SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Thursday, 29th September, 2016

1. The Senate met at 10:00 a.m. The Senate President read Prayers.

2. **Votes and Proceedings:**
The Senate examined the Votes and Proceedings of Tuesday, 27th September, 2016.

Question was put and the Votes and Proceedings were approved.

3. **Messages from Mr. President:**
The Senate President announced that he had received three letters from Mr. President, Commander-in-Chief of the Armed Forces of the Federation, which he read as follows:

(a) Confirmation of Appointment:

PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA

27th September, 2016

Distinguished Senator Abubakar Bukola Saraki
President of the Senate,
Senate Chambers,
National Assembly Complex,
Three Arms Zone,
Abuja.

Dear Distinguished Senate President,

REQUEST FOR CONFIRMATION OF APPOINTMENT OF FIVE (5) COMMISSIONERS FOR THE NATIONAL POPULATION COMMISSION

In accordance with the provisions of Section 154(1) of the 1999 Constitution (as amended), I write to forward herewith the names of five (5) National Commissioners appointed for the National Population Commission (NPC) from Akwa Ibom, Bayelsa, Benue, Kebbi and Oyo States, for the consideration of the Senate of the Federal Republic of Nigeria. The names of appointed Commissioners are as follows:

S/N	Name	Position	State of Origin
1.	Engr. (Chief) Benedict Ukpong, FNSE	Member	Akwa Ibom
2.	Gloria Fateya Izonfuo, mni	Member	Bayelsa
3,	Barr. Kupchi Patricia Ori Iyanya	Member	Benue
4.	Dr. Haliru Bala, FCE, FNIMN	Member	Kebbi
5.	Dr. Eyitayo O. Oyetunji	Member	Oyo

While thanking you immensely in anticipation of the early consideration and confirmation of the above appointments by the Distinguished Senate, please accept, the assurances of my highest esteem.

Yours Sincerely,
(Signed)
Muhammadu Buhari

(b) Confirmation of Appointment:

PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA

27th September, 2016

Distinguished Senator Abubakar Bukola Saraki
President of the Senate,
Senate Chambers,
National Assembly Complex,
Three Arms Zone,
Abuja.

Dear Distinguished Senate President,

REQUEST FOR CONFIRMATION OF APPOINTMENT OF SIX (6) COMMISSIONERS FOR THE INDEPENDENT NATIONAL ELECTORAL COMMISSION

In accordance with the provisions of Section 154(1) of the 1999 Constitution (as amended), I write to forward herewith the names of six (6) National Commissioners appointed for the Independent National Electoral Commission (INEC) from the six (6) Geo-Political Zones, for the consideration of the Senate of the Federal Republic of Nigeria. The names of appointed Commissioners are as follows:

S/N	Name	Position	State	Geo-political Zone
1.	Prof. Okechukwu Obinna Ibeanu	Member	Anambra	South-East
2.	May I. Agbamuche-Mbu	Member	Delta	South-South
3.	AVM Ahmed Tijani Mu'azu (Rtd), OON	Member	Gombe	North-East
4.	Mohammed Kudu Haruna	Member	Niger	North-Central
5.	Dr. Adekunle Ladipo Ogunmola	Member	Oyo	South-West
6.	Abubakar Ahmed Nahuche	Member	Zamfara	North-West

While thanking you immensely in anticipation of the early consideration and confirmation of the above appointments by the Distinguished Senate, please accept, the assurances of my highest esteem.

Yours Sincerely,
(Signed)
Muhammadu Buhari

(c) Book Launch:

PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA

27th September 2016

Distinguished Senator Abubakar Bukola Saraki
President of the Senate,
Senate Chambers,
National Assembly Complex,
Three Arms Zone,
Abuja.

Dear Distinguished Senate President,

LAUNCH OF THE BOOK "MUHAMMADU BUHARI THE CHALLENGES OF LEADERSHIP IN NIGERIA"

A group of friends have commissioned the distinguished American scholar, Professor John Paden who has had lengthy academic assignments in Nigeria to write the above - captioned book.

The launching date has been fixed for 3rd October 2016 at the International Conference Centre, Abuja. Although the event is un-official and privately sponsored, I am inviting you, Mr. President of the Senate and any of the Distinguished Senators who happens to be in Abuja on that day to honour us with your presence.

I am enclosing the invitation cards and an advance copy of the book for your perusal.

Please accept, Distinguished Senate President, the assurances of my highest regards.

Yours Sincerely,
(Signed)
Muhammadu Buhari

4. Petitions:

(*a*) Rising on Rule 41, Senator Albert A. Bassey (*Akwa Ibom North-East*) drew the attention of the Senate to a petition from his constituents, the entire people of Oku Iboku of Itu Local Government Area, Akwa Ibom State, requesting the Senate to investigate asset stripping by NEGRIS. 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.

(*b*) Rising on Rule 41, Senator Ubali M. Shitu (*Jigawa North-East*) drew the attention of the Senate to a petition from his constituent, Abdullahi Saleh, on his wrongful dismissal from the Nigerian Postal Service. 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.

5. **Personal Explanation:**
Rising on Rule 43, Senator Abdullahi A. Gumel *(Jigawa North-West)* drew the attention of the Senate to the demise of Senator Dalha Ahmed Danzomo, who passed away on 27th of September, 2016. He stated that Senator Dalha Danzomo hailed from Sule Tankarkar Local Government Area Council of Jigawa State, represented Jigawa North-West Senatorial District in the 5th Senate and that the late Senator Danzomo contributed his very best in the Senate through law making and was passionate about community development. He urged the Senate to observe a minute silence in his honour and also send a delegation to commiserate with the family, people and Government of Jigawa State.

One minute silence accordingly observed in honour of the deceased.

6. **Presentation of Bills:**
(*i*) University of Abuja Act CAP U2 LFN 2004 (Amendment) Bill, 2016 (HB. 262) — *Read the First Time.*

(*ii*) World Meteorological Organization (Protection) Act CAP W7 LFN 2004 (Amendment) Bill, 2016 (HB. 271) — *Read the First Time.*

(*iii*) Currency Conversion (Freezing Orders) Act CAP C43 LFN 2004 (Amendment) Bill, 2016 (HB. 274) — *Read the First Time.*

(*iv*) National Judicial Institute Act CAP N55 LFN 2004 (Amendment) Bill, 2016 (HB. 302) — *Read the First Time.*

(*v*) Advertising Practitioners (Registration etc.) Act CAP P7 LFN 2004 (Amendment) Bill, 2016 (HB. 303) — *Read the First Time.*

7. **United Nations Convention on the Elimination of all forms of discrimination against Women Bill, 2016 (SB. 301):**
Motion made: That a Bill for an Act to Incorporate and Enforce certain provisions of the United Nations Convention on the Elimination of all forms of discrimination against Women, the protocol to African Charter on Human and People's Rights on the rights of women in Africa and other matters connected therewith 2016 be read the Second Time (*Senator Abiodun C. Olujimi — Ekiti South*).

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committee on Judiciary, Human Rights and Legal Matters to report within Four (4) weeks.

8. **Telecommunications and Postal Offences Act (Amendment) Bill, 2016 (HB.216):**
Motion made: That a Bill for an Act to amend the Telecommunications and Postal Offences Act CAP, T4 LFN, 2004 and for other related matters, 2016 be read the Second Time (*Deputy Senate Leader)*

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committee of the Whole.

