



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Thursday, 6 December, 2018

1. The House met at 11.40 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, 5 December, 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) Members of *The Senate, Students' Union Government*, University of Nigeria, Nsukka, Enugu State; and
 - (ii) Members of the *Law Students' Society, University of Jos*, Jos, Plateau State.
4. **Petition**
A petition from the family of late Uzoczie Ngozi Dorothy, on the non-payment of her death benefit by the Federal Medical Centre, Abakaliki, Ebonyi State, was presented and laid by Hon. Rita Orji (*Ajeromi/Ifelodun Federal Constituency*).
Petition referred to the Committee on Public Petitions.
5. **Matters of Urgent Public Importance (Standing Order Eight, Rule 4)**
 - (i) *Need to Ensure Full Implementation of the 2018 Budget of the National Assembly Particularly on Staff Matters:*
Hon. Edward Pwajok Gyang (*Jos South/Jos East 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 Ensure Full Implementation of the 2018 Budget of the National Assembly Particularly on Staff Matters:

The House:

Notes the disruption of the sitting of the National Assembly on Tuesday, 4 December, 2018;

Also notes that Parliamentary Staff Association of Nigeria (PASAN) protested against the non-release of the benefits due to staff, including promotions and other entitlements;

Disturbed that the non-release is as a result of the non-full implementation of the 2018 Appropriation Act of the National Assembly;

Further notes that the National Assembly and the Judiciary are on 1st line charge and so there ought to be full implementation of the Budget of the two Arms of Government;

Resolves to:

- (i) invite the Minister of Finance to appear before the Committee on Finance to explain the reasons for the non-release of funds for the National Assembly and the Judiciary as captured in the 2018 Appropriation Act; and
- (ii) mandate the Committee on Finance to ensure compliance and report back within one (1) week (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Debate.

Agreed to.

The House:

Noted the disruption of the sitting of the National Assembly on Tuesday, 4 December, 2018;

Also noted that Parliamentary Staff Association of Nigeria (PASAN) protested against the non-release of the benefits due to staff, including promotions and other entitlements;

Disturbed that the non-release is as a result of the non-full implementation of the 2018 Appropriation Act of the National Assembly;

Further noted that the National Assembly and the Judiciary are on 1st line charge and so there ought to be full implementation of the Budget of the two Arms of Government;

Resolved to:

- (i) invite the Minister of Finance to appear before the Committee on Finance to explain the reasons for the non-release of funds for the National Assembly and the Judiciary as captured in the 2018 Appropriation Act; and
- (ii) mandate the Committee on Finance to ensure compliance and report back within one (1) week (**HR. 99/12/2018**).

(ii) ***Call for Strategic Alignment of Nigeria's Defence Policy to Preserve and Reinforce our Territorial Integrity:***

Hon. Muhammed Sani Zorro (*Gumel/Gagarawa/Mai Gatari/Sule Tankarkar Federal Constituency*) introduced the matter and prayed the House to consider and approve the matter as one of urgent public importance.

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

Matter to stand over to the next legislative day, to enable the Committee on Rules and Business determine the appropriateness of the matter being debated at the plenary.

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. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Agreed to.

(iii) ***Disruption of Training Exercise for Rivers State Neighbourhood Safety Corps Agency and the Branding of the Corps as a Militia Group by the Nigerian Army:***

Hon. Kingsley Ogundu Chinda (*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.

Disruption of Training Exercise for Rivers State Neighbourhood Safety Corps Agency and the Branding of the Corps as a Militia Group by the Nigerian Army:

The House:

Notes with concern and dismay the invasion of the training camp and subsequent disruption of the Rivers State Neighbourhood Safety Corps Agency (the "Neighbourhood Watch") training programme by the Nigerian Army;

Also notes that at present, there are security breaches and killings in several parts of the country which have continued unabated and at an alarming rate, for which the security agencies, including the Armed Forces are helpless;

Further notes that the apparent failure and break down of the security apparatus in the country has elicited much concern and scepticism as to the ability of the security agencies to effectively deal with the security challenges all alone, thus the need for States to complement the efforts of the Federal Government;

Cognizant of the fact that security is of utmost importance and ought to be of great concern to everyone to enhance the protection and welfare of the citizenry as provided in Section 14 (2) (b) of the Constitution of the Federal Republic of Nigeria, 1999 (as amended);

Also cognizant of the fact that Lagos and other State Governments have put in place security outfits similar to the Rivers State 'Neighbourhood Watch' and their operations have never been stopped, disrupted or closed down by any security agency, including the Nigerian Army;

Further cognizant of the fact that some States run licensed armed civilian vigilantes, while others such as Kano, Bornu and Zamfara have Hisba whose duty is to enforce Sharia laws and tackle other petty crimes; Benue and Taraba States also have laws establishing vigilantes to assist the Police check the activities of, and attacks by herdsmen and farmers;

Aware that the Rivers State “Neighbourhood Watch” was legally set up through the passage into Law by the Rivers State House of Assembly of the *Rivers State Neighbourhood Safety Corps Agency (RIVENESCA) Law, No.8 of 2018*, with the aim of among other things, enhancing security, fostering community policing and crime control, and ensure security of lives and property of the citizenry;

Also aware that the said Law provides that the Agency will totally and completely be subservient to the Nigeria Police Force (NPF) and is bound to assist, complement and collaborate with the NPF and all other security agencies to ensure maintenance of law and order;

Further aware that pursuant to the above, the Rivers State Government recruited and opened a training camp for participants at the National Youth Service Corps (NYSC) permanent orientation camp at Nonwa in Tai Local Government Area of the State to help the security agencies effectively manage security issues in the State through information gathering and dissemination as well as provide jobs for the teeming unemployed youths of Rivers State;

Observed that the Rivers State Government duly notified in writing, authorities of the Nigerian Army and other security agencies, including the Nigeria Police Force (NPF) and the Department of State Security (DSS) of the said training exercise for members of the “Neighbourhood Watch” and indeed, invited them to provide technical support for training of the recruits which includes physical training, intelligence gathering and crime detection techniques;

Concerned about the invasion of the camp and disruption of the training exercise by men of the Nigerian Army on grounds of acting on 'Orders from Above', and labeling participants as being members of a 'militia' gang;

Also concerned about the apparent level of politicization and 'selective interference' of the Nigerian Army in the affairs of some States of the Federation, including Rivers State;

Further concerned that the above situation could lead to mistrust among the populace regarding the said 'selective interference' by the Nigerian Army in the affairs of Rivers State and thus strain friendly working relationships between the Nigerian Army and the Government and people of Rivers State;

Resolves to:

- (i) strongly condemn the invasion of the training camp and disruption of the training exercise of the Rivers State “Neighbourhood Watch” by men of the Nigerian Army;
- (ii) direct an immediate end to or stop the invasion of the camp and disruption of the training exercise by the Nigerian Army; and
- (iii) mandate the Committee on Army to urgently investigate the said activities of the Nigerian Army and the veracity of their claim that the Corps is a militia group and report back within two (2) weeks (*Hon. Kingsley Ogundu Chinda — Obio/Akpor Federal Constituency*).

Debate.

Amendment Proposed:

Leave out all the Prayers and insert a new Prayer as follows:

*“Mandate the Committee on Defence to investigate the matter and report back in four (4) weeks”
(Hon. Yussuff Sulaimon Lasun — Irepodun/Glorunda/Osogbo/Orolu Federal Constituency)*

Question that the amendment be made — Agreed to.

Question on the Motion as amended — Agreed to.

The House:

Noted with concern and dismay the invasion of the training camp and subsequent disruption of the Rivers State Neighbourhood Safety Corps Agency (the “Neighbourhood Watch”) training programme by the Nigerian Army;

Also noted that at present, there are security breaches and killings in several parts of the country which have continued unabated and at an alarming rate, for which the security agencies, including the Armed Forces are helpless;

Further noted that the apparent failure and break down of the security apparatus in the country has elicited much concern and scepticism as to the ability of the security agencies to effectively deal with the security challenges all alone, thus the need for States to complement the efforts of the Federal Government;

Cognizant of the fact that security is of utmost importance and ought to be of great concern to everyone to enhance the protection and welfare of the citizenry as provided in Section 14 (2) (b) of the Constitution of the Federal Republic of Nigeria, 1999 (as amended);

Also cognizant of the fact that Lagos and other State Governments have put in place security outfits similar to the Rivers State 'Neighbourhood Watch' and their operations have never been stopped, disrupted or closed down by any security agency, including the Nigerian Army;

Further cognizant of the fact that some States run licensed armed civilian vigilantes, while others such as Kano, Bornu and Zamfara have Hisba whose duty is to enforce Sharia laws and tackle other petty crimes; Benue and Taraba States also have laws establishing vigilantes to assist the Police check the activities of, and attacks by herdsmen and farmers;

Aware that the Rivers State “Neighbourhood Watch” was legally set up through the passage into Law by the Rivers State House of Assembly of the Rivers State Neighbourhood Safety Corps Agency (RIVNESCA) Law, No.8 of 2018, with the aim of among other things, enhancing security, fostering community policing and crime control, and ensure security of lives and property of the citizenry;

Also aware that the said Law provides that the Agency will totally and completely be subservient to the Nigeria Police Force (NPF) and is bound to assist, complement and collaborate with the NPF and all other security agencies to ensure maintenance of law and order;

Further aware that pursuant to the above, the Rivers State Government recruited and opened a training camp for participants at the National Youth Service Corps (NYSC) permanent orientation camp at Nonwa in Tai Local Government Area of the State to help the security agencies effectively manage security issues in the State through information gathering and dissemination as well as provide jobs for the teeming unemployed youths of Rivers State;

Observed that the Rivers State Government duly notified in writing, authorities of the Nigerian Army and other security agencies, including the Nigeria Police Force (NPF) and the Department of State Security (DSS) of the said training exercise for members of the "Neighbourhood Watch" and indeed, invited them to provide technical support for training of the recruits which includes physical training, intelligence gathering and crime detection techniques;

Concerned about the invasion of the camp and disruption of the training exercise by men of the Nigerian Army on grounds of acting on 'Orders from Above', and labeling participants as being members of a 'militia' gang;

Also concerned about the apparent level of politicization and 'selective interference' of the Nigerian Army in the affairs of some States of the Federation, including Rivers State;

Further concerned that the above situation could lead to mistrust among the populace regarding the said 'selective interference' by the Nigerian Army in the affairs of Rivers State and thus strain friendly working relationships between the Nigerian Army and the Government and people of Rivers State;

Resolved to:

Mandate the Committee on Defence to investigate the matter and report back in four (4) weeks (HR. 100/12/2018).

6. Personal Explanation (Order Eight, Rule 5)

Hon. Ayo Omidiran (*Ayedaade/Irewole/Isokan Federal Constituency*), drew the attention of the House to the victorious outing of the Super Falcons of Nigeria at the just concluded Women African Cup of Nations in Ghana, which has also qualified them to play in the 2019 FIFA Women World Cup coming up in France. She noted that the team had meritoriously achieved this great feat for the 9th time and had made the country proud. She then, sought the leave of the House to move a motion on the matter.

Leave granted.

Commendation for the Super Falcons of Nigeria

The House:

Notes that the Women National Team of Nigeria — the Super Falcons of Nigeria, won for the 9th time, the Women African Cup of Nations at the recently concluded tournament in Ghana;

Also notes that the Team showed the Nigerian spirit by winning the cup after an initial set back of losing the first match;

Further notes that with the Super Falcons victory, Nigeria has qualified for the 2019 FIFA Women's World Cup in France, and that the team has qualified for every edition of the FIFA Women World Cup and the best outing was at USA in 1999;

Resolves to:

- (i) appeal to Corporate Organizations in Nigeria to support the Team while preparing for the 2019 FIFA Women World Cup to enable it adequately prepare for the tournament;
- (ii) honour the team with a standing ovation (*Hon. Ayo Omidiran — Ayedaade/Irewole/Isokan Federal Constituency*).

Agreed to.

(HR. 101/12/2018).

The House rose in standing ovation in honour of the team.

7. Presentation of Bills

The following Bills were read the *First Time*:

- (1) Nigerian Law Reform Commission Act (Repeal and Re-Enactment) Bill, 2018 (HB. 1577).
- (2) Chartered Institute of Corporate Mentoring and Coaching Bill, 2018 (HB. 1574).
- (3) Chartered Institute of Professional Secretarial Staff of Nigeria Bill, 2018 (HB. 1575).

8. Presentation of Report

Committee on Public Service Matters:

Motion made and Question propose, "That the House do receive the Report of the Committee on Public Service Matters on Implementation of the New Conditions of Service for Staff of the National Assembly Service" (Hon. Gogo Bright Tamuno — Okrika/Ogu/Bolo Federal Constituency).

Agreed to.

Report laid.

- 9. A Bill for an Act to Repeal the Companies and Allied Matters Act, Cap. C20, Laws of the Federation of Nigeria, 2004 and Enact the Companies and Allied Matters Bill to provide for Incorporation of Companies, Limited Liability Partnership, Limited Partnerships, Registration of Business Names together with Incorporation of Trustees of certain Communities, Bodies, Associations; and for Related Matters (HB.1576) — *Second Reading.***

Order read; deferred by leave of the House.

- 10. A Bill for an Act to Establish the National Ear Care Centre, Kaduna for the Prevention, Diagnosis and Treatment of Ear, Nose and Throat (ENT) Diseases, Co-ordination of Research in Ear, Nose and Throat Challenges, Training of Specialists in Ear, Nose and Throat; and for Related Matters (HB. 1522) — *Second Reading***

Motion made and Question proposed, "That a Bill for an Act to Establish the National Ear Care Centre, Kaduna for the Prevention, Diagnosis and Treatment of Ear, Nose and Throat (ENT) Diseases, Co-ordination of Research in Ear, Nose and Throat Challenges, Training of Specialists in Ear, Nose and Throat; and for Related Matters (HB. 1522) be now read a Second Time" (Hon. Mohammad Usman — Makarfi/Kudan 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 Health Institutions.

- 11. A Bill for an Act to Repeal the Citizenship and Leadership Training Centre Act, Cap. C12, Laws of the Federation of Nigeria, 2004 and Enact the National Centre for Citizenship and Leadership Training; and for Related Matters (HB. 1354) — *Second Reading***

Order read; deferred by leave of the House.

12. **A Bill for an Act to Establish the Nigerian Shoreline Development and Protection Agency charged with Responsibility for Management and Administration of Sea Waves on the Nation's Coastland; and for Related Matters (HB. 1508) — Second Reading**

Motion made and Question proposed, "That a Bill for an Act to Establish the Nigerian Shoreline Development and Protection Agency charged with Responsibility for Management and Administration of Sea Waves on the Nation's Coastland; and for Related Matters (HB. 1508) be now read a Second Time" (Hon. Julius Pondi — Burutu 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 Environment and Habitat.

13. **A Bill for an Act to Establish Federal University of Agriculture, Dambatta to make Comprehensive Provisions for its due Management and Administration; and for Related Matters (HB. 1566) — Second Reading**

Motion made and Question proposed, "That a Bill for an Act to Establish Federal University of Agriculture, Dambatta to make Comprehensive Provisions for its due Management and Administration; and for Related Matters (HB. 1566) be now read a Second Time" (Hon. Badamasi Ayuba — Dambatta/Makoda 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.

14. **Discharge of Committees from Referrals on Bills, Pursuant to Order Seventeen, Rule 3 (1) (g) of the Standing Orders of the House of Representatives**

Motion made and Question proposed:

The House:

Notes that the following Bills were read a Second time separately between 2016 and 2017 and referred to respective Committees for further legislative actions:

S/No.	Title of Bill	Date	Committee
1.	National Gas Resources Development Agency Bill, 2016 (HB. 607)	16/11/2016	Gas Resources
2.	Acts Authentication Act (Amendment) Bill, 2016 (HB. 646)	22/11/2016	Justice
3.	Administrative Staff College of Nigeria Act (Amendment) Bill, 2016 (HB. 666)	24/11/2016	Governmental Affairs
4.	National Fitness Day Bill, 2016 (HB. 704)	29/11/2016	Sports
5.	Nigerian Institute of Translators and Interpreters Bill, 2016 (HB. 829)	3/3/2016	Commerce

6.	Nigerian Agency for Foreign Assistance Bill, 2015 (HB. 24)	1/12/2016	Foreign Affairs
7.	Pre-Shipment Inspection of Imports Act (Amendment) Bill, 2016 (HB. 657)	24/11/2016	Commerce
8.	Free Trade Zone Bill, 2015 (HB. 37)	14/12/2016	Commerce
9.	Nigerian Airspace Management Agency Act (Amendment) Bill, 2016 (HB. 787)	15/12/2016	Aviation
10.	Desecration of Sanctity of Human Life and Dead Body (Prohibition) Bill, 2016 (HB. 778)	17/1/2017	Human Rights
11.	Export (Prohibition) Act (Repeal) Bill, 2016 (HB 671)	18/1/2017	Agricultural Production and Services
12.	Piers Act (Amendment) Bill, 2016 (HB. 678)	18/1/2017	Ports, Harbours and Waterways
13.	Adequate Parking Spaces for Building meant for Public Use Bill, 2016 (HB. 783)	19/1/2017	Housing and Urban Development and Regional Planning
14.	National Industrial Court Act (Amendment) Bill, 2016 (HB. 860)	24/1/2017	Federal Judiciary
15.	Federal Character Commission Act (Amendment) Bill, 2016 (HB. 832 and HB. 885)	26/1/2017	Federal Character

Aware that the Committees are yet to present Reports on the Bills, contrary to the provisions of Order Seventeen, Rule 3 (1) (g) of the Standing Orders of the House of Representatives, to wit:

"Any matter referred to any Committee shall be treated within 30 days otherwise the Committee shall stand discharged after 60 days and the matter committed to the Committee of the Whole for consideration";

Resolves to:

Discharge the Committees of the above mentioned Bills and commit same to the Committee of the Whole for consideration (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Agreed to.

15. **Need to Investigate the Cause of the Incessant Killings of Young Female Students of Delta State University, Abraka, Delta State**
Motion made and Question proposed:

The House:

Notes the incessant killings of female students of Delta State University, Abraka, Delta State by men suspected to be ritual killers styled "Yahoo boys";

Saddened at the death of one Miss Elozino Ogege, a 300 Level student of the Department of Mass Communications, Delta State University, Abraka, who was recently murdered by the callous killers;

Disturbed that despite the reoccurrence of the killings, security in the area has remained casual with no efforts to beef it up in order to check the killings and protect the vulnerable citizens;

Informed that the killings are specifically targeted at the female folks, whose used sanitary towels and underwears are allegedly needed for ritual purposes;

Concerned that if drastic steps are not urgently taken, the killings could continue unabated to the extent that the successes recorded in the Delta State University could be eroded and the university may become unattractive to prospective students;

Resolves to:

- (i) observe a minute silence in honour of Late Miss Elozino Ogege; and
- (ii) condemn the acts in its entirety and mandate the Committee on Police Affairs to interface with the Inspector-General of Police and the Delta State Commissioner of Police with a view to taking necessary and effective measures to arrest the deplorable situation (*Hon. Lovette Ederin Idisi — Ethiope East/Ethiope West Federal Constituency*).

Debate.

Agreed to.

The House:

Noted the incessant killings of female students of Delta State University, Abraka, Delta State by men suspected to be ritual killers styled "Yahoo boys";

Saddened at the death of one Miss Elozino Ogege, a 300 Level student of the Department of Mass Communications, Delta State University, Abraka, who was recently murdered by the callous killers;

Disturbed that despite the reoccurrence of the killings, security in the area has remained casual with no efforts to beef it up in order to check the killings and protect the vulnerable citizens;

Informed that the killings are specifically targeted at the female folks, whose used sanitary towels and underwears are allegedly needed for ritual purposes;

Concerned that if drastic steps are not urgently taken, the killings could continue unabated to the extent that the successes recorded in the Delta State University could be eroded and the university may become unattractive to prospective students;

Resolved to:

- (i) observe a minute silence in honour of Late Miss Elozino Ogege; and
- (ii) condemn the acts in its entirety and mandate the Committee on Police Affairs to interface with the Inspector-General of Police and the Delta State Commissioner of Police with a view to taking necessary and effective measures to arrest the deplorable situation (**HR. 102/12/2018**).

A minute silence was observed in honour of the deceased.

16. Need to Abolish the Practice of Money-Women in Bechev Community, Obanliku Local Government Area of Cross River State

Order read; deferred by leave of the House.

17. Consideration of Reports

(i) *Ad-Hoc Committee on Ajaokuta Steel Company Ltd:*

Motion made and Question proposed. "That the House do Consider the Report of the Ad-Hoc Committee on Ajaokuta Steel Company Ltd on failure of the Ajaokuta Steel Company to Commence Operations since Inception and approve the recommendations (HR.78/2018)" (Hon. Ahmed Idris — Deputy House Leader).

Agreed to.

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

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

Recommendation (i):

"That the Federal Government should demonstrate a strong political will, just like the United States President did recently in steel sector, to resuscitate the Ajaokuta Integrated Steel plant by direct sourcing and disbursement of about \$2b needed to revamp and complete the 2% external aspects of the Integrated project (to wit, revival of Ajaokuta Steel Company and the National Iron Ore Manufacturing Company, Itakpe, completing the various external rail track system and access roads linkages; the development and optimal functioning of the various mining sites for steady supply of raw materials to guarantee an uninterrupted steel production when the blast furnace would be started)" (Hon. Ahmed Idris — Deputy House Leader).

Agreed to.

Recommendation (ii):

"That the Federal Government should, as a matter of national interest and security, annul and terminate the recent reconcession agreement entered into with Global Infrastructure Nigeria Ltd (GINL) of 1st August 2016, as there is still an extant Federal Government indictment against the company (GINL)" (Hon. Ahmed Idris — Deputy House Leader).

Agreed to.

Recommendation (iii):

"That the Federal Government should cease from any further thought of concessioning and/or reconcessioning of the Nigerian Steel Companies as Nigeria has capable hands under the services of the Federal Republic to manage the integrated plants when properly funded" (Hon. Ahmed Idris — Deputy House Leader).

Agreed to.

Recommendation (iv):

"That the Federal Government should revive relations with the original builders of the Company (TPE of Russia) towards wooing them back to continue and complete the good work they started alongside the current Management Team of indigenous Sole Administrators who have shown expertise and practical knowledge in the integrated steel plants management and production" (Hon. Ahmed Idris — Deputy House Leader).

Agreed to.

Recommendation (v):

"That since it is known that most of the Abacha loot was gotten from the debt by back deal involving Ajaokuta, then the recovered loots which are still flowing into Nigeria should be used to supplement the funding of the completion of the Ajaokuta integrated steel plant" (Hon. Ahmed Idris — Deputy House Leader).

Agreed to.

Recommendation (vi):

“That the Economic and Financial Crimes Commission (EFCC) should heed the Presidential directive of late President Yaradua in 2008, to prosecute all the collaborators of Global Infrastructures Nigeria Ltd as economic saboteurs” (*Hon. Ahmed Idris — Deputy House Leader*).

Agreed to.

Recommendation (vii):

“That both the Company, Global Infrastructures Nigeria Ltd and all indicted local collaborators should be made to pay damages to the host communities that suffered loss of lives when the Company used brutal force against the workers (most of whom were community youths) who tried to stop the Company from stripping and vandalizing the assets of the concessioned plants” (*Hon. Ahmed Idris — Deputy House Leader*).

Agreed to.

Recommendation (viii):

“That the Company, Global Infrastructures Nigeria Ltd and its associates be banned from further doing any business in Nigeria as its track record has been marred by duplicity and fraud” (*Hon. Ahmed Idris — Deputy House Leader*).

Agreed to.

Recommendation (ix):

“That accelerated legislative work must be done by both Chambers of the National Assembly to ensure that both the Ajaokuta Steel Company and the National Iron Ore Manufacturing Company, Itakpe, are removed from the Privatization List” (*Hon. Ahmed Idris — Deputy House Leader*).

Agreed to.

Chairman to report proceedings.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Ad-Hoc Committee on Ajaokuta Steel Company Ltd on failure of the Ajaokuta Steel Company to Commence Operations since Inception and approved Recommendations (i) - (ix) of the Report.

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

- (ii) ***A Bill for an Act to Repeal the Nigerian Tourism Development Corporation Act, Cap. N137, Laws of the Federation of Nigeria, 2004 and Enact the Nigerian Tourism Development Authority Bill; and for Related Matters (HB. 1212) (Committee of the Whole): Motion made and Question proposed,*** “That the House do consider the Report on a Bill for an Act to Repeal the Nigerian Tourism Development Corporation Act, Cap. N137, Laws of the Federation of Nigeria, 2004 and Enact the Nigerian Tourism Development Authority Bill; and for Related Matters (HB. 1212) and approve the recommendations therein” (*Hon. Ahmed Idris — Deputy House Leader*).

Agreed to.

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

(HOUSE IN COMMITTEE)*(Mr Deputy Speaker in the Chair)*

A BILL FOR AN ACT TO REPEAL THE NIGERIAN TOURISM DEVELOPMENT CORPORATION ACT, CAP. N137, LAWS OF THE FEDERATION OF NIGERIA, 2004 AND ENACT THE NIGERIAN TOURISM DEVELOPMENT AUTHORITY BILL; AND FOR RELATED MATTERS (HB. 1212)

Clause 1: Establishment of the Nigerian Tourism Development Authority.

- (a) There is hereby established, an Authority to be known as the Nigerian Tourism Development Authority (in this Bill referred to as "the Authority").
- (b) The Authority shall be a body corporate with perpetual succession and a common seal and may sue and be sued in its corporate name;
- (c) The supplementary provision contained in the First Schedule to this Bill shall, where applicable have effect with respect to the proceedings of the Authority and the other matters mentioned therein (Schedule 1) (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 2: Membership of the Governing Board.

There is established a Governing Board of the Authority which shall consist of the following:

- (a) a part time Chairman who shall be appointed by the President and shall be a person of proven integrity and experience in the field of hospitality, travel and tourism;
- (b) Director General;
- (c) two representatives of the Federation of Tourism Association of Nigerian (FTAN);
- (d) one member representing public interest who must be a private tourism practitioner;
- (e) a representative each of the Federal Ministries/Agencies charged with the responsibility for matters relating to:
 - (i) Foreign Affairs;
 - (ii) Immigration;
 - (iii) Industry, Trade and Investment;
 - (iv) Environment;
 - (v) Customs;
 - (vi) Culture and Tourism;
 - (vii) Nigerian Investment Promotion Commission (NIPC);
 - (viii) representative of Nigerian Police;

- (ix) National Institute of Hospitality and Tourism Development Studies (NIHOTOUR);
- (x) Standard Organization of Nigeria (SON) (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 3: Tenure of Office.

Subject to the provision of this Bill, a person appointed to be a member of the Board of the Authority and not being an *ex-officio* member shall hold office for a period of three years from the date of his appointment and may be re-appointed for a further term of three years and no more (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 4: Any member of the Board of the Authority not being an *ex-officio* member may resign his appointment by a letter addressed to the Minister through the Chairman (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 5: A member of the Board of the Authority not being an *ex-officio* member shall be paid such remuneration and allowances as the President may, from time to time, direct (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 6: Notwithstanding the provision of section 5, the President may on the recommendation of the Minister remove the Chairman or any member of the Board of the Authority from office for inability to discharge the functions of his office arising from:

- (a) infirmity of mind or body;
- (b) bankruptcy;
- (c) gross misconduct; and
- (d) any other cause by which his continued membership will not be in the interest of the Authority (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 7: Board Committee.

The Board shall have the following Standing Committees:

- (a) the Appointment and Establishment Committee; and
- (b) the Finance and General Purposes Committee (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 8: The functions of the standing Committees shall be as determined by the Board (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 9: Membership of all standing Committees shall be as determined by the Board (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 10: Proceedings of standing Committees shall be conducted in accordance with the provisions contained in the schedule to this Bill (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 11: The Board may, subject to such conditions as it may deem fit, delegate any or all of the powers conferred on it by this Bill to any Committee or Committees of its members or the Director General to:

- (a) inquire into and report to the Board on any matter affecting the Authority;
- (b) deal with matters of an urgent nature as approved by the Board, subject to such conditions as the board may in writing specify; and
- (c) appoint staff of the Authority to advice on matters relating to appointments and discipline and other relevant tourism issues of the authority (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 12: (a) The Board may, from time to time, co-opt any person or Person(s) to carry out any of the functions of the Authority under this Bill;

(b) Any person co-opted under subsection (a) of this section may take part in the proceedings of the Board but shall not be deemed to be a member of the Board for the purpose of voting or forming of quorum (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 13: Functions of the Authority.

