

EDUCATION LAW

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CHAPTER 37

EDUCATION LAW

A Law to make provisions for the regulation and promotion of public education in the State and for related matters.

[27th August 1991]

PART 1— PRELIMINARY

- 1. This Law may be cited as the Education Law
- 2. (1) In this Law—

"adult education classes means classes of not less than ten adults, which work on any approved syllabus and which may work outside the normal hours of instructions;

Short title

Interpretation

“appointed day” means day of coming into force of this Law; "body" includes the Commission, a Board of Governors, a school committee or other committee appointed by or under this Law or a parents teachers association;

“certificated teacher" means teacher holding a valid teacher's certificate recognized m issued by the ministry;

"Chairman" mean- Chairman of the Commission;

“college" includes any post-secondary, teacher training or higher institution of learning.

"Commission” means Stale Education Commission;

“Commissioner” means Commissioner charged with responsibility lot education:

"evening classes' means classes for the education of adults which work on approved syllabus and which normally start not earlier than 5pm and closes not later than 9pm,.

"Government" means Government of the State;

"Governor" means Governor of the State;

"graduate" mentis holder of a degree or equivalent qualification recognized by the Ministry;

“manager” means—

(a) in relation to a school conducted by the proprietor in person, the proprietor;

(b) in relation to a school not conducted by the proprietor himself, the person appointed by the proprietor to be the responsible local representative of the proprietor; and

(c) in the case of a State School, the Commission, or a local Government, as the case may be;

“Ministry” means Ministry of Education; "nursery school" means school providing education mainly for children who have attained the age of two years but have not attained the age of six years and in which instruction is aimed at teaching the children good physical habits and to be socially co-operative The curriculum shall comprehend games, stories, simple handiwork, painting and similar activities suitable to the age of the children;

"parent” in relation to a child includes the person who has the lawful custody of the child;

“parents-teachers association" means an association of parents of children of a particular school with the teachers of that school,

"preliminary training centre" means an institute for the training of boys and girls in preparation for their entry into service as uncertificated or vocational teachers;

"primary school" has the meaning assigned to it in paragraph 2 of the First Schedule to this Law;

“private institution" means a school which is not a Government institution, and is nut assisted from funds provided by the Government;

“property” includes movable and immovable property and the interests and rights attaching thereto;

“proprietor” includes any person or group of persons normally resident in Nigeria by whom a school is established and in the case of a State School, Enugu State;

“register” means register of teachers established in accordance with this Law; “school” means an assembly of not less than ten persons for the purpose of receiving regular instruction in a form of education of whatever kind, but not -

(a) a class or institution solely for the training of catechists, priests or other ministers of religion: or

(b) a class for religious instruction:

“secondary school” has the meaning assigned to it in paragraph 3 of the First Schedule;

“State school” means school or institution vested in the State under the provisions of this Law or otherwise established and managed by the State in accordance with the provisions of this Law;

“teacher training college” has the meaning assigned to it in paragraph 8 of the First Schedule;

“trade centre” means an institution in which there is or there are provided a course or courses of training in industrial crafts or trade; “training college” means an institution for the training of teachers: “voluntary agency” includes a person, mission, society, company or corporation or any other body or persons who or which is proprietor of a school but does not include a local government

(2) On the coming into operation of this Law no new school shall be described as a college unless it is devoted exclusively to post-secondary education.

(3) This Law shall not apply to the Institute of Management and Technology, Enugu, or to any other institution of similar grade, or to the staff of those institutions.

PART II TRANSFER OF SCHOOLS TO THE STATE

3, (1) Subject to the provisions of this Law, there shall be transferred to and vest in the State by virtue of this Law—

(a) every property used for the purpose of a voluntary agency or private school or forming part of such voluntary agency or private school, being property held immediately before the coming into force of this Law, by the proprietor of that school or by trustees for the purposes of that school; and

(b) all rights and liabilities to which any such proprietor or trustees were entitled or subject immediately before the appointed day, being rights and liabilities acquired or incurred solely for the purposes of managing such property as aforesaid or otherwise carrying on the business of the school or any part thereof.

(2) Subject to the provisions of this Law there shall be transferred to and vest in the State by virtue of this Law all schools vested in a Local Government body immediately before the appointed day, and all property and liabilities held or incurred by a Local Government body or to which a Local Government body was subject immediately before the appointed day, being property and liabilities held or incurred solely for the purposes of such schools or any of them.

Transfer of
existing
schools to the
state

(3) This section shall not apply to rights and liabilities arising under—

(a) contracts for the rendering of personal services; or

(b) contracts for any building, repair or oilier work whatsoever or for the supply of any equipment, material or goods of any kind to any school; or

(c) any scheme or contract providing for payment of retiring benefits in respect of officers employed for the purposes of a voluntary' agency school who have ceased to be so employed before the appointed day, being contracts or schemes entered into before the appointed day:

Provided that tins subsection shall be without prejudice to the provisions of this Law relating to the transfer and compensation of officers and the retiring benefits of officers.

(4) All property transferred to the Stale under this section shall vest in the State free of any trust existing immediately before the appointed day, and the Governor may use any such property for the purpose of any of his functions under this law.

(5) In this section, “property used for the purposes of or forming pan of a voluntary' agency or private school" includes—

(a) where there is a site plan submitted by or on behalf of the proprietor of a voluntary agency at private school and approved by the Ministry or other appropriate authority of die Government exclusively for the establishment of a school, the whole of the land comprised in that plan;

(b) where the site plan submitted by that proprietor is approved for the mixed purpose of a school and a church, or hospital or other institution whatsoever, so much of the land comprised in that plan as is demarcated for the establishment of a school and for use in connection with or for the purpose of such school.

6. Where immediately before the appointed day—

(a) any school was built on any land or portion of land other than the land or portion of land comprised in the site plan approved for the establishment of a school; or

(b) any land or building was used for the purposes of a voluntary agency or private school and that land or building is not, or is not situated on. the land comprised in the site plan or portion thereof approved for tire establishment of a school, whether or not such school is situated on the land approved in connection therewith; or

(c) any building was erected on land approved for the establishment of a voluntary agency or private school and that building was used, and continued after the appointed day to be used, for a purpose other than, the purpose of a school.

then as from the appointed day—

(i) in the case of (a) above, that school and any land shall vest in the State and be used for (he purposes of a school under this Law;

(ii) in the case of (b) above, the building and the land shall vest in the State and be used for the purposes of a school under this Law;

(iii) in the case of (c) above, the building and the land shall vest in the State and be used for the purposes of a school under this Law

7. Where after the appointed day any land or building used for the purposes of a voluntary agency or private school is converted for purposes other than the purposes of a school, such conversion shall be of no effect and such land or building shall continue to be used for the purposes of a school under this Law.

8 Any person who, after the appointed day, with intent to defeat or stultify the purposes of this Law, converts or does any act in furtherance of an intention to convert, a school building or land or other building used in connection therewith for purposes other than the purposes of a school under this Law, shall be guilty of an offence and shall be liable, on conviction, to a fine of two hundred naira or imprisonment for six months or to both such fine and imprisonment.

Land declared by
commissions

4. (1) Where—

(a) there is no site plan or survey plan of any land used for the purpose of or forming part of a voluntary agency or private school; or

(b) such site plan or survey plan of such land is lost or destroyed; or

(c) there is otherwise doubt as to whether any land was before the appointed day used for the purposes of or formed part of a voluntary agency or private school; the Commission or its officers, servants or agents, may enter upon such land and, after satisfying itself or themselves, by inquiry or otherwise, that the land was so used or forms part of land so used, or is otherwise required for the purposes of a school, the Commission may by a declaration published in the Enugu State Gazette declare that such land or such part of such land is property used for the purposes of a school named in that declaration.

(2) A declaration made under this section shall come into effect on the date of its publication in the Enugu State Gazette unless otherwise specified

(3) The Commission shall cause notice of a declaration under this section to be permanently displayed at any conspicuous place upon the land required.

(4) Upon a declaration being made under subsection (1) such land shall by virtue of such declaration vest in the State for the purposes of this Law

(5) In this section “land” includes any building, structure or other immovable property

Acquisition of
land by
Governor

5, (1) Where any land is required by the Commission either for the purposes of a new school under this Law or for the expansion of an existing school, the Governor may cause such land to be acquired in accordance with the appropriate law in force in the State, and subject to the payment of compensation determined in accordance with that law.

(2) A purpose for which land may be acquired under subsection (1) is a public purpose within the Public Lands Acquisition Law

Right to remove
unauthorised
persons

6. (1) Where any land-

(a) vests in the State under this Law; or

(b) is declared under section 4 to be property used for the purposes of a school; the Commission or Local Government as the case may be. or any officer, servant or agent of the Commission or Local Government, duly authorized in writing in that behalf, may at any time between six o'clock in the morning and six o'clock in the evening, except on Sundays and days declared to be public holidays, enter upon such land or any building or structure thereon and. without prejudice to any other remedies to the Commission or Local government remove from such land, building or structure—

(i) any person who is remaining or residing there, or who is carrying on any unauthorized duties or business thereon or therein as the case may be; or

(ii) any property whatsoever which is unlawfully on the land or in any building or structure on the land.

(2) No action whatsoever, whether civil or criminal, shall be entertained by any court against the Commission or Local Government or against an officer, servant or agent of the Commission or Local Government duly authorized as in subsection (1) for removing any person or property under that subsection or for the doing of any other act authorized by that subsection.

(3) Any person who —

(a) obstructs the Commission or Local Government, or an officer, servant or agent of the Commission or Local Government or of the Government whilst—

(i) doing any act authorized under subsection (1)

(ii) making use of any land or property vested in the State under this Law, or

(iii) making any Survey or plan of any land under subsection (1) of section 9, or doing any oilier act necessary or required under this Law to be done on any land whether or not vested to the State under this Law or any other law; or

(b) otherwise interferes with such land or property; shall be guilty of an offence and shall be liable, on conviction, to a fine of six hundred naira or to imprisonment for two years or to both such fine and imprisonment.

