



# HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

## VOTES AND PROCEEDINGS

Thursday, 5 July, 2018

1. The House met at 11.18 a.m. Mr Speaker read the Prayers.
2. **Votes and Proceedings**  
Mr Speaker announced that he had examined and approved the *Votes and Proceedings* of Wednesday, 4 July, 2018.  
  
*The Votes and Proceedings was adopted by unanimous consent.*
3. **Announcement**  
*Visitors in the Gallery:*  
Mr Speaker recognised the presence of the following:
  - (i) Staff and Students of *The Centagon International School*, Maitama, Abuja; and
  - (ii) Staff and Students of *Front Page Academy*, Suleja, Niger State.
4. **Petitions**
  - (i) Petitions from the following persons were presented and laid by Hon. Agbonayinma Johnson Ehiozuwa (*Egor/Ikpoba/Okha Federal Constituency*):
    - (a) C. K. Maxwell on his alleged untimely retirement from service by the Nigerian Postal Services;
    - (b) V. O. Efurhievwe & Associates (Legal Practitioners), on behalf of natives and inhabitants of Oton Quarters, Sapele, Delta State, on the alleged non-payment of compensation for the effect of environmental pollution caused by the Nigeria Gas Company;
    - (c) JUS Scenerio (Legal Practitioners), on behalf of Kuroekegha Florah and 40 others, on the alleged non-payment of amnesty stipends by the Special Adviser to the President and Co-ordinator of the Presidential Amnesty Programme;
    - (d) Century Associates (Legal Practitioners), on behalf of Aniedi Effiong Udoh, on his dismissal from service by the Federal Capital Development Authority;

- (e) Students of World Maritime University Copenhagen Malmö Maritime Academy, Sweden (redirected by the Code of Conduct Bureau), on the planned peaceful demonstration by beneficiaries of the Presidential Amnesty Programme;
  - (f) Umeh Gabriel, on the alleged stoppage of his salary by the Federal Medical Centre, Keffi, Nasarawa State;
  - (g) Umuogwa Community Council of Chiefs and Elders, Ohaji Egbema Local Government Area, Imo State, over the oil spillage and environmental pollution by Shell Petroleum Development Company (SPDC);
  - (h) Christian Ejiogu, on his appeal for reinstatement into the service by the Nigeria Police;
  - (i) Emeka Uchegbulam & Co. (Legal Practitioners), on the alleged refusal by the Nigerian Petroleum Development Company (NPDC) to clean up the oil spillage and pay compensation for damages in Udu Local Government Area, Delta State;
  - (j) C. N. Ekweozoh & Associates (Solicitors & Advocates), on behalf of Abraham Ebhoaye, over his inclusion in the Contributory Pension Scheme in 2008 as against the Federal Government's directive by the National Bureau of Statistics;
  - (k) Dili Nwabueze, on the alleged sale of non-existent plots of land by the Nigerian Security and Civil Defence Corps (NSCDC);
  - (l) Coalition of Niger Delta Civil Society Activists, on the alleged economic sabotage, negligence and oil bunkering by the Commander, Operation Delta Safe in Rivers and Bayelsa States;
  - (m) Ejovi Akpokama, on behalf of Niger Delta Environmental Protection Group on the alleged economic sabotage, oil theft, bunkering and connivance by the Commander, Operation Delta Safe in Rivers and Bayelsa States;
  - (n) Raymond Azinye (Legal Practitioners), on behalf of Abesa Clan, Eleme Local Government Area of Rivers State, on the compulsory acquisition of their land without compensation by the Nigerian National Petroleum Corporation (NNPC);
  - (o) The Firm of Rose & Associates (Legal Practitioners), on behalf of Geospan Marine Services Nigeria Limited, on the non-implementation of the House Resolution of Wednesday, 5 April, 2017 by the Ministry of Defence;
  - (p) Haruna Julius Jankawa and 33 others on behalf of residents of Angwan Soja Phase II, Masaka, Karu Local Government Area, Nasarawa State, on the alleged refusal by Abuja Electricity Distribution Company (AEDC) to refund to them the cost of purchase and installation of a 500 KVA Transformer;
- (ii) A petition from R. A. Adeboyeje, on the suspension and eventual termination of his appointment by the Federal Ministry of Education, was presented and laid by Hon. Michael Adeniyi Omogbehin (*Okitipupa/Irele Federal Constituency*);
- (iii) A petition from Dyong Bassey, on behalf of the Aggrieved Dock Workers, Calabar Port, Cross River State, on non-implementation of the Resolution of the House and the agreement between the Association of Private Operators of Seaport Terminals and Maritime Workers Union of Nigeria, was presented and laid by Hon. Essien Ayi Ekpenyong (*Calabar South/Akpabuyo/Bakassi Federal Constituency*); and

- (iv) A petition from Igbini Odafe Emmanuel, on the termination of his appointment by Total E & P Nigeria Limited, was presented and laid by Hon. Chinda Kingsley (*Obio/Akpor Federal Constituency*).

*Petitions referred to the Committee on Public Petitions.*

**5. Matters of Urgent Public Importance (Standing Order Eight, Rule 4)**

- (i) ***Need for Shell Petroleum Development Company (SPDC) to Return its Western Operational Headquarters Back to Warri, Delta State:***

Hon. Idisi Lovette (*Ethiophe East/Ethiophe West Federal Constituency*) introduced the matter and prayed the House to:

- (a) consider and approve the matter as one of urgent-public importance; and  
(b) suspend Order Eight, Rule 4 (3) to allow debate on the matter forthwith.

*Question that the matter be considered as one of urgent public importance — Agreed to.*

*Question that the House do suspend Order Eight, Rule 4 (3) to enable it debate the matter forthwith — Agreed to.*

**Need for Shell Petroleum Development Company (SPDC) to Return its Western Operational Headquarters Back to Warri, Delta State:**

The House:

*Notes* the urgent need for SPDC to return to Warri, Delta State, the unpleasant news of the relocation of the Headquarters of the Western Operations of SPDC from Warri in 2013 on the excuse of a hostile business environment is still a pain to all stakeholders, and every keen observer of this trend of events in the Niger Delta knows that the hostile environment SPDC cites for its relocation had indeed been engendered by the neglect and impoverishment of the people of the region;

*Recalls* that sometime in May 2018, SPDC through its Vice-President, Ethical Affairs Committee Mr Bradford Houppé in the Hague apologising to the people of the Niger Delta, regretted the hardship caused the Niger Delta people over the years by the devastating impacts of the company's operations on the people, its land and water ways all of which had denied them healthy living and immeasurable economic losses;

*Aware* that there is regular peace in the region and the only way to sustain this peace and business friendly environment is for SPDC to return its operational headquarters back to Warri, refusal of which will be in contravention of the spirit and intendment of the Local Content Act which gives such priorities to the Locals;

*Also aware* that the socio-economic life of the city has been adversely affected due to SPDC relocating from Warri after series of appeal by stakeholders to return, which their refusal is a continuation of the decade-long disdain, neglect and short-change of the Niger Delta people;

*Notes* that in the published apology by SPDC, it was promised that they will make amends for their past mistakes in order to ensure peaceful operations for their company and one of the mistakes is relocating its office from Warri while they are still drilling our oil, and for the past 2 years and counting there has been peace and stability in the region which was the erroneous reason the departure was predicated upon.

*Also notes* that the government of Delta State has even promised to provide adequate security and Tax incentives to encourage them (SPDC) to return to Warri and as representatives of our people, we have the responsibility to champion their cause as jobs has been lost, ancillary industries has been divested of business opportunities, taxes has been diverted elsewhere and Warri — indeed Delta State is now a shadow of its former glory, all of this was occasioned by the EXIT of SPDC that continues to drill oil from our land while our people are left to continue with the devastating consequences of oil exploration activities;

*Worried* that several appeals to the Managing Director of SPDC by concerned stakeholders advancing several reasons why SPDC should return to Warri beyond the fact that peace has since returned to Warri and indeed the Niger Delta are yet to receive any official response by SPDC;

*Concerned* that currently the Country is undergoing serious economic challenges and therefore cannot afford disruption of oil revenue from Delta State that would occur as a result of aggressive protest for the relocation of SPDC Western Operational Headquarters from Warri if SPDC continues to refuse to return to the status quo pre-2013;

*Resolves to:*

Mandate the Committee on Petroleum Resources (Upstream) to investigate the matter for detailed, specific and professional appraisal of the situation and report back within two (2) weeks (*Hon. Lovette Idisi — Ethiope East/Ethiope West Federal Constituency*).

*Debate*

*Agreed to.*

The House:

*Noted* the urgent need for SPDC to return to Warri, Delta State, the unpleasant news of the relocation of the Headquarters of the Western Operations of SPDC from Warri in 2013 on the excuse of a hostile business environment is still a pain to all stakeholders, and every keen observer of this trend of events in the Niger Delta knows that the hostile environment SPDC cites for its relocation had indeed been engendered by the neglect and impoverishment of the people of the region;

*Recalled* that sometime in May 2018, SPDC through its Vice-President, Ethical Affairs Committee Mr Bradford Houppé in the Hague apologising to the people of the Niger Delta, regretted the hardship caused the Niger Delta people over the years by the devastating impacts of the company's operations on the people, its land and water ways all of which had denied them healthy living and immeasurable economic losses;

*Aware* that there is regular peace in the region and the only way to sustain this peace and business friendly environment is for SPDC to return its operational headquarters back to Warri, refusal of which will be in contravention of the spirit and intendment of the Local Content Act which gives such priorities to the Locals;

*Also aware* that the socio-economic life of the city has been adversely affected due to SPDC relocating from Warri after series of appeal by stakeholders to return, which their refusal is a continuation of the decade-long disdain, neglect and short-change of the Niger Delta people;

*Noted* that in the published apology by SPDC, it was promised that they will make amends for their past mistakes in order to ensure peaceful operations for their company and one of the mistakes is relocating its office from Warri while they are still drilling our oil, and for the past 2 years and counting there has been peace and stability in the region which was the erroneous reason the departure was predicated upon.

*Also noted* that the government of Delta State has even promised to provide adequate security and Tax incentives to encourage them (SPDC) to return to Warri and as representatives of our people, we have the responsibility to champion their cause as jobs has been lost, ancillary industries has been divested of business opportunities, taxes has been diverted elsewhere and Warri — indeed Delta State is now a shadow of its former glory, all of this was occasioned by the EXIT of SPDC that continues to drill oil from our land while our people are left to continue with the devastating consequences of oil exploration activities;

*Worried* that several appeals to the Managing Director of SPDC by concerned stakeholders advancing several reasons why SPDC should return to Warri beyond the fact that peace has since returned to Warri and indeed the Niger Delta are yet to receive any official response by SPDC;

*Concerned* that currently the Country is undergoing serious economic challenges and therefore cannot afford disruption of oil revenue from Delta State that would occur as a result of aggressive protest for the relocation of SPDC Western Operational Headquarters from Warri if SPDC continues to refuse to return to the status quo pre-2013;

*Resolved to:*

Mandate the Committee on Petroleum Resources (Upstream) to investigate the matter for detailed, specific and professional appraisal of the situation and report back within two (2) weeks (HR. 12/07/2018)

(ii) ***Need to Call Relevant Government Agencies for Assistance and Emergency Relief for Victims of Evbuotubu Market Inferno:***

Hon. Agbonayinma Johnson Ehiozuwa (*Egor/Ikpoba/Okha Federal Constituency*) introduced the matter and prayed the House to:

- (a) consider and approve the matter as one of urgent public importance; and
- (b) suspend Order Eight, Rule 4 (3) to allow debate on the matter forthwith.

*Question that the matter be considered as one of urgent public importance — Agreed to.*

*Question that the House do suspend Order Eight, Rule 4 (3) to enable it debate the matter forthwith — Agreed to.*

***Need to Call on Relevant Government Agencies for Assistance and Emergency Relief for Victims of Evbuotubu Market Inferno:***

The House:

*Notes* a recent fire outbreak at the popular Evbuotubu Market in Egor Local Government Area of Edo State with one person died and goods worth several hundreds of millions of naira destroyed;

*Also notes* that the fire engulfed the market as a result of the adulterated kerosene mixed with Premium Motor Spirit (PMS);

*Concerned* that traders in this market are in tears as their goods were burnt and nothing salvaged and are faced with severe hardship due to this inferno;

*Resolves to:*

- (i) call on National Emergency Maintenance Agency (NEMA) to urgently send relief materials to victims of the fire outbreak in Evbuotubu Market, Egor Local Government Area, Edo State; and
- (ii) mandate the Committee on Legislative Compliance to ensure compliance and report back within six (6) weeks for further legislative action (*Hon. Ehiozuwa Johnson Agbonayinma — Egor/Ikpoba-Okha Federal Constituency*).

*Agreed to.*

**(HR. 13/07/2018).**

*Motion referred to the Committee on Legislative Compliance, pursuant to Order Eight, Rule 9 (5).*

*Motion made and Question proposed*, "That the House do suspend Order Eight, Rule 4 (4) to enable it take more than 2 matters of urgent public importance" (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

*Agreed to.*

(iii) *Need to Investigate the Circumstances Surrounding the Recent Protest by some Policemen in Maiduguri, Borno State:*

Hon. Chinda Kingsley (*Obio/Akpor Federal Constituency*) introduced the matter and prayed the House to:

- (a) consider and approve the matter as one of urgent public importance; and
- (b) suspend Order Eight, Rule 4 (3) to allow debate on the matter forthwith.

*Question that the matter be considered as one of urgent public importance — Agreed to.*

*Question that the House do suspend Order Eight, Rule 4 (3) to enable it debate the matter forthwith — Agreed to.*

**Need to Investigate the Circumstances Surrounding the Recent Protest by Some Policemen in Maiduguri, Borno State:**

The House:

*Notes* with very serious concern and dismay the recent protest by some men of the Nigeria Police Force in Maiduguri, Borno State on Monday, 2 July, 2018;

*Also notes* that the security challenges in the country, particularly in Borno and as well as North Central States had necessitated the posting of additional security personnel to help beef up the security in the area;

*Further notes* that the protest which is said to have been carried out by some men of the 'Mobile Police Force' unit (popularly known as 'Mopol') not only caused severe traffic grid, but also affected economic and social activities and brought the city of Maiduguri to a stand still for several hours;

*Aware* that the protest which witnessed the chanting of 'protest songs' and several gun shots into the air was said to have been carried out due to the non-payment for about six (6) months, of 'special duties' allowance due the said policemen;

*Also aware* of the provision of Section 14 (2) (b) of the Constitution of the Federal Republic of Nigeria, 1999 (as amended) which states that "*the security and welfare of the people shall be the primary purpose of government*";

*Further aware* that there is usually an annual allocation for payment of salaries and allowances made to the Ministry of Police Affairs and the Police Service Commission, including those on 'special duties or assignments';

*Cognizant* of the argument put forward by the Police authorities that the men were being owed because the 2018 Appropriation Bill was signed into law only recently, but notes that such argument holds no water as salaries and allowances are recurrent expenditures which were still effective and running from the 2017 Appropriation Law;

*Worried* that the Police who ordinarily should provide security for the citizens could openly protest, fully armed with guns, leaving the people they should protect in great fear and insecurity;

*Concerned* that if the above issue is not immediately checked, it could lead to anarchy and in turn negatively affect the society and cause despondency in the minds of people and teeming Nigerian masses;

*Also concerned* that the protest clearly represents failure of Public Institutions, including the Police, across the country and it has negatively affected and reduced the image and reputation of the Nigeria Police and the country at large before the rest of the world;

*Resolves to:*

Set up an *Ad-hoc* Committee to investigate the circumstances surrounding the said protest and report back within four (4) weeks for further legislative action (*Hon. Ogundu Kingsley Chinda — Obio/Akpor Federal Constituency*)

*Debate.*

**Amendment Proposed:**

In the Prayer, line 3, immediately after the word "within", *leave out* the word "four" and *insert* the word "two" (*Hon. Nkem-Abonta Uzoma — Ukwa East/Ukwa West Federal Constituency*).