The functions of the Authority shall be to:

- (a) develop and promote Nigeria as a travel and tourism destination by encouraging people living in Nigeria to take their holidays therein and people from abroad to visit Nigeria;
- (b) encourage the provision and improvement of tourism amenities and facilities in Nigeria including the development of hotels and ancillary facilities;
- (c) regulate with the states and supervise tourism enterprises for quality assurance, consumer protection and public health and safety purposes by the accreditation and certification of all such enterprises thereby establishing standards, guidelines and codes of practice in tourism in partnership with relevant bodies;
- (d) oversee the administration of the Tourism Development Fund to ensure that the Fund is utilized, for the required purposes;

- (e) ensure collaboration with other public, private and international agencies;
- (f) implement all government policies related to tourism; and
- (g) advice the Minister on policy issues relating to tourism generally (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 14: In addition to the specific powers conferred on the Authority by or under the subsequent provision of this Bill, the Authority shall have power to:

- (a) provide advisory and information services;
- (b) undertake research in the field of tourism;
- (c) render consultancy services in the field of tourism;
- (d) render technical advice to the states and local governments in the field of tourism;
- (e) encourage investors to invest in the tourism sector; and
- (f) provide statistics in all spheres of tourism (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 15: The Authority shall in particular have power to:

- (a) carry on any undertaking which appears to the Authority to be necessary for the promotion and development of the tourism industry;
- (b) assist in the promotion and marketing of:
 - (i) tourist attractions and festivals;
 - (ii) historic sites;
 - (iii) museums;
 - (iv) parks;
 - (v) game reserves;
 - (vi) beaches;
 - (vii) natural beauty spots;
 - (viii) holiday resorts;
 - (ix) souvenir industries.
- (c) advice appropriate authorities on ways of improving tourism facilities;
- (d) publicize tourism; and

- (e) do all such things incidental to the foregoing functions which in its opinion are calculated to facilitate the carrying on of the duties of the Authority under this Bill (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 16: Establishment of a Tour Operating Company.

- (a) The Authority shall set up a tour operating company to operate tour services within and outside Nigeria.
- (b) The company shall also have offices to operate in all the zones.
- (c) The Authority shall operate the company on a commercial basis, that is it shall ensure that the revenue accruing to the Company from services provided by it are not less than sufficient to meet the total cost of providing these services, taking one year with another (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 17: Establishment of Conventions and Visitors Bureau (CVB).

The Authority shall establish and manage the Conventions and Visitors Bureau (CVB). The Bureau is to be in charge of destination marketing and to promote Nigeria as a top destination for meetings, exhibitions and events in partnership with relevant bodies as well as be involved with international biddings for Nigeria to host events (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 18: Power of Minister to give directions.

Subject to this Bill, the Minister may give to the Authority directions of a general character or relating generally to particular matters (but not to any particular individual person or to any particular case) with regard to the exercise by the Authority of its functions and it shall be the duty of the Authority to comply with the directions (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

- Clause 19:**
- (1) There shall be appointed for the Authority, a Director General who shall have such professional qualification and experience in tourism and allied matters appropriate for a person required to perform the functions of that office under this Bill.
- (2) The Director General shall:
- (i) be appointed by the President on the recommendation of the Minister;
- (ii) hold office for a term of four (4) years in the first instance and may be re-appointed for a further term of four years and no more;
- (iii) hold office on such terms and conditions as to emolument, conditions of service as may be specified in his letter of appointment and on such other terms and conditions as may be determined from time to time by the Minister with the approval of the President;

- (iv) be the Chief Executive and Chief Accounting Officer of the Authority for the purpose of controlling and disbursing funds accruing to the Authority and as established pursuant to Section 22 of this Bill;
 - (v) be responsible for the execution of the policies of the Authority;
 - (vi) be responsible for the day to day administration of the affairs of the Authority and is answerable to the Board for the performance of the functions of that office; and
 - (vii) perform any other function determined by the Board.
- (3) The Director General may delegate a function to an officer of the Authority but shall not be relieved of the ultimate responsibility for the performance of the delegated function (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 20: Appointment of Secretary to the Board.

- (1) There shall be appointed a Secretary to the Board who shall:
- (a) be the head of legal services and legal adviser of the Authority; and
 - (b) be a legal Practitioner of not less than 10 years post call experience.
- (2) The Secretary to the Authority shall —
- (a) keep the records and conduct the correspondence of the Board; and
 - (b) perform such other duties as the Board or the Director-General may, from time to time, direct (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 21: Appointment of Employees.

- (1) The Authority shall, subject to the provisions of this Bill have powers to:
- (a) appoint such other employees of the Authority who shall be professionally and technically qualified for the purpose of their appointment;
 - (b) pay its employees' remuneration and allowances not less than that payable to persons of equivalent grades in the Public Service of the Federation; and
 - (c) set up a superannuating scheme (whether contributory or not) in respect of such of its employees as it may determine.
- (2) The Conditions of Service of the employees shall be determined by Federal Civil Service Commission (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 22: Funds of the Authority.

The funds of the Authority include:

- (a) funds appropriated by the National Assembly;
- (b) fees from income-generating activities;
- (c) donations, Loans, Bonds and Grants;
- (d) funds approved by the Board;
- (e) any other funds that are allocated by the Minister of Finance;
- (f) funds from the Tourism Development Fund; and
- (g) funds from the Tourism Development Levy (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 23: Annual Budget.

The Authority shall, not later than three months before the end of each financial year, cause to be prepared and submitted to the Minister, an annual budget in respect of the ensuing financial year (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 24: Accounts and Audit.

- (a) The Authority shall prepare and submit to the appropriate authority, not later than 30th June each year, a report on the activities of the Authority during the immediate preceding year and shall include in the report a copy of the audited account of the Authority for that year, and the Auditors report therein;
- (b) The Authority shall cause to be kept proper account of the Authority in respect of each year and proper records in relation thereto and shall cause the accounts to be audited not later than six months after the end of each financial year by external auditors appointed from the list and in accordance with guidelines supplied by the Auditor-General for the Federation (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 25: Powers to borrow.

The Authority may, with the consent of the Board or Minister, borrow on such terms and conditions as the Authority may determine such sums of money as it may require in the exercise of its functions under this Bill (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 26: Establishment of the Tourism Development Fund.

There is hereby established by this Bill a Tourism Development Fund, which shall be warehoused in the Central Bank of Nigeria (CBN) (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 27: Object of the Fund.

The object of the Fund are:

- (1) to provide funding for tourism development and tourism-related projects and programmes;
- (2) to achieve the object of the Fund, monies from the Fund shall be applied for relevant tourism activities as the Board may determine including in particular:
 - (a) marketing and promotion of tourism;
 - (b) capacity building, market research and development of tourism infrastructure;
 - (c) development and promotion of other entrepreneurial activities;
 - (d) tourism export trade-oriented activities of institutions; and
 - (f) tourism education and training (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 28: Sources of the Fund.

The sources of the Fund include:

- (a) such monies as may be provided by the Federal Government as seed capital by way of intervention fund, contribution, loan, grant or otherwise howsoever;
- (b) donations from States, Federal Capital Territory, Local Government Councils, Area Councils, Public Agencies, Private Organizations and Companies, Multinational Companies, Organizations/Agencies and individuals;
- (c) all monies borrowed and capital raised by the Authority under this Bill or any other enactment including such sums as may be received by the Authority from other sources;
- (d) 3% of funds from Tourism Development Levy;
- (e) monies earned by the operation of any project, enterprise financed from the Fund or investment and other sums collected or received by the Authority for services rendered; and
- (f) other monies that the Minister of Finance in consultation with the Minister may determine with the approval of the President (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 29: Tourism Development Fund Management Board.

- (1) There shall be established a Board to manage the Tourism Development Fund.

- (2) The Fund shall be administered by the Board and as advised by the members particularly as it concerns control, investment and administration of the Fund, including the proceeds of securities issued on Fund Assets for the benefit and development of the tourism and hospitality industry.
- (3) The monies for the Fund shall be domiciled with Central Bank of Nigeria in accordance with TSA policy.
- (4) In furtherance of subsection (2), the Board shall:
 - (a) arrange for the effective and efficient collection of monies assigned to the Fund;
 - (b) identify other sources of funding;
 - (c) co-ordinate and ensure total and timely accountability of the fund;
 - (d) prepare and publish procedures for disbursement of the Fund;
 - (e) formulate general financial strategies and policies for the growth of the Fund;
 - (f) evaluate, approve, review and monitor the execution of projects and programs approved for funding by the Authority;
 - (g) determine the certification necessary to ensure that work is completed according to specification;
 - (h) review the annual programmes and projects submitted by the public and private sector agencies for funding;
 - (i) to provide financial investments by whichever instrument deemed desirable and beneficial in tourism, travel and hospitality development projects by tourism operators in the six geo-political zones and Federal Capital Territory as the Board may approve;
 - (j) to disburse approved funds and provide a framework for which registered and accredited tourism enterprises can access investment and financial incentives for the development of tourism and hospitality facilities;
 - (k) to manage and disburse resources from the Fund for the development of national standards in training and human resource skills and capacity building in hospitality and tourism;
 - (l) subject to any general or special direction, the Board may invest the Fund and maintain general financial reserves (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 30: Tourism Development Levy.

- (1) There shall be established a Tourism Development Levy which shall be used to promote tourism and shall support the fund where and if necessary Sources of the levy.
- (2) The Sources of the levy shall include but not limited to:

(i) a Tourism Visa Fee as may be approved from time to time;

(ii) a Tourism Development Contribution levy of one (1) per cent per room rate or flat rate or any rate as may be prescribed by the authority;

(iii) Tourism Departure Levy, for the promotion of domestic tourism, which shall be paid by all travellers leaving the country at a rate to be prescribed from time to time by the Authority;

(iv) levy on corporate Nigeria comprising an approved minimum percentage of interest rate on banks, telecommunications and other corporate entities; and

(v) such other levies or fees as the Authority may prescribe from time to time for the promotion and development of the tourism industry in Nigeria (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 31: Joint Venture Partnership.

The Authority may enter into joint-venture partnerships with States and other stakeholders for the development of tourism sites and hospitality establishments (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 32: Accreditation and Alliance of Tourism Enterprises.

The Authority shall accredit all hospitality and tourism establishment in all the States of the Federation (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 33: The Authority shall create an alliance of Tourism Enterprises after accreditation for the purposes of standardization, quality assurance, consumer protection and public health and safety (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 34: The Authority shall accredit and renew all Hospitality and Tourism Enterprises under its Alliance from the beginning of the Second quarter of the year to the end of the Third quarter of every year being 1st April to 30th September (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 35: The Authority shall control the classification and grading of all tourism enterprises under the Alliance (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 36: Membership of the Alliance by Accreditation and Certification shall confer privileges and benefits as determined by the Authority from time to time including but not limited to:

(a) International status and recognition by the World Tourism Organization (WTO) of which the Authority is a country member thereof;

- (b) eligibility for specific fiscal relief categories and tax exemptions;
- (c) eligibility for Custom duty exemptions by the Ministry of Finance to encourage infrastructural improvements and development of tourism facilities;
- (d) eligibility for financial incentives, subsidy grants and concessionary interest loans from the Tourism Development Fund; and
- (e) promotion of member establishments by the Authority (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 37: Establishment of Hospitality, Travel and Tourism Division.

- (1) There is hereby established, a division of the Authority to be known as the Travel and Tourism Division.

- (2) It shall be the duty of the Division to:

- (a) monitor the accreditation, classification, and grading of Hospitality, Travel and other tourism establishments according to the prescribed standard as determined by the Authority; and
- (b) collect fees and impose such sanctions as may be prescribed or reviewed from time to time by the Authority (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 38: Assignment of Compliance Officers.

The Authority may if deems it fit, assign from time to time, persons to be known as compliance officers for the purposes of this Bill:

- (1) Compliance officers assigned under this Bill shall, for the purpose of the execution of this Bill, have powers to do the following:

- (a) to enter, inspect and examine by day or by night any premises being used as a hotel or allied hospitality establishment who is an accredited member of the Alliance;

- (b) by notice require the proprietor of such or allied hospitality establishment to furnish in such form as he may direct any information on such matters as may be specified by him on notice; and

- (c) to make such examination and inquiry as may be necessary to ascertain whether any regulations made under this Bill are being complied with.

- (2) If a Compliance Officer is of the opinion that a hotel, or allied hospitality establishment who is an Alliance member is not up to the prescribed standard, he shall serve an improvement notice on the persons under whose control the hotel or allied establishment lies, requiring the person to take measures to rectify any defects or meet the prescribed standards within such a period as he shall therein specify.

- (3) Where a person fails to comply with an improvement notice issued under subsection (2), the compliance officer shall serve a notice of non-compliance on the hotel or allied hospitality establishment until such time as the prescribed standards are met.
- (4) A person who is aggrieved by a notice issued by a compliance officer under subsection (3) may, within thirty days from the date of such notice, appeal to the Authority who may after considering the appeal by order in writing confirm, revoke or vary the notice.
- (5) A person who is aggrieved with a decision of the Authority made under subsection (4) may within thirty days from the date of the decision, appeal to the Board.
- (6) Without prejudice to the right of aggrieved persons to seek redress in a court of law, the decision of the Board on the appeal lodged under subsection (5) will be final and binding on the Person (*Hon. Ahmed Idris — Wase Federal Constituency*).

Question that Clause 38 stands part of the Bill — Agreed to.

Clause 39: (1) It is an offence for a person to:

- (a) refuse access to a hotel or allied hospitality establishment to a compliance officer or a person assisting the compliance officer;
- (b) obstruct the compliance officer in the exercise of his powers under this Bill or any regulation made there under, or induces or attempts to induce any other person to do so;
- (c) prevent or attempt to prevent any other person from assisting the officer;
- (d) in any other way, hinder, impede or oppose the compliance officer in the exercise of his powers under this Bill or any regulation made there under;
- (e) fail to provide the compliance officer any information required under this Bill or Regulation made there under;
- (f) make a statement, which he knows to be false:
 - (i) in purported compliance with the requirement to furnish any information imposed by or under any of the relevant statutory provisions or,
 - (ii) for the purpose of obtaining a document under any of the relevant statutory provisions for himself or another person;
- (g) with intent to deceive, forge or use a document issued or authorized to be issued under any of the relevant statutory provisions or required for the purpose there under make, or have in his possession a document so closely resembling any such document as to be calculated to deceive; or
- (h) falsely pretend to be a compliance officer;

- (i) refuse to renew accreditation within the prescribed time.
- (2) A person guilty of an offence under section 39 (a) shall be liable on conviction to:
 - (a) a fine not exceeding ₦200,000;
 - (b) imprisonment for a term not more than two years;
 - (c) both fine and imprisonment for a term not more than two years;
 - (d) further fine of ₦5,000 for each day during which the offence continues.
- (3) Any Establishment which refuses to comply with the standard improvement notice served, and/or refuses to renew accreditation within the prescribed time or refuses to comply with any other provision of this Bill, will after the expiration of the prescribed due process lose his membership of the alliance and a public disclaimer will be made.
- (4) Any establishment which contravenes the provisions of subsection (3) of this section and the contravention is perceived to be against public interest and safety or to be as a security threat to the public, will be sealed by the Authority and the Authority may call in the assistance of any law enforcement agent and it shall be the duty of such law enforcement agent to assist the Authority in enforcing the provisions of this Bill.
- (5) The Authority shall have power to impose such other sanctions as may be prescribed from time to time (*Hon. Ahmed Idris — Wase Federal Constituency*).

Question that Clause 39 stands part of the Bill — Agreed to.

Clause 40: Regulations.

The Minister may with the approval of the President, make regulations generally for the purpose of giving effect to the provisions of this Bill (*Hon. Ahmed Idris — Wase Federal Constituency*).

Question that Clause 40 stands part of the Bill — Agreed to.

Clause 41: Repeal.

- (1) The Nigerian Tourism Development Corporation Act, Cap. N137, Laws of the Federation of Nigeria, 2004 is hereby repealed.
- (2) The transitional and savings provisions in the second schedule to this Bill shall have effect in relation to the employees, assets and liabilities of the Corporation dissolved under this section and other matters mentioned therein notwithstanding anything to the contrary in this Bill or any other enactment (*Hon. Ahmed Idris — Wase Federal Constituency*).

Question that Clause 41 stands part of the Bill — Agreed to.

Clause 42: Interpretation.

In this Bill, unless the context otherwise requires:

"a person" includes hotels, travel agencies, tour operators and all other hospitality and tourism establishments who are accredited (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

"Company" means the Tour Operating Company established by section 17 (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

"Authority" means the Nigerian Tourism Development Authority established by section 3 of this Bill (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

"Division" means Hospitality, Travel and Tourism Division established by section 43 of this Bill (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

"Director-General" means the person appointed as Director General by virtue of section 19 of this Bill (*Hon. Ahmed Idris — Wase Federal Constituency*).

Question that the meaning of the words "Director-General" be as defined in the interpretation to this Bill — Agreed to.

"Tourism Development Fund" means the fund created under section 26 of this Bill (*Hon. Ahmed Idris — Wase Federal Constituency*).

Question that the meaning of the words "Tourism Development Fund" be as defined in the interpretation to this Bill — Agreed to.

"Compliance officer" means the person appointed as Compliance officer under section 39 of this Bill (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

"President" means the President of the Federal Republic of Nigeria (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

"Senate" means the Senate of the National Assembly (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

"Minister" means the Honorable Minister in charge of Information, Culture and Tourism (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Question that Clause 42 stands part of the Bill — Agreed to.

Clause 43: Citation.

This Bill may be cited as the Nigerian Tourism Development Authority (Repeal and Enactment) Bill, 2018 (*Hon. Ahmed Idris — Wase Federal Constituency*).

Question that Clause 43 stands part of the Bill — Agreed to.

SCHEDULE

FIRST SCHEDULE

PROCEEDINGS OF THE BOARD

1. The Board shall meet at least four times in each year at such times and places as may be determined by the Chairman.
2. If not less than five members make a written request to the Chairman for an extraordinary meeting to be convened, the Chairman shall summon a meeting to be held within fifteen days from the date on which he received the request.
3. The Chairman shall preside at meetings of the Board and if he is absent from a meeting the members present shall elect one of their member to preside at the meeting.
4. At a meeting of the Board six members shall form a quorum and questions shall be decided by a majority of those present and voting; but in the case of an equality of votes, the Chairman or other person presiding shall have a second or casting vote.
5. Subject to this Bill, the Board may make standing orders regulating the proceedings of the Authority or of any Committee thereof.
6. Any summons, notice or other document required or authorized to be served on the Authority may, except where there is express provision to the contrary, be served by:
 - (a) delivering it to the Director General; or
 - (b) sending it by registered post addressed to the Director General as the principal officer of the Authority.
7. The fixing of the seal of the Authority shall be authenticated by the signature of the chairman or the Director General, and the Secretary.
8. 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 Authority by any person generally or specially authorized to act for that purpose by the Authority.
9. Any document purporting to be a contract, instrument or other document duly signed or sealed on behalf of the Authority shall be received in evidence and, unless the contrary is proved, be presumed without further proof to have been so signed or sealed.

10. Any member of the Board or a Committee thereof who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Board or Committees shall forthwith disclose his interest to the Board or Committee and shall not vote on any question relating to the contract or arrangement.

Committees

11. Subject to its standing orders, the Board may appoint such Committees as it thinks fit but the decision of any Committee appointed under this paragraph shall be of no effect until confirmed by the Board.
12. Where the Board desires to obtain the advice of any person on a particular matter, the Board may co-opt him as a member for such period as it thinks fit; but a person who is a member by virtue of this paragraph shall not be entitled to vote at any meeting of the Board and shall not count towards a quorum.
13. The quorum of any Committee of the Board shall be six.
14. The Chairman shall preside at meetings of the Board and if he is absent from a meeting, the members present shall elect one of their members to preside at that meeting.
15. The validity of a proceeding of the Board or a Committee thereof shall not be adversely affected:
 - (a) by a vacancy in the membership of the Board;
 - (b) by a defect in the appointment of member of the Board or Committee; or
 - (c) by reason that a person not entitled to do so took part in the proceeding (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

SECOND SCHEDULE

TRANSITIONAL AND SAVINGS PROVISIONS

1. By virtue of this Bill there shall on the commencement of this Bill, be vested in the Authority all assets, funds resources and other movable or immovable property which immediately before the commencement of this Bill were vested in the Nigeria Tourism Development Corporation (in this schedule referred to as "The dissolved Corporation").
2. Subject to provision of paragraph 1 of this Schedule:
 - (a) the rights, interests, obligations and liabilities of the dissolved Corporation existing immediately before the commencement of this Bill under any contract or instrument, or at law or in equity apart from any contract or instrument, shall by virtue of this Bill be deemed to have been assigned to and vested in the Authority;
 - (b) any such contract or instrument as is mentioned in subparagraph (a) of this paragraph, shall be of the same force and effect against or in favor of the Authority, and shall be enforceable as fully and effectively as if instead of the dissolved Corporation the Authority had been named therein or had been a party thereto; and

- (c) the Authority shall be subject to all the obligations and liabilities to which the dissolved Corporation was subject immediately before the commencement of this Bill and all person shall, as from the commencement of this Bill have the same rights, powers and remedies against the Authority as they had against the dissolved Corporation immediately before the day.
3. Any proceeding pending or cause of action existing immediately before the commencement of this Bill by or against the dissolved Corporation in respect of any rights, interest, obligation or liability of the dissolved Corporation may be continued, or as the case may require, commenced and the determination of a court of law, tribunal or other authority or person may be enforced; by or against the Authority to the same extent that such cause of action or determination might have been continued or commenced or enforced by or against the dissolved Corporation if this Bill has not been made.
4. Notwithstanding the dissolution of the Nigerian Tourism Development Corporation by section 40 of this Bill, any person who immediately before the commencement of this Bill held office under the dissolved Corporation shall, on the commencement of this Bill be deemed to have been transferred to the Authority on terms and conditions not less favorable than those obtaining immediately before the commencement of this Bill and service under the dissolved Corporation shall be deemed to be service under the Authority for pensions purpose.
5. For the purposes of paragraph 4 of this Schedule, the terms and conditions comprised in any transferred appointment shall not be construed as being less favorable merely because they are not in all respects identical or superior to the terms and conditions enjoyed by any person concerned immediately before the commencement of this Bill if the first mentioned terms and conditions taken as a whole offer substantially equivalent or greater benefits.
6. Within the twelve months after the making of this Bill, the Minister, if he thinks fit, may by order published in the gazette make additional transitional or saving provisions for the carrying out of the objectives of this schedule (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Explanatory Memorandum:

This Bill seeks to repeal the Nigerian Tourism Development Corporation Act, Cap. N137 Laws of the Federation of Nigeria and enact the Nigerian Tourism Development Authority, to develop and promote Nigeria as a travel and tourism destination by encouraging people living in Nigeria to take their holiday herein and from abroad to visit Nigeria (*Hon. Ahmed Idris — Wase Federal Constituency*).

Agreed to.

Long Title:

A Bill for an Act to Repeal the Nigerian Tourism Development Corporation Act, Cap. N137, Laws of the Federation of Nigeria, 2004 and Enact the Nigerian Tourism Development Authority Bill; and for Related Matters (HB. 1212) (*Hon. Ahmed Idris — Wase Federal Constituency*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Repeal the Nigerian Tourism Development Corporation Act, Cap. N137, Laws of the Federation of Nigeria, 2004 and Enact the Nigerian Tourism Development Authority Bill; and for Related Matters (HB. 1212) and approved Clauses 1 - 43, 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.

(iii) A Bill for an Act to Provide for Establishment of Federal University of Education, Zaria; and for Related Matters (HB. 1536) (Committee of the Whole):

Motion made and Question proposed, "That the House do consider the Report on a Bill for an Act to Provide for Establishment of Federal University of Education, Zaria; and for Related Matters (HB. 1536) and approve the recommendations therein" (Hon. Ahmed Idris — Deputy House Leader).

Agreed to.

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

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

**A BILL FOR AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE
FEDERAL UNIVERSITY OF EDUCATION, ZARIA; AND FOR OTHER
MATTERS CONNECTED THEREWITH (HB. 1539)**

**PART I — ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF THE
FEDERAL UNIVERSITY OF EDUCATION, ZARIA**

Clause 1: Establishment and Objectives of the Federal University of Education, Zaria.

- (1) There is hereby Federal College of Education, Zaria upgraded and established as the Federal University of Education, Zaria.
- (2) The University shall be a body corporate with perpetual succession and a common seal and may sue or be sued in its corporate name.
- (3) The University shall be a training institution for the development of teacher education in the country.
- (4) The University shall be supervised by the Federal Ministry of Education through the National Universities Commission (NUC) who shall be responsible for approving and regulating all academic programmes run in the University, to ensure quality compliance and provide funds for academic and research programmes, infrastructures and remunerations of employees.
- (5) The objects of the University shall be:
 - (a) to encourage the advancement of learning and to hold out to all persons without distinction of race, creed, sex or political conviction;

- (b) to develop and offer academic and professional programmes leading to the award of certificates, first degrees, post-graduate research, diploma and higher degrees with emphasis on planning, developmental and adaptive skills in education, technology, applied science, agriculture, commerce, arts, social science, humanities, management and allied professional disciplines;
- (c) to produce socially mature educational men and women with capabilities not to only understand educational need of Nigeria as a nation, but also to exploit existing educational infrastructure and improve on it to develop new ones;
- (d) to 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) to bring quality change in education by focusing on teacher education through teaching and learning innovations;
- (f) to 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) to identify educational needs of the society with a view to finding solutions to them within the context of overall national development;
- (h) to 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;
- (i) to provide higher education and foster a systematic advancement of the science and art of teacher education;
- (j) to provide for instruction in such branches of teacher education as it may deem necessary to make provision for research advancement and dissemination of knowledge in such manner as it may determine;
- (k) to provide teachers with operational competence for teaching in pre-tertiary institutions, basic, senior secondary schools and non-formal education institutions;
- (l) to undertake any other activities that is appropriate for a university of education of the highest standard (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 2: Constitution and Principal Officers of the University.

- (1) The University shall consist of:
 - (a) a Chancellor;
 - (b) a Pro-Chancellor and a Council;
 - (c) a Vice-Chancellor and a Senate;

- (d) a body to be called Congregation;
 - (e) a body to be called Convocation;
 - (f) the campuses and colleges of the University;
 - (g) the colleges, institutes and other teaching and research units of the University;
 - (h) the persons holding the offices constituted by the First Schedule to this Bill other than those mentioned in paragraphs (a) to (c) of this subsection;
 - (i) all graduates and undergraduates of the University; and
 - (j) all other persons who are members of the University in accordance with provisions made by statute in that behalf.
- (2) The First Schedule to this Bill shall have effect with respect to the principal officers of the University.
- (3) Subject to section 5 of this Bill provision shall be made by statute with respect to the constitution of the Council, the Senate, Congregation and Convocation (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 3: Powers of Federal University of Education, Zaria and its Exercise.

- (1) For the carrying out of its objects as specified in section 1 of this Bill, Federal University of Education, Zaria shall have power:
- (a) to offer courses of instruction, training and research in education and allied areas for the production of quality and skilled teachers required to teach at lower, middle and higher levels of education in Nigeria in particular and the world at large;
 - (b) to establish such colleges, campuses, institutes, schools, departments and other teaching and research units within the University as may from time to time be deemed necessary or desirable subject to the approval of National Universities Commission;
 - (c) to institute professorships, readerships or associate professorships, lectureships, and other posts and offices and to make appointments thereto;
 - (d) to institute and award fellowships, scholarships, exhibitions, bursaries, medals, prizes and other titles, distinctions, awards and forms of assistance;
 - (e) to provide for the discipline and welfare of members of the University;
 - (f) to hold examinations and grant degrees, diplomas, certificates and other distinctions to persons who have pursued a course of study approved by the University and have satisfied such other requirements as the University may lay down;

- (g) to grant honorary degrees, fellowships or academic titles;
- (h) to demand and receive from any student or any other person attending the University for the purposes of instruction, such fees as the University may from time to time determine subject to the overall directives of the Minister;
- (i) subject to section 20 of this Bill, to acquire, hold, grant, charge or otherwise deal with or dispose of movable and immovable property wherever it is situate;
- (j) to 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;
- (k) to enter into contracts, establish trusts, act as trustee, solely or jointly with any other person, and employ and act through agents;
- (l) to erect, provide, equip and maintain libraries, laboratories, workshops, lecture halls, halls of residence, refectories, sports grounds, playing fields and other buildings or things necessary, suitable or convenient for any of the objects of the University;
- (m) to hold public lectures and to undertake printing, publishing and book selling;
- (n) subject to any limitations or conditions imposed by statute, to invest any moneys appertaining to the University by way of endowment it, not being immediately required for current expenditure in any investments or securities or in the purchase or improvement of land, with power from time to time, to vary any such investments to deposit any moneys for the time being not invested with any bank on deposit or current account;
- (o) to borrow, whether on interest or not and if need be upon the security of any or all of the property, movable or immovable, of the University, such moneys as the Council may from time to time in its discretion find it necessary or expedient to borrow of to guarantee any loan, advances or credit facilities;
- (p) to make gifts for any charitable purpose;
- (q) to do anything which it is authorized or required by this Bill or by statute to do; and
- (r) to do all such acts or things, whether or not incidental to the foregoing powers, as may advance the objects of the University.

(2) Subject to the provisions of this Bill and of the statutes and without prejudice to section 7(2) of this Bill, the powers conferred on the University by subsection (1) of this section shall be exercisable on behalf of the University by the Council or by the Senate or in many other manner which may be authorized by the statute.

(3) The power of the University to establish further campuses and colleges within the University shall be exercisable by statute and not otherwise (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 4: Functions of the Chancellor and Pro-Chancellor.

- (1) The Chancellor shall, in relation to the University, take precedence before all other members of the University, and when he is present, shall preside at all meetings of Convocation held for conferring degrees.
- (2) The Pro-Chancellor shall, in relation to the University, take precedence before all other members of the University, except the Chancellor and except the Vice-Chancellor when acting as chairman of Congregation or Convocation and the Pro-Chancellor shall, when he is present, be the chairman at all meetings of the Council (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 5: Composition, Tenure and Powers of the Council of the University.

