



# SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

## VOTES AND PROCEEDINGS

Tuesday, 22<sup>nd</sup> June, 2021

1. The Senate met at 11:09 a.m. The President of the Senate read prayers.
2. **Votes and Proceedings:**  
The Senate examined the Votes and Proceedings of Wednesday, 9<sup>th</sup> June, 2021.  
*Question was put and the Votes and Proceedings were approved.*
3. **Message from Mr. President:**  
The President of the Senate announced that he had received a letter from Mr. President, Commander-in-Chief of the Armed Forces of the Federation, which he read as follows:

*Supplementary Appropriation Bill, 2021:*



**PRESIDENT,  
FEDERAL REPUBLIC OF NIGERIA**

15<sup>th</sup> June, 2021

*Distinguished Senator Ahmad Ibrahim Lawan,  
President of the Senate,  
Senate Chambers,  
National Assembly Complex,  
Three Arms Zone,  
Abuja.*

*Dear Distinguished Senate President,*

### **SUBMISSION OF THE SUPPLEMENTARY APPROPRIATION BILL 2021**

*It is with pleasure that I forward herewith Supplementary Appropriation Bill 2021 (Annexure 1), for the kind consideration and approval by the Distinguished Senate.*

*Let me seize this opportunity to express my deep gratitude for the cooperation and support, of the Leadership and Distinguished Members of the Senate, in our collective efforts to contain the COVID-19 Pandemic and address the various security and other challenges facing the country.*

*It has become necessary to prepare the 2021 Supplementary Appropriation Bill considering the urgent need to make provision for procurement and administration of COVID-19 vaccines. The availability of COVID-19 vaccines and the procurement terms were still uncertain*

as at the time of finalising the 2021 budget. Hence, there was no provision in the 2021 Appropriation Act for the procurement and administration of COVID-19 vaccines.

However, the Federal Ministry of Health and the National Primary Healthcare Development Agency (NPHCDA) have now developed a COVID-19 vaccine programme for the country. Under the vaccine programme, 70% of eligible Nigerians are to be vaccinated between 2021 and 2022 (see Annexure 2).

In addition, our security and law enforcement agencies urgently need to procure additional equipment and other resources in response to the prevalent security challenges across the country. The Ministry of Defence has carefully scrutinized these procurement needs, which the military authorities claim to represent the minimum requirements to secure our country and address current external and internal security challenges.

Furthermore, additional funds are required to meet our commitment to treat additional 50,000 patients under the Nigeria Comprehensive AIDS Program in States (NCAPS), as the amount provisioned in the 2021 Appropriation Bill for this purpose was inexplicably cut by the National Assembly.

In order to address the urgent problem of oxygen availability in the country and avoid the potential loss of lives, provision was made for the procurement and installation of new oxygen plants nationwide and repairs of oxygen plants in FCT hospitals.

It is also necessary to provide additional funds for Public Service Wage Adjustment to cater for sundry wage-related issues in the health and other sectors, which if not resolved can add to the prevalent sense of instability in the polity.

The Supplementary Budget request is for a total sum of ₦895,842,465,917 (Eight Hundred and Ninety-Five Billion, Eight Hundred and Forty-Two Million, Four Hundred and Sixty-Five Thousand, Nine Hundred and Seventeen Naira) only.

We propose to fund ₦45.63 billion of the ₦83.56 billion required for the COVID-19 vaccine programme by drawing on existing World Bank loans (which would be restructured) as well as Other Grants totalling US\$113.22 million (see Annexure 3).

The balance of ₦37.93 billion required for COVID-19 vaccines, salaries and other health-related expenditures totalling ₦41.69 billion and the ₦48.20 billion recurrent component of defence/security expenditure will be funded by drawing ₦135 billion from some Special Reserve /Levy Accounts (see Annexure 4), which will be captured as revenues to the FGN.

We propose to fund the balance of ₦722.40 billion for capital expenditure on defence/security and capital supplementation from new borrowings, in the absence of any supplementary revenue sources.

Understandably, needs currently abound in many other sectors. However, we have limited the supplementary budget proposal to just these critical and emergency areas of need due to our severe fiscal constraints. All other needs would be deferred to the 2022 budget, which we plan to present in September of this year.

Given the urgency of the request, I seek the cooperation of the National Assembly, for expeditious legislative action on the Supplementary Appropriation Bill, 2021.

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

Yours sincerely,  
(Signed)  
Muhammadu Buhari

4. **Announcements:**(a) ***Constitution of Leadership:***

The President of the Senate read a letter from Senator Aliyu M. Wamakko — (*Sokoto North*) as follows:

**NORTHERN SENATORS' FORUM**22<sup>nd</sup> June, 2021

*His Excellency,  
The President of the Senate,  
Senate Chamber,  
National Assembly Complex,  
Abuja.*

**CONSTITUTION OF LEADERSHIP**

This is to inform you that the Northern Senators Forum has constituted its leadership as follows:

- |       |                             |   |                                |
|-------|-----------------------------|---|--------------------------------|
| (i)   | Senator Aliyu M. Wamakko    | - | Chairman                       |
| (ii)  | Senator Gabriel T. Suswam   | - | Vice Chairman                  |
| (iii) | Senator Aishatu A. Dahiru   | - | Secretary                      |
| (iv)  | Senator Shuaibu I. Lau      | - | Financial Secretary            |
| (v)   | Senator Yahaya I. Oloriegbe | - | Treasurer                      |
| (vi)  | Senator Hassan I. Hadejia   | - | Public Relations Officer (PRO) |

2. Please accept the assurances of my highest esteem.

(Signed)

**Senator Aliyu M. Wamakko**  
CHAIRMAN

(b) ***Notice of Meeting:***

The President of the Senate read a letter from Senator Sabo M. Nakudu — (*Jigawa South-West*) as follows:



**THE SENATE**  
**FEDERAL REPUBLIC OF NIGERIA**  
**COMMITTEE ON DOWNSTREAM PETROLEUM SECTOR**  
*National Assembly Complex*  
*Three Arms-Zone, P.M.B. 141 Abuja, Nigeria*

22<sup>nd</sup> June, 2021

*The President of the Senate,  
National Assembly,  
Abuja.*

**NOTICE OF MEETING**

*I write to inform you that the Joint Committee on Petroleum Industry Bill (Senate and House of Representatives) has scheduled a meeting to hold as follows:*

**Date:** Wednesday, 23<sup>rd</sup> June, 2021  
**Venue:** Conference Room 0.22, Senate Building, NASS Complex  
**Time:** 2:00 p.m.

*Members are kindly requested to attend.*

*Accept the assurances of the Committee's best regards, please.*

*(Signed)*

**Senator Sabo Mohammed Nakudu**

*Chairman*

**5. Petitions:**

- (a) Rising on Order 41, Senator Yahaya A. Abdullahi (*Kebbi North*) drew the attention of the Senate to a petition from Dr. M.M. Zagi and five (5) others, against the Department of Petroleum Resources (DPR), over an alleged wrongful termination of their appointments.

He urged the Senate to look into the matter.

*Petition laid and accordingly referred to the Committee on Ethics, Privileges and Public Petitions [Order 41(3)] to report within four (4) weeks.*

- (b) Rising on Order 41, Senator Patrick A. Akinyelure (*Ondo Central*) drew the attention of the Senate to five (5) petitions received from the Office of the President of the Senate as follows:
- (i) Bamidele Anita George, against the Executive Secretary of the Nigerian Investment Promotion Commission, over an alleged perilous and indiscriminate administration of affairs by the Executive Secretary of the Nigerian Investment Promotion Commission;
  - (ii) Elizabeth Olabisi Olaoye, against the Managing Director of Niger Delta Power Holding Company (NDPHC), over an alleged acts of trespass to land in Gwagwalada Area Council, Federal Capital Territory (FCT);
  - (iii) Bassey Essien, against the Nigerian Petroleum Development Company (NPDC), over an alleged indiscriminate allocation of LPG to non DPR Licenced Marketers;
  - (iv) Alhaji Haruna Yahaya and two (2) Others, against the Director General/Chief Executive of the National Institute for Educational Planning and Administration, Ondo in Ondo State, over an alleged abandonment of his duty post and operating from Abuja; and
  - (v) Mr. Omoniyi Alaba Ogutuga, against the Nigerian Railway Corporation, over an alleged wrongful dismissal without payment of salaries and requisite entitlement.

He urged the Senate to look into the matters.

*Petitions laid and accordingly referred to the Committee on Ethics, Privileges and Public Petitions [Order 41(3)] to report within four (4) weeks.*

**6. Presentation of Bills:**

- (i) National Agency for Foreign Assistance (Establishment) Bill, 2021 (SB. 341) — *Read the First Time.*
- (ii) Federal College of Forestry Technology and Research, Ofosu-Omisere Ondo State (Establishment) Bill, 2021 (SB. 555) — *Read the First Time.*
- (iii) Tertiary Education Reform Bill, 2021 (SB. 730) — *Read the First Time.*
- (iv) National Rural Employment Guarantee Bill, 2021 (SB. 747) — *Read the First Time.*

- (v) Compulsory Treatment and Care of Victims of Gunshots Act 2017 (Amendment) Bill, 2021 (SB. 748) — *Read the First Time.*

**7. Joint Committee on Defence and Army:**

*Report on the Confirmation of the Nomination of Major General Faruk Yahaya for Appointment as Chief of Army Staff of the Armed Forces of the Federal Republic of Nigeria:*  
*Motion made:* That the Senate do receive and consider the Report of the Joint Committee on Defence; and Army on the confirmation of the nomination of Major General Faruk Yahaya for appointment as Chief of Army Staff of the Armed Forces of the Federal Republic of Nigeria (*Senator Aliyu M. Wamakko — Sokoto North*).

*Question put and agreed to.*

*Report Laid and Presented.*

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

*Question put and agreed to.*

**(SENATE IN THE COMMITTEE OF THE WHOLE)**

Consideration of the Report of the Joint Committee on Defence; and Army on the confirmation of the nomination of Major General Faruk Yahaya for appointment as Chief of Army Staff of the Armed Forces of the Federal Republic of Nigeria.

**Nominee Recommended:**

Major General Faruk Yahaya

— *Agreed to.*

Chairman to report progress.

**(SENATE IN PLENARY)**

The President of the Senate reported that the Senate in the Committee of the Whole considered the Report of the Joint Committee on Defence; and Army on the confirmation of the nomination of Major General Faruk Yahaya for appointment as Chief of Army Staff of the Armed Forces of the Federal Republic of Nigeria and approved the nomination.

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

**Confirmation of nomination:**

*Question:*

“Will the Senate confirm the nomination of Major General Faruk Yahaya for appointment as Chief of Army Staff of the Armed Forces of the Federal Republic of Nigeria?” — *Resolved in the Affirmative.*

*Nomination of Major General Faruk Yahaya for appointment as Chief of Army Staff of the Armed Forces of the Federal Republic of Nigeria accordingly confirmed.*

**8. Joint Committee on Health (Secondary & Tertiary); Trade & Investment; and Customs, Excise & Tariff:**

*Report on the need to regulate the manufacturing, importation and use of Syringes and Needles to protect the lives and safety of Nigerians as well as the economy of the country:*

*Motion made:* That the Senate do receive and consider the Report of the Joint Committee on Health (Secondary & Tertiary); Trade & Investment; and Customs, Excise & Tariff on the need to regulate the manufacturing, importation and use of Syringes and Needles to protect the lives and safety of Nigerians as well as the economy of the country (*Senator Yahaya I. Oloriegbe — Kwara Central*).