*Question that the amendment be made — Agreed to.*

*Question on the Motion as amended — Agreed to.*

The House:

*Noted* with very serious concern and dismay the recent protest by some men of the Nigeria Police Force in Maiduguri, Borno State on Monday, 2 July, 2018;

*Also noted* that the security challenges in the country, particularly in Borno and as well as North Central States had necessitated the posting of additional security personnel to help beef up security in the area;

*Further noted* that the protest which is said to have been carried out by some men of the 'Mobile Police Force' unit (popularly known as 'Mopol') not only caused severe traffic grid, but also affected economic and social activities and brought the city of Maiduguri to a stand still for several hours;

*Aware* that the protest which witnessed the chanting of 'protest songs' and several gun shots into the air was said to have been carried out due to the non-payment for about six (6) months, of 'special duties' allowance due the said policemen;

*Also aware* of the provision of Section 14 (2) (b) of the Constitution of the Federal Republic of Nigeria, 1999 (as amended) which states that "*the security and welfare of the people shall be the primary purpose of government*";

*Further aware* that there is usually an annual allocation for payment of salaries and allowances made to the Ministry of Police Affairs and the Police Service Commission, including those on 'special duties or assignments';

*Cognizant* of the argument put forward by the Police authorities that the men were being owed because the 2018 Appropriation Bill was signed into law only recently, but notes that such argument holds no water as salaries and allowances are recurrent expenditures which were still effective and running from the 2017 Appropriation Law;

*Worried* that the Police who ordinarily should provide security for the citizens could openly protest, fully armed with guns, leaving the people they should protect in great fear and insecurity;

*Concerned* that if the above issue is not immediately checked, it could lead to anarchy and in turn negatively affect the society and cause despondency in the minds of people and teeming Nigerian masses;

*Also concerned* that the protest clearly represents failure of Public Institutions, including the Police, across the country and it has negatively affected and reduced the image and reputation of the Nigeria Police and the country at large before the rest of the world;

*Resolved to:*

Set up an *Ad-hoc* Committee to investigate the circumstances surrounding the said protest and report back within two (2) weeks for further legislative action (**HR. 14/07/2018**).

## 6. Presentation of Bills

The following Bills were read the *First Time*:

- (1) Federal Capital Territory Statutory Appropriation Bill, 2018 (HB. 1506).
- (2) Tertiary Education Trust Fund (Amendment) Bill, 2018 (HB. 1507).
- (3) The Nigeria Shoreline Development and Protection Agency (Establishment) Bill, 2018 (HB. 1508).

## 7. Presentation of Reports

- (i) *Ad-hoc Committee to Investigate the Incident of the Senate Chamber Invasion: Motion made and Question proposed*, "That the House do receive the Report of the *Ad-hoc* Committee to Investigate the Incident of the Senate Chamber Invasion (**HR. 145/04/2018**)" (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

*Agreed to.*

*Report laid.*

(ii) ***Committee on Agricultural Colleges and Institutions:***

*Motion made and Question proposed,* "That the House do receive the Report of the Committee on Agricultural Colleges and Institutions on a Bill for an Act to Amend the Federal Universities of Agriculture Act, Cap. F22, Laws of the Federation of Nigeria, 2004 to specify the Minimum Qualification of the Chairman of the Governing Council, Ownership of Intellectual Property and to provide for Pre-action Notice to the University Authority; and for Related Matters (HB. 1116)" (*Hon. Ismaila Muazu Hassan — Akko Federal Constituency*).

*Agreed to.*

*Report laid.*

(iii) ***Committee on Agricultural Colleges and Institutions:***

*Motion made and Question proposed,* "That the House do receive the Report of the Committee on Agricultural Colleges and Institutions on a Bill for an Act to Repeal the Nigerian Co-operative Societies Act, Cap. N98 Laws of the Federation of Nigeria, 2004 and Enact the Nigerian Co-operative Societies Commission (Establishment, etc.) Bill, to provide for Establishment of the Nigerian Co-operative Societies Commission, the Registration and Administration of Co-operative Societies; and for Related Matters (HB. 887)" (*Hon. Ismaila Muazu Hassan — Akko Federal Constituency*).

*Agreed to.*

*Report laid.*

(iv) ***Committee on Agricultural Colleges and Institutions:***

*Motion made and Question proposed,* "That the House do receive the Report of the Committee on Agricultural Colleges and Institutions on a Bill for an Act to Amend the Nigerian Research Institutes Act, Cap. N132 Laws of the Federation of Nigeria, 2004 to include the Establishment of the Shea Butter Research Institute; and for Related Matters (HB. 1271)" (*Hon. Ismaila Muazu Hassan — Akko Federal Constituency*).

*Agreed to.*

*Report laid.*

(v) ***Committee on Agricultural Colleges and Institutions:***

*Motion made and Question proposed,* "That the House do receive the Report of the Committee on Agricultural Colleges and Institutions on a Bill for an Act to Repeal the Veterinary Surgeons Act, Cap. V3, Laws of the Federation of Nigeria, 2004 and Enact the Veterinary Surgeons Bill; and for Related Matters (HB. 836)" (*Hon. Ismaila Muazu Hassan — Akko Federal Constituency*).

*Agreed to.*

*Report laid.*

(vi) ***Committee on Agricultural Colleges and Institutions:***

*Motion made and Question proposed,* "That the House do receive the Report of the Committee on Agricultural Colleges and Institutions on a Bill for an Act to Establish the Fisheries Research Institute of Nigeria, Ngo for Fishery Research, Education and Cooperative Training in Nigeria; and for Related Matters (HB.1310)" (*Hon. Ismaila Muazu Hassan — Akko Federal Constituency*).

*Agreed to.*

*Report laid.*

**(vii) Committee on Agricultural Colleges and Institutions:**

*Motion made and Question proposed.* "That the House do receive the Report of the Committee on Agricultural Colleges and Institutions on a Bill for an Act to Regulate the Profession of Agriculture and to make Provisions for the Establishment, Functions and Administration of Nigerian Institute of Agriculturists and for Related Matters (HB. 838)" (*Hon. Ismaila Muazu Hassan — Akko Federal Constituency*).

*Agreed to.*

*Report laid.*

**8. A Bill for an Act to Establish Federal College of Education, Gbongan, Osun State, to Provide Full-Time Courses, Teaching Instruction and Training in Technology, Applied Science, Arts, Social Sciences, Humanities and Management; and to Provide for Appointment of the Provost and Other Officers of the College to carry out the Administration and the Discipline of Students of the College; and for Related Matters (HB. 1376) — Second Reading**

*Motion made and Question proposed.* "That a Bill for an Act to Establish Federal College of Education, Gbongan, Osun State, to Provide Full-Time Courses, Teaching Instruction and Training in Technology, Applied Science, Arts, Social Sciences, Humanities and Management; and to Provide for Appointment of the Provost and Other Officers of the College to carry out the Administration and the Discipline of Students of the College; and for Related Matters (HB. 1376) be now read a Second Time" (*Hon. Ayo Omidiran — Ayedaade/Irewole/Isokan Federal Constituency*).

*Debate.*

*Question that the Bill be read a Second Time — Agreed to.*

*Bill read the Second Time.*

*Bill referred to the Committee on Tertiary Education and Services.*

**9. A Bill for an Act to Amend the Financial Reporting Council of Nigeria Act, No. 6, 2011 to Prescribe Social Corporate Responsibility Requirement by Companies; and for Related Matters (HB. 1314) — Second Reading**

*Motion made and Question proposed.* "That a Bill for an Act to Amend the Financial Reporting Council of Nigeria Act, No. 6, 2011 to Prescribe Social Corporate Responsibility Requirement by Companies; and for Related Matters (HB. 1314) be now read a Second Time" (*Hon. Abubakar Amuda-Kannike — Ilorin East/Ilorin South Federal Constituency*).

*Debate.*

*Question that the Bill be read a Second Time — Agreed to.*

*Bill read the Second Time.*

*Bill referred to the Committee on Commerce.*

10. **A Bill for an Act to Establish Federal College of Education (Special), Birnin Kudu, Jigawa State to Provide Full-Time Courses, Teaching Instruction and Training in Technology, Applied Science, Arts, Social Sciences, Humanities and Management; and for Related Matters (HB. 1441) — Second Reading**

*Motion made and Question proposed.* “That a Bill for an Act to Establish Federal College of Education (Special), Birnin Kudu, Jigawa State to Provide Full-Time Courses, Teaching Instruction and Training in Technology, Applied Science, Arts, Social Sciences, Humanities and Management; and for Related Matters (HB. 1441) be now read a Second Time” (*Hon. Magaji Da'u Aliyu — Birnin-Kudu/Buji Federal Constituency*).

*Debate.*

*Question that the Bill be read a Second Time — Agreed to.*

*Bill read the Second Time.*

*Bill referred to the Committee on Tertiary Education and Services.*

11. **Need to Construct More Pedestrian Bridges on Major Highways in the Federal Capital Territory**

*Motion made and Question proposed:*

The House:

*Notes* that Pedestrian bridges are a common feature in cities across the world, constructed to reduce risk of accidents and save the time that pedestrians waste to wait for vehicles to clear before crossing the road;

*Also notes* that the bridges are meant to provide safe means of crossing expressways and prevent the obstruction of free flow of traffic;

*Aware* that pedestrian bridges have been built at some junctions in the past in the Federal Capital Territory, but with an unexpected increase in the population of residents in satellite towns such as Jahi, Kubwa, and others springing up along major Expressways in the FCT, there is a rising need for construction of more bridges to ensure safety of pedestrians;

*Concerned* that with the construction of roads, more junctions and trouble spots emerged and since pedestrian bridges are not part of the original contracts, they often come up as an afterthought;

*Observes* that existing footbridges are built very far from each other, thereby forcing pedestrians to either trek long distances in order to cross them or just run across the expressways which further exposes them to danger;

*Also observes* that some of the trouble spots in the FCT include Jahi, and Kagini on the Kubwa expressway, and the Airport Road;

*Also concerned* that the existing pedestrian bridges are not secured and lack maintenance as pedestrians have to deal with stench from refuse dumped at and around the bridges;

*Resolves to:*

- (i) urge the Federal Capital Development Authority (FCDA) to carry out a thorough inspection of trouble spots with a view to constructing more pedestrian bridges and include the project in the 2018 FCT Statutory Appropriation proposal;

- (ii) also urge the FCDA and security agencies to provide cleaning services and security at the existing bridges; and
- (iii) mandate the Committees on Federal Capital Territory (FCT), and FCT Area Councils and Ancillary Matters to ensure compliance (*Hon. James Abiodun Faleke — Ikeja Federal Constituency*).

*Agreed to.*

(HR. 15/07/2018).

*Motion referred to the Committees on Federal Capital Territory (FCT), and FCT Area Councils and Ancillary Matters, pursuant to Order Eight, Rule 9 (5).*

**12. Need to Account for the Funds Spent on Information Technology by Ministries, Departments and Agencies (MDAs)**

*Motion made and Question proposed:*

The House:

*Notes* that the National Information Technology Agency (NITDA) has reported that Ministries, Government Departments and Agencies (MDAs) spend about S2 billion on Information Technology (IT) projects annually without commensurate results;

*Also notes* that it has been further reported that the demand for public funds to pursue IT projects has created and become a means to syphon public funds by corrupt individuals;

*Aware* that a recent investigation carried out by the National Information Technology Development Agency, showed that many IT projects were riddled with poor conceptualization without clear sustainability plans, thereby leading to duplication, waste, redundancies, and a conduit pipe to syphon public funds;

*Worried* that a large amount of the country's financial resources is being hoarded to the benefit of a few individuals thereby damaging the country's economy and reputation;

*Disturbed* that if no attention is given to this matter, it may pave way for corrupt practices to increase among MDAs using ICT platform as a ground for official theft, breach of trust and misappropriations;

*Resolves to:*

Mandate the Committees on Public Accounts, and Finance to investigate the matter and report back within four (4) weeks for further legislative action (*Hon. Iboro Ekanem — Ini/Ikono Federal Constituency*).

*Debate.*

*Agreed to.*

The House:

*Noted* that the National Information Technology Agency (NITDA) has reported that Ministries, Government Departments and Agencies (MDAs) spend about S2 billion on Information Technology (IT) projects annually without commensurate results;

*Also noted* that it has been further reported that the demand for public funds to pursue IT projects has created and become a means to syphon public funds by corrupt individuals;

*Aware* that a recent investigation carried out by the National Information Technology Development Agency, showed that many IT projects were riddled with poor conceptualization without clear sustainability plans, thereby leading to duplication, waste, redundancies, and a conduit pipe to syphon public funds;

*Worried* that a large amount of the country's financial resources is being hoarded to the benefit of a few individuals thereby damaging the country's economy and reputation;

*Disturbed* that if no attention is given to this matter, it may pave way for corrupt practices to increase among MDAs using ICT platform as a ground for official theft, breach of trust and misappropriations;

*Resolved to:*

Mandate the Committees on Public Accounts, and Finance to investigate the matter and report back within four (4) weeks for further legislative action (HR. 16/07/2018).

**13. Suspension of Order Seven, Rule 2 (2)**

*Motion made and Question proposed*, "That the House do suspend Order Seven, Rule 2 (2) to enable Mr Speaker preside in the Committee of the Whole" (Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency).

*Agreed to.*

**14. Consideration of Reports**

(i) *A Bill for an Act to Establish the Federal University of Education, Nsugbe to Provide Training and Teaching Instructions in every aspect of Education and such other Fields of Applied Learning relevant to the Needs of the Development of Education in Nigeria, Matters of Administration and Discipline of Students and for Related Matters (HB. 1067) (Committee of the Whole):*

*Motion made and Question proposed*, "That the House do consider the Report on a Bill for an Act to Establish the Federal University of Education, Nsugbe to Provide Training and Teaching Instructions in every aspect of Education and such other Fields of Applied Learning relevant to the Needs of the Development of Education in Nigeria, Matters of Administration and Discipline of Students and for Related Matters (HB. 1067) and approve the recommendations therein" (Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency).

*Agreed to.*

*Question that the House do resolve into the Committee of the Whole to consider the Report — Agreed to.*

**(HOUSE IN COMMITTEE)**

*(Mr Speaker in the Chair)*

A BILL FOR AN ACT TO ESTABLISH FEDERAL UNIVERSITY OF EDUCATION, NSUGBE, TO PROVIDE TRAINING AND TEACHING INSTRUCTION IN EVERY ASPECT OF EDUCATION AND SUCH OTHER FIELDS OF APPLIED LEARNING RELEVANT TO THE NEEDS OF THE DEVELOPMENT OF EDUCATION IN NIGERIA, MATTERS OF ADMINISTRATION AND DISCIPLINE OF STUDENTS AND FOR RELATED MATTERS (HB. 1067)

## PART I — PRELIMINARY

**Clause 1: The objects.**

The objects of the Federal University of Education, Nsugbe, shall be to:

- (a) encourage the advancement of learning to all persons without distinction of race, religion, sex or political conviction, by availing to all qualified persons the opportunity of acquiring higher education in Nigeria;
- (b) develop, offer academic and professional programmes leading to the award of certificates, first degrees, post-graduate diploma and other higher degrees, which emphasises planning, adaptive, developmental and productive skills in education, technology, applied science, agriculture, commerce, art, social science, humanities, management and allied professional disciplines;
- (c) produce socially mature educational men and women with capability not to only understand need of Nigeria as a nation, but also to exploit existing educational infrastructures and improve on it to develop new ones;
- (d) act as agents and catalysts for effective educational system, through post-graduate training, research and innovation, for effective economic utilization and conservation of the country's human resources;
- (e) bring quality change in education, focusing on teacher education through teaching and learning innovations;
- (f) collaborate with other national and international institutions involved in training, research and development of education with a view to promoting governance, leadership and management skills among educational managers;
- (g) identify the educational needs of the society with a view to finding solutions to them within the context of overall national development;
- (h) provide and promote sound basic education training as a foundation for the development of Nigeria, taking into account indigenous culture and the need to enhance national unity; and
- (i) undertake any other activities that are appropriate for a University of Education of the highest standard (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that Clause 1 stands part of the Bill — Agreed to.*

PART II — ESTABLISHMENT, STRUCTURE, POWER AND  
FUNCTIONS OF FEDERAL UNIVERSITY OF EDUCATION

- Clause 2:**
- (1) There shall be established the Federal University of Education, Nsugbe, specified in the First Schedule to this Bill On this Bill referred to as "the University")
  - (2) The University referred to in sub-section (1) of this Section shall be a body corporate with perpetual succession and a common seal, which may sue or be sued in its corporate name.