Motion made: Pursuant to Rule 81, that the Senate do consider the Telecommunications and Postal Offences Act CAP T5 LFN (Amendment) Bill, 2016 (*Concurrence*) (*Deputy Senate Leader*).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO AMEND THE TELECOMMUNICATIONS AND POSTAL OFFENCES ACT, CAP. T5, LAWS OF THE FEDERATION OF NIGERIA, 2004; AND FOR OTHER RELATED MATTERS

Clause 1: Amendment of the Principal Act.

Telecommunications and Postal Offences Cap. T4 Laws of the Federation of Nigeria, 2004 (in this Bill referred to as the "Principal Act") is amended as follows — (Deputy *Senate Leader*).

Committee's Recommendation:
That the provision in Clause 1 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 2: Amendment of Section 2.

Section 2 of the Principal Act is amended in —

(*a*) subsection 3 (*a*) by:

(*i*) Substituting the phrase "not less than ₦100,000" in line 1 for the amount "₦500,000" and

(*ii*) substituting the words "not exceeding" in line 2, for the word "of" and

(*b*) subsection 3 (*b*) by substituting the phrase "not less than ₦500,000" with the amount "₦5,000,000.00" .

Committee's Recommendation:
That the provision in Clause 2 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 3: Amendment of Section 5.

Section 5 of the Principal Act is amended in —

(*a*) subsection (1) by inserting after the word "who" in line 1, the word "knowingly"

(*b*) subsection (2) by inserting after the word "who" in line 1, the word "knowingly".

Committee's Recommendation:
That the provision in Clause 3 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 4: Amendment of Section 12.

Section 12 of the Principal Act is Amended in —

(*a*) Subsection (1) (*a*) by deleting the words "not less than' in line 1, and

(*b*) Subsection (1) (*b*) by substituting the amount "₦500,000" the amount "₦5,000,000.00".

Committee's Recommendation:
That the provision in Clause 4 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 5: **Amendment of Section 13.**
Section 13 of the Principal Act is Amended in —
(*a*) paragraph (*a*) by deleting the words "not less than" in line 4, and

(*b*) paragraph (*b*) (*ii*) by deleting the words "not less than" in line 8.

Committee's Recommendation:
That the provision in Clause 5 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 6: **Amendment of Section 24.**
Section 24 of the Principal Act is amended by substituting the phrase " not less than "₦100,000" in lines 3 and 4 with the amount "₦1,000,000.00".

Committee's Recommendation:
That the provision in Clause 6 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 7: **Amendment of Section 30.**
Section 30 of the Principal Act is amended in —
(*a*) subsection (1) (*a*) by deleting the words "not less than" in line 1, and

(*b*) subsection (1) (*b*) by substituting the amount "₦500,000" with the amount "₦5,000,000.00".

Committee's Recommendation:
That the provision in Clause 7 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 8: **Amendment of Section 35.**
Section 35 of the Principal Act is amended in subsection (2) by substituting the word "without" in line 5, for the words "with a".

Committee's Recommendation:
That the provision in Clause 8 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 9: **Amendment of Section 37.**
Section 37 of the Principal Act is amended in —
(*a*) paragraph (*a*) by:
(*i*) substituting the phrase "not less than ₦100,000" in line 1, with the amount "₦250,000.00", and

(*ii*) deleting the words "not less than" in line 2, and

(*b*) paragraph (*b*) by substituting the amount "₦500,000" with the amount "₦2,000,000.00".

Committee's Recommendation:
That the provision in Clause 9 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 10: **Citation.**
This Bill may be cited as the Telecommunications and Postal Offences Act (Amendment) Bill, 2016.

Committee's Recommendation:
That the provision in Clause 10 be retained (*Deputy Senate Leader*) — *Agreed to.*

Question that Clause 10 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 the Telecommunications and Postal Offences Act CAP T5 LFN (Amendment) Bill, 2016 (*Concurrence*) and approved as follows:

Clauses 1- 10 — 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 *(Deputy Senate Leader).*

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

9. **National Crop Varieties and Livestock Breeds Act (Amendment) Bill, 2016 (HB.218):**
Motion made: That a Bill for an Act to amend the National Crop Varieties and Livestock Breeds (Registration, etc) Act, CAP N27, LFN, 2004 be read the Second Time

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committee of the Whole.

Motion made: Pursuant to Rule 81, that the Senate do consider the National Crop Varieties and Livestock Breeds (Registration) Act CAP N27 LFN 2004 (Amendment) Bill, 2016 (*Concurrence*) (*Deputy Senate Leader*).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO AMEND THE NATIONAL CROP VARIETIES AND LIVESTOCK BREEDS (REGISTRATION, ETC.) ACT, CAP. N27, LAWS OF THE FEDERATION OF NIGERIA, 2004 BY REVIEWING THE PENALTIES IMPOSED UNDER THE ACT; AND FOR OTHER RELATED MATTERS

Clause 1: **Amendment of Cap. N27, LFN, 2004.**
The National Crop Varieties and Livestock Breed (Registration, etc.) Act, Cap. N27, LFN, 2004 (in this Bill referred to as "the principal Act") is amended as set out in this Bill.

Committee's Recommendation:
That the provision in Clause 1 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 2: **Amendment of section 8 (2) and (3).**
Section 8 (2) and (3) of the principal Act is amended by substituting "₦200" with "₦100,000, and "₦500" with "₦500,000" .

Committee's Recommendation:
That the provision in Clause 2 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 3: **Citation.**
This Bill may be cited as the National Crop Varieties and Livestock Breeds (Registration, etc.) Act (Amendment) Bill, 2016.

Committee's Recommendation:
That the provision in Clause 2 be retained (*Deputy Senate Leader*) — *Agreed to.*

Question that Clause 2 *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 the National Crop Varieties and Livestock Breeds (Registration) Act CAP N27 LFN, 2004 (Amendment) Bill, 2016 (*Concurrence*) 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.*

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.

10. **Produce (Enforcement of Export Standards) Act (Amendment) Bill, 2016 (HB.219):**
Motion made: That a Bill for an Act to amend the Produce (Enforcement of Export Standards) Act CAP P32 LFN, 2004 by reviewing the Penalties Imposed Under the Act; and for Other Related Matters be read the Second Time. (*Deputy Senate Leader).*

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committee of the Whole.

Motion made: Pursuant to Rule 81, that the Senate do consider the Produce (Enforcement of Export Standards) Act CAP P32 LFN 2004 (Amendment) Bill, 2016 (*Concurrence*) (*Deputy Senate Leader).*

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO AMEND THE PRODUCE (ENFORCEMENT OF EXPORT STANDARDS) ACT, CAP. P32, LAWS OF THE FEDERATION OF NIGERIA, 2004 BY REVIEWING THE PENALTIES IMPOSED UNDER THE ACT; AND FOR OTHER RELATED MATTERS

Clause 1: **Amendment of CAP. P32, LFN, 2004.**
The produce (Enforcement of Export Standards) Act, CAP. P32, LFN, 2004 (in this Bill referred to as "the principal Act") is amended as set out in this Bill.

Committee's Recommendation:
That the provision in Clause 1 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 2: **Amendment of section 7 (*j*).**
Section 7 (*j*) of the Principal Act is amended by substituting for the expression "₦200", the expression "₦20,000.

Committee's Recommendation:
That the provision in Clause 2 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 3: **Amendment of section 8(2).**
Section 8(2) of the Principal Act is amended by substituting for the expression "₦200", the expression "₦20,000".

Committee's Recommendation:
That the provision in Clause 3 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 4: **Amendment of section 10 (1).**
Section 10 (1) of the Principal Act is amended by substituting for the expression, "₦ 400"; the expression, "₦30,000".