(4) The Commission or Local Government may, without prejudice to any other remedies available to it, institute criminal proceedings in its own name against any offender under this section and may prosecute such action by any officer, servant or agent of the Commission authorized m that behalf by the Commission

(5) Without prejudice to subsection (4) the Stale may institute criminal proceedings against such offender

7. Where in carrying out the provisions of this Law any conflict or dispute arises as to the ownership of any property, or as to whether such property is or is not being used for the purposes of a school, it shall be lawful for the Commission or Local Government or the

officers, servants or agents of the Commission to use such property for the purposes of a school under this Law.

Action for
compensation

8. (1) Subject to subsection (2) of this section, no action whatsoever other than a claim for compensation before the State School Valuation and Compensation Commission shall be instituted by any person against the Commission or Local Government or any officer, servant or agent of the Commission or Local Government for any Claim or declaration whatsoever in respect of any property which is being used by the State or the Commission or Local Government by virtue of this Law or is vested in the State by virtue of this Law.

(2) No action whatsoever relating to any claim for compensation in respect of such property vested in the State by virtue of this law or used by the State or the Commission or Local Government or an officer, servant or agent of the Commission under the authority of rite provisions of this Law, shall be entertained by any court until an order of such compensation as may be determined by the State Valuation and Compensation Commission has been made to him.

Survey of
school
property etc

9. (1) The Commission or Local Government or an officer, servant or agent of the Commission or Local Government or of any Government Ministry or other Government Department duly authorized in that behalf may, for the purpose of surveying, or making the plan of, or doing any other act necessary or required to be done under the provisions of this Law on any land, whether or not vested in the State by this or any other law, enter upon and pass over such land or any other land and thereon or therein do such acts as are necessary for or incidental to the proper execution of his duties.

(2) For the purposes of subsection (1), sections 8, 10 and 11 of the Survey Law shall apply and have effect with respect to this Law.

(3) Any person who without lawful authority enters upon any land, building or property vested or deemed to be vested in the State under section 3 or 1 or used by the State or the Commission under the authority of section 7 shall be guilty of an offence and liable on conviction to a fine of two hundred naira or imprisonment for six months or to both such fine and imprisonment.

Right to
comprehension

10. (1) Subject to this section, there shall be paid to a proprietor or any other person in respect of any property vested in the State or used by the Commission or local Government by virtue of this Law such compensation as may be determined by the State School Valuation and Compensation Commission under subsection (4) of this section:

Provided that in determining who is entitled to compensation and the amount of compensation payable in each case, regard shall be had to all the circumstances of the case including—

(a) whether the proprietor is a community of a church body or other society;

(b) the amount or value of contribution, if any made by any community or group in respect of whom or in whose area the school is built, towards the establishment or acquisition of that school, or the purchase of any equipment for the school,

(c) the amount of any grant made by the Government of the former Eastern Nigeria or any other Government in Nigeria for any purpose as in paragraph (b) above

(2) Any person who claims that he is entitled to compensation but has not been paid any or that the amount of compensation awarded by Government is inadequate, may after the State School Valuation and Compensation Commission has considered his claim and an offer of such compensation as may be determined by the State School Valuation and Compensation Commission has been made, bring a claim in the High Court having jurisdiction in the area where the property is situated for a determination of his interest or the amount of compensation to be paid to him

(3) For the purposes of this section, the Governor shall as soon as may be after the commencement of this Law, set up a State School Valuation and Compensation Commission which shall consist of persons appointed by the Governor and shall perform the functions conferred by this section.

(4) The functions of the State School Valuation and Compensation Commission shall be —

(a) to ascertain the value in money of any property vested in the State or used by the Commissioner Local Government by virtue of this Law in respect of which compensation is payable.

(b) to determine the amount of compensation to be paid to the proprietor or any other person in respect of such property;

(c) to entertain such other matters with regard to compensation as the Governor may refer to it, and

(d) to report to the Government the findings of the Commission in matters referred to it and the amount of compensation determined by the Commission,

(5) The provision of the Seventh Schedule shall have effect with respect to the State School Valuation and Compensation Commission

(6) No action shall be brought in any court under subsection (1) of this Section unless and until the State School Valuation and Compensation Commission has considered the claims of the proprietor or any other person and made a recommendation to the Government on the amount of compensation to be paid to the proprietor or any other person

(7) Any person aggrieved by any decision of the State School Valuation and Compensation Commission as to his entitlement to, or the adequacy of any compensation, may instead of going to Court in the first instance, protest against such decision by a petition addressed to the Governor through the Attorney-General.

Provided that nothing in this subsection shall prevent (the person from bringing a claim for compensation in the High court thereafter if the Governor rejects this petition or fails to meet his claim.

(8) Without prejudice to the provision of section 12 nothing in this Part of this Law shall be construed as obliging the Governor to acquire any school or property which is not required by the Governor for the purposes of this Law.

11. (I) Save as provided in this Law with respect to the control of schools, nothing in this Law shall have effect or be construed to have effect as preventing any person from practising any religion of his own choice, or preventing any parent from bringing up his children in accordance with the principles of any religion.

(2) Subject to the provisions of this Law and to regulations made thereunder, I here shall set aside on every Thursday which is a school day a period for religious instructions, by any religious groups, of all children who volunteer to attend or whose parents express no objection to their attending such religious instructions

(3) No racial qualification shall be required of any member of staff, teacher or pupil in any school or institution, and no such member, teacher or pupil shall be under any disability or suffer any disadvantage on the grounds of race or nationality; nor shall any pupil be refused Admission to any school or institution or be under any disability or suffer any disadvantage on the grounds of religion.

Prohibition of
non state
Schools

12. (1) Subject to section 13 of this Law, and to the provisions of Educational transfer of School Law, as from the appointed day, any school established and operated otherwise than in accordance with the provisions of this Law shall be an illegal school.

(2) Any person who contravenes the provisions of this section by being concerned in the establishment or management of an illegal school shall be guilty of an offence and shall on summary conviction be liable to fine of one thousand naira or imprisonment for five years or to both such fine or imprisonment, and to a further fine of one hundred naira for every day the offence continues after such conviction

13. (1) After the commencement of this Law the establishment, management or running any nursery school, evening classes or adult education classes shall be in accordance with regulations made by the Commissioner

Nursery
schools
evening and
adult
education
classes

(2) After commencement of this Law any person who opens, runs or manages an institution mentioned in subsection (1) of this section otherwise than in accordance with the provisions of this law shall be guilty of an offence and shall be liable, on conviction, to a fine of two hundred naira or imprisonment for six months or to both such fine and imprisonment, and to a further fine of one hundred naira for every day the offence continues after such conviction.

(3) Subject to subsection (2) regulations made under this section may contain provisions imposing penalties for the contravention of any provisions of such regulations

PART IV—MANAGEMENT OF STATE POST-PRIMARY SCHOOLS

14. In this Part—

"member" means member of fee Commission.

Interpretation

15. (1) There is hereby established a body to be known as the State Education Commission which shall be a body corporate with perpetual succession and a common seal and with power to sue and be sued in its corporate name.

Establishment
of the
commission

(2) The Commission shall consist of a Chairman, a Deputy Chairman and live other members appointed on full time basis by the Governor

16. (1) Subject to the pleasure of the Governor, a member shall hold office for five years but shall be eligible for reappointment.

Tenure of
office of
members

(2) Except as provided in subsection (1) the terms and conditions of appointment of a member of the Commission shall be contained in the instrument or letter by which fee member is appointed.

17. (I) The Commission shall—

Functions
of the
commission

(a) in respect of the control of post-primary schools or institutions and subject to the general directions of the Commissioner—

(i) manage all post-primary schools or institutions being State schools within fee meaning of this Law;

(ii) collect school fees and other revenue;

(iii) supervise schools or institutions;

(iv) investigate any matter affecting such schools or institutions or any one of them;

(v) place students in such schools or institutions;

(vi) consult with and advise the Ministry upon such matters connected with educational policy, theory and practice as it thinks fit and upon any question referred to it by tire Ministry;

(b) in respect of the control of teaching and non-teaching staff and employees of the Commission but subject to the general directions of the Governor—

(ii) appoint persons to hold or act in offices as teachers in post-primary schools or institutions and confirm such appointments,

(ii) appoint, upon such salaries, terms and conditions of service as it may think fit such non-teaching staff and employees as may be necessary for the proper and efficient discharge of the functions of the Commission and Board of Governors and confirm such appointments;

(iii) promote the teaching and non-teaching staff and employees;

(iv) dismiss and exercise disciplinary control over the teaching and non-teaching staff and employees for misconduct and inefficiency relating to the services of the leaching and non-teaching staff and employees, respectively.

(v) transfer teaching and non teaching staff and employees from one post-primary school or institution to another or from one office to another office, as the case may be;

(vi) in case of professional misconduct on the part of a teacher, refer such case to a committee constituted in accordance with section 29;

(vii) pay the salaries and other emoluments of the teaching and non-teaching staff and employees;

(vii) deploy any of such staff and employees;

(ix) with the approval of the Governor make regulations generally relating to die conditions of service of the teaching and non-teaching staff and employees including schemes for the

grant of pensions, gratuities and other retiring allowances of such staff and employees and their dependants and for contribution to any pension or provident fund;

(c) exercise all other functions assigned to it by any other enactment.

(2) Subject to this Law, the Commission shall in respect of its teaching and non-teaching staff and employees, have, exercise and enjoy the like functions and immunities as the State Civil Service Commission has, exercises and enjoys in respect of officers in the State Civil service

(3) Subject to this Law all complaints, reports, or allegations of misconduct against a teacher employed or deemed to be employed under previous enactments, shall be inquired into or dealt with in accordance with the provisions of this Law

18.(1) Subject to this section, the Commission may regulate its own procedure by means of standing orders.

