

FEDERAL ROAD SAFETY COMMISSION ROAD MARSHAL ASSISTANTS TRAINING SCHOOL
(ESTABLISHMENT) BILL, 2021

ARRANGEMENT OF SECTIONS

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A BILL FOR AN ACT TO ESTABLISH THE FEDERAL ROAD SAFETY COMMISSION ROAD MARSHAL ASSISTANTS TRAINING SCHOOL AS NATIONAL DIPLOMA AND NATIONAL CERTIFICATE OF EDUCATION AWARDING INSTITUTION TO PROVIDE ACADEMIC AND PROFESSIONAL TRAINING AND FOR RELATED MATTERS

Long Title

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

PART I - ESTABLISHMENT OF THE FEDERAL ROAD SAFETY COMMISSION ROAD MARSHAL ASSISTANTS TRAINING SCHOOL

1. The objects of Training School are to:

- (a) encourage the advancement of learning and avail the opportunity of acquiring a higher education in liberal, scientific, engineering and any other discipline to trainees, other members of the Federal Road Safety Corps (the Corps) and road safety personnel of other nations that the Federal Government of Nigeria may from time to time decide;
- (b) provide courses of instruction and other facilities for the pursuit of teaching and learning in all the faculties and campuses of the Training School as may be established nationwide and make those facilities available on approved terms to members of the Corps as are qualified to benefit from them;
- (c) nurture, equip and produce globally competitive road safety personnel with requisite knowledge, skills and attitudes suitable for leadership, scholarship, road traffic administration and safety management;
- (d) encourage and promote academic excellence in the Training School;
- (e) conduct research in relevant fields of learning and human endeavour;
- (f) align its activities to the safety, security, social, cultural and economic needs of the people of Nigeria;
- (g) prepare trainees to earn national diplomas and national certificate of education in those disciplines which are of special interest to the needs and aspirations of the Corps;
- (h) develop in each trainees the physical attributes and skills necessary to meet the requirement of a personnel of the Corps; and
- (i) carry out any other activities as are necessary or expedient for the performance of its functions under this Act.

Objects

2.-(1) There is established a training school to be known as the Federal Road Safety Commission Road Marshal Assistants Training School, Shendam, Plateau (in this Act referred to as "the Training School").

Establishment of the Training School

(2) The Training School as a road safety academic and professional institution shall have the power to award national diplomas, national certificate of education and professional certificates in accordance with the highest academic standards as may be prescribed by the National Board for Technical Education and National Commission for Colleges of Education from time to time.

(3) The Training School:

- (a) shall be a body corporate with perpetual succession and a common seal;
- (b) may sue or be sued in its corporate name; and
- (c) may acquire, hold or dispose, grant, charge, purchase or mortgage any of its property, movable or immovable, wherever situate subject to the provisions of the Land Use Act, for the purpose of carrying out any of its functions under this Act.

3.-The functions of the Training School shall be-

- (a) to provide full-time or part-time courses of instruction and training in-

Functions of the Training School

- (i) road safety technology, science, commerce and management; and
- (ii) such other fields of applied learning relevant to road safety and the needs of the development of Nigeria;

- (b) to arrange conferences, seminars and study groups relative to the fields of learning specified in paragraph (a) of this subsection;
- (c) to perform such other functions as in the opinion of the Council may serve to promote the objectives of the Training School.
- (d) be responsible for the discipline and welfare of members of the Training School;
- (e) arrange for the general welfare of children of members of staff or may donate for any charitable purpose;
- (f) refer matters relating to the discipline of road safety personnel in the Training School to the Management of Federal Road Safety Corps for appropriate action;
- (g) conduct examinations, award national diplomas, national certificate of education, certificates and other distinctions to persons pursuing approved courses of studies and having satisfied the requirements prescribed by the Training School under this Act;
- (h) conduct research in relevant fields of learning and other human endeavours;
- (i) engage top quality lecturers, instructors and other staff of international standard aimed at creating a centre of excellence in approved fields of study in the Training School;
- (j) withdraw from any graduate of the Training School for good cause, higher national diploma, certificate, fellowship, studentship, bursary, medal, prize or other academic titles as deemed appropriate by the Training School;
- (k) demand and receive from students, except trainees from the Corps, for the purpose of instructions, such fees as the Training School may, from time to time, determine;
- (l) accept gifts, legacies and donations, provided that the terms and conditions attached to such gifts, legacies or donations are not inconsistent with the objects and purpose for the establishment of the Training School;
- (m) erect, provide, equip and maintain libraries, parade grounds, laboratories, lecture halls, halls of residence, refectories, sports grounds, playing fields and other buildings as are necessary for the carrying out of the objects of the Training School under this Act;
- (n) hold public and inaugural lectures, symposia and workshops;
- (o) undertake printing, publishing and selling of books and journals of the Training School; and
- (p) undertake such other activities considered appropriate for a national diploma and national certificate of education -awarding school of the highest standard and do all such acts or things that are incidental to the attainment of the objects, functions and powers of the Training School under this Act.