Committee's Recommendation:
That the provision in Clause 4 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 5: **Amendment of section 16 (1) (*h*).**
Section 16(1)(*h*) of the Principal Act is amended by substituting for the expression, "₦400"; the expression, ₦30,000".

Committee's Recommendation:
That the provision in Clause 5 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 6: **Amendment of section 17.**
Section 17 of the Principal Act is amended by substituting for the expression, "₦400," the expression, "₦30,000".

Committee's Recommendation:
That the provision in Clause 6 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 7: **Citation.**
This Bill may be cited as the Produce (Enforcement of Export Standards) Act (Amendment) Bill, 2016.

Committee's Recommendation:
That the provision in Clause 7 be retained (*Deputy Senate Leader*) — *Agreed to.*

Question that Clause 7 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 the Produce (Enforcement of Export Standards) Act CAP P32 LFN 2004 (Amendment) Bill, 2016 (*Concurrence*) and approved as follows:

Clauses 1- 7 — 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 *(Deputy Senate Leader).*

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

11. **Prevention of Crimes Act (Amendment) Bill, 2016 (HB. 233):**
Motion made: That a Bill for an Act to amend the Prevention of Crimes Act CAP P27, LFN, 2004 by Increasing the Prescribed Penalties and for Other Related Matters, 2016 be read the Second Time *(Deputy Senate Leader)*.

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committee of the Whole.

Motion made: Pursuant to Rule 81, that the Senate do consider the Prevention of Crimes Act CAP P27 LFN 2004 (Amendment) Bill, 2016 (*Concurrence*) (*Deputy Senate Leader*).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO AMEND THE PREVENTION OF CRIMES ACT, CAP. P27, LAWS OF THE FEDERATION OF NIGERIA, 2004 BY INCREASING THE PRESCRIBED PENALTIES; AND FOR OTHER RELATED MATTERS

Clause 1: **Amendment of Cap. P.27 LFN, 2004.**
The Prevention of Crime Act, Cap. P. 27 of the Federation of Nigeria, 2004 (in this Bill referred to as "the Principal Act") is amended as set out in this Bill.

Committee's Recommendation:
That the provision in Clause 1 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 2: **Amendment of Section 2.**
Section 2 of the Principal Act is amended by substituting for the interpretation of "crime", a new interpretation of crime —

"crime means offences punishable with jail term for not less than three years"

Committee's Recommendation:
That the provision in Clause 2 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 3: **Amendment of Section 3 (1).**
Section 3(1) of the Principal is amended:

(*a*) by substituting for the word, "five" the word "three" in line 5;

(*b*) in subsection (2), by substituting for the words, "who is at large", the word "officer" in line 1, and

(*c*) in subsection (4), by substituting for the word, "against" the word "under" in line 2.

Committee's Recommendation:
That the provision in Clause 3 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 4: **Amendment of Section 4.**
Section 4 of the Principal Act is amended by substituting for the word, "President" appearing in line 1 and the marginal note the words "Commissioner of Police".

Committee's Recommendation:
That the provision in Clause 4 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 5: **Amendment of Section 6.**
Section 6 of the Principal Act is amended by substituting for the word "President" the words, "Inspector-General of Police" in line 1.

Committee's Recommendation:
That the provision in Clause 5 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 6: **Citation.**
This Bill may be cited as the Prevention of Crimes Act (Amendment) Bill, 2016.

Committee's Recommendation:
That the provision in Clause 6 be retained (*Deputy Senate Leader*) — *Agreed to.*

Question that Clause 6 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 the Prevention of Crimes Act CAP P27 LFN 2004 (Amendment) Bill, 2016 (*Concurrence*) and approved as follows:

Clauses 1- 6 — 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 *(Deputy Senate Leader).*

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

12. **Water Resources Act CAP W2 LFN 2004 (Amendment) Bill, 2016 (HB. 234):**
Motion made: That a Bill for an Act to amend the Water Resources Act CAP W2 LFN, 2004 to Review Upward the Stipulated Fines and Penalties for Offences Under the Act and Other Related Matters, 2016 be read the Second Time.

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committee of the Whole.

Motion made: Pursuant to Rule 81, that the Senate do consider the Water Resources Act CAP W2 LFN 2004 (Amendment) Bill, 2016 (*Concurrence*) (*Deputy Senate Leader*).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO AMEND THE WATER RESOURCES ACT, CAP. W2, LAWS OF THE FEDERATION OF NIGERIA, 2004 TO REVIEW UPWARDS THE STIPULATED FINES AND PENALTIES FOR OFFENCES UNDER THE ACT; AND FOR OTHER RELATED MATTERS

Clause 1: **Amendment of Cap. W2 LFN, 2004.**
The Water Resources Act, Cap. W2, Laws of the Federation 2004 (in this Act referred to as "the Principal Act") is amended as set out in this Bill.

Committee's Recommendation:
That the provision in Clause 1 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 2: **Amendment of Section 18 of the Principal Act.**
Section 18 of the Principal Act is amended in subsection (1) by substituting for the—

(*a*) amount "₦2,000" and "₦100", the amounts "₦500,000" and "₦100,000" respectively; and

(*b*) word "six months", the words "one year"

Committee's Recommendation:
That the provision in Clause 2 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 3: **Short Title.**
This Bill may be cited as the Water Resources Act (Amendment) Bill, 2016.

Committee's Recommendation:
That the provision in Clause 3 be retained (*Deputy Senate Leader*) — *Agreed to.*

Question that Clause 3 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 the Water Resources Act CAP W2 LFN 2004 (Amendment) Bill, 2016 (*Concurrence*) and approved as follows:

Clauses 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 *(Deputy Senate Leader)*.

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

13. **National Agricultural Land Development Authority Act CAP N4 LFN 2004 (Amendment) Bill, 2016 (HB.237):**
Motion made: That the Bill for an Act to amend the National Agricultural Land Development, Authority Act, CAP N4 LFN 2004 be read the Second Time.

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committee of the Whole.

Motion made: Pursuant to Rule 81, that the Senate do consider the National Agricultural Land Development Authority Act CAP N4 LFN 2004 (Amendment) Bill, 2016 (*Concurrence*) (*Senate Leader*).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO AMEND THE NATIONAL AGRICULTURAL LAND DEVELOPMENT AUTHORITY ACT, CAP. N4, LAWS OF THE FEDERATION OF NIGERIA, 2004; AND FOR OTHER RELATED MATTERS

Clause 1: **Amendment of the Principal Act.**
The National Agricultural Land Development Authority Act, CAP. N4, Laws of the Federation of Nigeria, 2004 (in this Bill referred to as "the principal Act") is amended as set out in this Bill.

Committee's Recommendation:
That the provision in Clause 1 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 2: **Amendment of section 2 (I) (*b*) of this Principal Act.**
Section 2 of the Principal Act is amended by inserting a new subsection (1) (*b*) (*iii*) to read (*iii*) "Land and Urban Development".

Committee's Recommendation:
That the provision in Clause 2 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 3: **Amendment of section 13 (2) (*b*).**
Section 13 of the Principal Act is amended by substituting subsection (2) (*b*) with a new subsection (2) (*b*) as follows —

"The State Director of National Orientation Agency".

Committee's Recommendation:
That the provision in Clause 3 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 4: **Citation.**
The Bill may be cited as the National Agricultural Land Development Authority Act (Amendment) Bill, 2016.

