



THE SENATE

FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Thursday, 18th October, 2018

1. The Senate met at 11:41 a.m. The Senate President read Prayers.

2. **Closed Session:**

Closed Session — 11:42 a.m.

Open Session — 11:57 a.m.

The Senate President reported that the Senate in a Closed Session deliberated on issues bordering on the workings of the Senate in particular and the National Assembly in general.

3. **Votes and Proceedings:**

The Senate examined the Votes and Proceedings of Wednesday, 17th October, 2018.

Question was put and the Votes and Proceedings were approved.

4. **Announcement:**

Convocation Ceremony:

The Senate President read a letter from Abubakar Olubukola Saraki (*Kwara Central*) as follows:



ANNOUNCEMENT

NATIONAL INSTITUTE FOR LEGISLATIVE AND DEMOCRATIC STUDIES - UNIVERSITY OF BENIN (NILDS-UNIBEN) POSTGRADUATE PROGRAMMES CONVOCATION CEREMONY FOR 2015/2016 AND 2016/2017 ACADEMIC SESSIONS.

1. *Distinguished Senators are invited to the NILDS - UNIBEN Postgraduate Programmes Convocation ceremony for 2015/2016 and 2016/2017 Academic Sessions, scheduled to hold as follows:*

Date: Monday, 22nd October, 2018

Time: 10.00am

Venue: National Assembly Arcade.

2. *The activities slated for the convocation ceremony include:*
 - (i) *Convocation Lecture on the topic "Parliamentary Institution Building in Africa."*
 - (ii) *Award of Prizes to deserving Graduands; and*
 - (iii) *Award of Degrees to Graduands.*
3. *All Senators are requested to attend, please.*

Signed:
PRESIDENT OF THE SENATE
(18th October, 2018)

5. Presentation of Bills:

- (i) *Suppression of Piracy and other Maritime Offences Bill, 2018 (SB. 701) — Read the First Time.*
- (ii) *Nigeria Police Academy (Establishment, etc.) Bill, 2018 (SB. 702) — Read the First Time.*

6. Executive Communication:

Confirmation of Nominations:

Motion made: That the Senate do consider the request of Mr. President, Commander-in-Chief of the Armed Forces of the Federation, on the confirmation of the nomination of the following persons for Appointment as Chairman and Members of the Governing Board of the Federal Roads Maintenance Agency (FERMA):

S/N	Names	Designation
(i)	Mr. Tunde Lemo	Chairman
(ii)	Engr. Nurudeen Abdurahaman Rafindadi	Managing Director
(iii)	Buba Silas Abdullahi	Executive Director
(iv)	Babagana Mohammed Aji	Executive Director
(v)	Engr. Shehu Usman Abdullahi	Executive Director
(vi)	Loretta Ngozichukwu Aniagolu	Executive Director
(vii)	Mujaidu Stanley Dako	Executive Director
(viii)	Vincent Oladapo Kolawale	Executive Director

(Senate Leader).

Question put and agreed to.

Request accordingly referred to the Committee on Federal Roads Maintenance Agency (FERMA) to report within two (2) weeks.

7. Committee on Independent National Electoral Commission (INEC):

Report on the Independent National Electoral Commission (INEC) Act 2010 (Amendment) Bill, 2018 (SB. 699):

Consideration of Report deferred to the next Legislative Day, Tuesday, 23rd October, 2018.

8. Committee on National Identity Card and National Population Commission:

Report on the Screening of Dr. Abdulmalik Mohammed Durunnguwa for Confirmation of Appointment as Commissioner:

Motion made: That the Senate do consider the Report of the Committee on National Identity Card and National Population Commission on the Screening of Dr. Abdulmalik Mohammed Durunnguwa for confirmation of appointment as Commissioner for National Population Commission (*Senator Suleiman O. Hunkuyi — Kaduna North*).

Question put and agreed to.

Report Laid and presented.

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

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

Consideration of the Report of the Committee on National Identity Card and National Population Commission on the Screening of Dr. Abdulmalik Mohammed Durunnguwa for confirmation of appointment as Commissioner for National Population Commission.

Nominee recommended for confirmation:

Dr. Abdulmalik Mohammed Durunnguwa (*Kaduna*)

— *Agreed to.*

Chairman to report progress.

(SENATE IN PLENARY)

The Senate President reported that the Senate in the Committee of the Whole considered the Report of the Committee on National Identity Card and National Population Commission on the Screening of Dr. Abdulmalik Mohammed Durunnguwa for confirmation of appointment as Commissioner for National Population Commission and approved the nomination.

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

Confirmation of nomination:

Question:

“Will the Senate confirm the nomination of Dr. Abdulmalik Mohammed Durunnguwa for Appointment as Commissioner for National Population Commission?” — *Resolved in the Affirmative.*

Nomination of Dr. Abdulmalik Mohammed Durunnguwa for Appointment as Commissioner for National Population Commission accordingly confirmed.