*Question put and agreed to.*

*Report Laid and Presented.*

*Debate:*

***Proposed Resolution (i):***

*Question:* That the Federal Ministry of Industry, Trade and Investment should finalise the process of approval of the Backward Integration Policy (BIP) (for the sector) by the Federal Executive Council and commence the implementation of the Policy by 1st August, 2021 — *Agreed to.*

***Proposed Resolution (ii):***

*Question:* That as a matter of urgency, the Federal Government should fully implement 75% import duties on the Importation of syringes and needles and put stringent measures to the defaulters thereby encouraging local manufacturers and ensuring employment opportunities. Towards this end, the Nigeria Customs Services should enforce this policy — *Agreed to.*

***Proposed Resolution (iii):***

*Question:* That the Federal Ministry of Health should develop a policy on the procurement and utilization of Syringes and Needles by government hospitals and offices by 1st July, 2021. That is, within six (6) weeks all Federal Government owned hospitals are to use locally manufactured Syringes and Needles in order to strengthen local manufacturing — *Agreed to.*

***Proposed Resolution (iv):***

*Question:* That the Syringes and Needles manufacturers should take the advantage of the Central Bank of Nigeria's Special Intervention Fund for the Health sector to improve and extend their capacities — *Agreed to.*

***Proposed Resolution (v):***

*Question:* That the Federal Ministry of Health should develop and implement a Policy Guideline that will ensure that all hospitals projects and programmes funded with the government of Nigeria's funds to procure and use Syringes and Needles approved by relevant Nigerian Regulatory Bodies without a requirement for World Health Organisation's pre-qualification — *Agreed to.*

*Resolved:*

- (i) That the Federal Ministry of Industry, Trade and Investment should finalise the process of approval of the Backward Integration Policy (BIP) (for the sector) by the Federal Executive Council and commence the implementation of the Policy by 1st August, 2021;
- (ii) That as a matter of urgency, the Federal Government should fully implement 75% import duties on the Importation of syringes and needles and put stringent measures to the defaulters thereby encouraging local manufacturers and ensuring employment opportunities. Towards this end, the Nigeria Customs Services should enforce this policy;

- (iii) That the Federal Ministry of Health should develop a policy on the procurement and utilization of Syringes and Needles by government hospitals and offices by 1st July, 2021. That is, within six (6) weeks all Federal Government owned hospitals are to use locally manufactured Syringes and Needles in order to strengthen local manufacturing;
- (iv) That the Syringes and Needles manufacturers should take the advantage of the Central Bank of Nigeria's Special Intervention Fund for the Health sector to improve and extend their capacities; and
- (v) That the Federal Ministry of Health should develop and implement a Policy Guideline that will ensure that all hospitals projects and programmes funded with the government of Nigeria's funds to procure and use Syringes and Needles approved by relevant Nigerian Regulatory Bodies without a requirement for World Health Organisation's pre-qualification (*S/Res/001/03/21*).

9. **Committee on Health (Secondary & Tertiary):**

***Report on the National University of Health and Medical Sciences Suleja (Establishment) Bill, 2021 (SB. 633):***

*Motion made:* That the Senate do receive and consider the Report of the Committee on Health (Secondary & Tertiary) on the National University of Health and Medical Sciences Suleja (Establishment) Bill, 2021 (*Senator Yahaya I. Oloriegbe — Kwara Central*).

*Question put and agreed to.*

*Report laid and presented.*

*Motion Made:* That the Senate do Resolve Into the Committee of the Whole to Consider the Report.

*Question put and agreed to.*

**(SENATE IN THE COMMITTEE OF THE WHOLE)**

CONSIDERATION OF A BILL FOR AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF NATIONAL UNIVERSITY OF HEALTH AND MEDICAL SCIENCES SULEJA AND FOR MATTERS CONNECTED THEREWITH, 2021

**Clause 1: Establishment and Objects of the National University of Health and Medical Sciences.**

- (1) There is established the National University of Health and Medical Sciences Suleja (in this Bill referred to as "the University").
- (2) The University shall be —
  - (a) a body corporate with perpetual succession and a common seal;
  - (b) may sue and be sued in its corporate name; and
  - (c) may acquire, hold, or dispose of any property, movable or immovable, for the purpose of performing any of its functions under this Bill.

***Committee's Recommendation:***

That the provision in Clause 1 be retained (*Senate Yahaya I. Oloriegbe — Kwara Central*).

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

**Clause 2: Objects and Purposes of the University.**

- (1) The general objects and purposes 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 a higher education in Medicine and other Health Sciences;
  - (b) develop and offer academic and professional programs leading to the award of diplomas, first degrees, postgraduate research and higher degrees with emphasis on planning, adaptive, technical, maintenance, developmental and productive skills in the field of Medicine, biomedical engineering, scientific, and allied professional disciplines relating to health resources with the aim of producing socially mature persons with capacity not only to understand, use and adapt existing technologies in the health industry, but also to improve on those disciplines and develop new ones, and to contribute to the scientific transformation of medical and other health practices in Nigeria;
  - (c) act as agents and catalysts, through postgraduate training, research and innovation for the effective and economic utilization, exploitation and conservation of Nigeria's natural, economic and human resources;
  - (d) offer to the general population, as a form of public service, the results of training and research in medicine and allied disciplines and to foster the practical application of those results;
  - (e) establish appropriate relationships with other national and international institutions involved in training, research and development of health care;
  - (f) identify the health problems and needs of Nigeria and to find solutions to them within the context of overall national development;
  - (g) provide and promote sound basic scientific training as a foundation for the development of medicine and allied disciplines, taking into account indigenous culture, the need to enhance national unity, the need to vastly increase the practical content of student training, and adequate preparation of graduates for self-employment in medicine and allied professions;
  - (h) promote and emphasize teaching, research and extension of health knowledge, including health extension services and outreach programs, in-service training, continuing education, and adaptive research;
  - (i) offer academic programs in relation to the training of manpower for medicine and allied profession in Nigeria;
  - (j) organize research relevant to training of manpower and health technology;



- (k) organize extension services and outreach programs for technology transfer;
  - (l) establish institutional linkages in order to foster collaboration and integration of training, research, and extension activities; and
  - (m) undertake any other activities appropriate for a University of Health Sciences.
- (2) The University has the mandate to —
- (i) teach and train high calibre health-care professionals,
  - (ii) provide healthcare services and consultancy,
  - (iii) conduct research and participate in extension, outreach and community services,
  - (iv) operate various schools and specialties that offer exemplary training and quality research in health care,
  - (v) facilitate the acquisition of knowledge and skills in different specialties for effective and efficient management of health care,
  - (vi) provide solution to the lack and the inequitable distribution of health professionals serving rural communities,
  - (vii) train clinically, competent and socially conscious health workers who will stay and serve in depressed and undeserved communities especially in the rural areas of Nigeria,
  - (viii) develop a training model for the training of community-oriented health workers that could be replicated in other areas of Nigeria,
  - (ix) facilitate collaboration and enhancement of health sciences research and education endeavours,
  - (x) advance the national and international reputation as the premier university for health sciences education and research in Nigeria,
  - (xi) advise and report regularly to the ministry of education on all matters relevant to the health sciences sector and its education and research programs,
  - (xii) work collectively on common health academic issues and their implementation,
  - (xiii) provide management support for education and research across the health sciences sector,
  - (xiv) promote inter-professional education across all health professional programs and optimize the resources to do so; and

- (xv) ensure that the health sciences sector is adequately and appropriately represented at all levels of University governance.

***Committee's Recommendation:***

That the provision in Clause 2 be retained (*Senate Yahaya I. Oloriegbe — Kwara Central*).

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

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

- (1) The University shall consist of —
- (a) Chancellor;
  - (b) Pro-Chancellor and a Council;
  - (c) 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) campuses and colleges of the University;
  - (h) schools, institutes and other teaching and research units;
  - (i) persons holding the offices constituted by the First Schedule to this Act other than those mentioned in paragraph (a) to (d) of this subsection;
  - (j) all graduates and undergraduates of the University; 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 each University therein mentioned.

*[First Schedule]*

- (3) Subject to section 6 of this Act, provision shall be made by statute with respect to the constitution of the following bodies, namely the Council, the Senate, Congregation and Convocation.

***Committee's Recommendation:***

That the provision in Clause 3 be retained (*Senate Yahaya I. Oloriegbe — Kwara Central*).

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

**Clause 4: Powers of the University and their Exercise.**

- (1) For the carrying out of its objects as specified in section 3 of this Bill, the University shall have power to —

- (a) establish such campuses, colleges, institutes, schools, extramural departments and other teaching and research units within the University as may, from time to time, be deemed necessary or desirable, subject to the approval of the Federal Ministry of Education;
- (b) institute professorships, readerships or associate professorships, 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 other forms of assistance;
- (d) provide for the discipline and welfare of members of the University;
- (e) hold examinations and grant degrees, diplomas, certificates and other distinctions to persons who have pursued a course of study approved by the University and have satisfied such other requirements as the University may lay down;
- (f) grant honorary degrees, fellowships or academic titles;
- (g) demand and receive from any student or any other person attending the University for the purpose of instruction such fees as the University may, from time to time, determine subject to the overall directives of the Minister;
- (h) subject to section 23 of this Bill, 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 or suitable or convenient for any of the objects of the University;
- (l) hold public lectures and to undertake printing, publishing and book -selling;
- (m) subject to any limitations on conditions imposed by statute, to invest any money appertaining to the University by way of endowment, not being immediately required for current expenditure, in any investments or securities or the purchase or improvement of land, with power from time to time to vary any such investments and to deposit any money for the time being not invested with any bank on deposit or current account;

- (n) borrow, whether on interest or not if need be upon the security of any or all of the property, movable or immovable, of the University, such moneys as the Council may, from time to time, in its discretion find it necessary or expedient to borrow or to guarantee any loan, advances or credit facilities;
  - (o) do anything which it is authorized or required by this Bill or by statute to do; and
  - (p) do all such acts or things, incidental to the foregoing powers, as may advance the objects of the University.
- (2) Subject to the provisions of this Bill and of the statutes and without prejudice to section 9 (2) of this Bill, the powers conferred on the University by subsection (1) of this section shall be exercisable on behalf of the University by the Council or by the Senate or in any other manner, which may be authorized by statute.
- (3) The power of the University to establish further campuses and colleges within the University shall be exercisable by statute and not otherwise.

***Committee's Recommendation:***

That the provision in Clause 4 be retained (*Senate Yahaya I. Oloriegbe — Kwara Central*).

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

**Clause 5: Functions of the 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) Every proposal to confer an honorary degree shall be subject to the confirmation of the Chancellor.
- (3) The Chancellor shall exercise such other powers and perform such other duties as may be conferred or imposed on him by this Act or the statutes.

***Committee's Recommendation:***

That the provision in Clause 5 be retained (*Senate Yahaya I. Oloriegbe — Kwara Central*).

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

**Clause 6: Functions of the Pro-Chancellor.**

- (1) The Pro-Chancellor shall, in relation to the University, take precedence before all other members of the University, except the Chancellor and except the Vice-Chancellor when acting as chairman of Congregation or Convocation and the Pro-Chancellor shall, when he is present, be the chairman at all meetings of the Council.
- (2) Subject to the provisions of this Act, the Pro-Chancellor shall hold office for a period of five years beginning with the date of his appointment.

**Committee's Recommendation:**

That the provision in Clause 6 be retained (*Senate Yahaya I. Oloriegbe — Kwara Central*).

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

**Clause 7: Composition of the Council.**

The Council of each University shall consist of —

- (a) the Pro-Chancellor;
- (b) the Vice-Chancellor;
- (c) the Deputy Vice-Chancellor (s);
- (d) one person from the Ministry responsible for education;
- (e) nine persons representing a variety of interests and broadly representative of the whole Federation to be appointed by the President
- (f) four persons appointed by the Senate from among its members;
- (g) two persons appointed by the Congregation from among its members;
- (h) one person appointed by Convocation from among its members

**Committee's Recommendation:**

That the provision in Clause 7 be retained (*Senate Yahaya I. Oloriegbe — Kwara Central*).

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

**Clause 8: Functions of the Council and its Finance and General Purposes Committee.**

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

- (6) Rules made under subsection (5) of this section by the Finance and General Purposes Committee shall not come into force unless approved by the Council; and in so far and to the extent that any rules so made by that Committee conflict with any directions given by the Council (whether before or after the coming into force of the rules in question), the direction of the Council shall prevail.
- (7) There shall be paid to the members of the Council, the Finance and General Purposes Committee respectively and of any other committee set up by the Council an allowance in respect of travelling and other reasonable expenses, at such rates as may, from time to time, be fixed by the Minister.
- (8) The Council shall meet as and when necessary for the performance of its functions under this Bill and shall meet at least three times in every year.
- (9) If requested in writing by any five members of the Council the chairman shall within 28 days after the receipt of such request call a meeting of the Council.
- (10) Any request made under subsection (9) of this section shall specify the business to be considered at the meeting and a business not so specified shall not be transacted at the meeting.