- (3) May acquire, hold or dispose of any property, movable or immovable for the purposes of carrying out any of its objects under this Bill (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that Clause 2 stands part of the Bill — Agreed to.*

**Clause 3: Structure of the University.**

The University shall consist of:

- (a) a Chancellor;
- (b) a Pro-Chancellor;
- (c) a Vice-Chancellor;
- (d) a Council;
- (e) a Senate;
- (f) a body to be known as the Congregation;
- (g) the campuses and colleges of the University;
- (h) the schools, institutes and other teaching and research units of the University;
- (i) undergraduate and postgraduate students of the University; and
- (j) all other persons who are members of the university in accordance with provisions of this Bill (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that Clause 3 stands part of the Bill — Agreed to.*

**Clause 4: Governing Council of the University.**

- (1) The governance of the University and the direction of its affairs shall vest in the Governing Council of the University (in this Bill referred to as "the Council").
- (2) Without prejudice to the generality of sub-section (1) of this section, it shall be the responsibility of the Council to consider and approve the:
  - (a) plan of activities of the University;
  - (b) programme of studies, courses, and research to be undertaken by the University;
  - (c) annual estimates of the University; and
  - (d) investment plans of the University (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that Clause 4 stands part of the Bill — Agreed to.*

**Clause 5: Membership of the Council.**

The Council of the University shall consist of a chairman and Membership of other members to be appointed by the President:

- (a) the Pro-Chancellor;
- (b) the Vice-Chancellor;
- (c) Deputy Vice-Chancellor;
- (d) one person from the Ministry responsible for education;
- (e) nine persons representing a variety of interest and broadly representative of the whole Federation to be appointed by the President;
- (f) four persons appointed by the senate from among its members;
- (g) two persons appointed by congregation of the University from among its members;
- (h) two representatives of the academic board of the University;
- (i) one representative of the National University Commission; and
- (j) one person appointed by the Convocation of the University from among its members (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that Clause 5 stands part of the Bill — Agreed to.*

**Clause 6: Tenure of office of members of the Council.**

- (1) A member of the Council, other than an ex-officio member, shall hold office for a term of four years and may be eligible for re-appointment for another four years and no more.
- (2) A member of the Council shall cease to be a member under this Bill, where:
  - (a) such member resigns his office by notice in writing under his hand, addressed to the President through the Minister; or
  - (b) the President is satisfied that it is not in the best interest of the University or of the public for such member to continue in office and notifies such member in writing to that effect (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that Clause 6 stands part of the Bill — Agreed to.*

**Clause 7: Removal of any member of the Council.**

- (1) Where it appears to the Council that any member of the Council, other than the Pro-Chancellor and the Vice-Chancellor, should be removed from office on the ground of misconduct or inability to perform the functions of his office, the Council shall make recommendation through the Minister to the President.

- (2) Where the president, after making such enquiries as he considers appropriate and approves the recommendation made by the Council, he may direct the removal of such members of Council from office.
- (3) The Minister shall communicate to the affected person, a copy of the instrument embodying a direction under sub-section (2) of this Section, to be served on the person to whom it relates (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that Clause 7 stands part of the Bill — Agreed to.*

**Clause 8: Powers of the University.**

- (1) The University shall have power to:
  - (a) establish such campus, college, institute, schools, extra-moral department and other teaching and research units within the University, as may be necessary or desirable, subject to the approval of the National Universities Commission;
  - (b) institute professorships, readerships or associate professorships, lecture-ships, other posts and office and make appointments thereto;
  - (c) institute and award fellowships, scholarships, exhibitions, bursaries, medals, prizes and other titles, distinctions, awards and other forms of assistance;
  - (d) provide for the welfare and discipline of members of the University;
  - (e) conduct 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 overall directives of the Ministers;
  - (h) acquire, hold, grant, charge or otherwise deal with or disposal of movable and immovable property wherever it is situate for the purposes of carrying out the objects of this Bill;
  - (i) accept gifts, legacies and donations, but without obligation to accept the same for a particular purpose unless it approves the terms and conditions attached thereto;
  - (j) enter into contracts, establish trusts, act as trustee, solely or jointly with any other person, and employ or act through agents;
  - (k) build, provide, equip and maintain libraries, laboratories, lecture halls, halls of residence, refectories, sports grounds, playing fields buildings or other facilities deemed necessary for the achievement of the objects of this Bill;

- (l) hold public lectures and undertake printing, publishing and book selling;
  - (m) invest any surplus funds of the University in profit-yielding ventures;
  - (n) borrow money, where it is expedient to borrow and guarantee such loan, advances or credit facilities, upon any of the property, movable or immovable, of the University, subject to each University Council's approval;
  - (o) conduct examinations in education for qualified teachers;
  - (p) donate gifts for any charitable purposes;
  - (q) recruit staff of the right caliber and determine the career structure of such staff;
  - (r) provide amenities for student's welfare and make such other provision for the welfare of the staff of the University;
  - (s) organise and mount exhibitions to foster an appreciation of trends in technology and the scope requirements of education; and
  - (t) exercise any other powers as are necessary or expedient for the achievement of the objects of this Bill.
- (2) The power of the University to establish further campuses and college under the University shall be exercisable by statute and not otherwise (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that Clause 8 stands part of the Bill — Agreed to.*

**Clause 9: Composition of the Senate.**

- (1) The Senate of the University shall consist of:
- (a) the Vice-Chancellor;
  - (b) the Deputy Vice-Chancellor;
  - (c) the Deans of various schools in the University;
  - (d) the Directors of various institutes in the University;
  - (e) the Professors in the University;
  - (f) the University Librarian;
  - (g) persons holding such appointment on the staff payroll of the University as may be specified by the Vice Chancellor;
  - (h) such lecturers, not being more than one third of the total number of non-elected members, elected by the Congregation of the University of which at least one of whom shall come from each of the schools in the University; and

- (i) two persons representing a variety of interests of professional bodies outside the University, appointed by the Senate on the recommendation of the Vice-Chancellor (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that Clause 9 stands part of the Bill — Agreed to.*

**Clause 10: Functions of the Senate.**

(1) The Senate of the University shall perform the following functions:

- (a) determine, organise and regulate teaching in the University;
  - (b) admit and discipline students, where no other enactment provides to the contrary the procedure for admitting and discipline of students in the University;
  - (c) promote research activities in the University;
  - (d) establish, organize and control of campus activities of the University, College, Schools, Institutes and other teaching and research units of the University;
  - (e) allocate responsibilities to various branches of learning of the University;
  - (f) organise and control courses of study in the University and conduct examinations based on courses taught;
  - (g) appoint both internal and external examiners;
  - (h) consider and approve award of degrees, certificate, diploma and such other qualifications as may be prescribed in connection with examinations conducted by the University;
  - (i) make recommendations to the Council with respect to honorary fellowship or honorary degree or the title of professor emeritus, to be conferred on any qualified person by the University;
  - (j) establish, organise and control of halls of residence under the University;
  - (k) ensure the welfare of students in the University and regulate their conduct;
  - (l) recommend to the Council the grant of fellowships, scholarships, prizes and similar awards within the control of the University on any person approved for such awards; and
  - (m) determine the colour and design of what shall be the academic dress of the University and regulate its usage.
- (2) The Senate shall not establish any new campus, college, school, department, institute or other teaching and research units, hall of residence or similar institution of the University without the approval of the Council.

- (3) Subjects to a right of appeal to the Council from a decision of the Senate under this Bill, the Senate may deprive any person of any degree, diploma or other award of the University, which has been conferred upon him, but after due enquiry he is shown to have been guilty of discreditable conduct in gaining admission into the University or obtaining that award.
- (4) The Senate shall ensure that not less than one person out of the persons appointed as examiners at each final or professional examination held in conjunction with any course of study at the University is not a Lecturer at the University but is a Lecturer at any other branch of learning to which the course relates in other University of high repute or a person engaged in practicing the profession in a reputable organisation or institution (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that Clause 10 stands part of the Bill — Agreed to.*

**Clause 11: The Visitor.**

- (1) The President of the Federal Republic of Nigeria shall be the Visitor of the University.
- (2) The Visitor shall, not less than once in every five years, conduct a visitation to the University or appoint a visitation panel consisting of not less than five experts to carryout visitation for the purposes of evaluating the academic and administrative performance of the University or for such other purposes in respect of any affairs of the University, which the Visitor may consider necessary (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that Clause 11 stands part of the Bill — Agreed to.*

PART III — PRINCIPAL OFFICERS, OTHER PRINCIPAL OFFICERS  
AND STAFF OF THE UNIVERSITY

**Clause 12: The Chancellor.**

- (1) The Chancellor of the University shall be appointed and hold office at the pleasure of the President.
- (2) The Chancellor shall subject to the provisions of this Bill, hold office for a period of five years from the date of his appointment and no more.
- (3) Notwithstanding the provision of sub-section (2) of this Section, the President may remove any Chancellor from office, where it is in the interest of the University or of the public to do so (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that Clause 12 stands part of the Bill — Agreed to.*

**Clause 13: The Pro-Chancellor.**

- (1) The Pro-Chancellor of the University shall be appointed by the President.
- (2) The Pro-Chancellor shall subject to the provisions of this Bill, hold office for a period of five years from the date of his appointment.

- (3) Notwithstanding the provision of sub-section (2) of this Section, the President may remove any Pro-Chancellor from office, where it is in the interest of the University or of the public to do so (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that Clause 13 stands part of the Bill — Agreed to.*

**Clause 14: The Vice-Chancellor.**

- (1) There shall be a Vice-Chancellor of the University, who shall be appointed by the President in accordance with the provisions of this Section.
- (2) The Vice-Chancellor shall be the Chief Executive and Academic Officer of the University, exercise general function in addition to any other functions conferred on him by this Bill or otherwise, which includes directing activities in the University and serves as ex-officio and chairman of the Senate.
- (3) The Vice-Chancellor shall, in relation to each University, take precedence before all other members of the University except the Chancellor and the Pro-Chancellor and any other person for the time being acting as chairman of the Council.
- (4) Where a vacancy occurs in the post of a Vice-Chancellor, the Council shall:
- (a) advertise the vacancy in a reputable journal or a widely read newspaper in Nigeria, specifying:
- (i) the qualities and qualifications of the persons who may apply for the post; and
- (ii) the terms and conditions of service applicable to the post, and thereafter draw up a short list of suitable candidates for the post for consideration;
- (b) constitute a Search Team consisting of:
- (i) a member of the Council, who is not a member of the Senate, as chairman;
- (ii) two members of the Senate who are not members of the Council, one of whom shall be a professor;
- (iii) two members of the Congregation who are not members of the Council, one of whom shall be a professor, to identify and nominate for consideration, suitable persons who are not likely to apply for the post on their own volition but that of the national interest.
- (5) A joint Council of Senate Selection Board shall consist of:
- (a) the Pro-Chancellor, as Chairman;
- (b) two members of the Council, not being members of the Senate; and

- (c) two members of the Senate not below the rank of professors, who were not members of the Search Team, shall consider the candidates and persons shortlisted under sub-section (2) of this Section through evaluation of their curriculum vitae and interaction, shall recommend to the Council, suitable candidates from the list for further consideration.
- (6) The Council shall select three candidates from among the candidates recommended in sub-section (5) of this Section and may indicate its order of preference stating the reasons, if any, forward the names to the President for consideration and approval.
- (7) The President may appoint as Vice-Chancellor one of the candidates recommended to him in accordance with the provisions of sub-section (6) of this Section.
- (8) The Vice-Chancellor shall hold office for a single term of five years only on such terms and conditions as may be specified in his letter of appointment and no more.
- (9) The Vice-Chancellor may be removed from office by the President after due consultation with the Council and the Senate, acting through the Minister responsible for education (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that Clause 14 stands part of the Bill — Agreed to.*

**Clause 15: Deputy Vice-Chancellor.**

- (1) There shall be for the University such number of Deputy Vice-Chancellors as the Council may, from time to time, deem necessary for the proper management and administration of each University.
- (2) Where a vacancy occurs in the post of Deputy Vice-Chancellor, the Vice-Chancellor shall forward to the Senate a list of two candidates for the post of Deputy Vice-Chancellor that is vacant.
- (3) The Senate shall select for any vacant post one candidate from the list forwarded to it under sub-section (2) of this Section and forward his name to the Council for confirmation.
- (4) A Deputy Vice-Chancellor shall:
- (a) assist the Vice-Chancellor in the performance of his functions;
  - (b) act in the place of the Vice-Chancellor when the post of the Vice-Chancellor is vacant or if the Vice-Chancellor is, for any reason, absent or unable to perform his functions as Vice-Chancellor;
  - (c) perform such other functions as the Vice-Chancellor or the Council may, from time to time, assign to him;
  - (d) hold office for a period of two years from the date of his appointment on such terms and conditions as may be specified in his letter of appointment; and

- (e) may be re-appointed for another period of two years and no more (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that Clause 15 stands part of the Bill — Agreed to.*

**Clause 16: Appointment of the Registrar.**

- (1) There shall be for the University, a Registrar, who shall be the chief administrative officer of the University and shall be responsible to the Vice-Chancellor for the day-to-day administrative work of the University except as regards matters for which the Bursar is responsible in accordance with sub-section (3) of Section 17 of this Bill.
- (2) The Person holding the office of the Registrar shall by virtue of that office be the secretary to the Council, the Senate, the Congregation and the Convocation of the University.
- (3) The Registrar shall hold office for a period of five years from the date of his appointment on such terms and conditions as may be specified in his letter of appointment (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that Clause 16 stands part of the Bill — Agreed to.*

**Clause 17: Appointment of other Principal Officers of the University.**

- (1) There shall be for the University the following principal officers in addition to the Registrar:
  - (a) the Bursar; and
  - (b) the University Librarian.
- (2) The Bursar and the University Librarian shall be appointed by the Council on the recommendation of the Selection Board constituted under this Bill.
- (3) The Bursar shall be the chief financial officer of the University and be responsible to the Vice-Chancellor for the day-to-day administration and control of the financial affairs of the University.
- (4) The University Librarian shall be responsible to the Vice-Chancellor for the administration of the university library and the co-ordination of the library services in the University and any of its campuses, colleges, faculties, schools, departments, institutes and other teaching or research units of the University.
- (5) The Registrar, Bursar and Librarian shall hold office for such period and on such terms as to the emoluments of their offices and otherwise as may be specified in their letters of appointment.
- (6) The scope of the responsibilities of the officers referred to in sub-section (5) of this Section shall be determined by the Vice-Chancellor (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that Clause 17 stands part of the Bill — Agreed to.*

**Clause 18: Selection Board for other Principal Officers.**

- (1) There shall be for the University, a Selection Board for the appointment of other principal officers, other than the Vice-Chancellor or Deputy Vice-Chancellor, which shall consist of:
  - (a) the Pro-Chancellor, as Chairman;
  - (b) the Vice-Chancellor;
  - (c) four members of the Council not being members of the Senate and
  - (d) two members of the Senate.
- (2) Functions, procedure and other matters relating to the Selection Board constituted under sub-section (1) of this Section, shall be determined by the Council from time to time (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that Clause 18 stands part of the Bill — Agreed to.*

**Clause 19: Other employees of the University.**

The Council may employ such other persons as employees of the University, as may be required to assist the Vice-Chancellor and the principal officers of the University in the performance of their functions and responsibilities under this Bill (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that Clause 19 stands part of the Bill — Agreed to.*

**Clause 20: Removal and Discipline of staff of the University.**

- (1) Where it appears to the Council that there are reasons to believe that any staff employed by the University other than the Vice-Chancellor and other principal staff, should be removed from office or employment of the University on the ground of misconduct or inability to perform the functions of his office, the Council shall:
  - (a) give notice to the staff, stating the reasons for either his removal or discipline;
  - (b) afford him an opportunity to make representation in person on the matter to the Council; and
  - (c) where he made representation to the Council not less than three members of the Council as may be requested within the period of one month from the date of the notice, an arrangement:
    - (i) for a joint committee of the Council and the Senate to investigate the matter may be constituted and submit report to the Council on the matter;
    - (ii) the staff shall be afforded an opportunity of appearing before the investigating Committee with respect to the matter, and if the Council after considering the report of the Investigating committee; and