9. Committee on Special Duties:

Report on the National Commission for Refugees, Migrants and Internally Displaced Persons Bill, 2018 (SB. 335):

Motion made: That the Senate do resolve into the Committee of the Whole to resume consideration on the Report of the Committee on Special Duties on the National Commission for Refugees, Migrants and Internally Displaced Persons Bill, 2018 (*Adjourned Consideration Thursday, 19th July, 2018 — Clause 21*) (*Senator Abdul Aziz M. Nyako — Adamawa Central*).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

RESUMED CONSIDERATION OF A BILL FOR AN ACT TO REPEAL THE NATIONAL COMMISSION FOR REFUGEES ACT CAP. N21 LAWS OF THE FEDERATION OF NIGERIA, 2004 AND ENACT THE NATIONAL COMMISSION FOR REFUGEES, MIGRANTS AND INTERNALLY DISPLACED PERSONS AND FOR RELATED MATTERS, 2018.

Debate:

Further consideration of Report deferred, and referred to the Directorate of Legal Services for scrutiny.

Chairman to report Bill.

(SENATE IN PLENARY)

The Senate President reported that the Senate in the Committee of the Whole resumed consideration of the Report of the Committee on Special Duties on the National Commission for Refugees, Migrants and Internally Displaced Persons Bill, 2018 and deferred further consideration to another legislative day after scrutiny by the Directorate of Legal Services.

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

**10. Committee on Tertiary Institutions and TETFUND:
Report on the Federal Capital Territory University of Science and Technology (Establishment, etc.) Bill, 2018 (SB. 59):**

Motion made: That the Senate do receive and consider the Report of the Committee on Tertiary Institutions and TETFUND on Federal Capital Territory University of Science and Technology (Establishment, etc.) Bill, 2018 (*Senator Barau I. Jibrin — Kano North*).

Question put and agreed to.

Report Laid and presented.

(Deputy Senate President in Chair)

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

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE FEDERAL CAPITAL TERRITORY UNIVERSITY OF SCIENCE AND TECHNOLOGY, ABAJI AND FOR OTHER MATTERS CONNECTED THEREWITH, 2018.

**PART I - ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF FCT
UNIVERSITY OF SCIENCE AND TECHNOLOGY, ABAJI**

Clause 1: Establishment and Objects of FCT University of Science and Technology, Abaji:

- (1) There is hereby established the FCT University of Science and Technology, Abaji (in this Bill referred to as "the University").
- (2) The university shall be a body corporate with perpetual succession and a common seal and may sue or be sued in its corporate name.
- (3) The objects of the university shall be:
 - (a) To encourage the advancement of learning and to hold out to all person without distinction of race, creed, sex, religion, physical ability or political conviction, the opportunity of acquiring a higher education in science and technology;
 - (b) To develop and offer academic and professional programmes leading to the award of diplomas, first degrees, postgraduates research and higher degrees which emphasize planning, adaptive, technical, maintenance, development and productive skills in the engineering, scientific, agricultural, medical, and allied professional disciplines

with the aim of producing socially mature men and women with high moral standard and capability not only to understand, use and adapt existing technology, but also to improve on it and develop new ones;

- (c) To act as agents and catalysts, through post-graduate training, research and innovation for the effective and economic utilization, exploitation and conservation of the country's natural, economic and human resources;
- (d) To offer to the general population, as a form of public service, the results of training and research and to foster the practical applications of these results;
- (e) To establish appropriate relationship with other national or private institutions involved in training, research and development of technologies;
- (f) To identify the technological problems and needs of the society and to find solutions to them within the context of overall national development;
- (g) To provide and promote sound basic scientific training as a foundation for the development of technology and applied sciences, taking into account indigenous culture and the need to enhance national unity;
- (h) To undertake any other activities appropriate for a university of technology of the highest standard.

Committee's Recommendation:

That the provision in Clause 1 be retained (*Senator Jibrin I. Barau — Kano North*) — *Agreed to.*

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

Clause 2: Composition of the Council of the University.

The Council of the university shall consist of:

- (a) The Pro-Chancellor;
- (b) The Vice-Chancellor;
- (c) The Deputy Vice-Chancellor;
- (d) One person from the ministry responsible for education;
- (e) Nine persons representing a variety of interests and broadly representative of the whole federation to be appointed by the president;
- (f) Four persons appointed by the Senate from among its members;
- (g) Two persons appointed by congregation from among its members;
- (h) One person appointed by convocation from among its members;
- (i) Three persons representing Area Councils to be appointed by the Federal Capital Territory Administration (FCTA).

