the verification of the information furnished in such manner and at such times as he may require.

S.33 Where there is a doubt or dispute arising as to the meaning or interpretation of the provisions of this law, without precluding the right of the courts to interpretation, same shall be referred to the Honourable Commissioner/Attorney General of Justice or his representative under S.7(1) (d) of this law, whose advice or interpretation shall be binding on the parties.

Interpretation of the Law

S.34 (1) No suit shall be instituted against the Council or any of its members or members of staff of the School or any person acting under the direction of the Council

Pre-action notice

in respect of any act purporting to be done under this law or any neglect of duty under this law unless 30 days written notice has been served on the Council or at the place of abode of such member, servant or other person by the aggrieved or complainant stating the relieves he seeks and his place of abode.

- (2) Where there is any suit against the Council, the Council may be represented in court by a Legal Practitioner or by any member of the Council or staff of the School.
- (3) In this Section, suit includes an action initiated by writ of summons or in such other manner as may be prescribed by rules of court but does not include criminal proceedings.

PART FIVE: SUPPLEMENTARY PROVISIONS FOR THE GOVERNING COUNCIL AND OTHER CONSTITUENT BODIES OF THE SCHOOL

S.35 The Chairman or in his absence the person appointed to act as Chairman may at anytime direct the Secretary to summon a meeting of the Council. Summoning meetings

S.36 Any five members of the Council may by notice in writing signed by them, request the Chairman to summon a special meeting of the Council for the purposes set out in such notice and the Chairman shall thereupon shall order a special meeting to be summoned.

S.37 The Council shall meet at such times and places as the Chairman may appoint provided that the Council shall hold at least two meetings in each academic year. Times and places of meetings

S.38 At any meeting of the Council

- (a) The Chairman shall if present preside over such meeting. Presiding at meetings
- (b) When and so long as the Chairman is not present or the office of the Chairman is vacant, members of the

Council who are present shall choose one of their members to be the Chairman of the meeting.

- S.39 Where upon any special session, the Council, Board, Management Committee or anybody desires to obtain any advice or any special information from any person, such person may be co-opted as a member of that meeting and shall whilst so co-opted have all the rights and privileges of a member save that he shall not be entitled to vote on any questions. Co-opted member
- S.40 (1) Upon the initiation of the School or Civil Service any Appropriate staff from the Civil Service of the State may be seconded to the School and during the period of secondment such staff may apply in writing to the Council for transfer to the service of the School. Transfer of service
- (2) Where an officer has not applied for transfer as in (1) above, or who applied but application has not been accepted and approved by the Management, shall after the period of his secondment revert to the Civil Service.
- S.41 (1) Under special circumstances and subject to an agreement between the Council and the Ministry of Health, the period of secondment of any officer could be extended. Extension of period of secondment
- (2) The said period of extension under (1) above shall be subject to the approval of the Civil Service Commission.
- S.42 Without prejudice to any provision in this law, the Council may with the approval of the Governor make standing orders or regulations regarding the period of notices to be given before meetings, the minutes of proceedings of meetings, the custody and production for inspection of same and any other thing incidental to same or considered desirable. Standing orders and regulations

- S.43 No act or proceedings of the Council or anybody established by this law, shall be invalidated by reason of defect in the appointment of a member of vacancy occurring in its composition. Validation of act
- S.44 (1) The Principal may at anytime direct the Secretary to summon a meeting of the Board. General provisions
- (2) The Chairman or in his absence the Vice Chairman if any may summon a meeting of his Committee.
- (3) Where the Secretary is absent at any meeting of any of the bodies, the Chairman of such a body shall appoint a suitable Senior Administrative staff of the School to so act.
- S.45 The quorum of anybody established by this law nor specifically provided for shall be not less than half of its total membership.
- S.46 (1) The Secretary shall keep accurate record of the Meetings in the minutes book provided for such purpose.
- (2) The minutes of every meeting shall be signed by the Chairman of the meeting after same has been approved at the next meeting.
- S.47 “Board” means the Academic Board of the School established under Section 13 of this law.
- “Commissioner” means the Nasarawa State Commissioner for Health.
- “Committee” means the Nasarawa State Nursing and Midwifery Committee.
- “Council” means the School of Nursing and Midwifery, Lafia Governing Council established under Section 7 of this law.

“Government” means Nasarawa State Government of Nigeria.

“Governor” means the Executive Governor of Nasarawa State.

“Management Committee” means the Management Committee of the School established under Section 20 of this law.

“Principal” means the Principal of the School.

“Regulation” means the regulations or rules made by the School.

“School” means School of Nursing and Midwifery, Lafia.

“Secretary” means the Secretary of the School.

“Staff” means a member of staff of the School including the Principal.

“State” means Nasarawa State of Nigeria.

“Vice Principal” means the Vice Principal of the School

This printed impression has been carefully compared by me with the Bill, which has been passed by the Nasarawa State House of Assembly and is found by me to be true and correct copy of the Bill.

MOSES A. ONDAKI
Clerk of the House
Nasarawa State House of Assembly

I ASSENTED THIS 4TH DAY OF AUGUST, 2008

ALHAJI ALIYU AKWE DOMA, OON, OOM
Executive Governor
Nasarawa State of Nigeria