4. There shall be established a Federal Road Safety Commission Road Marshal Assistants Training School Council (hereafter in this Act referred to as "the Council") which shall be a body corporate with perpetual succession and a common seal and may sue and be sued in its corporate name. Establishment of the Council

5. The Council shall consist of:

- (a) the Secretary to the Government of the Federation as Chairman;
 - (b) the Corps Marshal;
 - (c) the Deputy Corps Marshal (Training)
 - (d) the Commandant of the Training School;
 - (e) the Provost of the Training School;
 - (f) Executive Secretary of National Board for Technical Education or his representative;
 - (g) Executive Secretary of National Commission for Colleges of Education or his representative;
 - (h) three persons appointed by the President to represent civil society organisations working on road safety or public service reform related issues; and
 - (i) the Registrar of the Training School, who shall be the Secretary to the Council.
- Membership of the Council

6.-(1) Subject to provision of this Act, the Council shall be the governing body of the Training School and shall have the general management of the affairs of the Training School, and in particular, the control Functions and Powers of the Council

of the property and finances of the Training School; and shall also have power to do anything which in its opinion is to facilitate the carrying out of the activities of the Training School and promote its best interests.

(2) The Council may acquire and hold such movable or immovable property as may be necessary or expedient for carrying into effect the provisions of this Act and for the same purpose may sell, lease, mortgage or otherwise alienate or dispose of any property so acquired.

(3) The Council may enter into such contracts as may be necessary or expedient for carrying into effect the provisions of this Act.

(4) The Chairman may give to the Council directions of a general character or relating generally to particular matters (but not any individual person) with regard to the exercise by the Council of its functions and it shall be the duty of the Council to comply with the directions.

(5) For the purpose of carrying out its responsibilities under this Act, the following standing committees are to be established by the Council:

- (a) Finance and General Purpose Committee;
- (b) Appointments, Promotions and Disciplinary Committee (AP&DC);
- (c) Tenders Board;
- (d) Academic Board; and
- (e) Admission Selection Board.

(6) The standing committees shall function in line with the provisions of the Second Schedule to this Act.

7.-(1) If it appears to the Council that a member of the Council should be removed from office on the ground of misconduct or inability to perform the functions of his office, the Council shall make a recommendation to the Secretary to the Government of the Federation, and if the Secretary to the Government of the Federation, after making such inquiries as he considers necessary, approves the recommendation, the Secretary to the Government of the Federation shall, in writing, declare the office of such member vacant.

Removal of
Member of the
Council

(2) The Secretary to the Government of the Federation may remove any member of the Council if he is satisfied that it is not in the public interest or in the interest of the Training School for such a member to continue as a member of the Council.

PART II – PRINCIPAL OFFICERS AND OTHER STAFF OF THE TRAINING SCHOOL

8.-(1) The Corps Marshal shall appoint for the Training School, a Commandant, who shall be a member of the Corps.

Appointmen
of the
Commandan

(2) A person to be appointed the Commandant for the Training School shall not be below the rank of Corps Commander with a minimum qualification of Master Degree from a recognized university.

(3) The Commandant shall:

- (a) be the Chief Executive and Accounting Officer of the Training School;
- (b) be responsible for the day-to-day administration of the Training School;
- (c) keep the books and records of the Training School;
- (d) be responsible for the preparation of programmes and plans for the approval of the Council, as are necessary to carry into effect approved policy or any directive of the Council;
- (e) hold office in accordance with the Corps' posting policy and be accountable to the Council; and
- (f) carry out any other duties as may be assigned to him under this Act or by the Council.

9.-(1) The Corps Marshal shall appoint for the Training School, a Deputy Commandant, who shall be a member of the Corps. Appointment of the Deputy Commandant

(2) A person to be appointed the Deputy Commandant for the Training School shall not be below the rank of Deputy Corps Commander with a minimum qualification of first Degree from a recognized university.

(3) The Deputy Commandant shall assist the Commandant in the day to day administration of the Training School and in all matters relating to professional training of trainees and members of the Corps in the Training School or any other responsibility as may be assigned by the Commandant or the Council.

(4) In the absence of the Commandant, the Deputy Commandant shall act in his stead and be accountable to the Commandant.

(5) The Deputy Commandant shall hold office in accordance with the Corps' posting policy.