- (iii) is satisfied that the staff in question is guilty of the offence alleged, the Council may so direct his removal or being disciplined through an instrument in writing signed on the directions of the Council.
- (2) The Vice-Chancellor may, in a case of misconduct by any member of staff of the University which in his opinion is prejudicial to the interests of the University may suspend such member of staff and report such suspension to the Council.
- (3) The Council may for good cause, suspend or terminate the appointment of any member of staff from duty.
- (4) For the purposes of this section, "good cause" means:
- (a) conviction for any offence which the Council considers to be such as to render the person concerned unfit for the performance of the functions of his office;
  - (b) any physical or mental incapacity, which in the opinion of the Council and medical advice, considers to be such as to render the person concerned unfit to continue to hold his office;
  - (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 perform the functions of his office or to comply with the terms and conditions of his service; or
  - (e) conduct which the Council considers to be generally of such nature as to render the continued appointment or service of the person concerned as prejudicial or detrimental to the interest of the University.
- (5) Any person suspended pursuant to sub-sections (2) or (3) of this section, shall be on half pay and the Council shall, before the expiration of three months of such suspension, consider the case against that person and come to a decision as to:
- (a) whether to continue such person on the suspension and is so, on what terms, including the proportion of his emoluments to be paid to him;
  - (b) whether to reinstate such person, in which case the Council shall restore his full emoluments to him with effect from the date of suspension;
  - (c) whether to terminate the appointment of such person, which in the circumstance shall not be entitled to the proportion of his emoluments withheld during the period of suspension; or

- (d) whether to take such lesser disciplinary action against the person, which include the restoration of such proportion of his emoluments withheld during suspension or as the Council may determine.
- (6) Where the Council, pursuant to this Section, decides to continue the person's suspension or take further disciplinary action against the person, the Council shall before the expiration of three months of such decision, come to a final determination of the case against the person.
- (7) It shall be the duty of the person by whom an instrument of removal is signed pursuant to this Section, to make effort to cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it relates.
- (8) Notwithstanding the provisions of this section, nothing in the foregoing provisions shall:
- (a) apply to any directive given by the Visitor in consequence of any visitation report; or
- (b) prevent the Council from making regulations for the discipline of other categories of workers of the University as may be prescribed (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that Clause 20 stands part of the Bill — Agreed to.*

**Clause 21: Exemption.**

- (1) Notwithstanding anything to the contrary in the Pensions Act, the compulsory retiring age of an academic staff of each University shall be 70 years.
- (2) A law or rule requiring a person to retire from the public service after serving for 35 years shall not apply to both academic and non-academic staff of each University (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that Clause 21 stands part of the Bill — Agreed to.*

**Clause 22: Application of the Pension Reform Act.**

- (1) Service in the employment of each University shall be approved service under the Pensions Reform Act, 2004 and accordingly, employees of the University shall, in respect of their services be entitled to pension, gratuity and other retirement benefits as are prescribed in the Act.
- (2) Notwithstanding the provisions of sub-section (1) of this Section, nothing in this Bill shall prevent the appointment of a person to any office on terms, which preclude the grant of pension and gratuity in respect of that office.
- (3) For the purpose of the application of the Pensions Reform Act, 2004 and any power exercisable there under by the President or authority other than the Federal Government (not being the power to make Regulations under Section 32 of this Bill), shall be vested in and exercisable by the University.

- (4) Subject to sub-section (2) of this Section, the Pensions Reform Act, 2004 shall in its application by virtue of sub-section (3) of this section have effect as if the office were in the public service of the federation within the meaning of the Constitution of the Federal Republic of Nigeria 1999 (as altered) (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that Clause 22 stands part of the Bill — Agreed to.*

PART IV — FINANCIAL PROVISION

- Clause 23:**
- (1) The University shall establish and maintain a Fund, which shall be applied towards the achievement of the aims and objectives of this Bill.
  - (2) There shall be paid and credited to the Fund established pursuant to sub-section (1) of this Section:
    - (a) such sums as may be provided by the Government of the Federation or of a State for payment into the Fund;
    - (b) fees charged for services rendered by the University: and
    - (c) all Sums accruing to the University by way of gifts, testamentary dispositions, endowments or contributions from philanthropic or organizations (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that Clause 23 stands part of the Bill — Agreed to.*

**Clause 24: Accounts and audit.**

- (1) The University shall not later than 30th September of each year, submit to the Council for approval its estimates of income and expenditure for the next financial year.
- (2) The University shall:
  - (a) keep proper records of all accounts of its income and expenditure; and
  - (b) prepare a statement of account in respect of each financial year.
- (3) The University shall not later than 30th June of each financial year, submit its accounts to auditors appointed from a list of qualified auditors in accordance with guidelines laid down by the Auditor-General of the Federation and the auditor's fees and expenses shall be paid from the Funds of the University (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that Clause 24 stands part of the Bill — Agreed to.*

**Clause 25: Annual Report.**

- (1) The University shall not later than 30th June of each financial year submit to the Council, in respect of the preceding financial year, an annual report on the activities of the University in such form as the Council may direct.

- (2) The report referred to in sub-section (1) of this Section shall include:
  - (a) information of the activities of the University in that year;
  - (b) a copy of the audited accounts of the University for that year together with the Auditor-General's report on the accounts of the University; and
  - (c) such other information as the Council may request.
- (3) The Vice-Chancellor shall provide such information on the affairs of the University as the Council may from time to time request (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that Clause 25 stands part of the Bill — Agreed to.*

**Clause 26: Power to accept gifts.**

- (1) The University may accept any gift of land, money or other Power property upon such terms and conditions, if any, as may be specified by the person or organization donating the gift;
- (2) The University shall not accept any gift where the conditions attached by the person or organization donating the gifts are inconsistent with the functions and objects of the University (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that Clause 26 stands part of the Bill — Agreed to.*

**Clause 27: Borrowing and investment power of the University.**

- (1) The University may with the consent or in accordance with any general authority given by the Council or appropriate authority; borrow by way of loan or overdraft from any source, any specified amount of money required by the University for its Obligations and functions under this Bill.
- (2) The University may, subject to the provisions of this Bill and the conditions of any trust created in respect of any property, invest any of its funds with the consent or general authority of the Council.
- (3) The University may invest any of its surplus funds in such securities as the Council may from time to time approve.
- (4) For the purposes of this section, "appropriate authority" means Ministry charged with the responsibility of education (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that Clause 27 stands part of the Bill — Agreed to.*

PART V — MISCELLANEOUS PROVISIONS

- Clause 28:**
- (1) Notwithstanding anything to the contrary in the provisions of the Federal Colleges of Education Act (Cap. F8, LFN, 2004), House of the Assembly of the State and all the other Subsidiary instruments made there under, from the commencement of this Bill, it shall not apply to the College of Education, Nsugbe now upgraded to Federal University of Education, Nsugbe.

- (2) From the commencement of this Bill, all rights, functions, interests, obligations and liabilities of the College, existing before the commencement of this Bill under any contract or instrument of Law or in equity shall by virtue of this Bill be deemed to have been assigned to and vested in the Federal University of Education established by this Bill.
- (3) Any proceeding or cause of action pending or existing immediately before the commencement of this Bill by or against the College in respect of any rights, interest or obligation may be continued or discontinued by or against the Federal University of Education established by this Bill in any court of Law or Tribunal.
- (4) Every asset, funds, resources and other movable or immovable property which before the commencement of this Bill was vested in the College, shall by virtue of this Bill and without further assurance is vested in The Federal University of Education Nsugbe established by this Bill.
- (5) Any person who at the coming into force of this Bill was the holder of any office in the College, shall on the commencement of this Bill continue in that office and be deemed to have been appointed to the office by the Federal University of Education established by this Bill.
- (6) Every regulation, order, requirement, certificate, notice, direction, decision, authorization, consent, application, request or thing made, issued, given or done under the Federal Colleges of Education Act, (Cap. F8 L.F.N. 2004) shall cease to be in force at the commencement of this Bill, against the College referred to in this Section (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that Clause 28 stands part of the Bill — Agreed to.*

**Clause 29: Discipline of students.**

- (1) The Council may make rules providing for the Vice-Chancellor to conduct enquiries into any alleged breach of discipline in the University, which include lack of due diligence exhibited by any student(s).
- (2) The rules shall provide for the procedure and rules of evidence to be followed at enquiries under this section.
- (3) Subject to the provisions of sub-section (1) of this Section, where it is proved during enquiry that any student of the University has been found guilty of any misconduct, the Vice-Chancellor may, without prejudice to any other disciplinary powers conferred on him by this Bill or any regulations made pursuant to this Bill, direct that the:
  - (a) student shall not, during such period as may be specified in the direction, participate in such activities of the University, or make use of such facilities of the University, as may be specified;
  - (b) activities of such student shall during such period as may be specified in the directions, be restricted in such manner as may be so specified;
  - (c) the student may be suspended for such period as may be specified in the direction; or

- (d) student should be expelled from the University.
- (4) Where there is no Vice-Chancellor or where the Vice-Chancellor refuses to apply any disciplinary measures, the Council may, either directly or through some other staff of the University, apply such disciplinary actions specified in sub-section (3) of this Section to any student of the University that is found guilty of any misconduct.
- (5) Where a direction is given under sub-section (3), paragraphs (c) or (d) of this Section in respect of any student, the student may, within 21 days from the date of the letter communicating the decision to him, appeal against the direction to the Council, and where such an appeal is brought, the Council after making inquiry in relation to the matter, may either modify, confirm or set aside the direction in such manner as the Council may deem necessary.
- (6) The fact that an appeal from a direction is brought pursuant to sub-section (5) of this Section shall not affect the operation of the direction while the appeal is pending.
- (7) The Vice-Chancellor may delegate his powers under this Section to a disciplinary committee consisting of such members of the University as he may nominate.
- (8) Nothing in this Section shall be construed as preventing the restriction or termination of a student's activities in the University otherwise than on the ground of misconduct.
- (9) The direction under sub-section (3) paragraph (a) of this Section may be combined with a direction under sub-section (3) paragraph (b) of this Section.
- (10) In all cases of indiscipline and misconduct under this Section, the decision of the Council shall be final unless it is reversed by the Minister on appeal by the student (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that Clause 29 stands part of the Bill — Agreed to.*

**Clause 30: The Seal of the University.**

- (1) The Seal of the University shall be such as may be determined by the Council and the affixing of the seal shall be signed by the Chairman of the Council and the Vice-Chancellor of the University.
- (2) Certificates issued by the University shall have the seal of the University affixed and signed by the Vice-Chancellor and the Registrar of each University.
- (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, shall be presumed to be so executed.

- (4) Any contract or instrument which, if made or executed by a person not being a body corporate, would not be required to be under seal may be made or executed on behalf of the University by any authorized person generally or specifically authorized to do so by the Council (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that Clause 30 stands part of the Bill — Agreed to.*

**Clause 31: Limitation of suit.**

- (1) Subject to the provisions of this Bill, the provisions of the Public Officers Protection Act shall apply to any suit instituted against the University, an officer or employee of the University.
- (2) No suit shall lie or be instituted in any court against the University, a member of the Governing Board or any principal officer or employee of the University for an action carried out in pursuance to the execution of this Bill or any enactment, or of any public duty in respect of any alleged neglect or default in the execution of this Bill or any other enactment or law, duty or authority, unless it is commenced:
- (a) within three months of such act, neglect or default complained thereof; or
- (b) in the case of a continuation of damages or injury, within six months after the ceasing of the act, neglect or default.
- (3) No suit shall be commenced against the University, a member of the Council or any principal officer or employee of the University before the expiration of a period of one month after written notice of the intention to commence such suit has been served on the University by the intending plaintiff or his agent.
- (4) The notice referred to in sub-section (3) of this Section shall clearly state the cause of action, particulars of the claim, the name and place of abode of the intending plaintiff and the relief sought (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that Clause 31 stands part of the Bill — Agreed to.*

**Clause 32: Power to make Regulations.**

- (1) The Council may make Regulations:
- (a) to regulate the activities and programmes of the University, or any matter connected with the University; or
- (b) for the effective implementation of any of the provisions of this Bill.
- (2) The Council shall have power to amend Regulations made under this Bill provided that the proposal for amendment shall be passed by two-thirds majority of the Council members.
- (3) All Regulations made by the Council subject to the provisions of this Bill, may be published in the Official Gazette of the Government of Nigeria (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that Clause 32 stands part of the Bill — Agreed to.*

**Clause 33: Ownership of Property.**

- (1) All property held by or on behalf of the College shall vest in the University and be held by it for the purposes of the University.
- (2) The provisions of the paragraphs to the Second Schedule to this Bill shall have effect with respect to matters arising from the transfer of property by this section and with respect to the other matters mentioned in that Schedule (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that Clause 33 stands part of the Bill — Agreed to.*

**Clause 34: Application of the Land Use Act.**

- (1) Without prejudice to the provisions of the Land Use Act, a University shall not dispose of or charge any land or an interest in any land, including any land transferred to the University by this Bill, except with the prior written consent of the President.
- (2) Provided that such consent shall not be required in the case of any lease or tenancy at a rent for a term not exceeding 21 years or any lease or tenancy to a member of the University for residential purpose (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that Clause 34 stands part of the Bill — Agreed to.*

**Clause 35: Discrimination.**

- (1) No person shall be required to satisfy any requirements as to race, ethnicity, sex, place of birth or of family origin, or religion or political affiliation, as a condition of becoming or continuing to be a student at any University created by this Bill,
- (2) No person shall be subjected to any disadvantage or accorded any advantage in relation to the University, by reference to any of the holder of any degree of the University or of appointment or employment at the University, or a member of any, of the bodies established by virtue of this Bill.
- (3) Nothing in sub-section (1) of this Section shall prevent the University from imposing any disability or restriction on any of the persons mentioned in that sub-section, where such person willfully refuses or fails on grounds of religious belief to undertake any duty generally and uniformly imposed on all such persons or any group of them, which in the opinion of the University is reasonably justifiable in the national interest (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that Clause 35 stands part of the Bill — Agreed to.*

**Clause 36: Interpretation.**

In this Bill, unless the context otherwise requires:

"Campus" means any campus which may be established by the University (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that the meaning of the word "Campus" be as defined in the interpretation to this Bill — Agreed to.*

"College" means any college which may be established by the University (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that the meaning of the word "College" be as defined in the interpretation to this Bill — Agreed to.*

"College" means federal College of Education, Nsugbe, Anambra State (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that the meaning of the word "College" be as defined in the interpretation to this Bill — Agreed to.*

"Council" means the Council established pursuant to sub-section (1) of Section 4 of this Bill for the University (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that the meaning of the word "Council" be as defined in the interpretation to this Bill — Agreed to.*

"Graduate" means a person on whom a degree, other than an honorary degree, has been conferred by the University (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that the meaning of the word "Graduate" be as defined in the interpretation to this Bill — Agreed to.*

"Minister" means the Minister charged with responsibility for matters relating to education (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that the meaning of the word "Minister" be as defined in the interpretation to this Bill — Agreed to.*

"Notice" means notice in writing (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that the meaning of the word "Notice" be as defined in the interpretation to this Bill — Agreed to.*

"Officer" does not include the Visitor (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that the meaning of the word "Officer" be as defined in the interpretation to this Bill — Agreed to.*

"Prescribed" means prescribed by statute or regulation (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that the meaning of the word "Prescribed" be as defined in the interpretation to this Bill — 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 (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that the meaning of the word "Professor" be as defined in the interpretation to this Bill — Agreed to.*

"Regulations" means regulations and other statutory instruments made by the Council under this Bill (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that the meaning of the word "Regulations" be as defined in the interpretation to this Bill — Agreed to.*

"Senate" means the Senate of the University established pursuant to paragraph (e) of Section 3 of this Bill (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that the meaning of the word "Senate" be as defined in the interpretation to this Bill — Agreed to.*

"School" means a unit of closely related academic programmes (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that the meaning of the word "School" be as defined in the interpretation to this Bill — Agreed to.*

"Undergraduate" means a person in status pupillary 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 (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that the meaning of the word "Undergraduate" be as defined in the interpretation to this Bill — Agreed to.*

"University" means the Federal University of Education, Nsugbe established under section 1 of this Bill (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that the meaning of the word "University" be as defined in the interpretation to this Bill — Agreed to.*

*Question that Clause 36 stands part of the Bill — Agreed to.*

**Clause 37: Short Title.**

This Bill may be cited as the Federal University of Education, Nsugbe (Establishment) Bill, 2018 (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that Clause 37 stands part of the Bill — Agreed to.*

## SCHEDULE

### FIRST SCHEDULE

#### (A) FEDERAL UNIVERSITY OF EDUCATION, NSUGBE

## PROCEEDINGS OF THE COUNCIL AND SENATE'S MEETINGS

1. Subject to this Bill and section 27 of the Interpretation Act (Cap. 123), LFN, 2004, the Council and Senate may make Standing Orders to regulate its proceedings or those of any of its Committees.
2. The Council or the Senate shall meet whenever it is summoned by the chairman and if, the chairman is required to do so by notice given to him by not less than 3 other members, he shall summon a meeting of the Council or of the Senate, to be held within fourteen days from the date on which the notice is given.
3. At any meeting of the Council and Senate, the Chairman shall preside but where he is absent, the members present at the meeting shall appoint one of their members to preside over the meeting.
4. Where the Council or the Senate, desires to obtain the advice of any person on a particular matter, they may co-opt such person to be members for such period as it deems fit, but the person who is in attendance by virtue of this paragraph shall not be entitled to vote at any meeting and shall not count towards constitution of required quorum as contemplated by paragraph 2.
5. Notwithstanding anything in the foregoing provisions of these paragraphs, the first meeting of the Council and Senate shall be presided by the President,
6. The Council shall meet as and when necessary for the performance of its functions under this Bill, but shall meet not less than three times in every year.
7. Where not less than five members of the Council requested in writing that a meeting should hold, the chairman shall within 28 days after the receipt of such request, call a meeting of the Council.
8. Any request made under sub-section (10) of this Section, the agenda of the meeting shall disclose the business to be considered at the meeting and no business not so specified shall be transacted at such meeting.