Committee's Recommendation:
That the provision in Clause 4 be retained (*Deputy Senate Leader*) — *Agreed to.*

Question that Clause 4 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 the National Agricultural Land Development Authority Act CAP N4 LFN 2004 (Amendment) Bill, 2016 (*Concurrence*) and approved as follows:

Clauses 1- 4 — 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 *(Deputy Senate Leader).*

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

14. Bees (Import Control and Management) Act CAP B6 LFN 2004 (Amendment) Bill, 2016 (HB.238):
Motion made: That the Bill for an Act to amend the Bees (Import Control and Management) Act, CAP B6 LFN, 2004, to review the Penalty Provisions and Compensation in order to make the Act more Effective and for Other Related Matters, 2016 be read the Second Time.

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committee of the Whole.

Motion made: Pursuant to Rule 81, that the Senate do consider the Bee (Import Control and Management) Act CAP B6 LFN 2004 (Amendment) Bill, 2016 (*Concurrence*) (*Deputy Senate Leader).*

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO AMEND THE BEES (IMPORT, CONTROL AND MANAGEMENT) ACT, CAP. B6, LAWS OF THE FEDERATION OF NIGERIA, 2004 TO REVIEW THE PENALTY PROVISIONS AND COMPENSATION IN ORDER TO MAKE THE ACT MORE EFFECTIVE; AND FOR OTHER RELATED MATTERS

Clause 1: **Amendment of CAP. B6, LFN, 2004.**
The Bees (Import Control and Management) Act, CAP. B6, Laws of the Federal Republic of Nigeria, 2004 (in this Bill referred to as "the Principal Act") is amended as set out in this Bill.

Committee's Recommendation:
That the provision in Clause 1 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 2: **Amendment of section 5 of the principal Act.**
Section 5(1) of the Principal Act:

(*a*) in paragraph (*a*), by inserting the words "thousand" after the word "forty" and the word "thousand" after the word "hundred", and

(*b*) in paragraph (*b*), by inserting the words "thousand" after the word "hundred" in line two, and the word "thousand" after the word "hundred" in line three.

Committee's Recommendation:
That the provision in Clause 2 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 3: **Amendment of section 6 of the Principal Act.**
Section 6 (1) of the Principal Act is amended by inserting the words "thousand" after the word "fifty" in line 6.

Committee's Recommendation:
That the provision in Clause 3 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 4: **Citation.**
This Bill may be cited as Bee (Import Control Management) Act (Amendment) Bill, 2016.

Committee's Recommendation:
That the provision in Clause 4 be retained (*Deputy Senate Leader*) — *Agreed to.*

Question that Clause 4 *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 the Bee (Import Control and Management) Act CAP B6 LFN 2004 (Amendment) Bill, 2016 (*Concurrence*) and approved as follows:

Clauses 1- 4 — 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 *(Deputy Senate Leader).*

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

15. **Agricultural and Rural Management Training Act CAP A10 LFN 2004 (Amendment) Bill, 2016 (HB.241):**
Motion made: That a Bill for an Act to amend the Agricultural and Rural Management Training Institute (Amendment) CAP A10 LFN, 2004, to allow other Federal Universities Participate on the Board of the Institution, and Other Related Matters, 2016 be read the Second Time

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committee of the Whole.

Motion made: Pursuant to Rule 81, that the Senate do consider the Agricultural and Rural Management Training Act CAP A10 LFN 2004 (Amendment) Bill, 2016 (*Concurrence*) (*Deputy Senate Leader*).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO AMEND THE AGRICULTURAL AND RURAL MANAGEMENT TRAINING INSTITUTE ACT, CAP. A10, LAWS OF THE FEDERATION OF NIGERIA, 2004 TO ALLOW OTHER FEDERAL UNIVERSITIES PARTICIPATE ON THE BOARD OF THE INSTITUTE; AND FOR OTHER RELATED MATTERS.

Clause 1: **Amendment of CAP. A10, LFN, 2004.**
The Agriculture and Rural Management Training Institute (Amendment) Act (in this Bill referred to as "the Principal Act") is amended as set out in this Bill.

Committee's Recommendation:
That the provision in Clause 1 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 2: **Amendment of Section 2 (1).**
Section 2 (1) (*d*) of the Principal Act is amended by substituting for the words the "University of Ilorin, Ahmadu Bello University or University of Nigeria, Nsukka, the words "any of the Federal Universities in Nigeria".

Committee's Recommendation:
That the provision in Clause 2 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 3: **Citation.**
This Bill may be cited as the Agricultural and Rural Management Training (Amendment) Bill, 2016.

Committee's Recommendation:
That the provision in Clause 3 be retained (*Deputy Senate Leader*) — *Agreed to.*

Question that Clause 3 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 the Agricultural and Rural Management Training Act CAP A10 LFN 2004 (Amendment) Bill, 2016 (*Concurrence*) and approved as follows:

Clauses 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 *(Deputy Senate Leader).*

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

16. **Committee on Tertiary Institutions and TETFUND:**
Report on the Federal University Wukari (Establishment, etc.) Bill, 2016 (SB. 273):
Motion made: That the Senate do consider the Report of the Committee on Tertiary Institutions and TETFUND on the Federal University Wukari, (Establishment, etc.) Bill, 2016 (*Senator Jibrin I. Barau — 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 *(Deputy 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 ITS DUE MANAGEMENT AND ADMINISTRATION AND OTHER RELATED MATTERS

PART I - ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF FEDERAL UNIVERSITY WUKARI

Clause1. Establishment and Objects of the Federal.
University Wukari

(1) There is established the Federal University Wukari (in this Act referred to as "the University").

(2) The University —

(a) shall be a body corporate with perpetual succession and a common seal; and

(b) may sue or be sued in its corporate name.

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

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

Clause 2: **Objects of the University.**
The objects of the University shall be to —

(a) encourage the advancement of learning and to hold out to all persons without distinction of race, creed, sex or political conviction the opportunity of acquiring higher and liberal education;

(b) provide courses of instruction and other facilities for the pursuit of learning in all its branches, and to make those facilities available on proper terms to such persons as are equipped to benefit from them;

(c) encourage and promote scholarship and conduct research in restricted fields of learning and human endeavour;

(d) relate its activities to the social, cultural and economic needs of the people of Nigeria; and

(e) undertake other activities appropriate for a university of the highest standard.

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

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

Clause 3: **Constitution of the University and its Constituent Bodies, etc.**
(1) The University shall consist of —

(a) a Chancellor;

(b) a Pro-Chancellor and a Council;

(c) a Vice Chancellor and a Senate;

(d) Deputy Vice-Chancellor (s);

(e) a body to be called Congregation;

(f) a body to be called Convocation;

(g) the campuses and colleges of the University;

(h) the faculties, schools, institutes and other teaching and research units of the University;

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

(j) all graduates and undergraduates; and

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

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

(3) Provision shall be made by Statute with respect to the constitution of the following bodies, namely —

(a) the Council;

(b) the Senate;

(c) the Congregation; and

(d) the Convocation.

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

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

Clause 4: Powers of the University.

(1) For the carrying out of its objects as specified in Section 2 of this Act, the University shall have power to —

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

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

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

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

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

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

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

(h) subject to section 22 of this Act, to acquire, hold, grant, charge or otherwise deal with or dispose of movable and immovable property wherever situate;

(i) accept gifts, legacies and donations, but without obligation to accept the same for a particular purpose unless it approves the terms and conditions attaching thereto;

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

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

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

(m) subject to any limitations or conditions imposed by Statute, to invest any moneys appertaining to the University by law of endorsement, whether for general or special purposes, and such other moneys as may not be immediately required for current expenditure, in any investments or securities or in the purchase or improvement of land, with power from time to time to vary any such investments and to deposit any moneys for the time being un-invested with any bank on deposit or current account;

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

(o) make gifts for any charitable purpose;

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

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

(2) Subject to the provisions of this Act and of the Statutes made thereunder and without prejudice to Section 9 (2) of this Act, the powers conferred on the University by subsection (1) of this section shall be exercisable on behalf of the University by the Council or by the Senate or in any other manner which may be authorized by this Act.