10.-(1) There shall be a Provost of the Training School ("the Provost") who shall be appointed by the Council in accordance with the provisions of this Act. Appointment of the Provost

(2) Where a vacancy occurs in the post of Provost, the Council shall advertise the vacancy in a reputable journal or widely read newspaper in Nigeria, specifying-

(a) the qualification of the person who may apply for the post; and

(b) the terms and conditions of service applicable to the post, and thereafter, draw up a short list of suitable candidates for consideration;

(3) A Joint Council and Academic Selection Board consisting of-

(a) the Chairman of the Council;

(b) two members of the Council not being members of the Academic Board;

(c) two members of the Academic Board not below the rank of Senior Lecturer, shall consider the candidates on the short list drawn up under subsection (2) of this section through an examination of their curriculum vitae and interaction with them and recommend to the Council three candidates for its consideration.

(4) The Council shall appoint, as Provost, one of the candidates recommended to it under the provisions of subsection (3) of this section.

(5) The Provost shall hold office for a period of five years beginning with the effective date of his appointment and shall not be re-appointed.

11.-(1) There shall be a Registrar for the Training School who shall be responsible to the Provost for the day- to-day administration of the Training School and shall perform such other duties as the Council or, as the case may be, the Provost may from time to time require him to do. Appointment of the Registrar

(2) The Registrar shall be the Secretary to the Council, the Academic Board and any committee of the Council and shall attend all the meetings of those bodies unless excused for good reason by the Chairman of the Council.

(3) In the absence of the Registrar, the Chairman of the Council may, after consultation with the Provost, appoint a suitable person to act as Secretary for any particular meeting of the Council.

(4) The Secretary to the Council or a person appointed to act under subsection (3) of this section shall not vote on any question before the Council or count towards a quorum unless he is entitled as a member of the Council.

(5) A Registrar shall hold office for a period of four years beginning from the effective date of his appointment and shall not be re-appointed.

12.-(1) There shall be for the Training School the following other principal officers in addition to the Registrar, that is-

Appointment of
other Principal
Officers

(a) the Bursar; and

(b) the Librarian,

who shall be appointed by the Council on the recommendation of the Academic Selection Board constituted under this Act.

(2) The Bursar shall be the Chief Financial Officer of the Training School and be responsible to the Commandant for the day to day administration and control of the financial affairs of the School.

(3) The Training School Librarian shall be responsible to the Provost for the administration of the library and the co-ordination of the library services in the teaching units of the School.

(4) The Bursar or Librarian shall hold office for a period of four years and shall not be re-appointed.

(5) The Principal Officers may resign their appointment by notice to the Chairman of the Council.

13.-(1) The Council may appoint such other persons to be employees of the Training School as the Council may determine to assist the Provost and the Principal Officers of the Training School in the performance of their functions under this Act.

Appointment
of other
Employees

(2) The power to appoint all other employees of the Training School shall be exercised by the Council on the recommendation of the Appointment and Promotions Committee set up under this Act;

(3) Subject to the provisions of this Act, the remuneration, tenure of office and conditions of service of the employees of the Training School shall be in line with service in the Public Service of the Federation.

14.-(1) There shall be established for the Training School a board to be known as the Academic Board which shall consist of the following members-

Academic
Board

(a) the Provost of the Training School, as the Chairman;

(b) the Deputy Commandant of the Training School;

(c) all Heads of Departments;

(d) the Librarian; and

(e) not more than two members of the academic staff, other than Heads of Departments, who may be appointed by the Academic Board.

(2) The Academic Board shall be responsible for-

(a) the direction and management of academic matters of the Training School including the regulation of admission of students, the award of national diplomas, national certificate of education, certificates, scholarships, prizes and other academic distinctions;

(b) the making to the Council of such periodic reports on academic matter as the Academic Board may think fit or as the Council may from time to time direct; and

(c) the discharge of any other function which the Council may delegate to it.

Service to b
Pensionable

15.-(1) Service in the Training School shall be approved service for purpose of the Pension Reform Act and accordingly employees of the Training School shall, in respect of their services, be entitled to pensions and other retirement benefits as are enjoyed by persons holding equivalent offices in the Public Service of the Federation.

(2) For the members of the Corps serving in the Training School, the existing law on pension for members of the Corps shall apply.

(3) Notwithstanding the provisions of subsection (1) of this section, nothing in this Act shall prevent the appointment of a person to any office on terms which preclude the grant of pension in respect of that office.

16.-(1) If it appears to the Council that there are reasons for believing that any person employed as a member of the academic, administrative or technical staff of the Training School, other than the Provost, should be removed from office on the ground of misconduct or inability to perform the functions of his office, the Council shall- Discipline of Staff

- (a) give notice of those reasons to the person in question;
- (b) afford him an opportunity of making representations in person on the matter to the Council;

(2) The Provost may, in a case of misconduct by a member of staff, which in the opinion of the Provost is prejudicial to the interests of the Training School, suspend such member and any such suspension shall forthwith be reported to the Council.