Procedure of
Commission

(2) The provisions of section 34 shall have effect in respect of the Commission

19. For the purposes of any disciplinary proceedings under this Law, the Commission shall have power

Powers of the
Commission

(a) to procure and examine all such evidence and all such witnesses as it may think fit;

(b) to require the evidence of any witness to be made on such oath as would have been taken by the witness if he were giving evidence in a magistrate's court;

(c) to issue a warrant to compel the attendance of any person who after having been summoned to attend fails to do so and does not before the warrant is issued explain such failure to the satisfaction of the Commission and require him to pay all costs which shall have been occasioned in compelling his attendance or by reasons of his refusal to obey the summons;

(d) to enter upon any land at all reasonable time, for the purposes of obtaining any information or evidence.

20.(1) The Commission may delegate any of its functions under this Law to—

Delegation of
powers by the
Commission

(a) any of its member

(b) the Commission's Secretary and his staff;

(c) the principal of any post-primary school or institution;

(d) a Board of Governors; or

(e) any committee of the Commission;

and may impose on the exercise of any functions so delegated any conditions that it may think fit

(2) Nothing in this section shall prevent the Commission from exercising any function so delegated

21. Subject to its rules of procedure and to the provisions of this Law as to the *quorum* at meetings of the Commission, the Commission or Board of Governors established under this

Law may notwithstanding any vacancy in its membership or the absence of a member thereof, or any defect in the appointment of such member.

Resignation
of member

22. A member of the Commission appointed under subsection (2) of section 15 may resign his appointment by writing under his hand addressed to the Governor and upon the receipt of such letter of resignation the appointment of that member shall determine.

Secretary to
Commission

23. The Governor shall appoint a suitable person to be Secretary to the Commission who shall be responsible for the day to day administration of the affairs of the Commission and conduct the correspondence and keep the records thereof and perform such other administrative duties as the Commission may from time to time direct which are placed upon him under this Law.

Board of
Governors.

24(1) The Commission may appoint a Board of Governors in each of the post-primary schools or institutions in the State which, subject to and in accordance with regulations made under this Law and such directions as may be given by the Commission, shall generally see to the welfare of the school or institution, and in particular furnish, equip and maintain the school or institution.

(2) A Board of Governors shall consist of -

(a) a chairman;

(b) a representative of the Ministry,

(c) two representatives of the community in the Local Government area in which the school or institution is situated;

(d) two representatives of the Parents-Teachers Association of the School or institution, where such association exists.

(e) the principal of the school or institution,

(3) The principal of the school or institution shall also act as Secretary to the Board.

25.(1) There shall be paid out of moneys provided by the Government payment by the such expenses incurred by the Commission (including expenditure incurred by a Board of Governors in exercising functions on behalf of the Commission) as the Commission may determine with the approval of the Governor.

Payment by
the
Commission

(2) All expenditure of a Board of Governors approved as aforesaid shall be defrayed by the Commission

(3) Any payments made under regulations in respect of any loss of remunerative time or any traveling or subsistence expenses to the members of any body constituted under this Law shall be defrayed out of moneys provided by the Government.

(4) Payments made under this section shall be in accordance with regulations made by the Governor.

(5) Subject to any direction that the Government may give from time to time in relation thereto, all school fees collected by the Commission under this Law except the part thereof approved by the Government to be retained by principals of schools or institutions for the running thereof shall be paid into the Government Treasury.

26.(1) Every principal of a post-primary school or institution and everybody constituted under this Law shall Keep accounts of the sums received and expended by him or it in the exercise of his or its functions whether under this Law or under any other enactment, and those accounts of other departments or corporations of the Government, as the case may be.

(2) Each body constituted under this Law other than the Commission shall prepare and transmit to the Commission in respect of each financial year its annual accounts.

(3) The Commission shall prepare and transmit to the Governor in respect of each financial year annual accounts in such form as the State Ministry charged with responsibility for matter relating to finance may prescribe.

(4) The Ministry shall prepare an annual report incorporating the final accounts of the year of such bodies including the Commission: the final accounts shall be in such form as the Ministry of Finance may direct and shall be Transmitted on or before 30th day of October in each year to the Auditor -General who shall examine and certify them and send copies of them together with his report thereon to the Governor.

27. (1) Subject to subsection (3) of this section, all teachers and other staff employed in or for the purposes of post-primary schools or institutions being teachers or staff previously employed under the provision of any other law, shall be, or be deemed to have been employees of the Commission, and any sum payable to such leathers and stuff shall be paid directly from the public funds of the State,

(2) There shall be uniform service conditions for all employees of the Commission throughout the State.

(3) A person in the civil service of the State who is a leather employed or deemed to be employed by the Commission under this Law shall be entitled to elect either—

(a) to be transferred and to become an employee of the Commission; or

(b) to remain a public officer under the State Civil Service Commission

28. There shall be paid to the Chairman and other members of the Commission appointed under subsection (2) of section 15 such sums in respect of allowances and expenses as the Governor may determine

29. (1) Where a complaint or report against a teacher relates to —

(a) the commission by the teacher of a misconduct, other than a professional misconduct within the meaning of the Sixth Schedule; or

(b) the conviction of the teacher of a felony or misconduct;

the disciplinary measures that the Commission may take upon the report being proved may include—

(i) the dismissal of the teacher from his employment as a teacher

(ii) compulsory retirement of the teacher;

(iii) suspension of the teacher from teaching for a period not exceeding two years;

(iv) reduction of the teacher in rank:

Employment
of teachers and
other staff

Allowances
and
expenses

Report
against a
teacher.

(v) with holding or deferring of the teacher's increment for a period not exceeding one year.

(vi) any other measure which the Commission may consider appropriate in the circumstances of any particular case.

(2) Where the complaint or report against a teacher relates to professional misconduct within the meaning of the Sixth Schedule the Commission shall refer such report or complaint to a committee

Disciplinary
action.

30. Notwithstanding section 18(1) the Governor may make regulations providing for the procedure to be followed by the Commission or any of the committees appointed by the Commission in the exercise of its disciplinary functions.

Committees
of the
Commission

31.(1) Without prejudice to the generality of the provisions of section 20 the Commission may at any time if it so requires appoint one or more committees of the Commission and may delegate to any such committee such of its functions as it thinks may better be dealt with by such committee including in particular its functions relating to—

(a) professional misconduct of a teacher employed or deemed to be employed by the Commission which falls within the meaning of the Sixth Schedule; and

(b) the conviction of any such teacher of a felony or misdemeanor;

Provided that nothing in this section shall prevail the Commission from exercising any functions hereby delegated.

(2) Members of such committee may include such persons not being member of the Commission as the Commission may appoint.

(3) No decision of the committee appointed under this section shall have effect unless it is confirmed by the Commission.

32.(1) Where a person who holds a public office as a teacher is dismissed from that public office for misconduct and the Commission is of the opinion that such misconduct is such as would warrant the removal of his name from the register, the Commission shall refer the matter to a committee.

Misconduct
of public
officer.

(2) The Committee shall inquire into such case in accordance with the provisions of this Law.

33.(1) If in any case the Commission considers that the public interest so requires, it may interdict a teacher from the exercise of his functions:

Interdiction
of the
Commission

Provided that such interdiction shall not be earned out unless disciplinary proceedings are or are about to be taken, or that criminal proceedings are being instituted, against him.

(2) A teacher who is interdicted shall be paid such part of his salary and emolument, not being less than one half, as the Commission may think fit.

(3) Where the teacher is interdicted pursuant to subsection (1) and the disciplinary proceedings against the teacher do not result in the removal of his name from the register or in dismissal or other punishment, he shall thereafter be entitled to the full salary and emolument which but for the interdiction he would have received.

(4) Any report of any misconduct of whatever nature against a teacher, and any report that a teacher has been convicted of a felony or a misdemeanour, shall in the first instance be transmitted to the Commission.

Fake
statement

34. Any person who makes any false statement or makes or utters any false document to the Commission or a Committee in any disciplinary proceedings before the Commission or the Committee, is guilty of an offence and liable, on conviction, to imprisonment for six months or to a fine of two hundred naira or to both such imprisonment and fine.

Privilege

35.(1) Any report, statement or other communication sent to the Commission at the request of the Commission or in connection with the exercise of its functions shall be deemed in any legal proceedings to be sent to the Commission in pursuance of a public duty

(2) The production of any such report, statement or communication may not be compelled in any legal proceedings if the Chairman certifies that such production is not in the public interest.

(3) In this section "legal proceedings" includes any inquiry held under the provisions of this Law or any other law

Meeting of
the
Commission

36.(1) **At any meeting of the Commission the Chairman shall** preside but, subject to subsection (2) if the Chairman is temporarily absent or incapacitated from exercising his functions, the Deputy shall preside and failing him the members present shall elect one of their number to preside at the meeting, and such member shall have all the powers of the Chairman for that meeting.

(2) If at any time the office of the Chairman becomes vacant, or the chairman is away from the State, or is incapacitated from exercising his powers or performing his duties, the Governor may appoint any other person to perform the functions of the Chairman during such vacancy, absence or incapacity

(3) At any meeting of the Commission the Chairman and two other members shall form the quorum, but if the Chairman is absent, three members shall form the quorum.

(4) At any meeting of the Commission the Chairman or other member presiding shall have an original and a casting vote

(5) The Chairman shall cause all the members other than members absent from duty or on leave to be summoned to every meeting of the Commission

(6) The Secretary shall on the instruction of the Chairman issue the agenda for every meeting: provided that if any two members jointly request that any matter relevant to the functions of the Commission be included on the agenda, the Chairman shall cause it to be so included.