*Constitution of Committees*

9. The Council or the Senate may appoint one or more Committees to carry out, on its behalf, such functions as it may consider necessary.
10. A Committee appointed under this paragraph shall consist of such number of persons as may be determined by the body constituting the committee and the persons shall hold office on the Committee in accordance with the terms of their appointment.
11. A decision of a Committee of the Council and Senate shall be of no effect until it is confirmed by the constituting body.

*Miscellaneous*

12. The validity of any proceedings of either the Council or the Senate or of a Committee shall not be adversely affected by:
  - (a) a vacancy in the membership of such body or the Committee;
  - (b) a defect in the appointment of a member of such body or the Committee; or

- (c) reason being that a person not entitled to so take part in the proceedings of such body or the Committee.
13. Any member of the Councilor of the Senate or any person holding office in any Committee, who has personal interest in any contract or arrangement entered into or proposed to be considered by either the Councilor the Senate or a Committee thereof, shall disclose his interest to the body concerned and shall not vote on any question relating to the contract or arrangement.
14. A person shall not by reason of his membership of either the Councilor the Senate or of any committees be treated as holding an office of emolument under the University.

*Functions of Finance and General Purposes Committee*

15. Subject to the provisions of this Bill relating to the Visitor, the Council shall be the governing body of each University, charged with the general control and superintendence of the policy, finances and property of the University.
16. 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 as may be delegated to it by the Council.
17. Constitution of the Finance and General Purposes Committee shall be carried out in compliance with the statute made by each of the universities.
18. The Council shall ensure that proper accounts of the University are kept and audited annually by an independent firm of auditors approved by the Council and ensure that an annual report is published by the University together with certified copies of the audited account.
19. Notwithstanding anything to the contrary contained in this Bill or any statutes made subject to this Bill, the Council and the Finance and General Purposes Committee may make rules for the purpose of exercising any of their respective functions under this Bill.
20. Rules made under sub paragraph (16) of this Paragraph by the Finance and General Purposes Committee shall not come into force unless it is approved by the Council.
21. Where any of the rules made by the Committee is in conduct with any directions given by the Council, before or after the coming into force of such rules, the directions of the Council shall prevail.
22. 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, such allowances in respect of travelling and other reasonable expenses incurred, at such rates as may from time to time be fixed by the Government.

*Statutory instruments made by the University*

23. Subject to this Bill, the University of Education Nsugbe, may make rules and regulations to:
- (a) provide with respect to the composition and constitution of any authority in the University;
- (b) specify the powers of any authority in the University and any other matter connected with the exercise of such powers confer on such authority;

- (c) regulate the duties of any authority of the University and any other matter connected with the University;
  - (d) regulate admission, welfare, and discipline of students, where no other enactment provides to the contrary;
  - (e) determine whether any particular matter is to be treated as an academic or a non-academic matter for the purposes of this Bill or Regulations or other instrument made under this Bill.
24. Subject to section 24 (6) of this Bill, the interpretation Act shall apply in relation to any statutory instruments made under this section as it applies to a subsidiary instrument within the meaning of Section 29 (1) of that Act (Cap. 123) Mode of exercising power to make statutory instruments
25. The power of the University to make statutory instruments shall be exercised in accordance with the provisions of Section 32 of this Bill and not otherwise.
26. Such statutory instruments shall not become law unless it has been approved at a meeting of the:
- (a) Senate by not less than two thirds votes of the members present at the meeting; and
  - (b) Council by not less than two thirds votes of the members present at the meeting.
27. Statutory instruments may originate either from the Senate or from the Council and shall be approved as required by sub paragraphs (a) and (b) of Paragraph (26) by either one of those bodies before the other.
28. Any statutory instrument which:
- (a) makes provision for the alteration of the composition or constitution of the Council and 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 statutory instrument whereby a campus or college is established, shall not come into operation unless it has been approved by the President.
29. For the purposes of Section 2, sub-section (2) of the interpretation Act, such a statutory instruments shall be treated as being made on the date on which it is duly approved by the Council after having been duly approved by the Senate, or on the date on which it is duly approved by the Senate after having been duly approved by the Council, as the case may be or, in the case of a statute falling within sub-section (4) of this section, on the date on which it is approved by the President.
30. The decision of the Visitor on any matter referred to him under this Bill, shall be binding upon such authorities, staff and students of the University.
31. Where any question as to the meaning of any provision of any statutory instrument made subject to this Bill has been decided by the Visitor, no question as to the meaning of that provision shall be entertained by any court of law in Nigeria.
32. Nothing in this Bill shall affect any power of a Council of competent jurisdiction to determine whether any provision of statutory instrument is wholly or partly void as being ultra vires or inconsistent with the Constitution of the Federal Republic of Nigeria 1999 (as Altered).

*Proof of statutory instruments*

33. Any statutory instrument made by this University, 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 such statutory instrument of the University.

*Removal of examiners.*

34. 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, except in such cases as may be prescribed, the Vice-Chancellor may, after affording the examiner an opportunity of making representations in person on the matter, may disengage such examiner from the University by an instrument in writing signed by the Vice-Chancellor.
35. Subject to the provisions of statutory instrument made in pursuant to Paragraph 34 of the Second Scheduled to this Bill, the Vice-Chancellor may, on the recommendation of the Senate, appoint an appropriate person as examiner in the place of the examiner removed under sub-section (1) of this Section.
36. It shall be the duty of the Vice-Chancellor, on signing an instrument of removal in accordance to Paragraph 34, shall cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it relates (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that the provisions of the First Schedule stand part of the Bill — Agreed to.*

## SECOND SCHEDULE

## COMPOSITION OF THE FINANCE AND GENERAL PURPOSES COMMITTEE

1. The Finance and General Purposes Committee of the Council shall consist of:
- (a) the Pro-Chancellor, who shall be the Chairman of the Committee at any meeting at which he is present;
  - (b) the Vice-Chancellor and Deputy Vice-Chancellor;
  - (c) six representatives of the Council, two of whom shall be selected from among the Council's members, two members appointed by the Senate and one member appointed by the Congregation;
  - (d) the Permanent Secretary, Federal Ministry of Education or such member of his Ministry as may be delegated by him to represent him; and
  - (e) the Permanent Secretary, Federal Ministry of Science and Technology or such member of his Ministry as may be delegated by him to represent him.
2. The quorum of the Committee shall be five Subject to any directions given by the Council, the Committee may regulate its own procedure.

3. **Composition of the Congregation of each University**  
The Congregation of the University shall consist of:
- (a) the vice-Chancellor and the Deputy Vice-Chancellor;
  - (b) full-time members of the academic staff;
  - (c) the Registrar;
  - (d) the Bursar;
  - (e) the Librarian;
  - (f) the Director of Works;
  - (g) the Director of Health Services; and
  - (h) every administrative staffs of the University, who holds a degree, other than an honorary degree, of any University recognised for the purposes of this Bill by the Vice-Chancellor.
4. Subject to sub-paragraph 4 of this Paragraph the Vice-Chancellor shall be the chairman at all meetings of Congregation when he is present and in his absence, any of the Deputy Vice-Chancellors present at the meeting of the Congregation or may appoint for that meeting a chairman where the Vice-Chancellors and Deputy Vice-Chancellors is absent.
5. The quorum at any meeting of the Congregation shall be one third of the whole number of the total number of members or fifty members in attendance.
6. A certificate signed by the Vice-Chancellor specifying the:
- (a) total number of members of the Congregation for the purpose of any particular meeting or meetings of the Congregation; or
  - (b) names of members of the Congregation during a particular period shall be conclusive evidence of that number or, as the case may be, of the names of those persons.
7. Subject to the foregoing provisions of paragraphs (6) and (7), the Congregation may regulate its own proceeding of meeting.
8. Congregation shall be entitled to express by resolutions or otherwise its opinion on all matters affecting the interest and welfare of the University and members, shall have power to elect members of the Council in addition to other functions as may be provided by this Bill or Statutory instruments made subject thereto.
9. **Convocation**  
Convocation shall consist of:
- (a) the officers of the University mentioned in the First Schedule to this Bill;
  - (b) all teachers within the meaning of this Bill;
  - (c) all other persons whose names are registered in accordance with paragraph (2) of this article.

10. A person shall be entitled to have his name registered as a:
  - (a) he is either a graduate of the University or a person satisfying such requirements as may be prescribed for the purposes of this paragraph; and
  - (b) he applies for the registration of his name in the prescribed manner and pays the prescribed fees.
11. Regulations shall provide for the establishment and maintenance of a register for the purpose of Paragraph 4, may provide for the payment, from time to time, of fees by persons whose names are on the register and for the removal from the register of the name of any person who fails to pay those fees.
12. The person responsible for maintaining the register shall, without the payment of any fees, ensure that the names of all persons who are for the time being members of the Convocation by virtue of sub-paragraphs (a) or (b) of this Paragraph are entered and retained on the register.
13. A person who reasonably claims that he is entitled to have his name on the register shall be entitled on demand to inspect the register or a copy of the register at the principal offices of the University at all reasonable times.
14. The register shall, unless the contrary is proved, be sufficient evidence that any person named therein is, and that any person not named therein is not, a member of Convocation, but for the purpose of ascertaining whether a particular person was such a member on a particular date, any entries in and deletions from the register made on or after that date shall be disregarded.
15. The quorum of Convocation shall be fifty or one third or the whole number nearest to one third or the whole number of members of Convocation whichever is less.
16. Subject to section 4 of the Act, the Chancellor shall be chairman at all meetings of Convocation when he is present, and in his absence the Vice-Chancellor shall be the chairman at the meeting.
17. Convocation shall have such functions, in addition to the function of appointing a member of the Council, as may be provided by any statutory instrument of each University.
18. **Division of Schools**  
Each school shall be divided into such number of branches as may be prescribed.
19. **School Boards**
  - (1) There shall be established in respect of each school a board of studies which, subject to the provisions of this Statute, and subject to the directions of the Vice-Chancellor, shall:
    - (a) regulate the teaching and study of, and the conduct of examinations connected with, the subjects assigned to the school;
    - (b) deal with any other matter assigned to it by statute or by the Vice-Chancellor or by the Senate; and
    - (c) advise the Vice-Chancellor or the Senate on any matter referred to it by the Vice-Chancellor or the Senate.

- (2) Each school board of studies shall consist of:
  - (a) the Vice-Chancellor;
  - (b) the Dean;
  - (c) the persons severally in charge of the branches of the school;
  - (d) such of the teachers assigned to the school and having the prescribed qualifications as the board may determine; and
  - (e) such persons, whether or not members of the University, as the Board may determine with the approval of the Senate.
- (3) The quorum of any board meeting shall be eight members or one quarter, whichever is greater, of the members for the time being of the board; and subject to the provisions of this Statute and to any provision made by regulations in that behalf, the board may regulate its own procedure.

**20. Dean of the School**

- (1) The board of each school shall, at a meeting in the last term of any academic year in which the term of office of the Dean expires, nominate one of its members, being one of the professors assigned to that teaching unit, for appointment by the Senate as Dean of the school.
- (2) The person appointed under sub-paragraph (1) of paragraph 8, shall act as Dean of the school and chairman at all meetings of the school board when he is present and shall be a member of all committees and other boards appointed by the school.
- (3) The Dean shall hold office for two years and shall be eligible for re-appointment for one further period of two years. Thereafter, he shall not be eligible for re-appointment until two years have elapsed.
- (4) The Dean of a school shall exercise general superintendence over the academic and administrative affairs of the school.
- (5) It shall be the function of the Dean to present to Convocation for the conferment of degrees on persons who are qualified for the degrees of the University at examinations held in the branches of learning for which responsibility is allocated to that school.
- (6) There shall be a committee to be known as the Committee of Deans consisting of all the Deans of the several schools and the Committee shall advise the Vice-Chancellor on all academic matters and matters referred to the University by the Senate.
- (7) The Dean of school may be removed from office for good cause by the school board after a vote would have been taken at a meeting of the board, and in the event of a vacancy occurring following the removal of a Dean, an acting Dean may be appointed by the Vice-Chancellor, provided that at the next school board meeting, an election shall be held for a new Dean.
- (8) In this Schedule "good cause" has the same meaning as in sub section (3) of Section 20 of the Act.

**21. Selection of Director of Works**

- (1) Where a vacancy occurs in the office of the Director of Works, a selection board shall be constituted by the Council which shall consist of:
- (a) the Pro-Chancellor;
  - (b) the Vice-Chancellor;
  - (c) two members appointed by the Council, not being members Senate; and
  - (d) the selection board, after making such inquiries as it thinks fit, shall recommend a candidate to the Council for appointment to the vacant office; and after considering the recommendation of the board the Council may make an appointment to that office.

**22. Creation of academic posts**

Recommendations for the creation of academic posts other than principal officers shall be made by the Senate to the Council through the Finance and General Purposes Committee.

