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The following is published as Supplement to this Gazette:-

ADS. Law No. 10 of 2008 - Adamawa State Scholarship Trust Fund Law, 2008
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ADAMAWA STATE SCHOLARSHIP TRUST FUND LAW, 2008



Adamawa State of Nigeria
Law No. 10 of 2008

[21st December, 2008] Date of Commencement.

A Law to Establish Adamawa State Scholarship Trust Fund and to Provide for matters incidental thereto.

BE IT ENACTED by the House of Assembly of Adamawa State of Nigeria and by the authority of same as follows:-

PART I - PRELIMINARY PROVISIONS

1. This Law may be cited as the Adamawa State Scholarship Trust Fund Law 2008, and shall come into operation on the 21st day of December, 2008.

Short title and Commencement.

2. In this Law unless the context otherwise requires;

Interpretation.

“Board” means the Board of Trustees of the Fund;

“Executive Director” means the Executive Director of the Board;

“Fund” means Scholarship Trust Fund established under section of this Law;

“Governor” means the Governor of the State;

“Indigene” means a native of a Local Government Area in the State;

“Member” means a member of the Board and includes the Chairman;

“State” means Adamawa State of Nigeria.

Establishment of the Board

PART II - ESTABLISHMENT AND FINANCIAL PROVISIONS OF THE FUND

3. There is established for the State a “fund” to be known as the Adamawa State Scholarship Trust Fund.

Establishment of the fund.

Composition

A2 Law No.10 of 2008 *Adamawa State Scholarship Trust Fund Law, 2008*

- Finance Scholarship. 4. The fund shall finance all approved scholarship for indigenes of the State.
- Access to education by all indigenes. 5. All indigenes of the State shall have access to education no matter their material/financial status through scholarships.
- Sources of funding. 6. There shall be credited to the fund:
- (a) such sums as may from time to time be appropriated to the fund by the State;
 - (b) money paid to the Fund by way of public and private donations, gifts, subsidies, charges, levies, subscriptions, interest and royalties;
 - (c) money paid to the fund by its present beneficiaries as partial or total subsidized cost recovery of amounts spent on their education by the fund;
 - (d) money paid to the fund by past beneficiaries who were not able to meet obligations to the fund vide paragraph (c) above;
 - (e) money voluntarily paid to the fund by past beneficiaries in appreciation for the support given to them by the fund for their education, or by any other donor, for the continual growth of the fund;
 - (f) money that may vest in the fund under any enactment;
 - (g) other money which may in any manner become payable to the fund in respect of any matter incidental to its power or functions under this Law.

PART III - ESTABLISHMENT AND COMPOSITION OF THE BOARD.

- Establishment of the Board. 7. (1) There is established for the fund a "Board" to be known as the Board of Trustees.
(2) The Board shall be a body corporate with perpetual succession and a common seal with power to sue or be sued in its corporate name and may hold or dispose of any property.
- Composition. 8. (1) The Board shall consist of:
- (a) a part-time Chairman;
 - (b) Six members, two from each of the three Senatorial Zones of the State;
 - (c) representative of the Universities;

(d) Ex-officio members;

- (i) Permanent Secretary Ministry of Justice;
- (ii) Permanent Secretary Ministry of Education;
- (iii) Permanent Secretary Ministry of Finance;
- (iv) Permanent Secretary Higher Education;
- (v) Special Adviser on Scholarship and Students matters; and
- (vi) the Executive Director, who shall be the Secretary of the Board

(2) The Chairman and six members representing the three Senatorial Zones, who shall be persons of proven integrity, shall be appointed by the Governor.

9. Members other than ex-officio members shall hold office for a period of four years and shall be eligible for re-appointment for another period of four years.

Tenure of Office.

10. Members shall be paid such remunerations as the Governor may determine.

Remuneration.

11. The Governor may terminate the appointment of a member, on ground of misbehaviour or inability to discharge the functions of his office by reason of physical or mental illness or on any other ground.

Termination.

PART IV - FUNCTIONS AND POWERS OF THE BOARD

12. The functions and powers of the Board shall be to:

Functions and powers.

- (a) award scholarships to eligible indigenes of the State to enable them study in institutions of higher learning in and outside Nigeria;
- (b) invite applications for scholarship by advertisement;
- (c) advise applicants on courses for which they are qualified;
- (d) request institutions of higher learning to provide information concerning entry qualifications, course contents and syllabuses;
- (e) lay down terms and conditions for the grant of scholarship and of conduct of the person to be awarded the scholarship;
- (f) request the State Civil Service Commission, Local Government Service Commission, Department of Establishment and Training, Planning Commission, Directorate/ Unit on Special Projects and Programmes etc. to provide information on manpower requirement of the State and job opportunities;

Books of accounts and other records

Income

Annual statement of accounts

Auditing of accounts

- (g) source for funds and scholarships from within and outside Nigeria;
- (h) invest excess money standing to its credit or savings in securities specified in Trustees Investment Act 1962 or such securities as may from time to time be suggested by the Board for approval of the Governor;
- (i) delegate its powers under this Law to any of its members or any of its Committees;
- (j) appoint, promote, transfer and exercise disciplinary control over its staff; and
- (k) make rules and regulations for the purposes of carrying out its functions after obtaining approval from the Governor;

PART V - GENERAL PROVISIONS

Appointment of Executive Director to the Board.

