

ADAMAWA STATE HOUSE OF ASSEMBLY

A BILL  
FOR

A LAW TO ESTABLISH THE ADAMAWA STATE TEACHERS' SERVICE COMMISSION AND  
OTHER MATTERS INCIDENTAL THERETO.

Date of  
commencement

( )

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

Short title and  
Commencement

1. This Law may be cited as Adamawa State Teachers' Service  
Commission Law, 2024 and shall come into operation on the 22<sup>nd</sup>  
day of 01<sup>st</sup> 2024.

Interpretation

2. In this Law unless the context otherwise requires: -  
"Authority" means the Local Government Education Authority or  
anybody with power to do an act;  
"Board" means the Adamawa State Teachers Service Commission  
Board;  
"Commission" means Teachers' Service Commission established under  
Section 3 of this Law;  
"Commissioner" means the Adamawa State Commissioner charged with  
the responsibility for matters relating to Education;  
"Functions" include duties and powers;

"Governor" Means the Governor of Adamawa State of Nigeria;

"Institution" means Public Early Childcare and Development Centre,  
Public Primary School, Nomadic School, Junior Secondary and Senior  
Secondary School;

"Member" means member of the commission and include the  
Chairman;

"State" means Adamawa State of Nigeria; and

"Teacher" means a person who is teaching in Primary School, Secondary  
Schools, Teachers Training Collages, Technical Colleges, Vocational  
Training Centres, Primary Schools and Special Education Centres owned  
by the State Government.

Establishment of  
the Commission.

3. (1) There shall be established a body to be known as the Adamawa  
State Teachers' Service Commission.  
(2) The Commission shall be a body corporate with perpetual succession  
and a common seal, may sue and be sued in its corporate name.

Establishment of  
the Governing  
Board of the  
Commission

4. (1) There shall be established a Governing Board for the Commission,  
which shall consist of the following: -  
(a) a full time Chairman who shall be appointed by the  
Governor, he shall possess a minimum of a University  
Degree in Education, a retired teacher with a proven  
integrity;  
(b) three Permanent members to be appointed by the  
Governor one from each Senatorial Districts and one of  
which must be a woman;  
(c) three part-time members to be appointed by the Governor,  
one from each Senatorial District and one of which must  
be a woman;  
(d) one ex-officio member representing: -  
i. the Ministry of Education;  
ii. the Ministry of Justice;  
iii. the Ministry of Finance; and  
iv. Adamawa State Universal Basic Education Board  
(ADSUBEB);



in all cases not below the rank of a Director.

- (e) one representative of each of: -
- i. Nigerian Union of Teachers (NUT);
  - ii. All Nigeria Conference of Principals of Secondary Schools (ANCOPSS);
  - iii. the State Parents/Teachers Association;
  - iv. the Association of Primary Schools Head teachers of Nigeria (AOPSHON)

Tenure of office of Chairman and Members. 5. The Chairman and Members appointed by the Governor shall hold office for a period of four (4) years in the first instance and shall be eligible for re-appointment for a further period of four (4) years and no more.

Removal of a member from office. 6. Members of the Commission: -

- (a) may at any time be removed from office by the Governor for inability to discharge the functions of his office whether arising from infirmity of the body or mind or any cause whatsoever;
- (b) may resign his membership by notice in writing to the Governor and that Member shall on the receipt of the notice by the Governor cease to be a Member;
- (c) may be removed if he has been indicted by any competent Court of Law or Tribunal or Commission of Inquiry constituted by a competent authority of Adamawa State or of the Federation.

Remuneration of Members 7. Members shall be paid such salaries and allowances as the Governor may determine from time to time.

Functions of the Board of the Commission. 8. The functions of the Board of the Commission shall be:-

- (a) to employ, promote, post, transfer and discipline teachers including Basic Education Teachers who shall be holders of Nigeria Certificate in Education (NCE) and above;
- (b) to post and deploy staff including inter-State transfers;
- (c) to retire and re-absorb teaching and non-teaching staff serving under the Commission;
- (d) to assess and pay salary and allowances of teaching and non-teaching staff based on the Scheme of Service

approved by the enabling Laws;