- (1) The Council of the University shall consist of:
 - (a) the Pro-Chancellor who shall be appointed by the President on the recommendation of the Honourable Minister of Education;
 - (b) the Vice-Chancellor;
 - (c) the Deputy Vice-Chancellor(s);
 - (d) one person from the Ministry responsible for education;
 - (e) four persons representing a variety of interests and broadly representative of the whole Federation to be appointed from:
 - (i) the Teacher's Registration Council,
 - (ii) Tertiary Education Trust Fund, and
 - (iii) two other persons, one of whom shall be a representative of the University host community;
 - (f) four persons appointed by the Senate from among its members;
 - (g) two persons appointed by Congregation from among its members;
 - (h) one person appointed by Convocation from among its members;
 - (i) two persons representing the community appointed by the President.
- (2) Persons to be appointed to the Council shall be of proven integrity, knowledgeable and familiar with the affairs and tradition of the University.
- (3) The Council so constituted shall have a tenure of four years from the date of its inauguration provided that where a Council is found to be incompetent and corrupt, it shall be dissolved by the Visitor and a new Council shall be immediately constituted for the effective functioning of the University.
- (4) The powers of the Council shall be exercised, as in this Bill and to that extent establishment circulars that are inconsistent with this Bill shall not apply to the University.

- (5) The Council shall be free in the discharge of its functions and exercise of its responsibilities for the good management, growth and development of the University.
- (6) The Council in the discharge of its functions shall ensure that disbursement of funds of the University complies with the approved budgetary ratio for:
 - (a) personnel cost;
 - (b) overhead cost;
 - (c) research and development;
 - (d) library developments; and
 - (e) the balance in expenditure between academic vis-à-vis non-academic activities (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause*6: Functions of the Council and its Finance and General Purpose Committee.

- (1) Subject to the provisions of this Bill relating to the Visitor, the Council shall be the governing body of the University and shall be charged with the general control and superintendence of the policy, finances and property of the University.
- (2) There shall be a committee of the Council, to be known as the Finance, and General Purposes Committee, which shall, subject to the directions of the Council, exercise control over the property and expenditure of the University and perform such other functions of the Council as the Council may from time to time delegate to it.
- (3) Provision shall be made by statute with respect to the constitution of the Finance and General Purposes Committee.
- (4) The Council shall ensure that proper accounts of the University are kept and that the accounts of the University are audited annually by an independent firm of auditors approved by the Council and that an annual report is published by the University together with certified copies of the said accounts as audited.
- (5) Subject to this Bill and the statutes, the Council and the Finance and General Purposes Committee may each make rules for the purpose of exercising any of their respective functions or of regulating their own procedure.
- (6) Rules made under sub-section (5) of this section by the Finance and General Purposes Committee shall not come into force unless approved by the Council; and in so far and to the extent that any rules so made by that Committee conflict with any direction given by the Council, whether before or after the coming into force of the rules in question, the directions of the Council shall prevail.
- (7) There shall be paid to the members respectively of the Council, the Finance and General Purposes Committee and of any other committee set up by the Council, allowances in respect of travelling and other reasonable expenses, at such rates as may from time to time be fixed by the Minister.

- (8) The Council shall meet as and when necessary for the performance of its functions under this Bill and shall meet at least three times in every year.
- (9) If requested in writing by any five members of the Council, the chairman shall within 28 days after the receipt of such request call a meeting of the Council.
- (10) Any request made under sub-section (9) of this section shall specify the business to be considered at the meeting and no business not so specified shall be transacted at that meeting (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 7: Functions of the Senate of the University.

- (1) Subject to section 6 of this Bill and subsections (3) and (4) of this section and the provisions of this Bill relating to the Visitor, it shall be the general function of the Senate to organize and control the teaching by the University, the admission of student where no other enactment provides to the contrary and the discipline of students; and to promote research at the University.
- (2) Without prejudice to the generality of subsection (1) of this section and subject as therein mentioned, it shall in particular be the function of the Senate to make provision for:
 - (a) the establishment, organization and control of campuses, colleges, schools, institutes and other teaching and research units of the University and the allocation of responsibility for different branches of learning;
 - (b) the organization and control of courses of study at the University and of the examinations held in conjunction with those courses, including the appointment of examiners, both internal and external;
 - (c) the award of degrees, and such other qualifications as may be prescribed in connection with examinations held as aforesaid;
 - (d) the making of recommendations to the Council with respect to the award to any person of an honorary fellowship or honorary degree or the title of professor emeritus;
 - (e) the establishment, organization and control of halls of residence and similar institutions at the University;
 - (f) the supervision of the welfare of students at the university and the regulation of their conduct;
 - (g) the granting of fellowships, scholarships, prizes and similar awards in so far as the awards are within the control of the University; and
 - (h) determining what descriptions of dress shall be academic dress for the purposes of the University, and regulating the use of academic dress.

- (3) The Senate shall not establish any new campus, college, school, department, institute or other teaching and research units of the university, or any hall of residence or similar institution at the University without the approval of the Council.
- (4) Subject to this Bill and the statutes, the Senate may make regulations for the purpose of exercising any function conferred on it either by the foregoing provisions of this section or otherwise or for the purpose of making provision for any matter for which provision by regulations is authorized or required by this Bill or by statute.
- (5) Regulations shall provide that at least one of the persons appointed as the examiners at each final or professional examination held in conjunction with any course of study at the University is not a teacher at the University but is a teacher of the branch of learning to which the course relates at some other University of high repute or a person engaged in practicing the profession in a reputable organization or institution.
- (6) Subject to right of appeal to the Council from a decision of the Senate under this sub-section, the Senate may deprive any person of any degree, diploma or other award of the University which has been conferred upon him if after due enquiry he is found to have been guilty of dishonourable or scandalous conduct in gaining admission into the University or obtaining that award (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 8: Functions of the Vice Chancellor.

- (1) The Vice-Chancellor shall, in relation to the University, take precedence before all other members of the University except the Chancellor and subject to section 4 of this Bill except the Pro-Chancellor and any other person for the time being acting as Chairman of the Council.
- (2) Subject to sections 6, 7 and 14 of this Bill, the Vice-Chancellor shall have the general function, in addition to any other functions conferred on him by this Bill or otherwise of directing the activities of the University and shall be the Chief Executive and Accounting Officer of the University and *ex-officio* Chairman of the Senate.
- (3) The Vice Chancellor shall be the Chairman of the University Tenders' Board, which is saddled with the responsibility of approving the conduct of public procurement of goods, works and services within the approved threshold from time to time.
- (4) It shall be the responsibility of the Vice Chancellor to establish and appoint members of the Tenders' Board in line with the extant Public Procurement Rules and Regulations (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

**PART II — GENERAL FUND, TRANSFER OF PROPERTY, ETC., TO THE
UNIVERSITY AND CONDITION OF SERVICE OF EMPLOYEES**

Clause 9: General Fund of the University.

- (1) There shall be a general fund of the university which shall consist of the following:

- (a) grants-in-aid;
 - (b) fees;
 - (c) income derived from investments;
 - (d) gifts, legacies, endowments and donations not accepted for a particular purpose;
 - (e) income derived from the exercise of any functions conferred or imposed on the University by this Bill;
 - (f) any other amounts, charges or dues recoverable by the University;
 - (g) revenue, from time to time, accruing to the University by way of subvention;
 - (h) interests on investments;
 - (i) donations and legacies accruing to the University from any source for the general or special purposes of the University; and
 - (j) regular TETFUND interventions;
- (2) The general fund shall be applied for the purposes of the University (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 10: Transfer of Property.

- (1) All property held by or on behalf of the Provisional Council of the University shall, by virtue of this sub-section and without further assurance, vest in the University and be held by it for the purpose of the University.
- (2) The provisions of the Second Schedule to this Bill shall have effect with respect to, and to matters arising from, the transfer of property by this section and with respect to the other matters mentioned in that Schedule (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

PART III — STATUTES OF THE UNIVERSITY

Clause 11: Power of the University to make Statutes.

- (1) Subject to this Bill, the University may make statutes for any of the following purposes, that is to say:
 - (a) making provision with respect to the composition and constitution of any authority of the University;
 - (b) specifying and regulating the powers and duties of any authority of the University, and regulating any other matter connected with the University or any of its authorities;
 - (c) regulating the admission of students (where no other enactment provides to the contrary), and their discipline and welfare;

- (d) determining whether any particular matter is to be treated as an academic or non-academic matter for the purposes of this Bill and of any statute, regulation or other instrument made thereunder; or
 - (e) making provision for any other matter for which provision by statute is authorized or required by this Bill.
- (2) Subject to section 25 (6) of this Bill, the Interpretation Act shall apply in relation to any statute made under this section as it applies to a subsidiary instrument within the meaning of section 28 (1) of that Act.
 - (3) The statute contained in the Third Schedule to this Bill shall be deemed to have come into force on the commencement of this Bill and shall be deemed to have been made under this section by the University.
 - (4) The power to make statutes conferred by this section shall not be prejudiced or limited in any way by reason of the inclusion or omission of any matter in or from the statute contained in the Third Schedule to this Bill or any subsequent statute (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 12: Mode of Exercising Power to make Statutes.

- (1) The power of the University to make statutes shall be exercised in accordance with the provisions of this section and not otherwise.
- (2) A proposed statute shall not become law unless it has been approved:
 - (a) at a meeting of the Senate, by the votes of not less than two thirds of the members present and voting; and
 - (b) at a meeting of the Council, by the votes of not less than two thirds of the members present and voting.
- (3) A proposed statute may originate either in the Senate or in the Council, and may be approved as required by subsection (2) of this section by either one of those bodies or the other.
- (4) A statute which:
 - (a) makes provision for or alters the composition or constitution of the Council, the Senate or any other authority of the University; or
 - (b) provides for the establishment of a new campus or college or for the amendment or revocation of any statute.
- (5) For the purpose of section 2 (2) of the Interpretation Act, a statute 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 subsection (4) of this section, on the date on which it is approved by the President.
- (6) In the event of any doubt or dispute arising at any time:
 - (a) as to the meaning of any provision of a statute; or

- (b) as to whether any matter is for the purposes of this Bill an academic or non-academic matter as they relate to such doubt or dispute, the matter may be referred to the Visitor, who shall take such advice and make such decision thereon as he shall think fit.
- (7) The decision of the Visitor on any matter referred to him under sub-section (6) of this section shall be binding upon the authorities, staff and students of the University and where any question as to the meaning of any provision of a statute has been decided by the Visitor under that sub-section, no question as to the meaning of that provision shall be entertained by any court of law in Nigeria.
- (8) Nothing in sub-section (7) of this section shall affect any power of a court of competent jurisdiction to determine whether any provision of a statute is wholly or partly void as being ultra vires or as being inconsistent with the Constitution of the Federal Republic of Nigeria, 1999 (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 13: Proof of Statute.

A statute may be proved in any court by the production of a copy thereof bearing or having affixed to it a certificate purporting to be signed by the Vice-Chancellor or the Secretary to the Council to the effect that the copy is a true copy of a statute of the University (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

PART IV — SUPERVISION AND DISCIPLINE

Clause 14: The Visitor.

- (1) The President shall be the Visitor of the University.
- (2) The Visitor shall cause a visitation to the University when necessary, at least every five years, or direct that such a visitation be conducted by such person or persons as the Visitor may deem fit and in respect of any of the affairs of the University.
- (3) It shall be the duty of the bodies and persons comprising the University to make available to the Visitor and to any other person conducting a visitation in pursuance of this section, such facilities and assistance as he or they may reasonably require for the purposes of a visitation.
- (4) The Visitor shall make the report of such visitations and white paper thereon available to the Council which shall implement same (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 15: Removal of certain Members of Council.

- (1) If it appears to the Council that a member of the Council (other than the Pro-Chancellor or the Vice-Chancellor) should be removed from office on the ground of misconduct or inability to perform the functions of his office or employment, the Council shall make a recommendation to that effect through the Minister to the President, and the President, after making such

enquiries (if any) as he may consider appropriate approves the recommendation, he may direct the removal of the person in question from office.

- (2) It shall be the duty of the Minister to use his best endeavours to cause a copy of the instrument embodying a direction under subsection (1) of this section to be served as soon as reasonably practicable on the person to whom it relates (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 16: Removal and Discipline of Academic, Administrative and Professional Staff.

- (1) If it appears to the Council that there are reasons for believing that any person employed as a member of the academic, administrative or professional staff of the University, other than the Vice-Chancellor, should be removed from his office or employment on the ground of misconduct or of professional inability to perform the functions of his office or employment, the Council shall:
- (a) give notice of those reasons to the person in question;
 - (b) afford him an opportunity of making representations in person on the matter by the Council; and
 - (c) for the person in question to be afforded an opportunity of appearing before and being heard by the investigating committee with respect to the matter, and if the Council, after considering the report of the investigating committee, is satisfied that the person in question should be removed as aforesaid, the Council may so remove him by an instrument in writing signed on the directions of the Council.
- (2) The Vice-Chancellor may, in a case of misconduct by a member of the staff which in the opinion of the Vice-Chancellor is prejudicial to the interest of the University, suspend such member and any such suspension shall forthwith be reported to the Council.
- (3) For good cause, any member of the staff may be suspended from his duties or his appointment may be terminated by the Council; and for the purposes of this subsection "good cause" means:
- (a) conviction for any offence which the Council considers to be such as to render the person concerned unfit for the discharge of the functions of his office;
 - (b) any physical or mental incapacity which the Council, after obtaining medical advice, considers to be such as to render the person concerned unfit to continue to hold his office;
 - (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;
 - (d) conduct which the Council considers to be such as to constitute failure or inability of the person concerned to discharge the functions of his office or to comply with the terms and conditions of his service;

- (e) conduct which the Council considers to be generally of such nature as to render the continued appointment or service of the person concerned prejudicial or detrimental to the interest of the University.
- (4) Any person suspended pursuant to subsection (2) or (3) of this section shall be on half pay and the Council shall before the expiration of a period of three months after the date of such suspension consider the case against that person and come to a decision as:
 - (a) whether to continue such person's suspension and if 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 the person concerned, in which case such a person shall not be entitled to the proportion of his emoluments withheld during the period of suspension; or
 - (d) whether to take such lesser disciplinary action against such person (including the restoration of such proportion of his emoluments that might have been withheld) as the Council may determine.
- (5) In any case where the Council, pursuant to this section, decides to continue a person's suspension or decides to take further disciplinary action against a person, the Council shall before the expiration of a period of three months from such decision come to a final determination in respect of the case concerning any such person.
- (6) It shall be the duty of the person by whom an instrument of removal is signed in pursuance of subsection (1) of this section to use his best endeavours to cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it relates.
- (7) Nothing in the foregoing provisions of this section shall:
 - (a) apply to any directive given by the Visitor in consequence of any visitation; or
 - (b) prevent the Council from making regulations for the discipline of other categories of workers of the University as may be prescribed (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 17: Removal of Examiners.

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

- (2) Subject to the provisions of regulations made in pursuance of section 7 (5) of 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 in pursuance of subsection (1) of this section.
- (3) It shall be the duty of the Vice-Chancellor on signing an instrument of removal pursuant to this section, to use his best endeavours to cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it is related (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 18: Participation and Discipline of Students.

- (1) The Students shall be:
- (a) represented in the University's Students Welfare Board and other committees that deal with the affairs of students;
 - (b) participate in various aspects of curriculum development;
 - (c) participate in the process of assessing academic staff in respect of teaching; and
 - (d) be encouraged to be more self-assured as part of the national development process.
- (2) Subject to the provisions of this section, where it appears to the Vice-Chancellor that any student of the University has been guilty of misconduct, the Vice-Chancellor may, without prejudice to any other disciplinary powers conferred on him by statute or regulations, direct that the:
- (a) student shall not, during such period as may be specified in the directions, participate in such activities of the University, or make use of such facilities of the University, as may be so specified; or
 - (b) activities of the student shall, during such period as may be specified in the direction, be restricted in such manner as may be so specified; or
 - (c) student be rusticated for such period as may be specified in the direction; or
 - (d) that the student be expelled from the University.
- (3) Where a direction is given under subsection (1) (c) or (d) of this section in respect of any student, that student may, within the prescribed period and in the prescribed manner, appeal to the Council; and where such an appeal is brought, the Council shall, after causing such inquiry to be made in the matter as the Council considers just either confirm or set aside the direction or modify it in such manner as the Council thinks fit.
- (4) The fact that an appeal from a direction is brought in pursuance to subsection (2) of this section shall not affect the operation of the direction while the appeal is pending:

- (a) the Vice-Chancellor may delegate his powers under this section to a disciplinary board consisting of such members of the University as he may nominate;
- (b) nothing in this section shall be construed as preventing the restriction or termination of students' activities at the University otherwise than on the ground of misconduct;
- (c) a direction under subsection (2) (a) of this section may be combined with a direction under subsection (2) (b) of this section (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

PART V — MISCELLANEOUS AND GENERAL

Clause 19: Exclusion of Discrimination on Account of Race, Religion, etc.

- (1) No person shall be required to satisfy requirements as to any of the following matters, that is to say, race (including ethnic grouping), sex, account of race, place of birth or of family origin, or religious or political persuasion, as a condition of becoming or continuing to be a student at the university, the holder of any degree of the University or of any appointment or employment at the University, or a member of anybody established by virtue of this Bill; and no person shall be subject to any disadvantage or accorded any advantage relation to the University, by reference to any of those matters.
- (2) Nothing in subsection (1) of this section shall be construed as preventing the University from imposing any disability or restriction on any of the persons mentioned in that subsection where such person willfully refuses or fails on grounds of religious belief to undertake any duty generally and uniformly imposed on all such person or any group of them which duty, having regard to its nature and the special circumstances pertaining thereto, is in the opinion of the University reasonably justifiable in the national interest (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 20: Restriction on Disposal of Land by University.

Without prejudice to the provisions of the Land Use Act, the University shall not dispose of or charge any land or an interest in any land (including any land transferred to the University by this Bill) except with the prior written consent, either general or special, of the Governor:

Provided that such consent shall not be required in the case of any lease or tenancy at a rack-rent for a term not exceeding 21 years or any lease or tenancy to a member of the University for residential purpose (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 21: Quorum and Procedure of Bodies Established by this Bill.

Except as may be otherwise provided by statute or by regulations, the quorum and procedure of any body of persons established by this Bill shall be as determined by that body (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 22: Appointment of Committee, etc.

- (1) Anybody of persons established by this Bill shall, without prejudice to the generality of the powers of that body, have power to appoint committees, which need not consist exclusively of members of that body, and to authorize a committee established by it:
- (a) to exercise, on its behalf, such of its functions as it may determine; and
 - (b) to co-opt members.
- (2) Any two or more such bodies may arrange for the holding of joint meetings of those bodies, or for the appointment of committees consisting of members of those bodies, for the purpose of considering any matter within the competence of those bodies or any of them, and either of dealing with it or of reporting on it to those bodies or any of them.
- (3) Except as may be otherwise provided by statute or by regulations, the quorum and procedure of a committee established or meeting held in pursuance of this section, shall be such as may be determined by the body or bodies which have decided to establish the committee or hold the meeting.
- (4) Nothing in the provisions of subsection (1), (2) and (3) of this section shall be construed as enabling the:
- (a) statutes to be made otherwise than in accordance with section 1 of this Bill; or
 - (b) Senate to empower any other body to make regulations of the award degrees or other qualifications.
- (5) The Pro-Chancellor and the Vice-Chancellor shall be members of every committee of which the members are wholly or partly appointed by the Council (other than a committee appointed to inquire into the conduct of the officer in question); and the Vice-Chancellor shall be a member of every committee of which the members are wholly or partly appointed by the Senate (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 23: Retiring Age of Academic Staff.

- (1) Notwithstanding anything to the contrary in the Pension Act, the compulsory retiring age of the following categories of staff shall be as follows:
- (a) Academic staff of the University in the non-Professorial cadre shall be 65 years;
 - (b) Academic staff of the University in the Professorial Cadre shall be 70 years;
 - (c) Non-academic staff of the University shall be 65 years.
- (2) A law or rule requiring a person to retire from the public service after serving for 35 years shall not apply to an academic staff of the University (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 24: Special Provisions relating to Pension of Professors.

An academic staff of the University who retires as a Professor in the University shall be entitled to pension at a rate equivalent to his annual salary provided that the Professor has served continuously in the University up to the retirement age (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 25: Miscellaneous Administrative Provisions.

- (1) The seal of the University shall be such as may be determined by the Council and approved by the Chancellor, and the affixing of the seal shall be authenticated by any member of the Council and by the Vice-Chancellor, Secretary to the Council or any other person authorized by statute.
- (2) Any document purporting to be a document executed under the seal of the University shall be received in evidence and shall, unless the contrary is proved, be presumed to be so executed.
- (3) 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 person generally or specially authorized to do so by the Council.
- (4) The validity of any proceedings of anybody established in pursuance of this Bill shall not be affected by any vacancy in the membership of the body, or by any defect in the appointment of a member of the body or by reason that any person not entitled to do so took part in the preceding.
- (5) Any member of any such body who has a personal interest in any matter proposed to be considered by that body shall forthwith disclose his interest to the body and shall vote on any question relating to that matter.
- (6) Nothing in section 12 of the Interpretation Act (which provides for the application in relation to subordinate legislation of certain incidental provisions) shall apply to statutes or regulations made in pursuance to this Bill.
- (7) The power conferred by this Bill on anybody to make statutes or regulations shall include power to revoke or vary any statute (including the statute contained in the Third Schedule of this Bill) or any regulation by a subsequent statute or as the case may be, by a subsequent regulation and statutes and regulations may make different provisions in relation to different circumstances.
- (8) No stamp or other duty shall be payable in respect of any transfer of property to the University by virtue of section 8 or section 18 of this Bill or the Second Schedule to this Bill.
- (9) Any notice or other instrument authorized to be served by virtue of this Bill may, without prejudice to any other mode of service, be served by post (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 26: Restriction of Suits and Execution.**(1) Pre-Action Notice:**

- (a) No legal proceeding shall be instituted and/or commenced against the University or any of its agents in the course of their official duties unless a 3 months' Pre-Action Notice of such intention is served on the University by an aggrieved party;
- (b) The Notice shall state the reason and the cause of action intended to be taken against the University, the particulars of the claim, the name and place of abode of the intending plaintiff and the relief which he claims;
- (c) For the avoidance of doubt, it is hereby declared that no suit shall be commenced against an officer or servant of the University, in any case where the University is vicariously liable for any alleged act, neglect or default of the officer or servant in the performance or intended performances of his duties, unless three months at least has elapsed after written notice of intention to commence the same shall have been served on the University by the intending plaintiff or his agent.
- (d) In any suit against this University, no execution or attachment or process in the nature thereof shall be issued against the University, but any sums of money which may be judgment of the court be awarded against the University shall, subject to any direction given by the court where notice of appeal has been given by the University in respect of the said judgment, be paid by the University from its general fund.

(2) Service of Notices:

Service upon the University of any notice, order or other document may be effected by delivering the same or by sending it by registered post addressed to the Registrar and Secretary of the Council (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 27: Savings and Transitional Provisions.

Repeal of the Provisions of FCE Act, 1986 Section 1(1) Schedule 1 (u) Laws of Federation of Nigeria, 1986:

- (1) The coming into effect of this Bill Repeals the Provisions of the College of Education Act, 1986 Laws of the Federation of Nigeria.
- (2) Anything done or purported to have been done under the FCE Act, 1986 Section 1 (1) Schedule 1 (u), Laws of Federation of Nigeria, 1986 remains valid, except otherwise provided under this Bill.
- (3) Subsidiary legislation made or deemed to have been made under the repealed of FCE Act, 1986 Section 1 (1) Schedule 1 (u) Laws of Federation of Nigeria, 1986 as if it was in force immediately before the commencement of this Bill, shall continue in force with necessary modification and may be amended or revoked as if it had been made under this Bill.

- (4) The rights, Assets, obligations and liabilities of the of FCE Act, 1986 Section 1(1) Schedule 1 (u) Laws of Federation of Nigeria, 1986 shall, at the commencement of this Bill, rest in and devolve on the Federal University of Education, Zaria (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 28: Interpretation.

- (1) In this Bill, unless the context otherwise requires:

"Campus" means any campus which may be established by the University (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

"College" means the College established pursuant to section 2 (1) (b) of this Bill for the University (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

"Council" means the Governing Council of the University established by section 5 of this Bill (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

"Functions" includes powers and duties (*Hon. Ahmed Idris — Wase Federal Constituency*).

Question that the meaning of the word "Functions" 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 and any other person as may be designated as a graduate by the Council, acting in accordance with the recommendation of the Senate (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

"Minister" means the Hon. Minister of Education (*Hon. Ahmed Idris — Wase 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. Ahmed Idris — Wase 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. Ahmed Idris — Wase 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 regulations (Hon. Ahmed Idris — Wase 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. Ahmed Idris — Wase Federal Constituency).

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

"Property" includes rights, liabilities and obligations (Hon. Ahmed Idris — Wase Federal Constituency).

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

"Provisional Council" means the provisional council appointed for the University (Hon. Ahmed Idris — Wase Federal Constituency).

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

"Regulations" means regulations made by the Senate or the Council (Hon. Ahmed Idris — Wase 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 section 2 (1) (e) of this Bill (Hon. Ahmed Idris — Wase 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. Ahmed Idris — Wase Federal Constituency).

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

"Statute" means a statute made by each University under section 10 of this Bill and in accordance with the provisions of section 11 of this Bill; and (Hon. Ahmed Idris — Wase Federal Constituency).

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

"the statutes" means all such statutes as are in force from time to time (Hon. Ahmed Idris — Wase Federal Constituency).

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

"Teacher" means a person holding a full-time appointment as a member of the teaching or research staff of the University (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

"Undergraduate" means a person registered as a student undergoing a course of study for a first degree of the University or such other course in the University as may be approved by the Senate as qualifying a student undergoing it for the status of an under-graduate (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

"University" means Federal University of Education, Zaria established and incorporated by section 1 of this Bill (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

- (2) It is hereby declared that where in any provision of this Bill it is laid down that the proposals are to be submitted or a recommendation is to be made by one authority or another through one or more intermediate authorities, it shall be the duty of every such intermediate authority to forward any proposals of that or recommendations received by it in pursuance of that provision to the appropriate authority; but any such intermediate authority may, if it thinks fit, forward therewith its own comments thereon (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 29: Short Title.

This Bill may be cited as the Federal University of Education, Zaria (Establishment, etc.) Bill, 2018 (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

SCHEDULES

FIRST SCHEDULE

[Section 2(2)]

PRINCIPAL OFFICERS OF THE UNIVERSITY

The Chancellor.

1. The Chancellor shall be appointed by and hold office at the pleasure of the President.

The Pro-Chancellor.

2. (1) The Pro-Chancellor who shall be the Chairman of Council shall be appointed or removed from office by Mr President upon recommendation by the Minister of Education.
- (2) Subject to the provisions of this Bill, the Pro-Chancellor shall hold office for a period of four years beginning with the date of his appointment.

The Vice-Chancellor.

3. (1) There shall be a Vice-Chancellor of the University who shall be appointed by the Council in accordance with the provisions of this paragraph.
- (2) 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 of the persons who may apply for the post; and
 - (ii) the terms of 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 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 because they felt that it is not proper to do so.
- (3) A Joint Council and Senate Selection Board consisting of:
- (a) the Pro-Chancellor, as chairman;
 - (b) two members of the Council, not being members of the Senate;
 - (c) two members of the Senate who are Professors, but who were not members of the Search Team, shall consider the candidates and persons in the shortlist drawn up under subsection (2) of this paragraph through an examination of their curriculum vitae and interaction with them, and recommend to the Council three candidates for further consideration.
- (4) The Council shall select and appoint as the Vice-Chancellor one candidate from among the three candidates recommended to it under subsection (3) of this section and thereafter inform the Visitor.
- (5) 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.

- (6) The Vice Chancellor may be removed from office by the Council on grounds of gross misconduct or inability to discharge the functions of his office as a result of infirmity of the body or mind, at the initiative of the Council, Senate or the Congregation after due process.
- (7) When the proposal for the removal of the Vice-Chancellor is made, the Council shall constitute a Joint Committee of Council and Senate consisting of:
 - (i) three members of the Council, one of whom shall be the Chairman of the committee; and
 - (ii) two members of the Senate:

Provided that where the ground for removal is infirmity of the body or mind, the Council shall seek appropriate medical opinion.
- (8) The committee shall conduct investigation into the allegations made against the Vice-Chancellor and shall report its findings to the Council.
- (9) The Council may where the allegations are proved remove the Vice-Chancellor or apply any other disciplinary action it may deem fit and notify the Visitor accordingly provided that a Vice-Chancellor who is removed shall have right of appeal to the Visitor.
- (10) There shall be no sole administrator in the University.
- (11) In any case of a vacancy in the office of the Vice-Chancellor, the Council shall appoint an acting Vice-Chancellor on recommendation of the Senate.
- (12) An acting Vice Chancellor in all circumstances shall not be in office for more than 6 months.

Deputy Vice-Chancellor.

4. (1) There shall be for the University such number of Deputy Vice-Chancellors as Council may from time to time deem necessary for the proper administration of the 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 each post of Deputy Vice-Chancellor that is vacant.
- (3) The Senate shall select for each vacant post one candidate from each list forwarded to it under subsection (2) of this paragraph 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; and
 - (c) perform such other functions as the Vice-Chancellor or the Council may, from time to time, assign to him.

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 regulations (Hon. Ahmed Idris — Wase 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. Ahmed Idris — Wase Federal Constituency).

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

"Property" includes rights, liabilities and obligations (Hon. Ahmed Idris — Wase Federal Constituency).

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

"Provisional Council" means the provisional council appointed for the University (Hon. Ahmed Idris — Wase Federal Constituency).