**23. Appointment of academic staff**

- (1) Subject to the Act and statutes, the filling of vacancies in academic posts (including newly created ones) shall be the responsibility of the Senate.
- (2) For the purpose of filling such vacancies, suitable selection boards to select and make appointments on behalf of the Council shall be set up.
- (3) For appointments to professorships, associate professorship or readerships or equivalent posts, a board of selection, with power to appoint, shall consist of:
- (a) the Vice-Chancellor;
  - (b) two members appointed by the Council;
  - (c) four members appointed by the Senate, at least two of whom shall be members of the Senate, while the other two members shall be professional peers in the professional area in which an appointment is to be considered;
  - (d) where the post is tenable at the University, the Vice-Chancellor of the University;
  - (e) where the post is within a school, institute or other teaching unit of the University, the Dean of the school or the teaching unit, or the director of the institute, as the case may be; and
  - (f) such other persons, not exceeding two in number, deemed capable of helping the board in assessing both the professional and academic suitability of a candidate under consideration, as the Senate may from time to time appoint.
- (4) For other academic posts, a selection board, with power to appoint, shall consist of —
- (a) the Vice-Chancellor;
  - (b) four members appointed by the Senate, at least two of whom shall be members of the Senate, while the other two members shall be professional peers in the professional area in which an appointment is to be considered;

- (c) where the office is justifiable at the University, the Vice-Chancellor of the University;
  - (d) where the post is within a school, institute or other teaching unit of the University, the Dean of the school or the teaching unit or the director of the institute, as the case may be; and
  - (e) such other persons not exceeding two in number, deemed capable of helping the board in assessing both the professional and academic suitability of a candidate under consideration, as the Senate may from time to time appoint.
- (5) All appointments to senior library posts shall be made in the same way as equivalent appointments in the academic cadre and for all such posts other than that of the Librarian, the Librarian shall be a member of the selection board.
- (6) Boards of selection may interview candidates directly or consider the reports of interviewing panels and shall in addition, in the case of professorships, associate professorships, readerships or equivalent post, consider the reports of external assessors relevant to the area in which the appointment is being considered.
- 24. Appointment of administrative and professional staff**
- (1) The Administrative and professional staff of the University other than principal officers, shall be appointed by the Council on its behalf by the Vice-Chancellor or the Registrar in accordance with delegation of any powers made by the Council in that behalf.
- (2) In the case of administrative or professional staffs that have close and important contacts with the academic staff, the Senate or its representative shall participate in the selection process (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that the provisions of the Second Schedule stand part of the Bill — Agreed to.*

### THIRD SCHEDULE

#### TRANSITIONAL PROVISIONS AS TO PROPERTY WITHIN THE CONTEMPLATION OF THIS BILL

1. Agreements, contracts, deeds and other instruments to which the College was party to, shall subject to any necessary modification, have effect as if the University had been a party thereto in place of the College.
2. Documents not falling within sub-paragraph (1) of this Paragraph, including enactments, which refer, whether specifically or generally, to the provisional council, shall be construed in accordance with that sub-paragraph so far as applicable.
3. Any legal proceedings or application relating to any authority pending or against the College, may be continued by or against the University.

#### *Registration of transfers*

4. Where there is a law in force at the place where any property transferred by this Bill is situated, which provides for the registration of transfers of property of the kind in question, whether by reference to an instrument of transfer or otherwise, the law shall, so far as it provides for alterations of a register, but not for avoidance of transfers, the payment of fees shall apply to the modifications required under this paragraph.

5. It shall be the duty of the body to which any property is transferred by this Bill to make available to the transferee, necessary particulars of such transfer to the proper officer of the registration authority and of that officer to register the transfer accordingly.

*Transfer of functions*

6. The first meeting of the Council shall be convened by the Pro-Chancellor on such date in such manner as he may determine.
7. Persons who were members of the College Council shall be deemed to constitute the Council of the University until the date when a new Council will be constituted by the University.
8. The first meeting of the Senate as constituted by this Bill shall be convened by the Vice-Chancellor on such date and in such manner as he may determine.
9. Any person, who is a member of the Council of the College of Education, Nsugbe before the coming into force of this Bill, shall be deemed to constitute the Senate of the University until the date when the Senate as provided for Section 9 of this Bill have been duly constituted.
10. Subject to any statutory instruments made by the Senate pursuant to this Bill, the schools, school boards and students of the College of Education, Nsugbe before the coming into force of this Bill, shall on that day become schools, school boards and students of the Federal University of Education, Nsugbe as may be constituted by this Bill.
11. Persons who were Deans or associate Deans of schools or members of any school boards shall continue to be Deans or associate Deans or become members of the corresponding school boards, until new appointments are made in pursuance of the statutes.
12. Any person who was a member of staff of the College as established or was otherwise employed by the Council of the College, shall become the holder of an appointment at the University with the status, designation and functions which correspond with his status as a staff of the University (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that the provisions of the Third Schedule stand part of the Bill — Agreed to.*

**Explanatory Memorandum:**

This Bill seeks to establish Federal University of Education, Nsugbe to provide training and teaching instruction in every aspect of Education and such other fields of applied learning relevant to the needs of the development of Education 111 Nigeria, matters of administration and discipline of students (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Agreed to.*

**Long Title:**

A Bill for an Act to Establish Federal University of Education, Nsugbe, to Provide Training and Teaching Instruction in Every Aspect of Education and Such Other Fields of Applied Learning Relevant to the Needs of the Development of Education in Nigeria, Matters of Administration and Discipline of Students and for Related Matters (HB. 1067) (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Agreed to.*

*Chairman to report Bill.*

## (HOUSE IN PLENARY)

Mr Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Establish the Federal University of Education, Nsugbe to Provide Training and Teaching Instructions in every aspect of Education and such other Fields of Applied Learning relevant to the Needs of the Development of Education in Nigeria, Matters of Administration and Discipline of Students and for Related Matters (HB. 1067) and approved Clauses 1 - 37, the Schedules, the Explanatory Memorandum, and the Long Title of the Bill.

*Question that the House do adopt the Report of the Committee of the Whole — Agreed to.*

- (ii) ***A Bill for an Act to Authorize the Provision of Free Pre-Natal and Post Natal Health Services to every Nigerian Woman Pregnant in Federal Government Hospitals and for Related Matters (HB. 717) (Committee of the Whole):***

*Motion made and Question proposed, "That the House do consider the Report on a Bill for an Act to Authorize the Provision of Free Pre-Natal and Post Natal Health Services to every Nigerian Woman Pregnant in Federal Government Hospitals and for Related Matters (HB. 717) and approve the recommendations therein" (Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency).*

*Agreed to.*

*Question that the House do resolve into the Committee of the Whole to consider the Report — Agreed to.*

## (HOUSE IN COMMITTEE)

*(Mr Speaker in the Chair)*

A BILL FOR AN ACT TO AUTHORISE THE PROVISION OF FREE PRE-NATAL AND POST-NATAL HEALTH SERVICES TO EVERY NIGERIAN WOMAN PREGNANT IN FEDERAL GOVERNMENT HOSPITALS, AND FOR OTHER RELATED MATTERS (HB. 717)

**Clause 1: Directives as to the welfare and health services for pregnant women before, during and after childbirth.**

(1) Any woman residing in Nigeria certified as pregnant by a Medical Practitioner shall:

(a) before child birth:

(i) be required to register her condition of pregnancy with any government and licensed and designated private facilities (hereinafter in this Bill referred to as "maternity hospital") nearest to her place of abode within three months of the happening of her condition of pregnancy;

(ii) be required to attend all antenatal appointments as specified for her by the relevant health care provider;

(iii) be eligible to obtain or receive free pre-natal and post-natal health services from a government hospital which shall be within minimum acceptable standard;

(iv) not be subjected to any person or authority, to any form of abuse of discrimination, strenuous duties or forced labour;

- (v) be given prompt and courteous health services at any maternity hospital where she is seeking maternity services;
- (b) during child birth shall:
  - (i) be attended to by a skilled birth attendant;
  - (ii) upon her request not be denied the company of her choice and that such request should not be unreasonably withheld;
- (c) after childbirth shall:
  - (i) be placed under suitable post-natal care and supervision with her baby in the appropriate maternity hospital;
  - (ii) be issued a child health card for her child by the relevant maternity hospital, which shall specify the dates and times for the administration of any vaccination or treatment;
  - (iii) not be charged any fees whatsoever by the relevant government maternity hospital for the delivery of her child;
  - (iv) be eligible to receive or obtain post-natal medical treatment for a period for six weeks; and
  - (v) encourage optimal breast-feeding of her child in line with the National Breast Feeding Policy;
  - (vi) in the event that the mother gave birth to a set of triplet and above, the government; shall provide stipends to assist the family where such family is indigent.
- (2) In the event of a new born child being abandoned or deserted by the mother soon after birth, in any such hospital shall:
  - (a) make every possible effort to locate the parents or parent or relatives as the case may be of such a child;
  - (b) where the parents or parent or relatives cannot be located, take necessary steps to report the matter to the police or make necessary arrangements to transfer the said new born child to any social welfare establishment nearest to the child's place of birth, for proper care; and
  - (c) continue to render necessary health services to any such abandoned or deserted new born child wherever the child may be for not less than two years thereafter (*Hon. Tony Nwoye. — Anambra East/Anambra West Federal Constituency*).

**Amendments Proposed:**

- (i) In Subclause (1), line 1, immediately after the word "any", *leave out* the word "woman" and *insert* the words "female citizen" (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

*Question that the amendment made — Agreed to.*

- (ii) In Subclause (1) (c) (vi), line 2, immediately after the word “provide”, insert the word “reasonable” (*Hon. Istifanus Gyang Dung — Barikinladi/Riyom Federal Constituency*).

*Question that the amendment made — Agreed to.*

*Question that Clause 1 as amended, stands part of the Bill — Agreed to.*

**Clause 2: Maintenance of registers by Medical Director or Officer in charge of maternity Hospital.**

- (1) The Medical Director or Officer or any other person in charge of a maternity hospital to which this Bill relates, shall:
- (a) maintain registers and these registers made available when demanded for by relevant government authority or ministry charged with the responsibility for the maternity hospital;
  - (b) not to refuse or decline the registration of any woman pregnant with child coming before it for pre-natal and post-natal health services, otherwise than is a specified or prescribed under this Bill;
  - (c) ensure the provision of free pre-natal health services specified under Section 1 (1) (a) and (b) of this Bill, to any woman pregnant with child, before and after childbirth promptly and courteously, without any charge or exaction of fees; and
  - (d) upon a request made (for any reason) by a woman pregnant with child, before, during or after birth, or upon medical advice and recommendation for specialist attention, issue a letter providing for the transfer of a woman pregnant with child, before, during or after birth, to any other maternity hospital or to any duly recognised government hospital or medical centre rendering maternity services (which the said woman may request) for a continuation of her ante-natal or post-natal treatment and care, or for any specialised or expert medical treatment and care which he may recommend for any such woman.
- (2) Without prejudice to the provision of this Section, a woman pregnant with child issued a letter of transfer from a maternity hospital where she is registered to any other maternity hospital in the Federation, shall continue to receive such free pre-natal and post-natal health services which she is entitled to, if she had not been transferred to the new maternity hospital (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that Clause 2 stands part of the Bill — Agreed to.*

**Clause 3: Responsibility of Government to ensure proper and adequate funding of maternity Hospitals.**

- (1) The Government of the Federation or of any State or of a Local Government Council shall:
- (a) have responsibility to ensure the proper and adequate funding, equipment, and maintenance of the maternity hospital under their jurisdiction so as to ensure the satisfactory provision of the free pre-natal and post-natal health services contemplated under this Bill for any woman pregnant with child, before, during and after childbirth;

- (b) have powers to demand and obtain at any time, data and other information relating to the number of Nigerian women pregnant with child, before, during and after childbirth, registered in any maternity hospital;
  - (c) make necessary arrangements, well in advance, to ensure that every woman pregnant with child, registered in a maternity hospital is adequately provided for, in accordance with the provisions of this Bill; and
  - (d) have powers to carry out or conduct verification or investigate exercises in any maternity hospital, at any time, for the purposes of ascertaining or substantiating or corroborating or justifying any figures, data or other information received by it with respect to the provision of free pre-natal health services and Health Care services, authorised under this Bill.
- (2) Notwithstanding the foregoing provision of this section, not less than 30% of the health budget at all levels of the government shall be allocated to maternal, new born and child health services (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that Clause 3 stands part of the Bill — Agreed to.*

**Clause 4: Special provision as regards rights of working mothers in the Federation.**

- (1) In consonance with existing laws it is hereby declared that every employer of labour in the Federation shall:
  - (a) grant a minimum of 14 weeks maternity leave to a working mother whether single or married
  - (b) grant a working mother, whose child is less than six months old upon request at least three hours of break, each working day, to enable the said working mother to breastfeed her child or attend any scheduled post-natal appointment in any maternity hospital where she is registered;
  - (c) in any letter of appointment to a woman, guarantee her right to retain the same position or an equivalent position, and paid at the same rate, at the end of her maternity leave;
  - (d) not demand or conduct a test for pregnancy or demand the certificate of such a test when a woman is applying for employment except in respect of any such law in the Federation or any part thereof, regulations, in respect of such work, is prohibited or restricted for pregnant and nursing women;
  - (e) not terminate the appointment of a working woman on the grounds of her pregnancy or childbirth and its consequences or nursing needs; and
  - (d) encourage the establishment of a creche in the premises of its offices, for the purpose of facilitating breast-feeding and proper care of infants by their working mother.

(2) Accordingly:

- (a) the period of break specified in Subsection (1) (b) of this section shall be counted as working time by every employer of labour in the Federation, and remunerated accordingly (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

**Amendments Proposed:**

- (i) *Leave out* Subclause (1) (a) and (b) (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

*Question that the amendment made — Agreed to.*

- (ii) *Leave out* Subclause (2) (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

*Question that the amendment made — Agreed to.*

*Question that Clause 4 as amended, stands part of the Bill — Agreed to.*

**Clause 5: Offences.**

(1) Any person who:

- (a) subjects any woman pregnant with child to any form of abuse, strenuous duties or labour; or
- (b) through any act of negligence or omission or dereliction of his lawful duties or influences, the miscarriage or termination of pregnancy of any woman;
- (c) being an employer of labour terminates the appointment of a working mother or otherwise downgrades her position or reduces her remuneration on the grounds of her pregnancy or childbirth and its consequences or nursing needs; or
- (d) aids or abets, colludes with or influences or encourages any other person to commit any of the offences specified under this subsection of this section, is guilty of an offence under this Bill.

(2) Anybody corporate or incorporate that aids, abets or colludes with or induces any other person to commit any of the offences specified under subsection of this section is guilty of an offence under this Bill (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that Clause 5 stands part of the Bill — Agreed to.*

**Clause 6: Penalties.**

- (1) Any person who is found guilty of an offence under section 5 (1) (a)- (d) of this Bill shall on conviction be liable to a fine of five hundred thousand Naira (₦500,000.00) or to imprisonment for a period not exceeding five years or to both such fine and imprisonment.
- (2) Where an offence under this Bill has been committed by a body Corporate is proved to have been committed with the connivance of or to be attributable to any neglect on the part of the Director, Manager, Secretary or to other similar officer of the body corporate or any person purporting to act in any

such capacity, he as well as the body corporate, shall jointly be guilty of the offence and liable on conviction to a fine of five million Naira (₦5,000,000.00) (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

**Amendments Proposed:**

- (i) In Subclause (1), line 2, immediately after the words “fine of”, *leave out* the word “five” and *insert* the words “not exceeding one” (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

*Question that the amendment made — Agreed to.*

- (ii) In Subclause (2), line 6, immediately after the words “fine of”, *leave out* the words “five million” and *insert* the words “not exceeding five hundred thousand” (*Hon. Kayode Oladele — Egbado North/Imeko-Afon Federal Constituency*).

*Question that the amendment made — Agreed to.*

*Question that Clause 6 as amended, stands part of the Bill — Agreed to.*

**Clause 7: Regulations.**

- (1) The Minister shall make regulations prescribing uniform procedure for the registration of any woman pregnant with child and rendering of health care services contemplated under this Bill.
- (2) Subject to the provision of this Bill, it is hereby declared that the overall responsibility for ensuring proper and satisfactory administration, funding and management of the requirements and provisions contained herein, with regards to the free pre-natal and post-natal health services and health care services contemplated in the same Bill shall be on the Minister who is for the time being charged with the responsibility for matters relating to health in the Federation (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that Clause 7 stands part of the Bill — Agreed to.*

**Clause 8: Interpretation.**

In this Bill, except the context otherwise requires:

“breast feeding” means the act of giving milk to a child from the breasts or mammary glands of a woman rather than from the bottle (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that the meaning of the words “breast feeding” be as defined in the interpretation to this Bill — Agreed to.*

“Child birth” means the act of giving birth to a child (parturition) (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that the meaning of the words “Child birth” be as defined in the interpretation to this Bill — Agreed to.*

“Creche” means a public nursery for babies (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that the meaning of the word "Creche" be as defined in the interpretation to this Bill — Agreed to.*

"Federation" means Federal Republic of Nigeria (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that the meaning of the word "Federation" be as defined in the interpretation to this Bill — Agreed to.*

*Question that Clause 8 stands part of the Bill — Agreed to.*

**Clause 9: Citation.**

This Bill may be cited as the Free Pre-Natal and Post-Natal Health Services Bill, 2018 (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Question that Clause 9 stands part of the Bill — Agreed to.*

**Explanatory Memorandum:**

This seeks to authorise the provision of Free Pre-Natal and Post-Natal Health Services to every Nigerian woman pregnant in Federal Government Hospitals (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Agreed to.*

**Long Title:**

A Bill for an Act to Authorise the Provision of Free Pre-natal and Post-natal Health Services to Every Nigerian Woman Pregnant in Federal Government Hospitals, and for Other Related Matters (HB. 717) (*Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency*).