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

(a) any physical or mental incapacity which the Council, after obtaining medical advice, considers to be such as to render the person concerned unfit for the discharge of the functions of his office; or

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

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

(d) conduct which the Council considers to be such as to constitute failure or inability of the person concerned to discharge the functions of his office or to comply with the terms and conditions of his service.

(4) Any person suspended pursuant to subsection (2) or (3) of this section, shall be placed on half pay and the Council shall before the expiration of the period of three months after the date of such suspension consider the case against that person and come to a decision as to-

(a) whether to continue such person's suspension and if so on what terms (including the proportion of this emoluments to be paid to him);

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

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

(d) whether to take such lesser disciplinary action against such person (including the restoration of such proportion of his emoluments that might have been withheld) as the Council may determine and in any case where the Council, pursuant to this section, decides to continue a person's suspension or decides to take further disciplinary action against a person, the Council shall before the expiration of a period of three months from such decision come to a final determination in respect of the case concerning any such person.

(5) It shall be the duty of the person by whom an instrument of removal is signed in pursuance of subsection (1) of this section, to use his best endeavours 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 making such regulations for the discipline of other categories of staff of the Training School as it may think fit.

PART III - FINANCIAL PROVISIONS

17.-(1) There is established for the Training School, a fund which shall consist of:

- (a) budgetary and extra budgetary allocations received from the Government of the Federation including grants and annual subventions;
- (b) all monies held immediately before the commencement of this Act by the Federal Road Safety Commission Road Marshal Assistants Training School, Shendam, Plateau;
- (c) gifts, loans, endowment, grants-in-aids, testamentary disposition, donations, bequest or other voluntary contributions where the terms and conditions attached are not inconsistent with the functions of the Council;
- (d) all foreign aids and monetary assistance received by the Council under any agreement or arrangement with any international body or organization with the approval of the Federal Government;
- (e) monies paid as fees to the Training School by students other than trainees;
- (f) fees, charges, dues or monies from publications and services rendered by the Training School;
- (g) revenue accruing to the Training School, including interests accruing from monies invested by the Training School; and
- (h) such other monies as may be received by the Training School from investments and any other money accruing to the Training School from other sources.

Funds of the
Training
School

(2) Any money received by the Training School in form of endowments, gifts or donations shall be entered in a register kept for the purpose, showing the names of donors and any special conditions attached, where such money is accepted by the Training School.

(3) Any property, money or funds donated for a specified purpose shall be applied; administered and expended specifically for the purpose it was meant.

(4) The fund established pursuant to subsection (1) of this section shall be managed in accordance with extant Financial Regulations applicable in the Public Service of the Federation.

(5) Any money withdrawn from the fund established in subsection (1) of this section shall be applied for the specific purposes for which it was withdrawn.

(6) The Training School may apply the fund established under subsection (1) of this section:

- (a) to pay the costs of administration, charges and expenses of the Training School;
- (b) to discharge the cost of maintaining the Main Campus and other campuses of the Training School;
- (c) for the development and maintenance of any property vested in or owned by the Training School;
- (d) for the payment of the allowances and other benefits of members of the Council or any committee set up by it;
- (e) for payment of emoluments, allowances, benefits and other entitlements of the Principal Officers and other staff of the Training School;
- (f) for payment for all purchases made by the Training School and the training of members of its staff;
- (g) for provision of scholarships, bursaries and awards for specialized training of members of staff of the Training School;
- (h) for payment to publicize and promote the activities of the Training School;
- (i) for payments for the support of national and international scientific and professional organizations;
- (j) for payments of annual and other subscriptions and contributions to national and international scientific and professional organizations;
- (k) for the payment of all consultancies, legal fees and costs of contracts awarded by the Training School; and
- (l) for any other expenditure as may be approved by the Council, from time to time, in connection with all or any of its functions and powers under this Act.

18.-(1) The Training School may accept gift of land, money or other property on such terms and conditions, if any, as may be specified by the person or organisation making the gift. Power to Accept Gifts

(2) The Training School shall not accept any gift, if the term or condition attached by the person or organisation making the gift is inconsistent with the provisions of this Act.

(3) All property, money or funds donated for any specific purpose shall be applied and administered in accordance with the purpose for which they were donated and shall be accounted for specifically.

19. The Training School may with the approval of the President, borrow such sums by way of loan, overdraft or from any other source, as may be required for the performance of its functions and meeting its Obligations under this Act; and any interest payable on monies so borrowed shall be paid out of the fund of the Training School. Power to Borrow

20.-(1) The financial year of the Training School shall commence on the 1st day of January of each year and end on the 31st day of December of the same year or any such time as may be prescribed by financial regulations issued by the Federal Government of Nigeria from time to time. Financial/ Academic Year

(2) The Council shall determine academic calendar of the Training School.

