

# CHAPTER K14 - KWARA STATE CO-OPERATIVE TRAINING INSTITUTE LAW

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## KWARA STATE CO-OPERATIVE TRAINING INSTITUTE LAW

### A Law to establish an institute for co-operative studies—

[No. 4 of 2006.]

[Date of commencement: 1<sup>st</sup> January, 1997]

## PART I

### *Preliminary*

#### 1. Citation

This Law may be cited as the Kwara State Co-operative Training Institute Law, 1997.

#### 2. Interpretation

In this Law—

"**Board**" means the Board of Governors of the Institute constituted as provided in section 4 of this Law;

[No. 4 of 2006.]

"**Commissioner**" means the Commissioner charged with the responsibility for matters relating to Commerce and Co-operatives;

[No. 4 of 2006.]

"**Government**" means the Government of Kwara State;

"**Governor**" means the Governor of Kwara State;

"**Institute**" means Kwara State Co-operative Training Institute established by section 3 (1) of this Law;

"**Member**" means any member of the Board including the Chairman;

"**Ministry**" means the State Ministry of Commerce and Co-operatives;

[No. 4 of 2006.]

**"Principal"** means the Principal of the Institute; and  
**"State"** means Kwara State of Nigeria.

## PART II

### *Establishment, Composition, Functions and Objectives of the Institute*

#### **3. Establishment of the Institute**

(1) There is hereby established a training Institute to be known as the Kwara State Co-operative Training Institute (hereafter in this Law referred to as "the Institute") which shall have the functions assigned to it by this Law.

(2) The Institute shall be a body corporate with—

- (a) perpetual succession;
- (b) a common seal; and
- (c) power to sue and be sued in its corporate name.

#### **4. Board of Governors**

(1) There shall be a Board of Governors (hereafter in this Law referred to as "the Board") charged with responsibility for the organisation, administration and making of policies for the Institute.

(2) The Board shall consist of the following members—

- (a) the Permanent Secretary charged with the responsibility for Commerce and Co-operative matters who shall be the Chairman;
- (b) the Director of Co-operatives;
- (c) a representative of the Ministry of Justice;
- (d) a representative of the Ministry of Education; and
- (e) the Principal of the Institute.

[No. 4 of 2006.]

#### **5. Appointment of the Principal**

(1) There shall be a Principal of the Institute who shall be the chief academic and executive officer of the Institute.

(2) The Principal shall be appointed by the Commissioner.

#### **6. Duties of the Principal**

The Principal shall—

- (a) exercise general authority over the staff and students of the Institute;
- (b) be responsible for the peace, order and security of the Institute;
- (c) be responsible to the Board of Governors of the Institute in the administration of the Institute; and
- (d) perform such other duties as may be prescribed under this Law.

**7. Vice-Principal**

(1) There shall be a Vice-Principal of the Institute who shall be appointed by the Honorable Commissioner.

(2) The Vice Principal shall deputise for the Principal in his absence and shall perform such functions and such duties as the Principal may from time to time assign to him.

**8. Academic and Administrative Departments**

(1) For the Institute to carry out its general objectives under section 10 of this Law it may be organised into—

- (a) Academic Department; and
- (b) Administrative Department.

(2) The Academic Department shall comprise of—

- (a) admission unit;
- (b) students affairs unit;
- (c) examinations unit; and
- (d) library unit.

(3) The Administrative Department shall comprise of—

- (a) accounts unit;
- (b) medical centre unit;
- (c) security unit;
- (d) maintenance unit; and
- (e) personnel unit.

(4) The Board shall appoint or assign from the Ministry qualified staff to manage and control these units.

**9. Academic staff**

The board shall appoint academic staff who shall be responsible for teaching and research in the institution comprising of—

- (a) full-time lecturers; and
- (b) part time lecturers.

#### **10. Objectives and functions of the Institute**

The objectives of the Institute shall be—

- (a) to provide for short time management courses in co-operative studies;
- (b) to train secretaries, managers, book-keepers, promoters and organisers of Co-operative Societies in Co-operative Management and Administration;
- (c) to train the trainers in Co-operative Management;
- (d) to consolidate and build on the achievements of the past in the development of Co-operatives in the State;
- (e) to improve and update Co-operative movement employees' skill in record keeping and updating of account;
- (f) to assist the substantial and wide-ranging corporate business sector in the State in meeting its economic potentials through access to improved and appropriate enterprise development training;
- (g) to establish the training for the local identification and the expression of training needs and a mechanism for the efficient delivery of focused training, information and other services; and
- (h) to enhance efficiency and effectiveness of co-operative movement employees.

### **PART III**

#### *Funds, Assets and Accounts*

#### **11. Fund and resources of the Institute**

(1) The Institute shall establish and maintain funds which shall be applied towards the promotion of objectives specified in this Law.