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

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

Clause 5: **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 for 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 5 be retained (*Senator Jibrin I. Barau — Kano North*) — *Agreed to.*

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

Clause 6: **Establishment and Composition of Council.**

(1) There shall be a Council for the University consisting of —

(a) the Pro-Chancellor;

(b) the Vice-Chancellor;

(c) the Deputy Vice-Chancellor;

(d) one person from the Federal Ministry responsible for Education;

(e) four persons representing a variety of interest and broadly representative of the whole Federation;

(f) four persons appointed by the Senate from among its members;

(g) two persons appointed by the congregation from among its members; and

(h) one person appointed by Convocation from among its members.

(2) Persons to be appointed to the Council shall be persons of proven integrity, knowledgeable and familiar with the affairs and tradition of the University.

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

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

Clause 7: **Functions of the Council and its Finance and General Purpose.**

(1) Subject to the provisions of this Act relating to the Visitor, the Council shall be the Governing Body of the University and shall be charged with the general control and superintendence of the policy, finances and property of the University, including its public relations.

(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 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 proper accounts of the University are kept and that the accounts of the University are audited annually by auditors appointed by the Council from the list and in accordance with guidelines supplied by the Auditor-General of the Federation, and that an annual report is published by the University together with certified copies of the said accounts as audited.

(5) Subject to this Act 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 subsection (S) of this section by the Finance and General Purposes Committee shall not come.

(7) There shall be paid to the members 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 extant government circulars.

(8) The Council shall meet as and when necessary for the performance of its functions under this Act, and shall meet at least four times every year.

(9) If required in writing by any five members of the Council, the Chairman shall within twenty-eight days after the receipt of such request call a meeting of the Council into force unless approved by the Council, and where any rule so made by the Committee conflict with any directions given by the Council (whether before or after the coming into force of the rules in question), the direction of the Council shall prevail.

PROVIDED that if after 28 days of the receipt or delivering to him of such request, the chairman fails or neglects to call a meeting, the Registrar shall within 14 days thereof, cause a meeting of the Council to be convened for that purpose. The request 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 7 be retained (*Senator Jibrin I. Barau — Kano North*) — *Agreed to.*

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

Clause 8: Functions of the Senate.

(1) Subject to section 5 of this Act and subsections (3) and (4) of this section and to the provisions of this Act relating to the Visitor, it shall be the general function of the Senate to organize and control teaching in the University, admission to Postgraduate courses and other admission of students, the discipline of students and to promote research in the University.

(2) Without prejudice to the generality of the provisions of subsection (l) of this section, it shall in particular be the function of the Senate to make provision for the —

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

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

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

(d) 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) establishment, organization and control of halls of residence and similar institutions in the University;

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

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

(h) determination of what description 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, faculty, department, school, 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) (a) Subject to this Act and the Statutes, the Senate may make regulations for the purpose of exercising any function conferred on it either by the provisions of this section or for the purpose of providing for any matter for which provision by regulation is authorized or required by this Act or by Statute.

(b) The Senate shall, by regulation, provide that at least one of the persons appointed as examiners at each final or professional examination held in conjunction with any course of study in the University is not a teacher at the University but is a teacher at the branch of learning to which the course relates in some other university of high repute.

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

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

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

Clause 9: **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 5 of this Act, the Pro-Chancellor and any other person for the time being acting as Chairman of the Council.

(2) Subject to the provisions of this Act, the Vice-Chancellor shall have general function, in addition to any other functions conferred on him by this Act or otherwise, of directing the activities of the University, and shall to the exclusion of any other person or authority be the chief executive and academic officer of the University and ex-officio Chairman of the Senate.

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

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

Part II - Transfer of Property

Clause 10: **Transfer of Property to the University.**

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

(2) The provisions of the Second Schedule to this Act shall have effect with respect to the transfer of property by this section and to matters arising therefrom and with respect to other matters mentioned in that Schedule.

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

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

PART III - STATUTES OF THE UNIVERSITY

Clause11. **Power of the University to make Statutes.**

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

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

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

(c) regulating the admission of students where it is done by the University, 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 Act and of any Statute, regulation or other instrument made there-under; and

(e) making provision for other matters for which provision by Statute is authorized or required by this Act.

(2) Subject to section 25 (6) of this Act, 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 27 (1) of that Act.

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

(4) The power to make Statute conferred by this section shall not be prejudiced or limited in any way by reason of the inclusion or omission of any matter in or from the Statute contained in the Third Schedule to this Act or any subsequent Statute.

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

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

Clause 12: Mode of exercising the power to make Statutes.

(1) The power of the University to make Statutes shall be exercised in accordance with the provisions of this section.

(2) A proposed Statute shall not have the force of law until it has been approved at a meeting of the —

(a) Senate, by the votes of not less than two thirds of the members present and voting; and

(b) 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 Council, and may be approved as required by subsection (2) of this section by both bodies in no particular order.

(4) A Statute which —

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

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

(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 approved by the Council and the Senate in accordance with subsection (3) of this section 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.

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

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

Clause 13: **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 signed by the Vice-Chancellor or the Registrar to the effect that the copy is a true copy of a Statute of that University.

Committee's Recommendation:

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

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

Clause 14: **Power to decide the meaning of Statute.**

(1) In the event of any doubt or dispute arising at any time as to the meaning of any provision of a Statute, the matter may be referred to the Visitor, who shall take such advice and make such decision thereon as he deems fit.

(2) The decision of the Visitor on any matter referred to him under this section shall be binding upon the authorities, staff and students of that University and where any question as to the meaning of any provision of a statute has been decided by the Visitor under this section, no question as to the meaning of that provision shall be entertained by any other authority in Nigeria:

PROVIDED that nothing in this subsection shall affect the 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.

(3) The foregoing provisions of this section shall apply in relation to any doubt or dispute as to whether any matter is, for the purposes of this Act, academic or a non-academic matter as they apply in relation to any such doubt or dispute as is mentioned in subsection (1) of this section, and accordingly the reference in subsection (2) of this section to any question as to the meaning of any provision of a statute shall include references to any question as to whether any matter is for the said purposes an academic or non-academic matter.

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

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

PART IV - SUPERVISION AND DISCIPLINE

Clause15. The Visitor.

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

(2) The Visitor shall as often as the circumstances may require, not being less than once every five years, conduct a visitation of the University or direct that such a visitation be conducted by such 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—

(a) make available to the Visitor, and to any other persons conducting a visitation in pursuance of this section, such facilities and assistance as he or they may reasonably require for the purpose of the visitation; and

(b) give effect to any instructions consistent with the provisions of this Act which may be given by the Visitor in consequence of the visitation.

Committee's Recommendation:
That the provision in Clause 15 be retained (*Senator Emmanuel Bwacha — Taraba South*) — *Agreed to.*

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

Clause 16: Removal of certain Members of the Council.