21.-(1) The Training School shall keep proper accounts and records of its receipts, payments, assets and liabilities in respect of each year manually and electronically and shall: Accounts and Audit

- (a) cause the accounts to be audited within three months from the end of each financial year by auditors appointed from the list and in accordance with guidelines issued by the Auditor-General of the Federation; and
- (b) prepare a Statement of Account in respect of each year in such form and manner as may be approved by the Federal Government from time to time.

(2) An auditor appointed pursuant to subsection (1) of this section shall:

- (a) have access to all accounts and other records relating to such accounts as are kept by the Training School and shall have the power to require from any staff of the Training

- School such information and explanation as in the auditor's opinion are necessary for the purpose of the audit; and
- (b) be paid from the Funds of the Training School.

(3) The Audited accounts and records of the Training School shall be submitted to the Council for consideration and subsequently forwarded to the Auditor-General of the Federation.

22.-(1) The Training School shall, not later than 30th September of each financial year or such earlier date as the Council may determine, prepare and submit an estimate of its income and expenditure for the next succeeding year to the Council for consideration and submission to the Secretary to the Government of the Federation for onward transmission to the National Assembly.

Annual Estimates/
Budgets

(2) Notwithstanding the provisions of subsection (1) of this section, the Council may where necessary due to unforeseen circumstances, submit supplementary or adjusted statements of estimated income and expenditure to the Secretary to the Government of the Federation for onward transmission to the National Assembly for approval.

23. The Council shall cause to be prepared an Annual Report, which shall include the audited accounts of the Training School for the previous financial year and a statement of its assets and liabilities as at the last day of the financial year.

Annual Report

24. All monies received on account of the Training School shall be paid into such accounts as may be approved to be opened by the Council or any account designated by the Federal Government.

Bank Account

PART IV - TRANSFER OF PROPERTY TO THE TRAINING SCHOOL

25. All property held by or on behalf of the Training School by any provisional council, planning and implementation committee or any interim body by whatsoever name called, shall by virtue of this Act and without further assurances vest in the Training School and such property shall be held for the purpose of this Act.

Transfer of Property

26. The Council shall not dispose of or charge any land or an interest in any landed property including any land transferred to the Training School by this Act, held by or on behalf of the Training School except with the prior written consent and approval of the Visitor.

Restrictions on Disposal of Property

27. Subject to the Land Use Act, which provides for the compulsory acquisition of land for overriding public interest, any requirement of land by the Training School shall be deemed to be for the overriding public interest of the Federation.

Compulsory Acquisition of Land

PART V – MISCELLANEOUS

28.-(1) The Secretary of the Government of the Federation shall be the Visitor of the Training School.

Visitation

(2) The Visitor may, as often as circumstances require, not being less than once in every five years, conduct a visitation to the Training School or cause a visit to be made to the Training School by such persons as the Visitor may appoint to look into any of the affairs of the Training School.

(3) It shall be the duty of the bodies and persons in the Training School to:

- (a) make available to the Visitor or to the persons conducting a visitation under this section, such facilities and assistance as may be reasonably required for the purposes of the visit; and
- (b) comply with any instruction that is consistent with the provisions of this section, which may be directed by the Visitor in consequence of his visit.

29.-(1) Trainees of the Training School shall not be required to satisfy any requirements as to race, including ethnic group, sex, place of birth or family origin, religious or political persuasion, as a condition to becoming or continuing to be trainees at the Training School, the holder of any national diploma and national certificate of education of the Training School or of any appointment or employment in the Training School or as a member of any body established pursuant to this Act. Discrimination on Accounts of Race, Religion, etc.

(2) A person shall not be subjected to any disadvantage or accorded any advantage in the Training School, by reference to any of the matters specified in subsection (1) of this section.

30. Where any of the provisions of this Act relating to matters affecting the appointment, promotion and discipline of a trainees is inconsistent with the Federal Road Safety Commission (Establishment) Act, the provision of the Federal Road Safety Commission (Establishment) Act shall prevail. Supremacy of the FRSC Act

31. Any policy initiated in the Training School, other than as provided for in section 4 of this Act, shall not be implemented without prior approval of the Council. Implementation of Policies

32.-(1) The fixing of the seal of the Training School shall be authenticated by the signature of the Commandant and the Registrar or any other officer authorised generally or specially by the Commandant to act for that purpose. Seal of the Training School

(2) Academic Certificates issued by the Training School shall have the School's seal affixed and signed by the Provost and the Registrar of the Training School.

(3) Any contract or instrument which, if made or executed by a person not being a body corporate, would not be required to be under seal, may be made or executed on behalf of the Training School by any authorized person.

33.-(1) The Council may make Regulations, Rules or Guidelines to regulate the carrying out of activities and programmes of the Training School or authority or any matter connected with the Training School or for the effective implementation of any of the provisions of this Act. Power to make Regulations

(2) Subject to the provisions of subsection (1) of this section, the Council shall have power to amend its Regulations, Rules or Guidelines made under this Act provided that the proposal for amendment shall be passed by two-third majority of the Council members.