(2) All expenditures incurred by the Institute shall be defrayed from the funds.

(3) The funds of the Institute shall consist of—

- (a) such sums as may from time to time be granted by the Federal and the

State Government;

- (b) fees charged for services rendered by the Institute;
- (c) all sums accruing to the Institute by way of gifts, testamentary disposition and endowments or contributions from philanthropic persons or organisations or otherwise howsoever;
- (d) such sums or property as may from time to time be advanced by way of loan or grant to the Institute by any Local Government, statutory corporation, agency or Institute, international organisation, foundation or any other person;
- (e) such sums as may accrue to the Institute from its investments, property and other sources; and
- (f) all such other sums or property payable to or vested in the Institute under this Law or by virtue of any other enactment.

(4) All sums received by the Institute shall be credited to the account of the Institute.

## **12. Power to accept gifts**

(1) The Institute may accept gifts of land, money or other property upon such terms and conditions, if any, as may be specified by the person or organisation making the gift.

(2) The Institute shall not accept any gift if the conditions attached by the person or organisation making the gift thereof are inconsistent with the functions and objectives of the Institute.

## **13. Borrowing power**

(1) The Institute may with the consent of the Commissioner borrow by way of loan or over-draft from any source any monies required by the Institute for meeting its obligations and discharging its functions under this Law.

(2) The Institute may, subject to the provisions of this Law and the conditions of any trust created in respect of any property, invest all or any its funds with the consent or approval of the Commissioner.

(3) The Board may invest any surplus funds of the Institute in such securities as may approved by the Governor.

## **14. Expenditure of the Institute**

The Institute may incur expenditure necessary for or incidental to the carrying out of any functions or objectives under this Law subject to the approval of the Board.

**15. Annual estimates, account, and audit**

(1) The Board shall cause to be prepared not later than 30th June in each year an estimate of the expenditure and income of the Institute during the next succeeding year and when prepared they shall be submitted to the Commissioner for approval.

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

(3) The accounts of the Institute shall be audited as soon as may be after the end of each year.

**16. Annual report**

The Board shall not later than 30th September in each year, submit to the Commissioner a report on the activities of the Institute and its administration during the immediate preceding year and shall include in such report the audited accounts of the Institute.

## **PART IV**

### ***Conditions of Service in the Institute***

**17. Conditions of service**

(1) There shall be paid to members of staff assigned or seconded to the Institute from the public service the same salary grade level as is applicable to their substantive posts in the public service together with relevant allowances.

(2) The Board shall approve payment of stipend to part-time lecturers.

## **PART V**

### ***Other Incidental Matters***

**18. Acquisition of land**

(1) For the purposes of section 28 of the Land Use Act, acquisition of land by the Institute shall be deemed to be for public purpose.

[No. 4 of 2006.]

(2) Where title to land has been conferred on the Institute adequate and fair compensations shall be paid to the previous title holders.

**19. Representation in Court**

In any law suit, the Institute may at any stage of the proceedings be represented in Court by a State Counsel or any other legal practitioner as may directed by the Board.

**PART VI**

*Miscellaneous and Transitional Provisions*

**20. Standing orders 192**

Subject to this Law and section 27 of the Interpretation Law the Board may make standing orders regulating the proceedings of the Board or of any committee thereof.

[Cap. 15.]

**21. Quorum**

The quorum of the Board shall be the Chairman and two other members, and the quorum of any committee of the Board shall be determined by the Board.

**22. Meetings**

The Board shall meet for not less than two times in each year and, subject thereto, the Board shall meet—

- (a) whenever it is summoned by the Chairman; and
- (b) if the Chairman is required to do so by notice given to him by not less than three members, he shall summon a meeting of the Board to be held within fourteen days from the date on which the notice is given.

[No. 4 of 2006.]

**23. Presiding at meetings**

At any meeting of the Board the Chairman shall preside; but if he is absent, the members present at the meeting shall appoint one of their numbers to preside at that meeting.

**24. Power to co-opt**

Where the Board desires to obtain the advice of any person on a particular matter, the Board may co-opt him as a member for such period as it thinks fit; but a person who is a member by virtue of this section shall not be entitled to vote at any meeting of the Board and shall not count towards the quorum.



**25. Committees**

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

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

**26. Seal**

the fixing of the seal of the Institute shall be authenticated by the signature of the Chairman or of some other member authorised generally to act for that purpose by the Board.

**27. Validity of proceedings**

The validity of any proceedings of the Board or of a committee thereof shall not be affected by any vacancy in the membership of the Board or of a committee or by reason that a person not entitled to do so took part in the proceedings.

**28. Power to make regulations**

The Commissioner may with the approval of the Governor make regulations generally for the purposes of this Law.

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# KWARA STATE CO-OPERATIVE TRAINING INSTITUTE LAW

## SUBSIDIARY LEGISLATION

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*No Subsidiary Legislation*

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