(1) If it appears to the Council that a member (other than the Pro-Chancellor or the Vice-Chancellor) should be removed from office on grounds of misconduct or inability to perform the functions of his office, the Council shall make a recommendation to that effect through the Minister to the Federal Executive Council and if the Federal Executive Council, after making such enquiries (if any) as may be considered necessary, approves the recommendation it may direct the removal of the member 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 16 be retained (*Senator Jibrin I. Barau — Kano North*) — *Agreed to.*

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

Clause 17: 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 office or on grounds of misconduct or inability to perform the functions of his office Council shall —

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

(b) afford such person an opportunity of making representation in person on the matter to the Council; and

(c) take a decision to terminate or not to terminate the appointment.

(2) If the affected staff or any three members of the Council so request within a period of one month from the date of receipt of the notice of the Council's decision, the Council shall make arrangements for —

(a) a joint committee of the Council and the Senate to review the matter and to report on it to the Council;

(b) the person in question to be afforded an opportunity to appear before and be heard by an 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, the Council may so remove him by an instrument in writing signed on the directions of the Council.

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

(4) Any member of staff may be suspended from duty or his appointment may be terminated by Council for a good cause 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 office;

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

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

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

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

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

(c) terminate the appointment of the person concerned in which case such a person will not be entitled to the proportion of his emoluments withheld during the period of suspension; or

(d) 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.

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

(7) It shall be the duty of the person by whom an instrument of removal is signed in pursuance of subsection (1) above 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.

(8) Nothing in the foregoing provisions of this section shall prevent the Council from making regulations for the discipline of staff and workers of the University as may be appropriate.

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

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

Clause 18: Removal of Examiners.

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

(2) Subject to the provisions of any regulation made pursuant to section 8(4) of this Act, the Vice-Chancellor may, on the recommendation of Senate, appoint an appropriate person as examiner in the place of the examiner removed.

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

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

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

Clause 19: Discipline of Students.

(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 Statute or 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

(2) Where a direction is given under subsection (1) paragraphs (c) or (d) of this section in respect of any student, the student may, within the prescribed period and in the prescribed manner, appeal against the direction to the Senate.

(3) Where an appeal is brought pursuant to subsection (2) of this section, the Senate shall, after causing such inquiry to be made in the matter as the Senate considers just, either confirm or set aside the direction or modify it in such manner as the Senate thinks fit.

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

(5) 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.

(6) Nothing in this section shall be construed as preventing the restriction or termination of a student's activities at the University for conduct which in the opinion of Senate is prejudicial to the interest of the University or to its corporate objective or image.

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

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

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

PART V - MISCELLANEOUS AND GENERAL PROVISIONS

Clause 20. Exclusion or 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, place of birth, family origin, religious or political persuasion, as a condition for becoming or continuing to be a —

(a) student in the University;

(b) holder of any degree, appointment or employment in the University;

(c) member of anybody established by virtue of this Act.

(2) No person shall be subjected to any disadvantage or accorded any advantage in relation to the University by reference to any of the matters referred to in subsection (1) of this section.

(3) Nothing in subsection (l) of this section shall be construed as preventing the University from imposing any disability or restriction on any of the persons specified in subsection (l) of this section where such persons wilfully refuse or fail on grounds of religious belief to undertake any duty generally and uniformly imposed on all such persons or any group of them which duty, having regard to its nature and the special circumstances, is in the opinion of the University reasonably justifiable in the national interest.

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

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

Clause 21: Transfer of land to the University.

(l) For the purpose of the Land Use Act (which provides for the compulsory acquisition of land for public purposes) any purpose of the University shall be the same as that of the Federation.

(2) Where an estate or interest in land is acquired by the Government pursuant to this section, the Government may, by a certificate under the hand and seal of the Chief Federal Lands Officer or any other person authorized in that behalf transfer it to the University.

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

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

Clause 22: 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 Act) except with the prior written consent, either general or special, of the Visitor:

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

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

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

Clause 23: **23. Quorum and procedure of bodies established by this Act.**
Except as may be otherwise provided by Statute or by Regulation, the quorum and procedure of any body of persons established by this Act shall be such as may be determined by that body.

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

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

Clause 24: Appointment of Committees, etc.

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

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

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

(2) Any two or more such bodies may arrange for the holding of joint meetings of those bodies or for the appointment of committees consisting of members of those bodies, for the purpose of considering any matter within the competence of those bodies or any of them and either 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 Regulations, the quorum and procedure of a committee established or meeting held pursuant to 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) 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.

(5) Nothing in the foregoing provisions of this section shall be construed as enabling —

(a) statutes to be made otherwise than in accordance with section 11 of this Act; or

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

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

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

Clause 25: 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 —

(a) in the case of certificates issued by the University, be authenticated by the Vice-Chancellor and the Registrar; and

(b) in the case of any other document, be authenticated by any member of Council, the Vice-Chancellor and the Registrar 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 deemed 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 without seal.

(4) The validity of the proceedings of anybody established pursuant to this Act shall not be affected by.

(5) Any member of any such body who has a personal interest in any matter proposed to be considered by that body shall disclose his interest to the body and shall not vote on any question relating to that matter.

(6) Nothing in section 12 of the Interpretation Act (which provides for the application, in relation to subordinate legislation, of certain incidental provisions) shall apply to Statutes or 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 —

(a) Statute (including the Statute contained in the Third Schedule to this Act; or

(b) regulation by a subsequent Statute or Regulation as the case may be;

PROVIDED that the Statutes and Regulations may have 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 sections 10, 21 and the Second Schedule to this Act.

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

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

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

Clause 26: Interpretation.

(1) In this Act —

"appropriate authority" means any person, body or authority authorized by law to act in a specific or general capacity in relation to a subject· matter;

Question: That the words " appropriate authority" defined in the Interpretation to this Act, put and agreed to.

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

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

"college" means any college which may be established by the University;

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

"graduate" means a person on whom a degree (other than an honorary degree) has been conferred by the University;

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

"gross misconduct" means any act of misconduct and improper behaviour that may be designated as gross misconduct by any Statute or Regulation made, pursuant to this Act.

Question: That the words " gross misconduct" defined in the Interpretation to this Act, put and agreed to.

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

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

"misconduct" means any conduct which is prejudicial to the good name of the University and or discipline and the proper administration of the business of the University;

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

"notice" means notice in writing;

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

"officer" does not include the Visitor;

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

"prescribed" means prescribed by Statute or Regulation made under this Act;

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

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

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

"property" includes rights, liabilities and obligations;

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

"the provisional Council" means the provisional Council appointed for the University by the President with effect from September 2011;

Question: That the word " the provisional Council" defined in the Interpretation to this Act, put and agreed to.

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

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

"Senate" means the Senate of the University established by the Act;

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

"Statute" means a Statute made by the University under section 11 of this Act and in accordance with the provisions of section 12 of this Act;

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

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

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

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

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

"Government" means the Federal Government of Nigeria;

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

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

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

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

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

"undergraduate" means a person in statu pupilari in the University, other than —

(a) a graduate; and

(b) a person of such description as may be prescribed for the purposes of this definition.

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

"the University" the Federal University Wukari as incorporated and constituted by this Act; and "the Act" means the Federal University, Wukari Act.

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

(2) Where in any provision of this Act, it is laid down that proposals are to be submitted or a recommendation is to be made by one authority to another through one or more intermediate authorities, it shall be the duty of every such intermediate authority to forward any proposals or recommendations received by it pursuant to 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 26 be retained (*Senator Jibrin I. Barau — Kano North*) — *Agreed to.*

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

Clause 27: **Short Title.**
This Act may be cited as the Federal University Wukari (Establishment, etc.) Bill, 2016.