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

"Regulations" means regulations made by the Senate or the Council (Hon. Ahmed Idris — Wase 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 section 2 (1) (e) of this Bill (Hon. Ahmed Idris — Wase 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. Ahmed Idris — Wase Federal Constituency).

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

"Statute" means a statute made by each University under section 10 of this Bill and in accordance with the provisions of section 11 of this Bill; and (Hon. Ahmed Idris — Wase Federal Constituency).

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

"the statutes" means all such statutes as are in force from time to time (Hon. Ahmed Idris — Wase Federal Constituency).

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

"Teacher" means a person holding a full-time appointment as a member of the teaching or research staff of the University (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

"Undergraduate" means a person registered as a student undergoing a course of study for a first degree of the University or such other course in the University as may be approved by the Senate as qualifying a student undergoing it for the status of an under-graduate (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

"University" means Federal University of Education, Zaria established and incorporated by section 1 of this Bill (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

- (2) It is hereby declared that where in any provision of this Bill it is laid down that the proposals are to be submitted or a recommendation is to be made by one authority or another through one or more intermediate authorities, it shall be the duty of every such intermediate authority to forward any proposals of that or recommendations received by it in pursuance of that provision to the appropriate authority; but any such intermediate authority may, if it thinks fit, forward therewith its own comments thereon (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 29: Short Title.

This Bill may be cited as the Federal University of Education, Zaria (Establishment, etc.) Bill, 2018 (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

SCHEDULES

FIRST SCHEDULE

[Section 2(2)]

PRINCIPAL OFFICERS OF THE UNIVERSITY

The Chancellor.

1. The Chancellor shall be appointed by and hold office at the pleasure of the President.

The Pro-Chancellor.

2. (1) The Pro-Chancellor who shall be the Chairman of Council shall be appointed or removed from office by Mr President upon recommendation by the Minister of Education.
- (2) Subject to the provisions of this Bill, the Pro-Chancellor shall hold office for a period of four years beginning with the date of his appointment.

The Vice-Chancellor.

3. (1) There shall be a Vice-Chancellor of the University who shall be appointed by the Council in accordance with the provisions of this paragraph.
- (2) 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 of the persons who may apply for the post; and
 - (ii) the terms of 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 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 because they felt that it is not proper to do so.
- (3) A Joint Council and Senate Selection Board consisting of:
 - (a) the Pro-Chancellor, as chairman;
 - (b) two members of the Council, not being members of the Senate;
 - (c) two members of the Senate who are Professors, but who were not members of the Search Team, shall consider the candidates and persons in the shortlist drawn up under subsection (2) of this paragraph through an examination of their curriculum vitae and interaction with them, and recommend to the Council three candidates for further consideration.
- (4) The Council shall select and appoint as the Vice-Chancellor one candidate from among the three candidates recommended to it under subsection (3) of this section and thereafter inform the Visitor.
- (5) 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.

- (6) The Vice Chancellor may be removed from office by the Council on grounds of gross misconduct or inability to discharge the functions of his office as a result of infirmity of the body or mind, at the initiative of the Council, Senate or the Congregation after due process.
- (7) When the proposal for the removal of the Vice-Chancellor is made, the Council shall constitute a Joint Committee of Council and Senate consisting of:
 - (i) three members of the Council, one of whom shall be the Chairman of the committee; and
 - (ii) two members of the Senate:

Provided that where the ground for removal is infirmity of the body or mind, the Council shall seek appropriate medical opinion.
- (8) The committee shall conduct investigation into the allegations made against the Vice-Chancellor and shall report its findings to the Council.
- (9) The Council may where the allegations are proved remove the Vice-Chancellor or apply any other disciplinary action it may deem fit and notify the Visitor accordingly provided that a Vice-Chancellor who is removed shall have right of appeal to the Visitor.
- (10) There shall be no sole administrator in the University.
- (11) In any case of a vacancy in the office of the Vice-Chancellor, the Council shall appoint an acting Vice-Chancellor on recommendation of the Senate.
- (12) An acting Vice Chancellor in all circumstances shall not be in office for more than 6 months.

Deputy Vice-Chancellor.

- 4. (1) There shall be for the University such number of Deputy Vice-Chancellors as Council may from time to time deem necessary for the proper administration of the 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 each post of Deputy Vice-Chancellor that is vacant.
- (3) The Senate shall select for each vacant post one candidate from each list forwarded to it under subsection (2) of this paragraph 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; and
 - (c) perform such other functions as the Vice-Chancellor or the Council may, from time to time, assign to him.

- (5) (a) A Deputy Vice-Chancellor:
 - (i) shall hold office for a period of two years beginning from the effective date of his appointment and on such terms and conditions as may be specified in his letter of appointment;
 - (ii) may be reappointed for one further period of two years and no more;
 - (iii) may be removed from office for good cause by the Council acting on the recommendations of the Vice-Chancellor and Senate; and
- (b) "Good cause" for the purpose of this section means gross misconduct or inability to discharge the functions of his office arising from infirmity of the body or mind.

Deputy Vice-Chancellor.

- 4. (1) There shall be for the University such number of Deputy Vice-Chancellors as Council may from time to time deem necessary for the proper administration of the 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 each post of Deputy Vice-Chancellor that is vacant.
- (3) The Senate shall select for each vacant post one candidate from each list forwarded to it under subsection (2) of this paragraph 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; and
 - (c) perform such other functions as the Vice-Chancellor or the Council may, from time to time, assign to him.
- (5) (a) A Deputy Vice-Chancellor:
 - (i) shall hold office for a period of two years beginning from the effective date of his appointment and on such terms and conditions as may be specified in his letter of appointment; and
 - (ii) may be reappointed for one further period of two years and no more.
 - (iii) may be removed from office for good cause by the Council acting on the recommendations of the Vice-Chancellor and Senate.
- (b) "Good cause" for the purpose of this section means gross misconduct or inability to discharge the functions of his office arising from infirmity of the body or mind.

Office of the Registrar.

5. (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 paragraph 6 (2) of this Schedule.
- (2) The person holding the office of the Registrar shall by virtue of that office be Secretary to the Council, the Senate, Congregation and Convocation.

Other Principal Officers of the University.

6. (1) There shall be for the University the following principal officers, in addition to the Registrar, that is:
- (a) the Bursar; and
- (b) the University Librarian;
- who shall be appointed by the Council on the recommendation of the Selection Board constituted under paragraph 7 of this Schedule.
- (2) 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.
- (3) 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 its campuses, colleges, schools, departments, institutes and other teaching or research units.
- (4) Any question as to the scope of the responsibilities of the aforesaid officers shall be determined by the Vice-Chancellor.

Selection Board for other Principal Officers.

7. (1) There shall be, for the University, a Selection Board for the appointment of 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) The functions, procedure and other matters relating to the Selection Board constituted under subsection (1) of this paragraph shall be as the Council may, from time to time, determine.
- (3) The Registrar, Bursar and Librarian shall hold office for a single term of five years only beginning from the effective date of their appointments and on such terms and conditions as may be specified in their letters of appointment.
- (4) Notwithstanding subsection (3) of this section, the Council may, upon satisfactory performance, extend the tenure of the Registrar, Bursar or Librarian for a further period of one year only and thereafter such principal officer shall relinquish his post and be assigned to other duties in the University.

Resignation and Re-appointment.

8. (1) Any officer mentioned in the foregoing provisions of this Schedule may resign his office:
- (a) in the case of the Chancellor or Pro-Chancellor, by notice to the Visitor;
 - (b) in any other case, by notice to the Council and the Council shall, in the case of the Vice-Chancellor, immediately notify the Visitor.
- (2) Without prejudice to paragraph 4 of this Schedule, a person who has ceased to hold an office so mentioned otherwise than by removal for misconduct shall be eligible for re-appointment to that office (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

SECOND SCHEDULE**TRANSITIONAL PROVISIONS AS TO PROPERTY, FUNCTIONS, ETC.****Transfer of Property to University.**

1. Without prejudice to the generality of section 9 (1) of this Bill:
- (a) the reference in that subsection to property held by the Provisional Council shall include a reference to the right to receive and give a good discharge for any grants or contributions which may have been voted or promised to the Provisional Council;
 - (b) all debts and liabilities of the Provisional Council outstanding shall become debts or liabilities of the University.
2. (1) All agreements, contracts, deeds and other instruments to which the Provisional Council was a party shall, so far as possible and subject to any necessary modifications, have effect as if the University had been a party thereto in place of the Provisional Council.
- (2) Documents not falling within subsection (1) of this paragraph, including enactment which refer, whether specially or generally, to the Provisional Council, shall be construed in accordance with that sub-section so far as applicable.
- (3) Any legal proceedings or application to any authority pending by or against the Provisional Council may be continued by or against the University.

Registration of transfers.

3. (1) If the law in force at the place where any property transferred by this Bill is situate 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 or any other matter) apply, with necessary modifications, to the property aforesaid.
- (2) It shall be the duty of the body to which any property is transferred by this Bill to furnish the necessary particulars of the transfer to the proper officer of the registration authority, and of that officer to register the transfer accordingly.

Transfer of Functions, etc.

4. (1) The first meeting of the Council shall be convened by the Pro-Chancellor on such date and in such manner as he may determine.

- (2) The persons who were members of the Provisional Council shall be deemed to constitute the Council until the date when the Council as set up under the Third Schedule to this Bill shall have been duly constituted.
- (3) 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.
- (4) The persons who were members of the Academic Board immediately 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 set up under the Third Schedule to this Bill shall have been duly constituted.
- (5) Subject to any regulations which may be made by the Senate after the date on which this Bill is made, the schools, school boards and students of the University immediately before the coming into force of this Bill shall on that day become schools, school boards and students of the University as constituted by this Bill.
- (6) Persons who were Deans of schools and Heads of Academic Departments shall continue to be Deans or HODs of the corresponding School/Department, until new appointments are made in pursuance of the statutes.
- (7) Any person who was a member of the staff of the University as established or was otherwise employed by the Provisional Council shall become the holder of an appointment at the University with the status, designation and functions which correspond as nearly as may be to those which appertained to him as member of that staff or as such an employee (*Hon. Ahmed Idris Wase Federal Constituency*).

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

THIRD SCHEDULE

[Section 9 (3)]

FEDERAL UNIVERSITY OF EDUCATION, ZARIA

Statute No. 1

ARRANGEMENT OF ARTICLES

Articles

1. The Council.
2. The Finance and General Purposes Committee
3. The Senate
4. The Congregation
5. Convocation
6. Division of Colleges
7. College/School Boards
8. Dean of the College
9. Selection of certain Principal Officers
10. Creation of academic posts
11. Appointment of academic staff
12. Appointment of administrative and professional staff
13. Interpretation.
14. Short title

The Council.

1. (1) The composition of the Council shall be as provided in section 5 of this Bill.
- (2) Any member of the Council holding office otherwise than in pursuance of section 5 (a), (b), (c), or (d) of this Bill may, by notice to the Council, resign his office.
- (3) A member of the Council holding office otherwise than in pursuance of section 5 (a), (b), (c), or (d) of this Bill shall, unless he previously vacates it, vacate that office on the expiration of the period of four years beginning with effect from 1 August in the year which he was appointed.
- (4) Where a member of the Council holding office otherwise than in pursuance of section 5 (a), (b), (g), or (h) of this Bill vacates office before the expiration of the period aforesaid, the body or person by whom he was appointed may appoint a successor to hold office for the residue of the term of his predecessor.
- (5) A person ceasing to hold office as a member of the Council otherwise than by removal for misconduct shall be eligible for re-appointment for only one further period of four years.
- (6) The quorum of the Council shall be five, at least one of whom shall be a member appointed pursuant to section 5 (d) or (e) of this Bill.
- (7) If the Pro-Chancellor is not present at a meeting of the Council, such other member of the Council present at the meeting as the Council may appoint as respects that meeting shall be the chairman at that meeting, and subject to section 4 of this Bill and the foregoing provisions of this paragraph, the Council may regulate its own procedure.
- (8) Where the Council desires to obtain advice with respect to any particular matter may co-opt not more than two persons for that purpose, and the persons co-opted may take part in the deliberations of the Council at any meeting but shall not be entitled to vote.

The Finance and General Purposes Committee.

2. (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-Chancellors;
 - (c) six other members of the Council appointed by the Council, two of whom shall be selected from among the four members of the Council appointed by the Senate and one member appointed to the Council by Congregation;
 - (d) the Permanent Secretary of the Federal Ministry of Education, or in his absence, such member of his Ministry as he may designate to represent him; and
- (2) The quorum of the Committee shall be five.
- (3) Subject to any directions given by the Council, the Committee may regulate its own procedure.

Annual budget and estimates, etc.

- (4) (i) The estimates of income and expenditure for a financial year shall be presented by the Vice-Chancellor to the Council and may be approved by the Council before the beginning of that financial year;

Provided that the Vice-Chancellor may during any financial year present and the Council may approve supplementary estimates of income or expenditure.

- (ii) The annual and supplementary estimates shall be prepared in such form and shall contain such information as the Council may direct.

Gifts, donations, etc.

- (5) (i) The Council may on behalf of the University accept by way of grants, gift, testamentary disposition or otherwise, property and money in aid of the finances of the University on such conditions as it may approve.

- (ii) Registers shall be kept of all donations to the University including the names of donors and any special conditions under which any donation may have been given.

Provided that the University shall not be obliged to accept a donation for a particular purpose unless it approves of the terms and conditions attaching to such donation.

- (iii) All property, money or funds donated for any specific purposes shall be applied and administered in accordance with the purposes for which they are donated and shall be accounted for separately.

Payment into bank.

- (6) All sums of money received on account of the University shall be paid into such bank as may be approved by the Council for the credit of the University's general, current or deposit account;

Provided that the Council may invest, as it deems fit, any money not required for immediate use other than donations of money referred to in subsection (1) of this section.

Audit.

3. (1) The Council shall cause the accounts of the University to be audited by auditors appointed by the Council as soon as may be after the end of each financial year or for any such other period as the Council may require.
- (2) The appointment and other matters relative to the auditors, their continuance in office and their functions, as the case may be, shall, subject to the provisions of this section, be prescribed by statute.

The Senate.

4. (1) The Senate shall consist of:
- (i) the Vice-Chancellor;
 - (ii) Deputy Vice-Chancellors;
 - (iii) the Deans of respective Colleges;
 - (iv) the Professors in the University;
 - (v) Heads of Academic Departments and Units;
 - (vi) the University Librarian;

- (vii) one elected representative of each College;
 - (viii) two members of Academic Staff elected by the Congregation;
 - (ix) one elected representative of each department;
 - (x) two members representing a variety of interests of the professional bodies outside the University appointed by the Senate on the recommendation of the Vice-Chancellor;
 - (xi) Registrar — Secretary.
- (2) The procedure for election of members of Senate to the Council shall be prescribed by Regulations.
- (3) The Vice-Chancellor shall be the chairman at all meetings of the Senate when he is present, and in his absence any of the Deputy Vice-Chancellors present at the meeting as the Senate may appoint for that meeting shall be the chairman at the meeting.
- (4) The quorum of the Senate shall be one quarter or the nearest whole number less than one quarter; and subject to paragraph (3) of this Article, the Senate may regulate its own procedure.
- (5) An elected member may, by notice to the Senate, resign his office.
- (6) Subject to paragraph (8) of this article, there shall be elections for the selection of elected members which shall be held in the prescribed manner on such day in the month of May or June in each year as the Vice-Chancellor may from time to time determine.
- (7) An elected member shall hold office for the period of two years beginning with 1 August in the year of his election, and may be a candidate at any election held in pursuance to paragraph (6) of this article in the year in which his period of office expires, so however that no person shall be such a candidate if at the end of his current period of office he will have held office as an elected member for a continuous period of six years or would have so held office if he had not resigned it.
- (8) No election shall be held in pursuance of this article in any year if the number specified in the certificate given in pursuance to paragraph (11) of this article does not exceed by more than one the figure which is thrice the number of those elected members holding office on the date of the certificate who do not vacate office during that year in pursuance of paragraph (7) of this article.
- (9) For the avoidance of doubt it is hereby declared that no person shall be precluded from continuing in or taking office as an elected member by reason only of reduction in the after 30 April in any year in which he is to continue in or take office as all elected member.
- (10) If so requested in writing by any fifteen members of the Senate, the Vice-Chancellor or in his absence any of the Deputy Vice-Chancellor duly appointed by him, shall convene a meeting of the Senate to be held not later than the tenth day following that on which the request was received.

- (11) In this article "total of non-elected members" means as respect any year, such number as may be certified by the Vice-chancellor on 30 April of that year to be the number of persons holding office as members of the Senate on that day otherwise than as elected members.

Congregation.

5. (1) Congregation shall consist of:

- (i) Vice-Chancellor;
 - (ii) the Deputy Vice-Chancellors;
 - (iii) the full-time members of the academic staff;
 - (iv) the Registrar;
 - (v) the Librarian;
 - (vi) every member of the administrative staff who holds a degree, other than honorary degree, of any University recognized for the purposes of this statute by the Vice-Chancellor.
- (2) Subject to section 4 of this Bill, 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 as Congregation may appoint for that meeting, shall be the chairman at the meeting.
- (3) The quorum of Congregation shall be one third or the whole number nearest to one third of the total number of members of Congregation of fifty, whichever is less.
- (4) A certificate signed by the Vice-Chancellor specifying:
- (a) the total number of members of Congregation for the purpose of any particular meeting or meetings of Congregation; or
 - (b) the names of the persons who are members of Congregation during a particular period, shall be conclusive evidence of that number or, as the case may be, of the names of those persons.
- (5) The procedure for election of members of Congregation to the Council and the Senate shall be prescribed by Regulations.
- (6) Subject to the foregoing provisions of this article, Congregation may regulate its own procedure.
- (7) Congregation shall be entitled to express by resolutions or otherwise its opinion on all matters affecting the interest and welfare of the University and shall have such other functions, in addition to the function of electing a member of the Council, as may be provided by statute or regulations.

Convocation.

6. (1) Convocation shall consist of:

- (i) the officers of the University mentioned in the First Schedule to this Bill;
- (ii) all teachers within the meaning of this Bill;

- (iii) all other persons whose names are registered in accordance with paragraph (2) of this article.
- (2) A person shall be entitled to have his name registered as a member of convocation if:
 - (a) he is either a graduate of a 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 pay the prescribed fees.
- (3) Regulations shall provide for the establishment and maintenance of a register for the purpose of this paragraph and subject to paragraph (4) of this article may provide for the payment, from time to time, of further 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.
- (4) 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 paragraph (1) (a) or (b) of this article are entered and retained on the register.
- (5) 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 times of the University at all reasonable times.
- (6) The register shall, unless the contrary is proved, be sufficient evidence that any person 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.
- (7) 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.
- (8) 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.
- (9) Convocation shall have such functions, in addition to the function of appointing a member of the Council, as may be provided by statute or regulations.

Division of Colleges.

7. Each College shall be divided into such number of branches as may be prescribed.

College Boards.

8. (1) There shall be established in respect of each College, 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 college;
 - (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 College 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) the College Examination Officer;
 - (e) such of the teachers assigned to the college and having the prescribed qualifications as the Board may determine; and
 - (f) such persons, whether or not members of the University, as the Board may determine with the general or special approval of the Senate.
- (3) The quorum of the Board 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.

Deans of the Colleges.

- 9. (1) The Board of each College shall, at a meeting in the last term of any academic year 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 College.
- (2) The person appointed under paragraph 1 of this Article shall act as Dean of the College and chairman of all meetings of the College Board when he is present and shall be a member of all committees and other boards appointed by the College.
- (3) The Dean shall hold office for two years and shall be eligible for re-appointment 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 College shall exercise general superintendence over the academic and administrative affairs of the College.
- (5) It shall be the function of the Dean to present to Convocation for the conferment of degrees to persons who have qualified for the degrees of the University at examination held in the branches of learning for which responsibility is allocated to that College.
- (6) There shall be a committee to be known as the Committee of Deans consisting of all the Deans of the several Colleges and that Committee shall advise the Vice-Chancellor on all academic matters and on particular matters referred to the University by the Senate.
- (7) The Dean of a College may be removed from office for good cause by the College 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 College Board meeting an election shall be held for a new Dean.

- (8) In this article "good cause" has the same meaning as in section 15 (3) of the Act.

Departmental Board of Studies.

10. (1) There shall be a Departmental Board of Studies whose membership shall be made of all academic staff of the Department;
- (2) It shall be headed by a Professor who shall be appointed by the Vice Chancellor and in the absence of a Professor, a senior academic staff shall be appointed in acting capacity;
- (3) For a Professor the term is for 3 years while 1 year is for acting capacity.
- (4) The Board shall superintend over all teachings and examinations in the Department.
- (5) The Board shall handle all disciplinary matters in the Department and make recommendations to the College where necessary;
- (6) Allocation of courses in the department shall be done by the Departmental Board on recommendation of the Head of Department.

Selection of Directors of Physical Planning and Development, Works and Services and Health.

11. (1) When a vacancy occurs in the office of the Directors of Physical Planning and Development, Works and Services and Health, 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 of the Senate;
- (d) two members appointed by the Senate.
- (2) 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.

Tenure of Directors.

12. A Director shall hold office on such terms and conditions as may be specified in his letter of appointment subject to the extant Regulations.

Creation of Academic Posts.

13. 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.

Appointment of Academic Staff.

14. (1) Subject to the Act and statutes, the filling of vacancies in academic posts (including newly created ones) shall be the responsibility of the Council through the Departments and Colleges.
- (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 appointment to Professorships, Associate Professorship or Readerships or equivalent posts, a Board of Selection, with power to appoint, shall consist of:
- (a) the Vice-Chancellor — Chairman
 - (b) Deputy Vice-Chancellor — Member
 - (c) the Dean of the College — Member
 - (d) Head of Department — Member
 - (e) Registrar — Secretary
 - (f) such other person(s), 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 or his representative-Chairman;
 - (b) the Dean of the College — Member
 - (c) Head of the Department concerned — Member
 - (d) an internal member of Council (not below the Rank of Senior Lecturer from the sister college in the Candidate's subject-area) — Member
 - (e) Registrar or his representative — Secretary
- (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 specialist interviewing panels and shall in addition, in the case of Professorships, Associate Professorship, Readerships or equivalent Posts, consider the reports of External Assessors relevant to the area in which the appointment is being considered. Quorum shall be three (3) including the Chairman.

Appointment of Administrative and Professional Staff.

15. (1) The administrative and professional staff of the University other than principal officers shall be appointed by the Council or on its behalf by the Vice-Chancellor in accordance with delegation of powers made by the Council on its behalf.
- (2) A Selection Board, with power to appoint, shall consist of:
- (i) Vice Chancellor;
 - (ii) Deputy Vice Chancellor;
 - (iii) Registrar
 - (iv) Bursar
 - (v) University Librarian

- (vi) the Head of Department concerned
 - (vii) Establishment and Human Resources Officer who shall serve as Secretary
- Quorum shall be three (3) including the Chairman.

Interpretation.

16. In this Statute the expression "the Act" means the Federal University of Education, Zaria Act and any word or expression defined in the Act has the same meaning in this Statute.

Short Title.

17. This Statute may be cited as the Federal University of Education, Zaria Statute No.1 (*Hon. Ahmed Idris – Wase Federal Constituency*).

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

Long Title:

A Bill for an Act to Provide for the Establishment of the Federal University of Education, Zaria; and for Other Matters Connected Therewith (HB. 1539) (*Hon. Ahmed Idris – Wase Federal Constituency*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Provide for Establishment of Federal University of Education, Zaria; and for Related Matters (HB. 1536) and approved Clauses 1 - 29, the Schedules, and the Long Title of the Bill.

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

- (iv) *A Bill for an Act to Provide for Establishment of Adeyemi Federal University of Education, Ondo; and for Related Matters (HB. 1539) (Committee of the Whole):*
Motion made and Question proposed, "That the House do consider the Report on a Bill for an Act to Provide for Establishment of Adeyemi Federal University of Education, Ondo; and for Related Matters (HB. 1539) and approve the recommendations therein" (Hon. Ahmed Idris — Deputy House Leader).

Agreed to.

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

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

A BILL FOR AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE
ADEYEMI FEDERAL UNIVERSITY OF EDUCATION, ONDO AND FOR
OTHER MATTERS CONNECTED THEREWITH (HB. 1539).

PART I — ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF THE
ADEYEMI FEDERAL UNIVERSITY OF EDUCATION, ONDO

Clause 1: Establishment and Objectives of the Adeyemi Federal University of Education, Ondo.

- (1) There is hereby Adeyemi Federal College of Education, Ondo upgraded and established as the Adeyemi Federal University of Education, Ondo.
- (2) The University shall be a body corporate with perpetual succession and a common seal and may sue or be sued in its corporate name.
- (3) The University shall be a training institution for the development of teacher education in the country.
- (4) The University shall be supervised by the Federal Ministry of Education through the National Universities Commission (NUC) who shall be responsible for approving and regulating all academic programmes run in the University, to ensure quality compliance and provide funds for academic and research programmes, infrastructures and remunerations of employees.
- (5) The objects of the University shall be to:
 - (a) encourage the advancement of learning and to hold out to all persons without distinction of race, creed, sex or political conviction;
 - (b) develop and offer academic and professional programmes leading to the award of certificates, first degrees, post-graduate diploma and higher degrees with emphasis on planning, developmental and adaptive skills, technology, applied science, agriculture, commerce, arts, social science, and allied professional disciplines in Education;
 - (c) produce socially mature educational men and women with capabilities not to only understand educational need of Nigeria as a nation, but also to exploit existing educational infrastructure 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 by 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 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;
 - (i) provide higher education and foster a systematic advancement of the science and art of teacher education;

(j) provide for instruction in such branches of teacher education as it may deem necessary to make provision for research advancement and dissemination of knowledge in such manner as it may determine;

(k) provide teachers with operational competence for teaching in pre-tertiary institutions, basic, senior secondary schools and non-formal education institutions;

(m) undertake any other activities that is appropriate for a university of education of the highest standard (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 2: Constitution and Principal Officers of the University.

(1) The University shall consist of:

(a) a Chancellor;

(b) a Pro-Chancellor and a Council;

(c) a Vice-Chancellor and a Senate;

(d) a body to be called Congregation;

(e) a body to be called Convocation;

(f) the campuses and colleges of the University;

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

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

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

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

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

(3) Subject to section 5 of this Bill provision shall be made by statute with respect to the constitution of the Council, the Senate, Congregation and Convocation (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 3: Powers of Adeyemi Federal University of Education, Ondo and its exercise.

(1) For the carrying out of its objects as specified in section 1 of this Bill, Adeyemi Federal University of Education, Ondo shall have power:

- (a) to offer courses of instruction, training and research in education and allied areas for the production of quality and skilled teachers required to teach at lower, middle and higher levels of education in Nigeria in particular and the world at large;
- (b) to establish such colleges, campuses, institutes, schools, departments and other teaching and research units within the University as may from time to time be deemed necessary or desirable subject to the approval of National Universities Commission;
- (c) to institute professorships, readerships or associate professorships, lectureships, and other posts and offices and to make appointments thereto;
- (d) to institute and award fellowships, scholarships, exhibitions, bursaries, medals, prizes and other titles, distinctions, awards and forms of assistance;
- (e) to provide for the discipline and welfare of members of the University;
- (f) to hold examinations and grant degrees, diplomas, certificates and other distinctions to persons who have pursued a course of study approved by the University and have satisfied such other requirements as the University may lay down;
- (g) to grant honorary degrees, fellowships or academic titles;
- (h) to demand and receive from any student or any other person attending the University for the purposes of instruction, such fees as the University may from time to time determine subject to the overall directives of the Minister;
- (i) subject to section 20 of this Bill, to acquire, hold, grant, charge or otherwise deal with or dispose of movable and immovable property wherever it is situate;
- (j) to 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;
- (k) to enter into contracts, establish trusts, act as trustee, solely or jointly with any other person, and employ and act through agents;
- (l) to erect, provide, equip and maintain libraries, laboratories, workshops, lecture halls, halls of residence, refectories, sports grounds, playing fields and other buildings or things necessary, suitable or convenient for any of the objects of the University;
- (m) to hold public lectures and to undertake printing, publishing and book selling;
- (n) subject to any limitations or conditions imposed by statute, to invest any moneys appertaining to the University by way of endowment it, not being immediately required for current expenditure in any investments or securities or in the purchase or improvement of land,

with power from time to time, to vary any such investments to deposit any moneys for the time being not invested with any bank on deposit or current account;

- (o) to borrow, whether on interest or not and if need be upon the security of any or all of the property, movable or immovable, of the University, such moneys as the Council may from time to time in its discretion find it necessary or expedient to borrow of to guarantee any loan, advances or credit facilities;
 - (p) to make gifts for any charitable purpose;
 - (q) to do anything which it is authorized or required by this Bill or by statute to do; and
 - (r) to do all such acts or things, whether or not incidental to the foregoing powers, as may advance the objects of the University.
- (2) Subject to the provisions of this Bill and of the statutes and without prejudice to section 7(2) of this Bill, the powers conferred on the University by subsection (1) of this section shall be exercisable on behalf of the University by the Council or by the Senate or in many other manner which may be authorized by the statute.
- (3) The power of the University to establish further campuses and colleges within the University shall be exercisable by statute and not otherwise (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 4: Functions of the Chancellor and Pro-Chancellor.

