SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Tuesday, 14th October, 2014

1. The Senate met at 10:44 a.m. The Deputy Senate President read prayers.

2. **Votes and Proceedings:**
The Senate examined the Votes and Proceedings(2) of Tuesday, 30th September, 2014.

Question was put and the Votes and Proceedings were approved.

3. **Announcements:**

(i) ***Meeting:***
The Deputy Senate President read a letter from Senator Victor Lar (*Plateau South*) as follows:

SENATOR VICTOR RAMPYAL LAR
PLATEAU SOUTH SENATORIAL DISTRICT
FEDERAL REPUBLIC OF NIGERIA
Chairman, Senate Committee on Drugs, Narcotics and Financial Crimes

ANNOUNCEMENT

This is to inform all Members of the Conference Committee on the Bill for an Act to Establish the Nigeria Financial Intelligence Centre (NFIC) that their Joint meeting with the House of Representatives will be coming up today 14/10/2014 at 2:00 p.m - Rm. 344 - Senate Wing.

Members should endeavour to be punctual.

(Signed)
Senator Victor Rampyal Lar
Chairman

(ii) ***Wedding Ceremony:***
The Deputy Senate President announced the wedding ceremony of Senator Olusola Adeyeye's son which has been scheduled for 1st November, 2014 at 3:30 p.m. at First United Methodist Church, 800 West Fifth Street, Forthworth, Texas, United States of America.

4. **Presentation of Bills:**

(*i*) Equipment Leasing Bill 2014 (SB. 514) — *Read the First Time.*

(*ii*) Nigerian Geological Survey Agency Act 2003 (Amendment) Bill 2014 (SB. 515) — *Read the First Time.*

(*iii*) National Directorate of Employment Act CAP N28 LFN 2011(Amendment) Bill 2014 (SB. 516) — *Read the First Time.*

5. **Nigeria Extractive Industries Transparency Initiative (NEITI):**
The Audit Reports on the Fiscal Allocation and Statutory Disbursement (FASD) 2007 - 2011 and Solid Minerals 2011:
Motion made: That the Senate do receive the Audit Reports of the Nigeria Extractive Industries Transparency Initiative (NEITI) on the Fiscal Allocation and Statutory Disbursement (FASD) 2007 - 2011 and Solid Minerals 2011 (*Senate Leader*).

Question put and agreed to.

Report Laid and referred to the Public Accounts Committee to report within Four (4) weeks.

6. **Conference Committee:**
Report on the Electoral Act 2010 (Amendment) Bill 2014 (SBs. 455,266,379 and 298):

Presentation of Report deferred to another Legislative Day.

7. **Conference Committee:**
Report on the Constitution Review of the Federal Republic of Nigeria, 1999 (Further Amendment) Bill 2014 (SB. 77):
Motion made: That the Senate do receive the Report of the Conference Committee on the Constitution Review of the Federal Republic of Nigeria, 1999 (Further Amendment) Bill 2014 (*Senate Leader*).

Question put and agreed to.

Report Laid.

8. **Conference Committee:**
Report on the National Health Bill 2014 (SB. 215):
Motion made: That the Senate do consider and approve the Report of the Conference Committee on the National Health Bill 2014 (*Senator Ifeanyi A. Okowa — Delta North*).

Question put and agreed to.

Report Accordingly adopted.

9. **Insurance Brokers Act 2003 (Repeal and Re-enactment) Bill 2014 (SB. 507):**
Motion made: That a Bill for an Act to repeal the Insurance Brokers Act 2003 and for the transfer of all Assets in custody of the Nigerian Council of Registered Insurance Brokers and for related matters 2014 be read the Second Time (*Senator Adegbenga S. Kaka — Ogun East*).

Debate:

By leave of the Senate, Bill stood down for further Legislative Action.

10. Committee on Education:

Report on the Federal University of Petroleum Resources, Effurun (Establishment, etc.) Bill 2014 (SB. 188):

Motion made: That the Senate do consider the Report of the Committee on Education on the Federal University of Petroleum Resources, Effurun (Establishment, etc.) Bill 2014 (*Senator Olusola Adeyeye — Osun Central*).

Question put and agreed to.

Report presented.

Motion made: That the Senate do resolve into the Committee of the Whole to consider the Report *(Senate Leader)*.

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE FEDERAL UNIVERSITY OF PETROLEUM RESOURCES, EFFURUN AND OTHER RELATED MATTERS 2014

Clause 1: Establishment and Objectives of the University.

(1) There is established a body to be known as the Federal University of Petroleum Resources, Effurun (in this Act referred to as the "University".

(2) The University shall be a body corporate with perpetual succession and a common seal and may sue or be sued in its corporate name.

(3) The object of the University is to —

(a) encourage the advancement of learning and to hold out to all persons without distinction of race, creed, sex or political conviction, the opportunity of acquiring a higher education in Petroleum Resources Technology.