(3) Notwithstanding the provisions of subsection (2) of this section, the Council shall have power to approve, amend or reject any proposal for amendments as may be deemed necessary.

34.-(1) Subject to the provisions of this Act, the Principal Officers of the Federal Road Safety Commission Road Marshal Assistants Training School, Shendam, Plateau existing before the coming into effect of this Act are deemed to have been transferred to the Training School established under this Act under the same terms and conditions. Transitional Arrangements

(2) Subject to any direction to the contrary which may be given in that regard by the Council, any person who was a member of staff or was employed by the Federal Road Safety Commission Road Marshal Assistants Training School before the coming into effect of this Act, shall continue in office and be deemed to have been appointed under this Act for purposes of Pension, and become the holder of the appointment at the Training School with such status, designation and functions which corresponds with those which appertained to him as a member of staff on such an employment.

(3) Properties held immediately before the commencement date of this Act on behalf of the Training School by any person shall, by virtue of this Act, be vested in the Training School established under this Act.

(4) The Training School established under this Act shall be subject to all the obligations and liabilities to which the former Training School was subject immediately before the commencement of this Act and all other persons shall have the same rights, powers and remedies against the Training School established by this Act as they had against the Training School immediately before the commencement of this Act.

(5) Any proceeding or cause of action pending or existing immediately before the commencement of this Act by or against the Training School in respect of any right, interest, obligation or liability of the Training School may be continued or commenced, as the case may be, and any determination of a court of law, tribunal or other Commissions or persons may be enforced by or against the Training School established by this Act to the same extent that such proceeding, cause of action or determination might have been continued, commenced or enforced by or against the Training School subject to the provisions of this Act.

(6) As from the commencement of this Act, any disciplinary proceeding pending or existing against any employee of the Training School shall be continued and completed by the Training School established under this Act.

35.-(1) Subject to the provisions of this Act, the provisions of the Public Officers Protection Act shall apply to any suit instituted against the Training School, an officer or employee of the Training School. Limitation of Law Suits

(2) No suit shall lie or be instituted in any court against the Training School for an action carried out in pursuance or execution of this Act or any enactment or law, or of any public duty or authority in respect of any alleged neglect or default in the execution of this Act or any other enactment or law, duty or authority, unless it is commenced:

- (a) within three months of such act, neglect or default complained of;
- (b) in the case of a continuation of damages or injury, within six months next after the ceasing of the act, neglect or default.

(3) No suit shall be commenced against the Training School before the expiration of a period of one month after written notice of the intention to commence the suit has been served on the Training School by the intending plaintiff or his agent.

(4) The notice referred to in subsection (3) of this section shall explicitly state the cause of action, the particulars of the claim, the name and place of abode of the intending plaintiff and the relief sought.

(5) The notice referred to in subsection (3) of this section and any summons, notice or other document required or authorized to be served on the Training School under this Act or any other law, may be served by:

- (a) delivering it to the Commandant of the Training School; or
- (b) sending it by registered post addressed to the Commandant of the Training School at the Main Campus of the School.

36. In any action or suit against the Training School, no execution shall be levied or attachment processed against the Training School unless not less than 30 days' notice of the intention to execute or attach has been given to the Training School. Restriction on Execution of Court Order

37. A member of the Council, Principal Officer or employee of the Training School shall be indemnified out of the assets of the Training School against any proceedings brought against him in his capacity as a member of the Council, Principal officer or employee of the Training School where the act complained of is not ultra vires his powers. Indemnity of Officers

38. In this Act, unless the context otherwise requires:

"Academic staff" means a member of staff of the Training School whose sole and primary responsibility is teaching, research and community service;

"Academic year" means two semesters covered by a period of not more than twelve months within which students must complete a level of study;

"Administrative staff" means those persons in the employment of the Training School other than academic staff who hold administrative, professional or technical posts;

"Alumni Association" means any association recognised by the Council as being representative of graduates or former students of the Training School;

"Council" means the Council established under section 4 of this Act;

"Commandant" means the Commandant of the Federal Road Safety Commission Road Marshal Assistants Training School, Shendam, Plateau;

"Deputy Commandant" means the Deputy Commandant of the Training School;

"Graduate" means a person on whom a national diploma and national certificate of education has been conferred by the Training School;

"Functions" includes powers and duties;

"Instructor or Lecturer" means a person holding a full time appointment as a member of the instructing, teaching or research staff of the Training School;

"Trainee" means a student in training at the Training School undergoing training to be a personnel of the Corps;

"Notice" means notice in writing;

"Officer" means a staff of senior rank holding an administrative post, but does not include Visitor and members of the Council;

"President" means President of the Federal Republic of Nigeria;

"Principal Officer" means the officers mentioned in Part II of this Act;

"Property" includes rights and assets;

"Regulations" includes rules and regulations made pursuant to the provisions of this Act;

39. This Bill may be cited as the Federal Road Safety Commission Road Marshal Assistants Training School (Establishment) Act, 2021.

