

FEDERAL ROAD SAFETY COMMISSION COMMAND AND
STAFF COLLEGE BILL, 2021
ARRANGEMENT OF SECTIONS

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SCHEDULE

Proceedings of the Board

A BILL

FOR

AN ACT TO ESTABLISH THE FEDERAL ROAD SAFETY COMMISSION
COMMAND AND STAFF COLLEGE, IBADAN TO SERVE AS A HIGH LEVEL
CENTER FOR TRAINING OF FEDERAL ROAD SAFETY CORPS PERSONNEL,
PERSONNEL OF STRATEGIC SISTER AGENCIES, RELEVANT MINISTRIES,
DEPARTMENTS AND AGENCIES AND AS A CENTRE OF RESEARCH IN ROAD
TRAFFIC ADMINISTRATION AND SAFETY MANAGEMENT AND FOR RELATED
MATTERS

Sponsored Hon. Akinfolarin Mayowa Samuel

[] Commencement

BE IT ENACTED by the National Assembly of the Federal
Republic of Nigeria as follows:

PART I - ESTABLISHMENT OF THE FEDERAL ROAD SAFETY

COMMISSION COMMAND AND STAFF COLLEGE

1 1.-(1) There is hereby established a body to be known as the
2 Federal Road Safety Commission Command and Staff College, Ibadan (in
3 this Act referred to as "the College") which shall have the functions assigned
4 to it by this Act.

Establishment
of the Federal
Road Safety
Commission
Command and
Staff College

5 (2) The College-

6 (a) shall be a body corporate with perpetual succession;

7 (b) shall have a common seal; and

8 (c) may sue or be sued in its corporate name.

9 2. There is established for the College a Governing Board to be
10 known as the Federal Road Safety Commission Command and Staff College
11 Governing Board (in this Act referred to as "the Board")

Establishment
and Membership
of the Governing
Board of the
College

12 3.-(1). The Board shall consist of-

13 (a) a Chairman who shall be the Secretary to the Government of the
14 Federation;

Membership of
the Board

- 1 (b) the Corps Marshal of the Federal Road Safety Corps;
- 2 (c) Deputy Corps Marshal in charge of training at Federal Road
- 3 Safety Corps Headquarters;
- 4 (d) a retired Commandant of the College;
- 5 (e) a representative from Road Safety Stakeholders namely; Federal
- 6 Ministry of Works and Housing, Federal Ministry of Transport and Federal
- 7 Ministry of Finance;
- 8 (f) the Commandant of the College who shall be a member and serve
- 9 as Secretary of the Board: Provided that service on the Board shall be on part
- 10 time basis.

11 (2) The supplementary provisions set out in the Schedule to this Act

12 shall have effect with respect to the proceedings of the Board and other matters

13 mentioned therein.

Functions and
Powers of the
Board

14 4.-(1) The government of the College and the direction of its affairs

15 shall vest in the Board.

16 (2) Without prejudice to the generality of subsection (1) of this section

17 and subject to provisions of this Act, it shall be the responsibility of the Board to

18 consider and approve-

- 19 (a) the long-range plan of activities of the College;
- 20 (b) the programme of studies, courses and research to be undertaken
- 21 by the College;
- 22 (c) the annual budget of the College;
- 23 (d) the investment plans of the College;
- 24 (e) engage top quality lecturers, Instructors and other staff of
- 25 international standard aimed at creating a center of excellence in mandate
- 26 fields of study and
- 27 (f) appoint other academic and administrative staff of the College
- 28 either permanently or by secondment.

29 (3) The Board shall have the power to approve curricula and

30 programmes to be taught in the College.

1 (4) The Board shall have power over all matters pertaining to
2 training, assessment, certification, award of pass Staff College (psc) of
3 various grades and withdrawal of participants and its decision shall be final.