- (1) The Chancellor shall, in relation to the University, take precedence before all other members of the University, and when he is present, shall preside at all meetings of Convocation held for conferring degrees.
- (2) The Pro-Chancellor shall, in relation to the University, take precedence before all other members of the University, except the Chancellor and except the Vice-Chancellor when acting as chairman of Congregation or Convocation and the Pro-Chancellor shall, when he is present, be the chairman at all meetings of the Council (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 5: Composition, Tenure and Powers of the Council of the University.

- (1) The Council of the University shall consist of:
 - (a) the Pro-Chancellor who shall be appointed by the President on the recommendation of the Honourable Minister of Education;
 - (b) the Vice-Chancellor;
 - (c) the Deputy Vice-Chancellor(s);
 - (d) one person from the Ministry responsible for education;

- (e) four persons representing a variety of interests and broadly representative of the whole Federation to be appointed from:
 - (i) the Teacher's Registration Council;
 - (ii) Tertiary Education Trust Fund; and
 - (iii) two other persons, one of whom shall be a representative of the University host community.
 - (f) four persons appointed by the Senate from among its members;
 - (g) two persons appointed by Congregation from among its members;
 - (h) one person appointed by Convocation from among its members;
 - (i) two persons representing the community appointed by the President.
- (2) Persons to be appointed to the Council shall be of proven integrity, knowledgeable and familiar with the affairs and tradition of the University.
- (3) The Council so constituted shall have a tenure of four years from the date of its inauguration provided that where a Council is found to be incompetent and corrupt, it shall be dissolved by the Visitor and a new Council shall be immediately constituted for the effective functioning of the University.
- (4) The powers of the Council shall be exercised, as in this Bill and to that extent establishment circulars that are inconsistent with this Bill shall not apply to the University.
- (5) The Council shall be free in the discharge of its functions and exercise of its responsibilities for the good management, growth and development of the University.
- (6) The Council in the discharge of its functions shall ensure that disbursement of funds of the University complies with the approved budgetary ratio for:
- (a) personnel cost;
 - (b) overhead cost;
 - (c) research and development;
 - (d) library developments; and
 - (e) the balance in expenditure between academic vis-à-vis non-academic activities (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 6: Functions of the Council and its Finance and General Purpose Committee.

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

- (2) There shall be a committee of the Council, to be known as the Finance and General Purposes Committee, which shall, subject to the directions of the Council, exercise control over the property and expenditure of the University and perform such other functions of the Council as the Council may from time to time delegate to it.
- (3) Provision shall be made by statute with respect to the constitution of the Finance and General Purposes Committee.
- (4) The Council shall ensure that proper accounts of the University are kept and that the accounts of the University are audited annually by an independent firm of auditors approved by the Council and that an annual report is published by the University together with certified copies of the said accounts as audited.
- (5) Subject to this Bill and the statutes, the Council and the Finance and General Purposes Committee may each make rules for the purpose of exercising any of their respective functions or of regulating their own procedure.
- (6) Rules made under sub-section (5) of this section by the Finance and General Purposes Committee shall not come into force unless approved by the Council; and in so far and to the extent that any rules so made by that Committee conflict with any direction given by the Council, whether before or after the coming into force of the rules in question, the directions of the Council shall prevail.
- (7) There shall be paid to the members respectively of the Council, the Finance and General Purposes Committee and of any other committee set up by the Council, allowances in respect of travelling and other reasonable expenses, at such rates as may from time to time be fixed by the Minister.
- (8) The Council shall meet as and when necessary for the performance of its functions under this Bill and shall meet at least three times in every year.
- (9) If requested in writing by any five members of the Council, the chairman shall within 28 days after the receipt of such request call a meeting of the Council.
- (10) Any request made under sub-section (9) of this section shall specify the business to be considered at the meeting and no business not so specified shall be transacted at that meeting (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 7: Functions of the Senate of the University.

- (1) Subject to section 6 of this Bill and subsections (3) and (4) of this section and the provisions of this Bill relating to the Visitor, it shall be the general function of the Senate to organize and control the teaching by the University, the admission of student where no other enactment provides to the contrary and the discipline of students; and to promote research at the University.
- (2) Without prejudice to the generality of subsection (1) of this section and subject as therein mentioned, it shall in particular be the function of the Senate to make provision for:

- (a) the establishment, organization and control of campuses, colleges, schools, institutes and other teaching and research units of the University and the allocation of responsibility for different branches of learning;
 - (b) the organization and control of courses of study at the University and of the examinations held in conjunction with those courses, including the appointment of examiners, both internal and external;
 - (c) the award of degrees, and such other qualifications as may be prescribed in connection with examinations held as aforesaid;
 - (d) the making of recommendations to the Council with respect to the award to any person of an honorary fellowship or honorary degree or the title of professor emeritus;
 - (e) the establishment, organization and control of halls of residence and similar institutions at the University;
 - (f) the supervision of the welfare of students at the university and the regulation of their conduct;
 - (g) the granting of fellowships, scholarships, prizes and similar awards in so far as the awards are within the control of the University; and
 - (h) determining what descriptions of dress shall be academic dress for the purposes of the University, and regulating the use of academic dress.
- (3) The Senate shall not establish any new campus, college, school, department, institute or other teaching and research units of the university, or any hall of residence or similar institution at the University without the approval of the Council.
- (4) Subject to this Bill and the statutes, the Senate may make regulations for the purpose of exercising any function conferred on it either by the foregoing provisions of this section or otherwise or for the purpose of making provision for any matter for which provision by regulations is authorized or required by this Bill or by statute.
- (5) Regulations shall provide that at least one of the persons appointed as the examiners at each final or professional examination held in conjunction with any course of study at the University is not a teacher at the University but is a teacher of the branch of learning to which the course relates at some other University of high repute or a person engaged in practicing the profession in a reputable organization or institution.
- (6) Subject to right of appeal to the Council from a decision of the Senate under this sub-section, the Senate may deprive any person of any degree, diploma or other award of the University which has been conferred upon him if after due enquiry he is found to have been guilty of dishonourable or scandalous conduct in gaining admission into the University or obtaining that award
(Hon. Ahmed Idris — Wase Federal Constituency).

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

Clause 8: Functions of the Vice Chancellor.

- (1) The Vice-Chancellor shall, in relation to the University, take precedence before all other members of the University except the Chancellor and subject to section 4 of this Bill except the Pro-Chancellor and any other person for the time being acting as Chairman of the Council.
- (2) Subject to sections 6, 7 and 14 of this Bill, the Vice-Chancellor shall have the general function, in addition to any other functions conferred on him by this Bill or otherwise of directing the activities of the University and shall be the Chief Executive and-Accounting Officer of the University and *ex-officio* Chairman of the Senate.
- (3) The Vice Chancellor shall be the Chairman of the University Tenders' Board, which is saddled with the responsibility of approving the conduct of public procurement of goods, works and services within the approved threshold from time to time.
- (4) It shall be the responsibility of the Vice Chancellor to establish and appoint members of the Tenders' Board in line with the extant Public Procurement Rules and Regulations (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

**PART II — GENERAL FUND, TRANSFER OF PROPERTY, ETC., TO THE
UNIVERSITY AND CONDITION OF SERVICE OF EMPLOYEES**

Clause 9: General fund of the University.

- (1) There shall be a general fund of the university which shall consist of the following:
 - (a) grants-in-aid;
 - (b) fees;
 - (c) income derived from investments;
 - (d) gifts, legacies, endowments and donations not accepted for a particular purpose;
 - (e) income derived from the exercise of any functions conferred or imposed on the University by this Bill;
 - (f) any other amounts, charges or dues recoverable by the University;
 - (g) revenue, from time to time, accruing to the University by way of subvention;
 - (h) interests on investments;
 - (i) donations and legacies accruing to the University from any source for the general or special purposes of the University; and
 - (j) regular TETFUND interventions;
- (2) The general fund shall be applied for the purposes of the University (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 10: Transfer of Property.

- (1) All property held by or on behalf of the Provisional Council of the University shall, by virtue of this sub-section and without further assurance, vest in the University and be held by it for the purpose of the University.
- (2) The provisions of the Second Schedule to this Bill shall have effect with respect to, and to matters arising from, the transfer of property by this section and with respect to the other matters mentioned in that Schedule (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

PART III — STATUTES OF THE UNIVERSITY

Clause 11: Power of the University to make Statutes.

- (1) Subject to this Bill, the University may make statutes for any of the following purposes, that is to say:
 - (a) making provision with respect to the composition and constitution of any authority of the University;
 - (b) specifying and regulating the powers and duties of any authority of the University, and regulating any other matter connected with the University or any of its authorities;
 - (c) regulating the admission of students (where no other enactment provides to the contrary), and their discipline and welfare;
 - (d) determining whether any particular matter is to be treated as an academic or non-academic matter for the purposes of this Bill and of any statute, regulation or other instrument made thereunder; or
 - (e) making provision for any other matter for which provision by statute is authorized or required by this Bill.
- (2) Subject to section 25 (6) of this Bill, the Interpretation Act shall apply in relation to any statute made under this section as it applies to a subsidiary instrument within the meaning of section 28 (1) of that Act.

Third Schedule.

- (3) The statute contained in the Third Schedule to this Bill shall be deemed to have come into force on the commencement of this Bill and shall be deemed to have been made under this section by the University.
- (4) The power to make statutes conferred by this section shall not be prejudiced or limited in any way by reason of the inclusion or omission of any matter in or from the statute contained in the Third Schedule to this Bill or any subsequent statute (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 12: Mode of exercising power to make statutes.

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

- (2) A proposed statute shall not become law unless it has been approved:
- (a) at a meeting of the Senate, by the votes of not less than two thirds of the members present and voting; and
 - (b) at a meeting of the Council, by the votes of not less than two thirds of the members present and voting.
- (3) A proposed statute may originate either in the Senate or in the Council, and may be approved as required by subsection (2) of this section by either one of those bodies or the other.
- (4) A statute which:
- (a) makes provision for or alters the composition or constitution of the Council, the Senate or any other authority of the University;
 - (b) provides for the establishment of a new campus or college or for the amendment or revocation of any statute.
- (5) For the purpose of section 2 (2) of the Interpretation Act, a statute 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 subsection (4) of this section, on the date on which it is approved by the President.
- (6) In the event of any doubt or dispute arising at any time:
- (a) as to the meaning of any provision of a statute; or
 - (b) as to whether any matter is for the purposes of this Bill an academic or non-academic matter as they relate to such doubt or dispute, the matter may be referred to the Visitor, who shall take such advice and make such decision thereon as he shall think fit.
- (7) The decision of the Visitor on any matter referred to him under sub-section (6) of this section shall be binding upon the authorities, staff and students of the University and where any question as to the meaning of any provision of a statute has been decided by the Visitor under that sub-section, no question as to the meaning of that provision shall be entertained by any court of law in Nigeria.
- (8) Nothing in sub-section (7) of this section shall affect any power of a court of competent jurisdiction to determine whether any provision of a statute is wholly or partly void as being ultra vires or as being inconsistent with the Constitution of the Federal Republic of Nigeria, 1999 (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 13: Proof of Statute.

A statute may be proved in any court by the production of a copy thereof bearing or having affixed to it a certificate purporting to be signed by the Vice Chancellor or the Secretary to the Council to the effect that the copy is a true copy of a statute of the University (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

PART IV — SUPERVISION AND DISCIPLINE**Clause 14: The Visitor.**

- (1) The President shall be the Visitor of the University.
- (2) The Visitor shall cause a visitation to the University when necessary, at least every five years, or direct that such a visitation be conducted by such person or persons as the Visitor may deem fit and in respect of any of the affairs of the University.
- (3) It shall be the duty of the bodies and persons comprising the University to make available to the Visitor and to any other person conducting a visitation in pursuance of this section, such facilities and assistance as he or they may reasonably require for the purposes of a visitation.
- (4) The Visitor shall make the report of such visitations and white paper thereon available to the Council which shall implement same (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 15: Removal of certain Members of Council.

- (1) If it appears to the Council that a member of the Council (other than the Pro-Chancellor or the Vice-Chancellor) should be removed from office on the ground of misconduct or inability to perform the functions of his office or employment, the Council shall make a recommendation to that effect through the Minister to the President, and the President, after making such enquiries (if any) as he may consider appropriate approves the recommendation, he may direct the removal of the person in question from office.
- (2) It shall be the duty of the Minister to use his best endeavours to cause a copy of the instrument embodying a direction under subsection (1) of this section to be served as soon as reasonably practicable on the person to whom it relates (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 16: Removal and discipline of academic, administrative and professional staff.

- (1) If it appears to the Council that there are reasons for believing that any person employed as a member of the academic, administrative or professional staff of the University, other than the Vice-Chancellor, should be removed from his office or employment on the ground of misconduct or of professional inability to perform the functions of his office or employment, the Council shall:
 - (a) give notice of those reasons to the person in question;

- (b) afford him an opportunity of making representations in person on the matter by the Council; and
 - (c) for the person in question to be afforded an opportunity of appearing before and being heard by the investigating committee with respect to the matter, and if the Council, after considering the report of the investigating committee, is satisfied that the person in question should be removed as aforesaid, the Council may so remove him by an instrument in writing signed on the directions of the Council.
- (2) The Vice-Chancellor may, in a case of misconduct by a member of the staff which in the opinion of the Vice-Chancellor is prejudicial to the interest of the University, suspend such member and any such suspension shall forthwith be reported to the Council.
- (3) For good cause, any member of the staff may be suspended from his duties or his appointment may be terminated by the Council; and for the purposes of this subsection "good cause" means:
 - (a) conviction for any offence which the Council considers to be such as to render the person concerned unfit for the discharge of the functions of his office;
 - (b) any physical or mental incapacity which the Council, after obtaining medical advice, considers to be such as to render the person concerned unfit to continue to hold his office;
 - (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;
 - (d) conduct which the Council considers to be such as to constitute failure or inability of the person concerned to discharge the functions of his office or to comply with the terms and conditions of his service;
 - (e) conduct which the Council considers to be generally of such nature as to render the continued appointment or service of the person concerned prejudicial or detrimental to the interest of the University.
- (4) Any person suspended pursuant to subsection (2) or (3) of this section shall be on half pay and the Council shall before the expiration of a period of three months after the date of such suspension consider the case against that person and come to a decision as:
 - (a) whether to continue such person's suspension and if 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 the person concerned, in which case such a person shall not be entitled to the proportion of his emoluments withheld during the period of suspension; or

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

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

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

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

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

(b) prevent the Council from making regulations for the discipline of other categories of workers of the University as may be prescribed (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 17: Removal of examiners.

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

(2) Subject to the provisions of regulations made in pursuance of section 7(5) of 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 in pursuance of subsection (1) of this section.

(3) It shall be the duty of the Vice-Chancellor on signing an instrument of removal pursuant to this section, to use his best endeavours to cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it is related (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 18: Participation and Discipline of Students.

(1) The Students shall be:

(a) represented in the University's Students Welfare Board and other committees that deal with the affairs of students;

(b) participate in various aspects of curriculum development;

(c) participate in the process of assessing academic staff in respect of teaching; and

(d) be encouraged to be more self-assured as part of the national development process.

(2) Subject to the provisions of this section, where after due process it appears to the Vice-Chancellor that any student of the University has been guilty of misconduct, the Vice-Chancellor may, without prejudice to any other disciplinary powers conferred on him by statute or regulations, direct that the:

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

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

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

(d) student be expelled from the University.

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

(4) The fact that an appeal from a direction is brought in pursuance to subsection (2) of this section shall not affect the operation of the direction while the appeal is pending:

(a) the Vice-Chancellor may delegate his powers under this section to a disciplinary board consisting of such members of the University as he may nominate;

(b) nothing in this section shall be construed as preventing the restriction or termination of students' activities at the University otherwise than on the ground of misconduct.

(c) a direction under subsection (2) (a) of this section may be combined with a direction under subsection (2) (b) of this section (*Hon. Ahmed Idris — Waze Federal Constituency*).

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

PART V — MISCELLANEOUS AND GENERAL

Clause 19: Exclusion of discrimination on account of race, religion, etc.

No person shall be required to satisfy requirements as to any of the following matters, that is to say, race (including ethnic grouping), sex, account of race, place of birth or of family origin, or religious or political persuasion, as a condition of becoming or continuing to be a student at the university, the holder of any degree of

the University or of any appointment or employment at the University, or a member of anybody established by virtue of this Bill; and no person shall be subject to any disadvantage or accorded any advantage relation to the University, by reference to any of those matters (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 20: Restriction on disposal of land by University.

Without prejudice to the provisions of the Land Use Act, the University shall not dispose of or charge any land or an interest in any land (including any land transferred to the University by this Bill) except with the prior written consent, either general or special, of the Visitor:

Provided that such consent shall not be required in the case of any lease or tenancy at a rack-rent for a term not exceeding 21 years or any lease or tenancy to a member of the University for residential purpose (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 21: Quorum and procedure of bodies established by this Bill.

Except as may be otherwise provided by statute or by regulations, the quorum and procedure of any body of persons established by this Bill shall be as determined by that body (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 22: Appointment of committee, etc.

- (1) Anybody of persons established by this Bill shall, without prejudice to the generality of the powers of that body, have power to appoint committees, which need not consist exclusively of members of that body, and to authorize a committee established by it:
 - (a) to exercise, on its behalf, such of its functions as it may determine, and
 - (b) to co-opt members;
- (2) Any two or more such bodies may arrange for the holding of joint meetings of those bodies, or for the appointment of committees consisting of members of those bodies, for the purpose of considering any matter within the competence of those bodies or any of them, and either of dealing with it or of reporting on it to those bodies or any of them.
- (3) Except as may be otherwise provided by statute or by regulations, the quorum and procedure of a committee established or meeting held in pursuance of this section, shall be such as may be determined by the body or bodies which have decided to establish the committee or hold the meeting.
- (4) Nothing in the provisions of subsection (1), (2) and (3) of this section shall be construed as:
 - (c) enabling the statutes to be made otherwise than in accordance with section 1 of this Bill; or
 - (d) enabling the Senate to empower any other body to make regulations of the award degrees or other qualifications.

- (5) The Pro-Chancellor and the Vice-Chancellor shall be members of every committee of which the members are wholly or partly appointed by the Council (other than a committee appointed to inquire into the conduct of the officer in question); and the Vice-Chancellor shall be a member of every committee of which the members are wholly or partly appointed by the Senate (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 23: Retiring age of academic staff.

- (1) Notwithstanding anything to the contrary in the Pension Act, the compulsory retiring age of the following categories of staff shall be as follows:
- (a) Academic staff of the University in the non-Professorial cadre shall be 65 years;
 - (b) Academic staff of the University in the Professorial Cadre shall be 70 years;
 - (c) Non-academic staff of the University shall be 65 years.
- (2) A law or rule requiring a person to retire from the public service after serving for 35 years shall not apply to an academic staff of the University (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 24: Special Provisions relating to Pension of Professors.

An academic staff of the University who retires as a Professor in the University shall be entitled to pension at a rate equivalent to his annual salary provided that the Professor has served continuously in the University up to the retirement age (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 25: Miscellaneous Administrative Provisions.

- (1) The seal of the University shall be such as may be determined by the Council and approved by the Chancellor, and the affixing of the seal shall be authenticated by any member of the Council and by the Vice-Chancellor, Secretary to the Council or any other person authorized by statute.
- (2) Any document purporting to be a document executed under the seal of the University shall be received in evidence and shall, unless the contrary is proved, be presumed to be so executed.
- (3) 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 person generally or specially authorized to do so by the Council.
- (4) The validity of any proceedings of anybody established in pursuance of this Bill shall not be affected by any vacancy in the membership of the body, or by any defect in the appointment of a member of the body or by reason that any person not entitled to do so took part in the proceeding.

- (5) Any member of any such body who has a personal interest in any matter proposed to be considered by that body shall forthwith disclose his interest to the body and shall vote on any question relating to that matter.
- (6) Nothing in section 12 of the Interpretation Act (which provides for the application in relation to subordinate legislation of certain incidental provisions) shall apply to statutes or regulations made in pursuance to this Bill.
- (7) The power conferred by this Bill on anybody to make statutes or regulations shall include power to revoke or vary any statute (including the statute contained in the Third Schedule of this Bill) or any regulation by a subsequent statute or as the case may be, by a subsequent regulation and statutes and regulations may make different provisions in relation to different circumstances.
- (8) No stamp or other duty shall be payable in respect of any transfer of property to the University by virtue of section 8 or section 18 of this Bill or the Second Schedule to this Bill.
- (9) Any notice or other instrument authorized to be served by virtue of this Bill may, without prejudice to any other mode of service, be served by post (*Eon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 26: Restriction of suits and execution.

(1) Pre-Action Notice:

- (a) No legal proceeding shall be instituted and/or commenced against the University or any of its agents in the course of their official duties unless a 3 months' Pre-Action Notice of such intention is served on the University by an aggrieved party;
- (b) The Notice shall state the reason and the cause of action intended to be taken against the University, the particulars of the claim, the name and place of abode of the intending plaintiff and the relief which he claims.
- (c) For the avoidance of doubt, it is hereby declared that no suit shall be commenced against an officer or servant of the University, in any case where the University is vicariously liable for any alleged act, neglect or default of the officer or servant in the performance or intended performances of his duties, unless three months at least has elapsed after written notice of intention to commence the same shall have been served on the University by the intending plaintiff or his agent.
- (d) In any suit against this University, no execution or attachment or process in the nature thereof shall be issued against the University, but any sums of money which may be judgment of the court be awarded against the University shall, subject to any direction given by the court where notice of appeal has been given by the University in respect of the said judgment, be paid by the University from its general fund.

(2) **Service of Notices:**

Service upon the University of any notice, order or other document may be effected by delivering the same or by sending it by registered post addressed to the Registrar and Secretary of the Council (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 27: Savings and transitional provisions.

Repeal of the Provisions of FCE Act, 1986 Section 1(1) Schedule 1 (n) Laws of Federation of Nigeria, 1986:

- (1) The coming into effect of this Bill Repeals the Provisions of the College of Education Act, 1986 Laws of the Federation of Nigeria.
- (2) Anything done or purported to have been done under The FCE Act, 1986 Section 1 (1) Schedule 1 (n) Laws of Federation of Nigeria, 1986 remains valid, except otherwise provided under this Bill.
- (3) Subsidiary legislation made or deemed to have been made under the repealed FCE Act, 1986 Section 1(1) Schedule 1 (n) Laws of Federation of as if it was in force immediately before the commencement of this Bill, shall continue in force with necessary modification and may be amended or revoked as if it had been made under this Bill.
- (4) The rights, assets, obligations and liabilities of the of FCE Act, 1986 Section 1 (1) Schedule 1 (n) Laws of Federation of Nigeria, 1986 shall, at the commencement of this Bill, rest in and devolve on the Adeyemi Federal University of Education, Ondo (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 28: Interpretation.

- (1) In this Bill, unless the context otherwise requires:

"Campus" means any campus which may be established by the University (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

"College" means the College established pursuant to section 2 (1) (b) of this Bill for the University (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

"Council" means the Governing Council of the University established by section 5 of this Bill (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

"Functions" includes powers and duties (*Hon. Ahmed Idris — Wase Federal Constituency*).

Question that the meaning of the word "Functions" 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 and any other person as may be designated as a graduate by the Council, acting in accordance with the recommendation of the Senate (Hon. Ahmed Idris — Wase Federal Constituency).

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

"Minister" means the Hon. Minister of Education (Hon. Ahmed Idris — Wase 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. Ahmed Idris — Wase 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. Ahmed Idris — Wase 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 regulations (Hon. Ahmed Idris — Wase 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. Ahmed Idris — Wase Federal Constituency).

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

"Property" includes rights, liabilities and obligations (Hon. Ahmed Idris — Wase Federal Constituency).

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

"Provisional Council" means the provisional council appointed for the University (Hon. Ahmed Idris — Wase Federal Constituency).

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

"Regulations" means regulations made by the Senate or the Council (Hon. Ahmed Idris — Wase 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 section 2 (1) (e) of this Bill (Hon. Ahmed Idris — Wase 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. Ahmed Idris — Wase Federal Constituency).

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

"Statute" means a statute made by each University under section 10 of this Bill and in accordance with the provisions of section 11 of this Bill, and (Hon. Ahmed Idris — Wase Federal Constituency).

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

"the statutes" means all such statutes as are in force from time to time (Hon. Ahmed Idris — Wase Federal Constituency).

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

"Teacher" means a person holding a full-time appointment as a member of the teaching or research staff of the University (Hon. Ahmed Idris — Wase Federal Constituency).

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

"Undergraduate" means a person registered as a student undergoing a course of study for a first degree of the University or such other course in the University as may be approved by the Senate as qualifying a student undergoing it for the status of an under-graduate (Hon. Ahmed Idris — Wase Federal Constituency).

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

"University" means Adeyemi Federal University of Education, Ondo established and incorporated by section 1 of this Bill (Hon. Ahmed Idris — Wase Federal Constituency).

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

- (2) It is hereby declared that where in any provision of this Bill it is laid down that the proposals are to be submitted or a recommendation is to be made by

one authority or another through one or more intermediate authorities, it shall be the duty of every such intermediate authority to forward any proposals of that or recommendations received by it in pursuance of that provision to the appropriate authority; but any such intermediate authority may, if it thinks fit, forward therewith its own comments thereon (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 29: Short Title.

This Bill may be cited as the Adeyemi Federal University of Education, Ondo (Establishment, etc.) Bill, 2018 (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

SCHEDULES

FIRST SCHEDULE

[Section 2(2)]

PRINCIPAL OFFICERS OF THE UNIVERSITY

The Chancellor.

1. The Chancellor shall be appointed by and hold office at the pleasure of the President.

The Pro-Chancellor.

2. (1) The Pro-Chancellor who shall be the Chairman of Council shall be appointed or removed from office by Mr President upon recommendation by the Minister of Education.
- (2) Subject to the provisions of this Bill, the Pro-Chancellor shall hold office for a period of four years beginning with the date of his appointment.

The Vice-Chancellor.

3. (1) There shall be a Vice-Chancellor of the University who shall be appointed by the Council in accordance with the provisions of this paragraph.
- (2) 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 of the persons who may apply for the post; and
 - (ii) the terms of 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 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 because they felt that it is not proper to do so.
- (3) A Joint Council and Senate Selection Board consisting of:
 - (a) the Pro-Chancellor, as chairman:
 - (b) two members of the Council, not being members of the Senate;
 - (c) two members of the Senate who are Professors, but who were not members of the Search Team, shall consider the candidates and persons in the shortlist drawn up under subsection (2) of this paragraph through an examination of their curriculum vitae and interaction with them, and recommend to the Council three candidates for further consideration.
- (4) The Council shall select and appoint as the Vice-Chancellor one candidate from among the three candidates recommended to it under subsection (3) of this section and thereafter inform the Visitor.
- (5) 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.
- (6) The Vice Chancellor may be removed from office by the Council on grounds of gross misconduct or inability to discharge the functions of his office as a result of infirmity of the body or mind, at the initiative of the Council, Senate or the Congregation after due process.
- (7) When the proposal for the removal of the Vice-Chancellor is made, the Council shall constitute a Joint Committee of Council and Senate consisting of:
 - (i) three members of the Council, one of whom shall be the Chairman of the committee; and
 - (ii) two members of the Senate:

Provided that where the ground for removal is infirmity of the body or mind, the Council shall seek appropriate medical opinion.
- (8) The committee shall conduct investigation into the allegations made against the Vice-Chancellor and shall report its findings to the Council.
- (9) The Council may where the allegations are proved remove the Vice-Chancellor or apply any other disciplinary action it may deem fit and notify the Visitor accordingly provided that a Vice-Chancellor who is removed shall have right of appeal to the Visitor.
- (10) There shall be no sole administrator in the University.
- (11) In any case of a vacancy in the office of the Vice-Chancellor, the Council shall appoint an acting Vice-Chancellor on recommendation of the Senate.
- (12) An acting Vice Chancellor in all circumstances shall not be in office for more than 6 months.

Deputy Vice-Chancellor.

4. (1) There shall be for the University such number of Deputy Vice-Chancellors as Council may from time to time deem necessary for the proper administration of the 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 each post of Deputy Vice-Chancellor that is vacant.
- (3) The Senate shall select for each vacant post one candidate from each list forwarded to it under subsection (2) of this paragraph 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; and
 - (c) perform such other functions as the Vice-Chancellor or the Council may, from time to time, assign to him.
- (5) (a) A Deputy Vice-Chancellor:
- (i) shall hold office for a period of two years beginning from the effective date of his appointment and on such terms and conditions as may be specified in his letter of appointment;
 - (ii) may be reappointed for one further period of two years and no more; and
 - (iii) may be removed from office for good cause by the Council acting on the recommendations of the Vice-Chancellor and Senate.
- (b) "Good cause" for the purpose of this section means gross misconduct or inability to discharge the functions of his office arising from infirmity of the body or mind.

Deputy Vice-Chancellor.

4. (1) There shall be for the University such number of Deputy Vice-Chancellors as Council may from time to time deem necessary for the proper administration of the 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 each post of Deputy Vice-Chancellor that is vacant.
- (3) The Senate shall select for each vacant post one candidate from each list forwarded to it under subsection (2) of this paragraph 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; and
 - (c) perform such other functions as the Vice-Chancellor or the Council may, from time to time, assign to him.
- (5)
 - (a) A Deputy Vice-Chancellor:
 - (i) shall hold office for a period of two years beginning from the effective date of his appointment and on such terms and conditions as may be specified in his letter of appointment;
 - (ii) may be reappointed for one further period of two years and no more; and
 - (iii) may be removed from office for good cause by the Council acting on the recommendations of the Vice-Chancellor and Senate;
 - (b) "Good cause" for the purpose of this section means gross misconduct or inability to discharge the functions of his office arising from infirmity of the body or mind.