- (e) to ensure that Annual Reports are rendered by Education Secretaries and Heads of Schools on Teachers serving under them;
- (f) to prepare Testimonials and Certificates of Service for Teaching and Non-Teaching Staff whenever necessary;
- (g) to deal with leave matters including annual vacation for Teachers'/School Administrators;
- (h) to ensure annual auditing of Account;
- (i) to create Child-Friendly School Environment in collaboration with other related Government Universal Basic Education Board, Nomadic Education Agency; etc.,
- (j) to train Teachers;
- (k) to supervise and assess Teachers;
- (l) to compile and update records of their services;
- (m) to perform such other functions as may be assigned to the Commission by the State Government;
- (n) maintenance and Physical/Rehabilitation of Classrooms /Schools and other infrastructure;
- (o) to promote relationship with, and co-ordinating assistance from donor agencies which include United Nations Children's Funds (UNICEF), World Bank, Universal Basic Education (UBEB), Education Trust Fund (ETF) etc.;
- (p) establishing Offices for Principals who shall head the JSS I-III;
- (q) purchasing and distributing of instructional materials;
- (r) Carrying out mass mobilization and sensitization of the general public and entering into partnership with Committees and all Stakeholders on Basic Education with the aim of achieving the overall objectives of performance in the State;
- (s) to establish Educational Management Information System, conducting research on Basic Education in the State and publishing and disseminating information relating thereto;
- (t) to place students in Junior Secondary Schools;
- (u) to formulate the general policies and guidelines of the Commission;
- (v) to monitor the general progress of the works of the Commission; and



(w) to perform such other functions as may be assigned, to the Board of the Commission.

Appointment of Permanent Secretary of the Commission.

9. (1) There shall be appointed by the Governor, a Permanent Secretary of the Commission.  
(2) Who shall be the Chief Executive and Accounting Officer of the commission.  
(3) Who shall be responsible for the running day to day affairs of the Commission.

Departments in the Commission

10.(1) The Commission shall be divided into the following Departments:-  
(a) Primary Schools Department;  
(b) Post Primary Schools Department; and  
(c) Finance and Administration Department.

(2) The Departments established under Sub-Section (1) of this Section shall each be headed by a Director who shall be appointed by the Board of the Commission.

Management Committee of the Commission

11. (1) There shall be for the Commission a body to be known as the Management Committee.  
(2) The Committee shall consist of a Chairman who shall be the Permanent Secretary.  
(3) The Directors of all Departments shall constitute the Members of the Committee.

Fund of the Commission.

12. (1) The Board of the Commission shall establish and maintain a separate account into which funds of the Commission shall be paid and credited: -

- (a) the sum appropriated by the Adamawa State House of Assembly for the running of the Commission;
- (b) all subventions, fees and charges for services rendered or made by the Commission; and
- (c) all other assets which may from time to time accrue to the Commission.

(2) The Board may make regulations for the Commission as to: -

- (a) specifying the manner in which Assets or the fund of the Commission are to be held;
- (b) requiring the keeping of proper accounts and records for

the purpose of the fund in such a manner as may be specified in the rules.

(3) The Commission may from time to time apply the proceeds of the fund for: -

- (a) the cost of Administration of the Commission;
- (b) payment of salaries, fees and other remunerations of the employees of the Commission or experts and professionals appointed by the Commission;
- (c) the maintenance of any property acquired or vested in the Commission; and
- (d) any matters connected with all or any of the functions of the Commission under this Law.

Financial Year, Budgeting and Financial Report

13. (1) The financial year of the commission shall be the financial year of the Adamawa State Government.

(2) Not later than four (4) months before the end of the financial year, the Commission shall present to the Board an estimate of its expenditure and projected income during the next succeeding year.

(3) The Commission shall keep proper accounts and records of its receipts payments, assets and liabilities and shall in respect of each financial year prepare a statement of account in such form as the Board may direct.

(4) The Commission shall within six (6) months after the end of the financial year to which the account relates cause the account to be audited in accordance with the guidelines supplied by the Auditor-General of the State.

(5) The Commission shall at the end of each financial year prepare and submit to the Board a report in such form as shall accordingly capture all the activities of the Commission during the preceding year and shall include in the report a copy of the Audited Account of the Commission of the year.



Equality of Right to Education

14. (1) There shall be equal right to education for all citizens of the State.  
(2) There shall be equitable distribution of Teachers in the State.  
(3) The Board shall have power to rationalize Teachers to ensure even and equitable distribution of Teachers among Schools in the State.

Power to obtain information

15. (1) For the purpose of carrying out the Teachers of the Board under this Law, the Chairman or any other Officer of the Board authorized in his behalf: -  
(a) shall have right to access all the records of any institution of authority to which this Law applies for the specific purpose of discharging his duties under this Law;  
(b) may by notice in writing served on any person in charge of such institution or authority, require such person or authority to furnish information on matters as may be specified in the notice;
- (2) It shall be the duty of any person or authority required to furnish information pursuant to Sub-section (1) of this Section to comply with the notice within a reasonable period of time.

Directive of the Governor

16. The Governor may from time to time give to the Board directive of a general nature as to the manner in which the Commission shall exercise its functions under this Law and it shall be the duty of the Board to give effect to such directives.