(b) develop and offer academic and professional programmes leading to the award of diplomas, first degrees, post-graduate research and higher degrees with emphasis on planning, adaptive, technical, maintenance, developmental and productive skills in the engineering, scientific, environmental, social and legal and allied professional disciplines relating to petroleum resources with the aim of producing socially mature men and women with capability to understand, use and adapt existing technology in the petroleum industry, improve on it and develop new ones;

(c) act as an agent and catalyst, through post-graduate training, research and innovation for the effective and economic utilization, exploitation and conservation of the country's petroleum resources;

(d) offer to the general public particularly the petroleum industry, as a form of public service, the results of training and research and to foster the practical applications of these results;

(e) establish appropriate relationships with other national institutions involved in training, research and development of technologies in the petroleum sector;

(f) identify the technological problems and needs of the petroleum industry and find solutions to them within the context of overall national development;

(g) provide and promote sound basic scientific training as a foundation for the development of petroleum technology and applied sciences, taking into account indigenous culture and the need to enhance national unity; and

(h) undertake any other activities appropriate for a university of petroleum resources, of the highest standard.

Committee's Recommendation:
That the provision in Clause 1 be retained (*Senator Olusola Adeyeye — Osun Central*) — *Agreed to*.

Question that Clause 1 *do stand part of the Bill, put and agreed to.*

Clause 2: Constitution and Principal Officers of the University.

(1) The University shall consist of —

(a) a Chancellor;

(b) a Pro-Chancellor and a Council;

(c) a Vice-Chancellor and a Senate;

(d) a body to be called Congregation;

(e) a body to be called Convocation;

(f) the campuses and colleges of the University;

(g) the Colleges, institutes and other teaching and research units of the University;

(h) the persons holding the offices constituted by the First Schedule to this Act other than those mentioned in paragraph (a) to (c) of this subsection;

(i) all graduates and undergraduates of the University; and

(j) all other persons who are members of the university in accordance with provisions made by Statute in that behalf.

(2) The First Schedule to this Act shall have effect with respect to the principal officers of the University therein mentioned.

(i) Subject to section 6 of this Act, provision shall be made by Statute with respect to the constitution of the Council, the Senate, Congregation and Convocation.

Committee's Recommendation:
That the provision in Clause 2 be retained (*Senator Olusola Adeyeye — Osun Central*) — *Agreed to.*

Question that Clause 2 do stand part of the Bill, put and agreed to.

Clause 3: Power of the University.

(1) For the carrying out of its objects as specified in section 1 of this Act, the University shall have power to —

(a) establish such campuses, institutes, schools, extra-mural departments and other teaching and research units within the university as may from time to time be deemed necessary or desirable subject to the approval of the National Universities Commission ;

(b) institute professorships, readerships or associate Professorships, lectureships and other posts and offices and to make) appointments thereto;

(c) institute and award fellowships, scholarships, exhibitions, bursaries, medals, prizes and other titles, distinctions, awards and forms of assistance;

(d) provide for the discipline and welfare of members of the University;

(e) hold examinations and grant degrees, diplomas, certificates and other distinctions to persons who have pursued a course of study approved by the University and have satisfied such other requirements as the university may lay down;

(f) grant honorary degrees, fellowships or academic titles;

(g) demand and receive from any student or any other person attending the University for the purpose of instruction, such fees as the University may from time to time determine subject to the overal directives of the Minister;

(h) subject to section 23 of this Act, to acquire, hold, grant, charge or otherwise deal with or dispose of movable and immovable property wherever situate;

(i) accept gifts, legacies and donations without obligation to accept same unless the University approves the terms and conditions attached thereto;

(j) enter into contract, establish trusts, act as trustee, solely or jointly with any other person, and employ and act through agents;

(k) erect, provide, equip and maintain libraries, laboratories, lecture halls, halls of residence, refectories, sports grounds, playing fields and other building or things necessary, suitable or convenient for any of the objects of the University;

(l) hold public lectures and to undertake printing, publishing and book selling;

(m) subject to any limitations or conditions imposed by statute, invest any moneys appertaining to the university by way of endowment, not being immediately required for current expenditure, in any investments, not being immediately required for current expenditure, in any investment or securities, or in the purchase or improvement of land, with power from time to time, to vary any such investments to deposit any moneys for the time being not invested with any bank on deposit or current account;

(n) borrow, whether on interest or not and if need be upon the security of any or all of the property, movable or immovable, of the University, such moneys as the Council may from time to time in its discretion find it necessary or expedient to borrow or to guarantee any loan, advances or credit facilities;

(o) make gifts for any charitable purpose;

(p) do anything which it is authorized or required by this Act or by Statute to do; and

(q) do all such acts or things, whether or not incidental to the fore going powers, as may advance the objects of the University.

(2) Subject to the provisions of this Act and of the Statutes and without prejudice to section 10 (2) of this Act, the powers conferred on the University by section (1) of this section shall be exercisable on behalf of the University by the Council or by the Senate or in any other manner which may be authorized by Statute.

(3) The power of the University to establish further campuses and Colleges within the university shall be exercisable by statute and not otherwise.

Committee's Recommendation:
That the provision in Clause 3 be retained (*Senator Olusola Adeyeye — Osun Central*) — *Agreed to.*

Question that Clause 3 *do stand part of the Bill, put and agreed to.*

Clause 4: Functions of the Chancellor.

