

Extraordinary



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A BILL

FOR

AN ACT TO ESTABLISH THE NATIONAL COUNCIL FOR CHRISTIAN EDUCATION FOR THE PURPOSE OF REGULATING AND SETTING STANDARDS AND FOR RELATED MATTERS, 2023

Sponsors:

Hon. Rimamnde Shawulu Kwewum

Hon. Beni Lar

Hon. Yusuf Ayo Tajudeen

Hon. John Dyegh

Hon. Solomon Bob

Hon. Benjamin Mzondu

[] Commencement

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

- 1 1.-(i) There is hereby established an Agency to be known as "the
2 National Council for Christian Education in Nigeria" (in this Bill referred to
3 as "the Council". Establishment of
the National Council
for Christian
Education
- 4 (ii) The Council-
- 5 (a) Shall be a body corporate with perpetual succession and a
6 common seal; and
- 7 (b) May sue and be sued in its corporate name.
- 8 2.-(i) There is established for the Council a Governing Board The Establishment
and Membership
of the Government
Board
- 9 consisting of a chairman, and 9 other members to be appointed by the
10 President.
- 11 (ii) The Chairman shall be appointed from the Five blocs of the
12 Christian Association of Nigeria in rotation by alphabetical order;
- 13 (iii) The appointment of the seven part time members shall be made
14 from:

| | | |
|--------------------------------------|----|--|
| | 1 | (a) One Person from each of the five blocks of the Christian |
| | 2 | association of Nigeria; |
| | 3 | (b) Association of Theological institutions of Nigerian (ATIN); |
| | 4 | (c) Christian Lawyers Association of Nigeria (CLASFON); |
| | 5 | (d) Two Educationists, possessing at least, a doctorate degree, versed |
| | 6 | in the philosophy of Christian education; and |
| | 7 | (e) The Executive secretary of the Board |
| | 8 | (iv) The following are ex-officio members of the Board- |
| | 9 | (a) Education Research and Development Council; |
| | 10 | (b) Joint Admission and Matriculation Board (JAMB); |
| | 11 | (c) National Examination Council of Nigeria; |
| | 12 | (d) Federal Ministry of Education |
| | 13 | (v) The Executive Secretary shall be the secretary in the Board |
| Tenure of office | 14 | 3. The Chairman and members of the Board other than ex-officio |
| | 15 | members- |
| | 16 | (a) Shall hold office for a period of four year on such terms and |
| | 17 | conditions as may be specified in theirs letters of appointment; and |
| | 18 | (b) May be re-appointed for another period of four years and no more |
| Removal of members from office | 19 | 4.-(i) Notwithstanding the provisions of section 3 of this Act, a |
| | 20 | member may, at any time, be removed from office by the President for inability |
| | 21 | to discharge the function of his office (whether arising from infirmity of the |
| | 22 | mind or body or any other cause) or for misconduct; |
| | 23 | (ii) A member of the Board may resign his appointment by a notice in |
| | 24 | writing addressed to the President and that member shall, on the date of the |
| | 25 | receipt of the notice by the president, cease to be a member of the Board. |
| Emoluments | 26 | 5. A member of the Board shall be paid such emoluments, allowances |
| | 27 | and Benefits as the minister may, with the approval of the President, from time |
| | 28 | to time, approve. |
| Disclosure of Interest | 29 | 6.-(i) A member of the Board who is directly, or indirectly interested |
| | 30 | in any matter being deliberated on by the board or is interested in any contract |

1 made or proposed to be made by the Council, shall as soon as possible after
 2 the relevant facts have to become to known to him, disclose the nature of his
 3 interest at a meeting of the Board;

4 (ii) A disclosure under subsection (1) of this section shall be
 5 recorded in the minutes of meetings of the Board and the member concerned
 6 shall:

7 (a) Not, after the disclosure, take part in any deliberations or
 8 decisions of the Board; and

9 (b) Be excluded for the purpose of constituting a quorum of any
 10 meeting of the Board for any deliberations or decisions with regard to the
 11 subject matter in respect of what his interest is as so disclosed.