Office of the Registrar.

- 5.
 - (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 paragraph 6(2) of this Schedule.
 - (2) The person holding the office of the Registrar shall by virtue of that office be Secretary to the Council, the Senate, Congregation and Convocation.

Other Principal Officers of the University.

- 6.
 - (1) There shall be for the University the following principal officers, in addition to the Registrar, that is:
 - (a) the Bursar; and
 - (b) the University Librarian;who shall be appointed by the Council on the recommendation of the Selection Board constituted under paragraph 7 of this Schedule.
 - (2) 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.
 - (3) 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 its campuses, colleges, schools, departments, institutes and other teaching or research units.
 - (4) Any question as to the scope of the responsibilities of the aforesaid officers shall be determined by the Vice-Chancellor.

Selection Board for other Principal Officers.

7. (1) There shall be, for the University, a Selection Board for the appointment of 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) The functions, procedure and other matters relating to the Selection Board constituted under subsection (1) of this paragraph shall be as the Council may, from time to time, determine.
- (3) The Registrar, Bursar and Librarian shall hold office for a single term of five years only beginning from the effective date of their appointments and on such terms and conditions as may be specified in their letters of appointment.
- (4) Notwithstanding subsection (3) of this section, the Council may, upon satisfactory performance, extend the tenure of the Registrar, Bursar or Librarian for a further period of one year only and thereafter such principal officer shall relinquish his post and be assigned to other duties in the University.

Resignation and Re-appointment.

8. (1) Any officer mentioned in the foregoing provisions of this Schedule may resign his office:
- (a) in the case of the Chancellor or Pro-Chancellor, by notice to the Visitor;
 - (b) in any other case, by notice to the Council and the Council shall, in the case of the Vice-Chancellor, immediately notify the Visitor.
- (2) Without prejudice to paragraph 4 of this Schedule, a person who has ceased to hold an office so mentioned otherwise than by removal for misconduct shall be eligible for re-appointment to that office (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

SECOND SCHEDULE**TRANSITIONAL PROVISIONS AS TO PROPERTY, FUNCTIONS, ETC.****Transfer of Property to University**

1. Without prejudice to the generality of section 9 (1) of this Bill:
- (a) the reference in that subsection to property held by the Provisional Council shall include a reference to the right to receive and give a good discharge for any grants or contributions which may have been voted or promised to the Provisional Council;
 - (b) all debts and liabilities of the Provisional Council outstanding shall become debts or liabilities of the University.

2. (1) All agreements, contracts, deeds and other instruments to which the Provisional Council was a party shall, so far as possible and subject to any necessary modifications, have effect as if the University had been a party thereto in place of the Provisional Council.
- (2) Documents not falling within subsection (1) of this paragraph, including enactment which refer, whether specially or generally, to the Provisional Council, shall be construed in accordance with that sub-section so far as applicable.
- (3) Any legal proceedings or application to any authority pending by or against the Provisional Council may be continued by or against the University.

Registration of transfers.

3. (1) If the law in force at the place where any property transferred by this Bill is situate 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 or any other matter) apply, with necessary modifications, to the property aforesaid.
- (2) It shall be the duty of the body to which any property is transferred by this Bill to furnish the necessary particulars of the transfer to the proper officer of the registration authority, and of that officer to register the transfer accordingly.

Transfer of Functions, etc.

4. (1) The first meeting of the Council shall be convened by the Pro-Chancellor on such date and in such manner as he may determine.
- (2) The persons who were members of the Provisional Council shall be deemed to constitute the Council until the date when the Council as set up under the Third Schedule to this Bill shall have been duly constituted.
- (3) 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.
- (4) The persons who were members of the Academic Board immediately 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 set up under the Third Schedule to this Bill shall have been duly constituted.
- (5) Subject to any regulations which may be made by the Senate after the date on which this Bill is made, the schools, school boards and students of the University immediately before the coming into force of this Bill shall on that day become schools, school boards and students of the University as constituted by this Bill.
- (6) Persons who were Deans of schools and Heads of Academic Departments shall continue to be Deans or HODs of the corresponding School/Department, until new appointments are made in pursuance of the statutes.
- (7) Any person who was a member of the staff of the University as established or was otherwise employed by the Provisional Council shall become the holder of an appointment at the University with the status, designation and functions which correspond as nearly as may be to those which appertained to him as member of that staff or as such an employee (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

THIRD SCHEDULE

[Section 9 (3)]

ADEYEMI FEDERAL UNIVERSITY OF EDUCATION, ONDO

Statute No. 1

ARRANGEMENT OF ARTICLES

Articles:

1. The Council
2. The Finance and General Purposes Committee
3. The Senate
4. The Congregation
5. Convocation
6. Division of Colleges
7. College/School Boards
8. Dean of the College
9. Selection of certain Principal Officers
10. Creation of academic posts
11. Appointment of academic staff
12. Appointment of administrative and professional staff
13. Interpretation
14. Short title

The Council.

1. (1) The composition of the Council shall be as provided in section 5 of this Bill.
- (2) Any member of the Council holding office otherwise than in pursuance of section 5 (a), (b), (c), or (d) of this Bill may, by notice to the Council, resign his office.
- (3) A member of the Council holding office otherwise than in pursuance of section 5 (a), (b), (c), or (d) of this Bill shall, unless he previously vacates it, vacate that office on the expiration of the period of four years beginning with effect from 1 August in the year which he was appointed.
- (4) Where a member of the Council holding office otherwise than in pursuance of section 5 (a), (b), (g), or (h) of this Bill vacates office before the expiration of the period aforesaid, the body or person by whom he was appointed may appoint a successor to hold office for the residue of the term of his predecessor.
- (5) A person ceasing to hold office as a member of the Council otherwise than by removal for misconduct shall be eligible for re-appointment for only one further period of four years.
- (6) The quorum of the Council shall be five, at least one of whom shall be a member appointed pursuant to section 5 (d) or (e) of this Bill.
- (7) If the Pro-Chancellor is not present at a meeting of the Council, such other member of the Council present at the meeting as the Council may appoint as respects that meeting shall be the chairman at that meeting, and subject to section 4 of this Bill and the foregoing provisions of this paragraph, the Council may regulate its own procedure.

- (8) Where the Council desires to obtain advice with respect to any particular matter may co-opt not more than two persons for that purpose, and the persons co-opted may take part in the deliberations of the Council at any meeting but shall not be entitled to vote.

The Finance and General Purposes Committee.

2. (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-Chancellors;
 - (c) six other members of the Council appointed by the Council, two of whom shall be selected from among the four members of the Council appointed by the Senate and one member appointed to the Council by Congregation;
 - (d) the Permanent Secretary of the Federal Ministry of Education, or in his absence, such member of his Ministry as he may designate to represent him; and
- (2) The quorum of the Committee shall be five.
- (3) Subject to any directions given by the Council, the Committee may regulate its own procedure.

Annual budget and estimates, etc.

- (4) (i) The estimates of income and expenditure for a financial year shall be presented by the Vice-Chancellor to the Council and may be approved by the Council before the beginning of that financial year:

Provided that the Vice-Chancellor may during any financial year present and the Council may approve supplementary estimates of income or expenditure.

- (ii) The annual and supplementary estimates shall be prepared in such form and shall contain such information as the Council may direct;

Gifts, donations, etc.

- (5) (i) The Council may on behalf of the University accept by way of grants, gift, testamentary disposition or otherwise, property and money in aid of the finances of the University on such conditions as it may approve.

- (ii) Registers shall be kept of all donations to the University including the names of donors and any special conditions under which any donation may have been given:

Provided that the University shall not be obliged to accept a donation for a particular purpose unless it approves of the terms and conditions attaching to such donation.

- (iii) All property, money or funds donated for any specific purposes shall be applied and administered in accordance with the purposes for which they are donated and shall be accounted for separately.

Payment into bank.

- (6) All sums of money received on account of the University shall be paid into such bank as may be approved by the Council for the credit of the University's general, current or deposit account:

Provided that the Council may invest, as it deems fit, any money not required for immediate use other than donations of money referred to in subsection (1) of this section.

Audit.

3. (1) The Council shall cause the accounts of the University to be audited by auditors appointed by the Council as soon as may be after the end of each financial year or for any such other period as the Council may require.
- (2) The appointment and other matters relative to the auditors, their continuance in office and their functions, as the case may be, shall, subject to the provisions of this section, be prescribed by statute.

The Senate.

4. (1) The Senate shall consist of:
- (i) the Vice-Chancellor
 - (ii) Deputy Vice-Chancellors;
 - (iii) the Deans of respective Colleges;
 - (iv) the Professors in the University;
 - (v) Heads of Academic Departments and Units;
 - (vi) the University Librarian;
 - (vii) one elected representative of each College;
 - (viii) two members of Academic Staff elected by the Congregation;
 - (ix) one elected representative of each department;
 - (x) two members representing a variety of interests of the professional bodies outside the University appointed by the Senate on the recommendation of the Vice-Chancellor;
 - (xi) Registrar — Secretary.
- (2) The procedure for election of members of Senate to the Council shall be prescribed by Regulations.
- (3) The Vice-Chancellor shall be the chairman at all meetings of the Senate when he is present, and in his absence any of the Deputy Vice-Chancellors present at the meeting as the Senate may appoint for that meeting shall be the chairman at the meeting.
- (4) The quorum of the Senate shall be one quarter or the nearest whole number less than one quarter; and subject to paragraph (3) of this Article, the Senate may regulate its own procedure.

- (5) An elected member may, by notice to the Senate, resign his office.
- (6) Subject to paragraph (8) of this article, there shall be elections for the selection of elected members which shall be held in the prescribed manner on such day in the month of May or June in each year as the Vice-Chancellor may from time to time determine.
- (7) An elected member shall hold office for the period of two years beginning with 1 August in the year of his election, and may be a candidate at any election held in pursuance to paragraph (6) of this article in the year in which his period of office expires, so however that no person shall be such a candidate if at the end of his current period of office he will have held office as an elected member for a continuous period of six years or would have so held office if he had not resigned it.
- (8) No election shall be held in pursuance of this article in any year if the number specified in the certificate given in pursuance to paragraph (11) of this article does not exceed by more than one the figure which is thrice the number of those elected members holding office on the date of the certificate who do not vacate office during that year in pursuance of paragraph (7) of this article.
- (9) For the avoidance of doubt it is hereby declared that no person shall be precluded from continuing in or taking office as an elected member by reason only of reduction in the after 30 April in any year in which he is to continue in or take office as all elected member.
- (10) If so requested in writing by any fifteen members of the Senate, the Vice-Chancellor or in his absence any of the Deputy Vice-Chancellor duly appointed by him, shall convene a meeting of the Senate to be held not later than the tenth day following that on which the request was received.
- (11) In this article "total of non-elected members" means as respect any year, such number as may be certified by the Vice-chancellor on 30 April of that year to be the number of persons holding office as members of the Senate on that day otherwise than as elected members.

Congregation.

5. (1) Congregation shall consist of:

- (i) Vice-Chancellor
- (ii) the Deputy Vice-Chancellors;
- (iii) the full-time members of the academic staff
- (iv) the Registrar;
- (v) the Librarian
- (vi) every member of the administrative staff who holds a degree, other than honorary degree, of any University recognized for the purposes of this statute by the Vice-Chancellor.

- (2) Subject to section 4 of this Bill, 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 as Congregation may appoint for that meeting, shall be the chairman at the meeting.

- (3) The quorum of Congregation shall be one third or the whole number nearest to one third of the total number of members of Congregation of fifty, whichever is less.
- (4) A certificate signed by the Vice-Chancellor specifying:
 - (a) the total number of members of Congregation for the purpose of any particular meeting or meetings of Congregation; or
 - (b) the names of the persons who are members of Congregation during a particular period, shall be conclusive evidence of that number or, as the case may be, of the names of those persons.
- (5) The procedure for election of members of Congregation to the Council and the Senate shall be prescribed by Regulations.
- (6) Subject to the foregoing provisions of this article, Congregation may regulate its own procedure.
- (7) Congregation shall be entitled to express by resolutions or otherwise its opinion on all matters affecting the interest and welfare of the University and shall have such other functions, in addition to the function of electing a member of the Council, as may be provided by statute or regulations.

Convocation.

6. (1) Convocation shall consist of:
 - (i) the officers of the University mentioned in the First Schedule to this Bill;
 - (ii) all teachers within the meaning of this Bill;
 - (iii) all other persons whose names are registered in accordance with paragraph (2) of this article.
- (2) A person shall be entitled to have his name registered as a member of convocation if:
 - (a) he is either a graduate of a 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 pay the prescribed fees.
- (3) Regulations shall provide for the establishment and maintenance of a register for the purpose of this paragraph and subject to paragraph (4) of this article may provide for the payment, from time to time, of further 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.
- (4) 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 paragraph (1) (a) or (b) of this article are entered and retained on the register.
- (5) 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 times of the University at all reasonable times.

- (8) Where the Council desires to obtain advice with respect to any particular matter may co-opt not more than two persons for that purpose, and the persons co-opted may take part in the deliberations of the Council at any meeting but shall not be entitled to vote.

The Finance and General Purposes Committee.

2. (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-Chancellors;
- (c) six other members of the Council appointed by the Council, two of whom shall be selected from among the four members of the Council appointed by the Senate and one member appointed to the Council by Congregation;
- (d) the Permanent Secretary of the Federal Ministry of Education, or in his absence, such member of his Ministry as he may designate to represent him; and

- (2) The quorum of the Committee shall be five.

- (3) Subject to any directions given by the Council, the Committee may regulate its own procedure.

Annual budget and estimates, etc.

- (4) (i) The estimates of income and expenditure for a financial year shall be presented by the Vice-Chancellor to the Council and may be approved by the Council before the beginning of that financial year:

Provided that the Vice-Chancellor may during any financial year present and the Council may approve supplementary estimates of income or expenditure.

- (ii) The annual and supplementary estimates shall be prepared in such form and shall contain such information as the Council may direct.

Gifts, donations, etc.

- (5) (i) The Council may on behalf of the University accept by way of grants, gift, testamentary disposition or otherwise, property and money in aid of the finances of the University on such conditions as it may approve.

- (ii) Registers shall be kept of all donations to the University including the names of donors and any special conditions under which any donation may have been given:

Provided that the University shall not be obliged to accept a donation for a particular purpose unless it approves of the terms and conditions attaching to such donation.

- (iii) All property, money or funds donated for any specific purposes shall be applied and administered in accordance with the purposes for which they are donated and shall be accounted for separately.

Payment into bank.

- (6) All sums of money received on account of the University shall be paid into such bank as may be approved by the Council for the credit of the University's general, current or deposit account:

Provided that the Council may invest, as it deems fit, any money not required for immediate use other than donations of money referred to in subsection (1) of this section.

Audit.

3. (1) The Council shall cause the accounts of the University to be audited by auditors appointed by the Council as soon as may be after the end of each financial year or for any such other period as the Council may require.
- (2) The appointment and other matters relative to the auditors, their continuance in office and their functions, as the case may be, shall, subject to the provisions of this section, be prescribed by statute.

The Senate.

4. (1) The Senate shall consist of:
- (i) the Vice-Chancellor
 - (ii) Deputy Vice-Chancellors;
 - (iii) the Deans of respective Colleges;
 - (iv) the Professors in the University;
 - (v) Heads of Academic Departments and Units;
 - (vi) the University Librarian;
 - (vii) one elected representative of each College;
 - (viii) two members of Academic Staff elected by the Congregation;
 - (ix) one elected representative of each department;
 - (x) two members representing a variety of interests of the professional bodies outside the University appointed by the Senate on the recommendation of the Vice-Chancellor;
 - (xi) Registrar — Secretary.
- (2) The procedure for election of members of Senate to the Council shall be prescribed by Regulations.
- (3) The Vice-Chancellor shall be the chairman at all meetings of the Senate when he is present, and in his absence any of the Deputy Vice-Chancellors present at the meeting as the Senate may appoint for that meeting shall be the chairman at the meeting.
- (4) The quorum of the Senate shall be one quarter or the nearest whole number less than one quarter; and subject to paragraph (3) of this Article, the Senate may regulate its own procedure.

- (5) An elected member may, by notice to the Senate, resign his office.
- (6) Subject to paragraph (8) of this article, there shall be elections for the selection of elected members which shall be held in the prescribed manner on such day in the month of May or June in each year as the Vice-Chancellor may from time to time determine.
- (7) An elected member shall hold office for the period of two years beginning with 1 August in the year of his election, and may be a candidate at any election held in pursuance to paragraph (6) of this article in the year in which his period of office expires, so however that no person shall be such a candidate if at the end of his current period of office he will have held office as an elected member for a continuous period of six years or would have so held office if he had not resigned it.
- (8) No election shall be held in pursuance of this article in any year if the number specified in the certificate given in pursuance to paragraph (11) of this article does not exceed by more than one the figure which is thrice the number of those elected members holding office on the date of the certificate who do not vacate office during that year in pursuance of paragraph (7) of this article.
- (9) For the avoidance of doubt it is hereby declared that no person shall be precluded from continuing in or taking office as an elected member by reason only of reduction in the after 30 April in any year in which he is to continue in or take office as all elected member.
- (10) If so requested in writing by any fifteen members of the Senate, the Vice-Chancellor or in his absence any of the Deputy Vice-Chancellor duly appointed by him, shall convene a meeting of the Senate to be held not later than the tenth day following that on which the request was received.
- (11) In this article "total of non-elected members" means as respect any year, such number as may be certified by the Vice-chancellor on 30 April of that year to be the number of persons holding office as members of the Senate on that day otherwise than as elected members.

Congregation.

5. (1) Congregation shall consist of:

- (i) Vice-Chancellor
 - (ii) the Deputy Vice-Chancellors;
 - (iii) the full-time members of the academic staff
 - (iv) the Registrar;
 - (v) the Librarian
 - (vi) every member of the administrative staff who holds a degree, other than honorary degree, of any University recognized for the purposes of this statute by the Vice-Chancellor.
- (2) Subject to section 4 of this Bill, 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 as Congregation may appoint for that meeting, shall be the chairman at the meeting.

- (3) The quorum of Congregation shall be one third or the whole number nearest to one third of the total number of members of Congregation of fifty, whichever is less.
- (4) A certificate signed by the Vice-Chancellor specifying:
 - (a) the total number of members of Congregation for the purpose of any particular meeting or meetings of Congregation; or
 - (b) the names of the persons who are members of Congregation during a particular period, shall be conclusive evidence of that number or, as the case may be, of the names of those persons.
- (5) The procedure for election of members of Congregation to the Council and the Senate shall be prescribed by Regulations.
- (6) Subject to the foregoing provisions of this article, Congregation may regulate its own procedure.
- (7) Congregation shall be entitled to express by resolutions or otherwise its opinion on all matters affecting the interest and welfare of the University and shall have such other functions, in addition to the function of electing a member of the Council, as may be provided by statute or regulations.

Convocation.

6. (1) Convocation shall consist of:
 - (i) the officers of the University mentioned in the First Schedule to this Bill;
 - (ii) all teachers within the meaning of this Bill;
 - (iii) all other persons whose names are registered in accordance with paragraph (2) of this article.
- (2) A person shall be entitled to have his name registered as a member of convocation if:
 - (a) he is either a graduate of a 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 pay the prescribed fees.
- (3) Regulations shall provide for the establishment and maintenance of a register for the purpose of this paragraph and subject to paragraph (4) of this article may provide for the payment, from time to time, of further 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.
- (4) 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 paragraph (1) (a) or (b) of this article are entered and retained on the register.
- (5) 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 times of the University at all reasonable times.

- (6) The register shall, unless the contrary is proved, be sufficient evidence that any person 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.
- (7) 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.
- (8) 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.
- (9) Convocation shall have such functions, in addition to the function of appointing a member of the Council, as may be provided by statute or regulations.

Division of colleges.

7. Each College shall be divided into such number of branches as may be prescribed.

College Boards.

8. (1) There shall be established in respect of each College, 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 college;
 - (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 College 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) the College Examination Officer;
 - (e) such of the teachers assigned to the college and having the prescribed qualifications as the Board may determine; and
 - (f) such persons, whether or not members of the University, as the Board may determine with the general or special approval of the Senate.
- (3) The quorum of the Board 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.

Deans of the Colleges.

9. (1) The Board of each College shall, at a meeting in the last term of any academic year 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 College.
- (2) The person appointed under paragraph 1 of this Article shall act as Dean of the College and chairman of all meetings of the College Board when he is present and shall be a member of all committees and other boards appointed by the College.
- (3) The Dean shall hold office for two years and shall be eligible for re-appointment 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 College shall exercise general superintendence over the academic and administrative affairs of the College.
- (5) It shall be the function of the Dean to present to Convocation for the conferment of degrees to persons who have qualified for the degrees of the University at examination held in the branches of learning for which responsibility is allocated to that College.
- (6) There shall be a committee to be known as the Committee of Deans consisting of all the Deans of the several Colleges and that Committee shall advise the Vice-Chancellor on all academic matters and on particular matters referred to the University by the Senate.
- (7) The Dean of a College may be removed from office for good cause by the College 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 College Board meeting an election shall be held for a new Dean.
- (8) In this article "good cause" has the same meaning as in section 15(3) of the Act.

Departmental Board of Studies.

10. (1) There shall be a Departmental Board of Studies whose membership shall be made of all academic staff of the Department.
- (2) It shall be headed by a Professor who shall be appointed by the Vice Chancellor and in the absence of a Professor, a senior academic staff shall be appointed in acting capacity.
- (3) For a Professor the term is for 3 years while 1 year is for acting capacity.
- (4) The Board shall superintend over all teachings and examinations in the Department;
- (5) The Board shall handle all disciplinary matters in the Department and make recommendations to the College where necessary.
- (6) Allocation of courses in the department shall be done by the Departmental Board on recommendation of the Head of Department.

Selection of Directors of Physical Planning and Development, Works and Services and Health.

11. (1) When a vacancy occurs in the office of the Directors of Physical Planning and Development, Works and Services and Health, 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 of the Senate;
 - (d) two members appointed by the Senate.
- (2) 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.

Tenure of Directors.

12. A Director shall hold office on such terms and conditions as may be specified in his letter of appointment subject to the extant Regulations.

Creation of Academic Posts.

13. 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.

Appointment of Academic Staff.

14. (1) Subject to the Act and statutes, the filling of vacancies in academic posts (including newly created ones) shall be the responsibility of the Council through the Departments and Colleges.
- (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 appointment to Professorships, Associate Professorship or Readerships or equivalent posts, a Board of Selection, with power to appoint, shall consist of:
- (a) the Vice-Chancellor — Chairman;
 - (b) Deputy Vice-Chancellor — Member;
 - (c) the Dean of the College — Member;
 - (d) Head of Department — Member ;
 - (e) Registrar — Secretary;
 - (f) such other person(s), 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 or his representative — Chairman;
 - (b) the Dean of the College — Member;

(c) Head of the Department concerned — Member;

(d) an internal member of Council (not below the Rank of Senior Lecturer from the sister college in the Candidate's subject-area) — Member;

(e) Registrar or his representative — Secretary.

(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 specialist interviewing panels and shall in addition, in the case of Professorships; Associate Professorship, Readerships or equivalent Posts, consider the reports of External Assessors relevant to the area in which the appointment is being considered. Quorum shall be three (3) including the Chairman.

Appointment of Administrative and Professional Staff.

15. (1) The administrative and professional staff of the University other than principal officers shall be appointed by the Council or on its behalf by the Vice-Chancellor in accordance with delegation of powers made by the Council on its behalf.

(2) A Selection Board, with power to appoint, shall consist of:

(i) Vice Chancellor;

(ii) Deputy Vice Chancellor;

(iii) Registrar

(iv) Bursar

(v) University Librarian

(vi) the Head of Department concerned

(vii) Establishment and Human Resources Officer who shall serve as Secretary
Quorum shall be three (3) including the Chairman.

Interpretation.

16. In this Statute, the expression "the Act" means the Adeyemi Federal University of Education, Ondo Act and any word or expression defined in the Act has the same meaning in this Statute.

Short Title.

17. This Statute may be cited as the Adeyemi Federal University of Education, Ondo Statute No.1 (Hon. Ahmed Idris — Wase Federal Constituency).

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

Explanatory Memorandum:

This Bill seeks to upgrade the Adeyemi Federal College of Education, Ondo to Adeyemi Federal University of Education, Ondo (Hon. Ahmed Idris — Wase Federal Constituency).

Agreed to.

Long Title:

A Bill for an Act to Provide for the Establishment of the Adeyemi Federal University of Education, Ondo and for Other Matters Connected Therewith (HB. 1539) (*Hon. Ahmed Idris — Wase Federal Constituency*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Provide for Establishment of Adeyemi Federal University of Education, Ondo; and for Related Matters (HB. 1539) and approved Clauses 1 - 29, 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.

- (v) ***A Bill for an Act to Provide for Establishment of Alvan Ikoku Federal University of Education, Owerri; and for Related Matters (HB. 1537) (Committee of the Whole):***
Motion made and Question proposed, "That the House do consider the Report on a Bill for an Act to Provide for Establishment of Alvan Ikoku Federal University of Education, Owerri; and for Related Matters (HB. 1537) and approve the recommendations therein" (Hon. Ahmed Idris — Deputy House Leader).

Agreed to.

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

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

**A BILL FOR AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE
ALVAN IKOKU FEDERAL UNIVERSITY OF EDUCATION, OWERRI AND FOR
OTHER MATTERS CONNECTED THERewith (HB. 1537)**

**PART I — ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF THE
ALVAN IKOKU FEDERAL UNIVERSITY OF EDUCATION, OWERRI**

Clause 1: Establishment and Objectives of the Alvan Ikoku Federal University of Education, Owerri.

- (1) There is hereby Federal College of Education, Owerri upgraded and established as the Alvan Ikoku Federal University of Education, Owerri.
- (2) The University shall be a body corporate with perpetual succession and a common seal and may sue or be sued in its corporate name.
- (3) The University shall be a training institution for the development of teacher education in the country.
- (4) The University shall be supervised by the Federal Ministry of Education through the National Universities Commission (NUC) who shall be responsible for approving and regulating all academic programmes run in the University, to ensure quality compliance and provide funds for academic and research programmes, infrastructures and remunerations of employees.

- (5) The objects of the University shall be:
- (a) to encourage the advancement of learning and to hold out to all persons without distinction of race, creed, sex or political conviction;
 - (b) to develop and offer academic and professional programmes leading to the award of certificates, first degrees, post-graduate diploma and higher degrees with emphasis on planning, developmental and adaptive skills, technology, applied science, agriculture, commerce, arts, social science, and allied professional disciplines in Education;
 - (c) to produce socially mature educational men and women with capabilities not to only understand educational need of Nigeria as a nation, but also to exploit existing educational infrastructure and improve on it to develop new ones;
 - (d) to 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) to bring quality change in education by focusing on teacher education through teaching and learning innovations;
 - (f) to 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) to identify educational needs of the society with a view to finding solutions to them within the context of overall national development;
 - (h) to 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;
 - (i) to provide higher education and foster a systematic advancement of the science and art of teacher education;
 - (j) to provide for instruction in such branches of teacher education as it may deem necessary to make provision for research advancement and dissemination of knowledge in such manner as it may determine;
 - (k) to provide teachers with operational competence for teaching in pre-tertiary institutions, basic, senior secondary schools and non-formal education institutions;
 - (l) to undertake any other activities that is appropriate for a university of education of the highest standard (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 2: Constitution and Principal Officers of the University.

(1) The University shall consist of:

- (a) a Chancellor;
- (b) a Pro-Chancellor and a Council;
- (c) a Vice-Chancellor and a Senate;
- (d) a body to be called Congregation;
- (e) a body to be called Convocation;
- (f) the campuses and colleges of the University;
- (g) the colleges, institutes and other teaching and research units of the University;
- (h) the persons holding the offices constituted by the First Schedule to this Bill other than those mentioned in paragraphs (a) to (c) of this subsection;
- (i) all graduates and undergraduates of the University; and
- (j) all other persons who are members of the University in accordance with provisions made by statute in that behalf.

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

(3) Subject to section 5 of this Bill provision shall be made by statute with respect to the constitution of the Council, the Senate, Congregation and Convocation (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 3: Powers of Alvan Ikoku Federal University of Education, Owerri and its Exercise.