(1) The Chancellor shall, in relation to the University, take precedence before all other members of the University, and when he is present, shall preside all meetings of Convocation held for conferring degrees.

(2) Every proposal to confer an honorary degree shall be subject to the confirmation of the chancellor. The chancellor shall exercise such other powers and perform such other duties as may be conferred or imposed on him by this Act or by Statute.

Committee's Recommendation:
That the provision in Clause 4 be retained (*Senator Olusola Adeyeye — Osun Central*) — *Agreed to.*

Question that Clause 4 do stand part of the Bill, put and agreed to.

Clause 5: **Functions of the Pro-Chancellor.**
The Pro-Chancellor shall, in relation to the University, take precedence before all other members of the University, except the Chancellor and the Vice-Chancellor when acting as chairman of the Congregation or Convocation and the Pro-Chancellor shall, when he is present, be the chairman at all meetings of the Council.

Committee's Recommendation:
That the provision in Clause 5 be retained (*Senator Olusola Adeyeye — Osun Central*) — *Agreed to.*

Question that Clause 5 do stand part of the Bill, put and agreed to.

Clause 6: **Establishment and Composition of the Council.**
(1) There shall be established for the University a Governing Council (in this Act referred to as the "Council").

(2) The composition of the Council shall be in accordance with the provisions of the Universities (miscellaneous Provisions) Act 1993 as amended.

Committee's Recommendation:
That the provision in Clause 6 be retained (*Senator Olusola Adeyeye — Osun Central*) — *Agreed to.*

Question that Clause 6 do stand part of the Bill, put and agreed to.

Clause 7: **Tenure of the Council.**
The Council so constituted shall have a four year tenure from the date of its inauguration, provided that where a council is found to be incompetent and corrupt, it shall be dissolved by the visitor and a new Council shall be immediately constituted for the effective functioning of the University. .

Committee's Recommendation:
That the provision in Clause 7 be retained (*Senator Olusola Adeyeye — Osun Central*) — *Agreed to.*

Question that Clause 7 do stand part of the Bill, put and agreed to.

Clause 8: **Powers of the Council.**
The powers of the Council shall be exercised in accordance with the laws and Statutes of the University and to that extent, establishment circulars that are inconsistent with the laws and Statutes of the University shall not apply to the University.

Committee's Recommendation:
That the provision in Clause 8 be retained (*Senator Olusola Adeyeye — Osun Central*) — *Agreed to.*

Question that Clause 8 do stand part of the Bill, put and agreed to.

Clause 9: **Functions of the Council and its Finance and General Purpose Committee.**

(1) Subject to the provisions of this Act relating to the Visitor, the Council shall be the governing body of the University and shall be charged with the general control and superintendence of the policy, finances and property of the University.

(2) There shall be a committee of the Council, to be known as the Finance and General Purposes Committee, which shall, subject to the directions of the Council, exercise control over the property and expenditure of the University and perform such other functions of the Council as the Council may from time to time delegate to it.

(3) Provision shall be made by Statute with respect to the constitution of the Finance and General Purposes Committee.

(4) The Council shall ensure that proper accounts of the University are kept and that the accounts of the University are audited annually by an independent firm of auditors approved by the Council and that an annual report is published by the University together with certified copies of the said 8 accounts as audited.

(5) Subject to this Act and the Statues, the Council and the Finance and General Purposes Committee may each make rules for the purpose of exercising any of their respective functions or of regulating their own procedure.

(6) Rules made under sub-section (5) of this section by the Finance and General Purposes Committee shall not come into force unless approved by the Council and where any rules so made by that Committee conflict with any direction given by the Council, whether before or after the coming into force of any such rule, the directions of the Council shall prevail.

(7) There shall be paid to the members of the Council, the Finance and General Purposes Committee and any other committee set up by the Council, allowances in respect of travelling and other expenses, at such rates as may from time to time be fixed by the Minister.

(8) The Council shall meet at least three times in every year and whenever necessary for the performance of its functions under this Act.

(9) If requested in writing by any five members of the Council, the Chairman shall within 28 days after the receipt of such request call a meeting of the Council.

(10) any request made under sub-section (9) of this section shall specify the business to be considered at the meeting and no business not so specified shall be transacted at that meeting.

Committee's Recommendation:
That the provision in Clause 9 be retained (*Senator Olusola Adeyeye — Osun Central*) — *Agreed to.*

Question that Clause 9 *do stand part of the Bill, put and agreed to.*

Clause 10: Functions of the Senate.

(1) Subject to section 9 of this Act, sub-section (3) and (4) of this section and the provisions of this Act relating to the Visitor, it shall be the general function of the Senate to organize and control teaching, admit students and where no other enactment provides to the contrary, discipline students and promote research at the University.