12 7.-(i) Develop, regulate and approve, Christian Education
 13 Syllabuses at all levels of Education;

Functions of the
Council

14 (ii) Monitor, Collect and Collate data on Christian education;

15 (iii) Certify Christian Religious Education Instructors at all Basic
 16 and Secondary School levels;

17 (iv) Conduct Research, Publish Statistics and Information on
 18 Christian education;

19 (v) Approve content of all Christian Religious Education in
 20 schools across the country;

21 (vi) Accredite programmes of Christian Theological Institutions of
 22 Learning; and

23 (vii) Train, retrain and recertify Christian Religious Instructors in
 24 Schools.

25 8. In Pursuance of section 7 of this Act, the Council shall have
 26 powers to-

Powers of the
Council

27 -(i) Demand and obtain relevant information, data and reports
 28 relative to Christian Education in schools as well as data on the instructors,
 29 content of Christian education and the lesson notes of teachers;

30 (ii) Approve the content of Christian education syllabuses being

1 administered in all schools in the country;

2 (iii) Enter into joint venture and draw up a memorandum of
3 leadership, understanding and agreement with the relevant institutions and
4 organisations; and

5 (iv) Perform such other functions that are necessary for the successful
6 performance of its Functions under this act

7 PART II

Executive
Secretary

8 **9.**-(i) There shall be for the Council, an Executive Secretary who shall
9 be appointed by the President on the recommendation of the minister;

10 (ii) The Executive Secretary must a professor or Senior Instructor of
11 Christian Religious knowledge in any University or Theological institution of
12 any of the five blocs of CAN;

13 (iii) The Executive Secretary shall be the Chief Executive officer of
14 the Agency and shall be responsible for the execution of the policy and the day-
15 to-day administration of the Council:

16 (iv) The Executive shall hold office-

17 (a) For a term of five years in the first instance and may be re-
18 appointed for another term of five years and no more; and

19 (b) On such terms and conditions as may be specified in his letter of
20 appointment.

Other Employees
of the Council

21 **10.**-(i) The Board shall appoint for the Council such officers and other
22 Employees as it may, from time to time, deem necessary;

23 (ii) The terms and conditions of service (including remunerations,
24 allowances, benefits and pensions) of officers and employees of the agency
25 shall be as determined by the Board with the approval of the Minister.

Pension and
Gratuities

26 **11.**-(i) The service in the agency shall be approved service for the
27 purpose of the Pensions Act and accordingly, employees of the agency shall be
28 entitled to pensions, gratuities and the retirement benefits as are presented
29 under the Pensions Act;

30 (ii) Notwithstanding the provisions of this Act, nothing in this Act

1 shall prevent the appointment of a person to any office on terms which
 2 preclude the grant of pension, gratuity or other retirement benefits in respect
 3 of that office; and

4 (iii) For the Purpose of the application of the provisions of the
 5 pensions Act, any power exercisable by a minister or the authority of the
 6 Federal Government, other than the power to make regulations under
 7 section 23 of the pensions Act is hereby vested in and shall be exercisable by
 8 the Council and not any other person or authority

9 **12.** The Council shall establish and maintain a fund into which Funds of the
 10 shall be paid and credited- Council

11 (i) Take off grant from the Federal government;

12 (ii) Annual subvention from the federal government;

13 (iii) Loans and grant-in-aid from individual, national, bi-lateral and
 14 multilateral agencies;

15 (iv) Rents, fees and other internally generated revenues from
 16 services provided by the agency; and

17 (v) All the sums accruing to the Council, from time to time.

18 **13.** The Council may, from time to time, with the approval of the Expenditure of
 19 Board apply the proceeds of the funds established under 12 section of this the Council
 20 Act-

21 (a) To the cost of the administration of the Council;

22 (b) To the payment of emoluments, allowances and benefits of
 23 members of the Board and for reimbursing members of the board or of any
 24 committee set up by the Board for such expenses as may be expressly
 25 authorized by the Board;

26 (c) To the payment of balances, fees or other remunerations and
 27 benefits or allowances, gratuities and pension and their benefits payable to
 28 the officers and other employees of the Council;