(1) For the carrying out of its objects as specified in section 1 of this Bill, Alvan Ikoku Federal University of Education, Owerri shall have power:

- (a) to offer courses of instruction, training and research in education and allied areas for the production of quality and skilled teachers required to teach at lower, middle and higher levels of education in Nigeria in particular and the world at large;
- (b) to establish such colleges, campuses, institutes, schools, departments and other teaching and research units within the University as may from time to time be deemed necessary or desirable subject to the approval of National Universities Commission;
- (c) to institute professorships, readerships or associate professorships, lectureships, and other posts and offices and to make appointments thereto;

- (d) to institute and award fellowships, scholarships, exhibitions, bursaries, medals, prizes and other titles, distinctions, awards and forms of assistance;
- (e) to provide for the discipline and welfare of members of the University;
- (f) to hold examinations and grant degrees, diplomas, certificates and other distinctions to persons who have pursued a course of study approved by the University and have satisfied such other requirements as the University may lay down;
- (g) to grant honorary degrees, fellowships or academic titles;
- (h) to demand and receive from any student or any other person attending the University for the purposes of instruction, such fees as the University may from time to time determine subject to the overall directives of the Minister;
- (i) subject to section 20 of this Bill, to acquire, hold, grant, charge or otherwise deal with or dispose of movable and immovable property wherever it is situate;
- (j) to 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;
- (k) to enter into contracts, establish trusts, act as trustee, solely or jointly with any other person, and employ and act through agents;
- (l) to erect, provide, equip and maintain libraries, laboratories, workshops, lecture halls, halls of residence, refectories, sports grounds, playing fields and other buildings or things necessary, suitable or convenient for any of the objects of the University;
- (m) to hold public lectures and to undertake printing, publishing and book selling;
- (n) subject to any limitations or conditions imposed by statute, to invest any moneys appertaining to the University by way of endowment it, not being immediately required for current expenditure in any investments or securities or in the purchase or improvement of land, with power from time to time, to vary any such investments to deposit any moneys for the time being not invested with any bank on deposit or current account;
- (o) to borrow, whether on interest or not and if need be upon the security of any or all of the property, movable or immovable, of the University, such moneys as the Council may from time to time in its discretion find it necessary or expedient to borrow of to guarantee any loan, advances or credit facilities;
- (p) to make gifts for any charitable purpose;
- (q) to do anything which it is authorized or required by this Bill or by statute to do; and

- (r) to do all such acts or things, whether or not incidental to the foregoing powers, as may advance the objects of the University.
- (2) Subject to the provisions of this Bill and of the statutes and without prejudice to section 7 (2) of this Bill, the powers conferred on the University by subsection (1) of this section shall be exercisable on behalf of the University by the Council or by the Senate or in many other manner which may be authorized by the statute.
- (3) The power of the University to establish further campuses and colleges within the University shall be exercisable by statute and not otherwise (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 4: Functions of the Chancellor and Pro-Chancellor.

- (1) The Chancellor shall, in relation to the University, take precedence before all other members of the University, and when he is present, shall preside at all meetings of Convocation held for conferring degrees.
- (2) The Pro-Chancellor shall, in relation to the University, take precedence before all other members of the University, except the Chancellor and except the Vice-Chancellor when acting as chairman of Congregation or Convocation and the Pro-Chancellor shall, when he is present, be the chairman at all meetings of the Council (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 5: Composition, Tenure and Powers of the Council of the University.

- (1) The Council of the University shall consist of:
 - (a) the Pro-Chancellor who shall be appointed by the President on the recommendation of the Honourable Minister of Education;
 - (b) the Vice-Chancellor;
 - (c) the Deputy Vice-Chancellor(s);
 - (d) one person from the Ministry responsible for education;
 - (e) four persons representing a variety of interests and broadly representative of the whole Federation to be appointed from:
 - (i) the Teacher's Registration Council;
 - (ii) Tertiary Education Trust Fund; and
 - (iii) two other persons, one of whom shall be a representative of the University host community.
 - (f) four persons appointed by the Senate from among its members;
 - (g) two persons appointed by Congregation from among its members;
 - (h) one person appointed by Convocation from among its members.

- (i) two persons representing the community appointed by the President.
- (2) Persons to be appointed to the Council shall be of proven integrity, knowledgeable and familiar with the affairs and tradition of the University.
- (3) The Council so constituted shall have a tenure of four years from the date of its inauguration provided that where a Council is found to be incompetent and corrupt, it shall be dissolved by the Visitor and a new Council shall be immediately constituted for the effective functioning of the University.
- (4) The powers of the Council shall be exercised, as in this Bill and to that extent establishment circulars that are inconsistent with this Bill shall not apply to the University.
- (5) The Council shall be free in the discharge of its functions and exercise of its responsibilities for the good management, growth and development of the University.
- (6) The Council in the discharge of its functions shall ensure that disbursement of funds of the University complies with the approved budgetary ratio for:
- (a) personnel cost;
 - (b) overhead cost;
 - (c) research and development;
 - (d) library developments; and
 - (e) the balance in expenditure between academic vis-à-vis non-academic activities (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 6: Functions of the Council and its Finance and General Purpose Committee.

- (1) Subject to the provisions of this Bill relating to the Visitor, the Council shall be the governing body of the University and shall be charged with the general control and superintendence of the policy, finances and property of the University.
- (2) There shall be a committee of the Council, to be known as the Finance, and General Purposes Committee, which shall, subject to the directions of the Council, exercise control over the property and expenditure of the University and perform such other functions of the Council as the Council may from time to time delegate to it.
- (3) Provision shall be made by statute with respect to the constitution of the Finance and General Purposes Committee.
- (4) The Council shall ensure that proper accounts of the University are kept and that the accounts of the University are audited annually by an independent firm of auditors approved by the Council and that an annual report is published by the University together with certified copies of the said accounts as audited.

- (5) Subject to this Bill and the statutes, the Council and the Finance and General Purposes Committee may each make rules for the purpose of exercising any of their respective functions or of regulating their own procedure.
- (6) Rules made under sub-section (5) of this section by the Finance and General Purposes Committee shall not come into force unless approved by the Council; and in so far and to the extent that any rules so made by that Committee conflict with any direction given by the Council, whether before or after the coming into force of the rules in question, the directions of the Council shall prevail.
- (7) There shall be paid to the members respectively of the Council, the Finance and General Purposes Committee and of any other committee set up by the Council, allowances in respect of travelling and other reasonable expenses, at such rates as may from time to time be fixed by the Minister.
- (8) The Council shall meet as and when necessary for the performance of its functions under this Bill and shall meet at least three times in every year.
- (9) If requested in writing by any five members of the Council, the chairman shall within 28 days after the receipt of such request call a meeting of the Council.
- (10) Any request made under sub-section (9) of this section shall specify the business to be considered at the meeting and no business not so specified shall be transacted at that meeting (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 7: Functions of the Senate of the University.

- (1) Subject to section 6 of this Bill and subsections (3) and (4) of this section and the provisions of this Bill relating to the Visitor, it shall be the general function of the Senate to organize and control the teaching by the University, the admission of student where no other enactment provides to the contrary and the discipline of students; and to promote research at the University.
- (2) Without prejudice to the generality of subsection (1) of this section and subject as therein mentioned, it shall in particular be the function of the Senate to make provision for:
 - (a) the establishment, organization and control of campuses, colleges, schools, institutes and other teaching and research units of the University and the allocation of responsibility for different branches of learning;
 - (b) the organization and control of courses of study at the University and of the examinations held in conjunction with those courses, including the appointment of examiners, both internal and external;
 - (c) the award of degrees, and such other qualifications as may be prescribed in connection with examinations held as aforesaid;
 - (d) the making of recommendations to the Council with respect to the award to any person of an honorary fellowship or honorary degree or the title of professor emeritus;

- (e) the establishment, organization and control of halls of residence and similar institutions at the University;
 - (f) the supervision of the welfare of students at the university and the regulation of their conduct;
 - (g) the granting of fellowships, scholarships, prizes and similar awards in so far as the awards are within the control of the University; and
 - (h) determining what descriptions of dress shall be academic dress for the purposes of the University, and regulating the use of academic dress.
- (3) The Senate shall not establish any new campus, college, school, department, institute or other teaching and research units of the university, or any hall of residence or similar institution at the University without the approval of the Council.
- (4) Subject to this Bill and the statutes, the Senate may make regulations for the purpose of exercising any function conferred on it either by the foregoing provisions of this section or otherwise or for the purpose of making provision for any matter for which provision by regulations is authorized or required by this Bill or by statute.
- (5) Regulations shall provide that at least one of the persons appointed as the examiners at each final or professional examination held in conjunction with any course of study at the University is not a teacher at the University but is a teacher of the branch of learning to which the course relates at some other University of high repute or a person engaged in practicing the profession in a reputable organization or institution.
- (6) Subject to right of appeal to the Council from a decision of the Senate under this sub-section, the Senate may deprive any person of any degree, diploma or other award of the University which has been conferred upon him if after due enquiry he is found to have been guilty of dishonourable or scandalous conduct in gaining admission into the University or obtaining that award
(Hon. Ahmed Idris — Wase Federal Constituency).

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

Clause 8: Functions of the Vice Chancellor.

- (1) The Vice-Chancellor shall, in relation to the University, take precedence before all other members of the University except the Chancellor and subject to section 4 of this Bill except the Pro-Chancellor and any other person for the time being acting as Chairman of the Council.
- (2) Subject to sections 6, 7 and 14 of this Bill, the Vice-Chancellor shall have the general function, in addition to any other functions conferred on him by this Bill or otherwise of directing the activities of the University and shall be the Chief Executive and Accounting Officer of the University and *ex-officio* Chairman of the Senate.
- (3) The Vice Chancellor shall be the Chairman of the University Tenders' Board, which is saddled with the responsibility of approving the conduct of public procurement of goods, works and services within the approved threshold from time to time.

- (4) It shall be the responsibility of the Vice Chancellor to establish and appoint members of the Tenders' Board in line with the extant Public Procurement Rules and Regulations (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

**PART II — GENERAL FUND, TRANSFER OF PROPERTY, ETC, TO THE
UNIVERSITY AND CONDITION OF SERVICE OF EMPLOYEES**

Clause 9: General fund of the University.

- (1) There shall be a general fund of the university which shall consist of the following:
- (a) grants-in-aid;
 - (b) fees;
 - (c) income derived from investments;
 - (d) gifts, legacies, endowments and donations not accepted for a particular purpose;
 - (e) income derived from the exercise of any functions conferred or imposed on the University by this Bill;
 - (f) any other amounts, charges or dues recoverable by the University;
 - (g) revenue, from time to time, accruing to the University by way of subvention;
 - (h) interests on investments;
 - (i) donations and legacies accruing to the University from any source for the general or special purposes of the University; and
 - (j) regular TETFUND interventions;
- (2) The general fund shall be applied for the purposes of the University (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 10: Transfer of Property.

- (1) All property held by or on behalf of the Provisional Council of the University shall, by virtue of this sub-section and without further assurance, vest in the University and be held by it for the purpose of the University.
- (2) The provisions of the Second Schedule to this Bill shall have effect with respect to, and to matters arising from, the transfer of property by this section and with respect to the other matters mentioned in that Schedule (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

PART III — STATUTES OF THE UNIVERSITY

Clause 11: Power of the University to make Statutes.

- (1) Subject to this Bill, the University may make statutes for any of the following purposes, that is to say:
 - (a) making provision with respect to the composition and constitution of any authority of the University;
 - (b) specifying and regulating the powers and duties of any authority of the University, and regulating any other matter connected with the University or any of its authorities;
 - (c) regulating the admission of students (where no other enactment provides to the contrary), and their discipline and welfare;
 - (d) determining whether any particular matter is to be treated as an academic or non-academic matter for the purposes of this Bill and of any statute, regulation or other instrument made thereunder; or
 - (e) making provision for any other matter for which provision by statute is authorized or required by this Bill.
- (2) Subject to section 25 (6) of this Bill, the Interpretation Act shall apply in relation to any statute made under this section as it applies to a subsidiary instrument within the meaning of section 28 (1) of that Act.
- (3) The statute contained in the Third Schedule to this Bill shall be deemed to have come into force on the commencement of this Bill and shall be deemed to have been made under this section by the University.

Third Schedule.

- (4) The power to make statutes conferred by this section shall not be prejudiced or limited in any way by reason of the inclusion or omission of any matter in or from the statute contained in the Third Schedule to this Bill or any subsequent statute (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 12: Mode of exercising Power to make Statutes.

- (1) The power of the University to make statutes shall be exercised in accordance with the provisions of this section and not otherwise.
- (2) A proposed statute shall not become law unless it has been approved:
 - (a) at a meeting of the Senate, by the votes of not less than two thirds of the members present and voting; and
 - (b) at a meeting of the Council, by the votes of not less than two thirds of the members present and voting.
- (3) A proposed statute may originate either in the Senate or in the Council, and may be approved as required by subsection (2) of this section by either one of those bodies or the other.

- (4) A statute which:
- (a) makes provision for or alters the composition or constitution of the Council, the Senate or any other authority of the University; or
 - (b) provides for the establishment of a new campus or college or for the amendment or revocation of any statute.
- (5) For the purpose of section 2 (2) of the Interpretation Act, a statute 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 subsection (4) of this section, on the date on which it is approved by the President.
- (6) In the event of any doubt or dispute arising at any time:
- (a) as to the meaning of any provision of a statute; or
 - (b) as to whether any matter is for the purposes of this Bill an academic or non-academic matter as they relate to such doubt or dispute, the matter may be referred to the Visitor, who shall take such advice and make such decision thereon as he shall think fit.
- (7) The decision of the Visitor on any matter referred to him under sub-section (6) of this section shall be binding upon the authorities, staff and students of the University and where any question as to the meaning of any provision of a statute has been decided by the Visitor under that sub-section, no question as to the meaning of that provision shall be entertained by any court of law in Nigeria.
- (8) Nothing in sub-section (7) of this section shall affect any power of a court of competent jurisdiction to determine whether any provision of a statute is wholly or partly void as being ultra vires or as being inconsistent with the Constitution of the Federal Republic of Nigeria, 1999 (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 13: Proof of Statute.

A statute may be proved in any court by the production of a copy thereof bearing or having affixed to it a certificate purporting to be signed by the Vice-Chancellor or the Secretary to the Council to the effect that the copy is a true copy of a statute of the University (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

PART IV — SUPERVISION AND DISCIPLINE

Clause 14: The Visitor.

- (1) The President shall be the Visitor of the University.
- (2) The Visitor shall cause a visitation to the University when necessary, at least every five years, or direct that such a visitation be conducted by such person or persons as the Visitor may deem fit and in respect of any of the affairs of the University.

- (3) It shall be the duty of the bodies and persons comprising the University to make available to the Visitor and to any other person conducting a visitation in pursuance of this section, such facilities and assistance as he or they may reasonably require for the purposes of a visitation.
- (4) The Visitor shall make the report of such visitations and white paper thereon available to the Council which shall implement same (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 15: Removal of certain Members of Council.

- (1) If it appears to the Council that a member of the Council (other than the Pro-Chancellor or the Vice-Chancellor) should be removed from office on the ground of misconduct or inability to perform the functions of his office or employment, the Council shall make a recommendation to that effect through the Minister to the President, and the President, after making such enquiries (if any) as he may consider appropriate approves the recommendation, he may direct the removal of the person in question from office.
- (2) It shall be the duty of the Minister to use his best endeavours to cause a copy of the instrument embodying a direction under subsection (1) of this section to be served as soon as reasonably practicable on the person to whom it relates (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 16: Removal and Discipline of Academic, Administrative and Professional Staff.

- (1) If it appears to the Council that there are reasons for believing that any person employed as a member of the academic, administrative or professional staff of the University, other than the Vice-Chancellor, should be removed from his office or employment on the ground of misconduct or of professional inability to perform the functions of his office or employment, the Council shall:
 - (a) give notice of those reasons to the person in question;
 - (b) afford him an opportunity of making representations in person on the matter by the Council; and
 - (c) for the person in question to be afforded an opportunity of appearing before and being heard by the investigating committee with respect to the matter, and if the Council, after considering the report of the investigating committee, is satisfied that the person in question should be removed as aforesaid, the Council may so remove him by an instrument in writing signed on the directions of the Council.
- (2) The Vice-Chancellor may, in a case of misconduct by a member of the staff which in the opinion of the Vice-Chancellor is prejudicial to the interest of the University, suspend such member and any such suspension shall forthwith be reported to the Council.
- (3) For good cause, any member of the staff may be suspended from his duties or his appointment may be terminated by the Council; and for the purposes of this subsection "good cause" means:

- (a) conviction for any offence which the Council considers to be such as to render the person concerned unfit for the discharge of the functions of his office;
 - (b) any physical or mental incapacity which the Council, after obtaining medical advice, considers to be such as to render the person concerned unfit to continue to hold his office;
 - (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;
 - (d) conduct which the Council considers to be such as to constitute failure or inability of the person concerned to discharge the functions of his office or to comply with the terms and conditions of his service;
 - (e) conduct which the Council considers to be generally of such nature as to render the continued appointment or service of the person concerned prejudicial or detrimental to the interest of the University.
- (4) Any person suspended pursuant to subsection (2) or (3) of this section shall be on half pay and the Council shall before the expiration of a period of three months after the date of such suspension consider the case against that person and come to a decision as:
- (a) whether to continue such person's suspension and if 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 the person concerned, in which case such a person shall not be entitled to the proportion of his emoluments withheld during the period of suspension; or
 - (d) whether to take such lesser disciplinary action against such person (including the restoration of such proportion of his emoluments that might have been withheld) as the Council may determine.
- (5) In any case where the Council, pursuant to this section, decides to continue a person's suspension or decides to take further disciplinary action against a person, the Council shall before the expiration of a period of three months from such decision come to a final determination in respect of the case concerning any such person.
- (6) It shall be the duty of the person by whom an instrument of removal is signed in pursuance of subsection (1) of this section to use his best endeavours to cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it relates.
- (7) Nothing in the foregoing provisions of this section shall:
- (a) apply to any directive given by the Visitor in consequence of any visitation; or

- (b) prevent the Council from making regulations for the discipline of other categories of workers of the University as may be prescribed (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 17: Removal of Examiners.

- (1) If, on the recommendation of the Senate, it appears to the Vice-Chancellor that a person appointed as an examiner for any examination of the University ought to be removed from his office or appointment, then, except in such cases as may be prescribed by the Vice-Chancellor may, after affording the examiner an opportunity of making representations in person on the matter to the Vice-Chancellor, remove the examiner from the appointment by an instrument in writing signed by the Vice-Chancellor.
- (2) Subject to the provisions of regulations made in pursuance of section 7 (5) of 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 in pursuance of subsection (1) of this section.
- (3) It shall be the duty of the Vice-Chancellor on signing an instrument of removal pursuant to this section, to use his best endeavours to cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it is related (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 18: Participation and Discipline of Students.

- (1) The Students shall be:
- (a) represented in the University's Students Welfare Board and other committees that deal with the affairs of students;
- (b) participate in various aspects of curriculum development;
- (c) participate in the process of assessing academic staff in respect of teaching; and
- (d) be encouraged to be more self-assured as part of the national development process.
- (2) Subject to the provisions of this section, where after due it appears to the Vice-Chancellor that any student of the University has been guilty of misconduct, the Vice-Chancellor may, without prejudice to any other disciplinary powers conferred on him by statute or regulations, direct:
- (a) that the student shall not, during such period as may be specified in the directions, participate in such activities of the University, or make use of such facilities of the University, as may be so specified;
- (b) that the activities of the student shall, during such period as may be specified in the direction, be restricted in such manner as may be so specified;
- (c) that the student be rusticated for such period as may be specified in the direction; and

- (d) that the student be expelled from the University.
- (3) Where a direction is given under subsection (2) (a) to (d) of this section in respect of any student, that student may, within the prescribed period and in the prescribed manner, appeal to the Council; and where such an appeal is brought, the Council shall, after causing such inquiry to be made in the matter as the Council considers just either confirm or set aside the direction or modify it in such manner as the Council thinks fit.
- (4) The fact that an appeal from a direction is brought in pursuance to subsection (2) of this section shall not affect the operation of the direction while the appeal is pending:
- (a) the Vice-Chancellor may delegate his powers under this section to a disciplinary board consisting of such members of the University as he may nominate;
- (b) nothing in this section shall be construed as preventing the restriction or termination of students' activities at the University otherwise than on the ground of misconduct; and
- (c) a direction under subsection (2) (a) of this section may be combined with a direction under subsection (2) (b) of this section (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

PART V — MISCELLANEOUS AND GENERAL

Clause 19: Exclusion of Discrimination on Account of Race, Religion, Etc.

No person shall be required to satisfy requirements as to any of the following matters, that is to say, race (including ethnic grouping), sex, account of race, place of birth or of family origin, or religious or political persuasion, as a condition of becoming or continuing to be a student at the university, the holder of any degree of the University or of any appointment or employment at the University, or a member of anybody established by virtue of this Bill; and no person shall be subject to any disadvantage or accorded any advantage relation to the University, by reference to any of those matters (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 20: Restriction on Disposal of Land by University.

Without prejudice to the provisions of the Land Use Act, the University shall not dispose of or charge any land or an interest in any land (including any land transferred to the University by this Bill) except with the prior written consent, either general or special, of the Visitor:

Provided that such consent shall not be required in the case of any lease or tenancy at a rack-rent for a term not exceeding 21 years or any lease or tenancy to a member of the University for residential purpose (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 21: Quorum and Procedure of Bodies Established by this Bill.

Except as may be otherwise provided by statute or by regulations, the quorum and procedure of any body of persons established by this Bill shall be as determined by that body (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 22: Appointment of Committee, etc.

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

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

(b) to co-opt members, and

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

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

(4) Nothing in the provisions of subsection (1), (2) and (3) of this section shall be construed as:

(a) enabling the statutes to be made otherwise than in accordance with section 1 of this Bill; and

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

(5) The Pro-Chancellor and the Vice-Chancellor shall be members of every committee of which the members are wholly or partly appointed by the Council (other than a committee appointed to inquire into the conduct of the officer in question); and the Vice-Chancellor shall be a member of every committee of which the members are wholly or partly appointed by the Senate (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 23: Retiring age of Academic Staff.

(1) Notwithstanding anything to the contrary in the Pension Act, the compulsory retiring age of the following categories of staff shall be as follows:

(a) Academic staff of the University in the non-Professorial cadre shall be 65 years;

(b) Academic staff of the University in the Professorial Cadre shall be 70 years;

(c) Non-academic staff of the University shall be 65 years.

- (2) A law or rule requiring a person to retire from the public service after serving for 35 years shall not apply to an academic staff of the University (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 24: Special Provisions relating to Pension of Professors.

An academic staff of the University who retires as a Professor in the University shall be entitled to pension at a rate equivalent to his annual salary provided that the Professor has served continuously in the University up to the retirement age (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 25: Miscellaneous Administrative Provisions.

- (1) The seal of the University shall be such as may be determined by the Council and approved by the Chancellor, and the affixing of the seal shall be authenticated by any member of the Council and by the Vice-Chancellor, Secretary to the Council or any other person authorized by statute.
- (2) Any document purporting to be a document executed under the seal of the University shall be received in evidence and shall, unless the contrary is proved, be presumed to be so executed.
- (3) 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 person generally or specially authorized to do so by the Council.
- (4) The validity of any proceedings of anybody established in pursuance of this Bill shall not be affected by any vacancy in the membership of the body, or by any defect in the appointment of a member of the body or by reason that any person not entitled to do so took part in the preceding.
- (5) Any member of any such body who has a personal interest in any matter proposed to be considered by that body shall forthwith disclose his interest to the body and shall vote on any question relating to that matter.
- (6) Nothing in section 12 of the Interpretation Act (which provides for the application in relation to subordinate legislation of certain incidental provisions) shall apply to statutes or regulations made in pursuance to this Bill.
- (7) The power conferred by this Bill on anybody to make statutes or regulations shall include power to revoke or vary any statute (including the statute contained in the Third Schedule of this Bill) or any regulation by a subsequent statute or as the case may be, by a subsequent regulation and statutes and regulations may make different provisions in relation to different circumstances.
- (8) No stamp or other duty shall be payable in respect of any transfer of property to the University by virtue of section 8 or section 18 of this Bill or the Second Schedule to this Bill.
- (9) Any notice or other instrument authorized to be served by virtue of this Bill may, without prejudice to any other mode of service, be served by post (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 26: Restriction of Suits and Execution.

(1) Pre-Action Notice:

- (a) No legal proceeding shall be instituted and/or commenced against the University or any of its agents in the course of their official duties unless a 3 months' Pre-Action Notice of such intention is served on the University by an aggrieved party;
- (b) The Notice shall state the reason and the cause of action intended to be taken against the University, the particulars of the claim, the name and place of abode of the intending plaintiff and the relief which he claims.
- (c) For the avoidance of doubt, it is hereby declared that no suit shall be commenced against an officer or servant of the University, in any case where the University is vicariously liable for any alleged act, neglect or default of the officer or servant in the performance or intended performances of his duties, unless three months at least has elapsed after written notice of intention to commence the same shall have been served on the University by the intending plaintiff or his agent.
- (d) In any suit against this University, no execution or attachment or process in the nature thereof shall be issued against the University, but any sums of money which may be judgment of the court be awarded against the University shall, subject to any direction given by the court where notice of appeal has been given by the University in respect of the said judgment, be paid by the University from its general fund.

(2) Service of Notices:

Service upon the University of any notice, order or other document may be effected by delivering the same or by sending it by registered post addressed to the Registrar and Secretary of the Council (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 27: Savings and Transitional Provisions.

Repeal of the Provisions of FCE Act, 1986 Section 1(1) Schedule 1 (o), Laws of Federation of Nigeria, 1986:

- (1) The coming into effect of this Bill Repeals the Provisions of the College of Education Act, 1986 Laws of the Federation of Nigeria.
- (2) Anything done or purported to have been done under The FCE Act, 1986, Section 1 (1) Schedule 1 (o), Laws of Federation of Nigeria, 1986 remains valid, except otherwise provided under this Bill.
- (3) Subsidiary legislation made or deemed to have been made under the repealed of FCE Act, 1986 Section 1 (1) Schedule 1 (o), Laws of Federation of Nigeria, 1986 as if it was in force immediately before the commencement of this Bill, shall continue in force with necessary modification and may be amended or revoked as if it had been made under this Bill.

- (4) The rights, Assets, obligations and liabilities of the of FCE Act, 1986 Section 1 (1) Schedule 1 (o), Laws of Federation of Nigeria, 1986 shall, at the commencement of this Bill, rest in and devolve on the Alvan Ikoku Federal University of Education, Owerri (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 28: Interpretation.

- (1) In this Bill, unless the context otherwise requires:

"Campus" means any campus which may be established by the University (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

"College" means the College established pursuant to section 2 (1) (b) of this Bill for the University (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

"Council" means the Governing Council of the University established by section 5 of this Bill (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

"Functions" includes powers and duties (*Hon. Ahmed Idris — Wase Federal Constituency*).

Question that the meaning of the word "Functions" 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 and any other person as may be designated as a graduate by the Council, acting in accordance with the recommendation of the Senate (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

"Minister" means the Hon. Minister of Education (*Hon. Ahmed Idris — Wase 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. Ahmed Idris — Wase 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. Ahmed Idris — Wase Federal Constituency*).

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

"Prescribed" means prescribed by statute or regulations (*Hon. Ahmed Idris — Wase 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. Ahmed Idris — Wase Federal Constituency*).

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

"Property" includes rights, liabilities and obligations (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

"Provisional Council" means the provisional council appointed for the University (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

"Regulations" means regulations made by the Senate or the Council (*Hon. Ahmed Idris — Wase 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 section 2 (1) (e) of this Bill (*Hon. Ahmed Idris — Wase 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. Ahmed Idris — Wase Federal Constituency*).

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

"Statute" means a statute made by each University under section 10 of this Bill and in accordance with the provisions of section 11 of this Bill, and (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

"the statutes" means all such statutes as are in force from time to time (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

"Teacher" means a person holding a full-time appointment as a member of the teaching or research staff of the University (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

"Undergraduate" means a person registered as a student undergoing a course of study for a first degree of the University or such other course in the University as may be approved by the Senate as qualifying a student undergoing it for the status of an undergraduate (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

"University" means Alvan Ikoku Federal University of Education, Owerri established and incorporated by section 1 of this Bill (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

- (2) It is hereby declared that where in any provision of this Bill it is laid down that the proposals are to be submitted or a recommendation is to be made by one authority or another through one or more intermediate authorities, it shall be the duty of every such intermediate authority to forward any proposals of that or recommendations received by it in pursuance of that provision to the appropriate authority; but any such intermediate authority may, if it thinks fit, forward therewith its own comments thereon (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Clause 29: Short Title.

This Bill may be cited as the Alvan Ikoku Federal University of Education, Owerri (Establishment, etc.) Bill, 2018 (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

SCHEDULES

FIRST SCHEDULE

[Section 2 (2)]

PRINCIPAL OFFICERS OF THE UNIVERSITY

The Chancellor.

1. The Chancellor shall be appointed by and hold office at the pleasure of the President.

The Pro-Chancellor.

2. (1) The Pro-Chancellor who shall be the Chairman of Council shall be appointed or removed from office by Mr President upon recommendation by the Minister of Education.

(2) Subject to the provisions of this Bill, the Pro-Chancellor shall hold office for a period of four years beginning with the date of his appointment.

The Vice-Chancellor.

3. (1) There shall be a Vice-Chancellor of the University who shall be appointed by the Council in accordance with the provisions of this paragraph.

(2) 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 of the persons who may apply for the post; and

(ii) the terms of 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 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 because they felt that it is not proper to do so.

(3) A Joint Council and Senate Selection Board consisting of:

(a) the Pro-Chancellor, as chairman;

(b) two members of the Council, not being members of the Senate;

(c) two members of the Senate who are Professors, but who were not members of the Search Team, shall consider the candidates and persons in the shortlist drawn up under subsection (2) of this paragraph through an examination of their curriculum vitae and interaction with them, and recommend to the Council three candidates for further consideration.

(4) The Council shall select and appoint as the Vice-Chancellor one candidate from among the three candidates recommended to it under subsection (3) of this section and thereafter inform the Visitor.

(5) 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.

(6) The Vice Chancellor may be removed from office by the Council on grounds of gross misconduct or inability to discharge the functions of his office as a result of infirmity of the body or mind, at the initiative of the Council, Senate or the Congregation after due process.

(7) When the proposal for the removal of the Vice-Chancellor is made, the Council shall constitute a Joint Committee of Council and Senate consisting of:

(i) three members of the Council, one of whom shall be the Chairman of the committee; and

(ii) two members of the Senate:

Provided that where the ground for removal is infirmity of the body or mind, the Council shall seek appropriate medical opinion.