Committee's Recommendation:
That the provision in Clause 27 be retained (*Senator Jibrin I. Barau — Kano North*) — *Agreed to.*

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

SCHEDULES
FIRST SCHEDULE

Section 3 (2)

Principal Officers of the University

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

2. The Pro-Chancellor.
(1) The Pro-Chancellor shall be appointed or removed from office by the President.

(2) Subject to the provisions of this Act, the Pro-Chancellor shall hold office for a period of four years from the date of his appointment.

3. The Vice-Chancellor
The procedure for the appointment and removal of the Vice-Chancellor shall be in accordance with the provision of the University (Miscellaneous Provisions) Act 1993 as amended.

4. Deputy Vice-Chancellor
(1) There shall be for the University, two Deputy Vice-Chancellors or such number of Deputy Vice Chancellors as the Council may, from time to time, deem necessary for the proper administration of the University.

(2) The procedure for the appointment and removal of the Deputy Vice Chancellor shall be in accordance with the provisions of the Universities {Miscellaneous Provisions} Act 1993 as amended.

(3) A Deputy Vice-Chancellor shall —

(a) assist the Vice-Chancellor in the performance of his functions;

(b) act in 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. Office of the Registrar

(1) There shall be for the University, a Registrar, who shall be the Chief Administrative Officer of the University and shall be responsible to the Vice-Chancellor for the day-to-day administration of the University except as regards matters for which the Bursar is responsible in accordance with paragraph 6 (2) below.

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

(3) The Registrar shall hold office for such period and on such terms and conditions as to emoluments as may be specified in his letter of appointment.

6. Other Principal Officer, Bursar, the University Librarian

(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.

(2) The Bursar shall be the Chief Financial Officer of the University and shall 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 all library services in the University and its campuses, colleges, faculties, schools, departments and institutes and other teaching or research units.

(4) The Bursar and the University Librarian —
shall each hold office for such period and on such terms and conditions as to emoluments as may be specified in his letter of appointment.

7. Other Officers of the University.
There shall be for the University, a Director of Works, who shall be responsible to the Vice Chancellor for the administration of the Works Department. He shall be responsible for all works, services and maintenance of University facilities.

8. There shall be for the University, a Director of Health Services, who shall be responsible to the Vice Chancellor for the administration of the Health Centre. He shall be the Chief Medical Officer of the University and shall coordinate all matters relating to the health of all staff and students.

9. Resignation and re-appointment.

(1) Any officer mentioned in the foregoing provisions of this schedule may resign his office in —

(a) the case of the Chancellor or Pro-Chancellor, by notice to the Visitor;

(b) the case of the Vice-Chancellor by notice to the Council which shall immediately notify the Minister; and

(2) 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 paragraph 1, 2, 3, 4, 5, 6, 7, 8, and 9 *do stand part of First Schedule to this Bill, put and agreed to.*

SECOND SCHEDULE

Section 10 (2)

TRANSITIONAL PROVISIONS AS TO PROPERTY, FUNCTIONS, ETC.

Transfer of Property to the University

1. Without prejudice to the generality of Section 10 (1) of this Act —

(a) the reference in the subsection to property held by the provisional Council and the University 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 and the University; and

(b) all outstanding debts and liabilities of the provisional Council shall become debts and liabilities of the University established by this Act.

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 established by this Act had been a party to it in place of the provisional Council.

(2) Documents not falling within sub-paragraph (I) above, including enactments, which refer whether specially or generally to the provisional Council shall be construed in accordance with that subparagraph 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 established by this Act.

3. Registration of Transfers

(1) If the law in force at the place where any property transferred by this Act is situated provides for the registration of transfers of property of the kind in question (whether by reference to an instrument of transfer or otherwise), the law shall, so far as it provides for alterations of a register (but not for avoidance of transfers, the payment of fees of any other

matter) apply, with the necessary modifications to the transfer of the property in question.

(2) It shall be the duty of the body to which any property is transferred by this Act 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.

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 set up under the Third Schedule to this Act must have been duly constituted.

(3) The first meetings of the Senate as constituted by this Act 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 Senate immediately before the coming into force of this Act shall be deemed to constitute the Senate of the University until the date when the Senate as set up under the Third Schedule of this Act must have been duly constituted.

(5) Subject to any regulations which may be made by the Senate after the date on which this Act is made, the faculties, faculty boards and students of the University immediately before the coming into force of this Act shall on that day become faculties, faculty boards and students of the University as established by this Act.

(6) Persons who were deans or associate deans of faculties or members of faculty boards shall continue to be deans or associate deans or become members of the corresponding faculty boards, until new appointment are made in pursuance of the Statutes under this Act.

5. Any person who was a member of the staff of the University as established or was otherwise employed by the provisional Council shall be employed at the University on such designation, status and functions which correspond as nearly as possible to those which pertained to him as a member of that staff or as such an employee.

6. Questions as to the scope of the responsibilities of the aforesaid officers shall be determined by the Vice-Chancellor.

Question that paragraph 1, 2, 3, 4, 5, and 6 *do stand part of Second Schedule to this Bill, put and agreed to.*

THIRD SCHEDULE

Section 11 (3)

FEDERAL UNIVERSITY WUKARI
STATUTE NO. 1

The Council

(1) Any member of Council holding office pursuant to section 6 (e) (f) (g) or (h) of this Act may, by notice to the Council resign his office.

(2) A member of Council holding office pursuant to section 6 (e) (f) (g) or (h) of this Act shall, unless he previously vacates it, vacate that office on the expiration of a period of four years starting from 1st August in the year in which he was appointed.

(3) Where a member of Council holding office pursuant to section 6 (e) (f) (g) or (h) of this Act vacates office before the expiration of his tenure, the body that appointed him may appoint a successor to hold office for the residue of his unexpired term.

(4) A person ceasing to hold office as a member of Council otherwise than by removal for misconduct shall be eligible for reappointment for only one further period of four years.

(5) The quorum of the Council shall be five, at least one of whom shall be a member pursuant to Section 6 (d) and (e) of this Act.

(6) If the Pro-Chancellor is not present at a meeting of the Council, the members present at the meeting may appoint one of them to be the Chairman at that meeting, and subject to section 5 of this Act and the provisions of this paragraph the Council may regulate its own procedure.

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

(8) The Council constituted by this Act shall have a four year tenure from the date of its inauguration, provided that where a Council is found to be incompetent and corrupt, it shall be dissolved by the visitor and a new Council shall be immediately constituted for the effective functioning of the University.

(9) The powers of the Council shall be exercised in accordance with the laws and Statutes of the University, and to that extent, establishment circulars that are inconsistent with the laws and Statutes of the University shall not apply to the' University.

2. The Finance and General Purpose Committee

(1) The Finance and General Purpose 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 a Deputy Vice-Chancellor;

(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 of whom shall be selected from among members of the Council appointed by the congregation; and

(d) the Permanent Secretary, Federal Ministry of Education or, in his absence, such member of his Ministry as he may designate to represent him.

(2) The quorum of the Committee shall be six.

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

3. The Senate

(1) There shall be a Senate for the University consisting of —

(a) the Vice-Chancellor;

(b) the Deputy Vice-Chancellor;

(c) all Professors of the University;

(d) all Deans, Provosts and Directors of Academic units of the University;

(e) all Heads of Academic Departments, Units and Research Institutes of the University;

(f) the University Librarian; and

(g) academic members of the congregation who are not Professors as specified in the Laws of the University.

(2) The Vice-Chancellor shall be the chairman at all meetings of the Senate when he is present and in his absence, one of the Deputy Vice-Chancellors appointed by him shall be the chairman at the meeting.

(3) The quorum of the Senate shall be one-quarter (or the nearest whole number less than one quarter), and subject to paragraph (2) above the Senate may regulate its own procedure.

