



THE SENATE

FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Thursday, 25th April, 2019

1. The Senate met at 10:51 a.m. The Senate President read Prayers.

2. **Votes and Proceedings:**

The Senate examined the Votes and Proceedings of Wednesday, 24th April, 2019.

Question was put and the Votes and Proceedings were approved.

3. **Petition:**

Rising on Rule 41, Senator Albert B. Akpan (*Akwa Ibom North-East*) drew the attention of the Senate to a petition from his constituent, Nze Fabian Okechukwu, against the Nigerian Navy over unjust dismissal. He urged the Senate to look into the matter.

Petition laid and accordingly referred to the Committee on Ethics, Privileges and Public Petitions [Rule 41(3)] to report within two (2) weeks.

4. **Personal Explanation:**

Rising on Rule 43, Senator Ahmad Babba Kaita (*Katsina North*) drew the attention of the Senate to the demise of Honourable Justice Mamman Nasir (GCON) who died on 13th April, 2019 at the age of 90 years (1929 - 2019). He described him as erudite jurist, an astute politician, a public servant and foremost traditional ruler that was dedicated to the cause of our nation. Late Justice Mamman Nasir (GCON) served as former Minister of Northern Nigeria, Supreme Court Judge and the President of the Federal Court of Appeal with unquestionable integrity. He urged the Senate to observe one minute silence in honour of the deceased and send a delegation to condole with the family, people and Government of Katsina State.

One minute silence accordingly observed in honour of the deceased.

5. **Presentation of Bills:**

(i) Federal Capital Territory Area Councils Service Commission (Establishment, etc.) Bill, 2019 (HB. 975) — *Read the First Time.*

(ii) Public Holiday Act (Amendment) Bill, 2019 (HBs. 918 & 1529) — *Read the First Time.*

6. Motions:**(a) Withholding of Assent.**

Motion made: That the Senate recalls that the President, C-in-C had signified the withholding of his assent on the following Bills pursuant to Section 58(4) of the Constitution of the Federal Republic of Nigeria 1999 (as amended):

- i. Federal University of Wukari (Establishment, etc) Bill, 2019;
- ii. Nigerian Film Commission Bill, 2019; and
- iii. Nigerian Aeronautical Search and Rescue Bill, 2019

notes that the rationale for withholding the assent borders on the observation of Mr. President on some clauses in the Bills;

aware that a Technical Committee of the Senate had worked on Mr. President's observations and had re-drafted the affected Clauses:

relying on order 88(b) of the Senate Rule.

Accordingly resolves to:

refer the Bills to the Committee of the Whole for consideration and passage (*Senate Leader*).

Debate:

Proposed Resolution:

Question: That the Senate do refer the Bills to the Committee of the Whole for consideration and passage — *Agreed to.*

Resolved:

That the Senate do refer the Bills to the Committee of the Whole for consideration and passage (*S/Res/079/05/19*).

i. Federal University of Wukari (Establishment, etc) Bill, 2019:

Motion made: That the Senate do resolve into the Committee of the Whole to consider a Bill for An Act to Establish the Federal University, Wukari and to make Comprehensive Provisions for Due Management and Administration and for Other Related Matters, 2019 (*Senate Leader*).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO ESTABLISH THE FEDERAL UNIVERSITY, WUKARI AND TO MAKE COMPREHENSIVE PROVISIONS FOR DUE MANAGEMENT AND ADMINISTRATION AND FOR OTHER RELATED MATTERS, 2019.

Clause 1: Resignation and Appointment.

- 9(1) (a) the case of the Chancellor or Pro-Chancellor, by notice to the President;

Committee's Recommendation:

That the provision in Clause 1 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 2: Discipline of Students.

- 19(1) Subject to the provisions of this section, where it appears to the Vice-Chancellor that any student is guilty of misconduct, the Vice-Chancellor may, without prejudice to any other disciplinary powers conferred on him by regulations, direct that the:
- (a) student shall not, during such period as may be specified in the direction, participate in such activities of the University or make use of such facilities of the University as may be 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; or
 - (d) Student be expelled from the University.

Committee's Recommendation:

That the provision in Clause 2 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 3: Miscellaneous Administrative provisions.

- 25 (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 pursuant to this Act.
- (7) The power conferred by this Act on anybody to make Statute or Regulations shall include power to revoke or vary any:

Committee's Recommendation:

That the provision in Clause 3 be retained (*Senate Leader*) — *Agreed to.*

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

THIRD SCHEDULE

Section 11 (3)

FEDERAL UNIVERSITY, WUKARI

STATUTE NO. 1

5. (1) (c) all other persons whose names are registered in accordance with paragraph (3) below.
- (6) Congregation shall be entitled to express by resolution 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.

Question that Third Schedule do stand part of the Bill, put and agreed to.

Chairman to report Bill.

(SENATE IN PLENARY)

The Senate President reported that the Senate in the Committee of the Whole considered a Bill for An Act to Establish the Federal University, Wukari and to Make Comprehensive Provisions for Due Management and Administration and for Other Related Matters, 2019 and approved as follows:

Clauses 1 - 3 — As Recommended

Schedule — As Recommended

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

ii. Nigerian Film Commission Bill, 2019:

Motion made: That the Senate do resolve into the Committee of the Whole to consider a Bill for An Act to Repeal the Nigerian Film Corporation Act, Cap. N109, Laws of the Federation of Nigeria, 2004 and Re-enact the Nigerian Film Commission Act, 2019, to Regulate and Develop the Film Industry in Nigeria; and for Related Matters, 2019 (*Senate Leader*).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO REPEAL THE NIGERIAN FILM CORPORATION ACT, CAP. N109, LAWS OF THE FEDERATION OF NIGERIA, 2004 AND RE-ENACT THE NIGERIAN FILM COMMISSION ACT, 2019, TO REGULATE AND DEVELOP THE FILM INDUSTRY IN NIGERIA; AND FOR RELATED MATTERS, 2019.

Clause 1: Establishment of Nigerian Film Commission.

- (3) (d) ensuring the professionalism of the film industry by supervising the activities of the regulatory body of Guilds and Associations in the film industry for the orderly development of the industry; and
- (e) encourage the standardization of film and video production, distribution and exhibition facilities.

Committee's Recommendation:

Leave out the provision in Clause 1 (*Senate Leader*) — *Agreed to.*

Clause 2: Financial Provisions of the Commission.

6. (1)(k) 1% of the proceeds from television license from the National Broadcasting Commission (NBC);
- (2)(d) 5% of proceeds from Value Added Tax (VAT) on film related activities.

Committee's Recommendation:

Leave out the provision in Clause 2 (*Senate Leader*) — *Agreed to.*

Chairman to report Bill.

(SENATE IN PLENARY)

The Senate President reported that the Senate in the Committee of the Whole considered a Bill for An Act to Repeal the Nigerian Film Corporation Act, Cap. N109, Laws of the Federation of Nigeria, 2004 and Re-enact the Nigerian Film Commission Act, 2019, to Regulate and Develop the Film Industry in Nigeria; and for Related Matters, 2019 and approved as follows:

Clauses 1 - 2 — As Recommended

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

iii. Nigerian Aeronautical Search and Rescue Bill, 2019:

Motion made: That the Senate do resolve into the Committee of the Whole to consider a Bill for An Act to Establish the Nigerian Search and Rescue Service to Ensure A Coordinated and Effective Aeronautical Search and Rescue Service Within the Nigerian Search and Rescue Regions; and for Related Matters, 2019 (*Senate Leader*).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO ESTABLISH THE NIGERIAN SEARCH AND RESCUE SERVICE TO ENSURE A COORDINATED AND EFFECTIVE AERONAUTICAL SEARCH AND RESCUE SERVICE WITHIN THE NIGERIAN SEARCH AND RESCUE REGIONS; AND FOR RELATED MATTERS, 2019.

Clause 1: Establishment and objective of NISAR.