Short Title

FIRST SCHEDULE
SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

[Section 4(1)]

Proceedings of the Council

- 1.-(1) Subject to the provisions of this Act, the Council may make standing orders regulating its proceedings or any of its committees.
- (2) Questions for determinations shall be decided by a majority of the members present and voting; and in the event of equality of votes, the Chairman shall have a second or casting vote.
- (3) Standing orders made for a Committee shall provide for the Committee to report to the Council on any matter referred to it by the Council.
- (4) The quorum of the Council shall be one-third of the members of the Council and the quorum of a Committee of the Council shall be fixed by the Council.
- (5) The Council may invite any person to attend and participate in any of its meetings provided that a person so co-opted shall only be in attendance and shall not count towards the quorum or vote at the meeting.

Meetings of the Council

- 2.-(1) The Council shall meet at least twice a year and as and when necessary for the performance of its functions under this Act.
- (2) At any meeting of the Council, the Chairman shall preside or in his absence, the members present at the meeting, shall appoint one of the members to preside.
- (3) Where the Council desires to obtain the advice of any person on a particular matter, the Council may co-opt him as a member for such period as the Council thinks fit, but a person who is a member by virtue of this paragraph shall not be entitled to vote at the meeting and shall not count towards the quorum.
- (4) Notwithstanding anything in the foregoing provisions of this paragraph, the inaugural meeting of the Council shall be summoned by the Chairman.

Committees

- 3.-(1) The Council may appoint one or more committees to carry out on behalf of the Council such functions as the Council may determine.
- (2) A Committee appointed under this paragraph shall consist of the number of persons determined by the Council of whom not more than two-third may be persons who are not members of the Council.
- (3) A person other than a member of the Council shall hold office on a Committee of the Council in accordance with the terms of the letter by which he is appointed.
- (4) A decision of a Committee of the Council shall be of no effect until it is ratified by the Council.

Miscellaneous

- 4.-(1) The fixing of the seal of the Council shall be authenticated by the signature of the Chairman, the Registrar or any other member of the Council authorized generally or specially by the Council to act for that purpose.

(2) Any contract or instrument which, if made or executed by a person not being a body corporate, would not be required to be sealed and may be made or executed on behalf of the Council by any person generally or specially authorized by the Act or the Council for that purpose..

(3) Any document purporting to be a document duly executed under the seal of the Council shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed.

(4) The validity of any proceedings of the Council or of a Committee of the Council shall not be adversely affected by any vacancy in membership of the Council or by any defect in the appointment of a member of the Council or of a person to serve on the Committee, or by reason that a person not entitled to do so took part in the proceedings.

(5) Any member of the Council and any person holding office on a Committee of the Council, who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Council or a Committee of the Council shall disclose his interest, and shall not vote on any question relating to the contract or arrangement.

(6) A person shall not by reason only of his membership of the Council be treated as holding an office in the public service of the Federation.

SECOND SCHEDULE
COMMITTEES OF THE TRAINING SCHOOL

[Section 6]

Standing Committees of the Council

1.-(1) For the purpose of carrying out its responsibilities under this Act, the following standing committees are to be established by the Council:

- (a) Finance and General Purpose Committee;
- (b) Appointments, Promotions and Disciplinary Committee (AP&DC);
- (c) Tenders Board;
- (d) Academic Board; and
- (e) Admission Selection Board.

(2) Provisions shall be made by Rules for the constitution and terms of reference of the Committees referred to in sub-paragraph (1) of this Schedule as deemed appropriate by the Council.

Finance and General Purpose Committee

2.-(1) There shall be a Committee of the Council to be known as the Finance and General Purpose Committee, which shall subject to the direction of the Council exercise control over the property and the expenditure of the Training School.

(2) The Finance and General Purpose Committee shall consist of:

- (a) the Chairman of the Council who shall be the Chairman of the Committee at any meeting at which he is present;
- (b) the Commandant;
- (c) five other members of the Council appointed by the Council.

(3) The functions of the Finance and General Purpose Committee shall be to:

- (a) consider and make recommendation to the Council on the draft annual estimate of income and expenditure for each financial year;
- (b) advice the Council on deposits and investments of money belonging to the Training School;
- (c) recommend to the Council rules and procedures in the Financial Regulations for the control of expenditure and administration of the Training School's finances;
- (d) consider and decide on request for variation within the approved annual estimates from any unit of the Training School, subject to the approval of the Council;
- (e) advice the Council on any matter relating to the development of the Training School sites as may be referred to it by the Council;
- (f) carry out any other function as may be delegated to it from time to time by the Council.