Committee's Recommendation:

That the provision in Clause 2 be retained (*Senator Jibrin I. Barau — Kano North*) — *Agreed to.*

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

Clause 3: Functions of the Council and its Finance and General Purposes Committee.

- (1) Subject to the provisions of this Bill relating to the visitor, the Council shall be the governing body of this 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 regulation their own procedure.
- (6) Rules made under subsection (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 directions 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 traveling 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 subsection (9) of this section shall specify the business to be considered at the meeting and no business not so specified shall be transacted at that meeting.

Committee's Recommendation:

That the provision in Clause 3 be retained (*Senator Jibrin I. Barau — Kano North*) — *Agreed to.*

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

Clause 4: Functions of the Senate.

- (1) Subject to section 3 of this Bill and subsections (3) and (4) of this section and to 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 students 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 there mentioned, it shall in particular be the function of the Senate to make provision for:
 - (a) The establishment, organization and control of campuses, colleges, schools, institutes and other teaching and research units of the university and the allocation of responsibility for different branches of learning;
 - (b) The organization and control of courses of study at the university 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 and mode of dressing;
 - (g) The granting of fellowships, scholarships, prizes and similar awards in so far as the awards are within the control of the university;
 - (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 person 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 a right of appeal to the Council from a decision of the Senate under this subsection, the Senate may deprive any person of any degree, diploma or other award of the university which has been conferred upon him if after due enquiry he is shown to university or obtaining that award.

Committee's Recommendation:

That the provision in Clause 4 be retained (*Senator Jibrin I. Barau — Kano North*) — *Agreed to.*

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

Clause 5: Powers of the University.

- (1) for carrying out the objects as specified in section 1 of this Bill the university shall have power:
- (a) To establish such campuses, colleges, institutes, schools, extra-mural departments and other teaching and research units within the university as may from time to time be deemed necessary or desirable subject to the approval of the National Universities commission;
 - (b) To institute professorships, readerships or associate professorships, lectureships, and other posts and offices and to make appointments thereto;
 - (c) To institute and award fellowships, scholarships, exhibitions, bursaries, medals, prizes and other titles, distinctions, awards and forms of assistance;
 - (d) To provide for the discipline and welfare of members of the university;
 - (e) 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 from time to time.
 - (f) To grant honorary degrees, fellowships or academic titles;
 - (g) To demand and receive from any student or any other person attending the university for the purpose of instruction, such fees as the university may from time to time determine subject to the overall directives and approval of the minister;
 - (h) Subject to section 9 of this Bill, to acquire, hold, grant, charge or otherwise deal with or dispose of movable and immovable property wherever situate;
 - (i) To accept gifts, legacies, and donations, but without obligation to accept the same for a particular purpose unless it approves the terms and conditions attaching thereto;
 - (j) To enter into contracts, establish trusts, act as trustee, solely or jointly with any other person and employ and act through agents;
 - (k) To erect, provide, equip and maintain libraries, laboratories, 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;

- (l) To hold public lectures and to undertake printing, publishing and book selling;
 - (m) Subject to any limitations or conditions imposed by statute, to invest any moneys appertaining to the university by way of endowment, 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 and to deposit any moneys for the time being not invested, with any bank on deposit or current account;
 - (n) 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 or to guarantee any loan, advances or credit facilities;
 - (o) To make gifts for any charitable purpose;
 - (p) To do anything which it is authorized or required by this Bill or by statute to do;
 - (q) 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 Act and of the statutes and without prejudice to section 4 (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 any 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.

Committee's Recommendation:

That the provision in Clause 5 be retained (*Senator Jibrin I. Barau — Kano North*) — *Agreed to.*

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

PART II - PRINCIPAL OFFICERS AND STAFF OF THE UNIVERSITY

Clause 6: Principal Officers and Staff 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 schools, institutes and other teaching and research units of the university;

- (h) The persons holding the offices constituted by the first schedule to this Act other than those mentioned in paragraphs (o) to (c) of this subsection;
 - (i) All graduates and undergraduates of the university;
 - (j) All other persons who are members of the university in accordance with provisions made by statute in that behalf.
- (2) The first schedule to this Act shall have effect with respect to the principal officers of the university therein mentioned.
- First Schedule
- (3) The first schedule to this Act provision shall be made by statute with respect to the constitution of the Council, the Senate, congregation and convocation.

Committee's Recommendation:

That the provision in Clause 6 be retained (*Senator Jibrin I. Barau — Kano North*) — *Agreed to.*

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

Clause 7: Functions of the Chancellor and Pro-chancellor.

- (1) The Chancellor shall, 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, 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.

Committee's Recommendation:

That the provision in Clause 7 be retained (*Senator Jibrin I. Barau — Kano North*) — *Agreed to.*

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

Clause 8: Functions of 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 3, 4, 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 academic officer of the university and ex-officio chairman of the Senate.