***Committee's Recommendation:***

That the provision in Clause 8 be retained (*Senate Yahaya I. Oloriegbe — Kwara Central*).

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

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

- (1) Subject to section 8 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 the teaching by the University, the admission (where no other enactment provides to the contrary, of students) and the discipline of students; and to promote research at the University.
- (2) Without prejudice to the generality of subsection (1) of this section and subject as there mentioned, it shall in particular be the function of the Senate to make provision for —
  - (a) the establishment and organization and control of campuses, colleges, schools, institutes and other teaching and research units of the University and allocation of responsibility for different branches of learning;
  - (b) the 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) the award of degrees, and such other qualifications as may be prescribed, in connection with examinations held as aforesaid;

- (d) the making of recommendations to the Council with respect to the award to any person of an honorary fellowship or degree or the title of professor emeritus;
  - (e) the establishment, organization and control of halls of residence and similar institutions at the University;
  - (f) the supervision of the welfare of students at the University and the regulation of their conduct;
  - (g) the granting of fellowships, scholarships, prizes and similar awards in so far as the awards are within the control of the University; and
  - (h) determining what 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, school, department, institute or other teaching and research units of the University without the approval of the Council.
- (4) Subject to this Act and statutes, the Senate may make regulations for the purpose of exercising any function conferred on it either by the foregoing provisions of this section or otherwise or for the purpose of making provisions for any matter for which provision by regulations is authorized or required by this Act or by statute.
- (5) Regulations shall provide that at least one of the persons appointed as the examiners at each final or professional examination held in conjunction with any course of study at the University, as may be prescribed by the Senate from time to time, is not a teacher at the University but is a teacher of the branch of learning to which the course relates at some other university of high repute or a person engaged in practicing the profession in a reputable organization or institution.
- (6) Subject to a right of appeal to the Council from a decision of the Senate under this subsection, the Senate may deprive any person of any degree, diploma or other award of the University which has been conferred upon him if after due enquiry he is shown to have been guilty of dishonourable or scandalous conduct in gaining admission into the University or obtaining that award.

***Committee's Recommendation:***

That the provision in Clause 9 be retained (*Senate Yahaya I. Oloriegbe — Kwara Central*).

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

**Clause 10: Functions of the Vice-Chancellor.**

- (1) The Vice-Chancellor shall, in relation to each University, take precedence before all other members of the University, except the Chancellor, and any other person for the time being acting as chairman of the Council.

- (2) Subject to sections 8, 9, and 15 of this Act, the Vice-Chancellor shall have the 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 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 10 be retained (*Senate Yahaya I. Oloriegbe — Kwara Central*).

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

**Clause 11: Powers of the University to Make Statutes.**

Transfers of property, etc., to the University

*[Second Schedule]*

Statutes of the University

- (1) Subject to this Act, the University may make statutes for any of the following purposes, that is to say —
- (a) making provision with respect to the composition and constitution of any authority of the University;
  - (b) specifying and regulating the powers and duties of any authority of the University and regulating any other matter connected with the University or any of its authorities;
  - (c) regulating the admission of students (where no other enactment provides to the contrary), and their discipline and welfare;
  - (d) determining whether any particular matter is to be treated as an academic or non-academic matter for the purposes of this Act and of any statute, regulation or other instrument made thereunder;
  - (e) making provision for any other matter for which provision by statute is authorized or required by this Act.
- (2) Subject to section 27 (6) of this Bill, the Interpretation Act shall apply in relation to any statute made under this section as it applies to a subsidiary instrument within the meaning of section 29 (1) of that Act.
- (3) The statute contained in the Second Schedule to this Bill shall be deemed to have come into force on the commencement of section 6 of this Bill and shall be deemed to have been made under this section by the University.

*[Second Schedule]*

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



*[Second Schedule]***Committee's Recommendation:**

That the provision in Clause 11 be retained (*Senate Yahaya I. Oloriegbe — Kwara Central*).

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

**Clause 12: Mode of Exercising Power to Make Statutes.**

- (1) The power of the University to make statutes shall be exercised in accordance with the provisions of this section and not otherwise.
- (2) A proposed statute shall not become law unless it has been approved —
  - (a) at a meeting of the Senate, by the votes of not less than two thirds of the members present and voting; and
  - (b) at a meeting of the Council, by the votes of not less than two thirds of the members present and voting.
- (3) A proposed statute may originate either in the Senate or in the Council, and may be approved as required by subsection (2) of this section by either one of those bodies before the other.
- (4) A statute which makes provision for or alters the composition or constitution of the Council, the Senate or any other authority of the University shall not come into operation unless it has been approved by the President.
- (5) For the purposes of section 1 (2) of the Interpretation Act a statute shall be treated as being made on the date on which it is duly approved by the Council after having been approved by the Senate, as the case may be or, in the case of a statute falling within sub- section (4) of this section, on the date on which it is approved by the President.  
[Cap. 123]
- (6) In the event of any doubt or dispute arising at any time —
  - (a) as to the meaning of any provision of a statute; or
  - (b) as to whether any matter is for the purpose of this Act an academic matter as they relate to such doubt or dispute, the matter may be referred to the Visitor, who shall take such advice and make such decision therein as he shall think fit.
- (7) The decision of the Visitor on any matter referred to him under subsection (6) of this section shall be final and binding upon the authorities, staff and students of the University and where any question as to the meaning of any provision of a statute has been decided by the Visitor under that subsection, the question as to the meaning of that provision shall not be entertained by any court of law in Nigeria.
- (8) Nothing in subsection (7) of this section shall affect any power of a court of competent jurisdiction to determine whether any provision of a statute is wholly or partially void as being ultra vires or as being inconsistent with the Constitution of the Federal Republic of Nigeria 1999.

**Committee's Recommendation:**

That the provision in Clause 12 be retained (*Senate Yahaya I. Oloriegbe — Kwara Central*).

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

**Clause 13: The Visitor.****Supervision and discipline.**

- (1) The President shall be the Visitor of the University.
- (2) The Visitor shall as often as the circumstances may require, not being less than once every five years, conduct a visitation of the University or direct that such a visitation be conducted by such person or persons as the Visitor may deem fit and in respect of any of the affairs of the University.
- (3) It shall be duty of the bodies and persons comprising the University to make available to the Visitor and to any other person conducting a visitation in pursuance of this section, such facilities and assistance as he or they may reasonably require for the purposes of a visitation.

**Committee's Recommendation:**

That the provision in Clause 13 be retained (*Senate Yahaya I. Oloriegbe — Kwara Central*).

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

**Clause 14: Removal of Certain Members of Council.**

- (1) If it appears to the Council that a member of the Council (other than the Pro-Chancellor or the Vice-Chancellor) should be removed from office on the ground of misconduct or inability to perform the functions of his office or employment, the Council shall make a recommendation to that effect through the Minister to the President after making such enquiry, if any, as may be considered appropriate, and if the President approves the recommendation he may direct the removal of the person in question from office.
- (2) It shall be the duty of the Minister to use his best endeavour 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 14 be retained (*Senate Yahaya I. Oloriegbe — Kwara Central*).

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

**Clause 15: 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 Vice-Chancellor, should be removed from his office or employment on the ground of misconduct or of inability to perform the functions of his office or employment, the Council shall —

- (a) give notice of those reasons to the person in question; afford him an opportunity of making representations in person on the matter;
  - (b) appoint a Staff Disciplinary Committee;
  - (c) and if the Council, after considering the report of the Staff Disciplinary Committee, is satisfied that the person in question should be removed as aforesaid, the Council may so remove him by an instrument in writing signed on the directions of the Council.
- (2) The Vice-Chancellor may, in case of misconduct by a member of staff, which in the opinion of the Vice-Chancellor is prejudicial to the interests of the University, suspend such member and any such suspension shall forthwith be reported to the Council.
- (3) For good cause, any member of staff may be suspended from his duties or his appointment may be terminated by the Council; and for the purposes of this subsection "good cause" means —
  - (a) conviction for any offence which the Council considers to be such as to render the person concerned unfit for the discharge of the functions of his office;
  - (b) any physical or mental incapacity which the Council, after obtaining medical advice, considers to be such as to render the person concerned unfit to continue to hold his office;
  - (c) conduct of a scandalous or other disgraceful nature which the Council considers to be such as to render the person concerned unfit to continue to hold his office;
  - (d) conduct which the Council considers to be such as to constitute failure or inability of the person concerned to discharge the functions of his office or to comply with terms and conditions of his service; or
  - (e) conduct which the Council considers to be generally of such nature as to render the continued appointment or service of the person concerned prejudicial or detrimental to the interest of the University.
- (4) Any person suspended pursuant to subsection (2) or (3) of this section shall be on half pay and the Council shall before the expiration of a period of three months after the date of such suspension consider the case against that person and come to a decision as to —
  - (a) whether to continue such person's suspension and if so on what terms (including the proportion of his emoluments to be paid to him);
  - (b) whether to re-instate such person in which case the Council shall restore his full emoluments with effect from the date of suspension;

- (c) whether to terminate the appointment of the person concerned in which case such person shall not be entitled to the proportion of his emoluments withheld during the period of suspension; or
  - (d) whether to take such lesser disciplinary action against such person (including the restoration of such proportion of his emoluments as might have been withheld) as the Council may determine.
- (5) In any case where the Council, pursuant to this section, decides to continue a person's suspension or decides to take further disciplinary action against a person, the Council shall before the expiration of a period of three months from such decision come to a final determination in respect of the case concerning any such person.
- (6) It shall be the duty of the person by whom an instrument of removal is signed in pursuance of subsection (1) of this section to use his best endeavour to cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it relates.
- (7) Nothing in the foregoing provisions of this section shall —
- (a) apply to any directive given by the Visitor in consequence of any visitation; or
  - (b) prevent the Council from making regulations for the discipline of other categories of workers of the University as may be prescribed.

***Committee's Recommendation:***

That the provision in Clause 15 be retained (*Senate Yahaya I. Oloriegbe — Kwara Central*).

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

**Clause 16: Procedures for Staff Discipline.**

- (1) The Vice-Chancellor or Senate shall constitute an Investigation Panel to determine whether or not a prima facie case has been established against any member of staff.
- (2) The Investigation Panel shall include the President or the chairman of the union to which the staff being investigated belongs.
- (3) The Vice-Chancellor shall constitute a Staff Disciplinary Committee, which shall consist of such members of the Senate as he may determine, to consider the report of the Investigating Panel.
- (4) The report and recommendation of the Staff Disciplinary Committee shall be forwarded to the Council for consideration and decision.

***Committee's Recommendation:***

That the provision in Clause 16 be retained (*Senate Yahaya I. Oloriegbe — Kwara Central*).

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

**Clause 17: Appointment of External Examiners.**  
The Senate shall appoint external examiners.

***Committee's Recommendation:***

That the provision in Clause 17 be retained (*Senate Yahaya I. Oloriegbe — Kwara Central*).

*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 Senate, it appears to the Vice Chancellor that a person appointed as an examiner for any examination of the University ought to be removed from his office or appointment, then except in such cases as may be prescribed, the Vice-Chancellor may, after affording the examiner an opportunity of making representations in person on the matter to the Vice-Chancellor, remove the examiner from the office or appointment by an instrument in writing signed by the Vice-Chancellor.
- (2) Subject to the provisions of regulations made in pursuance of section 9 (5) of this Act, the Vice-Chancellor may, on the recommendation of the Senate, appoint an appropriate person as examiner in place of the examiner removed in pursuance of subsection (1) of this section.
- (3) It shall be duty of the Vice-Chancellor to sign an instrument of removal in pursuance of this section, to use his best endeavour to cause a copy of this instrument to be served as soon as is reasonably practicable on the person to whom it relates.

***Committee's Recommendation:***

That the provision in Clause 18 be retained (*Senate Yahaya I. Oloriegbe — Kwara Central*).

*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 of the University has been guilty of misconduct, the Vice-Chancellor may, in consultation with the Senate and, without prejudice to any other disciplinary power conferred on him by statute or regulations, direct that —
  - (a) the student shall not, during such period as may be specified in the direction, participate in such activities of the University, or make use of such facilities of the University, as may be so specified;
  - (b) the activities of the student shall, during such period as may be specified in the direction, be restricted in such manner as may be so specified;
  - (c) the student be rusticated for such period as may be specified in the direction; or
  - (d) the student be expelled from the University.