(4) The quorum of the Committee shall be five members including the Chairman and the Commandant.

(5) Subject to any directions given by the Council, the Committee may regulate its proceedings.

Appointments, Promotions and Disciplinary Committee

3.-(1) The Appointments, Promotions and Disciplinary Committee shall handle appointments, confirmations, promotions and discipline of all senior staff (academic, administrative and professionals) of the Training School.

(2) The Appointments, Promotions and Disciplinary Committee shall comprise of:

- (a) the Provost of the Training School as Chairman;
- (b) two members of the Council;
- (c) two internal members;
- (d) two elected members from the Academic Committee who shall not be below the rank of senior lecturer; and

- (e) the Registrar of the Training School who shall serve as the Secretary to the Committee.
- (3) The Appointments, Promotions and Disciplinary Committee shall:
- (a) consider all appointments and promotion of all staff except those of Principal Officers and make appropriate recommendations to the Council;
 - (b) handle all disciplinary cases involving members of staff who are not members of the Corps; and
 - (c) subject to the provisions of this Act, make recommendation to the Council on any matter involving appointment, promotion and discipline of staff who are members of the Corps.
- (4) The quorum of the Committee shall be five members including the Chairman.
- (5) The Committee shall have power to constitute a sub-committee to handle cases of junior staff of the Training School who are not members of the Corps.

Tenders Board

4.-(1) There shall be a Tenders Board for the Training School whose membership shall consist of:

- (a) the Commandant, who shall be the Chairman;
- (b) the Deputy Commandant;
- (c) the Provost of the Training School;
- (d) one representative of the Council;
- (e) the Director of Legal Services; and
- (f) the Registrar of the Training School who shall serve as Secretary to the Board.

(2) The functions of the Tenders Board shall include:

- (a) advising the Council on projects and construction of building, supply of goods and services;
- (b) consideration and acceptance of tenders from contractors;
- (c) initiating action on the production of the tender's documents;
- (d) considering tenders submitted by contractors wishing to execute projects in the Training School;
- (e) processing tenders and award of contracts which fall within its spending limits and reporting such award of contract to the Council; and
- (f) referring to the Council for approval on tenders for contracts above the spending limits of the Board.

Academic Board

5.-(1) There shall be for the Training School an Academic Board whose membership shall consist of the:

- (a) Commandant, who shall be the Chairman;
- (b) Deputy Commandant;
- (c) Provost of the Training School;
- (d) Librarian;
- (e) Bursar;
- (f) Director of Academic Planning;
- (g) Director of Training;
- (h) Director of Works;
- (i) Director of Administration;
- (j) Registrar of the Training School or his representative who shall serve as Secretary to the Board.

(2) The functions of the Academic Board shall include:

- (a) advising the Council on policy matters relating to general affairs of the Training School, administration and discipline;
- (b) consider and take decision on trainees withdrawal; and
- (c) any other duty that may be referred to it by the Council.

(3) The decision of the Academic Board on a trainee's withdrawal on disciplinary grounds shall be final subject to ratification by the Council.

Admission Selection Board

6.-(1) There shall be for the Training School an Admission Selection Board for the purpose of screening, interviewing and selection of qualified candidates for admission into the Training School whose membership shall consist of:

- (a) the Deputy Corps Marshal (Training) as Chairman;
- (b) a representative of the Council
- (c) the Commandant of the Training School;
- (d) the Provost of the Training School;
- (e) the Registrar of the Training School;
- (f) the Director of Training of the Training School;
- (g) a representative of the Federal Character Commission as observer; and
- (h) the Deputy Registrar of the Training School in charge of admissions who shall serve as Secretary to the Admission Selection Board.

(2) The functions of the Admission Selection Board shall include:

- (a) screening and interviewing qualified candidates invited for selection interview by the Training School;
- (b) disqualifying any candidate found deficient in any aspect of the screening processes;
- (c) applying the screening criteria that are in use for the selection process of members of the Corps that may be determined by the Corps, from time to time;
- (d) ensuring the observance of all the requirements for admission into polytechnics and Colleges of Education by the regulatory bodies such as National Board of Technical Education, National Commission for Colleges of Education and Joint Admissions and Matriculations Board;
- (e) selecting qualified candidates to be admitted into the Training School in each admission year.

(3) The decision of the Selection Board on admission shall be final subject to the approval of the Council.

EXPLANATORY MEMORANDUM

(This memorandum does not form part of this Act but is intended to explain its purport). This Bill seeks to establish the Federal Road Safety Commission Training School with powers to train, nurture, equip and produce globally competitive graduates with requisite knowledge, skills, values and attitudes suitable for leadership, scholarship and rendering community services and to award national diplomas, national certificate of education and certificates in accordance with the highest academic standards.