Committee's Recommendation:

That the provision in Clause 8 be retained (*Senator Jibrin I. Barau — Kano North*) — *Agreed to.*

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

Clause 9: Transfer of Property.

- (1) All property held by or on behalf of the Council of the university shall, by virtue of this subsection and without further assurance, vest in the university and be held by it for the purpose of the university.

Second Schedule

- (2) The provisions of the second schedule to this act 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.

Committee's Recommendation:

That the provision in Clause 9 be retained (*Senator Jibrin I. Barau — Kano North*) — *Agreed to.*

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

PART III - POWER TO MAKE STATUTES OF THE UNIVERSITY

Clause 10: Power to Make Statute.

- (1) Subject to this act 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 or any of its authorities;
 - (c) Regulating the admission of students [where no other enactment provides to the contrary] and their discipline mode of dressing and welfare;
 - (d) Determining whether any particular matter is to be treated as an academic or a non-academic matter for the purposes of this act and of any statute, regulation or other instrument made there under;
 - (e) Making provision for any other matter for which provision by statute it authorized or required by this Bill.
- (2) Subject to section 24 (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 29 (1) of that Act.
- (3) The university shall have powers to make statutes for matters listed in the third schedules hereto.

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 act or any subsequent statute:

- (i) Mode of exercising power to make statutes:

The power of the university to make statutes shall be exercised in accordance with the provisions of this section and not otherwise.

- (ii) 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;
 - (b) At a meeting of the Council, by the votes of not less than two third of the members present and voting.

- (iii) A propose 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 before the other;
- (iv) 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 whereby a campus or college is established shall not come into operation unless it has been approved by the president.
- (v) For the purposes 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 dated on which its approved by the president;
- (vi) In the event of any doubt or dispute arising at any time:
 - (a) As to the meaning of any provision of a statute;
 - (b) As to whether any matter is for the purposes of this act 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 advise and make such decision thereon as he shall think fit.
- (vii) The decision of the visitor on any matter referred to him under subsection (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 subsection, no question as to the meaning of that provision shall be entertained by any court of law in Nigeria;
- (viii) Nothing in subsection (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.

Committee's Recommendation:

That the provision in Clause 10 be retained (*Senator Jibrin I. Barau — Kano North*) — *Agreed to.*

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

Clause 11: Proof of Statutes.

A statute may be proved in any court by the production of a copy thereof bearing or having affixed to it as certificate purporting to be signed by the Vice-Chancellor of the secretary to the Council to the effect that the copy is a true copy of a statute of the university.

Committee's Recommendation:

That the provision in Clause 11 be retained (*Senator Jibrin I. Barau — Kano North*) — Agreed to.

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

PART IV - SUPERVISION AND DISCIPLINE**Clause 12: The Visitor.**

(1) The president shall be the visitor of the university.

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

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

Committee's Recommendation:

That the provision in Clause 12 be retained (*Senator Jibrin I. Barau — Kano North*) — Agreed to.

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

Clause 13: 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 if the president, after making such enquires (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.

Committee's Recommendation:

That the provision in Clause 13 be retained (*Senator Jibrin I. Barau — Kano North*) — Agreed to.

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

Clause 14: 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 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 to the Council;

- (c) If he so requests or any three members of the Council so request within the period of one month beginning with the date of the notice, make arrangements:
 - (i) For a joint committee of the Council and the Senate to investigate the matter and to report on it to the Council;
 - (ii) 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 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 to:
 - (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;

- (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 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) Mothering in the foregoing provisions of this section shall:
 - (a) Apply to any directive given by the visitor in consequence of any visitation;
 - (b) Prevent the Council from making regulations for the discipline of other categories of workers of the university as may be prescribed.

Committee's Recommendation:

That the provision in Clause 14 be retained (*Senator Jibrin I. Barau — Kano North*) — *Agreed to.*

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

Clause 15: Removal of Examiners.

- (1) If, on the recommendation of the Senate, it appears to the Vice-Chancellor that a person appointed as a examine for any examination of the university ought to be removed from his office or appointment, then, except in such cases as may be prescribed, he 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 4 (5) of this Act, 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 in pursuance 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

Committee's Recommendation:

That the provision in Clause 15 be retained (*Senator Jibrin I. Barau — Kano North*) — *Agreed to.*

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

Clause 16: Discipline of Student.

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

- (a) That the student shall not, during such period as may be specified in the direction, 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; or
 - (d) That the student be expelled from the university.
- (2) Where a direction is given under subsection (1) (c) or (d) of this section in respect 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 using such inquiry to be made in the matter as the Council considers just, either concern or set aside the direction or modify it in such manner as the Council thinks fit.
- (3) The fact that an appeal from a direction is brought in pursuance of subsection (2) of this section shall not affect the operation of the direction while the appeal is pending.
- (4) The Vice-Chancellor may delegate his powers under this section to a disciplinary board consisting of such members of the university as he may nominate.
- (5) Nothing in this section shall be construed as preventing the restriction or termination of a student's activities at the university otherwise than on the ground of misconduct.
- (6) A direction under subsection (1)(a) of this section may be combined with a direction under subsection (1)(b) of this section.