4 (5) The Board may make regulations generally for the carrying out
5 of the objectives of this Act and in particular make regulations relating to
6 maintenance of discipline among staff of the College, the qualification for
7 the appointment of members of the College, promotion and incidental
8 matters thereto.

9 (6) The Board shall be charged with the responsibility for policy
10 making.

11 5.-(1) The office of a member of the Board shall become vacant if:

12 (a) He ceases to hold the office on the basis of which he became a
13 member of the Board;

14 (b) The Board is satisfied that it is not in the interest of the College
15 or of the public for the person to continue in the office as a member of the
16 Board.

17 (2) Where the Board is satisfied that a member of the Board should
18 be removed from office on grounds of misconduct or inability to perform the
19 functions of his office, the Board shall by simple majority vote suspend or
20 remove such member from office.

21 6.-(1) The Board shall meet as and when required for the
22 performance of its functions under this Act and in accordance with the
23 provisions of the first schedule to this Act.

24 (2) The first meetings of the Board under this Act shall be convened
25 by the Chairman in such manner as he may determine.

26 (3) The first meetings of the College Management under this Act
27 shall be convened by the Commandant on such date and in such manner as
28 he may determine.

Removal of
Members of the
Board

First Meetings
of the Board and
the College
Management

Establishment,
Membership,
Objectives and
functions of the
College
Management

1 7.-(1) There is established for the College a body to be known as the
2 College Management (hereinafter referred to as "the College Management").

3 (2) The membership of the College Management shall as follows:

4 (a) The Commandant who shall be the Chairman;

5 (b) The Deputy Commandant;

6 (c) The General Staff Officer I who shall serve as the Secretary.

7 (3) The objectives of the College shall be:

8 (a) to serve as an international center to train management level
9 officers of the Federal Road Safety Corps (in this Act referred to as: " the
10 Corps"), Strategic Sister Agencies, relevant Ministries, Departments and
11 Agencies and as a Centre for Road Safety Research and Traffic Management;

12 (b) to develop the professional knowledge and understanding of the
13 Corps personnel, Strategic Sister Agencies, relevant Ministries, Departments
14 and Agencies for training at the College in order to prepare and equip them for
15 appointment to appropriate positions and promotions in the respective service
16 to which they belong;

17 (c) to prepare and equip personnel of the Corps, strategic Sister
18 Agencies, relevant Ministries, Departments and Agencies for training at the
19 College to function effectively, both in command and on general staff duties.

20 (4) For the purposes of carrying out the functions specified in
21 subsection (1) of this section, the College shall have power to-

22 (a) conduct intermediate and Senior courses for operational level
23 officers of the Corps, Strategic Sister Agencies, relevant Ministries,
24 Departments and Agencies with a view to expanding their knowledge of the
25 operational and tactical frame work within which road traffic administration
26 and safety management may be carried out;

27 (b) conduct short term courses for selected personnel of the Corps,
28 strategic Sister Agencies, relevant Ministries, Departments and Agencies with
29 a view to expanding their knowledge of the operational and tactical frame work
30 within which road traffic administration and safety management may be

1 carried out and award certificates as appropriate;

2 (c) award certificates on completion which shall authorize a
3 participant to use the designated words and letters "passed staff college
4 "(psc) for senior course participants and" passed junior course" (psc) for
5 junior course participants respectively; and "passed staff college daga"
6 (psc+) for Directing Staff who have served in the college for 2 years
7 consistently without break;

8 (d) the pioneer Commandant of the College shall be awarded
9 "passed staff college daga" in recognition of pioneering efforts;

10 (e) withdraw participants who, by their academic or moral
11 conduct, the College in its judgment, considers unworthy of the award of psc
12 or psc+ or jpsc of the College;

13 (f) enter into collaborative ventures, affiliate with, and establish
14 linkages with other institutions and/or persons for the purpose of building
15 capacity in any area of the College;

16 (g) develop and mount programmes and all such other activities
17 which shall promote excellence in the College;