(7) All decisions of the Commission shall be by a majority of votes of the members present and voting:

Provided that any member dissenting from the decision shall be entitled to have his dissent recorded in the minutes together with his reasons thereof.

(8) Save with the consent of the Chairman, matters discussed at a meeting shall be limited to items listed on the agenda.

(9) Unless the Commission otherwise directs, meetings shall be held once week; provided that the Commission may by resolution permit any member to be absent from any such meeting and nothing in this section shall prevent the Chairman from calling a meeting of the Commission at any time.

(10) Except as provided in subsection (11) all questions coming or arising before the Commission shall be considered at a meeting of the Commission and any decision taken shall be recorded in the minutes of the Commission.

(11)(a) Subject to the provisions of this subsection the members of the Commission may consider any matter without a meeting; the Chairman shall circulate the relevant paper to other members who shall record their views and recommendations thereon to writing.

(b) If the views and recommendations of member are not unanimous the matter shall be placed upon the agenda for the next meeting

PART IV – FEEDING OF STUDENTS IN STATE POST – PRIMARY SCHOOLS

37. In this Part -

“Agency” means the State Schools Feeding Co-ordinating Agency established by section 40

“Committee” means a Food Committee established in accordance with section 31 of this Law;

38(1) Subject to this Part, and notwithstanding anything to the contrary in Part III or any enactment, the Commission shall in each of the post-primary schools or institutions in the State set up a food Committee which shall consist of—

(a) the Principal.

(b) two teacher nominated by the member of the leaching stuff;

(c) the most senior House master or Mistress;

(d) the matron, where applicable-,

(e) The Head Prefect,

(f) students to be selected two from each class;

and accordingly any conferred on the Board of Governors pursuant to section 24 of this Law to the extent that it relates to the management of food or the feeding of the students in any post-primary school or institution shall be assigned to, and become the responsibilities of, the Committee.

(2) The Committee shall in the exercise of its function under this Law from time to time consult the Board of Governor of the school or institution for which it is set up or periodically report to it all the activities of the Committee for the advice of the Board of Governors; and the Board of Governors shall give such advice but shall have power to give directions to the Committee,

(3) The Principal shall be the Chairman of the Committee in his school or institution,

Interpretation

Establishment
of food
Committee.

39. The Committee shall be charged with responsibility for the feeding of the students in the post-primary school or institution for which it is established including the supervision thereof and the appointment of buying agents and food contractors and also the acceptance of tender for the purchase of food materials or items which tender shall be decided by a ballot drawn in the Committee. Decisions of the committee shall be by a simple majority of members.

40. The quorum shall be two-thirds of the members of the Committee.

Quorum of
Committee

41. Section 24 of this Law shall have effect ns if a Committee is a body constituted under that section and accordingly shall be liable to keep accounts as required by that section.

Accounts

42(1) For the purpose of co-ordinating the functions and supervising the work or activities of the Committee, there shall be appointed by' the Commission a State Schools Feeding Co-ordinating Agency' which shall in accordance with this Law be responsible for—

Establishme
nt of School
Feeding Co-
ordinating
Agency

(a) supervising the feeding standard and facilities in all post-primary schools and institutions in the State; and

(b) salvaging ailing or maladministered school feeding systems in time of crisis.

(2) The agency shall consist of such persons which appear to the Commission to have wide experience and knowledge m matters relating to food or school feeding systems.

43.(1)There shall be for all post-primary schools or institutions in each Local Government Area a Food Ombudsman who shall be appointed by the Commission from among the members of staff of the Commission and who shall exercise functions in accordance with this Part of this Law,

Food
Ombudsma

(2) The Ombudsman shall —

(a) be charged with responsibility for direct supervision of all matters relating to the feeding standard in the school; and

Functions of
Ombudsman

(b) ensure that the food provided in the schools is within such reasonable standard as may be envisaged or prescribed by the . Commission.

(3) In the exercise of his functions under subsection (2), the Food Ombudsman shall report all his findings or observations from time to time to the Commission which shall make such report, along with its comments, available to the agency and the Committee affected by such report.

44. The Commission may give to the Committee or the agency or specific character relating to its functions under this Law and the Committee or as the case may be the agency shall comply with such directions.

Directions by
the
Commission

PART V —SYSTEM OF EDUCATION

45. (1) It shall be the duly of the Commission to develop a planned and integrated educational system for the State, and to formulate educational policy and to take all such steps as may be desirable for the maintenance of standards necessary to secure the spiritual, moral, mental and physical development of the people of the State.

System of
Education

(2) In the exercise of his functions under this Law the Commissioner shall take steps to ensure that every child of primary school age shall be afforded an opportunity to receive a full primary school education in the State school.

(3) The Commissioner shall take steps to ensure that full opportunities are created for adequate post-primary education in State schools.

(4) The Commissioner shall ensure that—

(a) children in post-primary school are encouraged to attend as day students;

(b) steps are taken to provide school meals at nominal cost to children at school;

(c) a parents-teachers association is sponsored in every school to provide intimate supervision of the performance of the school.

46. (1) Subject to this Law, the Commission in the exercise of its functions under this Law shall establish, encourage, recognize and assist educational institutions of the types set out in the First Schedule.

(2) There shall be constituted such institution- as are defined in the First Schedule which shall provide such schemes of education as are laid down in the Schedule.

47.(1) The Commission after consultation with the Commissioner may by regulations make provisions—

(a) for admission of pupils into State schools;

(b) for instructions to be given in schools;

(c) adding to, deleting or varying any of the particulars contained in the First Schedule;

(d) for the fees, if any, to be charged in any State school.

(e) for discipline in State schools;

(f) for the furnishing of educational returns at such periods as may be prescribed in the regulations, and the form of such returns;

(g) for withdrawal or removal of pupils from State schools

(2) The Commission may in the regulations make provisions for the penalty to be annexed to any breach of the regulations.

Provided that such penalty shall not exceed two hundred naira or six months imprisonment.

(3) The regulations contained in the Second Schedule to this Law shall be in force until such time as they are varied, amended or revoked by regulations made under this section.

48. (1) Subject to this Law, the Commissioner after consultation with the Commission may by regulations make provisions for —

(a) the curricula for the State schools;

(b) the certificates to be awarded to pupils in any State school and the examinations for such certificates

Educational
institutions:
First Schedule

Regulation by
the
Commission

Regulations by
the
Commissioner.

(2) The Commissioner may in the regulations make provisions for the penalty to be annexed to any breach of the regulations;

Provided that such penalty shall not exceed two hundred naira or six months imprisonment.

PART VI—OPENING AND CLOSURE OF SCHOOLS AND INSTITUTIONS

Establishment
of schools

49(1) The Commissioner may from time to time establish new schools or institutions which shall be State schools.

First
Schedule

(2) Subject to subsection (1), no new school or institution shall be established or opened without the written approval of the Commissioner

(3) No new school or institution shall be approved by the Commissioner which is not of a type specified in the First Schedule to this Law.

Commissioner
may call for
information

50. Within three months of the receipt by the Commissioner of an application to open a new school or institution, the Commissioner may in his discretion call for any information from the applicant or any other person to guide him in deciding whether to approve of the opening of such new school or institution.

Power to
refuse or
withheld
approval of a
new school.

51. (1) Subject to the provisions of any regulations made under section 56 of this Law, the Commissioner may withhold or refuse approval for the opening of a new school or institution where the Commissioner is satisfied that the proposed school or institution will not be in the best interest of education or of the persons to be served

(2) If the applicant is aggrieved by the decision of the Commissioner not to approve the opening of a new school or if no approval is given before the date on which it is proposed to open the new school or institution, the applicant may appeal to the Governor who may make such order as he thinks fit.

Power to close
schools and
institutions.

52. (1) Subject to any regulations made under section 56 the Commissioner may order any school or institution to be closed—

(a) where an offence against this Law has been committed in respect of that school or institution, or

(b) where in the opinion of the Commissioner the closure of the school or institution will be in the best interest of education or of the persons to be served

(2) The proprietor of any school or institution closed by order of the Commissioner may appeal in writing within three months from the date of the order to the Governor who may make such order as he may think fit.

53.(1) A person who —

(a) establishes or opens a school or institution without the approval in writing of the Commissioner under section 49 of this Law; or

(b) manages or runs a school or institution established or opened without such approval is guilty of an offence.

(2) A person who publishes an advertisement in connection with a school or institution mentioned in subsection (1) is guilty of an offence

Offences

(3) Where there is an order for the closure of a school or institution and there is no appeal against the order or the order has been confirmed on appeal, a proprietor, who fails to close the school or institution within the time specified in the order or such as the Governor may have substituted, is guilty of an offence.

(4) A proprietor, manager, headmaster, principal or other person who runs, manages or teaches in any school or institution in respect of which an offence has been committed under subsection (3), is guilty of an offence.

(5) A proprietor, manager, headmaster or principal who is guilty of an offence under this section shall on conviction be liable to imprisonment for one year or to a fine of two hundred naira

(6) Any person, other than a person mentioned in subsection (5), who is guilty of an offence under this section shall on conviction be liable to a fine of two hundred naira.

54. (1) In proceedings for an offence punishable under section 34. It shall be presumed that a person —

(a) who has —

(i) employed a teacher in a school or institution mentioned in subsection (1) thereof, or

(ii) collected fees in respect of that school or institution. is a proprietor of the school or institution unless from evidence it appears that he is the manager of the school or institution, in which case he shall be deemed to be the manager of the school or institution;

(b) who has performed the functions of a headmaster or principal of that school or institution was during the performance, a headmaster or principal as the case may be, of that school or institution.

(2) A proceeding under section 54 shall be without prejudice to any other proceeding under this Law.

55. Any person who is required under this Part to furnish information or particulars to the Commissioner and who knowingly furnishes false information or particulars shall be guilty of an offence and liable, on summary conviction, to a fine of two hundred naira, and such conviction and sentence shall be without prejudice to any other proceeding which may be taken against him under this Law.