Committee's Recommendation:

That the provision in Clause 16 be retained (*Senator Jibrin I. Barau — Kano North*) — *Agreed to.*

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

PART V - MISCELLANEOUS AND GENERAL

Clause 17: Exclusion of Discrimination 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, 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 Act; and no person shall be subjected to any disadvantage or accorded any advantage in relation to the university, by reference to any of those matters.
- (2) Nothing in subsection (1) of this section shall be 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 religions belief to undertake any duty, having regard to its nature

and the special circumstances pertaining thereto, is in the opinion of the university reasonably justifiable in the national interest.

Committee's Recommendation:

That the provision in Clause 17 be retained (*Senator Jibrin I. Barau — Kano North*) — Agreed to.

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

Clause 18: Restriction on Disposal of Land by University.

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

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

Committee's Recommendation:

That the provision in Clause 18 be retained (*Senator Jibrin I. Barau — Kano North*) — Agreed to.

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

Clause 19: Quorum and Procedure of Bodies Established by this Act.

Except as may be otherwise provided by statute or by regulations, the quorum and procedure of any body of persons established by this Act shall be as determined by that body.

Committee's Recommendation:

That the provision in Clause 19 be retained (*Senator Jibrin I. Barau — Kano North*) — Agreed to.

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

Clause 20: Appointment of Committee, etc.

- (1) Anybody of persons established by this Act shall, without prejudice to the generality of the powers of that body, have power to appoint committees, which need not consist exclusively of members of that body, and to authorize a committee established by:
 - (a) To exercise, on its behalf, such of its functions as it may determine;
 - (b) To co-opt members, and may direct whether or not co-opted members (if any) shall be entitled to vote in that committee.
- (2) Any two or 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 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 subsections (1), (2) and (3) of this section shall be construed as:

- (a) Enabling the statutes to be made otherwise than in accordance with section II of this Act;
 - (b) Enabling the Senate to empower any other body to make regulations or to 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.

Committee's Recommendation:

That the provision in Clause 20 be retained (*Senator Jibrin I. Barau — Kano North*) — *Agreed to.*

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

Clause 21: Retiring Age of Academic Staff.

- (1) Notwithstanding anything to the contrary in the pensions Act, the compulsory retiring age of an academic staff of the university shall be 70 years.
- (2) A law or rule requiring a person to retire from the public service after serving for 35 years shall not apply to an academic staff of the university.

Committee's Recommendation:

That the provision in Clause 21 be retained (*Senator Jibrin I. Barau — Kano North*) — *Agreed to.*

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

Clause 22: Special Provisions Relating to Pension of Professors.

A person who retires as a professor having served:

- (a) A minimum period of fifteen years as a professor in the university or continuously in the service of a university in Nigeria up to the retiring age;
- (b) Who during the period of service was absent from the university only on approved national or university assignments, shall be entitled to pension at a rate equivalent to his last annual salary and such allowances as the Council may, from time to time, determine as qualifying for pension and gratuity, in addition to any other retirement benefits to which he may be entitled.

Committee's Recommendation:

That the provision in Clause 22 be retained (*Senator Jibrin I. Barau — Kano North*) — *Agreed to.*

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

Clause 23: 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 Act 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 proceedings.
- (5) Any member of any such body who has a personal interest in any matter proposed to be considered by that body shall forthwith disclosed his interest to the body and shall not 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 regulation and statutes made in pursuance of this Act
- (7) The power conferred by this Act on anybody to make statutes or regulations shall include power to revoke or vary any statute (including the statute contained in the third schedule of this Act) or any regulation by 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 this Act may, without prejudice to any other mode of service, be served by post.

Committee's Recommendation:

That the provision in Clause 23 be retained (*Senator Jibrin I. Barau — Kano North*) — *Agreed to.*

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

Clause 24: Interpretation.

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

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

"College" means any college which may be established by the university;

"Council" means the Council established pursuant to section 2(1) (b) of this Bill for the university;

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

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

"Notice" means notice in writing;

"Officer" does not include the visitor;

"Prescribed" means prescribed by statute or regulations;

"Professor" means a person designed as a professor of the university in accordance with provisions made in that behalf by statute or by regulations;

"Property" including rights, liabilities and obligations;

"Provisional Council" means the provisional Council appointed for the university by the president with effect from 1 August, 1980;

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

"Senate" means the Senate of the university established pursuant to this Bill

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

"Statute" means a statute made by the university under section 10 of this Bill and in accordance with the provisions of section 11 of the Bill, and "the statutes" means all such statutes as are in force from time to time;

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

"Undergraduate" means a person in statute pupillari at the university other than:

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

"University" means the Federal Capital University of Science and technology established under section I of this Bill.