- (2) Where a direction is given under subsection (1) (c) or (d) of this section in respect of any student, that student may, within the prescribed period and in the prescribed manner, appeal to the Council; and where such an appeal is brought, the Council shall after causing such inquiry to be made in the matter as the Council considers just, confirm or set aside the direction or modify it in such manner as the Council thinks fit.
- (3) The fact that an appeal from a direction is brought in pursuance of subsection (2) of this section shall not affect the operation of the direction while the appeal is pending.
- (4) The Vice-Chancellor may delegate his powers under this section to a Disciplinary Committee consisting of such members of the University as he may nominate.
- (5) Nothing in this section shall be construed as preventing the restriction or termination of a student's activities at the University otherwise than on the ground of misconduct.
- (6) Without prejudice to the provision of subsection (1) of this section, nothing shall prevent the Vice-Chancellor from taking an immediate disciplinary action against a student where he deems fit, and report thereafter to the Senate.
- (7) It is hereby declared that a direction under subsection (1) (a) of this section may be combined with a direction under subsection (1) (b) of this section.
- (8) No staff or student shall resort to a law court without proof of having exhausted the integral avenues for settling disputes or grievances or for seeking redress.
- (9) The Visitor shall be the final arbiter on staff and student discipline, and his decision shall not be contestable in any court of law in Nigeria.
- (10) Nothing in this subsection shall affect any power of a court of competent jurisdiction to enforce the fundamental right of any aggrieved citizen as enshrined in the Constitution of the Federal Republic of Nigeria 1999.  
[Cap. C23.]

***Committee's Recommendation:***

That the provision in Clause 19 be retained (*Senate Yahaya I. Oloriegbe — Kwara Central*).

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

**Clause 20: Exclusion of Discrimination on Account of Race, Religion, etc.**

***Miscellaneous and General***

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

the holder of any degree of the University or of any appointment or employment at the University or a member of anybody established by virtue of this Act; and no person shall be subjected to any disadvantage or accorded any advantage in relation to the University, by reference to any of those matters.

- (2) Nothing in subsection (1) of this section shall be construed as preventing the University from imposing any disability or restriction on any of the aforementioned persons where such person wilfully refuses or fails on grounds of religious belief to undertake any duty generally and uniformly imposed on all such persons or any group of them which duty, having regard to its nature and the special circumstance pertaining thereto, is in the opinion of the University reasonably justifiable in the national interest.

***Committee's Recommendation:***

That the provision in Clause 20 be retained (*Senate Yahaya I. Oloriegbe — Kwara Central*).

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

**Clause 21: 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 either with the prior written consent either general or special, of the President:

[Cap. L5.]

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

***Committee's Recommendation:***

That the provision in Clause 21 be retained (*Senate Yahaya I. Oloriegbe — Kwara Central*).

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

**Clause 22: Quorum and Procedure of Bodies Established by this Act.**

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

***Committee's Recommendation:***

That the provision in Clause 22 be retained (*Senate Yahaya I. Oloriegbe — Kwara Central*).

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

**Clause 23: 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 to authorize a committee established by it —
- (a) to exercise, on its behalf, such of its functions as it may determine;

- (b) to co-opt members, and may direct whether or not co-opted members (if any) shall be entitled to vote in that committee.
- (2) Any two or more such bodies may arrange for the holding of joint meetings of those bodies or for the appointment of committees consisting of members of those bodies or any of them and either of dealing with it or of reporting on it to those bodies or any of them.
- (3) Except as may be otherwise provided by statute or by regulations, the quorum and procedure of a committee established or meeting held in pursuance of this section shall be such as may be determined by the body or bodies which have decided to establish the committee or hold the meeting.
- (4) Nothing in the foregoing provisions of this section shall be construed as—
  - (a) enabling statutes to be made otherwise than in accordance with section 13 of this Act; or
  - (b) enabling the Senate to empower any other body to make regulations or to award degrees or other qualifications.
- (5) The Pro-Chancellor and the Vice-Chancellor shall be members of every committee of which the members are wholly or partly appointed by the Council (other than a committee appointed to inquire into the conduct of any officer in question); and the Vice-Chancellor shall be a member of the Council and the Vice-Chancellor shall be a member of every committee of which the members are wholly or partly appointed by the Senate.

***Committee's Recommendation:***

That the provision in Clause 23 be retained (*Senate Yahaya I. Oloriegbe — Kwara Central*).

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

**Clause 24: Retiring age of Academic Staff of the University.**

- (1) Notwithstanding anything to the contrary in the Pensions Act, the compulsory retiring age of an academic staff of a University shall be 65 years except for those in the professorial cadre, which shall be 70 years.

[Cap. P4.]

- (2) A law or rule requiring a person to retire from the public service after serving for 35 years shall not apply to an academic staff of the University.

***Committee's Recommendation:***

That the provision in Clause 24 be retained (*Senate Yahaya I. Oloriegbe — Kwara Central*).

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



**Clause 25: Special Provisions Relating to Pension of Professors.**

A person who retires as a professor having served —  
[1993 No. 11.]

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

**Committee's Recommendation:**

That the provision in Clause 25 be retained (*Senate Yahaya I. Oloriegbe — Kwara Central*).

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

**Clause 26: Miscellaneous Administrative Provisions.**

- (1) The seal of each University shall be such as may be determined by the Council and approved by the Chancellor, and the affixing of the seal shall be authenticated by any member of the Council and by the Vice Chancellor, secretary to the Council or any other person authorized by statute.
- (2) Any document purporting to be a document executed under the seal of the University shall be received in evidence and shall, unless the contrary is proved, be presumed to be so executed.
- (3) Any contract or instrument, which if made or executed by a person not being a body corporate would not be required to be under seal, may be made or executed on behalf of the University by any person generally or specifically authorized to do so by the Council.
- (4) The validity of any proceedings of anybody established in pursuance of this Act shall not be affected by any vacancy in the membership of the body, or by any defect in the appointment of a member of the body or by reason that any person not entitled to do proceedings.
- (5) Any member of any such body who has a personal interest in any matter proposed to be considered by that body shall forthwith 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 in pursuance of this Act. [Cap. 123.]
- (7) The power conferred by this Act on anybody to make statutes or regulations shall include power to revoke or vary any statute (including the statute contained in the Second Schedule of this Act) or any regulation by a subsequent statute, or, as the case may be, by a

subsequent regulation and statute and regulations may make different provisions in reaction to different circumstances.

*[Second Schedule]*

- (8) No stamp duty or other duty shall be payable in respect of any transfer of property to the University by virtue of any provision of 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 26 be retained (*Senate Yahaya I. Oloriegbe — Kwara Central*).

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

**Clause 27: Interpretation.**

- (1) In this Bill —
  - "campus" means any campus which may be established by the University;
  - "college" means any college which may be established by the University;
  - "Council" means the Council established by this Bill for the University;
  - "graduate" means a person on whom a degree, (other than an honorary degree) has been conferred by the University;
  - "Minister" means the Minister charged with responsibility for education;
  - "notice" means notice in writing;
  - "office" does not include the Visitor;
  - "prescribed" means prescribed by statutes or regulations;
  - "professor" means a person designated as a professor of the University in accordance with provisions made in that behalf by statute or regulations;
  - "property" includes rights, liabilities and obligations;
  - "regulations" means regulations made by the Senate or the Council;
  - "Senate" means the Senate of the University established pursuant to section 3 (1) (c) of this Bill;
  - "statute" means a statute made by the University under section 12 of this Bill and in accordance with the provisions of section 13 of this Bill;
  - and "the statutes" means all such statutes as are in force from time to time;

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

"undergraduate" means a person in statu pupillari at the University other than —

(a) a graduate; and

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

"University" means any of the University of Health Sciences established under section 2 of this Bill.

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

***Committee's Recommendation:***

That the provision in Clause 27 be retained (*Senate Yahaya I. Oloriegbe — Kwara Central*).

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

**Clause 28: Short Title.**

This Bill may be cited as the National University of Health and Medical Sciences Suleja (Establishment) Bill, 2021.

***Committee's Recommendation:***

That the provision in Clause 28 be retained (*Senate Yahaya I. Oloriegbe — Kwara Central*).

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

FIRST SCHEDULE

PRINCIPAL OFFICERS OF THE UNIVERSITY

**The Chancellor.**

[Section 2 (2).]

- 1 (1) The Chancellor shall be appointed by the President of Nigeria.
- (2) The Chancellor shall hold office for a period of five years.
- (3) If it appears to the Visitor that the Chancellor should be removed from his/her office on the ground of misconduct or of inability to perform the functions of his office, the Visitor may by notice in the Federal Gazette remove the Chancellor from office.

**The Pro-Chancellor.**

2. (1) The Pro-Chancellor shall be appointed or removed by the President on the recommendation of the Minister.

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

**The Vice-Chancellor.**

3. (1) There shall be a Vice-Chancellor of the University who shall be appointed by the President in accordance with the provisions of this paragraph.  
[1993 No.1. 1996 No. 25.]
- (2) Where a vacancy occurs in the post of a Vice-Chancellor, the Council shall —
- (a) advertise the vacancy in a reputable journal or a widely read newspaper in Nigeria, specifying —
- (i) the qualities of the persons who may apply for the post; and
- (ii) the terms and conditions of service applicable to the post, and thereafter draw up a short list of suitable candidates for the post for consideration;
- (b) constitute a search team consisting of —
- (i) a member of the Council, who is not a member of the Senate, as chairman;
- (ii) two members of the Senate who are not members of the Council, one of whom shall be a professor;
- (iii) two members of Congregation who are not members of the Council, one of whom shall be a professor, to identify and nominate for consideration, suitable persons who are not likely to apply for the post on their own volition because they feel that it is not proper to do so.
- (3) A joint Council and Senate Selection Board consisting of —
- (a) the Pro-Chancellor, as chairman;
- (b) two members of the Council, not being members of the Senate;
- (c) two members of the Senate who are professors, but who were not members of the Search Team, shall consider the candidates and persons on the short list drawn up under subparagraph (2) of this paragraph through an examination of their curriculum vitae and interaction with them, and recommend to the Council suitable candidates for further consideration.
- (4) The Council shall select three candidates from among the candidates recommended to it under subparagraph (3) of this paragraph and may indicate its order of preference stating the reasons therefor and forward the names to the President.
- [1996 No. 25.]
- (5) The President may appoint as Vice-Chancellor anyone of the candidates recommended to him in accordance with the provisions of subparagraph (4) of this paragraph.
- (6) The Vice-Chancellor shall hold office for a single term of five years only on such terms and conditions as may be specified in his letter of appointment.

- (7) For the avoidance of doubt, the provisions of subparagraph (6) of this paragraph shall —

[1996 No. 25.]

- (a) only be applicable to those appointed to the office of Vice Chancellor after 1 January, 1993;
- (b) not confer on a person serving a first term of office as Vice Chancellor before 1st January, 1993 any right to renewal of the appointment for a further term of four years.
- (8) The Vice-Chancellor may be removed from office by the Visitor after due consultation with the Council and the Senate acting through the Minister of Education.

**Deputy Vice-Chancellors.**

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

[1996 No. 25.]

- (2) Where a vacancy occurs in the post of Deputy Vice-Chancellor, the Vice-Chancellor shall forward to the Senate a list of two candidates for each post of Deputy Vice-Chancellor that is vacant.
- (3) The Senate shall select for each vacant post one candidate from each list forwarded to it under subparagraph (2) of this paragraph and forward his name to the Council for confirmation. (4) A Deputy Vice-Chancellor shall —
- (a) assist the Vice-Chancellor in the performance of his functions;
- (b) act in the place of the Vice-Chancellor when the post of the Vice-Chancellor is vacant or if the Vice-Chancellor is, for any reason, absent or unable to perform his functions as Vice-Chancellor; and
- (c) perform such other functions as the Vice-Chancellor or the Council may, from time to time, assign to him.
- (4) A Deputy Vice-Chancellor —
- (a) shall hold office for a period of two years beginning from the effective date of his appointment and on such terms and conditions as may be specified in his letter of appointment; and
- (b) may be re-appointed for one further period of two years and no more.

**Office of the Registrar.**

5. (1) There shall be for the University a Registrar, who shall be the chief administrative officer of the University and shall be responsible to the Vice-Chancellor for the day-to-day administrative work of the University except as regards matters for which the Bursar is responsible in accordance with paragraph 6 (2) of this Schedule.