(8) The committee shall conduct investigation into the allegations made against the Vice-Chancellor and shall report its findings to the Council.

(9) The Council may where the allegations are proved remove the Vice-Chancellor or apply any other disciplinary action it may deem fit and notify the Visitor accordingly provided that a Vice-Chancellor who is removed shall have right of appeal to the Visitor.

(10) There shall be no sole administrator in the University.

(11) In any case of a vacancy in the office of the Vice-Chancellor, the Council shall appoint an acting Vice-Chancellor on recommendation of the Senate.

(12) An acting Vice Chancellor in all circumstances shall not be in office for more than 6 months.

Deputy Vice-Chancellor.

4. (1) There shall be for the University such number of Deputy Vice-Chancellors as Council may from time to time deem necessary for the proper administration of the 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 each post of Deputy Vice-Chancellor that is vacant.

(3) The Senate shall select for each vacant post one candidate from each list forwarded to it under subsection (2) of this paragraph 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; and

(c) perform such other functions as the Vice-Chancellor or the Council may, from time to time, assign to him.

- (5) (a) A Deputy Vice-Chancellor:
- (i) shall hold office for a period of two years beginning from the effective date of his appointment and on such terms and conditions as may be specified in his letter of appointment;
 - (ii) may be reappointed for one further period of two years and no more.
 - (iii) may be removed from office for good cause by the Council acting on the recommendations of the Vice-Chancellor and Senate; and
- (b) "Good cause" for the purpose of this section means gross misconduct or inability to discharge the functions of his office arising from infirmity of the body or mind.

Deputy Vice-Chancellor.

4. (1) There shall be for the University such number of Deputy Vice-Chancellors as Council may from time to time deem necessary for the proper administration of the 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 each post of Deputy Vice-Chancellor that is vacant.
- (3) The Senate shall select for each vacant post one candidate from each list forwarded to it under subsection (2) of this paragraph 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; and
 - (c) perform such other functions as the Vice-Chancellor or the Council may, from time to time, assign to him.
- (5) (a) A Deputy Vice-Chancellor:
- (i) shall hold office for a period of two years beginning from the effective date of his appointment and on such terms and conditions as may be specified in his letter of appointment;
 - (ii) may be reappointed for one further period of two years and no more; and
 - (iii) may be removed from office for good cause by the Council acting on the recommendations of the Vice-Chancellor and Senate.
- (b) "Good cause" for the purpose of this section means gross misconduct or inability to discharge the functions of his office arising from infirmity of the body or mind.

Office of the Registrar.

5. (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 paragraph 6 (2) of this Schedule.
- (2) The person holding the office of the Registrar shall by virtue of that office be Secretary to the Council, the Senate, Congregation and Convocation.

Other Principal Officers of the University.

6. (1) There shall be for the University the following principal officers, in addition to the Registrar, that is:
- (a) the Bursar; and
 - (b) the University Librarian:
- who shall be appointed by the Council on the recommendation of the Selection Board constituted under paragraph 7 of this Schedule.
- (2) 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.
- (3) 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 its campuses, colleges, schools, departments, institutes and other teaching or research units.
- (4) Any question as to the scope of the responsibilities of the aforesaid officers shall be determined by the Vice-Chancellor.

Selection Board for other Principal Officers.

7. (1) There shall be, for the University, a Selection Board for the appointment of 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) The functions, procedure and other matters relating to the Selection Board constituted under subsection (1) of this paragraph shall be as the Council may, from time to time, determine.
- (3) The Registrar, Bursar and Librarian shall hold office for a single term of five years only beginning from the effective date of their appointments and on such terms and conditions as may be specified in their letters of appointment.
- (4) Notwithstanding subsection (3) of this section, the Council may, upon satisfactory performance, extend the tenure of the Registrar, Bursar or Librarian for a further period of one year only and thereafter such principal officer shall relinquish his post and be assigned to other duties in the University.

Resignation and Re-appointment.

8. (1) Any officer mentioned in the foregoing provisions of this Schedule may resign his office:
- (a) in the case of the Chancellor or Pro-Chancellor, by notice to the Visitor;
 - (b) in any other case, by notice to the Council and the Council shall, in the case of the Vice-Chancellor, immediately notify the Visitor.
- (2) Without prejudice to paragraph 4 of this Schedule, a person who has ceased to hold an office so mentioned otherwise than by removal for misconduct shall be eligible for re-appointment to that office (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

SECOND SCHEDULE**TRANSITIONAL PROVISIONS AS TO PROPERTY, FUNCTIONS, ETC.***Transfer of Property to University*

1. Without prejudice to the generality of section 9 (1) of this Bill:
 - (a) the reference in that subsection to property held by the Provisional Council shall include a reference to the right to receive and give a good discharge for any grants or contributions which may have been voted or promised to the Provisional Council;
 - (b) all debts and liabilities of the Provisional Council outstanding shall become debts or liabilities of the University.
2. (1) All agreements, contracts, deeds and other instruments to which the Provisional Council was a party shall, so far as possible and subject to any necessary modifications, have effect as if the University had been a party thereto in place of the Provisional Council.
- (2) Documents not falling within subsection (1) of this paragraph, including enactment which refer, whether specially or generally, to the Provisional Council, shall be construed in accordance with that sub-section so far as applicable.
- (3) Any legal proceedings or application to any authority pending by or against the Provisional Council may be continued by or against the University.

Registration of transfers

3. (1) If the law in force at the place where any property transferred by this Bill is situate 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 or any other matter) apply, with necessary modifications, to the property aforesaid.
- (2) It shall be the duty of the body to which any property is transferred by this Bill to furnish the necessary particulars of the transfer to the proper officer of the registration authority, and of that officer to register the transfer accordingly.

Transfer of Functions, etc.

4. (1) The first meeting of the Council shall be convened by the Pro-Chancellor on such date and in such manner as he may determine.
- (2) The persons who were members of the Provisional Council shall be deemed to constitute the Council until the date when the Council as set up under the Third Schedule to this Bill shall have been duly constituted.
- (3) 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.
- (4) The persons who were members of the Academic Board immediately 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 set up under the Third Schedule to this Bill shall have been duly constituted.
- (5) Subject to any regulations which may be made by the Senate after the date on which this Bill is made, the schools, school boards and students of the University immediately before the coming into force of this Bill shall on that day become schools, school boards and students of the University as constituted by this Bill.
- (6) Persons who were Deans of schools and Heads of Academic Departments shall continue to be Deans or HODs of the corresponding School/Department, until new appointments are made in pursuance of the statutes.
- (7) Any person who was a member of the staff of the University as established or was otherwise employed by the Provisional Council shall become the holder of an appointment at the University with the status, designation and functions which correspond as nearly as may be to those which appertained to him as member of that staff or as such an employee (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

THIRD SCHEDULE

[Section 9 (3)]

ALVAN IKOKU FEDERAL UNIVERSITY OF EDUCATION, OWERRI, STATUTE NO. 1

ARRANGEMENT OF ARTICLES

Articles:

1. The Council.
2. The Finance and General Purposes Committee
3. The Senate
4. The Congregation
5. Convocation
6. Division of Colleges
7. College/School Boards
8. Dean of the College
9. Selection of certain Principal Officers
10. Creation of academic posts
11. Appointment of academic staff
12. Appointment of administrative and professional staff
13. Interpretation.
14. Short Title

The Council.

1. (1) The composition of the Council shall be as provided in section 5 of this Bill.
- (2) Any member of the Council holding office otherwise than in pursuance of section 5 (a), (b), (c), or (d) of this Bill may, by notice to the Council, resign his office.
- (3) A member of the Council holding office otherwise than in pursuance of section 5 (a), (b), (c), or (d) of this Bill shall, unless he previously vacates it, vacate that office on the expiration of the period of four years beginning with effect from 1 August in the year which he was appointed.
- (4) Where a member of the Council holding office otherwise than in pursuance of section 5 (a), (b), (g), or (h) of this Bill vacates office before the expiration of the period aforesaid, the body or person by whom he was appointed may appoint a successor to hold office for the residue of the term of his predecessor.
- (5) A person ceasing to hold office as a member of the Council otherwise than by removal for misconduct shall be eligible for re-appointment for only one further period of four years.
- (6) The quorum of the Council shall be five, at least one of whom shall be a member appointed pursuant to section 5 (d) or (e) of this Bill.
- (7) If the Pro-Chancellor is not present at a meeting of the Council, such other member of the Council present at the meeting as the Council may appoint as respects that meeting shall be the chairman at that meeting, and subject to section 4 of this Bill and the foregoing provisions of this paragraph, the Council may regulate its own procedure.
- (8) Where the Council desires to obtain advice with respect to any particular matter may co-opt not more than two persons for that purpose, and the persons co-opted may take part in the deliberations of the Council at any meeting but shall not be entitled to vote.

The Finance and General Purposes Committee.

2. (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-Chancellors;
 - (c) six other members of the Council appointed by the Council, two of whom shall be selected from among the four members of the Council appointed by the Senate and one member appointed to the Council by Congregation;
 - (d) the Permanent Secretary of the Federal Ministry of Education, or in his absence, such member of his Ministry as he may designate to represent him.
- (2) The quorum of the Committee shall be five.
- (3) Subject to any directions given by the Council, the Committee may regulate its own procedure.

Annual budget and estimates, etc.

- (4) (i) The estimates of income and expenditure for a financial year shall be presented by the Vice-Chancellor to the Council and may be approved by the Council before the beginning of that financial year:

Provided that the Vice-Chancellor may during any financial year present and the Council may approve supplementary estimates of income or expenditure.

- (ii) The annual and supplementary estimates shall be prepared in such form and shall contain such information as the Council may direct.

Gifts, donations, etc.

- (5) (i) The Council may on behalf of the University accept by way of grants, gift, testamentary disposition or otherwise, property and money in aid of the finances of the University on such conditions as it may approve.

- (ii) Registers shall be kept of all donations to the University including the names of donors and any special conditions under which any donation may have been given.

Provided that the University shall not be obliged to accept a donation for a particular purpose unless it approves of the terms and conditions attaching to such donation.

- (iii) All property, money or funds donated for any specific purposes shall be applied and administered in accordance with the purposes for which they are donated and shall be accounted for separately.

Payment into bank.

- (6) All sums of money received on account of the University shall be paid into such bank as may be approved by the Council for the credit of the University's general, current or deposit account:

Provided that the Council may invest, as it deems fit, any money not required for immediate use other than donations of money referred to in subsection (1) of this section.

Audit.

3. (1) The Council shall cause the accounts of the University to be audited by auditors appointed by the Council as soon as may be after the end of each financial year or for any such other period as the Council may require.
- (2) The appointment and other matters relative to the auditors, their continuance in office and their functions, as the case may be, shall, subject to the provisions of this section, be prescribed by statute.

The Senate.

4. (1) The Senate shall consist of:
- (i) the Vice-Chancellor;
 - (ii) Deputy Vice-Chancellors;
 - (iii) the Deans of respective Colleges;
 - (iv) the Professors in the University;
 - (v) Heads of Academic Departments and Units;
 - (vi) the University Librarian;

- (vii) one elected representative of each College;
 - (viii) two members of Academic Staff elected by the Congregation;
 - (ix) one elected representative of each department;
 - (x) two members representing a variety of interests of the professional bodies outside the University appointed by the Senate on the recommendation of the Vice-Chancellor; and
 - (xi) Registrar — Secretary.
- (2) The procedure for election of members of Senate to the Council shall be prescribed by Regulations.
- (3) The Vice-Chancellor shall be the chairman at all meetings of the Senate when he is present, and in his absence any of the Deputy Vice-Chancellors present at the meeting as the Senate may appoint for that meeting shall be the chairman at the meeting.
- (4) The quorum of the Senate shall be one quarter or the nearest whole number less than one quarter; and subject to paragraph (3) of this Article, the Senate may regulate its own procedure.
- (5) An elected member may, by notice to the Senate, resign his office.
- (6) Subject to paragraph (8) of this article, there shall be elections for the selection of elected members which shall be held in the prescribed manner on such day in the month of May or June in each year as the Vice-Chancellor may from time to time determine.
- (7) An elected member shall hold office for the period of two years beginning with 1 August in the year of his election, and may be a candidate at any election held in pursuance to paragraph (6) of this article in the year in which his period of office expires, so however that no person shall be such a candidate if at the end of his current period of office he will have held office as an elected member for a continuous period of six years or would have so held office if he had not resigned it.
- (8) No election shall be held in pursuance of this article in any year if the number specified in the certificate given in pursuance to paragraph (11) of this article does not exceed by more than one the figure which is thrice the number of those elected members holding office on the date of the certificate who do not vacate office during that year in pursuance of paragraph (7) of this article.
- (9) For the avoidance of doubt it is hereby declared that no person shall be precluded from continuing in or taking office as an elected member by reason only of reduction in the after 30 April in any year in which he is to continue in or take office as all elected member.
- (10) If so requested in writing by any fifteen members of the Senate, the Vice-Chancellor or in his absence any of the Deputy Vice-Chancellor duly appointed by him, shall convene a meeting of the Senate to be held not later than the tenth day following that on which the request was received.

- (11) In this article "total of non-elected members" means as respect any year, such number as may be certified by the Vice-chancellor on 30 April of that year to be the number of persons holding office as members of the Senate on that day otherwise than as elected members.

Congregation.

5. (1) Congregation shall consist of:

- (i) Vice-Chancellor;
- (ii) the Deputy Vice-Chancellors;
- (iii) the full-time members of the academic staff;
- (iv) the Registrar;
- (v) the Librarian;
- (vi) Every member of the administrative staff who holds a degree, other than honorary degree, of any University recognized for the purposes of this statute by the Vice-Chancellor.

(2) Subject to section 4 of this Bill, 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 as Congregation may appoint for that meeting, shall be the chairman at the meeting.

(3) The quorum of Congregation shall be one third or the whole number nearest to one third of the total number of members of Congregation of fifty, whichever is less.

(4) A certificate signed by the Vice-Chancellor specifying:

- (a) the total number of members of Congregation for the purpose of any particular meeting or meetings of Congregation; or
- (b) the names of the persons who are members of Congregation during a particular period, shall be conclusive evidence of that number or, as the case may be, of the names of those persons.

(5) The procedure for election of members of Congregation to the Council and the Senate shall be prescribed by Regulations.

(6) Subject to the foregoing provisions of this article, Congregation may regulate its own procedure.

(7) Congregation shall be entitled to express by resolutions or otherwise its opinion on all matters affecting the interest and welfare of the University and shall have such other functions, in addition to the function of electing a member of the Council, as may be provided by statute or regulations.

Convocation.

6. (1) Convocation shall consist of:

- (i) the officers of the University mentioned in the First Schedule to this Bill;
- (ii) all teachers within the meaning of this Bill;

- (iii) all other persons whose names are registered in accordance with paragraph (2) of this article.
- (2) A person shall be entitled to have his name registered as a member of convocation if:
 - (a) he is either a graduate of a 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 pay the prescribed fees.
- (3) Regulations shall provide for the establishment and maintenance of a register for the purpose of this paragraph and subject to paragraph (4) of this article may provide for the payment, from time to time, of further 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.
- (4) 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 paragraph (1) (a) or (b) of this article are entered and retained on the register.
- (5) 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 times of the University at all reasonable times.
- (6) The register shall, unless the contrary is proved, be sufficient evidence that any person 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.
- (7) 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.
- (8) 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.
- (9) Convocation shall have such functions, in addition to the function of appointing a member of the Council, as may be provided by statute or regulations.

Division of Colleges.

7. Each College shall be divided into such number of branches as may be prescribed.

College Boards.

8. (1) There shall be established in respect of each College, 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 college;
 - (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 College 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) the College Examination Officer;
 - (e) such of the teachers assigned to the college and having the prescribed qualifications as the Board may determine; and
 - (f) such persons, whether or not members of the University, as the Board may determine with the general or special approval of the Senate.
- (3) The quorum of the Board 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.

Deans of the Colleges.

- 9. (1) The Board of each College shall, at a meeting in the last term of any academic year 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 College
- (2) The person appointed under paragraph 1 of this Article shall act as Dean of the College and chairman of all meetings of the College Board when he is present and shall be a member of all committees and other boards appointed by the College.
- (3) The Dean shall hold office for two years and shall be eligible for re-appointment 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 College shall exercise general superintendence over the academic and administrative affairs of the College.
- (5) It shall be the function of the Dean to present to Convocation for the conferment of degrees to persons who have qualified for the degrees of the University at examination held in the branches of learning for which responsibility is allocated to that College.
- (6) There shall be a committee to be known as the Committee of Deans consisting of all the Deans of the several Colleges and that Committee shall advise the Vice-Chancellor on all academic matters and on particular matters referred to the University by the Senate.
- (7) The Dean of a College may be removed from office for good cause by the College 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 College Board meeting an election shall be held for a new Dean.

- (8) In this article "good cause" has the same meaning as in section 15 (3) of the Act.

Departmental Board of Studies.

10. (1) There shall be a Departmental Board of Studies whose membership shall be made of all academic staff of the Department;
- (2) It shall be headed by a Professor who shall be appointed by the Vice Chancellor and in the absence of a Professor, a senior academic staff shall be appointed in acting capacity;
- (3) For a Professor the term is for 3 years while 1 year is for acting capacity.
- (4) The Board shall superintend over all teachings and examinations in the Department.
- (5) The Board shall handle all disciplinary matters in the Department and make recommendations to the College where necessary.
- (6) Allocation of courses in the department shall be done by the Departmental Board on recommendation of the Head of Department.

Selection of Directors of Physical Planning and Development, Works and Services and Health.

11. (1) When a vacancy occurs in the office of the Directors of Physical Planning and Development, Works and Services and Health, 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 of the Senate;
- (d) two members appointed by the Senate.
- (2) 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.

Tenure of Directors.

12. A Director shall hold office on such terms and conditions as may be specified in his letter of appointment subject to the extant Regulations.

Creation of Academic Posts.

13. 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.

Appointment of Academic Staff.

14. (1) Subject to the Act and statutes, the filling of vacancies in academic posts (including newly created ones) shall be the responsibility of the Council through the Departments and Colleges.
- (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 appointment to Professorships, Associate Professorship or Readerships or equivalent posts, a Board of Selection, with power to appoint, shall consist of:
- (a) the Vice-Chancellor — Chairman;
 - (b) Deputy Vice-Chancellor — Member;
 - (c) the Dean of the College — Member;
 - (d) Head of Department — Member;
 - (e) Registrar — Secretary.
 - (f) such other person(s), 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 or his representative — Chairman;
 - (b) the Dean of the College — Member;
 - (c) head of the Department concerned — Member;
 - (d) an internal Member of Council (not below the Rank of Senior Lecturer from the sister college in the Candidate's subject-area) — Member;
 - (e) Registrar or his representative — Secretary.
- (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 specialist interviewing panels and shall in addition, in the case of Professorships, Associate Professorship, Readerships or equivalent Posts, consider the reports of External Assessors relevant to the area in which the appointment is being considered. Quorum shall be three (3) including the Chairman.

Appointment of Administrative and Professional Staff.

15. (1) The administrative and professional staff of the University other than principal officers shall be appointed by the Council or on its behalf by the Vice-Chancellor in accordance with delegation of powers made by the Council on its behalf.
- (2) A Selection Board, with power to appoint, shall consist of:
- (i) Vice Chancellor;
 - (ii) Deputy Vice Chancellor;
 - (iii) Registrar;
 - (iv) Bursar;
 - (v) University Librarian;

- (vi) the Head of Department concerned;
- (vii) establishment and Human Resources Officer who shall serve as Secretary Quorum shall be three (3) including the Chairman.

Interpretation.

16. In this Statute, the expression "the Act" means the Alvan Ikoku Federal University of Education, Owerri Act and any word or expression defined in the Act has the same meaning in this Statute.

Short Title.

17. This Statute may be cited as the Alvan Ikoku Federal University of Education, Owerri Statute No.1 (*Hon. Ahmed Idris — Wase Federal Constituency*).

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

Explanatory Memorandum:

This Bill seeks to upgrade the Alvan Ikoku Federal College of Education, Owerri to Alvan Ikoku Federal University of Education, Owerri (*Hon. Ahmed Idris — Wase Federal Constituency*).

Agreed to.

Long Title:

A Bill for an Act to Provide for the Establishment of the Alvan Ikoku Federal University of Education, Owerri and for Other Matters Connected Therewith (HB. 1537) (*Hon. Ahmed Idris — Wase Federal Constituency*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Provide for Establishment of Alvan Ikoku Federal University of Education, Owerri; and for Related Matters (HB. 1537) and approved Clauses 1 - 29, 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.

- (vi) *A Bill for an Act to Amend the Public Holidays Act, Cap. P40, Laws of the Federation of Nigeria, 2004 to bring the Act in tandem with the current realities and exigencies of the modern times and to declare June, 12 as Democracy Day in Nigeria and for Related Matters (HB. 918 and HB. 1529) (Committee of the Whole):*

Motion made and Question proposed, "That the House do consider the Report on a Bill for an Act to Amend the Public Holidays Act, Cap. P40, Laws of the Federation of Nigeria, 2004 to bring the Act in tandem with the current realities and exigencies of the modern times and to declare June, 12 as Democracy Day in Nigeria and for Related Matters (HB. 918 and HB. 1529) and approve the recommendations therein" (Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency and 1 other).

Agreed to.

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

(HOUSE IN COMMITTEE)*(Mr Deputy Speaker in the Chair)*

A BILL FOR AN ACT TO AMEND THE PUBLIC HOLIDAYS ACT, CAP. P40, LAWS OF THE FEDERATION OF NIGERIA, 2004, TO BRING THE ACT IN TANDEM WITH THE CURRENT REALITIES AND EXIGENCIES OF THE MODERN TIMES AND TO DECLARE JUNE 12 AS DEMOCRACY DAY IN NIGERIA AND FOR RELATED MATTERS (HB. 918 AND HB. 1529)

Clause 1: Amendment of Cap. P40, LFN, 2004.

The Public Holiday Act, Cap. P40, Laws of the Federation of Nigeria, 2004 (in this Bill referred to as "the Principal Act") is amended as set out in this Bill (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 2: Amendment of item 5 to the Schedule.

Item 5 to the Schedule is amended by substituting ("29th May") with ("12th June") immediately after the words Democracy Day (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 3: Citation.

This Bill may be cited as the Public Holiday Act (Amendment) Bill, 2018 (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Explanatory Memorandum:

This Bill seeks to amend the Public Holiday Act Cap. P40, Laws of the Federation of Nigeria, 2004 to provide for the substitution of item 5 to the schedule with Democracy Day (12th June) (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Agreed to.

Long Title:

A Bill for an Act to Amend the Public Holidays Act, Cap. P40, Laws of the Federation of Nigeria, 2004, to Bring the Act in Tandem with the Current Realities and Exigencies of the Modern Times and to Declare June 12 as Democracy Day in Nigeria and for Related Matters (HB. 918 and HB. 1529) (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Amend the Public Holidays Act, Cap. P40, Laws of the Federation of Nigeria, 2004 to bring the Act in tandem with the current realities and exigencies of the modern times and to declare June, 12 as Democracy Day in Nigeria and for Related Matters (HB. 918 and HB. 1529) and approved Clauses 1 - 3, 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.

- (vii) **A Bill for an Act to Amend the Casino Taxation Act, Cap. C3, Laws of the Federation of Nigeria, 2004 by Extending the Operation of the Act beyond Lagos and for Related Matters (HB. 365) (Committee of the Whole):**

Motion made and Question proposed, "That the House do consider the Report on a Bill for an Act to Amend the Casino Taxation Act, Cap. C3, Laws of the Federation of Nigeria, 2004 by Extending the Operation of the Act beyond Lagos and for Related Matters (HB. 365) and approve the recommendations therein" (*Hon. Edward Pwajok Gyang — Jos South/Jos East 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 Deputy Speaker in the Chair)

A BILL FOR AN ACT TO AMEND THE CASINO TAXATION ACT, CAP. C3,
LAWS OF THE FEDERATION OF NIGERIA, 2004 BY EXTENDING THE OPERATION
OF THE ACT BEYOND LAGOS; AND FOR RELATED MATTERS (HB 365)

Clause 1: Amendment of Cap. C3, LFN, 2004.

The Casino Taxation Act Cap. C3 Laws of the Federation of Nigeria, 2004 (in this Bill referred to as the "Principal Act") is amended as set out in the Bill (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 2: Amendment of Long Title.

The Principal Act is hereby amended by —

deleting the words "in the Lagos territory" after the word, "casino" in line 1 (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 3: Amendment of Section 17.

The Principal Act is amended by deleting the word "or in Lagos" after the words, "committed" in line 2 (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 4: Amendment of Section 24.

(a) The Principal Act is amended in paragraph (a):

(i) lines 3 and 4, by inserting after the word "one" the word, "hundred"

(ii) in line 6, by inserting after the word, "two" the word, "hundred".

(b) In paragraph (b) line 3, by inserting after the word, "hundred" the word, "thousand".

(c) in paragraph (c):

- (i) in line 2, by substituting for the words, "four hundred", the word "twenty thousand" and
- (ii) in line 4, by inserting after for the word, "hundred", the word "thousand" (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 5: Amendment of Section 26.

Section 26 (1) of the Principal Act is amended in lines 1 and 2, by deleting the word "to the Lagos territory" (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 6: Citation.

This Bill may be cited as the Casino Taxation (Amendment) Bill, 2018 (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Explanatory Memorandum:

This Bill seeks to amend the Casino Taxation Act Cap. C3 Laws of the Federation of Nigeria, 2004 by extending the operation of the Act beyond Lagos (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Agreed to.

Long Title:

A Bill for an Act to Amend the Casino Taxation Act, Cap. C3, Laws of the Federation of Nigeria, 2004 by Extending the Operation of the Act Beyond Lagos; and for Related Matters (HB 365) (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Amend the Casino Taxation Act, Cap. C3, Laws of the Federation of Nigeria, 2004 by Extending the Operation of the Act beyond Lagos and for Related Matters (HB. 365) and approved Clauses 1 - 6, 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.

- (viii) **A Bill for an Act to Repeal the National Agricultural Seeds Act, Cap. N5, LFN, 2004 and Re-enact the National Agricultural Seeds Council Bill and for Related Matters (HB. 472) (Committee of the Whole):**

Motion made and Question proposed, "That the House do consider the Report on a Bill for an Act to Repeal the National Agricultural Seeds Act, Cap. N5, LFN, 2004 and Enact the National Agricultural Seeds Council Bill and for Related Matters (HB. 472) and approve the recommendations therein" (*Hon. Edward Pwajok Gyang — Jos South/Jos East 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 Deputy Speaker in the Chair)

A BILL FOR AN ACT TO REPEAL THE NATIONAL AGRICULTURAL SEEDS ACT, CAP. N5, LFN, 2004 AND RE-ENACT THE NATIONAL AGRICULTURAL SEEDS COUNCIL; AND FOR RELATED MATTERS (HB. 472)

Clause 4: Functions of the Council.

(1) The Council shall —

- (a) analyse and formulate programmes, policies and actions regarding seed development and the seed industry in general, including research on issues relating to seed testing, registration, release, production, marketing, distribution, certification, quality control, supply and use of seeds in Nigeria, importation and exportation of seeds;
- (b) design improved management system and procedure relating to the administration of seed activity;
- (c) implement official quality control and certification of seeds, and facilitate enrolment of any approved private body in seed certification programmes;
- (d) advise the Federal Government on the organization, management and financing of seed programs;
- (e) approve seed standards;
- (f) advise the national research system on the changing pattern of seed demand and farmers' needs;
- (g) plan, monitor and evaluate the achievements of the national seed system and recommend improvement thereto;
- (h) encourage the establishment in Nigeria of seed companies for the purpose of carrying out research, production, processing and marketing of seed;
- (i) issue licenses and permits under this Bill;
- (j) approve policies and strategies to protect small seed producers, local varieties and to promote quality seed production;
- (k) regulate the Seed Industry in Nigeria;
- (l) represent Nigeria and work closely with the West African Committee on Seeds for the development of the seed sector;
- (m) establish and manage a seed sector support fund; and

- (n) perform other related functions as may be required of the Council subject to the approval of the Board.
- (2) From the commencement of this Bill, every company incorporated in Nigeria for the purposes specified in subsection (1) (g), shall enjoy such incentives as are granted by the Federal Government to an agricultural and seed enterprise.
- (3) The Crop Variety Registration and Release Committee is responsible for making recommendations to the Council on matters relating to -
 - (a) the registration and release of any given crop variety;
 - (b) the declaration of a crop variety as notified kind for the purposes of this Bill, different kinds or varieties of seed may be notified for different areas; and
 - (c) a crop kind variety intended to be registered under this section may be required to undergo a minimum of two years of test to determine its adaptability to a particular geopolitical area (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Amendment Proposed:

Leave out the provisions of Subclause (3) (Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency).

Agreed to.

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

Long Title:

A Bill for an Act to Repeal the National Agricultural Seeds Act, Cap. N5, LFN, 2004 and Re-enact the National Agricultural Seeds Council; and for Related Matters (HB. 472) (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Repeal the National Agricultural Seeds Act, Cap. N5, LFN, 2004 and Enact the National Agricultural Seeds Council Bill and for Related Matters (HB. 472) and approved the only Clause, and the Long Title of the Bill.

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

18. Adjournment

That the House do adjourn till Tuesday, 11 December, 2018 at 11.00 a.m. (Hon. Femi Gbajabiamila — House Leader).

The House adjourned accordingly at 2.11 p.m.

Yakubu Dogara
Speaker