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

Committee's Recommendation:

That the provision in Clause 24 be retained (*Senator Jibrin I. Barau — Kano North*) — *Agreed to.*

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

Clause 25: Short Title.

This Bill may be cited as the FCT University of Science and Technology, Abaji Bill, 2018.

Committee's Recommendation:

That the provision in Clause 25 be retained (*Senator Jibrin I. Barau — Kano North*) — *Agreed to.*

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

SCHEDULES
FIRST SCHEDULE

Section 6 (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 shall be appointed or removed from office by the president.
- (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 president 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 qualifies of the person who may apply for the post;
- (ii) The terms and conditions of service applicable to the post, and thereafter draw up a short list of suitable candidates for the post for consideration;
- (b) Constitute a search term 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;
- (iv) To identify and nominate for consideration, suitable persons who are not likely to apply for the post of their own volition because they feel 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 on the short list drawn up under subparagraph (2) of this paragraph through an examination of their curriculum vitae and interaction with them, and recommend to the Council suitable candidates for further consideration.

- (4) The Council shall select three candidates from among the candidates recommended to it under subparagraph (3) of this paragraph and may indicate its order of preference stating the reasons therefore and forward the names to the President.
- (5) The president may appoint as Vice-Chancellor anyone of the candidates recommended to him in accordance with the provisions of subparagraph (4) of this paragraph
- (6) 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.
- (7) The Vice-Chancellor may be removed from office by the visitor after due consultation with the Council and the Senate acting through the minister of Education.

Deputy Vice-Chancellors

4. (1) There shall be for the university such number of Deputy Vice-Chancellors as the Council may, from time to time, deem necessary for the proper 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 subparagraph (3) 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;
 - (c) Perform such other functions as the Vice-Chancellor or the Council may, from time to time, assign to him.
- (5) A deputy Vice-Chancellor:
 - (a) 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;
 - (b) May be re-appointed for one further period of two years and no more.
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;

- (b) The university librarian, who shall be appointed by the Council on the recommendation of the selection Board constituted under paragraph 8 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, faculties, 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 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;
 - (d) Two members of the Senate.
- (2) The functions, procedure and other matters relating to the selection board constituted under subparagraph (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 such period and on such terms as to the emoluments of their offices and otherwise as may be specified in their letters of appointment.

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 president;
 - (b) In any other case, by notice to the Council and the Council shall, in the case of the Vice-Chancellor, immediately notify the minister.
- (2) Without prejudice to paragraph 4 of the 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.

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

SECOND SCHEDULE

Section 9 (2)

TRANSITIONAL PROVISIONS AS TO PROPERTY, FUNCTIONS, ETC.

Transfer of Property to the 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 to the university.

Agreements, Contracts, Deeds and Other Instruments

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 subparagraph (1) of this paragraph, including enactments, which refer, whether specially or generally, to the provisional Council, shall be construed in accordance with that sub-paragraph.
 - (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 Act is situated 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 the 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.
5. 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 staff or as such an employee.

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

THIRD SCHEDULE

Section 10 (3)

FCT UNIVERSITY OF SCIENCE AND TECHNOLOGY, ABAJI STATUTE NO.1
ARRANGEMENT OF ARTICLES*Articles:*

1. The Council
2. The finance and general purposes committee
3. The Senate
4. Congregation
5. Convocation
6. Division of schools
7. School boards
8. Dean of the school
9. Selection of certain principal officers
10. Creation of academic post
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 2 (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 2 (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 in which he was appointed.
- (4) Where a member of the Council holding office otherwise than in pursuance of section 2 (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 this 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 2(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 7 of this Bill and the foregoing provisions of this paragraph, the Council may regulate its own meeting.
- (8) Where the Council desires to obtain advice with respect to any particular matter, it may co-opt not more than two persons for that purpose, and the person 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 three members of the Council appointed by the Senate and one member appointed to the Council by congregation;
 - (d) The permanent secretary of the Federal Minister of Education, or in his absence, such member of his ministry as he may designate to represent him;
 - (e) The permanent secretary of the Federal Ministry of Science and Technology or, in his absence, such member of his ministry as he may designate to represent him;
 - (f) A representative of the Federal Capital Territory Administration.
- (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.