- (1) There is established the Nigerian Search and Rescue Service ((in this Act referred to as the "NISAR").
- (2) The objective of NISAR is to ensure a coordinated and effective aeronautical search and rescue service within the Nigerian search and rescue regions.
- (3) Any person appointed under this Act or concerned with the enforcement of the provisions of this Act shall perform his functions in line with the objective of NISAR.

Committee's Recommendation:

That the provision in Clause 1 be retained (*Senate Leader*) — *Agreed to.*

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

**Clause 2: Repeal of section 6 (f).
Cap. N34, LFN, 2004.**

19. Section 6 (f) of the National Emergency Management Agency Act is repealed.

Committee's Recommendation:

That the provision in Clause 2 be retained (*Senate Leader*) — *Agreed to.*

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

- Clause 3: Repeal of section 7(r) Cap N94, LFN,2004.**
20. Section 7(r) of the Nigerian Civil Aviation Act is repealed.

Committee's Recommendation:

That the provision in Clause 3 be retained (*Senate Leader*) — *Agreed to.*

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

- Clause 4: Repeal of section 7(s) Cap 90, LFN. 2004.**
21. Section 7(s) of the Nigerian Airspace Management Agency Act is repealed.

Committee's Recommendation:

That the provision in Clause 4 be retained (*Senate Leader*) — *Agreed to.*

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

- Clause 5: Saving and transitional provisions.**
Schedule.

22. The provisions of the Schedule to this Act shall have effect with respect to the matters arising from the transfer of rights, interests, obligations, liabilities, property and other matters mentioned in the Schedule.

Committee's Recommendation:

That the provision in Clause 5 be retained (*Senate Leader*) — *Agreed to.*

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

- Clause 6: Transfer of functions.**

23. From the commencement of this Act, the aeronautic search and rescue responsibilities of the following agencies shall be transferred to Nigeria Search and Rescue Service.
- i. National Emergency Management Agency;
 - ii. Nigeria Civil Aviation Authority;
 - iii. Nigeria Airspace Management Agency

Committee's Recommendation:

That the provision in Clause 6 be retained (*Senate Leader*) — *Agreed to.*

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

- Clause 7: Interpretation.**

24. In this Act:
"Act" includes regulations;

"aircraft" means any machine that can derive support in the atmosphere from the reactions of the air other than the reactions of the air against the earth's surface;

"Authority" means the Nigerian Civil Aviation Authority;

"Director-General" means the Director-General of the Nigerian Civil Aviation Authority;

"executive committee" means the Executive Committee of NISAR established under section 4 (2) (a);

"head of NISAR" means an official head of NISAR appointed under section 3 (7) (a);

"Minister" means the Minister of Aviation;

"Ministry" means the Ministry charged with the responsibility for civil aviation;

"NISAR" means Nigerian Search and Rescue Service established under section 1 of the Act;

"person" includes any institution or organisation equipped to assist in a search and rescue operation, an organ of State or a government of a foreign country;

"prescribed" means prescribed by regulation;

"rescue" includes the provision of the initial medical treatment of a person rescued;

"rescue co-ordination centre" means an institution responsible for promoting the efficient organisation of search and rescue services and for co-ordinating the conduct of search and rescue operations within a search and rescue region;

"rescue sub-centre" means a suitably set up unit tasked to carry out duties of a rescue co-ordination centre in instances where the rescue co-ordination centre cannot exercise direct and effective control over search and rescue facilities in certain parts of a search and rescue region; and

"search and rescue region" means a region contemplated under section 7 (1) in which the co-ordination of search and rescue operations is effected by a single rescue co-ordination centre.

Committee's Recommendation:

That the provision in Clause 7 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 8: Long Title:

A Bill for an Act to establish the Nigerian Search and Rescue Service to ensure a coordinated and effective aeronautical search and rescue service within the Nigerian search and rescue regions; and for related matters, 2019.

Committee's Recommendation:

That the provision in Clause 8 be retained (*Senate Leader*) — *Agreed to.*

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

Chairman to report Bill.

(SENATE IN PLENARY)

The Senate President reported that the Senate in the Committee of the Whole considered a Bill for An Act to Establish the Nigerian Search and Rescue Service to Ensure a Coordinated and Effective Aeronautical Search and Rescue Service Within the Nigerian Search and Rescue Regions; and for Related Matters, 2019 and approve as follows:

Clauses 1 - 8 — As Recommended

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

(b) *Senseless killing of a Briton and the abduction of three others in a Holiday Resort in Kaduna State by Armed Bandits:*

Motion made: That the Senate is informed of the gruesome and gory attack on a Holiday Resort in Kajuru Local Government of Area Kaduna State. The killing of a 29-year-old Briton, Faye Mooney and another Nigerian and the abduction of three others on Friday the 19th of April, 2019;

notes with sympathy and total dismay the wave and spade of armed banditry and kidnappings in most parts of the country, from the north, south, east and western part of the country without a formidable and technological approach to fighting the heinous crime;

worried that in recent times the attacks on individuals, houses and villages have become one too many and there is no single person that has been brought to book as a result of the wanton killings and the so much emphasized efforts at combating the crime is not yielding fruitful results;

more worried that due to the fact that perpetrators of these heinous activities tend to be gaining more courage to perpetuate their dastardly acts without fear of confrontation due to their acclaimed superior fire power;

further warned that the unfortunate event of 19th April, 2019 where armed gun men raided a resort called Kajuru Resort in Kajuru local government area of Kaduna state, a Briton, Ms. Faye Mooney and a Nigerian, Mr. Mathew Oguiche were killed and three others abducted has put more fears into Nigerians. Ms. Faye Mooney was a humanitarian worker with an NGO, Mercy Corp, who had worked in war torn countries like Iraq and Kosovo helping the needy, the vulnerable and internally displaced persons. Recall that earlier in the year, President Muhammadu Buhari had ordered senior security chiefs to curb kidnapping in the region when four western tourists, two Americans and two Canadians were abducted in Kaduna in an ambush in January that left two of their police escorts dead;

concerned that the recurrence of this banditry where foreigners and tourists are involved may put Nigeria's diplomatic relationship on the line thereby raising red flag to other tourists who may wish to visit Nigeria;

concerned further that the northern part of Nigeria has become a theatre of killings and kidnappings, especially States like Zamfara, Katsina, Sokoto, Kaduna and Niger. Kajuru in Kaduna State is notorious for killings and kidnappings;

recall the death of Agom Adara, Dr. Maiwada Raphael Galadima, late last year, who was killed by kidnappers after collecting ransom. It is pathetic to note that this area has become hostile to both visitors and the inhabitants who have resorted to internally displaced persons' camps. Some elders of this area are right now cooling off in various prisons in Kaduna State. In Birnin Gwari, life has become unbearable for the people because over 40 villages came under attack recently and in some instances with kidnappers sending notices before carrying out their attack. These people have killed thousands including children, raped women and have gone further to stop the villagers from going to farm;

worthy of concern also is the spade of killing and kidnapping that has found base in Zamfara and Niger States. In Munya Local Government of Niger State, over 20 housewives were kidnapped and areas such as Kushaka, Kurebe, Pandogari, Gidigori, Kusherki, Koregi, and Alawa, Kwaki, Bataro, Chikuba, Shafa, Kauri, Zazzaga in Rafi local government area are under serious siege by the kidnappers.