The Board may make Standing Order

17. (1) Subject to the Law establishing the Board, the Board may make Standing Orders to regulate its proceedings or those of any of its Committee.  
(2) The quorum of the Board shall be 1/3 of the Board Members including the Chairman or the person presiding at the meeting.  
(3) (a) the Board shall meet whenever it is summoned by the Chairman or if the Chairman is required to do so, by a notice given to him by 1/3 of the Members;  
(b) the Chairman shall summon the meeting of the Board to be held within 14 days from the date on which the notice is given.

- (4) At any meeting of the Board, the Chairman shall preside, but if he is absent, the Members present at the meeting shall appoint one of them to preside at the meeting.

(5) Where the Board desire to obtain the advice of any person on a particular matter, the Board may co-opt such person. A person co-opted by virtue of this Sub-Section shall not be entitled to vote at any meeting of the Board and shall not be counted towards a quorum.

(6) The Board may appoint one or more Committees to carry out on behalf of the Board, such functions as the Board may determine.

(7) (a) a Committee appointed under this Sub-Section shall consist of such number of persons as may be determined by the Board and a person shall office on the Committee in accordance with the terms of his appointment;

(b) a decision of the Committee of the Board shall be of no effect until it is ratified by the Boar.

Notice of intention to sue

18. No suit shall be commenced against the Board until one month at least after a written notice of intention to commence the suit shall have been served on the Board by the intending plaintiff or his agent, and such notice shall clearly and explicitly state: -

- (a) the cause of action;  
(b) the particulars of the claim;  
(c) the name and place of abode (or of business, if a firm or corporation) of the intending plaintiff; and  
(d) the relief sought by the intending plaintiff.

Service of Notice

19. The Notice referred to in this Section and any summons, notice or other document required or authorized to be served upon the Board under the provision of this Law or any other law may, unless in any case there is express provision to the contrary, be served by delivering same to the Chairman or Secretary.

Representation of the Board at the proceedings

20. At any stage of the proceedings in any suit, the Board may be represented by: -

- (a) a servant of the Board duly authorized in that behalf by the Board; or  
(b) a State Counsel from the Ministry of Justice assigned to represent the Board by the Attorney-General of the State



(c) or any other Officer of the Ministry acting on his behalf; or a Legal Practitioner authorized in writing in that behalf by the Board.

**Suit** 21. For the purpose of Section 18, 19 and 20 of this Law, suit include action or any civil proceedings commenced by writ of summons or in such other manner as may be prescribed by Rules of Court, but does not include criminal proceedings.

**Staff of the Board authorities and Committees** 22. The supporting staff and other personnel of each of the bodies created in this Law other than the Chairman and Secretaries may be drafted to the bodies by way of transfer or secondment from Public Service of the State

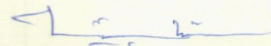
**Service under the Board** 23. It is hereby declared service under the Board, other than those of the political appointees, shall be approved service for the purpose of Pension Law and accordingly, Officers and other persons employed in the Board shall be entitled to pensions, gratuity and other retirement benefits, as are prescribed for Adamawa State Public Service, so that nothing in this Law shall prevent the appointment of a person to any Office in terms which preclude the grant of pension, gratuity or other retirement benefits in respect of that Office.

**Repeal of Edict No. 1 of 1995** 24. The Adamawa State Post Primary Schools Management Board Edict No. 1 of 1995 is hereby repealed.

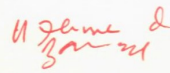
**Assets and Liabilities, Funds etc., to be vested on the Board** 25. There shall be vested in the Board all asset and liabilities, funds, resources, and other moveable and immoveable properties which immediately before the commencement of this Law were vested in or were in possession or under the control of Post Primary Schools Management Board (PPSMB).

**The Board may retain staff of the Post Primary Schools Management Board** 26. Notwithstanding the dissolution of the Post Primary Schools Management Board, if it is expedient that any vacancy in the Board should be filled by a person holding Office immediately before the commencement of this Law in the Post Primary Schools Management Board, it shall retain the service of the person, and the previous service by such person shall count as service for the purpose of security.

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

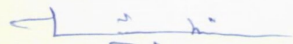
  
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**UMAR USMAN HAMIDU LALEH**  
Clerk to Adamawa State House of Assembly

I assent this <sup>22<sup>nd</sup></sup> ..... day of <sup>Oct</sup> .....2024

  
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**RT. HON. AHMADU UMARU FINTIRI**  
Governor,  
Adamawa State of Nigeria

SCHEDULE OF BILL

SHORT TITLE	LONG TITLE	SUMMARY OF CONTENTS	DATE PASSED BY THE HOUSE
Adamawa State Teacher's Service Commission Law, 2024	A Bill for a Law to establish the Adamawa State Teacher's Service Commission and other matters incidental thereto.	The Bill seeks to establish for the State Teachers Service Commission and to provide for the establishment of Governing Board of the Commission, its functions, Tenure and removal.	19 <sup>th</sup> August, 2024



UMAR USMAN HAMIDU LALEH  
Clerk to Adamawa State House of Assembly