The Senate

3. (1) The Senate shall consist of:
- (a) The Vice-Chancellor and deputy Vice-Chancellor;
 - (b) The deans of the several schools;
 - (c) The directors of the several institutes;
 - (d) The professors;
 - (e) The provosts of the several colleges;
 - (f) The librarian;
 - (g) The persons for the time being holding such appointment on the staff of the university as may be specified by the Vice-Chancellor;
 - (h) Such teachers, not being more than one third of the total number of non-elected members, elected by congregation and at least one of whom shall come from each school;

- (i) Two members representing a variety of interest of the professional bodies, outside the university appointed by the Senate on the recommendation of the Vice-Chancellor.
- (2) 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-Chancellor present at the meeting as the Senate may appoint for that meeting shall be the chairman at the meeting.
- (3) The quorum of the Senate shall be one quarter or the nearest whole number less than one quarter; and subject to paragraph (2) of this article, the Senate may regulate its own procedure.
- (4) An elected member may, by notice to the Senate, resign his office.
- (5) Subject to paragraph (7) 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.
- (6) 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 of paragraph (5) of this article in the year in which his period of the 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.
- (7) No election shall be held in pursuance of this article in any year if the number specified in the certificate given in pursuance of paragraph (10) 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 (6) of this article.
- (8) 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 total of non-elected members occurring on or after 30 April in any year in which he is to continue in or take office as an elected member.
- (9) If so requested in writing by any fifteen members of the Senate, the Vice-Chancellor, or in his absence any of the deputy Vice-Chancellors 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.
- (10) In this article "total of non-elected members" means as respects any year, such number as may be certified by the Vice-Chancellor on 30 April that year to be the number of person holding office as members of the Senate on that day otherwise than as elected members.

Congregation

- 4. (1) Congregation shall consist of:
 - (a) The Vice-Chancellor and the deputy Vice-Chancellors;
 - (b) The full-time members of the academic staff;
 - (c) The registrar;
 - (d) The bursar;

- (e) The librarian;
 - (f) The director of works;
 - (g) The director of health services;
 - (h) Every member of the administrative staff who holds a degree, other than an honorary degree, of any university recognized for the purposes of this statute by the Vice-Chancellor.
- (2) Subject to section 7 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 or 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;
 - (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) Subject to the foregoing provisions of this article, congregation may regulate its own procedure.
- (6) 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

5. (1) Convocation shall consist of:
- (a) The officers of the university mentioned in the first schedule to this Bill;
 - (b) All teachers within the meaning of this Bill;
 - (c) All other persons whose names are registered in accordance with paragraph (2) of this article.
- (2) A person shall be entitled to have his name registered as a member of convocation if:
- (a) He is either a graduate of the university or a person satisfying such requirements as may be prescribed for the purposes of this paragraph;
 - (b) He applies for the registration of his name in the prescribed manner and pays 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 offices 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, and that any person not named therein is not, a member of convocation; but for the purpose of ascertaining whether a particular person was such a member on a particular date, any entries in and deletions from the register made on or after that date shall be disregarded.
- (7) The quorum of convocation shall be fifty or one third of the whole number nearest to one third or the whole number of members of convocation whichever is less.
- (8) Subject to section 7 of the Bill, 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 Schools

6. Each school shall be divided into such number of branches as may be prescribed by the School boards.
7.
 - (1) There shall be established in respect of each school a board of studies which, subject to the provisions of this statute, and subject to the directions of the Vice-Chancellor, shall:
 - (a) Regulate the teaching and study of, and the conduct of examinations connected with, the subjects assigned to the school;
 - (b) Deal with any other matter assigned to it by statute or by the Vice-Chancellor or by the Senate;
 - (c) Advise the Vice-Chancellor or the Senate on any matter referred to it by the Vice-Chancellor or the Senate.
 - (2) Each school board of studies shall consist of:
 - (a) The Vice-Chancellor;
 - (b) The dean;
 - (c) The persons severally in charge of the branches of the school;
 - (d) Such of the teachers assigned to the school and having the prescribed qualifications as the board may determine;
 - (e) 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.

Dean of the School

8. (1) The board of each school shall, at a meeting in the last term of any academic year in which the term of office of the dean expires, nominate one of its members, being one of the professors assigned to that teaching unit, for appointment by the Senate as dean of the school
- (2) The person appointed under paragraph 1 of this article shall act as dean of the school and chairman at all meetings of the school board when he is present and shall be a member of all committees and other boards appointed by the school.
- (3) The dean shall hold office for two years and shall be eligible for re-appointment for one further period of two years. Thereafter he shall not be eligible for re-appointment until two years have elapsed
- (4) The Dean of a school shall exercise general superintendence over the academic and administration affairs of the school.
- (5) It shall be the function of the dean to present to convocation for the conferment of degrees persons who have qualified for the degrees of the university at examinations held in the branches of learning for which responsibility is allocated to that school.
- (6) There shall be a committee to be known as the committee of deans consisting of all the deans of the several schools and 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 school may be removed from office for good cause by the school board after a vote would have been taken at a meeting of the board, and in the event of a vacancy occurring following the removal of a dean, an acting dean may be appointed by the Vice-Chancellor; provided that at the next school board meeting an election shall be held for a new dean.
- (8) In this article "good cause" has the same meaning as in section 14(3) of the Bill.
9. (1) When a vacancy occurs in the office of the Director of works, a selection board shall be constituted by the Council which shall consist of:
- (a) The Pro-Chancellor
- (b) The Vice-Chancellor
- (c) Two members appointed by the Council, not being members of the Senate; and
- (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 confirm an appointment to that office.