56.(1) The Commissioner may make regulations—

(a) prescribing the particulars to be furnished by a person applying to open a new school or institution, the person or persons who may make such application, the time within which and the form in which such application may be made.

(b) prescribing the conditions to be fulfilled for the opening of a new school or institution including the time within which the same must be opened and the provisions relating to the land, premises, buildings, anti equipment of the proposed, school or institution, and the number and type of classes:

(c) providing for the inspection of my school or institution whether new or otherwise for the purposes of this Law;

Further provisions as to offences under section 34.

Furnishing false particulars.

Regulations as to new school.

(d) prescribing the form and contents of any order made under the provisions of section 52 and subject to the provisions of that section, prescribing the grounds on which such an order may be made;

(e) providing for the revision, variation, appeal from a cancellation of any order made under section 51 or 52;

(f) prescribing the manner in which or the condition on which a proprietor may discontinue a school or institution;

(g) providing for the union of two or more public institutions;

(h) generally for carrying into effect the provisions of this Law.

(2) Any regulations made under paragraph (f) of subsection (i) shall contain provisions as to —

(a) the conveyance of the premises to any person or body of persons to whom such premises are to be conveyed and the payment (if any) to be made thereof;

(b) the powers of the Commissioner with regard to such discontinuance including the power to impose a penalty in respect of a proprietor discontinuing an institution other than in accordance with the regulations made under this section.

(3) There shall be annexed to the breach of any regulation made under this section such penalty not exceeding two hundred naira or such imprisonment not exceeding six months as the Commissioner may think fit

(4) The regulations contained in the Third Schedule to this Law shall be in force until such time as they are varied, amended or revoked by regulations made under this section.

PART VII—INSPECTION OF SCHOOLS AND INSTITUTIONS

57.(1) The Inspectorate Division of the Ministry shall ensure that all schools are regularly inspected to ensure the maintenance of standards.

Inspection of schools.

(2) The manager or any person in charge of a school or institution shall allow the Commissioner in that behalf to enter and inspect the school or institution at any reasonable time, and shall produce for such inspection any books or records kept in connection with the school or institution and furnish any information or particulars which the Commissioner, inspector or other person may demand with regard to the care and tuition of the pupils, the names and qualifications of members of the staff and generally with regard to the management of the school or institution.

58. A manager or other person for the time being in charge of a school or institution who obstructs the Commissioner, inspector or other authorized person in the performance of his duties under section 57 who on demand by the Commissioner, inspector or other person gives any information which he knows to be false or does not believe to be true shall be guilty of an offence and shall on summary conviction be liable to a fine of two hundred naira or imprisonment for twelve months

Officers

59. The Commissioner may make regulations for- -

(a) the conduct of the inspection of schools and institutions under this Part;

- (b.) the milking of reports of inspections and the notification to any person of the contents or part thereof of any report;
- (c) the manner in which any person affected by a report may notify the authority to whom it is made that he disputes any fact or opinion contained in the report.

PARI VIII—PROVISIONS RELATING TO ADMINISTRATION

60.(1) The Commissioner may delegate to any officer of the Ministry all or any of the functions conferred upon him by this Law other than any power to make regulations under this Law

(2) Any such delegation shall be revocable at will and no delegation shall prevent the exercise by the Commissioner of any of the functions delegated.

(3) The delegation may be made either generally or in respect of any particular function and shall be in writing and, when made generally, shall be published in the Enugu State Gazette

61(1) The Commissioner may after consultation with the Commission cause such inquiries to be held at such places as he may consider necessary or desirable for the purposes of this Law.

Provided that no such inquiry shall be held into the conduct of any school, college or institution save where it has been shown to the satisfaction of the Commissioner that such school, college or institution is being conducted in a manner not in the best interest of the pupils.

(2) The Commissioner may by writing appoint any person or persons to conduct an inquiry under this section and shall direct whether or not such person or persons shall sit with assessors.

(3) The Commissioner or the person appointed by him under subsection (2) shall cause a notice of the time and place of the inquiry to be given to any school or person appearing to him to be interested in the subject matter of the inquiry

(4) the person or persons conducting the inquiry under this section shall submit a report to the Commissioner at the conclusion of the inquiry

(5) When after consideration of a report submitted under subsection (4) the Commissioner is satisfied that such school, college or institution is being conducted in a manner not in the best interest of the pupils, the Commissioner may, after consultation with the Commission, order such school, college or institution to be closed,

(6) The proprietor of any school, college or institution closed down by order of the Commissioner may appeal in writing within three months from the date of the order, to the Governor who may make such order as he thinks fit,

62.(1) The Commissioner or any person or persons appointed by him under section 61 shall in relation to any inquiry have the following powers—

(a) to procure all such evidence, written or oral, and to examine all such persons as the Commissioner or the person may think fit:

(b) to require evidence of any witness to be made on oath or affirmation, such as could be required if the witness were giving evidence in a Magistrate's Court:

Powers of
Commissioners or person
conducting
inquiry.

Delegation of
Commissioner's
functions

Power to
hold
inquiries

(c) to summon any person to attend any inquiry to give evidence, and to examine him as a witness or require him to produce any document or other thing in his possession.

(d) to issue a warrant to compel the attendance, of any person who, after having been summoned to attend, fails to do so and does not excuse such failure to the satisfaction of the Commissioner or person appointed by him, and to order him to pay all costs which may have been occasioned in compelling his attendance or by reason of his refusal to obey the summons:

(e) to enter upon any land, including State land, for the purpose of obtaining information or evidence.

(2) Then: shall be paid to any person summoned as witness under paragraph (c) of subsection (1) such out-of-pocket expenses as shall be determined by the Commissioner

63. A summons issued under paragraph (c) of subsection (1) of section 62 shall be as in Form A in the Fourth; Schedule, and a warrant issued under paragraph (d) of that subsection shall be as in Form B of the Fourth Schedule.

64. A person called as witness in any inquiry held under section 61 shall not be excused from answering any question on the ground that the answer may incriminate or tend to incriminate him:

Provided that an answer by a witness to any question put at the inquiry shall not, except in the case of criminal proceedings for perjury or like offence in respect of such evidence, be admissible in evidence in any civil or criminal proceedings.

PART IX—REGISTRATION OF TEACHERS

65(1) The Ministry shall establish and maintain a register showing the names, qualifications and other particulars of teachers authorized to teach in the schools of the State

(2) The Commissioner may designate an officer in the Ministry to be registrar of teachers for the purposes of this Law.

(3) The register may be maintained in parts in such places as the Commissioner shall determine and part of the register may be confined to the registration of teachers with particular qualifications or to teachers teaching in any specific area

(4) The Commissioner on the advice of the registrar may refuse to enrol any person in the register if he is satisfied that the applicant is not a fit and proper person to be a teacher

(5) A person shall be deemed to be registered within the meaning of this Part if immediately before the appointed day he was registered as a teacher in accordance with the provisions of any written law.

(6) Any unregistered person who teaches in a school after the appointed day shall be guilty of an offence and on conviction shall be liable to a fine of one hundred naira or imprisonment for six months.

(7) No person shall teach in any school after his name has been removed from the register or during any period of suspension

Forms of
summons
es and
warrants
Fourth
Schedule

Obligation
of
witnesses
to answer
questions

Registration
of teachers

(8) A person who contravenes the provisions of subsection (7) or a manager or proprietor who knowingly permits that contravention is guilty of an offence and liable on conviction to a fine of one hundred naira and, on second or subsequent conviction, imprisonment for six months or a fine of one hundred naira or both.

PART X—MISCELLANEOUS PROVISIONS

66. Notwithstanding the provisions of any other Law no civil action whatsoever by any person against the State, the Commission or a Local Government or against any officer, servant or agent of such Commission in respect of any act or thing done in pursuance of any provisions of this Law, shall be entertained by any court unless a claim for compensation in respect of that property has been brought before the State School Valuation and Compensation Commission and until an offer of such compensation as may be determined by the said Commission has been made to him.

No action
until offer of
compensation

67.(1) Subject to the provisions of this Law, the Commissioner may by regulations make provisions—

Other
regulations.

(a) for the registration of teachers, including the form of the register, the duties of the registrar, the qualifications for registration, the different grades and the qualifications required of such grades of teachers, and the removal of names from the register;

(b) for the examination of teachers and the classification of certificates given to teachers;

(c) for the instructions to be given in teacher training institutions;

(d) requiring any student or any person—

(i) to give such security as may be prescribed for the completion of the course of instruction; or

(ii) to serve as a teacher in a State school for such period after the completion of the course of instruction as may be prescribed under this Part;

(e) specifying acts which shall be professional misconduct for teachers.

(2) Until any other regulations are made in this respect—

(a) the regulations contained in the Fifth Schedule to this law in relation to teachers shall have effect on the commencement of this Law; and

(b) the regulations contained in the Sixth Schedule to this Law specifying acts classified as professional misconduct on the part of teachers shall have effect on the commencement of this Law'.

68. The Governor may issue to the Commission and to any other body established by or under this Law, directions of a general or specific character as to the performance by the body of all or any of its functions and the body shall give effect to such directions.

Directions to
the
Commission.