(4) If so requested in writing by any ten members of the Senate, the Vice-Chancellor, or in his absence a person 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.

4. Congregation

(1) Congregation shall consist of —

(a) the Vice-Chancellor and the Deputy Vice-Chancellor;

(b) the full time members of the academic staff;

(c) the Registrar;

(d) the Bursar; and

(e) every member of the administrative and technical staff who holds a degree of any University recognized for the purpose of this Statute by the Vice-Chancellor, not being an honorary degree.

(2) Subject to section 5 of this Act, the Vice-Chancellor shall be the Chairman at all meetings of congregation when he is present, and in his absence one of the Deputy Vice Chancellors appointed by him shall be the chairman at the meeting.

(3) The quorum of congregation shall be one-third (or the nearest whole number to one-third) of the total number of members of congregation or fifty, whichever is less.

(4) A certificate signed by the Vice-Chancellor specifying —

(a) the total number of members of Congregation for the purposes of any particular meeting or meetings of Congregation;

(b) the names of the persons who are members of Congregation during a particular period;

shall be conclusive evidence of that number or as the case may be of the names of those persons.

(5) Subject to the provisions of this schedule, congregation may regulate its own procedure.

(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.

5. Convocation

(1) Convocation shall consist of —

(a) the Officers of the University mentioned in Schedule 1 to this Act;

(b) all teachers within the meaning of this Act; and

(c) all other persons whose names are registered in accordance with paragraph (2) below.

(2) A person shall be entitled to have his name registered as a member of convocation if he —

(a) is either a graduate of the University or a person satisfying such requirements as may be prescribed for the purposes of this paragraph; and

(b) applies for the registration of his name in the prescribed manner and pays the prescribed fee.

(3) Regulations shall provide for the establishment and maintenance of a register for the purpose of this paragraph and, subject to paragraph (3) below, 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 convocation by virtue of paragraph (1) (a) or (b) of this paragraph are entered and retained on the register.

(5) A person who reasonably claims that he is entitled to have his name on the register shall be entitled on demand to inspect the register, or a copy of the register at the principal offices of the University at all reasonable times.

(6) The register shall, unless the contrary is proved, be sufficient evidence that any person named therein is, and that any person not named therein is not, a member of convocation; but for the purpose of ascertaining whether a particular person was such a member on a particular date, any entries in and deletions from the register made on or after that date shall be disregarded.

(7) The quorum of convocation shall be fifty or one-third (or the whole number nearest to one-third) of the total number of members of convocation whichever is less.

(8) Subject to section 5 of this 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.

6. Organisation of Faculties and Branches thereof: each Faculty shall be divided into such number of branches as may be prescribed.

7. The Faculty Board

(1) There shall be established in respect of each Faculty, a Faculty Board, which, subject to the provisions of this Act, 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 faculty;

(b) deal with other matters assigned to it by Statute, by the Vice-Chancellor or by the Senate; and

(c) advice the Vice-Chancellor or Senate on any matter referred to it by the Vice-Chancellor or Senate.

(2) Each Faculty Board shall consists of —

(a) the Vice-Chancellor;

(b) the persons severally in charge of the branches of the faculty;

(c) such number of the teachers assigned to the faculty and having the prescribed qualifications as the Board may determine; and

(d) such persons whether or not members of the University as the Board may determine with the general or special approval of Senate.

(3) The quorum of the Board shall be eight members or one-quarter of the members of the Board for the time being whichever is greater.

(4) Subject to the provisions of this statute and to any provision made by regulations in that behalf, the Board may regulate its own procedure.

8. The Dean of the Faculty

(1) The Dean of a faculty shall be a professor elected by the Faculty Board and such Dean shall hold office for a term of two years. He will be eligible for re-election for another term of two years after which he may not be elected again until two years have elapsed.

(2) If there is no professor in a faculty, the Vice-Chancellor shall appoint an Acting Dean who shall not be below the rank of Senior Lecturer for the faculty, who will act for a period of one year in the first instance, renewable for another one year only.

(3) In the absence of the Vice-Chancellor, the Dean shall be the chairman at all meetings of the Faculty Board when he is present and he shall be a member of all committees and other boards appointed by the faculty.

(4) The Dean of a faculty shall exercise general superintendence over the academic and administrative affairs of the faculty and it shall be the function of the Dean to present to the convocation for the conferment of Degrees, persons who have qualified for the Degrees of the University at examinations held in the branches of learning for which responsibility is allocated to that faculty.

(5) There shall be a committee to be known as the Committee of Deans which shall consist of all the Deans of the several faculties and that committee shall advise the Vice-Chancellor on all academic matters and on particular matters referred to the Committee by the Senate.

(6) The Dean of a faculty may be removed from office for a good cause by the Faculty 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 the Dean, an Acting Dean may be appointed by the Vice-Chancellor provided that at the next faculty board meeting an election shall be held for a new Dean.

(7) In this article, "good cause" has the same meaning as in section 17 (4) of this Act.

9. Selection of Certain Principal and other key Officers

(1) When a vacancy occurs in the Office of the Registrar, Bursar, the University Librarian, Director of Works or Director of Health Services, a Selection Board shall be constituted by the Council and shall consist of —

(i) the Pro-Chancellor;

(ii) the Vice-chancellor;

(iii) two members appointed by the Council, not being members of Senate; and

(iv) two members appointed by the Senate not being members of Council.

(2) The Selection Board, after making such inquires 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.

(3) A person appointed to the office of Director of Works or Director of Health Services shall hold office for such period and on such terms and conditions as may be specified in his letter of appointment.

10. Creation of Academic Post

Recommendation for the creation of posts other than those mentioned in paragraph 9 of this Schedule shall be made by the Senate to the Council through the Finance and General Purposes Committee.

11. Appointment of Academic Staff

Subject to this Act and the Statutes derived from it, the filling of vacancies in academic posts (including newly created ones) shall be as prescribed from time to time by Statutes.

12. Appointment of Administrative and Technical Staff

(1) The administrative and technical staff of the University, other than those mentioned in paragraph 9 of this schedule shall be appointed by the Councilor on its behalf by the Vice-Chancellor or the Registrar in accordance with any delegation of powers made by the Council in that behalf.

(2) In the case of administrative or technical staff that has close and important contacts with the academic staff, there shall be Senate participation in the process of selection.

Question that paragraph 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 *do stand part of Third Schedule to this 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 the Report of the Committee on Tertiary Institutions and TETFUND on the Federal University Wukari, (Establishment, etc.) Bill, 2016 and approved as follows:

Clauses 1- 27 — 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 *(Deputy Senate Leader).*

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

17. Nigerian Ports Authority Act CAP 126 LFN, 2004 (Repeal and Re-enactment) Bill, 2016 (SB.243):

Motion made: That a Bill for an Act to Repeal the Nigerian Ports Authority Act CAP 126 LFN, 2004 and to Establish the Nigerian Ports and Harbours Authority to provide for the Ownership, Management and Development of Ports and Harbours and for Related Matters, 2016 be read the Second Time (*Senator Andy E. Uba — Anambra South*)

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committee on Marine Transport to report within Two (2) weeks.

18. Committee on Police Affairs:

Report on the Traffic Warden Service Bill, 2016. (SB. 100):

Consideration of Report deferred to another Legislative Day.

19. Adjournment:

Motion made: That the Senate do now adjourn till Tuesday, 4th October, 2016 at 10:00 a.m. (*Deputy Senate Leader*).

Adjourned accordingly at 12:54 *p.m.*

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