Other areas under siege include Kakangi, Gayam, Dan Ganji, Maganda, Dawari and Kazage. Distinguished colleagues, you will be astonished to hear that the kidnappers had the audacity to write and warn the Member representing Birnin Gwari/Giwa in the House of Representatives, Hon. Hassan Adamu Shekara warning him of his activities thereby forcing him to evacuate his family from the area. Distinguished colleagues, as I present this motion, negotiation is ongoing to pay ransom for the abductees of the Kujuru incident. The abductors had earlier demanded for ₦60,000,000 as ransom;

consoled by the recent presence of a joint patrol team of the police, army, air force and some para-military outfits on the Abuja- Kaduna express road and even though the hitherto deserted road which forced people to resort to using the train is bubbling back to life, these unfortunate acts have continued unabated;

determined to change this ugly narrative, the Senate of the Federal Republic of Nigeria cannot fold its hands and watch the degeneration of Nigeria's security because ADDAMS JANE said:

"the good we secure for ourselves is precarious and uncertain until it is secured for all of us and incorporated in our common life",

Accordingly resolves to:

- (i) observe a minute silence in honor of the departed souls;
- (ii) urge the Security Authorities to intensify the search for the perpetrators and bring them to book;
- (iii) urge the Federal Government to set up inter-agency task force to tackle cases of banditry and kidnapping in Kaduna, Katsina, Zamfara and Niger States;
- (iv) urge Security Agencies to give special security cover to foreign workers and tourists;
- (v) urge Security Agencies to immediately deploy the use of drones and interceptors in tracking kidnappers asking for ransom;
- (vi) urge community leaders, traditional rulers and all stakeholders to co-operate with security agencies;
- (vii) urge telecommunication companies to provide security agencies with information in areas where there are kidnappings;
- (viii) urge Senate to send a delegation to the British Embassy and condole the British government; and
- (ix) urge the Federal Government to write a condolence letter to the family of Ms. Faye Mooney (*Senator Shehu Sani — Kaduna Central*).

Debate:

Proposed Resolution (i):

Question: That the Senate do observe a minute silence in honor of the departed souls — *Negated.*

Proposed Resolution (ii):

Question: That the Senate do urge the Security Authorities to intensify the search for the perpetrators and bring them to book — *Agreed to.*

Proposed Resolution (iii):

Question: That the Senate do urge the Federal Government to set up inter-agency task force to tackle cases of banditry and kidnapping in Kaduna, Katsina, Zamfara and Niger States — *Agreed to.*

Proposed Resolution (iv):

Question: That the Senate do urge Security Agencies to give special security cover to foreign workers and tourists — *Agreed to.*

Proposed Resolution (v):

Question: That the Senate do urge Security Agencies to immediately deploy the use of drones and interceptors in tracking kidnappers asking for ransom — *Agreed to.*

Proposed Resolution (vi):

Question: That the Senate do urge community leaders, traditional rulers and all stakeholders to co-operate with security agencies — *Agreed to.*

Proposed Resolution (vii):

Question: That the Senate do urge telecommunication companies to provide security agencies with information in areas where there are kidnappings — *Agreed to.*

Proposed Resolution (viii):

Question: That the Senate do send a delegation to the British Embassy and condole the British Government — *Agreed to.*

Proposed Resolution (ix):

Question: That the Senate do urge the Federal Government to write a condolence letter to the family of Ms. Faye Mooney — *Negated.*

Additional Proposed Resolutions:

Insert Additional Proposed Resolution as follows:

- (i) “That the Senate do invite the Acting Inspector-General of Police, Muhammad A. Adamu to brief the Senate next week on the rate of insecurity in Nigeria particularly kidnappings” (*Senator Ike Ekweremadu — Enugu West*).

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

- (ii) “That the Senate do urge the House of Representatives to urgently concur to the Police Reform Bill and other security related Bills recently passed by the Senate” (*Senator Jibrin I. Barau — Kano North*).

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

Resolved:

That the Senate do:

- (i) urge the Security Authorities to intensify the search for the perpetrators and bring them to book;
- (ii) urge the Federal Government to set up inter-agency task force to tackle cases of banditry and kidnapping in Kaduna, Katsina, Zamfara and Niger States;
- (iii) urge Security Agencies to give special security cover to foreign workers and tourists;
- (iv) urge Security Agencies to immediately deploy the use of drones and interceptors in tracking kidnappers asking for ransom;

- (v) urge community leaders, traditional rulers and all stakeholders to co-operate with security agencies;
- (vi) urge telecommunication companies to provide Security Agencies with information in areas where there are kidnappings;
- (vii) invite the Acting Inspector-General of Police, Muhammad A. Adamu to brief the Senate next week on the rate of insecurity in Nigeria particularly kidnappings;
- (viii) urge the House of Representatives to urgently concur to the Police Reform Bill and other security related Bills recently passed by the Senate (*S/Res/080/05/19*).

7. Conference Committee:

Report on the Proceed of Crimes Bill, 2019 (SB. 376):

Consideration of Report deferred to another Legislative Day.

8. Ad hoc Committee on Promissory Note Programme:

Report on the Promissory Note Programme and a Bond Issuance to settle Inherited Local Debts and Contractual Obligations on Refund of States Government:

Consideration of Report deferred to another Legislative Day.

(Deputy Senate President in Chair)

10. Committee on Tertiary Institutions and TETFUND:

Report on the National Commission for Colleges of Education Act (No.3) of 1989 (Repeal and Re-enactment) Bill, 2019 (SB. 561):

Motion made: That the Senate do consider the Report of the Committee on Tertiary Institutions and TETFUND on the National Commission for Colleges of Education Act (No. 3) of 1989 (Repeal and Re-enactment) Bill, 2019 (*Senator Barau I. Jibrin — Kano North*).

Question put and agreed to.

Report presented.

Motion made: That the Senate do resolve into 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 REPEAL THE NATIONAL COMMISSION OF COLLEGES FOR EDUCATION ACT (NO. 3) OF 1989; TO ESTABLISH THE NATIONAL COMMISSION FOR TEACHER EDUCATION AND FOR OTHER MATTERS CONNECTED THEREWITH, 2019.

Clause 1: Repeal of the Act No. 3 of 1989:

The National Commission for Colleges of Education Act (No.3) of 1989 and subsequent amendments therein are hereby repealed.

Committee's Recommendation:

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

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

Clause 2: Establishment of National Commission for Teacher Education:

There is hereby established a body to be known as the National Commission for Teacher Education (NCTE) (Hereafter in this referred to as "the Commission") which shall be a body corporate with perpetual succession and a common seal and may sue and be sued in its corporate name.

Committee's Recommendation:

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

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

Clause 3: Governing Board of the Commission:

There shall be established for the Commission Governing Board, which shall consist of a Chairman and the following, other members —

- (a) three members to represent the Committee of Provosts in such a way that one shall each be appointed to represent Federal, State and Private Colleges of Education;
- (b) one representative of National Organisations, representing women's interests and who is knowledgeable in teacher education;
- (c) one representative each of the following Ministries and bodies —
 - (i) The Federal Ministry of Education; and
 - (ii) The Federal Ministry of Finance.
- (d) Four members appointed on individual merit on a nationwide basis having special knowledge and experience in teacher education;
- (e) one representative of the Nigerian Union of Teachers;
- (f) two representatives of the Universities; one representing Committee of the Vice-Chancellors and the other representing the Committee of Deans of Education.
- (g) One representative each for NUC, TETFUND, NBTE, UBEC, NERDC and TRCN,
- (h) One representative of the Nigerian Academy of Education;
- (i) The Executive Secretary of National Commission for Teacher Education.
- (j) The Chairman and other members of the Board other than the members under paragraphs (e), (i) and (j) of subsection (1) of this section shall be appointed by the President, Commander-in-Chief of the Armed Forces.
- (k) The supplementary provisions contained in the Schedule to this Act shall have effect with respect to the proceedings of the Board and the other matters mentioned therein.

Committee's Recommendation:

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

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

Clause 4: Tenure in Office:

- (a) Subject to the provisions of this Act, the Chairman and other members who are not public officers, shall be appointed by the President, to serve for a period of five years only.

- (b) Any member, not being a public officer, may resign his appointment by notice in writing under his hand addressed to the Minister;
- (c) Public officers shall be members of the Board at the pleasure of the Minister of the Ministry or Parastatals they represent;
- (d) Member of the Board, not being a public officer, shall be paid such remuneration and allowance as the Federal Government may, from time to time, determine.

Committee's Recommendation:

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

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

Clause 5: Removal from Office of a Member of the Board:

- (a) The Minister may, at any time, remove any member of the Board from office if the Minister is of the opinion that it is not in the best interest of the Commission for the member to continue in office and shall inform the member in writing to that effect through the Chairman;
- (b) Where the Board is satisfied that the continued presence on the Board of a member is not in the national interest or the interest of the Commission, the Board may recommend to the Minister that member concerned be removed from his office.