FIRST SCHEDULE

(Section 46)

TYPES OF EDUCATIONAL INSTITUTIONS

1. Pre-primary Schools or Nursery Classes, which means classes held at a nursery school.
2. Primary Schools, which means schools mainly for children who have attained the age of six years in which provision is made for instructions as follows -

PRIMARY 1

- (1) Speech training, dictation and conversation in the children's vernacular. In areas where there is no vernacular approved for school work in reading and writing, the beginnings of speech training and conversation in simple English.
- (2) In areas where there is an approved vernacular, practice in simple conversational English.
- (3) The elements of reading and writing in an approved vernacular, or in areas where there is no approved vernacular, the elements of reading and writing in English.
- (4) Handwriting, the first stages.
- (5) Mathematics.
- (6) Hand and eye training by handicrafts suitable for children of infant school age.
- (7) Nature study.
- (8) Religious knowledge.
- (9) Training in health habits.
- (10) Physical education through games.
- (11) Drawing and colour work.
- (12) Singing and dancing
- (13) Dramatics.
- (14) Simple science

PRIMARY 2—3

- (1) Speech training, dictation and oral composition and conversation in a vernacular approved for the area in which the school is situated.
- (2) Speech training and conversation in English.
- (3) Reading and written composition in the approved vernacular.
- (4) Beginning of work in the reading and writing of English.
- (5) Handwriting.
- (6) Mathematics.
- (7) Religious knowledge.
- (8) Nature study and gardening
- (9) Hygiene.

- (10) Physical education through simple exercises, games and dancing.
- (11) General studies
- (12) Handcrafts suitable to the pupils' age and locality.
- (13) Music.
- (14) Art.
- (15) Dramatics.
- (16) General Science.

PRIMARY 4—6

- (1) Oral and written composition, reading and grammar in approved vernacular.
- (2) Oral and written composition, recitation, grammar, dictation and reading in English.
- (3) Handwriting.
- (4) Mathematics.
- (5) Moral instruction
- (6) Religious knowledge.
- (7) Rural science
- (8) Domestic subjects and needlework.
- (9) History and citizenship.
- (10) Geography.
- (11) Art.
- (12) Handicrafts suited to the age and sex of the pupils and to the locality.
- (13) Hygiene.
- (14) Physical education and organised games
- (15) Music.
- (16) Dramatics
- (17) General science.

3. Secondary Schools, which means schools to which pupils are normally admitted after passing Primary 6 in a primary school and providing full-time education for pupils above twelve years of age and in which provision is made for instruction in a selection from the following subjects—

- (1) English language and literature.
- (2) Mathematics.
- (3) Science.

- (4) Agriculture.
- (5) African language and literature
- (6) Classical and modern European languages.
- (7) History and civics.
- (8) Geography.
- (9) Handicrafts.
- (10) Technical drawing
- (11) Building subjects.
- (12) Engineering subjects.
- (13) Commercial subjects.
- (14) Typography; compositor's works; press and machine work.
- (15) Art.
- (16) Art crafts subjects.
- (17) Domestic subjects and needlework.
- (18) Physical education and organised games.
- (19) Hygiene.
- (20) Moral instruction.
- (21) Religious knowledge
- (22) Music
- (23) Dramatics and debating

(Secondary schools may be classified by the Commissioner as Grammar. Commercial. Comprehensive or Technical according to the syllabus followed).

4. Technical Institutions, which means institutes which provide full-time technical to sub-professional or professional level in mechanical, civil and electrical engineering, building, commerce and such other industries that may develop on a scale large enough to warrant the provisions of training courses. Students enter the institute at the age of fifteen to sixteen years and must possess at least Primary 6 pass or First School Leaving Certificate. They must also pass the institute's entrance examinations.

A further development in the work of the institute will be the provision of part-time day and evening courses for the persons who are already employed in a particular sphere and wish to take advantage of further education schemes.

5. Trade Centres.

6. Handicraft Centres.

7. Domestic Science Centres.

8. Colleges for the training of teachers, which means institutions where students follow the syllabuses prescribed for the examinations for the Ministry certificates for teachers.

9. Classes for the education of adults, which means classes of not less than ten adults, which work on any approved syllabus and which may work outside the normal hours of instruction.

10. Post-Secondary Colleges

SECOND SCHEDULE

REGULATIONS FOR SCHOOLS AND INSTITUTIONS

(Sections 46 and 48)

1. (1) At every State school and every private school or institution the following records and books shall be kept by the person in charge and produced at the request of an inspecting officer—

(a) a register of admission, progress and withdrawals;

(b) a register of attendance and fees;

(c) a log book, in which shall be entered from time to time as they occur the introduction of new books, apparatus or courses of instruction, any plan of lessons approved by an officer of the Ministry, the visits of managers or inspectors, absence, illness or failure of duty on the part of any of the staff of the institution, or any special event or circumstances of future reference or which for any other reason, deserve to be recorded

Provided that —

(i) any report made by an inspecting officer or a manager shall be copied verbatim into such log book as soon as possible and shall be checked and signed as correct by the manager or inspecting officer on his next subsequent visit; and

(ii) save in the case of such reports, opinions shall not be recorded; and

(iii) no entry in such log book shall be made except by the proprietor, manager or teacher in charge of the school or institution;

(d) a cash account of the State school showing every item of receipt and expenditure.

(e) a copy of this Law and all regulations made thereunder and any amendments thereto;

(f) a time-table approved by the Ministry which must be permanently and conspicuously exhibited in the principal classrooms;

Provided that a copy of such time-table which relates to a particular class must be conspicuously exhibited in the room in which such class is accommodated;

(g) weekly diaries of literary and practical work and teachers' working notes of at least one lesson per day;

(h) a visitor's book;

(i) a corporal punishment book in which shall be entered, by the headmaster or senior teacher present, the date of all such punishment awarded, the nature of the offence and of the punishment, the name of the teacher administering the punishment, and the name of the pupil punished;

(j) a record of progress on which promotions in primary and secondary classes have been based.

(2) The registers and books specified in paragraphs (a), (c) and (d) of subsection (1) shall be kept for at least ten years and those specified in paragraph (b), (i) and (j) for at least two years after the last entry.

(3) The teacher in charge shall keep and maintain in a conspicuous place in every classroom a notice on which shall be recorded in large characters the superficial area and cubic capacity of the room and the maximum number of pupils authorized by regulation 8 to be accommodated in such room.

2. Failure to comply with any of the provisions of regulation 1 (1) shall be an offence and shall upon summary conviction render the teacher in charge liable to a fine of four naira and to an additional fine of four naira in respect of each and every day during which such offence continues (in addition to any proceeding which may be taken against him under the Law), but so that no such fines shall in the aggregate exceed two hundred naira.

Offence and
penalty.

3. In all State schools the total period of instruction each day shall not be less than three and a half hours in the case of primary I —3 or four and half hours in the case of other State schools or departments thereof.

Hours of
attendance.

4. Where the total period of instruction in a State school consists of one period a day during which the pupils receive instruction for not less than three and half hours in the case of primary 1 – 3, or four and half hours in the case of other State schools or departments thereof, the period shall be divided into two parts each of which shall count as an attendance period

Where total
period of
instruction
counts as
two
attendance
periods

5.(1) The attendance register must be marked and finally closed five minutes after an attendance period begins.

Attendance
register to
be marked

(2) If any pupil entered in the register is withdrawn from the school before the attendance period is completed, the entry of an attendance must be cancelled.

6. Attendance at a school or class other than a nursery school or class shall not be reckoned in respect of a child under six years of age.

Attendance
of children
under six

7. The Commission or a Local Government as the case may be, shall not retain in any class or department of a State school any pupil whose age or record of progress in the opinion of the Commission makes his retention in that class undesirable.

Attendance of
children
undesirable b
reason of age

8. The accommodation in any State school or in any class of such Accommodation school shall be deemed to be insufficient unless there is provided in each classroom in respect of each pupil accommodated therein at least 2.5 cubic metres of internal space and 0.8 square metre of floor space.

Accommodation

9. (I) All punishment shall be reasonable, taking into account the age and sex of the offender and the nature of the offence.

(2) Corporal punishment shall be administered only by the Headmaster or by a teacher authorized by him

Provided that no female pupil shall receive corporal punishment from a male teacher.

Transfer and leaving certificate.

10. (1) A transfer certificate in the form approved by the Commission and signed by the head teacher shall, at the request of his parent or guardian, be issued free to a pupil leaving any school or institution but no transfer certificate need be given unless all tuition and boarding fees owed by the pupil to the school or institution have been paid.

(2) A leaving certificate by the head teacher, or education officer, shall, at the request of his parent or guardian, be issued to a pupil leaving any State school but no leaving certificate need be given unless all tuition and boarding fees owed by the pupil to the school or institution have been paid. The leaving certificate shall indicate the highest class which the pupil has passed and the date of the period during which he has attended the school or institution,

(3) A head teacher who refuses to give a transfer certificate in accordance with sub-regulation (1) shall be liable to a fine of ten naira

Admittance of pupil consequent upon production of transfer or leaving certificates

11. (1) A pupil who has left one State school shall not be admitted to another State school unless he produces a transfer or leaving certificate from the school he has left showing that no fees are owing to such school.

(2) A head teacher who accepts a pupil without a proper transfer certificate shall be liable to a fine of ten naira

12.(1) The Commissioner may after consultation with the

Refusal to accept propriety or manager of school or institution

Commissioner refuse permission to any proprietor to continue to be in charge of a school or institution if he is not satisfied that such person is a fit and proper person to be in charge of such school or institution.

(2) Where the Commissioner has refused permission to any proprietor to be in charge of a school or institution, he shall communicate to him in writing the reason for such refusal, and such person shall have the right to appeal in writing to the Governor, The decision of the Governor shall be final.

13. The manager of a private school or institution or, in the case of a State school, the Commissioner or a Local Government Education Department, as the case may be or any person authorized by either of them in that behalf shall visit such school or institution at least twice in every year, see that the books and records prescribed by these regulations are properly kept, and record the result of his visit in the log book.

Duty as to books and records.

THIRD SCHEDULE

REGULATIONS FOR APPLICATIONS TO OPEN NEW SCHOOLS

[Section 4)

1. Application to open a new school or institution shall be made in writing by the proprietor addressed to the Commissioner.

Application to open school or institution

2. Such application shall contain the following particulars—

Particulars to be supplied.