[1993 No. 55.]

- (2) The person holding the office of the Registrar shall by virtue of that office be secretary to the Council, the Senate, Congregation and Convocation.
  - (3) The Registrar shall hold office for such period and on such terms as to the emoluments of his/her office and otherwise as may be specified Other principal officers of the University
6. (1) There shall be for each University the following principal officers, in addition to the Registrar, that is —
- [1993 No. 11.1993 No. 55.]
- (a) the Bursar; and
  - (b) the University Librarian, who shall be appointed by the Council on the recommendation of the Selection Board constituted under paragraph 8 of this Schedule.
- (2) The Bursar shall be the chief financial officer of the University and be responsible to the Vice-Chancellor for the day-to-day administration and control of the financial affairs of the University.
  - (3) The University Librarian shall be responsible to the Vice- Chancellor for the administration of the university library and the co- ordination of the library services in the University and its campuses, colleges, faculties, schools, departments, institutes and other teaching or research units.
  - (4) The Bursar and Librarian shall hold office for such period and on such terms as to the emoluments of their offices and otherwise as may be specified.
- [1993 No 11. 1993 No. 55.]
- (5) Any question as to the scope of the responsibilities of the aforesaid officers shall be determined by the Vice-Chancellor.

**Selection Board for other principal officers.**

7. (1) There shall be, for the University, a Selection Board for the appointment of principal officers, other than the Vice-Chancellor or Deputy Vice-Chancellor, which shall consist of —
- (a) the Pro-Chancellor, as chairman;
  - (b) the Vice-Chancellor;
  - (c) four members of the Council not being members of the Senate; and
  - (d) two members of the Senate.
- (2) The functions, procedure and other matters relating to the Selection Board constituted under sub-paragraph (1) of this paragraph shall be as the Council may, from time to time, determine.
  - (3) The Registrar, Bursar and Librarian shall hold office for such period and on such terms as to the emoluments of their offices and otherwise as may be specified in their letters of appointment.

**Resignation and Re-appointment.**

8. (1) Any officer mentioned in the foregoing provisions of this Schedule may resign his office —
- (a) in the case of the Chancellor, by notice to the President; and
  - (b) in any other case, by notice to the Council and the Council shall immediately notify the Minister in the case of the Vice-Chancellor.
- (2) Subject to paragraphs 4 and 5 of this Schedule, a person who has ceased to hold an office so mentioned otherwise than by removal for misconduct shall be eligible for re- appointment to that office.

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

**SECOND SCHEDULE**

*[Section 9 (2)]*

UNIVERSITY OF MEDICINE AND MEDICAL SCIENCES STATUTE NO.1  
ARRANGEMENT OF ARTICLES

**Articles.**

1. The Council
2. The Finance and General Purposes Committee
3. The Senate
4. Congregation
5. Convocation
6. Division of colleges
7. College Board
8. Appointments and Promotions Committees
9. Dean of college
10. Deputy Dean of college
11. Director of institute or center
12. Head of department
13. Selection of certain principal officers
14. Creation of academic posts
15. Appointment of academic staff
16. Funding of the University
17. University Co-ordination Agency

18. Interpretation

19. Citation

**The Council.**

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

**The Finance and General Purposes Committee.**

2. (1) The Finance and General Purposes Committee of the Council shall consist of—
  - (a) the Pro-Chancellor, who shall be the chairman of the Committee at any meeting at which he is present;
  - (b) the Vice-Chancellor and Deputy Vice-Chancellors;
  - (c) six other members of the Council appointed by the Council, two of whom shall be selected from among the three members of the Council appointed by the Senate and one member appointed to the Council by Congregation;
  - (d) the Permanent Secretary of the Federal Ministry of Education or, in his absence, such member of his Ministry as he may designate to represent him.



- (2) The quorum of the Committee shall be five.
- (3) Subject to any directions given by the Council, the Committee may regulate its own procedure.

**The Senate.**

3. (1) The Senate shall consist of —
  - (a) the Vice-Chancellor and Deputy Vice-Chancellors;
  - (b) Deans of Colleges;
  - (c) the Directors of Institutes and Research Centres;
  - (d) the Heads of academic Departments;
  - (e) the Librarian;
  - (f) one member of not less than the rank of senior lecturer of each college;
  - (g) four persons representing the Congregation.
- (2) The Vice-Chancellor shall be the chairman at all meetings of the Senate when he is present; and in his absence any of the Deputy Vice-Chancellors present at the meeting as the Senate may appoint for that meeting shall be chairman at the meeting.
- (3) The quorum of the Senate shall be one quarter (or the nearest whole number less than one quarter) and subject to paragraph 2 of this article, the Senate may regulate its own procedure.
- (4) An elected member may, by notice to the Senate, resign his office.
- (5) Subject to paragraph (7) of this article, there shall be elections for the selection of elected members, which shall be in the prescribed manner on such day in the month of May or June in each year as the Vice-Chancellor may, from time to time, determine.
- (6) An elected member shall hold office for the period of two years beginning with 1 August in the year of his election, and may be a candidate at any election held in pursuance of paragraph (5) of this article in the year in which his period of office expires, so however that no person shall be such a candidate if at the end of his current period of office he will hold office as an elected member for a continuous period of six years or would have so held office if he had not resigned it.
- (7) No election held in pursuance of this article in any year if the number specified in the certificate given in pursuance of paragraph (10) of this article does not exceed by more than one the figure which is thrice the number of those elected members holding office on the date of the certificate who do not vacate office during that year in pursuance of paragraph (6) of this article.
- (8) For the avoidance of doubt it is hereby declared that no person shall be precluded from continuing in or taking office as an elected member by reason only of a reduction in the total of non-elected members occurring on or after 30 April in any year in which he is to continue in or take office as an elected member.

- (9) If so requested in writing by any fifteen members of the Senate, the Vice-Chancellor, or in his absence, any of the Deputy Vice-Chancellors duly appointed by him, shall convene a meeting of the Senate to be held not later than the tenth day following that on which the request was received.
- (10) In this Bill "total of non-elected members" means as respects any year, such number as may be certified by the Vice-Chancellor on 30 April of that year to be the number of persons holding office as members of the Senate on that day otherwise than as elected members.

**Congregation.**

4. (1) Congregation shall consist of the —
- (a) Vice-Chancellor and the Deputy Vice-Chancellors;
  - (b) full-time members of the academic staff;
  - (c) Registrar;
  - (d) Bursar;
  - (e) Librarian;
  - (f) Director of Works;
  - (g) Director of Academic Planning;
  - (h) Director of Physical Planning;
  - (i) Director of Health Services; and
  - (j) every member of the administrative staff who holds a degree other than an honorary degree of any university recognized for the purposes of this Bill by the Vice-Chancellor.

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

Chairman to report Bill.

**(SENATE IN PLENARY)**

The President of the Senate reported that the Senate in the Committee of the Whole considered the Report of the Committee on Health (Secondary & Tertiary) on the National University of Health and Medical Sciences Suleja (Establishment) Bill, 2021 and approved as follows:

Clauses 1-28 — As Recommended

Schedules 1-2 — As Recommended

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

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

*Question put and agreed to.*

*Bill accordingly Read the Third Time and Passed.*

10. **Committee on Tertiary Institutions and TETFUND:**

*Report on the University of Aerospace and Aeronautics Oka Akoko (Establishment) Bill, 2021 (SB. 409).*

*Motion made:* That the Senate do receive and consider the Report on the University of Aerospace and Aeronautics Oka Akoko (Establishment) Bill, 2021 (*Senator Sandy O. Onor — Cross River Central*).

*Question put and agreed to.*

*Report Laid and Presented.*

*Motion Made:* That the Senate do Resolve Into the Committee of the Whole to Consider the Report.

*Question put and agreed to.*

**(SENATE IN THE COMMITTEE OF THE WHOLE)**

A BILL FOR AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE UNIVERSITY OF AEROSPACE AND AERONAUTICS, OKA-AKOKO AND FOR MATTERS OF ADMINISTRATION AND DISCIPLINE OF STUDENTS CONNECTED THEREWITH, 2021

**PART I - ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF THE UNIVERSITY OF AEROSPACE AND AERONAUTICS AND ITS CONSTITUENT BODIES, ETC.**

**Clause 1: Establishment of the University of Aerospace and Aeronautics Oka-Akoko**

- [1] There is hereby established a body to be called The University of Aerospace and Aeronautics in Oka-Akoko,
- [2] The University shall be a body corporate with perpetual succession and a common seal and may sue or be sued in its corporate name.

***Committee's Recommendation:***

That the provision in Clause 1 be retained (*Senator Sandy O. Onor — Cross River Central*).

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

**Clause 2: The objects of the University**

The objects of the University shall be-

- [a] To develop centers of excellence and a critical mass of experts within the space, aerospace, and aeronautics education industry;
- [b] to encourage the advancement of learning and to hold out to all persons with- out distinction of race, creed, sex or political conviction, the opportunity of acquiring a higher education in Aerospace and Aeronautics science technology and engineering;
- [c] to develop and offer academic and professional programmes leading to the award of diplomas, first degrees, post-graduate research and higher degrees which emphasize planning, adaptive, technical, maintenance, developmental and productive skills in the engineering, scientific, Aerospace and Aeronautics, and allied professional disciplines with the aim of producing socially mature men and women with capability not only to understand, use and adapt existing technology, but also to improve on it and develop new ones;

- [d] to act as agents and catalysts, through post-graduate training, research and innovation for the effective and economic utilization, exploitation and conservation of the country's natural, economic and human resources;
- [e] to offer to the general population, as a form of public service, the results of training and research and to foster the practical applications of these results;
- [f] to establish appropriate relationships with other national institutions involved in training, research and development of Space, Aerospace and Aeronautics technologies;
- [g] To identify the technological problems and needs of the Space, aerospace and aeronautics industry and to find solutions to them within the context of overall national development;
- [h] To provide and promote sound basic scientific training as a foundation for the development of space, aerospace and aeronautics technology and applied sciences, taking into account indigenous culture and the need to enhance national unity;
- [i] To research and develop aerospace engines needed to launch Nigerian satellites and planetary robotic spacecraft to space according to The 25 years' road map and beyond in the Nigerian Space industry.
- [j] To develop scientific, engineering, and technological capabilities required in the aerospace industry to design and construct robust propulsion systems using the state-of-the-Art infrastructure.
- [k] To acquire and domesticate technologies necessary to develop various thrust generating combustible materials and all other aerospace related systems.
- [l] To undertake any other activities appropriate for a University of Aerospace and Aeronautics of the highest standard.
- [m] And to offer first degrees, postgraduate degrees and diplomas and courses in the following fields; Aviation management, Risk Management, Aviation business and sustainability, Aerospace management and engineering, Aviation safety Cargo handling crew, Maintenance planning, Airport operation, Aviation Law and regulations, Decision making, Environmental studies, Sustainability, Crew management, Communication system, Aviation Insurance and to hold Seminars and Professional Programmes as,
  - [i] Producing Competent Experts That Understand the Working and Trends in Civil Aviation
  - [ii] In-Depth and Continuous Research in Aerospace and Aviation
  - [iii] Producing Graduates That Will Play a Critical Role in Air Navigation, Airline, Meteorology, Management Etc.,
  - [iv] Undergraduate and Postgraduate Courses as Well as Accommodating Short Professional Add-On Courses for Pilots, Media, Lawyers, Economists, Aviation Managers etc.

***Committee's Recommendation:***

That the provision in Clause 2 be retained (*Senator Sandy O. Onor — Cross River Central*).

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

**Clause 3: Constitution and Principal Officers of the University**

[1] The University shall consist of-

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

[2] The First Schedule to this Bill shall have effect with respect to the principal officers of the University therein mentioned.

[3] Subject to Clause 5 of this Bill provision shall be made by statute with respect to the constitution of the Council, the Senate, Congregation and Convocation.

***Committee's Recommendation:***

That the provision in Clause 3 be retained (*Senator Sandy O. Onor — Cross River Central*).