(2) Without prejudice to the generality of sub-section (1) of this section and subject as there mentioned, it shall in particular be the function of the Senate to make provision for —

(a) the establishment, organization and control of campuses, colleges, schools, institutes and other teaching and research units of the University and the allocation of responsibility for different branches of learning;

(b) the organization and control of courses of study at the University of the examinations held in conjunction with those courses, including the appointment of examiners, both internal and external;

(c) the award of degrees, and such other qualifications as may be prescribed in connection with examinations held as aforesaid ;

(d) the making of recommendations to the council with respect to the award to any person of honorary fellowship or honorary degree or the title of professor emeritus;

(e) the establishment, organization and control of halls or residence and similar institutions at the University;

(f) the supervision of the welfare of students and the regulation of their conduct;

(g) the granting of fellowships, scholarships, prizes and similar awards in so far as the awards are within the control of the University; and

(h) determining what descriptions of dress shall be academic dress for the purposes of the University, and regulating the use of academic dress.

(3) The Senate shall not establish any new campus, College, School, department, institute or other teaching and research units of the University, or any hall of residence or similar institution at the University without the approval of the Council.

(4) Subject to this Act and the Statutes, the Senate may make regulations for the purpose of exercising any function conferred on it either by the foregoing provisions of this section or otherwise or for the purpose of making provision for any matter for which provision by Regulations is authorized or required by this Act or by Statute.

(5) Regulations shall provide that at least one of the persons appointed as the examiners at each final or professional examination held in conjunction with any course of study at the University is not a teacher at the University but is a teacher of the branch of learning to which the course relates as some other University of high repute or a person engaged in practicing the profession in a reputable organization or institution.

(6) Subject to right or appeal to the Council from a decision of the Senate under this sub-section, the Senate may deprive any person of any degree, diploma or other award of the University which has been conferred upon him if after due enquiry he is shown to have been guilty of dishonourable or scandalous conduct in gaining admission into the University or obtaining that award.

Committee's Recommendation:
That the provision in Clause 10 be retained (*Senator Olusola Adeyeye — Osun Central*) — *Agreed to.*

Question that Clause 10 *do stand part of the Bill, put and agreed to.*

Clause 11: **Appointment and Removal of the Vice Chancellor and Deputy Vice Chancellors.**
The procedure for the appointment and removal of the Vice-Chancellor and Deputy Vice-Chancellors shall be in accordance with the provision of the Universities (Miscellaneous Provisions) Act 1993 as amended

Committee's Recommendation:
That the provision in Clause 11 be retained (*Senator Olusola Adeyeye — Osun Central*) — *Agreed to.*

Question that Clause 11 *do stand part of the Bill, put and agreed to.*

Clause 12: **Functions of the Vice Chancellor.**

(1) The Vice-Chancellor shall, in relation to the University, take precedence before all other members of the University except the Chancellor and subject to section 4 of this Act except the Pro-Chancellor and any other person for the time being acting as Chairman of the Council.

(2) Subject to sections 9, 10 and 18 of this Act, the Vice-Chancellor shall have the general function, in addition to any other functions conferred on him by this Act or otherwise of directing the activities of the University and shall be the chief executive and accounting officer of the University and ex-officio chairman of the Senate.

Committee's Recommendation:
That the provision in Clause 12 be retained (*Senator Olusola Adeyeye — Osun Central*) — *Agreed to.*

Question that Clause 12 *do stand part of the Bill, put and agreed to.*

Clause 13: Transfer of Property.

(1) All property held by or on behalf of the provisional council of the University shall, by Virtue of this sub-section and without further assurance, vest in the University and be held by it for the purpose of the University.

(2) The provisions of the Second Schedule to this Bill shall have effect with respect to matters arising from, the transfer of property under this section and other matters mentioned in that Schedule.

Committee's Recommendation:
That the provision in Clause 13 be retained (*Senator Olusola Adeyeye — Osun Central*) — *Agreed to.*

Question that Clause 13 *do stand part of the Bill, put and agreed to.*

Clause 14: Power of the University to make statutes.

(1) Subject to this Act, the University may make Statutes for any of the following purposes —

(a) making provision with respect to the composition and constitution of any authority of the University;

(b) Specifying and regulating the powers and duties of any authority of the University and regulating any other matter connected with the University or any of its authorities;

(c) Regulating the admission of students (where no other enactment provides to the contrary) and their discipline and welfare;

(d) Determining where any particular matter is to be treated as an academic or non-academic matter for the purposes of this Bill and of any statute, regulation or other instrument made there under; or

(e) Making provision for any other matter for which provision by statute is authorized or required by this Bill.

(2) Subject to section 28 of the Bill, the interpretation Bill shall apply in relation to any statute made under this section as it applies to a subsidiary instrument within the meaning of Section 29 (1) of that Bill.

(3) The Statute contained in the Third Schedule to this Bill shall be deemed to have come into force on the commencement of this Bill and shall be deemed to have been made under this section by the University.

(4) The power to make statues conferred by this section shall not be prejudiced or limited in any way by reason of the inclusion or omission of any mater in or from the statute contained in the Third Schedule to this Bill or any subsequent statute

Committee's Recommendation:
That the provision in Clause 14 be retained (*Senator Olusola Adeyeye — Osun Central*) — *Agreed to.*

Question that Clause 14 *do stand part of the Bill, put and agreed to.*

Clause 15: **Mode of exercising power to make Statutes.**

(1) The power of the University to make Statutes shall be exercised in accordance with the Provisions of this section and not otherwise.