- (a) the name and address of the proprietor of the school or institution.
- (b) the name and address of the manager.
- (c) the situation of the school or institution,
- (d) a plan of the school buildings or of the building of the institution,
- (e) the type of school or institution, the number and type of classes and the medium of instruction. and
- (f) such other particulars as the Commissioner shall require

3. (1) Application shall be made not less than six months before the day on which it is proposed to open the school or institution.

Times.

(2) The Commissioner shall communicate his approval or disapproval to the proprietor at least one month before the day on which it is proposed to open the new school or institution.

4. If a new school or institution is not opened within three months of the beginning of the school year subsequent to the application under regulation 3 (1). the application shall be deemed to have lapsed.

Lapse of application

FOURTH SCHEDULE

Form A

Summons of Witness Under Section 62(1) (c) of the Education Law

To(name of person summoned and his calling and residence if known)

.....

You are hereby summoned to appear before(here name the person by whom the inquiry is to be

.....

appointed by the Commissioner for Education to inquire.(state briefly the subject of the inquiry)

.....

at(place).....

upon the.....day
 of.....20.....at.....

o'clock and to give evidence respecting such inquiry;(if the person summoned is to produce any

documents, add) and you are required to bring with you (specify books and documents required)

.....
.....

Therefore fail not at your peril.

Given under my hand this.....day
of.....20...

Signed.....
.....

*Commissioner for Education/person appointed to hold inquiry

.....

*Whichever is applicable

Form B

Warrant of Arrest under section 62 (1) (d) of Education Law

To P.C.....and any member of the Nigeria Police Force .

Whereas a summons under section 62(1) (c) of the Education Law, has been served upon one
(name of witness).....

of address.....

to attend and give evidence before(here named the person appointed to hold the inquiry)

.....

appointed by the commission for education to inquire(state briefly the subject of inquiry)

.....

...

at(place).....

...

upon the.....day of

.....20.....

and whereas the said (name of

witness.....has

neglected to be or appear at the time and place as aforesaid and it has been proved to me upon
oath that the said summons has been served upon the said (name of witness).

----- and
who has not excused such failure to my satisfaction; I have to command you forthwith to
apprehend the said(name of witness)-----

-----And to bring him before
me,

Given under my hand at -----this -----day of -----20-----

**Commissioner for Education/person appointed to hold inquiry*

*Which ever is applicable

FIFTH SCHEDULE

REGULATIONS CONCERNING TEACHERS

Section
(2) (a)

1. The register of teachers shall be in such form as the Commissioner may determine

Registration of
teachers

2. A teacher to be eligible to have his name enrolled as a graduate teacher must have a degree or equivalent qualification granted by a university or institution recognized by the Commissioner

Conditions for
enrolment of
graduate
teacher

3. A teacher to be eligible to have his name enrolled as certificated teacher must have one of the following qualifications—

Condition for
enrolment of
certificated
teacher

(a). a diploma of education considered satisfactory- by the Commissioner,

(b). any teacher's certificate, other than a vocational teacher's certificate issued or recognized by the Commissioner either under these regulations or under any regulations in force.

(c). a certificate issued by any other authority and considered by the Commissioner to be equivalent to a teacher's certificate of Nigeria; or

(d). such other qualifications as are considered adequate by the Commissioner;

4. A teacher to be eligible to have his name enrolled as a vocational teacher must possess such technical qualifications as are considered adequate by the Commissioner

Conditions for
enrolment of
vocational
teachers

5. Except with the permission of the Commissioner no person, other than the holder of a School Certificate awarded by the West African Examination Council, or a certificate recognized as equivalent by the Commissions, may be enrolled as an uncertificated teacher unless he—

(a). (i) is over sixteen years of age, and

Enrolment of
vernacular and
probationary
teacher

- (ii). is recommended by a school manager;
- (iii). is in possession of a recognized primary school leaving certificate; and
- (iv). has, after obtaining such certificate, either
 - (i). taught for at least two years in a school recognized by the Commissioner, or
 - (ii). successfully completed a year's course of approved preliminary teacher training; or
- (b). has successfully completed three years in a secondary school or a course of instruction of two years in post-primary education approved by the Commissioner.

Application for
enrolment as a
teacher

6. (1) A person may be enrolled as vernacular teacher in an area in which the registration and employment of a vernacular teacher has been approved by the Commissioner

Provided that the Commissioner is satisfied that the person is a fit person to be so enrolled.

(2) Except with the permission of the Commissioner, no person other than a vernacular teacher shall be registered as a probationary teacher, unless he is in possession of a recognized primary school leaving certificate or its equivalent.

Examination for
the grant of
teachers'
certificate

7. Application for the enrolment of a person upon the register shall be made by the person himself in the form prescribed by the Commissioner.

Examination
for the grant of
teacher's
certificate

8. (1) The Commissioner shall cause examinations to be held for the granting of teachers' certificates from time to time, certificate.

(2). The syllabuses for such examinations and the rules governing their conduct and any changes or amendments thereto shall be approved by the Commissioner after consideration by the Ministry and shall be published in the Gazette and the Commissioner after consideration by the Ministry shall give at least two years' notice of any change in the syllabus for any particular examination by notice in the Gazette

(3). The Commissioner shall cause such Syllabuses and such rules as are in force to be published for sale to the public.

Honorary
certificate

9. Honorary teachers' certificates may be granted by the Commission Honorary to teachers, other than probationary teachers, who have been engaged in teaching for a period of not less than ten years, and who can give evidence of ability and good character to the satisfaction of the Commissioner. Such certificates shall contain an endorsement indicating the standard to which the holder is entitled to teach or, if the holder is a vocational teacher, the subject in which he is entitled to teach, and may contain a further endorsement indicating the class of

certificate under these regulations to which the honorary certificate shall be deemed equivalent.

Successful candidates	10. A list of candidates who have been awarded certificates shall be published in the Gazette.
Teacher training syllabuses	11. The syllabuses for teacher training institutions shall be prescribed by the Commissioner.
Teachers agreement	12. Every teacher whose employer shall cause to be trained at a teacher training institution shall enter into an agreement with his employer in a form to be prescribed by the Commissioner. Such agreement shall regulate the relationship between the teacher and his employer during the course of the teachers' training and shall prescribe a period of service with that employer after the completion of the training.
Classes of teachers	13. The following are the recognized categories of teachers- (a). graduate teachers; (b). certificated teachers; (c). vocational teachers; (d). uncertificated teachers; (e). vernacular teachers, and (f). probationary teachers.
Grades of certificated teachers	14. (1) Certificated teachers shall be graded as follows— (a). elementary teachers who are certificated to teach in primary schools up to and including Primary 4; (b). higher elementary teachers who are certificated to teach up to and including primary 6 in primary schools or Class 1 in secondary schools; and (c). senior teachers who are certificated to teach in primary schools and complete secondary schools, but in secondary Classes 3 to 5 and the Sixth Form may teach only the subject endorsed on their certificates. (2) Certificated teachers, who have one of the qualifications set out in regulation 3 (a) (b), (c) and (d) of this Schedule, may teach such subjects and in such classes as the Commissioner may determine.

15. (I) Except with the approval of the Commissioner, no certificated teacher shall teach any class higher than that specified in regulation 14 of this Schedule as appropriate to his certificate, and no uncertificated or probationary teacher shall teach beyond Primary 4 in a primary school

(2) No probationary teacher shall be in charge of a school.

Teachers in
charge of
secondary
schools

16. Teachers in charge of secondary schools or departments must except in special cases allowed by the Commissioner be graduates of a university recognized by the Commissioner.

17. The minimum staff required in any school shall as far as practicable be as follows—

Minimum staff

(a). in a primary school or department one teacher for each forty pupils or part thereof on the register .

(b). in a secondary school one teacher for each thirty pupils or part thereof on the register:

Provided that

(i). no teacher may teach more than two classes at the same time:

(ii) for a special subject approved by the Commissioner and shown in the time-table or by reason of the sickness of a member of the staff or some other special circumstance, more than forty primary pupils or thirty pupils in a secondary school may be allowed to one teacher at the same time

18. (1) No manager except with the permission of the Commissioner

Manager
not to
employ
teacher

may employ a teacher, who is employed at the full rate of salary prescribed by the Law, to teach outside the recognized attendance periods in any school or institution other than that at which he is employed.

Outsider
attendance
periods

(2) No teacher in full-time teaching employment shall teach at more than one school or institution without the approval of the Commissioner.

Teacher not
to teach out-
side the
school or
institution at
which
employed

SIXTH SCHEDULE

ACTS SPECIFIED AS PROFESSIONAL MISCONDUCT

(Section 67)

1 Immorality with a school pupil.

2. Misappropriation of school funds

3. Dishonest conduct in relation to an examination.

4. Suppression or falsification of school records or statistics.
5. Bribery, corruption or extortion in connection with school duties
6. Teaching the children of his school outside school hours for private gain.
7. Teaching the children of another school without the concurrence of the managers.
8. Conducting an illegal school either as proprietor, manager or headmaster.
9. Continuing to teach in an illegal school after warning.

SEVENTH SCHEDULE

PROVISIONS RELATING TO THE STATE SCHOOL VALUATION AND COMPENSATION COMMISSION

[Section 10 (4)]

1. The Commission shall, subject to its powers under paragraph 4 below, hold its sitting in public unless the Governor gives directions to the contrary; but the Commission shall nevertheless be entitled to exclude any particular person for the preservation of order in the conduct of its business or for any other reason.

2. If any member of the Commission or any person appointed to act on the Commission is or becomes unable to act, the Governor may appoint another person in the place of such member or person appointed to act.

3. (1) The Commission may make such rules for the conduct of the proceedings, time and place of meetings and adjournments as it may think fit, subject to its terms of reference.

(2). If the event of the members of the Commission being equally divided on any question that arises during the proceedings of the Commission, the person presiding shall have a second or casting vote.