18 (h) conduct other action oriented programmes whether on a
19 continuing or ad hoc basis and award certificate for any other category of
20 officers with a view to promoting understanding and exchange of views,
21 ideas and experience among them on road traffic administration and safety
22 management;

23 (i) disseminate, by way of publication of books, records, reports or
24 otherwise, information about any part of its activities, to the extent deemed
25 justified by the Board in the interest of Nigeria and generally as a
26 contribution towards knowledge and for better national and international
27 understanding;

28 (j) promote or undertake any other activity which, in the opinion of
29 the College Management, is calculated to help achieve the objectives of the
30 College;

1 (k) to admit student officers from the Corps to follow the courses of study at the
2 College;

3 (l) to admit student officers from other strategic sister agencies,
4 relevant Ministries, Departments and Agencies within and outside Nigeria to
5 follow the courses of study at the College and where necessary to levy such fees
6 as are prescribed;

7 (m) to conduct study tours for participants locally and internationally,
8 aimed at enhancing learning and comparative best practices in road traffic
9 management, safety administration and national security;

10 (n) to conduct examinations for the purpose of ascertaining the
11 student officers/participants admitted under paragraphs (a), (b) and (f), who
12 have acquired proficiency in the selected course of study;

13 (o) to erect, equip and maintain for the purposes of the College,
14 libraries, Information Technology Center, Work Production Center, Museum,
15 Medical Centre, laboratories, Mess, Sports Center and other recreational
16 facilities etc;

17 (p) to create other posts as may be required for the efficient
18 functioning of the College.

Savings and
transfer of
liabilities, staff,
etc.

19 8.-(1) The statutory functions, rights, interests, obligations and
20 liabilities of the College existing before the commencement of this Act under
21 any contract or instrument or in law or in equity apart from any contract or
22 instrument shall, by virtue of this Act, be deemed to have been assigned to and
23 vested in the College established by section 1 of this Act.

24 (2) Any such contract or instrument as mentioned in subsection (1) of
25 this section, shall be of the same force and effect against or in favor of the
26 College established by this Act and shall be enforceable as fully and effectively
27 as if instead of the College existing before the commencement of this Act, the
28 College established by this Act has been named therein or had been a party
29 thereto.

30 (3) The College established by this Act shall be subject to all the

1 obligations and liabilities to which the College existing before the
2 commencement of this Act was subject to immediately before the
3 commencement of this Act and all other persons shall have the same rights,
4 powers and remedies against the College established by this Act as they had
5 against the College existing before the commencement of this Act.

6 (4) Any proceeding or cause of action pending or existing
7 immediately before the commencement of this Act, by or against the
8 College existing before the commencement of this Act in respect of any
9 right, interest, obligation or liability of the College existing before the
10 commencement of this Act may be continued or, as the case may be,
11 commenced against the College established by this Act and any
12 determination of a court of law, tribunal or other authority or person may be
13 enforced by or against the College established by this Act to the same extent
14 that such proceedings or cause of action or determination might have been
15 continued, commenced or enforced by or against the College existing before
16 the commencement of this Act.

17 (5) All assets, funds, resources and other movable or immovable
18 property which immediately before the commencement of this Act, were
19 vested in the College existing before the Commencement of this Act shall by
20 virtue of this Act and without further assurance, be vested in the College
21 established by this Act.

22 (6) Any person who immediately before the coming into force of
23 this Act is the holder of any office in the College existing before the
24 commencement of this Act shall on the commencement of this Act, continue
25 in office and be deemed to have been appointed to his office by the College
26 established by this Act unless the authority by which the person was
27 appointed terminates the appointment.

28 9. The College shall establish and maintain a library comprising
29 such books, records, reports and other publications as may be directed by the
30 Board for the advancement of knowledge in the areas of work undertaken by

Provision of
library facilities

1 it, for research purposes and for other purposes connected with the functions
2 conferred on the College by or in pursuance of this Act.