(2) A proposed Statute shall not become law unless it has been approved —
(a) at a meeting of the Senate, by the votes of not less than two thirds of the member present and voting; and

(b) at a meeting of the Council, by the votes of not less than two thirds of the members present and voting

(3) A proposed statute may originate either in the Senate or in the Council, and may be approved as required by sub-section (2) of this section by either the Senate of the Council

(4) A statute which —
(a) makes provision for or alters the composition or constitution of the Council, the Senate or any other authority of the University; or

(b) provides for the establishment of a new campus or College or for the amendment or revocation of any statute whereby a campus or college is established, shall not come into operation unless it has been approved by the President.

Committee's Recommendation:
That the provision in Clause 15 be retained (*Senator Olusola Adeyeye — Osun Central*) — *Agreed to.*

Question that Clause 15 *do stand part of the Bill, put and agreed to.*

Clause 16: **Proof of statutes.**
A statute may be proved in any court by the production of a copy thereof bearing or having affixed to it a certificate purporting to be signed by the Vice-Chancellor or the secretary to the Council to the effect that the copy is a true copy of a statute of the University.

Committee's Recommendation:
That the provision in Clause 16 be retained (*Senator Olusola Adeyeye — Osun Central*) — *Agreed to.*

Question that Clause 16 *do stand part of the Bill, put and agreed to.*

Clause 17: **The Visitor (Supervision and Discipline).**

(1) The President shall be the Visitor of the University

(2) The Visitor shall as often as the circumstances may require, not being less than once every five years, conduct a visitation of the University or direct that such a visitation be conducted by such person or persons as the Visitor may deem fit and in respect of any of the affairs of the University.

(3) It shall be the duty of the bodies and persons comprising the University to make available to the Visitor and to any other person conducting a visitation in pursuance of this section, such facilities and assistance as may be required for the purposes of a visitation.

Committee's Recommendation:
That the provision in Clause 17 be retained (*Senator Olusola Adeyeye — Osun Central*) — *Agreed to.*

Question that Clause 17 *do stand part of the Bill, put and agreed to.*

Clause 18: **Removal of certain members of Council.**

(1) If it appears to the Council that a member of the Council (other than the Pro-Chancellor, Vice-Chancellor or Deputy Vice-Chancellors) should be removed from office on the ground of misconduct or inability to perform the functions of his office or employment, the Council shall make a recommendation to that effect through the Minister to the President and if the President, after making such enquiries (if any) as he may consider appropriate approves the recommendation, he may direct the removal of the person in question from office.

(2) It shall be the duty of the Minister to cause a copy of the instrument embodying a direction under subsection (1) of this section to be served as soon as reasonably practicable on the person to whom it relates.

Committee's Recommendation:
That the provision in Clause 18 be retained (*Senator Olusola Adeyeye — Osun Central*) — *Agreed to.*

Question that Clause 18 *do stand part of the Bill, put and agreed to.*

Clause 19: **Removal and discipline of academic, administrative and professional staff.**

(1) It if appears to the Council that there are reasons for believing that any person employed as a member of the academic, administrative or professional staff of the university, other than the Vice-Chancellor, should be removed from his office or employment on the ground of misconduct or of inability to perform the functions of his office or employment, the Council shall —

(a) give notice of those reasons to the person in question;

(b) afford him an opportunity of making representations in person on the matter by the Council; and

(c) afford the person in question an opportunity to appear before and be heard by the investigating committee with respect to the matter and if the Council, after considering the report of the investigating committee is satisfied that the person in question should be removed as aforesaid, the Council may so remove him by an instrument in writing signed on the directions of the Council.

(2) The Vice-Chancellor may, in a case of misconduct by a member of staff which in the opinion of the Vice-Chancellor is prejudicial to the interest of the University, suspend such member and any such suspension shall forthwith be reported to the Council.

(3) For good cause, any member of staff may be suspended from his duties or his appointment may be terminated by the Council and for the purposes of this subsection "good cause" means —

(a) conviction for any offence which the council considers to be such as to render the person concerned unfit for the discharge of the functions of his office;

(b) any physical or mental incapacity which the Council, after obtaining medical advice, considers to be such as to render the person concerned unfit to continue to hold his office; or

(c) conduct of a scandalous or other disgraceful nature which the Council considers to be such as to render the person concerned unfit to continue to hold his office; or

(d) conduct which the Council considers to be such as to constitute failure or inability of the person concerned to discharge the functions of his office or to comply with the terms and conditions of his service; and

(e) conduct which the Council considers to be generally of such nature as to render the continued appointment or service of the person concerned prejudicial or detrimental to the interest of the University.

(4) Any person suspended pursuant to subsection (2) or (3) of this section shall be on half pay and the Council shall before the expiration of a period of three months after the date of such suspension consider the case against that person and come to a decision as whether to —

(a) continue such person's suspension and if so on what terms (including the proportion of his emoluments to be paid to him);

(b) reinstate such person, in which case the Council shall restore his Full emoluments to him with effect from the date of suspension;

(d) terminate the appointment of the person concerned, in which case Such a person shall not be entitled to the proportion of his emoluments withheld During the period of suspension; and

(e) take such lesser disciplinary action against such person (including the restoration of such proportion of his emoluments that might have been withheld) as the Council may determine.