4. The Commission shall have power-

- (a). to procure all such evidence, written or oral, and to examine all such persons as witnesses as the Commission may think necessary or desirable to procure or examine;
- (b). to require the evidence (whether written or oral) of any witness to be made on oath or declaration, such oath or declaration being that which could be required of the witness if he were giving evidence in a Magistrate's court;

Powers of
Commission
with regard to
obtaining of
evidence and
conduct of
proceedings

(c). to summon any person in Nigeria to attend any meeting of the Commission to give evidence or produce any document or other thing in his possession and to examine him as a witness or require him to produce any document or other thing in his possession subject to all just exceptions.

(d). to issue a warrant to compel the attendance of any person who, after having been summoned to attend, fails to do so, and does not excuse the failure to the satisfaction of the Commission, and to order him to pay all costs which may have been occasioned in compelling his attendance or by reason of his refusal to obey the summons;

(e). to admit any evidence, whether written or oral, notwithstanding that such evidence might have been inadmissible in civil or criminal proceedings before a court of law, and to act on such evidence;

(f). to admit or exclude the public or any member of the public from any meeting of the Commission:

(g). to admit or exclude the press from any meeting of the Commission;

(h). to award any person who has attended any meeting of the Commission, including any interpreter, such sum or sums as in the opinion of the Commission may have been reasonably expended by him by reason of such attendance;

(i). to enter upon any land, whether State land, communal land, land at the disposal of a Local Government, land occupied by any person or community, or unoccupied land, for the purpose of obtaining evidence or information required by, or which may be required by, or which may be of assistance to, the Commission:

Provided that the Commission shall withhold the exercise of any power under this paragraph if in the opinion of the Governor or the Head of the Federal Government as the case may be, as maybe certified to the Commission, the exercise of such power would encroach unduly upon the territorial or other jurisdiction of the State Government Or the Federal Government, as the case may be.

5. (I) Summonses to witness may be as in Form A hereunder and shall be served by the police or by such persons as the Commission may direct.

(2). A warrant to arrest a person who failed to obey a summons to attend as a witness may be as in Form B hereunder and may be executed by a member of the police force or, where the person to be arrested is subject to the jurisdiction of a community or Local Government by any person authorized by such Local Government to effect it.

6. (I) The Commission shall have power to appoint any person, whether in the public service or not to act as interpreter in any matter brought before it and to translate any books, papers or writings produced to it.

(b) An interpreter appointed under this paragraph shall take and subscribe the following oath, or as the case may be, make and subscribe before the Commission the following affirmation or declaration—

I---do swear (or solemnly affirm or declare) that I will faithfully perform the duties of interpreter, and will truly translate or explain all documents entrusted to me for such purpose to the best of my ability, and that I will not, except as authorized by the Commission, directly or indirectly reveal the contents of such documents as may be entrusted to me, nor the evidence given by witnesses which may have been interpreted by me.

(3). An oath, affirmation or declaration under this paragraph shall be administered by the Chairman of the Commission or person acting in his place.

7. No evidence taken before the Commission under this Law shall be admissible against any person in any civil or criminal proceedings whatsoever, except in the case of a person charged under paragraph 9 of this Schedule with giving false evidence before the Commission.

8. (1) Any person who threatens, insults or injures any person for having given evidence, or on account of the evidence which he has given before the Commission, shall be guilty of an offence and shall be liable, upon summary conviction, to a fine of two hundred naira or to imprisonment for two years.

(2) Any person who hinders or attempts to hinder any person from giving evidence before the Commission or by threats deters or attempts to deter any person from giving evidence, shall be guilty of an offence and shall be liable, upon summary conviction, to a fine of two hundred naira or to imprisonment for two years.

9. (1) Any person who gives false evidence before the Commission upon oath or declaration as provided in paragraph 4 of this Schedule shall be guilty of an offence and shall be liable upon summary conviction to imprisonment for two years.

(2) Any person who, being appointed by the Commission to act as interpreter in any matter brought before it, or to translate any document produced to it, and having taken the oath or made the affirmation or declaration prescribed in paragraph 6 of this Schedule, wilfully gives a false interpretation of any evidence or makes an untrue translation of any document, shall be guilty of an offence and shall be liable upon summary conviction to imprisonment for two years.

10. Any person who, being summoned to attend as a witness or to produce a book, document or any other thing, refuses or neglects to do so or to answer any question put to him by or with the concurrence of the Commission, shall be liable on summary conviction, to a fine of one hundred naira:

Provided that no person shall be bound to incriminate himself, and every witness shall, in respect of any evidence written by him for, or given by him before, the Commission, be

Restriction
against use of
evidence in
judicial
proceedings

evidence
false
interpretation

False evidence
and false
interpretation

Penalty for
failing to
give
evidence

entitled to the same privileges to which he would have been entitled if he were giving evidence before a court of law

11. Any person who being in attendance as a witness, refuses to take the oath legally required by the Commission to be taken or to produce any document in his power or control legally required by the Commission to be produced by him, or to answer any question to which the Commission may legally require an answer, shall be liable on summary conviction before a Magistrate's Court, to a fine of one hundred naira.

Penalty for refusing to take oath or give evidence by person in attendance as a witness

12. Any person who commits an act of contempt, whether or not the act is committed in the presence of the Commission, shall be liable on a summary conviction by a Magistrate's Court, to a fine of two hundred naira.

Proceedings in respect of contempt generally

13. The following shall be deemed to be an act of contempt within the meaning of this Law—

Definition of contempt

(a). an act of disrespect and an insult or threat offered to the Commission or any member thereof while sitting in Commission;

(b). an act of disrespect and an insult or threat offered to a member of the Commission at other time and place on account of proceedings in his capacity as a member of the Commission.

14. (1) Where an act of contempt is alleged to have been committed but not in the presence of the Commission, the Commission may summon the offender to appear before it at a time and place to be specified in such summons, there to show cause why he should not be judged to have committed an act of contempt and be dealt with accordingly.

(2) If any person who has been summoned in accordance with sub-paragraph (1) to attend at the time and place specified in the summons, fails to attend at such time and place, the Commission may issue a warrant to compel the attendance of such person and order such person to pay all costs which may have been occasioned in compelling his attendance.

(3). The summons under sub-paragraph (1) and the warrant issued under sub-paragraph (2) may respectively be as in forms C and D hereunder

(4). The summons shall be served by the police or by such persons as the Commission may direct.

15. (1) Witnesses and other persons, other than interpreters, attending at the request of or upon summons by, the Commission, shall, subject to any order made by the Commission, be entitled to expenses as if summoned to attend the High Court in a criminal trial.

(2). Interpreters shall receive such remuneration as the Commission may direct.

Procedure in respect of contempt not in presence of commission

Witness' fees and interpreters remuneration

(3). The payment to witnesses and other persons, and to interpreters, shall be made out of the public revenue.

16. No member of the Commission shall be liable to any action or suit for any matter or thing done, or for anything said, by him as such member.

17. Subject as otherwise expressly provided in this Schedule, and without prejudice to the provisions of any other law, all documents other than those required by law to be under seal (and not being letters or other documents which the Secretary may write and sign in the course of correspondence), and all decisions of the Commission may be signified under the hand of the Chairman and the Secretary

FORM A

STATE SCHOOL VALUATION AND COMPENSATION COMMISSION

Summons to Witness

(paragraph 5)

To A B ----- (name of person summoned. and his calling and residence if known) You are hereby summoned to appear before the State School Valuation and Compensation Commission at -----day of ----- 20 -----at ----- o'clock and to give evidence at the Commission (If the person summoned is to produce any document add) and you are required to bring with you (specify the books and document required). Therefore fail not at your peril

Given under my hand this -----day of ----- 20 -----

Chairman

State School Valuation
and Compensation

Commission

FORM B

STATE SCHOOL VALUATION AND COMPENSATION COMMISSION

Warrant of Arrest

(paragraph 5)

To P.C -----and any member of the Nigeria Police Force.

Whereas a summon under paragraph 5 of the Seventh Schedule to the Public Education Law has been served upon one (name witness) of (address) to attend and give evidence before the State School Valuation and Compensation Commission at (place)

Upon the -----day of -----20 -----

And whereas the said (name witness) neglected to be or appear at the time and place as aforesaid and it has been proved to me upon oath that the said summons has been duly served upon the said {name of witness) and who has not excused such failure to my satisfaction (or that of one of the other members of the Commission).

I have to command you forthwith to apprehend the said (name of witness) and to bring him before me (or one of the members of the Commission)

Given under my hand at -----at -----

this -----day of ----- 20 -----

Chairman

State School valuation
and Compensation Commission

FORM C

STATE SCHOOL VALUATION AND COMPENSATION COMMISSION

Summons to persons Charged with Contempt

(paragraph 14)

To A.B ----- (name of persons summoned) of
(address).

You are hereby summoned to appear before the State School Valuation and Compensation Commission at (place) upon the day of ----- 20 -----

at -----o'clock to show cause why you should not be judged to have committed an act of contempt and dealt with accordingly in that you on the -----day of -----20 -
----- (date of act of contempt), committed an act of contempt against members or the Commission or one of them, namely by the (state briefly the act contempt complained of).

Given under my hand this -----day of -----20 -----

Chairman

State School Valuation
and Compensation Commission

FORM D

STATE SCHOOL VALUATION AND COMPENSATION COMMISSION

Warrant of Arrest for failure to obey summons

(paragraph 14)

To any member of the Police Force -----

Whereas A.B, (Name of person to be arrested) of (address) has failed to obey a summons dead
----- issued under paragraph 14 of the Seventh Schedule to the Education Law.

You are commanded forthwith to apprehend the said A B (Name person to be arrested) and produce him before me or some other member of the Commission at (place where person unrated is to be produced).

Dated this -----day of ----- 20 -----

Chairman

State School Valuation
and Compensation Commission