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

**Clause 4: Powers of the University and Their Exercise**

[1] For the carrying out of its objects as specified in Clause 1 of this Bill the University shall have the following powers-

- [a] to establish such campuses, colleges, institutes, schools, extra-mural departments and other teaching and research units within the University as may from time to time be deemed necessary or desirable subject to the approval of the National Universities Commission;
- [b] to institute professorships, readerships or associate professorships, lecture-ships, and other posts and offices and to make appointments thereto;

- [c] to institute and award fellowships, scholarships, exhibitions, bursaries, medals, prizes and other titles, distinctions, awards and forms of assistance;
- [d] to provide for the discipline and welfare of members of the University;
- [e] to hold examinations and grant degrees, diplomas, certificates and other distinctions to persons who have pursued a course of study approved by the University and have satisfied such other requirements as the University may lay down;
- [f] to grant honorary degrees, fellowships or academic titles;
- [g] to demand and receive from any student or any other person attending the University for the purpose of instruction, such fees as the University may from time to time determine subject to the overall directives of the Minister;
- [h] subject to Clause 19 of this Bill, to acquire, hold, grant, charge or otherwise deal with or dispose of movable and immovable property wherever situate;
- [i] to accept gifts, legacies and donations, but without obligation to accept the same for a particular purpose unless it approves the terms and conditions attaching thereto;
- [j] to enter into contracts, establish trusts, act as trustee, solely or jointly with any other person, and employ and act through agents;
- [k] to erect, provide, equip and maintain libraries, laboratories, lecture halls, halls of residence, refectories, sports grounds, playing fields and other buildings or things necessary, suitable or convenient for any of the objects of the University;
- [l] to hold public lectures and to undertake printing, publishing and book selling;
- [m] subject to any limitations or conditions imposed by statute, to invest any moneys appertaining to the University by way of endowment, not being immediately required for current expenditure, in any investments or securities or in the purchase or improvement of land, with power from time to time, to vary any such investments and to deposit any moneys for the time being not invested, with any bank on deposit or current account;
- [n] to borrow, whether on interest or not and if need be upon the security of any or all of the property, movable or immovable, of the University, such moneys as the Council may from time to time in its discretion find it necessary or expedient to borrow or to guarantee any loan, advances or credit facilities;
- [o] to make gifts for any charitable purpose;

- [p] to do anything which it is authorized or required by this Bill or by statute to do; and
  - [q] to do all such acts or things, whether or not incidental to the foregoing powers, as may advance the objects of the University.
- [2] Subject to the provisions of this Bill and of the statutes and without prejudice to Clause 7 [2] of this Bill, the powers conferred on the University by sub clause [1] of this Clause shall be exercisable on behalf of the University by the Council or by the Senate or in any other manner which may be authorized by the statute.
- [3] The power of the University to establish further campuses and colleges within the University shall be exercisable by statute and not otherwise.

***Committee's Recommendation:***

That the provision in Clause 4 be retained (*Senator Sandy O. Onor — Cross River Central*).

*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 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 Sandy O. Onor — Cross River Central*).

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

**Clause 6: Composition of the Council of Each University**

The Council of each University shall consist of-

- [a] the Pro-Chancellor;
- [b] the Vice-Chancellor;
- [c] the Deputy Vice-Chancellor;
- [d] The Permanent Secretary, Federal Ministry of Education or, in his absence, one Person from the Federal Ministry responsible for Education to represent him.
- [e] Four persons representing a variety of interests and broadly representative of the whole Federation appointed by the National Council of Ministers; by virtue of section 2 [e] of the Universities [Miscellaneous Provisions] Act 1993 [As amended].
- [f] four persons appointed by the Senate from among its members;

- [g] two persons appointed by Congregation from among its members;

***Committee's Recommendation:***

That the provision in Clause 6 be retained (*Senator Sandy O. Onor — Cross River Central*).

*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 Purposes Committee**

- [1] Subject to Clause 10 the provisions of this Bill relating to the Visitor, the Council shall be the governing body of the University and shall be charged with the general control and superintendence of the policy, finances and property of the University.
- [2] There shall be a committee of the Council, to be known as the Finance and General Purposes Committee, which shall, subject to the directions of the Council, exercise control over the property and expenditure of the University and perform such other functions of the Council as the Council may from time to time delegate to it.
- [3] Provision shall be made by statute with respect to the constitution of the Finance and General Purposes Committee.
- [4] The Council shall ensure that proper accounts of the University are kept and that the accounts of the University are audited annually by an independent firm of auditors approved by the Council and that an annual report is published by the University together with certified copies of the said accounts as audited.
- [5] Subject to this Bill and the statutes, the Council and the Finance and General Purposes Committee may each make rules for the purpose of exercising any of their respective functions or of regulating their own procedure.
- [6] Rules made under sub clause [5] of this Clause by the Finance and General Purposes Committee shall not come into force unless approved by the Council; and in so far and to the extent that any rules so made by that Committee conflict with any directions given by the Council, whether before or after the coming into force of the rules in question, the directions of the Council shall prevail.
- [7] There shall be paid to the members respectively of the Council, the Finance and General Purposes Committee and of any other committee set up by the Council, allowances in respect of traveling and other reasonable expenses, at such rates as may from time to time be fixed by the Minister.
- [8] The Council shall meet as and when necessary for the performance of its functions under this Bill and shall meet at least three times in every year.
- [9] If requested in writing by any five members of the Council, the chairman shall within 28 days after the receipt of such request call a meeting of the Council.



- [10] Any request made under sub clause [9] of this Clause 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 Sandy O. Onor — Cross River Central*).

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

**Clause 8:      Functions of the Senate**

- [1] Subject to Clause 6 of this Bill and sub clauses [3] and [4] of this Clause and to the provisions of this Bill relating to the Visitor, it shall be the general function of the Senate to organize and control the teaching by the University, the admission of students where no other enactment provides to the contrary and the discipline of students; and to promote research at the University.
- [2] Without prejudice to the generality of sub clause [1] of this Clause and subject as there mentioned, it shall in particular be the function of the Senate to make provision for-
- [a] the establishment, organization and control of campuses, colleges, schools, institutes and other teaching and research units of the University and the allocation of responsibility for different branches of learning;
  - [b] the organization and control of courses of study at the University and of the examinations held in conjunction with those courses, including the appointment of examiners, both internal and external;
  - [c] the award of degrees, and such other qualifications as may be prescribed, in connection with examinations held as aforesaid;
  - [d] the making of recommendations to the Council with respect to the award to any person of an honorary fellowship or honorary degree or the title of professor emeritus;
  - [e] the establishment, organization and control of halls of residence and similar institutions at the University;
  - [f] the supervision of the welfare of students at the University and the regulation of their conduct;
  - [g] the granting of fellowships, scholarships, prizes and similar awards in so far as the awards are within the control of the University; and
  - [h] determining what descriptions of dress shall be academic dress for the purposes of the University, and regulating the use of academic dress.
- [3] The Senate shall not establish any new campus, college, school, department, institute or other teaching and research units of the University, or any hall of residence or similar institution at the University without the approval of the Council.

- [4] Subject to this Bill and the statutes, the Senate may make regulations for the purpose of exercising any function conferred on it either by the foregoing provisions of this Clause or otherwise or for the purpose of making provision for any matter for which provision by regulations is authorized or required by this Bill or by statute.
- [5] Regulations shall provide that at least one of the persons appointed as the examiners at each final or professional examination held in conjunction with any course of study at the University is not a teacher at the University but is a teacher of the branch of learning to which the course relates at some other university of high repute or a person engaged in practicing the profession in a reputable organization or institution.
- [6] Subject to a right of appeal to the Council from a decision of the Senate under this sub clause, the Senate may deprive any person of any degree, diploma or other award of the University which has been conferred upon him if after due enquiry he is shown to have been guilty of dishonorable 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 Sandy O. Onor — Cross River Central*).

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

**Clause 9: General Fund of the University**

- [1] There shall be a general fund of the University which shall consist of the following:
  - [a] Annual budgetary allocation by the Federal Government through; Appropriation by the National Assembly
  - [b] Grants-in-aid;
  - [c] Fees;
  - [d] Income derived from investments;
  - [e] Gifts, legacies, endowments and donations not accepted for a particular purpose;
  - [f] Income derived from the exercise of any functions conferred or imposed on the University by this Bill;
  - [g] Any other amounts, charges or dues recoverable by the university;
  - [h] Revenue, from time to time, accruing to the University by way of subvention;
  - [i] Interest on Investments; and
  - [j] Donations and legacies accruing to the University from any source for the general or special purposes of the University; and

- [2] The general fund shall be applied for the purpose of the University.

***Committee's Recommendation:***

That the provision in Clause 9 be retained (*Senator Sandy O. Onor — Cross River Central*).

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

**Clause 10: 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 Clause 4 of this Bill, except the Pro-Chancellor and any other person for the time being acting as chairman of the Council.
- [2] Subject to Clauses 6, 7 and 14 of this Bill, the Vice-Chancellor shall have the general function, in addition to any other functions conferred on him by this Bill or otherwise, of directing the activities of the University and shall be the chief executive and academic officer of the University and ex-officio chairman of the Senate.

***Committee's Recommendation:***

That the provision in Clause 10 be retained (*Senator Sandy O. Onor — Cross River Central*).

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

**Clause 11: Transfer of Property**

- [1] All property held by or on behalf of the provisional council of the University shall, by virtue of this sub clause and without further assurance, vest in the University and be held by it for the purpose of the University.
- [2] The provisions of the Second Schedule to this Bill shall have effect with respect to, and to matters arising from, the transfer of property by this Clause and with respect to the other matters mentioned in that Schedule.

***Committee's Recommendation:***

That the provision in Clause 11 be retained (*Senator Sandy O. Onor — Cross River Central*).

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

**PART II - STATUTES OF THE UNIVERSITY**

**Clause 12: Power of the University to Make Statutes**

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

- [d] determining whether any particular matter is to be treated as an academic or a non-academic matter for the purposes of this Bill and of any statute, regulation or other instrument made thereunder; or
  - [e] making provision for any other matter for which provision by statute is authorized or required by this Bill.
- [2] Subject to Clause 24 [6] of this Bill, the Interpretation Act shall apply in relation to any statute made under this Clause as it applies to a subsidiary instrument within the meaning of Clause 29 [1] of that Bill. [Cap. I23.]
- [3] The Statute contained in the Third Schedule to this Bill shall be deemed to have come into force on the commencement of this Bill once it becomes an Act of National Assembly and shall be deemed to have been made under this Clause by the University.
- [4] The power to make statutes conferred by this Clause shall not be prejudiced or limited in any way by reason of the inclusion or omission of any matter in or from the statute contained in the Third Schedule to this Bill or any subsequent statute.

***Committee's Recommendation:***

That the provision in Clause 12 be retained (*Senator Sandy O. Onor — Cross River Central*).

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

**Clause 13: Mode of Exercising Power to Make Statutes**

- [1] The power of the University to make statutes shall be exercised in accordance with the provisions of this Clause and not otherwise.
- [2] A proposed statute shall not become law unless it has been approved-
  - [a] at a meeting of the Senate, by the votes of not less than two thirds of the members present and voting; and
  - [b] at a meeting of the Council, by the votes of not less than two thirds of the members present and voting.
- [3] A proposed statute may originate either in the Senate or in the Council, and may be approved as required by sub clause [2] of this Clause by either one of those bodies before the other.
- [4] A statute which-
  - [a] makes provision for or alters the composition or constitution of the Council, the Senate or any other authority of the University; or
  - [b] provides for the establishment of a new campus or college or for the amendment or revocation of any statute whereby a campus or college is established, shall not come into operation unless it has been approved by the President.

- [5] For the purposes of Clause 2 [2] of the Interpretation Act, a statute shall be treated as being made on the date on which it is duly approved by the Council after having been duly approved by the Senate, or on the date on which it is duly approved by the Senate after having been duly approved by the Council, as the case may be or, in the case of a statute falling within sub clause [4] of this Clause, on the date on which it is approved by the President.
- [6] In the event of any doubt or dispute arising at any time-
- [a] as to the meaning of any provision of a statute; or
- [b] as to whether any matter is for the purposes of this Bill an academic or non-academic matter as they relate to such doubt or dispute, the matter may be referred to the Visitor, who shall take such advice and make such decision thereon as he shall think fit.
- [7] The decision of the Visitor on any matter referred to him under sub clause [6] of this Clause shall be binding upon the authorities, staff and students of the University, and where any question as to the meaning of any provision of a statute has been decided by the Visitor under that sub clause, no question as to the meaning of that provision shall be entertained by any court of law in Nigeria.
- [8] Nothing in sub clause [7] of this Clause shall affect any power of a court of competent jurisdiction to determine whether any provision of a statute is wholly or partly void as being ultra vires or as being inconsistent with the Constitution of the Federal Republic of Nigeria 1999.