(5) In any case where the Council pursuant to this section, decides to Continue a person's suspension or decides to take further disciplinary action Against a person, the Council shall before the expiration of a period of three Months from such decision come to a final determination in respect of the case Concerning any such person.

(6) It shall be the duty of the person by whom an instrument of removal is signed in pursuance of subsection (1) of this section to cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it relates.

(7) Nothing in the foregoing provisions of this section shall —

(a) apply to any directive given by the Visitor in consequence of any Visitation;

(b) prevent the Council from making Regulations for the discipline of other categories of workers of the University as may be prescribed.

Committee's Recommendation:
That the provision in Clause 19 be retained (*Senator Olusola Adeyeye — Osun Central*) — *Agreed to.*

Question that Clause 19 *do stand part of the Bill, put and agreed to.*

Clause 20: Removal of examiner.

(1) If, on the recommendation of the Senate, it appears to the Vice-Chancellor that a person appointed as an examiner for any examination of the University ought to be removed from his office or appointment, the Vice Chancellor, may after affording the examiner an opportunity of making representations in person on the matter, remove the examiner from the appointment by an instrument in writing signed by the Vice-Chancellor.

(2) Subject to the provisions of any regulations made in pursuance of section 10(5) of this Act, the Vice-Chancellor may, on the recommendation of the Senate, appoint an appropriate persons as examiner in the place of any examiner removed in pursuance of subsection (I) of this section.

(3) It shall be the duty of the Vice-Chancellor, on signing an instrument of removal pursuant to this section, to cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it relates.

Committee's Recommendation:
That the provision in Clause 20 be retained (*Senator Olusola Adeyeye — Osun Central*) — *Agreed to.*

Question that Clause 20 *do stand part of the Bill, put and agreed to.*

Clause 21: Discipline of Students.

(1) Subject to the provisions of this section, where it appears to the Vice-Chancellor that any student of the University has been guilty of misconduct, the Vice-Chancellor may, without prejudice to any other disciplinary powers conferred on him by Statute or Regulations, direct—

(a) that the student shall not, during such period as may be specified in the directions, participate in such activities of the University or make use of such facilities of the University, as may be so specified;

(b) that the activities of the student shall, during such period as may be specified in the direction, be restricted in such manner as may be so specified

(c) that the student be rusticated for such period as may be Specified in the direction; and

(d) that the student be expelled from the University

(2) Where a direction is given under subsection (1) (c) or (d) of this section in respect of any student, that student may, within the prescribed period and in the prescribed manner, appeal to the Council; and where such an appeal is brought, the Council shall, after causing such inquiry to be made in the matter as the Council considers just, either confirm or set aside the direction or modify it in such manner as the Council thinks fit

(3) An appeal from a direction brought in pursuance of subsection (2) of this section, shall not affect the operation of the direction while the appeal is pending.

(4) The Vice-Chancellor may delegate his powers under this section to a Disciplinary Board consisting of such members of the University as he many nominate.

(5) Nothing in this section shall be construed as preventing the Restriction or termination of a student's activities at the University otherwise than on the ground of misconduct.

(6) A direction under subsection (1) (a) of this section may be Combined with a direction under subsection (1)(b) of this section.

Committee's Recommendation:
That the provision in Clause 21 be retained (*Senator Olusola Adeyeye — Osun Central*) — *Agreed to.*

Question that Clause 21 *do stand part of the Bill, put and agreed to.*

Clause 22: Provision of funding by the Petroleum Technology Development Fund to the University (Miscellaneous and General)

(1) As from the commencement of this Act, the Petroleum Technology Development Fund, establishment under the Petroleum Technology Development Fund Act CAP P 15 LFN 2004 shall participate in the funding of the University.

(2) The amount of contribution required from the Petroleum Technology Development Fund shall be as may be agreed upon annually between the University and the Petroleum Technology Development Fund. "But shall not be lower than 2 % of the PTDF gross receipts"

Amendment Proposed:
Leave out the word "annually" in line 2, and *insert* the words "from time to time" instead thereof *(Senator Anthony A. Adeniyi — Ekiti South).*

Question that the amendment be made, put and agreed to.

(3) The University shall offer to students all courses in Petroleum Technology provide that overseas courses will be sponsored by the Petroleum Technology Development Fund "and other government agencies" only in respect of those courses that are no available at the University upon certification to that effect by the University — *Negatived.*

Question that Clause 22 as amended do stand part of the Bill, put and agreed to.

Clause 23: Exclusion of Discretion on Account of Race, Religion, etc.

(1) No person shall be required to satisfy requirements as to race (including ethnic grouping), sex, place of birth or off family origin, or religion or political persuasion, as a condition of becoming or continuing to be a student that the University, the holder of any degree of the University or of an appointment or employment at the University, or a member of anybody established by virtue of this Act and no person shall be subjected to any disadvantage or accorded any advantage in relation to the University, by reference to any of those matters.