29 (d) For the development and maintenance of any property vested in
 30 or owned by the Council; and

| | | |
|-----------------------------------|----|--|
| | 1 | (e) For aid in connection with all or any of its functions under this Act |
| | 2 | or in such other securities as may, from time to time, be approved by the |
| | 3 | minister. |
| Annual statements and accounts | 4 | 14. -(i) The Council shall, not later than 31st August each, submit to |
| | 5 | the minister an estimate of its expenditure and income (including payments to |
| | 6 | the Council fund) for the next succeeding year; and |
| | 7 | (ii) The Council shall keep proper records in relation to those |
| | 8 | accounts in respect of each year and shall have its accounts audited in |
| | 9 | accordance of existing Federal Government regulations. |
| Annual Reports t | 10 | 15. -(i) The Council shall prepare and submit to the Federal Executive |
| | 11 | Council through the minister, not later than six months after the end of each |
| | 12 | year a report in such form as he may direct on the activities of the Council |
| | 13 | during the preceding year; |
| | 14 | (ii) A copy of the audited accounts of the Council for the preceding |
| | 15 | year as well as the auditors report shall also be submitted to the minister; and |
| | 16 | (iii) The Council shall thereafter submission of the report to the |
| | 17 | minister publish same on its website. |
| Power to accept gifts | 18 | 16. -(i) The Council may accept any gift of land or other property on |
| | 19 | such terms and conditions, if any, as may be specified by the person or |
| | 20 | organization making the gift; and |
| | 21 | (ii) The Council shall not accept any gift if the conditions attached by |
| | 22 | the person or organization offering the gift are inconsistent with the functions |
| | 23 | of the Council and the provisions of the independent corrupt practices and |
| | 24 | allied offences commission act 2000. |
| Powers to borrow | 25 | 17. -(i) The Council may from time to time borrow by overdraft or |
| | 26 | otherwise such sums as it may require for the performance of its functions; |
| | 27 | (ii) The Council shall not, without the approval of the minister, |
| | 28 | borrow money which exceeds, at any time the limit set by the minister; |
| | 29 | (iii) Notwithstanding subsection (1) of this Section where the sum to |
| | 30 | be borrowed is in foreign currency the Council shall not borrow the sum |

1 without the prior approval of the minister.

2 **18.** The Council may subject to the Provisions of this Act and the Investment
3 conditions of any trust created in respect of any property invest all or any of
4 its funds in any security prescribed by the trustee investment Act or in such
5 other securities as may, from time to time, be approved by the minister.

6 **19.**-(i) The Council shall be exempt from the payment of income Exemption from
7 tax on any income occurring from investments made by the Board for the tax
8 Council; and

9 (ii) The provisions of any enactment relating to the taxation of
10 companies on trust fund shall not apply to the Council

11 **20.**-(i) Subject to the provisions of this Act the provisions of the Limitations of
12 Public Officer's Protection Act shall apply in relation to any suit against any lawsuit against
13 officer or employee of the Council; the Council

14 (ii) Notwithstanding anything contained in any other document,
15 the lawsuit against a member of the Board or the Executive secretary or any
16 other offices or employee of the Council for any act done in pursuance or
17 execution of this Act or any other enactment or law or any public duty or
18 authority in respect of any alleged neglect or default in the execution of this
19 Act, shall not be instituted in any court unless it is commenced-

20 (a) Within three months next after the act, neglect or default
21 complained of; or

22 (b) In the case of a continuation of damage or injury within six
23 months next after the ceasing thereof.

24 (iii) No lawsuits may be commenced against a member of the
25 Board or the Executive Secretary or any other officer or employee of the
26 Council before the expiration of a period of one month after a written Notice
27 of the intention to commence the lawsuit shall have been served on the
28 Council by the intended plaintiff or his agent;

29 (iv) The notice referred to in subsection 3 of this section shall
30 clearly and explicitly state the causes of the action, the particulars of the

1 claim, the name and place of the abode of the intending plaintiff and the
2 relief(s) being sought.

Service of
documents

3 **21.** A notice summons or other documents required or authorized to
4 be served on the Council under the provisions of this Act or any other
5 enactment or law may be served by delivering it to the Executive Secretary or
6 on the principal office of the Council.

Restriction on
Execution against
property of the
Council

7 **22.** In any action or lawsuit against the Council no execution or
8 attachment of process in the nature thereof shall be issued against the Council
9 unless not less than 30 days' notice of the intention to execute or attach has been
10 given to the Council.

Indemnity of
Officers

11 **23.** A member of Board or the Executive Secretary or any officer or
12 employee of the Council shall be indemnified out of the assets of the Council
13 against any liability incurred by him in any proceeding, whether civil or
14 Criminal, if the proceeding is brought against him in his capacity as a member
15 of the Board, Executive secretary, officer or other employee of the Council.