*Agreed to.*

*Chairman to report Bill.*

**(HOUSE IN PLENARY)**

Mr Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Authorize the Provision of Free Pre-Natal and Post Natal Health Services to every Nigerian Woman Pregnant in Federal Government Hospitals and for Related Matters (HB. 717) and approved Clause 1 as amended, approved Clauses 2 - 3, approved Clause 4 as amended, approved Clause 5, approved Clause 6 as amended, approved Clauses 7 - 9, the Explanatory Memorandum, and the Long Title of the Bill.

*Question that the House do adopt the Report of the Committee of the Whole — Agreed to.*

**(iii) Committee on Health Institutions:**

*Motion made and Question proposed, "That the House do consider the Report of the Committee on Health Institutions on a Bill for an Act to Establish the Dietitians Council of Nigeria to Regulate the Profession of Dietetics; and for Related Matters (HB.547) and approve the recommendations therein" (Hon. Betty Apiafi — Ahoada/Abua/Odual Federal Constituency).*

*Agreed to.*

*Question that the House do resolve into the Committee of the Whole to consider the Report — Agreed to.*

## (HOUSE IN COMMITTEE)

*(Mr Speaker in the Chair)*

A BILL FOR AN ACT TO ESTABLISH THE DIETITIANS COUNCIL OF NIGERIA TO REGULATE THE PROFESSION OF DIETETICS; AND FOR RELATED MATTERS (HB. 547)

## PART I — ESTABLISHMENT OF DIETITIANS COUNCIL OF NIGERIA

**Committee Recommendation:**

- Clause 1:**
- (1) There shall be established a body to be known as the Dietitians Council of Nigeria (in the Bill referred to as “the Council”).
  - (2) The Council shall be a body corporate with perpetual succession and a common seal and may sue and be sued in its corporate name (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

*Question that Clause 1 stands part of the Bill — Agreed to.*

**Committee Recommendation:****Clause 2: Functions of the council.**

The Functions of the Council shall be to:

- (a) determine the standards of knowledge and competence to be attained by persons seeking to become registered as Members, Associates or Fellows of the Council (hereinafter referred to as Dietetic Practitioners) and reviewing those standards, from time to time, as circumstances may permit;
- (b) regulate and control the practice of Dietetics by Dietetic Practitioners in Nigeria;
- (c) promote the adoption of healthy diets and lifestyle for all Nigerians and collaborate with government Ministries, Parastatals, International agencies and civil societies with similar mandate;
- (d) promote rapid sustainability of high quality diets for Nigerians through scientific methods and research;
- (e) advance the education, science, technology and art of Nutrition and Dietetics and collaborate with Nigerian Universities Commission in this respect;
- (f) educate the public on healthy diets for maintenance and prevention of diseases;
- (g) encourage the co-operation of the Council with any relevant Council in Nutrition and Dietetics internationally;
- (h) securing in accordance with the provisions of this Bill, the establishment and maintenance of a register of Dietitians necessary for the purpose of recognizing persons entitled under this Bill to carry on as registered Dietitians subdivided into two grades:
  - (i) Registered Dietitians,
  - (ii) Registered Assistant dietitians,

for the purpose of keeping record of persons entitled under this Bill to carry on as registered dietitians or registered Assistant dietitians and the publication from time to time of a list of persons so qualified;

- (i) perform any other functions as may be conferred on it in this Bill and as may from time to time be necessary to achieve the objectives of the Council (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

*Question that Clause 2 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 3: Powers of the Council.**

The Council shall have power to —

- (a) establish such offices and branches of the Council as may be required for the proper administration and operation of the Council;
- (b) establish such offices, departments, units and branches of the Council as may be required for the proper administration and operation of the Council;
- (c) subject to such terms and conditions as the Council may approve, engage staff, agents and other workers as the Council may from time to time require for the performance of its functions under this Bill;
- (d) establish necessary organization for the proper and efficient conduct of the affairs of the Council;
- (e) provide regulations for all staff of the Council and provide pension and welfare Schemes for the staff; and
- (f) do such other acts and things as may be necessary for the performance of the functions of the Council (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

*Question that Clause 3 stands part of the Bill — Agreed to.*

PART II — MEMBERSHIP OF BOARD

**Committee Recommendation:**

- Clause 4:**
- (1) There shall be established for the Council, a Governing body to be known as the Governing Board (in the Bill referred to as "the Board"), which shall be charged with responsibility for the administration and general management of the Council.
  - (2) The Board shall consist of the following:
    - (a) the chairman, who shall be a Registered Dietitian of not less than fifteen (15) years post registration experience to be appointed by the Minister in consultation with the Professional Association for Dietitians;
    - (b) the Vice-Chairman, who shall be a registered Dietician of not less than twelve (12) years post registration experience
    - (c) the Registrar;

- (d) a representative of the Federal Ministry of Health;
  - (e) six registered Dietitians of not less than 10 years post registration experience to be appointed by the Minister in consultation with the Professional Association of Dietitians to represent each of the six geopolitical zones in Nigeria;
  - (f) two persons who shall be registered Dietitians of not less than 10 years post registration experience representing the Professional Association for Dietitians;
- (3) Appointment of members of the Board shall be made by the Minister in consultation with the Association for Dieticians (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

*Question that Clause 4 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 5: Tenure of Office of Members of the Board.**

- (1) (a) The Chairman shall hold office for a term of three years and shall be eligible for re-appointment for one more term;
- (b) The chairman shall preside over all meetings of the Board, and in the event of death, incapacity or inability to perform the functions of his office, a new chairman shall be appointed for the unexpired term of office of the chairman.
- (2) (a) The tenure of office of all members of the Board other than an *ex-officio* member shall be three years but such member shall at the end of that term be eligible for re-election, for one more term only.
- (b) All members of Board shall be on part time basis except the Registrar of the Council.
- (c) The remuneration of the Registrar and other members of staff shall be determined by the Board.
- (d) Sitting allowances and other remunerations for other part time staff of the council shall be determined by the Board based on the prevailing economic realities.
- (3) The office of a member of the Board shall become vacant if he:
  - (a) resigns from his office, by notice under his hand, addressed to the Board;
  - (b) is removed from office by the Board, by reason of professional misconduct, physical or mental infirmity; or;
  - (c) without leave of the Board, absents himself for 3 consecutive meetings of the Board (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

*Question that Clause 5 stands part of the Bill — Agreed to.*

**Committee Recommendation:****Clause 6: Functions of the Board.**

The functions of the Board shall be to:

- (a) carry into effect the functions and powers of the Council;
- (b) govern the affairs of the Council;
- (c) effect proper management of the Council;
- (d) do other acts and things as the Board may consider necessary for carrying out the functions and powers of the Council (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

*Question that Clause 6 stands part of the Bill — Agreed to.*

**Committee Recommendation:****Clause 7: Direction by the Minister.**

The Minister may give to the Council directions of general character or relating generally to particular matters (but not to any individual person or case) with regard to the exercise by the Council of its functions and the Council shall comply with the direction (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

*Question that Clause 7 stands part of the Bill — Agreed to.*

**Financial Provisions****Committee Recommendation:****Clause 8: Funds of the Council.**

- (1) The Council shall establish and maintain a fund for the purpose of this Bill.
- (2) There shall be paid into the fund established pursuant to subsection (1) of this section:
  - (a) all fees and other monies payable to the Council in pursuance of this Bill and
  - (b) such monies as may be payable to the council, whether in the course of the discharge of its functions or otherwise;
  - (c) investment activities and services, Grants, endowments and donations
  - (d) revenue accruing to the Council from any other source approved by the Board
- (3) There shall be paid out of the fund of the Council —
  - (a) the remuneration and allowances of the Registrar and other employees of the Council;
  - (b) such reasonable travelling and subsistence allowance of members of the Council in respect of the time spent on the business of the Council as the Council may with the approval of the Minister determine; and

- (c) any other expenses incurred by the Council in the discharge of its functions under this Bill.
- (4) The funds of the Council shall be paid into an account in a reputable bank approved by the Board and no instrument for the withdrawal of any money from that account shall be valid unless it is authenticated by the signatures of the Chairman of the Board and the Registrar or by the Signatures of such officers of the Council as may from time to time be approved by the Board (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

*Question that Clause 8 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 9: Power to Invest.**

The Council may invest the fund in any security created or issued by or on behalf of the Federal Government or in any other securities in Nigeria as may be approved by the Board (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

*Question that Clause 9 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 10: Power to Borrow.**

The Council may, from time to time, with the approval of the Board and in line with applicable laws, policies and regulations, borrow such sums by way of loan, overdraft or from any other source, as may be required for the performance of its functions and meeting its obligations under this Bill (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

*Question that Clause 10 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 11: Power to accept gifts.**

- (1) The Council may accept gifts of land, money or other property on such terms and conditions, if any, as may be specified by the persons or organization making the gift.
- (2) The Council shall not accept any gift if the conditions attached by the persons or organization offering the gift are inconsistent with the functions of the Council under this Bill (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

*Question that Clause 11 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 12: Annual Estimates.**

- (1) The Council shall, not later than 30th September of each financial year, prepare and submit to the Minister an estimate of its income and expenditure for the next succeeding year.
- (2) Notwithstanding the provisions of subsection (1) of this section, the Council may, where necessary due to unforeseen circumstances, submit supplementary or adjusted statements of estimated income and expenditure to the Minister for approval (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

*Question that Clause 12 stands part of the Bill — Agreed to.*

**Committee Recommendation:****Clause 13: Accounts and Audit.**

- (1) The Council shall keep proper and regular accounts and other records of monies received and paid by the Council and for other purposes for which monies have been received or paid, and of its assets, credits and liabilities in respect of each year and shall cause its accounts to be audited on or before 31st March of the following year to which the accounts relate, by a firm of auditors appointed from the approved list of auditors by the Council.
- (2) The Council shall do all things necessary to ensure that all payments of its funds and bank accounts are correctly made and properly authorized and that adequate control is maintained over its assets.
- (3) The Audited account of the Council shall be submitted to the Board not later than the 30th day of September of each year.
- (4) As soon as the accounts and the financial statements of the Council have been audited in accordance with the requirement of this Bill, the Council shall forward a copy of the audited financial statements to the Minister together with any report or observations made by the auditors not later than 30th day of October of each year
- (5) The remuneration of the auditor shall be paid out of the fund of the Council (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

*Question that Clause 13 stands part of the Bill — Agreed to.*

### PART III — APPOINTMENT AND TENURE OF REGISTRAR

**Committee Recommendation:**

- Clause 14:**
- (1) The Board shall appoint a Registrar for the Council, who shall be the Chief Executive and Secretary to the Council
  - (2) The Registrar shall :
    - (a) be a practicing registered Dietician and hold a minimum of Bachelor Degree in Nutrition and Dietetics;
    - (b) has not less than 15 years post experience in Nutrition and Dietetics;
    - (c) be subject to the control of the Board
  - (3) The Registrar shall be the secretary to the Board and to the Disciplinary Committee.
  - (4) It shall be the duty of the Registrar to prepare and maintain the following in accordance with rules made by the Council:
    - (a) a register of names, addresses, telephone numbers, e-mails, approved and of such other qualifications and particulars, as may be specified in the rules, of all persons who are entitled to be enrolled as associates and members and who, in the manner prescribed by such rules, apply to be so registered;
    - (b) a register of the premises of members of the profession, who are in private practice.

- (5) The Register shall consist of three parts of which:
- (a) the first part shall be in respect of full members;
  - (b) the second part shall be in respect of associate members
- (6) Subject to the foregoing provisions of this section, the Board shall make rules with respect to the form and keeping of the register and the making of entries therein.
- (7) It shall be the duty of the Registrar to:
- (a) correct, in accordance with the Board's directions, any entry in the register which the Board directs him to correct as being in the Board's opinion was incorrectly made;
  - (b) make, from time to time, any necessary alteration to the registered particulars of registered person and premises;
  - (c) remove from the register the name of any registered person who died or whose temporary registration has ceased; and
  - (d) record the names of registered persons who are in default for more than six months in payment of annual subscription, and to take such action in relation thereto (including removal of names of defaulters from the register) as the council may direct or require.
- (8) If the Registrar:
- (a) sends by post to any registered person a registered letter addressed to him at his address on the register enquiring whether the registered particulars relating to him are correct and receives no reply to the letter within a period of six months from the date of posting it; and
  - (b) upon the expiration of that period sends in the like manner to the person in question a second similar letter and receives no reply to the letter between three months from the date of last posting the Registrar may remove the particulars relating to the person in question from the register:
- Provided that the Council may direct the Registrar to return to the appropriate part of the register any particulars removed there from under this subsection.
- (9) When a person's name is entered on the register of members maintained under this section, that person shall thereupon be taken to become a member of the Dietitians Council of Nigeria and shall be entitled to affix the suffix "RDN" meaning: "Registered Dietitian-Nutritionist" after his name (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

*Question that Clause 14 stands part of the Bill — Agreed to.*

**Committee Recommendation:****Clause 15: Other Staff of the Council.**

- (1) The Board shall appoint directly or on secondment from other Government Ministries, Departments and Agencies such number and category of employees as the Registrar may require in the effective discharge of his duties and functions under this Bill.
- (2) The Board shall have power to appoint, promote and discipline staff of the Council.
- (3) The Board shall make rules and regulations in line with Public Service Rules relating to the conditions of service of employees of the Council, including rules providing for the appointment, promotion, advancement, determination of appointment and discipline of the employees.
- (4) The members of staff of the Council shall be public officers as defined in the Constitution of the Federal Republic of Nigeria, 1999 (as amended).
- (5) Service in the Council shall be pensionable service under the Pension Reform Act provided that nothing in this section shall exclude the Council from employing staff on non-pensionable terms and conditions (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

*Question that Clause 15 stands part of the Bill — Agreed to.*

**Committee Recommendation:****Clause 16: Publication of Register and List of Corrections.**

- (1) It shall be the duty of the Registrar to:
  - (a) to cause the register to be printed, published and put on sale to members of the public not later than two years from the commencement of this Bill and;
  - (b) thereafter in each year, cause to be printed, published and put on sale as aforesaid, either a corrected edition of the register or a list of corrections made to the register since it was last printed; and
  - (c) cause a print of each edition of the register and of each list of correction to be deposited at the principal Offices of the Council; and
  - (d) keep the register and list so deposited open to members of the public at all reasonable times for inspection.
- (2) A document purporting to be a print of an edition of the register published under this section by authority of the Registrar in the current year, or documents purporting to be prints of an edition of the register so published in the current year and of the list of correction to that edition so published, shall (without prejudice to any other mode of proof) be admissible in any proceedings as evidence that any person specified in the document, or the documents read together, as being registered, was so registered at the date of the edition or of the list of corrections, as the case may be, and that any person not so specified was not so registered.