3 PART II - PRINCIPAL OFFICERS AND OTHER STAFF OF THE COLLEGE

Appointment
and tenure of
the Commandant

4 10.-(1) The Corps Marshal shall appoint for the College, a
5 Commandant, who shall be a member of the Corps.

6 (2) A person to be appointed the Commandant for the College shall
7 not be below the rank of Assistant Corps Marshal of the Corps with a minimum
8 qualification of Master Degree from a recognized university

9 (3) The appointment and removal from office of the Commandant
10 shall be in accordance with the Corps posting.

11 (4) The Commandant shall-
12 (a) make available to the Board such information as to the activities of
13 the College as the chairman of the Board may require;

14 (b) authorizing programmes and plans for giving effect to policies
15 approved by the Board or to any direction of the Board, subject to all or any of
16 the powers in this section as may be delegated to him by the Board.

17 (5) The fact that any power has been delegated to the Commandant
18 pursuant to sub- section (4) of this section shall not preclude the Board from
19 exercising the same power in any special case.

20 (6) The powers referred to in subsection (5) of this section shall
21 include- the executive control over personnel of the Corps and civilian staff of
22 the-

23 (a) College;

24 (b) the supervision of accounts and records of the College;

25 (c) the preparation for approval of programmes and plans necessary to
26 carry into effect approved policies or any directives of the Board;

27 (d) the interpretation of such policies to other staff of the College;

28 (e) the making of any staff recommendations to the Board; and

29 (f) the establishment of organizational structures, committees and
30 definition of duties thereof:

1 Provided that nothing in this Act shall be deemed to preclude the Federal
 2 Road Safety Corps from exercising any power of command over the
 3 Commandant of the College.

4 (7) The Commandant shall be-

5 (a) Assistant Corps Marshal with a minimum of Masters' degree
 6 and in addition must have attended the National Institute for Policy and
 7 Strategic studies or National Defense College; and awarded mni or fdc
 8 respectively;

9 (b) the chief executive and accounting officer, responsible for the
 10 disbursement of the finances of the College; and

11 (c) responsible to the Board for the day-to-day management of the
 12 affairs of the College.

13 11.-(1) There shall be appointed for the College, by the Corps
 14 Marshal a Deputy Commandant who is the Director of Studies, whose
 15 appointment and removal from office shall be in accordance with the Corps
 16 posting.

Appointment
 and tenure of
 Deputy
 Commandant
 of the College

17 (2) The Deputy Commandant shall be a serving officer of the
 18 Corps and shall be of the rank of a Corps Commander.

19 (3) The Commandant and Deputy Commandant shall not be
 20 appointed from the same geo-political zone of Nigeria.

21 (4) The Deputy Commandant shall, in addition to deputizing for
 22 the Commandant, be responsible to the Commandant for-

23 (a) organizing and conducting the courses and studies undertaken
 24 by the College; and

25 (b) the collation and publication of course materials and other
 26 publications relating thereto.

27 12.-(1) There shall be established for the College, departments,
 28 schools and special Units as may from time to time be determined by the
 29 College Management subject to the approval of the Board.

Appointment
 of Heads of
 Departments,
 Schools, Directing
 Staff and Special
 Unit of the College

30 (2) The appointment of Heads of Department, Schools, Chief

1 Instructors, Directing Staff, Staff Officers 1 and Heads of special units shall be
2 by the Corps Marshal. Such categories of officers shall serve for only two years
3 in the college.

Service in the
College to be
pensionable

4 13. Notwithstanding the provisions of the Pensions Act it is hereby
5 declared that the service in the College shall be approved service for the
6 purpose of this Act and, accordingly, officers and other persons employed in
7 the College shall in respect of their service in the College be entitled to
8 pensions, gratuities and other retirement benefits as are applicable to persons
9 holding equivalent grades in the public service of the Federation, so however
10 that nothing in this Act shall prevent the appointment of a person to any office
11 on terms which preclude the grant of a pension and gratuity in respect of that
12 office.