Secrecy

16 **24.-(I)** A member of the Board or the Executive Secretary or any
17 officer or employee of the Council shall-

18 (a) Not for his personal gain, make use of any information, which has
19 come to his knowledge in the exercise or is obtained by him in the ordinary
20 course of his duty as a member of the Board, officer or employee;

21 (b) Treat as confidential any information which has come to his
22 knowledge in the exercise of his power or is obtained by him in the
23 performance of his duties made this Act; and

24 (c) Not disclose any information referred to under paragraph (b) of
25 this subsection, except when required to do so by a court or in such other
26 circumstances as may be permitted by the Board, from time to time.

27 (ii) Any person who contravenes the provision of subsection (1) of
28 this section commits an offence and is liable on conviction to a fine of not less
29 than N500,000 or imprisonment for a term not exceeding two years or both.

- 1 **25.** The Council may, with the approval of the Minister, make such Regulations
2 regulations as in its opinion are necessary or expedient for giving full effect
3 to the provisions of this Act and for the administration of its provisions.
- 4 **26.** This Bill may be cited as the National Council for Christian Citation
5 Education Bill, 2023.

1 SCHEDULE

2 SUPPLEMENTARY PROVISIONS RELATIONSHIP TO THE BOARD

3 1. The First Board may make Standing Orders regulating its
4 proceedings or that of its committees; Subsequent Boards may amend the
5 Standing Orders.

6 2. The Chairman of the Board shall preside at all its meetings, and in
7 his absence members present shall appoint one of them to preside.

8 3. The quorum at the meeting of the Board shall be one third of the
9 members, not including ex-office members of the Board.

10 4. The Board shall meet not less than three times each year and the
11 Board shall meet whenever it is summoned by the chairman; and if required to
12 do so, by notice given to him by no less than five other members, he shall
13 summon a meeting of the Board to be held within 14 days from the date the
14 notice was given.

15 5. Where the Board desires to obtain the advice of any person on any
16 matter, the Board may co-opt such a person; such a co-opted person may attend
17 and speak at Board meetings but shall not be entitled to vote at any meeting of
18 the Board and his presence shall not count in determining whether a forum has
19 been formed or not

20 *Committees*

21 6.-(1) Subject to its Standing Orders, the Board may appoint such a
22 member of a Standing and, or ad hoc committees as it thinks fit to consider and
23 report on any matter.

24 (2) A committee appointed under subsection (1) above shall-

25 (a) Consist of Board Members and an officer of the Council shall
26 serve as its Secretary;

27 (b) A Quorum of the Committee shall be one third of the members;

28 (c) No Committee shall consist of less than five members;

29 (d) Proceedings and voting shall be guarded by the approved Standing
30 Orders;

1 (e) All decisions of the committees will be recommendations to the
2 Board, and no decision of any committee shall be regarded as Board
3 decision until the Board has met and ratified the report or sections of it
4 thereof; and

5 (f) No anticipatory approval shall be given to any committee
6 report.

7 (3) (a) The Board may also appoint a committee made up of non-
8 board members and staff-

9 (a) A staff shall be the Secretary of such an ad-hoc committee.

10 7. The fixing of the seal of the Council shall be authorized by the
11 signature of the chairman or any other person generally or specifically
12 authorized by the Board to act for that purpose and that of the Executive
13 Secretary.

14 8. Any contract or instrument which, if made by a person not being
15 a body corporate would not be required to be under seal may be made or
16 executed on behalf of the Council by the Executive Secretary or any other
17 person generally authorized by the Board to act for that purpose.

18 9. Any document purporting to be a contract, instrument or other
19 document duly signed or sealed on behalf of the Council shall be recovered
20 in evidence and shall unless contrary is proved presumed without further
21 proof to have been so signed or sealed.

22 10. The Validity of the membership of the Board or any of its
23 committee shall not be affected by:

24 (a) Any vacancy in the membership of the Board or committee; or

25 (b) Any defect in the appointment of a member of the Board or
26 committee; or

27 (c) Reason that any person not entitled to do so took part in the
28 proceedings of the Board or committee.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the National Council for Christian Education for the purpose of regulating and setting standards.