- (3) Where in accordance with subsection (2) of this section a person is, in any proceedings shown to have been or not to have been registered at a particular date, he shall, unless the contrary is proved be taken for the purpose of those proceedings as having at all material times thereafter continued to be, or not to be, so enrolled or registered (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

*Question that Clause 16 stands part of the Bill — Agreed to.*

#### PART IV — REGISTRATION

**Committee Recommendation:**

- Clause 17:** (1) A Registered Dietitian shall be entitled to practice as such throughout Nigeria.
- (2) A person shall be entitled to be fully registered as a Dietitian under this Bill if he:
- (a) is a Nigeria citizen;
  - (b) is of good conduct;
  - (c) holds a Bachelor of Science degree in Nutrition and Dietetics from a University accredited by the National Universities Commission, or holds a National Diploma in Nutrition and Dietetics from an institution accredited by the National Board for Technical Education (NBTE) plus a postgraduate diploma in Nutrition and Dietetics from any institution accredited and approved by the National Universities Commission.
  - (d) has paid the prescribed fee (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

*Question that Clause 17 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 18: Registration of Associates.**

- (1) A person is qualified to be registered as an associate member if he:
- (a) has attained a course of training approved by the Council or the course was conducted at a Polytechnic so approved by the National Board for Technical Education;
  - (b) holds a National Diploma in Nutrition and Dietetics from a reputable Polytechnic;
  - (c) pays the prescribed fee.
- (2) Subject to the provision of this section, a citizen of Nigeria who qualified from an approved institution outside Nigeria shall be entitled to be fully registered under this Bill, if he satisfies the Council that he:
- (a) holds a qualification granted outside Nigeria and for the time being accepted by the Council for the purposes of this subsection as regards the profession;

- (b) in the country in which the qualification was granted he was under no legal disability in the practice of Dietetics.
  - (c) holds a certificate of registration as a Dietitian acceptable to the Council;
  - (d) pays the prescribed fee.
- (3) A person aggrieved by a decision of the Council made under this section may appeal to the Minister within one month after notification of the refusal is communicated to him (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

*Question that Clause 18 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 19: Registration of Foreign Trained Dietitians.**

- (1) A person who is not a citizen of Nigeria may be registered as Dietitian under this Bill if the country of which he is a citizen grants reciprocal registration facilities to Nigeria citizens and if he:-
- (a) holds a qualification approved by the Council;
  - (b) has passed the Council's examination of ethics governing the practice of Dietetics in Nigeria and before being registered acquires the required experience.
- (2) An applicant for registration shall in addition to evidence of qualification, satisfy the Council that he:
- (a) is of good conduct;
  - (b) has not been convicted in Nigeria or elsewhere of any offence involving fraud or dishonesty; and
  - (c) has paid the prescribed fee.
- (3) The Council may, in its discretion, provisionally accept a qualification in respect of an application for registration under this section or direct that the application be renewed within such period as may be specified in the direction.
- (4) Any entry directed to be made in the register under subsection (3) of this section, shall show that such registration is provisional and no entry so made shall be converted to full registration without the consent of the Council in writing in that behalf (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

*Question that Clause 19 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 20: Publication of Qualification for Registration.**

The Council shall, from time to time, publish in the Gazette particulars of qualifications for the time being accepted for registration under this Bill (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

*Question that Clause 20 stands part of the Bill — Agreed to.*

PART V — PRACTISING FEES.

**Committee Recommendation:**

- Clause 21:**
- (1) No registered person shall practice as a Registered Dietitian in any year unless he has paid to the Council in respect of that year, the appropriate practicing fee which shall be due January of every year or as may be prescribed by the Council.
  - (2) A Dietician with at least forty years post registration experience or who has attained the age of sixty-five years is exempted from the payment of practicing fees.
  - (3) Every fully Registered Dietitian who has paid his registration fee as prescribed in subsection (1) of this section is exempted from payment of registration fee as in subsection (2) of this section, shall be entitled to an annual practicing license authorizing him, subject to any regulations in force, to practice the profession of Nutrition and Dietetics.
  - (4) The Council may with the confirmation of the Minister, from time to time, vary the practicing fees,
  - (5) A registered Dietician who fails to pay the prescribed practicing fee by 31st day of March of every year shall in addition to the fee, pay a fine of a sum which is equivalent to fifty percent of the applicable fee within the year (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

*Question that Clause 21 stands part of the Bill — Agreed to.*

PART VI — PROFESSIONAL MISCONDUCT

**Committee Recommendation:**

- Clause 22:** In this part, "professional misconduct" means any conduct considered by the Council to be professional misconduct and includes professional indiscipline, abuse of office and corrupt practices in the conduct of a member in the public service (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

*Question that Clause 22s stand part of the Bill — Agreed to.*

**Committee Recommendation:**

- Clause 23:**
- (1) There shall be established for the council a Disciplinary Committee to be known as the Dietitians Council of Nigeria Disciplinary Committee (in this Bill referred to as "the Committee").
  - (2) Which shall be charged with the duty of considering and determining any case referred to it by the Investigating Panel established by subsection (4) of this section and any other case of which the Committee has taken cognizance under the provisions of this Bill.
  - (3) The Committee shall consist of the Chairman and six other members appointed by the Board.
  - (4) There shall be a body to be known as the Dietitians Council of Nigeria Investigating Panel (in this Bill referred as "the Panel") which will be charged with the duty of:

- (a) conducting a preliminary investigation into any case where it is alleged that a person registered has misbehaved in his capacity as a Dietitian or any other person subject of proceedings before the Committee; and
  - (b) deciding whether the case should be referred to the Committee.
- (5) The Panel shall be appointed by the Board and shall consist of four members of the Council and two members of the Board
  - (6) The provisions of the Schedule to this Bill shall, so far as applicable to the Committee and Panel respectively, have effect with respect to those bodies.
  - (7) The rules to be applied by the Disciplinary Committee with regards to Professional misconduct are as contained in the schedule (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

*Question that Clause 23 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 24: Penalties for professional misconduct, etc.**

- (1) Where —
  - (a) a registered person is adjudged by the Disciplinary Committee to be guilty of infamous conduct in any professional respect; or
  - (b) a registered person is convicted, by any Court of Law or Tribunal in Nigeria or elsewhere having power to impose imprisonment, for an offence (whether or not an offence punishable with imprisonment) which in the opinion of the Disciplinary Committee is incompatible with the status of a Dietician, as the case may be; or
  - (c) the Disciplinary Committee is satisfied that the name of any person has been fraudulently registered in the Register the Disciplinary Committee may, if it thinks fit, give any of the directions specified in subsection (2) of this section.
- (2) The Disciplinary Committee may give a direction under subsection (1) of this section —
  - (a) ordering the Registrar to strike the person's name off the relevant register or registers;
  - (b) admonishing that person.
- (3) The Disciplinary Committee may if it thinks fit, defer or further defer its decision as to the giving of a direction under subsection (1) of this section until a subsequent meeting of the disciplinary committee; but —
  - (a) no decision shall be deferred under this subsection for any period exceeding two years in the aggregate; and
  - (b) no person shall be a member of the Disciplinary Committee for the purposes of reaching a decision which has been deferred or further deferred unless he was present as a member of the Disciplinary Committee when the decision was deferred.

- (4) For the purposes of subsection (1) of this section, a person shall not be treated as convicted as mentioned in paragraph (b) of that subsection unless the conviction stands at a time when no appeal or further appeal is pending or may, without extension of time, be brought in connection with the conviction.
- (5) When the Disciplinary Committee gives a direction under subsection (1) of this section, the Disciplinary Committee shall cause notice of the direction to be served on the person to whom it relates.
- (6) The person to whom such a direction relates may, at any time within 28 days from the date of service on him of the notice of the direction, appeal against it.
- (7) A direction of the Disciplinary Committee under subsection (1) of this section shall take effect —
- (a) where no appeal under this section is brought against the direction within the time allowed for the appeal, on the expiration of that time;
  - (b) where such an appeal is brought and is withdrawn or struck out for want of prosecution, on the withdrawal or striking out, of the appeal;
  - (c) where such an appeal is brought and is not withdrawn or struck out as aforesaid, if and when the appeal is dismissed.
- (8) A person whose name is removed from a Register in pursuance of direction of the Disciplinary Committee under this section shall not be entitled to be registered in that Register again except in pursuance of a direction in that behalf given by the Disciplinary Committee on the application of that person.
- (9) A direction under this section for the removal of a person's name from a register may prohibit an application under subsection (8) of this section by that person until the expiration of such period from the date of the direction, and where he has duly made such an application, from the date of his last application, as may be specified in the direction (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

*Question that Clause 24 stands part of the Bill — Agreed to.*

#### PART VII — MEETINGS

##### **Committee Recommendation:**

- Clause 25:**
- (1) Subject to the provisions of any standing orders of the Council, the Board shall meet whenever it is summoned by the chairman, and if the chairman is requested to do so, by notice in writing given to him by not less than five other members, he shall summon a meeting of the Council to be held within fourteen days from the date on which the notice is given.
- (2) At any meeting of the Board, the Chairman shall preside or in his absence, the Vice-Chairman shall preside.
- (3) The quorum of the Board shall be one third of the members of the Board (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

*Question that Clause 25 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 26:** The Council may make standing orders to regulate its proceedings and those of any of its committees (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

*Question that Clause 26 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 27:** The Council shall hold an annual general meeting of all Members every year (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

*Question that Clause 27 stands part of the Bill — Agreed to.*

PART VIII — MISCELLANEOUS

**Committee Recommendation:**

**Clause 28: Regulations.**

- (1) The Council may make regulations to carry into effect any of the provisions of this Bill.
- (2) Without prejudice to Subsection (1), the Council may make regulations to —
  - (a) prescribe the fees, dues and subscriptions payable by the Members;
  - (b) prescribe the date, procedure and agenda of the annual general meeting of the Council; and
  - (c) specify the offices and duties of the officers of the Council (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

*Question that Clause 28 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 29: Interpretation.**

In this Bill, unless the context otherwise requires —

"Board" means the Governing Board Established for the Council (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

*Question that the meaning of the word "Board" be as defined in the interpretation to this Bill — Agreed to.*

"Complainant" means any person who makes an allegation of professional misconduct against a registered Dietitian or associate (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

*Question that the meaning of the word "Complainant" be as defined in the interpretation to this Bill — Agreed to.*

"the Council" means the Dietitians Council of Nigeria (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

*Question that the meaning of the words "the Council" be as defined in the interpretation to this Bill — Agreed to.*

"Dietitian" means a person registered to practice as a Dietitian-Nutritionist by the Council (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

*Question that the meaning of the word "Dietitian" be as defined in the interpretation to this Bill — Agreed to.*

"Dietitian/dietitian- nutritionist" means a professional who applies the science of food and nutrition to promote health, prevent and treat disease (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

*Question that the meaning of the words "Dietitian/dietitian-nutritionist" be as defined in the interpretation to this Bill — Agreed to.*

"Disciplinary Committee" Means the Dietitians Council of Nigeria Disciplinary Committee (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

*Question that the meaning of the words "Disciplinary Committee" be as defined in the interpretation to this Bill — Agreed to.*

"Members" means a Registered member or an Associate of the Council (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

*Question that the meaning of the word "Members" be as defined in the interpretation to this Bill — Agreed to.*

"Minister" means the Minister charged with the responsibility for matters relating to health (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

*Question that the meaning of the word "Minister" be as defined in the interpretation to this Bill — Agreed to.*

"Panel" means the Dietitians Council of Nigeria Investigation Panel (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

*Question that the meaning of the word "Panel" be as defined in the interpretation to this Bill — Agreed to.*

"Profession" means Dietetics profession (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

*Question that the meaning of the word "Profession" be as defined in the interpretation to this Bill — Agreed to.*

"Professional Association for Dietitians" means Association of Nigerian Dietitians (and) (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

*Question that the meaning of the words "Professional Association for Dietitians" be as defined in the interpretation to this Bill — Agreed to.*

"RDN" means Registered Dietitian-Nutritionist (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

*Question that the meaning of the abbreviations "RDN" be as defined in the interpretation to this Bill — Agreed to.*

"Secretary" means a person appointed to act as the Registrar of the Dietitians Council of Nigeria (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

*Question that the meaning of the word "Secretary" be as defined in the interpretation to this Bill — Agreed to.*

*Question that Clause 29 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 30: Short Title.**

This Bill may be cited as the Dietitians Council of Nigeria (Establishment) Bill, 2018 (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

*Question that Clause 30 stands part of the Bill — Agreed to.*

## SCHEDULE

### SUPPLEMENTARY PROVISIONS RELATING TO THE DISCIPLINARY COMMITTEE AND INVESTIGATING PANEL

#### *The Disciplinary Committee*

1. The quorum of the Disciplinary Committee shall be five members.
2. The Rules made pursuant to paragraph 3 of this Schedule shall in particular provide —
  - (a) for securing that notice of the proceedings shall be given in such time and manner, as may be specified by the rules to the person who is the subject of the proceedings;
  - (b) for determining who, in addition to the person aforesaid, shall be a party to the proceedings;
  - (c) for securing that any party to the proceedings shall, if he so requires, be entitled to be heard by the Disciplinary Committee;
  - (d) for securing that any part to the proceedings may be represented by a legal practitioner;
  - (e) for determining the costs of proceedings before the Disciplinary Committee.
  - (f) for requiring, in a case where it is alleged that the person who is the subject of the proceedings is guilty of infamous conduct in any professional respect, that where the Disciplinary Committee adjudges that the allegation has not been proved it shall record a finding that the person is not guilty of such conduct in respect of the matters to which the allegation relates; and
  - (g) for publishing in the Gazette notice of any direction of the Disciplinary Committee which has taken effect providing that a person's name shall be struck off a register.
3. For the purpose of any proceedings before the Disciplinary Committee, any member of the Disciplinary Committee may administer oath and any party to the proceedings may issue out of the registry of the Federal High Court writs of subpoena ad testificandum and ducestecum but no person appearing before the Disciplinary Committee shall be compelled to —

- (a) make any statement before the Disciplinary Committee tending to incriminate himself; or
- (b) produce any document under such a writ which he could not be compelled to produce at the trial of an action.
4. The quorum of the Investigating Panel shall be five all of whom shall be Dietitians.
5. The Investigating Panel may, at any of its meeting attended by all the members of the Investigating Panel, make standing orders with respect to the Investigating Panel.
6. Subject to the provisions for any such standing orders, the Investigating Panel may regulate its own procedure.

*Miscellaneous*

7. A person ceasing to be a member of the Disciplinary Committee or the Investigating Panel shall be eligible for appointment as a member of that body.
8. A person may, if otherwise eligible, be a member of both the Disciplinary Committee and the Investigating Panel; but no person who acted as a member of the Investigating Panel with respect to any case shall act as a member of the Disciplinary Committee with respect to that case.
9. The Disciplinary Committee or the Investigating Panel may act notwithstanding any vacancy in its membership, and the proceedings of either body shall not be invalidated by any irregularity in the appointment of member of that body by reason of the fact that any person who was not entitled to do so took part in the proceedings of that body.
10. Any document authorized or required by virtue of this Bill to be served on the Disciplinary Committee or the Investigating Panel shall be served on the Registrar.
11. Any expenses of the Disciplinary Committee or Investigating Panel shall be defrayed by the Council.
12. A person shall not by reason of his appointment as an assessor to the Disciplinary Committee, be treated as holding an office in the Public Service of the Federation (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

*Question that the provisions of the Schedule stand part of the Bill — Agreed to.*

**Explanatory Note:**

This Bill seeks to establish Dietitian Council of Nigeria, to regulate the practice of the Profession of Nutrition and Dietetics and for other matters connected therewith to achieve a more wholesome Dietetics practice and maintain standards among Dietetic Practitioners (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

*Agreed to.*

**Long Title:**

A Bill for an Act to Establish the Dietitians Council of Nigeria to Regulate the Profession of Dietetics; and for Related Matters (HB.547) (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

*Agreed to.*

*Chairman to report Bill.*

(HOUSE IN PLENARY)

Mr Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committee on Niger Delta Ministry on a Bill for an Act to Establish the Presidential Programme on Rehabilitation and Reintegration for Implementation of the Presidential Amnesty Programme in the Niger Delta Area of Nigeria; and for Related Matters (HB. 482) and approved Clauses 1 - 30, the Schedule, the Explanatory Memorandum, and the Long Title of the Bill.

*Question that the House do adopt the Report of the Committee of the Whole — Agreed to.*

15. **Adjournment**

*That the House do adjourn till Tuesday, 10 July, 2018 at 11.00 a.m. (Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency).*

*The House adjourned accordingly at 2.32 p.m.*

**Yakubu Dogara**  
*Speaker*

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**CORRIGENDA**

In the *Votes and Proceedings* of Wednesday, 4 July, 2018, No. 2, page 45:

(i) *Leave out* Part VI — Miscellaneous and Clause 25 and *insert* as follows:

***Committee Recommendation:***

**Clause 30: Power to make regulations.**

- (1) Subject to the approval of the National Assembly, the Programme shall have powers to make regulations for the proper implementation of the provision of this Bill.
- (2) Any contravention of the provisions of a regulation made under this section shall be penalized as may be prescribed in the regulation (*Hon. Nasiru Ali Ahmed — Nassarawa Federal Constituency*).

*Question that Clause 30 stands part of the Bill — Agreed to.*

(ii) *Leave out* the provision of Clause 31.