13 PART III - FINANCIAL PROVISIONS

Funds of the
College

14 14.-(1) The College shall maintain a fund which shall be applied
15 towards the achievement of the objectives specified in this Act.

16 (2) There shall be paid and credited to the fund established pursuant to
17 subsection (1) of this section-

18 (a) Budgetary allocations;

19 (b) such sums as may be provided by the Government of the
20 Federation or of a State for payment into the fund;

21 (c) fees charged for services rendered by the College; and

22 (d) all sums accruing to the College by way of gifts, testamentary
23 disposition and endowments or contributions from philanthropic persons or
24 organizations or otherwise howsoever.

Power to accept
gifts

25 15.-(1) The College may accept any gift(s) of land, money, books,
26 journals and other publications or other property upon such terms and
27 conditions, if any, as may be specified by the persons or organization making
28 the gift.

29 (2) The College shall not accept any gift if the conditions attached by
30 the person or organization making the gift to the acceptance thereof, are

1 inconsistent with the aims and objectives of the College or its position as a
2 non-partisan institution free from any undue external influence.

3 16.-(1) The Board may, with the consent or in accordance with any
4 general authority given by the President, borrow by way of loan or overdraft
5 from any source any specified amount of money required by the College for
6 meeting its obligations and discharging its functions under this Act so
7 however that where the sum or the aggregate of the sums involved at anyone
8 time does not exceed fifty million naira (N50,000,000) or its equivalent no
9 such consent or authority shall be required.

Borrowing
power

10 (2) The Board may, subject to the provisions of this Act and the
11 conditions of any trust created in respect of any property, invest all or any of
12 its funds with the like consent or general authority as are mentioned in
13 subsection (1) of this section.

14 (3) The Board may invest any surplus funds of the College in such
15 securities as may, from time to time, be approved by the Board for the benefit
16 of the College.

17 17.-(1) The Board shall cause to be prepared not later than 30 June
18 in each year or as may be prescribed from time to time by Federal
19 Government directive on submission of budget input by agencies and/or
20 institutions of Federal Government, an estimate of the expenditure and
21 income of the College during the next succeeding financial year and when
22 prepared, they shall be submitted to the National Assembly for approval.

Annual estimates,
accounts and
audit

23 (2) The Board shall cause to be kept proper accounts and proper
24 records in relation thereto and when certified by the Board such accounts
25 shall be audited as provided in subsection (3) of this section.

26 (3) The accounts of the College shall be audited as soon as directed,
27 or within six months after the end of each financial year by auditors
28 appointed from the list of qualified auditors and in accordance with the
29 guidelines supplied by the Auditor-General for the Federation by the Board.

1 PART IV - MISCELLANEOUS AND SUPPLEMENTARY PROVISIONS

Employment
of staff, etc.

2 18.-(1) The Commandant may, subject to the provisions of this Act,
3 employ and/or engage such number and category of officers and other
4 employees or guest lecturer(s) as may be expedient and necessary for the
5 proper and efficient conduct of the functions of the College with the approval
6 of the Board.

7 (2) The Board may make staff regulations relating generally to the
8 terms and conditions of service of the employees of the College and without
9 prejudice to the generality of the foregoing, such regulations may provide for-

10 (a) the appointment, remuneration, promotion and disciplinary
11 control of employees of the College;

12 (b) the remuneration and tenure of office of the employees of the
13 College; and measures conditions applicable,

14 (c) appeals by such employees against dismissal or other disciplinary
15 and until such regulations are made, any instrument relating to the of service of
16 officers in the public service of the Federation shall be with such modifications
17 as may be necessary to the employees of the College: Provided that nothing in
18 this Act shall preclude the application of the Federal Road Safety Corps
19 Disciplinary Procedure, as it applies to the Corps personnel of the College.