Committee's Recommendation:

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

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

Clause 6: The Functions of the Commission shall be to:

- (a) advise the Federal Government, through the Minister, and co-ordinate all aspects of teacher education;
- (b) make recommendations on the national policy necessary, for the full development of teacher education and the training of teachers; i.e. up to the highest level of teacher education;
- (c) lay down minimum standards for all programmes of teacher education, accredit their programmes every 5 years and award certificates and other academic awards, after obtaining thereof prior approval of the Minister;
- (d) set out guidelines and criteria for accreditation of all Teacher Education Programmes in Nigeria;
- (e) determine, after consultation with the ministry and other bodies it considers appropriate, the qualified teachers needs of the country for the purpose of planning training facilities and in particular, prepare periodic master plans for the balanced and co-ordinated physical development built environment for teacher production in Nigeria;
- (f) inquire into and advise the Federal Government on the financial needs, both recurrent and capital, of teacher education to enable them meet the objectives of producing the trained qualified teachers of the country;

- (g) receive bloc grants from the Federal Government and allocate them to teacher education institutions in accordance with such formula as may be laid down, from time to time, by the Federal Executive Council;
- (h) act as the agency for channeling all external aids to colleges of education for all Teacher Education in Nigeria;
- (i) advise on, and take steps to harmonise entry requirements and duration for all Teacher Education programmes;
- (j) lay down standards to be attained and continually review and monitor such standards;
- (k) review methods of assessment of teacher trainees and develop a scheme for national certification for the various products of colleges of education institutes in collaboration with the Minister of Education;
- (l) undertake periodic reviews of the terms and conditions of service of personnel in colleges/institutes of education and make recommendations thereon through the Minister to the Federal Government;
- (m) collate, analyse and publish any information relating to teacher education in Nigeria;
- (n) consider any matter pertaining to teacher education as may be referred to it, from time to time, by the Minister;
- (o) take care of all Teacher Education i.e. NCE, Diploma, B.Ed. Education, PGDE, MED and PHD; and it should be emphasized that the Commission shall accredit and supervise the award of all types of Certificates and Degrees in education, irrespective of the institution concerned;
- (p) to undertake surveys and studies relating to various aspects of Teacher Education and publish the results thereof;
- (q) to lay down guidelines in respect of minimum qualifications for a person to be employed as a teacher at various levels of teacher education;
- (r) to lay down guidelines and approve request to operate any Teacher Education Institution in Nigeria and periodically certify the standard and disqualify or close down any such institution;
- (s) carry out such other activities that are conducive to the discharge of its functions under this Act.

Committee's Recommendation:

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

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

Clause 7: Executive Secretary to the Commission:

- (a) There shall be appointed by the President, Commander-in-Chief of the Armed Forces, on the recommendation of the Minister, an Executive Secretary to the Commission who shall have appropriate qualification and experience in teacher education;

- (b) The Executive Secretary shall be the Chief Executive Officer of the Commission and shall be responsible for the execution of policies of the Commission and the day to day running of the affairs of the Commission.
- (c) The Executive Secretary shall hold office for a single period of five years which is non renewable or such term as the President, Commander-in-Chief of the Armed Forces may, from time to time, determine.
- (d) Subject to this section, the Executive Secretary shall hold office on such terms as to emolument and otherwise as may be specified in the letter of appointment, as approved by the Federal Executive Council.

Committee's Recommendation:

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

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

Clause 8: Staff of the Commission:

- (a) The Commission may appoint other employees of the Commission to assist the Executive Secretary in the exercise of his functions under this Act;
- (b) The Commission may provide for its Conditions and Scheme of Service, pension regulations, employments and welfare;
- (c) The remuneration and tenure of office of other employees of the Commission shall be determined by the Commission after consultation with the Board;
- (d) Notwithstanding the provisions of subsection (1) of this section, employees of the Commission may be appointed by the Commission by way of transfer or secondment from any of the public services in the Federation.

Committee's Recommendation:

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

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

Clause 9: Application of Pensions Act, 2004:

- (a) It is hereby declared that services in the Commission shall be pensionable under the Pensions Act 2004, and any subsequent legislation and accordingly, employees of the Commission shall, in respect of their services in the Commission, be entitled to pensions, gratuities and other retirement benefits as are prescribed thereunder;
- (b) Notwithstanding the provisions of subsection (1) of this section, nothing in this Act shall prevent the appointment of a person to any office on terms which preclude the grant of a pension and gratuity in respect of that office;
- (c) For the purposes of the application of the Pensions Act 2004, any power exercisable thereunder by the Minister or authority of the Federal Government (not being the power to make regulations under section 23 thereof) is hereby vested in and shall be exercisable by the Commission and not by any other person or authority.
- (d) Subject to subsection (2) of this section, the Pensions Act shall, in its application, by virtue of the subsection (3) of this section, to any office, have effect as if the office were in the Civil Service of the Federation within the meaning of the Constitution of the Federal Republic of Nigeria 1999.

- (e) Staff of the Commission shall be staff of the Federal Government Public Service of Nigeria.

Committee's Recommendation:

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

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

Clause 10: National Commission for Teacher Education Fund:

- (a) There shall be established by the Commission a fund to be known as the National Commission for Teacher Education Fund, hereafter-in this section referred to as "the fund";
- (b) There shall be paid and credited to the fund established in pursuance of subsection (i) of this section —
- (i) such sum as may be made available to the Commission for allocation to Colleges of Education in pursuance of paragraph (g) of section 6 of this Act; and
- (ii) such other sum as may, from time to time, be credited to the fund by way of payment of the principal and interest on and other charges in respect of any loan made out of the fund and also any interest from investments made from the fund.
- (c) The fund shall be managed in accordance with guidelines given by the Minister of Finance; and without prejudice to the generality of the power to give guidelines under this subsection, the guidelines shall in particular contain provisions —
- (i) Specifying the manner in which the assets of the fund are to be held, and regulating the making of payments into and out of the fund;
- (ii) Requiring the keeping of proper accounts and records for purposes of the fund in such form as may be specified in the guidelines;
- (iii) Requiring copies of accounts and of the auditor's report on them to be furnished to the Federal Executive Council through the Minister.

Committee's Recommendation:

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

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

Clause 11: Maintenance of Separate Fund by the Commission"

- (a) The Commission shall establish and maintain a separate fund from which shall be defrayed all expenditure as may be incurred pursuance to section 11 of this Act;
- (b) There shall be paid and credited to the fund established in pursuance of subsection (1) of this section such payments as may be made to the Commission by the Federal Ministry of Education for the running expense of the Commission and all other payments or moneys from time to time accruing to the Commission otherwise than pursuant to section 11 of this Act.

Committee's Recommendation:

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

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

Clause 12: Expenditure of the Commission:

The Commission may, from time to time, apply the proceeds of the fund established in pursuance of section 12 (a) of the Act—

- (i) to the cost of administration of the Commission;
- (ii) to the payment of the salaries, fees or other remuneration or allowances and pensions, superannuation, allowances and gratuities payment of any kind under this paragraph shall not be made to any other person who is in receipt of emoluments from the Government of the Federation or of a State;
- (iii) for the maintenance of any property vested in the Commission; and
- (iv) for and in connection with any of its functions under this Act.

Committee's Recommendation:

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

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

Clause 13: Annual Estimates and Accounts:

- (a) The Board shall submit to the Minister not later than 30th September in each year an estimate of its expenditure and income during the next succeeding year;
- (b) The Board shall keep proper accounts in respect of each year (and proper records in relation thereto) and shall cause the accounts to be audited by an auditor appointed from the list and in accordance with the guidelines supplied by the Auditor-General of the Federation;

Committee's Recommendation:

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

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

Clause 14: Annual Reports:

The Board shall prepare and submit to the Federal Executive Council through the Minister, not later than 30th July in each year, a report in such form as he may direct on the activities of the Commission during the immediate preceding year, and shall include in such report a copy of the audited accounts of the Commission for that year and the Auditor-General's report thereon.