(2) Nothing in subsection (1) of this section shall be constructed as preventing the University from imposing any disability or restriction on any of the persons mentioned in that subsection where such person willfully refuses or fails on grounds of religious belief to undertake any duty generally and uniformly imposed on all 'Such person or any group of them which duty, having regard to its nature and the special circumstances pertaining thereto, is in the opinion of the University reasonably justifiable in the national interest.

Committee's Recommendation:
That the provision in Clause 23 be retained *(Senator Olusola Adeyeye — Osun Central) — Agreed to.*

Question that Clause 23 do stand part of the Bill, put and agreed to.

Clause 24: **Restriction on disposal of land by the University.**
Without prejudice to the provisions of the Land Use Act, the University shall not dispose of or charge any land or an interest in any land (including any land transferred to the University by this Act) expect with the prior written consent, either general or special, of the President:

Provided that such consent shall not be required in the case of any lease or tenancy at a rack-rent for a term not exceeding 21 years or any lease or tenancy to a member of the University for residential purpose.

Committee's Recommendation:
That the provision in Clause 24 be retained (*Senator Olusola Adeyeye — Osun Central*) — *Agreed to.*

Question that Clause 24 *do stand part of the Bill, put and agreed to.*

Clause 25: **Quorum and procedure of bodies established by this Act.**
Except as may be otherwise provided by Statute or by Regulations, the quorum and procedure of any body of persons established by this Act shall be as determined by that body.

Committee's Recommendation:
That the provision in Clause 25 be retained (*Senator Olusola Adeyeye — Osun Central*) — *Agreed to.*

Question that Clause 25 *do stand part of the Bill, put and agreed to.*

Clause 26: **Appointment of Committees, etc.**

(1) Anybody of persons established by this Act shall, without prejudice to the generality of the powers of that body, have power to appoint committees, which need not consist exclusively of members of that body, and to authorize a committee established by it, to —

(a) exercise, on its behalf, such of its functions as it may determine; and

(b) co-opt members and may direct whether or not co-opted members (if any) shall be entitled to vote in that committee.

(2) Any two or ore bodies established under this Act may arrange for the holding of joint meetings of such bodies or for the appointment of committees consisting of members of such bodies for the purpose of considering any matter within the competence of the bodies or any of them and either of dealing with it or of reporting on it to the bodies or any of them.

(3) Except as may be otherwise provided by Statute or by Regulations, the quorum and procedure of a committee established or meeting held in pursuance of this section shall be such as may be determined by the body or bodies which have decided to establish the committee or hold the meeting.

(4) Nothing in the provisions of subsection (1), (21) and (3) of this section shall be construed as —

(a) enabling Statutes to be made otherwise that in accordance with section 1 of this Act; and

(b) enabling the Senate to empower any other body make Regulations for the award of degrees or other qualifications.

(5) The Pro-Chancellor and the Vice-Chancellor shall be members of every committee of which the members are wholly or partly appointed by the Council (other than a Committee appointed to inquire into the conduct of the Officers in question) and the Vice-Chancellor shall be a member of every Committee of which the members are wholly or partly appointed by the Senate.

Committee's Recommendation:
That the provision in Clause 26 be retained (*Senator Olusola Adeyeye — Osun Central*) — *Agreed to.*

Question that Clause 26 do stand part of the Bill, put and agreed to.

Clause 27: Retiring age of academic staff.

(1) Notwithstanding anything to the contrary in the Pension Reform Act, the compulsory retiring age of an academic staff of the University shall be 65 years.

(2) A law or rule requiring a person to retire from the public service after serving for 35 years shall not apply to an academic staff of the University.

Committee's Recommendation:
That the provision in Clause 27 be retained (*Senator Olusola Adeyeye — Osun Central*) — *Agreed to.*

Question that Clause 27 do stand part of the Bill, put and agreed to.

Clause 28: Miscellaneous administrative provisions.

(1) The seal of the University shall be such as may be determined by the Council and approved by the Chancellor, and the affixing of the seal shall be authenticated by any member of the Council and by the Vice-Chancellor, Secretary to the Councilor any other person authorized by Statue.

(2) Any document purporting to be a document executed under the seal of the University shall be received in evidence and shall, unless the contrary is proved, be presumed to be so executed. (1) The seal of the University shall be such as may be determined by the Council and approved by the Chancellor, and the affixing of the seal shall be authenticated by any member of the Council and by the Vice-Chancellor, Secretary to the Councilor any other person authorized by Statue.

(3) Any document purporting to be a document executed under the seal of the University shall be received in evidence and shall, unless the contrary is proved, be presumed to be so executed. this Act.

(4) The power conferred by this Act on anybody to make statutes or regulations shall include power to revoke or vary any statute (including the statute contained in the Third Schedule to this Act) or any regulation by a subsequent statute or as the case may be, by a subsequent relation and the statutes or regulations may make different provisions in relation to different circumstances.