20 (3) The Commandant of the College shall have power to convene and
21 constitute a Federal Road Safety Corps Disciplinary Panel in matters of
22 discipline affecting the Corps personnel of the College and forward same to the
23 National Headquarters of the Corps for necessary action.

24 (4) The Commandant shall make recommendation to the Governing
25 Board of the College on any matter involving appointment, promotion and
26 discipline of staff who are not members of the Corps.

Pre-action
notice

27 19. No suit shall be commenced against the College on or before the
28 expiration of a period of one month after written notice of intention to
29 commence the suit shall have been served upon the College by the intending
30 plaintiff or his agent, and the notice shall explicitly state:

- 1 (a) the cause of action;
- 2 (b) the particulars of the claim;
- 3 (c) the name and place of abode of the intending plaintiff; and
- 4 (d) the relief which he claims.

5 20. In any action or suit against the College, no execution shall be
6 levied or attachment Process issued against the College unless not less than
7 30 days' notice of the intention to execute or attach property has been given
8 to the College.

Service of
Execution order

9 21. A member of the Board, Principal officer and other staff or
10 employee of the College shall be indemnified out of the assets of the College
11 against any proceedings brought against him in his capacity as a member of
12 the Board, Principal officer or employee of the College where the act
13 complained of is not ultra vires his powers.

Indemnity
Provision

14 22. In this Act, unless the context otherwise requires-
15 "Board" means the Governing Board of the College constituted under
16 section 2 of this Act;
17 "Chairman" means the chairman of the Board;
18 "President" means the President and Commander-in-Chief of the Armed
19 Forces Federal Republic of Nigeria.

Interpretation

20 23. This Bill may be cited as Federal Road Safety Commission
21 Command and Staff College Bill, 2021.

Short title

1 SCHEDULE

2 *Proceedings of the Board*

3 1.-(1) Subject to this Act and to section 27 of the Interpretation Act
4 (which provides for the decisions of a statutory body to be taken by a majority
5 of the members of the body and for the persons presiding to have a second or
6 casting vote), the Board may make standing orders regulating the proceedings
7 of the Board or of any committee thereof.

8 (2) The quorum of the Board shall be the Chairman, the Secretary and
9 three other members, and the quorum of any committee of the Board shall be
10 determined by the Board.

11 2.-(1) The Board shall meet not less than two times in each year and
12 subject thereto, the Board shall meet whenever it is summoned by the
13 chairman, and if the chairman is required to do so by notice-given to him by not
14 less than three other members, he shall summon a meeting of the Board to be
15 held within seven days from the date on which the notice is given.

16 (2) At any meeting of the Board, the chairman shall preside but if he is
17 absent, the most senior member present at the meeting shall preside.

18 3. Where the Board wishes to obtain the advice of any person on any
19 particular matter, the Board may co-opt him as a member for such period as it
20 thinks fit, but a person who is a member by virtue of this sub-paragraph shall
21 not be entitled to vote at any meeting of the Board and shall not count towards a
22 quorum.

23 4.-(1) The Board may appoint one or more committees to carry out on
24 behalf of the Board, such of its functions as the Board may determine.

25 (2) A committee appointed under this paragraph shall consist of such
26 number of persons as may be determined by the Board and not more than one
27 third of those persons may be persons who are not members of the Board; a
28 person other than a member of the Board shall hold office on the committee in
29 accordance with the terms of the instrument of his appointment.

1 (3) A decision of a committee of the Board shall be of no effect until
2 it is confirmed by the Board.

3 5. The fixing of the seal of the College shall be authenticated by
4 the signature of the chairman or some other member authorized generally or
5 specially by the Board for that purpose.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal Road Safety Commission Command and Staff College, Ibadan to serve as a high level center for training of Federal Road Safety Corps personnel, personnel of Strategic Sister Agencies, relevant Ministries, Departments and Agencies and as a Centre of Research in Road Traffic Administration and Safety Management.

Enacted in the
National Assembly
of the Federal Republic
of Nigeria
on this 14th day of
October, 2021.