Committee's Recommendation:

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

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

Clause 15: Power to Obtain Information:

- (a) For the purposes of carrying out the functions conferred on the Commission under this Act, the Executive Secretary or any other officer authorized in that behalf —
 - i) shall have a right of access to all the records of any institution to which this Act applies; and
 - ii) may, by notice in writing serve on any person in charge of any such institution require that person to furnish information on such matters as may be specified in that notice.

- (b) It shall be the duty of any person required to furnish information pursuant to subsection (i) of this section to comply with the notice within a reasonable period of time;
- (c) In this section, the reference to an institution which this Act applies is a reference to teacher education or institution for the production of teachers.

Committee's Recommendation:

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

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

Clause 16: Power of Minister to give Directives to the Commission:

Subject to the provisions of this Act, the Minister may give to the Commission directives of a general character or relating generally to matter of policy with regards to the exercise by the Commission of its functions and it shall be the duty of the Commission to comply with such directives.

Committee's Recommendation:

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

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

Clause 17: In this Act, unless the context otherwise requires;
"Chairman" means the Chairman of the Commission; established by section 1 of this Act;

"Executive Secretary" means the person appointed as the Executive Secretary to the Commission in pursuance of section 7 (i) of this Act;

"Member" means a member of the Commission and includes the Chairman;

"Minister" means the Minister charged with responsibility for education.

Committee's Recommendation:

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

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

Clause 18: Short Title:

The Bill may be cited as the National Commission for Teacher Education Bill, 2019.

Committee's Recommendation:

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

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

SCHEDULE

Section 2 (iii)

SUPPLEMENTARY PROVISION RELATING TO THE PROCEEDINGS OF THE BOARD

1. Subject to this Act and section 26 of the Interpretation Act 1964 (which provides for decisions of a statutory body to be taken by a majority of its members and the Chairman to have a second casting vote) the Board may make standing orders regulating the proceedings of the Board or any Committee thereof;

2. Every meeting of the Board shall be presided over by the Chairman or if the Chairman is unable to attend a particular meeting, the members present at the meeting shall elect one of their members to preside at the meeting;
3. The quorum at a meeting of the Board shall consist of the Chairman (or, in an appropriate case, the person presiding at the meeting pursuant to paragraph 2 of this schedule) and eight other members;
4. Where upon any special occasion, the Board desires to obtain the advices of any person on any particular matter, the Board may co-opted shall have all the rights and privileges of member, except that he shall not be entitled to vote or count towards a quorum;
5.
 - (i) subject to its standing orders, the Board may appoint such number of standing and ad-hoc committees as it thinks fit to consider and report on any matter with which the Board is concerned;
 - (ii) every committee appointed under the provisions of sub-paragraph (i) of this paragraph shall be presided over by a member of the Board and shall be made up of such number of persons, not necessarily members of the Board as the Board may determine in each case;
6. The decision of a Committee shall be of no effect until confirmed by the Board;
7. The fixing of the seal of the Commission shall be authenticated by the signature of the Chairman or of the Executive Secretary of the Commission;
8. Any contract or instrument which if made by a person not being a body corporate, would not be required to be under seal maybe made or executed on behalf of the Commission by the Executive Secretary or by any other person generally or specifically authorized to act for that purpose by the Commission;
9. Any document purporting to be a contract, instrument of other document signed or sealed on behalf of the Commission shall be received in evidence and unless the contrary is proved, be presumed without further proof, to have been so signed or sealed;
10. The validity of any proceedings of the Board or a Committee thereof shall not be adversely affected;
 - (i) by any vacancy in the membership of the Board or Committee;
 - (ii) by any defect in the appointment of a member of the Board or Committee; or
 - (iii) by reason that a person not entitled to do so took part in the proceedings.
11. 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 Committee shall forthwith disclose his interest to the \board or Committee and shall not vote on any question relating to the contract or arrangement, and shall be excused to leave the scene of such deliberations.

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

Chairman to report Bill.

(SENATE IN PLENARY)

The Deputy Senate President reported that the Senate in the Committee of the Whole considered the Report of the Committee on Tertiary Institutions and TETFUND on the National Commission for Colleges of Education Act (Repeal and Re-enactment) Bill, 2019 and approved as follows:

Clauses 1- 18 — As Recommended

Schedule — 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. Committee on Tertiary Institutions and TETFUND:

Report on the Federal Cooperative Colleges Bill, 2019 (SB. 418):

Motion made: That the Senate do consider the Report of the Committee on Tertiary Institutions and TETFUND on the Federal Cooperative Colleges Bill, 2019 (*Senator Barau I. Jibrin — Kano North*).

Question put and agreed to

Report presented

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

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION A BILL FOR AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF FEDERAL CO-OPERATIVE COLLEGES AND OTHER RELATED MATTERS CONNECTED THEREWITH, 2019

Clause 1: Establishment of Federal Co-operative Colleges.

- (1) There shall be established in the six geo-political zones of the country, such number of Federal Co-operative Colleges (in this Act referred to as "the College") as the Ministry may, with the approval of the President, determine from time to time. The colleges presently in existence are specified in the first schedule.
- (2) Each College shall be a body corporate with perpetual succession and a common seal and may sue or be sued in its corporate name.
- (3) The College has power to hold and dispose of property whether moveable or immovable.

Committee's Recommendation:

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

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

Clause 2: Functions of the Federal Co-operative Colleges.

The functions of the colleges shall be —

- (1) To provide full-time and part-time courses of instruction and training to produce middle and high level manpower —
 - (a) in agriculture and rural development, applied commerce and management; accounting, banking finance and cooperative studies.

- (b) in such other fields of applied learning relevant to the needs of the development of Nigeria in the areas of industrial and agricultural production and distribution and for research in the development and adaptation of techniques as the Council may from time to time determine;
- (2) to arrange conference, seminars and study groups relative to the fields of learning specified in paragraph (a) of this subsection(1);
- (3) to perform such other functions as in the opinion of the Council may serve to promote the objectives of the Colleges.

Committee's Recommendation:

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

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

Clause 3: Establishment of Governing Council.

- (1) There is established for each College, a Governing Council (in this Act referred to as "the Council") which shall comprise —
 - (a) a Chairman who is a distinguished Co-operatives Manager or educator of at least fifteen years experience;
 - (b) the Federal Director of Co-operatives or his representative;
 - (c) a representative of each of the following —
 - (i) the Ministry charged with responsibility for Co-operative matters in the State in which the College is located,
 - (ii) the Co-operative Federation of Nigeria Limited;
 - (iii) the Nigeria Labour Congress;
 - (iv) the Federal Ministry of Agriculture & Rural Development, and
 - (v) the Federal Ministry of Commerce;
 - (d) two other persons to be appointed by the President on the recommendation of the Ministry of Agriculture & Rural Development; and
 - (e) the Provost of the College who shall also serve as Secretary to the Council.
- (2) A member of the Council, other than an ex-officio member shall be appointed by the President on such terms and conditions as may be specified in his letters of appointment.
- (3) A member of the Council, other than an ex-officio shall hold office for a term of four years from the date of his appointment and may be eligible for re-appointment for a further term of four years and no more.
- (4) The provisions of the Schedule to this Act have effect in relation to the matters contained in the Schedule.

Committee's Recommendation:

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

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

Clause 4: Establishment of Academic Board.

- (1) There shall be for each College an Academic Board (in this Act referred to as "the Board") which shall consist of—
 - (a) the Provost of the College who shall be the Chairman of the Board;
 - (b) the Deputy Provost;
 - (c) all Heads of the academic departments of the College;
 - (d) the College Librarian; and
 - (e) the Registrar who shall be the Secretary to the Board.
- (2) A member of the Board shall hold office for a period of two years in the first instance and is eligible for re-appointment for a further term of two years and no more.
- (3) The Board shall meet at least once every semester or any time and at the request of the Provost or any three members.
- (4) The quorum for a meeting of the Board shall be a simple majority of its members.