(5) No stamp or other duty shall be payable in respect of any Transfer of property to the University by virtue of section 23 of this Act or the Second Schedule to this Act.

(6) Any notice or other instrument authorized to be served by virtue of this Act may, without prejudice to any other mode of service, be served post.

Committee's Recommendation:
That the provision in Clause 28 be retained (*Senator Olusola Adeyeye — Osun Central*) — *Agreed to.*

Question that Clause 28 *do stand part of the Bill, put and agreed to.*

Clause 29: Interpretation.

(1) In This Act —

"Campus" means any campus which may be established by the University;

Question: That the word "Campus" be as defined in the Interpretation to this Act, put and agreed to.

"Graduate" means a person on whom a degree, other than an honorary degree has been conferred by the University;

Question: That the word "Graduate" be as defined in the Interpretation to this Act, put and agreed to.

"Minister" means the Minister charged with responsibility for matters relating to education;

Question: That the word "Minister" be as defined in the Interpretation to this Act, put and agreed to.

"Notice": means notice in writing;

Question: That the word "Notice" be as defined in the Interpretation to this Act, put and agreed to.

"Officer" does not include the Visitors;

Question: That the word "Officer" be as defined in the Interpretation to this Act, put and agreed to.

"Prescribe" means prescribed by statute or regulations;

Question: That the word "Prescribe" be as defined in the Interpretation to this Act, put and agreed to.

"President" means the President of the Federal Republic of Nigeria;

Question: That the word "President" be as defined in the Interpretation to this Act, put and agreed to.

"Professor" means a person designated as a professor of the University in accordance with provisions made in that behalf by Statute or by Regulations;

Question: That the word "Professor" be as defined in the Interpretation to this Act, put and agreed to.

"Property" includes rights, liabilities and obligations;

Question: That the word "Property" be as defined in the Interpretation to this Act, put and agreed to.

"Provisional Council" means the Provisional Council appointed for the University.

Question: That the words "Provisional Council" be as defined in the Interpretation to this Act, put and agreed to.

"Regulations" means Regulations made by the Senate or the Council;

Question: That the word "Regulations" be as defined in the Interpretation to this Act, put and agreed to.

"Senate" means the Senate of the University established pursuant to section 2 (1) (c) of this Act;

Question: That the word "Senate" be as defined in the Interpretation to this Act, put and agreed to.

"School" means a unit of closely related academic programmes;

Question: That the word "School" be as defined in the Interpretation to this Act, put and agreed to.

"Statute" means a statute made by the University under section 14 of this Act and in accordance with the provisions of section 15 of this Act;

Question: That the word "Statute" be as defined in the Interpretation to this Act, put and agreed to.

"Teacher" means a person holding a full-time appointment as a member of the teaching or research staff of the University;

Question: That the word "Teacher" be as defined in the Interpretation to this Act, put and agreed to.

"Undergraduate" means a person in statue pupillari at the University other than:

(a) a graduate; and

(b) a person of such description as may be prescribed for the purpose of the definition;

(2) Where in any provision of this Act it is laid down that the proposals are to be submitted or a recommendation is to be made by one authority or another through one or more intermediate authorities, it shall be the duty of every such intermediate authority to forward any proposals or recommendations received by it in pursuance of that provision to the appropriate authority; but any such intermediate authority may, if it thinks fit, forward therewith its own comments thereon.

Question: That the word "Undergraduate" be as defined in the Interpretation to this Act, put and agreed to.

Committee's Recommendation:
That the provision in Clause 29 be retained (*Senator Olusola Adeyeye — Osun Central*) — *Agreed to.*

Question that Clause 29 *do stand part of the Bill, put and agreed to.*

Clause 30: **Short title.**
This Bill may be cited as the Federal University of Petroleum Resources (Establishment, etc) Act, 2014.

Committee's Recommendation:
That the provision in Clause 30 be retained (*Senator Olusola Adeyeye — Osun Central*) — *Agreed to.*

Question that Clause 30 *do stand part of the Bill, put and agreed to.*

Chairman to report Bill.

(SENATE IN PLENARY)

The Deputy Senate President reported that the Senate in the Committee of the Whole considered the Report of the Committee on Education on the Federal University of Petroleum Resources, Effurun (Establishment, etc.) Bill 2014 and approved as follows:

Clauses 1-21	—	As Recommended
Clause 22	—	As Amended
Clauses 23-30	—	As Recommended

Question: That the Senate do approve the Report of the Committee of the Whole — *Resolved in the Affirmative.*

Motion made: That the Bill be now Read the Third Time *(Senate Leader).*

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

11. Joint Committee on Judiciary, Human Rights and Legal Matters; and States and Local Government:
Report on the Border Communities Development Agency Act CAP BI0 LFN 2011 Bill 2014 (SB. 143):

Consideration of Report deferred to another Legislative Day.

12. Adjournment:
Motion made: That the Senate do now adjourn till Wednesday, 15th October, 2014 at 10.00 a.m. (*Senate Leader*).

Adjourned accordingly at 12:33 *p.m.*

Ike Ekweremadu, CFR
Deputy Senate President,
Senate of the Federal Republic of Nigeria.