***Committee's Recommendation:***

That the provision in Clause 13 be retained (*Senator Sandy O. Onor — Cross River Central*).

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

**Clause 14: Power of Visitor to Decide Meaning of Statutes**

- [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 shall deem fit.
- [2] The decision of the visitor on any matter referred to him under this clause shall be binding upon the authorities, staff and students of the University, and where any question as to the meaning of any provision of a statute has been decided by the visitor under this clause, no question as to the meaning of that provision shall be entertained by any court of law in Nigeria:

Provided that nothing in this sub clause shall affect any power of a court of competent jurisdiction to determine whether any provision of a statute is wholly or partly void as being ultra vires or as being inconsistent with the Constitution of the Federal Republic of Nigeria.

- [3] The foregoing provisions of this clause shall apply in relation to any doubt or dispute as to whether any matter is for the purposes of this Bill an academic or a non-academic matter as they apply in relation to any such doubt or dispute as is mentioned in sub clause [1] of this clause; and accordingly the references in sub clause [2] of this clause 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 a non-academic matter.

***Committee's Recommendation:***

That the provision in Clause 14 be retained (*Senator Sandy O. Onor — Cross River Central*).

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

**Clause 15: Proof of Statutes**

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

***Committee's Recommendation:***

That the provision in Clause 15 be retained (*Senator Sandy O. Onor — Cross River Central*).

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

**PART III - SUPERVISION AND DISCIPLINE**

**Clause 16: The Visitor**

- [1] The President shall be the Visitor of the University.
- [2] Visitor shall as often as the circumstances may require, not being less than once every five years, conduct a visitation of the University or direct that such a visitation be conducted by such person or persons as the Visitor may deem fit and in respect of any of the affairs of the University.
- [3] It shall be the duty of the bodies and persons comprising the University to make available to the Visitor, and to any other person conducting a visitation in pursuance of this Clause, such facilities and assistance as he or they may reasonably require for the purposes of a visitation.

***Committee's Recommendation:***

That the provision in Clause 16 be retained (*Senator Sandy O. Onor — Cross River Central*).

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

**Clause 17: Removal of Certain Members of Council**

- [1] If it appears to the Council that a member of the Council [other than the Pro-Chancellor or the Vice Chancellor] should be removed from office on the ground of misconduct or inability to perform the functions of his office or employment, the Council shall make a recommendation to that effect through the Minister to the President, and if the President, after making such enquiries [if any] as he may consider appropriate, approves the recommendation, he may direct the removal of the person in question from office.

- [2] It shall be the duty of the Minister to use his best endeavours to cause a copy of the instrument embodying a direction under sub clause [1] of this Clause to be served as soon as reasonably practicable on the person to whom it relates.

***Committee's Recommendation:***

That the provision in Clause 17 be retained (*Senator Sandy O. Onor — Cross River Central*).

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

**Clause 18: Removal and Discipline of Academic, Administrative and Professional Staff**

- [1] If it appears to the Council that there are reasons for believing that any person employed as a member of the academic, administrative or professional staff of the University, other than the Vice-Chancellor, should be removed from his office or employment on the ground of misconduct or of inability to perform the functions of his office or employment, the Council shall-
- [a] give notice of those reasons to the person in question;
  - [b] afford him an opportunity of making representations in person on the matter to the Council; and
  - [c] if he so requests or any three members of the Council so request within the period of one month beginning with the date of the notice, make arrangements-
    - [i] for a joint committee of the Council and the Senate to investigate the matter and to report on it to the Council; and
    - [ii] for the person in question to be afforded an opportunity of appearing before and being heard by the investigating committee with respect to the matter, and if the Council, after considering the report of the investigating committee, is satisfied that the person in question should be removed as aforesaid, the Council may so remove him by an instrument in writing signed on the directions of the Council.
- [2] The Vice-Chancellor may, in a case of misconduct by a member of the staff which in the opinion of the Vice Chancellor is prejudicial to the interests of the University, suspend such member and any such suspension shall forthwith be reported to the Council.
- [3] For good cause, any member of the staff may be suspended from his duties or his appointment may be terminated by the Council; and for the purposes of this sub clause;
- "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; or
  - [b] any physical or mental incapacity which the Council, after obtaining medical advice, considers to be such as to render the person concerned unfit to continue to hold his office; or

- [c] conduct of a scandalous or other disgraceful nature which the Council considers to be such as to render the person concerned unfit to continue to hold his office; or
  - [d] conduct which the Council considers to be such as to constitute failure or inability of the person concerned to discharge the functions of his office or to comply with the terms and conditions of his service; or
  - [e] conduct which the Council considers to be generally of such nature as to render the continued appointment or service of the person concerned prejudicial or detrimental to the interest of the University.
- [4] Any person suspended pursuant to sub clause [2] or [3] of this Clause shall be on half pay and the Council shall before the expiration of a period of three months after the date of such suspension consider the case against that person and come to a decision as to-
- [a] whether to continue such person's suspension and if so on what terms [including the proportion of his emoluments to be paid to him];
  - [b] whether to reinstate such person, in which case the Council shall restore his full emoluments to him with effect from the date of suspension;
  - [c] whether to terminate the appointment of the person concerned, in which case such a person shall not be entitled to the proportion of his emoluments withheld during the period of suspension; or
  - [d] whether to take such lesser disciplinary action against such person [including the restoration of such proportion of his emoluments that might have been withheld] as the Council may determine.
- [5] In any case where the Council, pursuant to this Clause, decides to continue a person's suspension or decides to take further disciplinary action against a person, the Council shall before the expiration of a period of three months from such decision come to a final determination in respect of the case concerning any such person.
- [6] It shall be the duty of the person by whom an instrument of removal is signed in pursuance of sub clause [1] of this Clause to use his best endeavours to cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it relates.
- [7] Nothing in the foregoing provisions of this Clause shall-
- [a] apply to any directive given by the Visitor in consequence of any visitation; or
  - [b] prevent the Council from making regulations for the discipline of other categories of workers of the University as may be prescribed.



**Committee's Recommendation:**

That the provision in Clause 18 be retained (*Senator Sandy O. Onor — Cross River Central*).

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

**Clause 19: Removal of Examiners**

- [1] If, on the recommendation of the Senate, it appears to the Vice Chancellor that a person appointed as an examiner for any examination of the University ought to be removed from his office or appointment, then, except in such cases as may be prescribed, the Vice-Chancellor may, after affording the examiner an opportunity of making representations in person on the matter to the Vice Chancellor, remove the examiner from the appointment by an instrument in writing signed by the Vice-Chancellor.
- [2] Subject to the provisions of regulations made in pursuance of Clause 7 [5] of this Bill, the Vice-Chancellor may, on the recommendation of the Senate, appoint an appropriate person as examiner in the place of the examiner removed in pursuance of sub clause [1] of this Clause.
- [3] It shall be the duty of the Vice-Chancellor, on signing an instrument of removal in pursuance of this Clause, to use his best endeavors 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 19 be retained (*Senator Sandy O. Onor — Cross River Central*).

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

**Clause 20: Discipline of Students**

- [1] Subject to the provisions of this Clause, where it appears to the Vice-Chancellor that any student of the University has been guilty of misconduct, the Vice-Chancellor may, without prejudice to any other disciplinary powers conferred on him by statute or regulations, direct:
  - [a] that the student shall not, during such period as may be specified in the direction, participate in such activities of the University, or make use of such facilities of the University, as may be so specified; or
  - [b] that the activities of the student shall, during such period as may be specified in the direction, be restricted in such manner as may be so specified; or
  - [c] that the student be rusticated for such period as may be specified in the direction; or
  - [d] that the student be expelled from the University.
- [2] Where a direction is given under sub clause [1] [c] or [d] of this Clause in respect of any student, that student may, within the prescribed period and in the prescribed manner, appeal to the Council; and where such an appeal is brought, the Council shall, after causing such inquiry to be made in the matter as the Council considers just, either confirm or set aside the direction or modify it in such manner as the Council thinks fit.

- [3] The fact that an appeal from a direction is brought in pursuance of sub clause [2] of this Clause shall not affect the operation of the direction while the appeal is pending.
- [4] The Vice-Chancellor may delegate his powers under this Clause to a disciplinary board consisting of such members of the University as he may nominate.
- [5] Nothing in this Clause shall be construed as preventing the restriction or termination of a student's activities at the University otherwise than on the ground of misconduct.
- [6] A direction under sub clause [1] [a] of this Clause may be combined with a direction under sub clause [1] [b] of this Clause.

***Committee's Recommendation:***

That the provision in Clause 20 be retained (*Senator Sandy O. Onor — Cross River Central*).

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

**PART IV - MISCELLANEOUS AND GENERAL**

**Clause 21: Exclusion of Discrimination on Account of Race, Religion, Etc**

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

***Committee's Recommendation:***

That the provision in Clause 21 be retained (*Senator Sandy O. Onor — Cross River Central*).

*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, a University shall not dispose of or charge any land or an interest in any land [including any land transferred to the University by this Bill] except with the prior written consent, either general or special, of the President provided that such consent shall not be required in the case of any lease or tenancy at a rack-rent for a term not exceeding 21 years or any lease or tenancy to a member of the University for residential purpose.

**Committee's Recommendation:**

That the provision in Clause 22 be retained (*Senator Sandy O. Onor — Cross River Central*).

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

**Clause 23: Quorum and Procedure of Bodies Established by this Bill**

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

**Committee's Recommendation:**

That the provision in Clause 23 be retained (*Senator Sandy O. Onor — Cross River Central*).

*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 Bill shall, without prejudice to the generality of the powers of that body, have power to appoint committees, which need not consist exclusively of members of that body, and to authorize a committee established by it-
  - [a] to exercise, on its behalf, such of its functions as it may determine;
  - [b] to co-opt members, and may direct whether or not co-opted members [if any] shall be entitled to vote in that committee.
- [2] Any two or more such bodies may arrange for the holding of joint meetings of those bodies, or for the appointment of committees consisting of members of those bodies, for the purpose of considering any matter within the competence of those bodies or any of them, and either of dealing with it or of reporting on it to those bodies or any of them.
- [3] Except as may be otherwise provided by statute or by regulations, the quorum and procedure of a committee established or meeting held in pursuance of this Clause, shall be such as may be determined by the body or bodies which have decided to establish the committee or hold the meeting.
- [4] Nothing in the provisions of sub clauses [1], [2] and [3] of this Clause shall be construed as-
  - [a] enabling the statutes to be made otherwise than in accordance with Clause 11 of this Bill; or
  - [b] enabling the Senate to empower any other body to make regulations or to award degrees or other qualifications.
- [5] The Pro-Chancellor and the Vice-Chancellor shall be members of every committee of which the members are wholly or partly appointed by the Council [other than a committee appointed to inquire into the conduct of the officer in question]; and the Vice-Chancellor shall be a member of every committee of which the members are wholly or partly appointed by the Senate.

***Committee's Recommendation:***

That the provision in Clause 24 be retained (*Senator Sandy O. Onor — Cross River Central*).

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

**Clause 25: Retiring Age of Academic Staff**

- [1] Notwithstanding anything to the contrary in the Pensions Act, the compulsory retiring age of an academic staff of each University shall be 65 years.
- [2] A law or rule requiring a person to retire from the public service after serving for 35 years shall not apply to an academic staff of the University.

***Committee's Recommendation:***

That the provision in Clause 25 be retained (*Senator Sandy O. Onor — Cross River Central*).

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

**Clause 26: Special Provisions Relating to Pension of Professors**

A person who retires as a professor having served-

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

***Committee's Recommendation:***

That the provision in Clause 26 be retained (*Senator Sandy O. Onor — Cross River Central*).