Committee's Recommendation:

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

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

Clause 5: Functions of the Academic Board.

The functions of the Board are to —

- (a) supervise the training of candidates for the College;
- (b) consider and approve courses and syllabuses of study for the College;
- (c) award or recommend to the Council the award of certificates and distinctions;
- (d) make arrangements for students to obtain practical experiences of co-operative related matters;
- (e) make regulations for the conduct of examinations of the College;
- (f) appoint examiners for the examinations of the College;
- (g) appoint from its members or otherwise —
 - (i) examining boards,
 - (ii) boards of studies, or
 - (iii) committees, as may be deemed expedient and delegate to any such board or committee any of the functions of the Board;

- (h) consider matters relating to the professional and academic work of the College;
- (i) deal with matters referred to the Board by the Council; and
- (j) furnish the Council with reports of the proceedings of the Board.

Committee's Recommendation:

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

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

Clause 6: Appointment of Provost.

There shall be appointed for each College by the President, on the recommendation of the Council, a Provost who shall be a person with wide experience in matters with which the College is concerned and shall be appointed in accordance with the regulations and conditions of service approved by the Council.

Committee's Recommendation:

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

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

Clause 7: Functions of Provost.

The Provost of the College shall —

- (a) be charged with the day to day management of the affairs of the College, in accordance with such instructions as may, from time to time, be given to the Provost by the Council;
- (b) prepare annual estimates of the finances required by the College for submission to the Council through the Board;
- (c) prepare annual reports on the administrative programmes of the College at any time as the Council may request for submission to the appropriate authority; and
- (d) carry out such other function as may be assigned to him by the Board or Council.

Committee's Recommendation:

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

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

Clause 8: Committee of Provosts.

- (1) There shall be a Committee of Provosts of Federal Co-operative Colleges (in this Act referred to as the "Committee of Provosts").
- (2) The Chairmanship of the Committee of Provosts shall be rotated annually amongst the Provosts of the Colleges.

Committee's Recommendation:

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

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

Clause 9: Functions of Committee of Provost.

The Committee of Provosts shall —

- (a) co-ordinate the standard in the operation of the Colleges; and
- (b) formulate and process a unified standard in the operation of the Colleges.

Committee's Recommendation:

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

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

Clause 10: Other Staff of the College.

The Council may appoint such other staff for the College as it may deem necessary for the proper discharge of its functions under this Act on such remuneration and allowances as are applicable to officers of equivalent grades in similar institutions.

Committee's Recommendation:

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

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

Clause 11: Pension Act Provision.

- (1) It is hereby declared that service in each College shall be approved service for the purposes of the Pensions Act and accordingly, officers and other persons employed in each College, except Principal Officers shall, in respect of their service in the College, be entitled to pensions, gratuities and other retirement benefits as are prescribed thereunder, so however that nothing in this Act shall prevent the appointment of a person to any office on terms which preclude the grant of a pension and gratuity in respect of that office.
- (2) For the purposes of the application of the provisions of the Pensions Act, any power exercisable thereunder by a Minister or other authority of the Government of the Federation shall be exercisable by the College and not by any other person or authority.

Committee's Recommendation:

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

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

Clause 12: Retiring Age of Staff.

- (1) Notwithstanding anything to the contrary in the Pension Act, the compulsory retiring age of the staff of each of the Federal Co-operative Colleges 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 any staff of each of the Federal Colleges of Education.

Committee's Recommendation:

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

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

Clause 13: Funds of College.

- (1) The College shall establish and maintain a fund from which shall be defrayed all expenditure incurred by the College.

- (2) There shall be paid into the fund —
 - (a) such moneys as may be granted to the College by the Federal Government from time to time; and
 - (b) all other assets as may accrue to the College from time to time.
- (3) The fund shall be managed in accordance with rules made by the Minister responsible for matters relating to finance, and without prejudice to the generality of the power to make rules under this subsection, the rules shall in particular contain provisions —
 - (a) specifying the manner in which the assets or the fund of the College are to be held and relating to the making of payments to and from the fund;
 - (b) requiring the keeping of proper accounts and records for purposes of the fund and in such form as may be specified in the rules;
 - (c) for ensuring that the accounts of the College are audited annually by an Auditor appointed by the Council from the list of Auditors supplied by the Auditor-General of the Federation; and
 - (d) requiring that copies of the accounts and the audit report on the account be forwarded to the Council not later than 3 months following the end of the period to which the accounts relate.

Committee's Recommendation:

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

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

Clause 14: Borrowing Power.

The College shall not borrow money or lend money to anybody except with the approval of the Council.

Committee's Recommendation:

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

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

Clause 15: Annual Estimates, Accounts and Audit.

The College shall cause to be prepared, not later than three months before the end of each year, an estimate of its expenditure and income during the next succeeding year and cause the estimate to be submitted for the approval of the Council.

Committee's Recommendation:

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

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

Clause 16: Interpretation.

In this Act, unless the context otherwise requires —

"Board" means the academic board established under Section 3 of this Act;

"College" means a College established pursuant to Section 1(1) of this Act;

"Council" means the governing council established for the College under Section 2 of this Act;

"Minister" means the Minister charged with responsibility for matters relating to Co-operatives;

"Provost" means the Provost of the College appointed pursuant to Section 5 of this Act.

Committee's Recommendation:

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

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

Clause 17: Short Title.

This Bill may be cited as the Federal Co-operative Colleges Bill, 2019.

Committee's Recommendation:

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

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

SCHEDULES
FIRST SCHEDULE

- | | | |
|------------|-----|--|
| Sections 1 | (1) | List of Federal Co-operative Colleges |
| | (a) | Federal Co-operative College Ibadan, Oyo State |
| | (b) | Federal Co-operative College Orji River, Enugu State |
| | (c) | Federal Co-operative College Kaduna, Kaduna State |

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

PROCEEDINGS OF THE COLLEGE

SECOND SCHEDULE

Section 2(4)

SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL, ETC.

1. Subject to this Act and Section 27 of the Interpretation Act (which provides for decisions of a statutory body to be taken by a majority of its members and or the person presiding at any meeting, when a vote is ordered to have a second or casting vote), the Council may make standing orders regulating its proceedings or that of any of its Committee.
2. At any meeting of the Council, the Chairman shall preside and if the Chairman is absent, the members present may appoint one of their members to be the Chairman of the meeting.
3. The quorum at a meeting of the Council shall be the Chairman (or in an appropriate case, the person presiding at the meeting pursuant to paragraph 2 of this Schedule) and four other members.
4. Where on a special occasion, the Council desires to obtain the advice of an expert on a particular matter, the Council may co-opt the expert as a member for such period as the College may deem fit; but a person who is a member by virtue of this subsection shall not be entitled to vote at any meeting of the Council and shall not count towards a quorum.

Committee.

5. (1) The Council may appoint one or more committees to advise it on the exercise and performance of its functions under this Act or to carry out on behalf of the College or Council, such functions as the College may determine.
- (2) A committee appointed under this subsection shall consist of the number of persons determined by the Council.
- (3) A decision of a committee of the College or Council shall be of no effect until it is confirmed by the Council.

Miscellaneous.

6. The fixing of the seal of the College shall be authenticated by the signature of the Chairman of the Council or the Provost if authorised by the College for that purpose.
7. Any contract or instrument which if entered into or executed by a person not being a body corporate would not be required to be made under seal may be entered into or executed on behalf of the College or Council by any person generally or specifically authorised in that behalf by the Council.
8. Any document purported to be a contract, instrument or other document duly signed or sealed on behalf of the College shall be received in evidence and shall unless the contrary is proved be deemed to be so executed.
9. The validity of any proceedings of the College, Council or any of its committees shall not be affected by —
 - (a) any vacancy in its membership or the absence of any member;
 - (b) any defect in the appointment of a member; or
 - (c) reason that a person not entitled to do so took part in the proceedings.
10. Any member of the College, Council or any of its committees who has a personal interest in any contract or arrangement entered into or proposed to be considered by the College, Council or committee shall immediately disclose his interest to the College, Council or the committee as the case may be and shall not vote on any question relating to the contract or arrangement.
11. No member of the College shall be personally liable for any act or omission done or made in good faith while engaged on the business of the College.