13. (1) There shall be appointed by the Governor an Executive Director who shall be responsible for the day to day affairs of the Board.
 (2) The Executive Director shall be the Secretary of the Board.

Pension and gratuity.

14. The staff appointed by the Board shall be entitled to pension and gratuity in accordance with the provisions of the pension law operating in the State

General directions.

15. The Governor may after consultation with the Board give directions of a general character as to the discharge by the Board of its functions in relation to matters appearing to the Governor to be of public importance.

PART VI - FINANCIAL PROVISIONS

Books of accounts and other records.

16. (1) The Board shall keep proper books and records of accounts in respect of its functions and other records in relation thereto.
 (2) The Board shall prepare at the end of each financial year a statement and record of accounts.
 (3) All sums of money accrued to the Trust Fund shall be deposited in a Bank and the account shall be controlled by the Board.

Annual statement of accounts.

17. The annual statement of accounts shall be an accurate record of financial position and of the result of the operations of the Board for the financial year to which it relates.

Auditing of accounts.

18. (1) The accounts of the Board shall be audited and a report to that effect shall be prepared annually by the State Director of Audit.
 (2) As soon as the annual statement of accounts has been audited, the Chairman of the Board shall forward a copy of the audited accounts and the report to the Governor.

19. Before the commencement of each financial year, the Board shall prepare an estimate of its revenue and expenditure for that financial year to be submitted to the Governor for his approval.

Preparation of estimates.

20. The Board shall within six months after the end of each financial year, submit to the Governor a report containing such particulars of its activities as he may from time to time direct.

Report

PART VIII - MISCELLANEOUS PROVISIONS

21. The Board shall have a common seal which shall be authenticated by the signature of the Chairman, one other member and the Secretary to the Board.

Common seal.

22. (1) The Board shall hold not less than four general meetings in each financial year and the meetings shall hold at such time and place as the Chairman may appoint.

Meeting.

(2) The Board may hold such other meetings as may be necessary for the purposes of carrying out its functions.

(3) At any meeting of the Board, the Chairman shall preside and in his absence, the members present shall select one of their members to preside.

(4) Every question at a meeting of the Board shall be determined by a majority of the votes of the members present and voting and in case of equal division of votes the Chairman shall have a casting vote.

23. One third of the members of the Board may by notice in writing signed by them request the Chairman to call a special meeting of the Board for purposes set out in such notice and the Chairman shall thereupon call a special meeting.

Special meeting.

24. Not less than one-half of the members shall form a quorum at any meeting of the Board.

Quorum.

25. Where the Chairman or a member of the Board is temporarily incapacitated by illness or temporarily absent, the Governor may appoint any person to hold temporarily the office held by such incapacitated or absent member, and all the powers and functions of the Chairman or a member under this Law shall devolve upon the person so temporarily appointed.

Temporary appointment.

26. Whereupon any special occasion the Board desires to obtain advice of any person on any particular matter, the Board may co-opt such person to be a member for such meetings as may be required and such person whilst so co-opted shall have all the rights and privileges of a member save that he shall not be entitled to vote on any question.

Power to co-opt.

Validity of proceedings.

27. No act or proceedings of the Board shall be questioned on account of any vacancy among its members.

Standing orders.

28. The Board shall have the power to regulate its proceedings and may make such standing orders as required.

Power to appoint Committees.

29. The Board may appoint one or more Committees to advise it or undertake any action whether of a general or specific nature in pursuance of the functions of the Board.

Protection of Members.

30. A member shall not be personally liable to be sued for any act or omission or any default of the Board if such act, omission or default is in the course of the operation of the Board and done in good faith.

Inform Governor of activities.

31. The Board shall furnish the Governor such information relating to the discharge of its functions as the Governor may from time to time require.

Assets and liabilities.

32. All assets and liabilities vested in the Adamawa State Scholarship Board subsisting immediately before the commencement of this Law shall, without further assurance, vest in the Board.

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This printed impression has been carefully compared by me with the Bill which has passed the House and found by me to be a true and correctly printed copy of the Bill.

HOUSE	DATE PASSED BY	SUMMARY OF CONTENTS	SHORT TITLE
	19th November, 2008	The Bill seeks to provide a trust fund to ASMA'U G SALIMU (HAJIYA) Clerk to Adamawa State House of Assembly	Adamawa State Scholarship Trust Fund Law, 2008

I assent this 21st day of December, 2008.

MURTALA H. NYAKO

Governor,

Adamawa State of Nigeria.

SCHEDULE OF BILL

SHORT TITLE	LONG TITLE	SUMMARY OF CONTENT	DATE PASSED BY HOUSE
Adamawa State Scholarship Trust Fund Law, 2008	A Bill for a Law establish Adamawa State Scholarship Trust Fund and to provide for matters incidental thereto.	The Bill seeks to provide a Scholarship Trust Fund to provide indigenes of the State access to education no matter their financial status, the Law established a Board to manage the Fund.	19th November, 2008

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ASMA'U G. SALIMU (HAJIYA)
Clerk to Adamawa State House of Assembly