Creation of Academic Posts

10. 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

11. (1) Subject to the bill and statutes, the filling of vacancies in academic posts (including newly created ones) shall be the responsibility of the Senate.
- (2) For the purpose of filling such vacancies, suitable selection boards to select and make appointments on behalf of the Council shall be set up.
- (3) For appointments to professorship, associate professorship or readerships or equipment posts, a board of selection with power to appoint, shall consist of:
- (a) The Vice-Chancellor;
 - (b) Two members appointed by the Council
 - (c) Four members appointed by the Senate; at least two of whom shall be members of the Senate, while the other two members shall be professional peers in the professional area in, which an appointment is to be considered;
 - (d) If the post is tenable at a college, the provost of the college
 - (e) If the post is within a school, other teaching unit in the university the dean of the school or the teaching unit, or the director of the institute, as the case may be; and
 - (f) Such other person, not exceeding two in number, deemed capable of helping the board in assessing both professional and academic suitability of a candidate under consideration, as the Senate may from time to time appoint.
- (4) For other academic posts, a selection board, with power to appoint, shall consist of:
- (a) The Vice-Chancellor;
 - (b) Four members appointed by the Senate, at least two of whom shall be members of the Senate, while the other two members shall be professional peers in the professional area in which an appointment is to be considered;
 - (c) If the post is tenable at a college, the provost of the college;
 - (d) If the post is within a school, institute or other teaching unit in the university the dean of the school or the teaching unit or the director of the institute, as the case may be; and
 - (e) Such other persons, not exceeding two in number, deemed capable of helping the board in assessing both the professional and academic suitability of a candidate under consideration, as the Senate may from time to time appoint.
- (5) All appointments to senior library posts shall be made in the same way as equivalent appointments in the academic cadre; and for all such posts other than that of the librarian, the librarian shall be a member of the selection board.
- (6) Boards of selection may interview candidates directly or consider the reports of specialists interviewing panels and shall in addition, in the case of professorships, associate professorships, readerships or equivalent posts, consider the reports of

external assessors relevant to the area in which the appointment is being considered.

Appointment of Administrative and Professional Staff

12. (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 or the registrar in accordance with delegation of any powers made by the Council in that behalf.
- (2) In the case of administrative or professional staff who have close and important contacts with the academic staff, there shall be Senate participation in the process of selection.

Interpretation

13. In this statute, the expression "the Bill" means the FCT University of Science and Technology, Abaji Bill and any word or expression defined in the Act has the same meaning in this statute.

14. The statute may be cited as FCT University of Science and Technology Abaji Statute No. 1.

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

Chairman to report Bill.

(SENATE IN PLENARY)

The Senate President reported that the Senate in the Committee of the Whole considered the Report of the Committee on Tertiary Institutions and TETFUND on Federal Capital Territory University of Science and Technology (Establishment, etc.) Bill, 2018 and approved as follows:

Clauses 1- 25 — As Recommended

Schedules 1-3 — As Recommended

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

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

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

11. *Ad hoc Committee on Accommodation, Logistics, Feeding, etc.:*

Report on the Onshore and Offshore of the Nigerian Pilgrims:

Motion made: That the Senate do consider the Report of the *Ad hoc* Committee on Accommodation, Logistics, Feeding, etc. on the Onshore and Offshore of the Nigerian Pilgrims (*Senator Muhammad A. Adamu — Kebbi Central*).

Question put and agreed to.

Report presented.

Debate:

Further consideration deferred to another Legislative Day.

12. **Federal Mortgage Bank of Nigeria Act CAP F 16 LFN 2004 (Repeal & Re-enactment) Bill, 2018 (HB. 911):**

Consideration of Bill deferred to another Legislative Day.

13. **National Housing Fund Act (Amendment) Bill, 2018 (HB. 1077):**

Consideration of Bill deferred to another Legislative Day.

14. **Adjournment:**

Motion made: That the Senate do now adjourn till Tuesday, 23rd October, 2018 at 10:00 a.m. (*Senate Leader*).

Adjourned accordingly at 2:00 p.m.

Abubakar Olubukola Saraki, CON
President,
Senate of the Federal Republic of Nigeria.