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

Chairman to report Bill.

(SENATE IN PLENARY)

The Deputy Senate President reported that the Senate in the Committee of the Whole considered the Report of the Committee on Tertiary Institutions and TETFUND on the Federal Cooperative Colleges Bill, 2019 and approved as follows:

Clauses 1- 17	—	As Recommended
Schedules 1&2	—	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.

12. Committee on Tertiary Institutions and TETFUND:

Report on the Federal University of Education, Kontagora, Niger State (Establishment, etc.) Bill, 2019 (SB. 689):

Motion made: That the Senate do consider the Report of the Committee on Tertiary Institutions and TETFUND on the Federal University of Education, Kontagora, Niger State (Establishment, etc.) Bill, 2019 (*Senator Barau I. Jibrin — Kano North*).

Question put and agreed to

Report presented.

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

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION A BILL FOR AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE FEDERAL UNIVERSITY OF EDUCATION, KONTAGORA; AND FOR OTHER MATTERS CONNECTED THEREWITH, 2019

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

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

- (1) There is hereby Federal College of Education, Kontagora upgraded and established as the Federal University of Education, Kontagora.
- (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 objective 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 in education, technology, applied science, agriculture, commerce, arts, social science, humanities, management and allied professional disciplines.

- (c) to produce socially matured educated 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 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.
- (f) to identify educational needs of the society with a view to finding solutions to them within the context of overall national development.
- (g) 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.
- (h) to provide higher education and foster a systematic advancement of the science and art of teacher education.
- (i) 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.
- (j) to provide teachers with operational competence for teaching in pre-tertiary institutions, basic, senior secondary schools and non-formal education institutions.
- (k) to undertake any other activities that is appropriate for a university of education of the highest standard.

Committee's Recommendation:

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

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

Clause 2: Constitution and Principal Officers of the University.

- (1) The University shall consist of —
 - (a) a Chancellor;
 - (b) a Pro-Chancellor and a Council;
 - (c) a Vice-Chancellor and a Senate;
 - (d) a body to be called Congregation;
 - (e) a body to be called Convocation;
 - (f) the campuses and colleges of the University;
 - (g) the colleges, institutes and other teaching and research units of the University;

- (h) the persons holding the offices constituted by the First Schedule to this 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.

Committee's Recommendation:

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

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

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

- (1) For the carrying out of its objects as specified in section 1 of this Bill, Federal; University of Education, Kontagora 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.

Committee's Recommendation:

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

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

Committee's Recommendation:

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

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

Committee's Recommendation:

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

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

Committee's Recommendation:

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

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

Committee's Recommendation:

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

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

Committee's Recommendation:

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

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

Committee's Recommendation:

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

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

Committee's Recommendation:

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

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

Committee's Recommendation:

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

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

Committee's Recommendation:

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

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

Committee's Recommendation:

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

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

Committee's Recommendation:

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

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

Committee's Recommendation:

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

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

Committee's Recommendation:

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

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

Committee's Recommendation:

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

Question that Clause 17 do stand part of the Bill, put and 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 —
 - (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, or
 - (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, or
 - (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.
- (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.

Committee's Recommendation:

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

Question that Clause 18 do stand part of the Bill, put and 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 wilfully refuses or fails on grounds of religious belief to undertake any duty generally and uniformly imposed on all such person or any group of them which duty, having regard to its nature and the special circumstances pertaining thereto, is in the opinion of the University reasonably justifiable in the national interest.

Committee's Recommendation:

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

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

Committee's Recommendation:

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

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

Committee's Recommendation:

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

Question that Clause 21 do stand part of the Bill, put and 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; or
 - (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.

Committee's Recommendation:

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

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

Committee's Recommendation:

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

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

Committee's Recommendation:

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

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

Committee's Recommendation:

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

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

Committee's Recommendation:

That the provision in Clause 26 be retained (*Senator Barau I. Jibrin – Kano North*) – Agreed to

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

Clause 27: Interpretation.

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

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

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

"Council" means the Governing Council of the University established by section 5 of this Bill.

"Functions" includes powers and duties

"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; (Erroneously omitted)

"Minister" means the Hon. Minister of Education;

"Notice" means notice in writing;

"Officer" does not include the Visitor;

"Prescribed" means prescribed by statute or regulations;

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

"Property" includes rights, liabilities and obligations;

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

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

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

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

"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

"the statutes" means all such statutes as are in force from time to time;

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

"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;

"University" means Federal University of Education, Kontagora established and incorporated by section I of this Bill.

- (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.

Committee's Recommendation:

That the provision in Clause 27 be retained (*Senator Barau I. Jibrin – Kano North*) – Agreed to

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

Clause 28: Short Title.

This Bill may be cited as the Federal University of Education, Kontagora Bill, 2019.

Committee's Recommendation:

That the provision in Clause 28 be retained (*Senator Barau I. Jibrin – Kano North*) – Agreed to

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

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 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 reappointed for one further period of two years and no more.
 - (c) may be removed from office for good cause by the Council acting on the recommendations of the Vice-Chancellor and Senate; and
 - (d) "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.

Question that the provision of 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.

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

THIRD SCHEDULE

[Section 9 (3)]

FEDERAL UNIVERSITY OF EDUCATION, KONTAGORA

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
 - (e) the Executive Secretary of the Petroleum Technology Development Fund, or in his absence, such member of the Fund 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;

- (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.
- (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, Kontagora 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, Kontagora Statute No.1.

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

Chairman to report Bill.

(SENATE IN PLENARY)

The Deputy Senate President reported that the Senate in the Committee of the Whole considered the Report of the Committee on Tertiary Institutions and TETFUND on the Federal University of Education, Kontagora, Niger State (Establishment, etc.) Bill, 2019 and approved as follows:

Clauses 1- 28	—	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.

13. Committee on Culture and Tourism:

Report on the Sale of the National Theatre and the Tafawa Balewa Square, Lagos:

Motion made: That the Senate do consider the Report of the Committee on Culture and Tourism on the Sale of the National Theatre and the Tafawa Balewa Square, Lagos (*Senator Fatimat O. Raji-Rasaki — Ekiti Central*).

Question put and agreed to.

Report presented.

Debate:

Proposed Resolution (i):

Question: That the Senate do approve these edifices to be classified as National Monuments:

EDIFICES RECOMMENDED TO BE CLASSIFIED AS NATIONAL MONUMENTS

S/No.	MONUMENTS	JUSTIFICATION
1.	Tafawa Balewa Square, Lagos.	The Site Where Nigeria Got Her Independence and Where The Instrument Of Self Government was handed over to the first Prime Minister of Nigeria in the early hours of October 01, 1960. It was the location where the Union Jack (British Flag) was lowered and the Green-White-Green Nigerian National Flag was hoisted as the sign of attainment of Nationhood and freedom from colonial rule.
2.	National Theatre, Iganmu - Lagos.	The site where Nigeria hosted the second African and Black Festival of Arts and Culture (FESTAC) in Jan/Feb 1977. It was a symbol of togetherness of all Black people of the world, which was well attended and celebrated. It has become a place of history and memorial to the Black people of the world.
3.	President's House (Governor General's Lodge) Marina, Lagos.	The specially built house to accommodate the Governor General of the colony of Nigeria. Built in 1896 by the British colonial administration and was transformed to the present form to meet the use of Lord Fredrick Lugard in 1914.
4.	The Prime Minister's Lodge at Onikan, Lagos.	The residence of the First Prime Minister of Nigeria. A historic site.
5.	The Minister of Finance Residence on Marina, Lagos.	The residence of the Minister of Finance on Marina is a historic house and a masterpiece of British architecture in Nigeria.

6.	Kings College, Lagos.	One of the foremost British built secondary schools in Nigeria to train young Nigerians. It produced some of the Nigerian Nationalists and educators that shaped the growth and development of Nigeria. The Federal Government took over the administration of the school at independence and today has become one of the beacons of teaching and learning in Nigeria.
7.	The Main Yard at Iddo and the Railway Compound in Ebute-Metta, Lagos.	The historic sites of the development of Railway services in Nigeria from the west. The main yard at Ebute Metta was the Service area of the Railway system.
8.	Independence Building, Lagos.	The first administrative building for the Federal Government's Civil Service after the Colonial Secretariat. A 23 storied building imposing building is an edifice and monument of history and governance in Nigeria.
9.	Dodan Barracks, Obalende, Lagos.	The seat of the Military government from 1966 to 1979 and also of the second Republic from 1979 to 1983 and subsequently of the following Military Governments till the movement to Abuja as the new Federal Capital.
10.	Consulate (Prefab) Building, Aba (presently, the National Museum, Aba).	Historic prefabricated building that housed the British Consulate in Aba as a trade centre and where the 1929 Aba Women riot took place.
11.	Mungo Park House, Asaba, Delta State.	Historic trade centre built and maintained by the British Colonial Government to control trade on the River Niger and for the movements of the trade of Palm Oil.
12.	Lugard Secretariat, Lokoja.	The historic site where Lord Lugard ruled Northern Nigeria Protectorate before the amalgamation of the North and South Protectorates of Nigeria in 1914.
13.	Radio Biafra Bunker, Umuahia, Abia State.	A historic site and a memorial to the Nigerian Civil War. (1967 - 1970) Now housing the National War Museum.
14.	Ojukwu Bunker (Residence of Dr. Michael Okpara) part of the National War Museum, Umuahia.	A historic site and a memorial to the Nigerian Civil War. The Bunker where Emeka Odumegwu-Ojukwu stayed for most part of the Civil War.
15.	Ruins of Lord Lugard Residence in Lokoja.	The Residence of Lord Lugard as the Administrator of the British Northern Protectorate.
16.	First Air-Strip made by Lord Lugard in Lokoja.	The earliest air-strip built by the Colonial Administration for the supply of goods and support for the administration of the colonial office at Lokoja.
17.	Lander Brothers' Anchorage, Delta State.	Historic landing site of the Lander Brothers in search of the delta of River Niger and a commercial site for trade and transport during the colonial era.

18.	Oloibiri Oil Well Site.	Historic site of the first discovered petroleum in great commercial quantity for export.
19.	The Cabinet Office.	Located at Race Course Lagos Island. The Office of the Prime Minister of Nigeria.
20.	The Old Post Office on Marina Lagos.	The Post Office Administrative Headquarters of the Nigerian Postal Services.
21.	The Former Headquarters of the National Electricity Power Authority (NEPA) on Marina Lagos.	The Headquarters of the Electricity Corporation of Nigeria (ECN) before independence.
22.	Colonial Secretariat on Broad Street (Near CMS Bus Stop).	Presently Housing the Centre for Black and African Art and Culture (CBAAC) on Broad Street, Lagos.
23.	The National Stadium, Surulere.	Venue for the hosting of the 2nd All African Games and venue to many historic events and football matches.
24.	The Federal Government Press Building in Apapa, Lagos.	The Government Press as it used to be called. It is the Press used for the printing of all government gazettes, information brochures and government businesses.
25.	NEPA Thermal and Coal Station at Ijora.	The first purpose build Thermal Power Station for Lagos, powered with coal from Enugu - later a substation of Gas Station attached to it. (Including the railway delivery Station for the discharge of Coal).
26.	Railway Compound of Ebute-Metta.	The Western Terminal of the Nigerian Railway Network.
27.	Railway Terminal of Port Harcourt.	The Terminal of the Railway Network in Eastern Nigeria.
28.	Railway Terminal Jos.	
29.	Railway Terminal Maiduguri	
30.	Railway Terminal at Baro.	
31.	Benin Moat	Known traditionally as "Iya" the Benin Moat is the largest man-made earth work anywhere in the world. Constructed in the 13th century, at a time when there were no labour saving devices, it is really an astonishing achievement. The Benin Moat forms part of an ancient wall built to protect the royal city and was extended during the 15th century meaning that it now stretches for a staggering 3200 km/1,988 feet length.
32.	Eredo Sugbon Wall.	One of the greatest earth works in the nature of the China Great Walls. Said to have extended for several kilometers around Ijebu-Ode and environ to the creeks and Lagos Lagoon.

— Agreed to.

Proposed Resolution (ii):

Question: That the Senate do approve these Natural Sites as national monuments:

NATURAL SITES

1.	Oban Hills, (part of the Cross River National Park).	A Bio-Diversity Hot Spot of the world with new emerging species and home to the Gorilla species endemic to the Cross River Region.
2.	Gashaka-Gumti National Park.	A Bio-Diversity Hot Spot.
3.	Baturiya (formerly Kano) Wetlands in Jigawa State.	A spring wetland of springs of water that formed a habitation for millions of wintering migratory European birds.
4.	Cross River National Park - Northern Segment.	A Bio-Diversity Hot Spot of the world. Home of many unidentified scientific species.
5.	Aso Rock and Caves.	Rising some 936 metres/3,070 feet above sea level, Aso Rock is the largest of the rocky outcrops that can be found near the capital city of Abuja. Within the rock are series of caves which are accessible to the public, but only with prior permission. Various important buildings are located around this giant 400 metres/1,312 foot monolith, such as the National Assembly, the Presidential Complex and the Supreme Court.
6.	Gurara Falls.	During the rainy season (from July to September), the Gurara falls are at their most dramatic, measuring roughly 30 metres/98 feet at their widest point. Even in the dry season (between December and March), it is still well worth a visit, since the multitude of natural flora is then exposed, and with calmer water, swimming often becomes possible. The falls are situated on the road that runs from Suleja and Minna in Niger State, with plenty of adjacent opportunities for hiking and picnicking.
7.	Owu Falls.	Reputed to be the steepest natural waterfall in West Africa. The Owu Falls is a relatively gentle cascade and is always popular with tourist, offering great photo opportunities. Situated in Kwara State and surrounded by lush tropical rainforest, the best time to visit is during rainy season, when the Owu Falls are at their most dramatic.
8.	Zuma Rock.	Standing close to Abuja and directly to the north of this capital city, Zuma Rock has to be one of the country's most recognizable and iconic natural landmarks, located off the main Abuja to Kaduna road, this huge monolith is easily accessible to most visitors and is quite impossible to miss, often being known as the Gateway to Abuja and towering more than 700 metres/2,300 feet above the surrounding landscape.

— Agreed to

Proposed Resolution (iii):**Question:** That the Senate do approve these monuments as national monuments:

TECHNOLOGY

1.	Niger Bridge linking Asaba to Onitsha	A historic bridge linking the East and the Southwest for trade in goods and human transportation
2.	Benue Bridge over the Benue River in Makurdi.	A historic bridge linking the North and the Southeast for trade in goods and human transportation, more importantly for the railway movement.
3.	Niger Bridge in Jebba.	A historic bridge linking the North and the Southeast for trade in goods and human transportation, more importantly for the railway development
4.	Taiwo Olowo's Monument, off Broad Street, Lagos.	This prominent Lagos monument located on Broad Street, houses the tomb of Chief Daniel Conrad Taiwo. History records that Taiwo arrived in Lagos in 1848, starting out as an apprentice and ending up a notable political figure. It is widely believed that this famous bust of Taiwo was manufactured by melting down thousands of individual copper pennies.

— Agreed to

Resolved:

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(S/Res/081/05/19),

25. Adjournment:

Motion made: That the Senate do now adjourn till Tuesday, 30th April, 2019 at 10:00 a.m. (*Senate Leader*).

Adjourned accordingly at 1:33 p.m.

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