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

**Clause 27: Miscellaneous Administrative Provisions**

- [1] The seal of each University shall be such as may be determined by the Council and approved by the Chancellor, and the affixing of the seal shall be authenticated by any member of the Council and by the Vice-Chancellor, secretary to the Council or any other person authorized by statute.
- [2] Any document purporting to be a document executed under the seal of the University shall be received in evidence and shall, unless the contrary is proved, be presumed to be so executed.
- [3] Any contract or instrument which if made or executed by a person not being a body corporate would not be required to be under seal, may be made or executed on behalf of the University by any person generally or specially authorized to do so by the Council.
- [4] The validity of any proceedings of anybody established in pursuance of this Bill shall not be affected by any vacancy in the membership of the body, or by any defect in the appointment of a member of the body or

by reason that any person not entitled to do so took part in the proceedings.

- [5] Any member of any such body who has a personal interest in any matter proposed to be considered by that body shall forthwith disclose his interest to the body and shall not vote on any question relating to that matter.
- [6] Nothing in Clause 12 of the Interpretation Act [which provides for the application in relation to subordinate legislation of certain incidental provisions] shall apply to statutes or regulations made in pursuance of this Bill. [Cap. I23.]
- [7] The power conferred by this Bill on anybody to make statutes or regulations shall include power to revoke or vary any statute [including the statute contained in the Third Schedule of this Bill] or any regulation by a subsequent statute or, as the case may be, by a subsequent regulation and statutes and regulations may make different provisions in relation to different circumstances.
- [8] No stamp or other duty shall be payable in respect of any transfer of property to the University by virtue of Clause 8 or Clause 18 of this Bill or the Second Schedule to this Bill.
- [9] Any notice or other instrument authorized to be served by virtue of this Bill may, without prejudice to any other mode of service, be served by post.

***Committee's Recommendation:***

That the provision in Clause 27 be retained (*Senator Sandy O. Onor — Cross River Central*).

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

**Clause 28: Transitional and Savings Provision**

- [1] On the commencement of this Bill, any person employed by or serving in, University of Aerospace and Aeronautics in Oka-Akoko, shall be deemed to have been employed or serving in the University established under this Bill.
- [2] All Assets or liabilities belonging to University of Aerospace and Aeronautics in Oka-Akoko, shall be deemed to belong to the University established under this Bill.

***Committee's Recommendation:***

That the provision in Clause 28 be retained (*Senator Sandy O. Onor — Cross River Central*).

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

**Clause 29: Interpretation**

- [1] In this Bill, unless the context otherwise requires-  
"Campus" means any campus which may be established by the University;  
  
"College" means any college which may be established by the University;

"Council" means the Council established pursuant to Clause 2 [1] [b] of this Bill for the University;

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

"Minister" means the Minister charged with responsibility for matters relating to higher education; "Notice" means notice in writing;

"Officer" does not include the Visitor;

"Prescribed" means prescribed by statute or regulations;

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

"Property" includes rights, liabilities and obligations;

"Provisional Council" means the provisional council appointed for the University by the President from inception;

"Regulations" means regulations made by the Senate or the Council; "Senate" means the Senate of the University established pursuant to Clause 2 [1] [c] of this Bill;

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

"Statute" means a statute made by the University under Clause 10 of this Bill and in accordance with the provisions of Clause 11 of this Bill, and

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

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

"Undergraduate" Means a person registered as a student undergoing a course of study for a first degree of the University or such other course in the University as may be approved by the Senate as qualifying a student undergoing it for the status of an under-graduate;

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

***Committee's Recommendation:***

That the provision in Clause 29 be retained (*Senator Sandy O. Onor — Cross River Central*).

*Question that Clause 29 do stand part of the Bill, put and agreed to.*

**Clause 30: Short Title**

This Bill may be cited as the University of Aerospace and Aeronautics Oka-Akoko Bill, 2021.

***Committee's Recommendation:***

That the provision in Clause 30 be retained (*Senator Sandy O. Onor — Cross River Central*).

*Question that Clause 30 do stand part of the Bill, put and agreed to.*

**FIRST SCHEDULE****PRINCIPAL OFFICERS OF THE UNIVERSITY****1. The Chancellor**

[1] The Chancellor shall hold office for a period of five years.

[2] If it appears to the visitor, that the chancellor should be removed from his office on the ground of misconduct or of inability to perform the functions of his/her office for insanity or otherwise illness or incapacitation, the visitor may by notice in the Federal Gazette remove the chancellor from office.

**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 Bill, the Pro-Chancellor shall hold office for a period of four years beginning with the date of his appointment.

**3. The Vice-Chancellor**

[1] Subject to the provisions of this paragraph, the Vice-Chancellor shall be appointed or removed from his office by the Governing Council; this is in line with the provisions of Clause 3[1] of the Universities [Miscellaneous Provision] Act 1993 [As amended]

[2] The Vice-Chancellor shall hold office for a single term of Five years; this is in line with the provisions of 3[7] of the Universities [Miscellaneous Provision] Act 1993 [As amended]

**4. Deputy Vice-Chancellors**

[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].

**5. Other Principal Officers of the University  
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 administrative work of the University except as regards matters for which the Bursar is responsible in accordance with paragraph 6 [2] of this Schedule.

- [2] The person holding the office of the Registrar shall by virtue of that office be secretary to the Council, the Senate, Congregation and Convocation.
- [1] There shall be for the University the following principal officers, in addition to the Registrar, that is-
- [a] the Bursar; and
- [b] the University Librarian, who shall be appointed by the Council on the recommendation of the Selection Board constituted under paragraph 8 of this Schedule.
- The Bursar
- [2] The Bursar shall be the chief financial officer of the University and be responsible to the Vice-Chancellor for the day-to-day administration and control of the financial affairs of the University.

The University Librarian

- [3] The University Librarian shall be responsible to the Vice-Chancellor for the administration of the university library and the coordination of the library services in the University and its campuses, colleges, faculties, schools, departments, institutes and other teaching or research units.
- [4] Any question as to the scope of the responsibilities of the aforesaid officers shall be determined by the Vice Chancellor.
- [5] The officers aforesaid shall be appointed by the Governing Council for a tenure for a single term of Five years and Council may upon satisfactory performance, extend the tenure of the Registrar, Bursar or Librarian for a further period of one year and thereafter such Registrar, Bursar or Librarian shall relinquish his post and be assigned to other duties in the University. This is in line with the provisions of section 5 of the Universities [Miscellaneous Provision] Act 1993 [As amended].
6. Selection Board for other Principal Officers
- [1] There shall be, for the University, a Selection Board for the appointment of principal officers, other than the Vice-Chancellor or Deputy Vice-Chancellor, which shall consist of-
- [a] the Pro-Chancellor, as chairman;
- [b] the Vice-Chancellor;
- [c] four members of the Council not being members of the Senate; and [d] two members of the Senate.
- [2] The functions, procedure and other matters relating to the Selection Board constituted under subparagraph [1] of this paragraph shall be as the Council may, from time to time, determine.
- [3] The Registrar, Bursar and Librarian shall hold office for such period and on such terms as to the emoluments of their offices and otherwise as may be specified in their letters of appointment
7. Resignation and re-appointment
- [1] Any officer mentioned in the foregoing provisions of this Schedule may resign his office-



- [a] in the case of the Chancellor or Pro-Chancellor, by notice to the President;
  - [b] 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.
- 8. Director of Works  
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
- 9. Director of Health Service  
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 co-ordinate all matters relating to the health of all staff and students

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

#### SECOND SCHEDULE

##### TRANSITIONAL PROVISIONS AS TO PROPERTY FUNCTIONS. ETC

- 1. Transfer of property to University  
Without prejudice to the generality of Clause 9 [1] of this Bill-
  - [a] the reference in that sub clause to property held by the provisional council shall include a reference to the right to receive and give a good discharge for any grants or contributions which may have been voted or promised to the provisional council;
  - [b] all debts and liabilities of the provisional council outstanding shall become debts or liabilities of the University.
- [2] All agreements, contracts, deeds and other instruments to which the provisional council was a party shall, so far as possible and subject to any necessary modifications, have effect as if the University had been a party thereto in place of the provisional council.
- [3] Documents not falling within sub-paragraph [1] of this paragraph, including enactments, which refer, whether specially or generally, to the provisional council, shall be construed in accordance with that sub-paragraph so far as applicable.
- [4] Any legal proceedings or application to any authority pending by or against the provisional council may be continued by or against the University.
- 2. Registration of transfers
  - [1] If the law in force at the place where any property transferred by this Bill is situated provides for the registration of transfers of property of the kind in question [whether by reference to an instrument of transfer or otherwise], the law shall, so far as it provides for alterations of a register [but not for avoidance of transfers, the payment of fees or any other matter] apply, with the necessary modifications, to the property aforesaid.

- [2] It shall be the duty of the body to which any property is transferred by this Bill to furnish the necessary particulars of the transfer to the proper officer of the registration authority, and of that officer to register the transfer accordingly.
3. Transfer of functions. etc
- [1] The first meeting of the Council shall be convened by the Pro-Chancellor on such date and in such manner as he may determine.
- [2] The persons who were members of the provisional council shall be deemed to constitute the Council until the date when the Council as set up under the Third Schedule to this Bill shall have been duly constituted.
- [3] The first meeting of the Senate as constituted by this Bill shall be convened by the Vice-Chancellor on such date and in such manner as he may determine.
- [4] The persons who were members of the Senate immediately before the coming into force of this Legislation shall be deemed to constitute the Senate of the University until the date when the Senate as set up under the Third Schedule to this Bill shall have been duly constituted.
- [5] Subject to any regulations which may be made by the Senate after the date on which this Bill is made, the schools, school boards and students of the University immediately before the coming into force of this Legislation shall on that day become schools, school boards and students of the University as constituted by this Bill.
- [6] Persons who were Deans or associate Deans of schools or members of school boards shall continue to be Deans or associate Deans or become members of the corresponding school boards, until new appointments are made in pursuance of the statutes.
- [7] Any person who was a member of the staff of the University as established or was otherwise employed by the provisional council shall become the holder of an appointment at the University with the status, designation and functions which correspond as nearly as may be to those which appertained to him as member of that staff or as such an employee.

*Question that the provision in the First Schedule stand part of the Bill - Agreed to.*

#### THIRD SCHEDULE

##### UNIVERSITY OF AEROSPACE AND AERONAUTICS OKA- AKOKO

1. The Council
- [1] The composition of the Council shall be as provided in Clause 6 of this Bill.
- [2] Any member of the Council holding office otherwise than in pursuance of Clause 5 [a], [b], [c] or [d] of this Bill may, by notice to the Council, resign his office.
- [3] A member of the Council holding office otherwise than in pursuance of Clause 5 [a], [b], [c] or [d] of this Bill shall, unless he previously vacates it, vacate that office on the expiration of the period of four years beginning with effect from 1 August in the year in which he was appointed.

- [4] Where a member of the Council holding office otherwise than in pursuance of Clause 5 [a], [b], [g] or [h] of this Bill vacates office before the expiration of the period aforesaid, the body or person by whom he was appointed may appoint a successor to hold office for the residue of the term of his predecessor.
- [5] A person ceasing to hold office as a member of the Council otherwise than by removal for misconduct shall be eligible for re-appointment for only one further period of four years.
- [6] The quorum of the Council shall be five, at least one of whom shall be a member appointed pursuant to Clause 5 [d] or [e] of this Bill.
- [7] If the Pro-Chancellor is not present at a meeting of the Council, such other member of the Council present at the meeting as the Council may appoint as respects that meeting, shall be the chairman at that meeting, and subject to Clause 4 of this Bill and the foregoing provisions of this paragraph, the Council may regulate its own procedure.
- [8] Where the Council desires to obtain advice with respect to any particular matter, 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.

2. The Finance and General Purpose Committee

- [1] The Finance and General Purposes Committee of the Council shall consist of-
  - [a] the Pro-Chancellor, who shall be the chairman of the Committee at any meeting at which he is present;
  - [b] the Vice-Chancellor and Deputy Vice-Chancellors;
  - [c] six other members of the Council appointed by the Council, two of whom shall be selected from among the three members of the Council appointed by the Senate and one member appointed to the Council by Congregation;
  - [d] the Permanent Secretary, Federal Ministry of Education or, in his absence, one person from the Federal Ministry responsible for Education
  - [e] the Permanent Secretary of the Federal Ministry of Science and Technology or, in his absence, such member of his Ministry as he may designate to represent him.
- [2] The quorum of the Committee shall be five.
- [3] Subject to any directions given by the Council, the Committee may regulate its own procedure.

1. The Senate

- [1] The Senate shall consist of-
  - [a] the Vice-Chancellor and Deputy Vice-Chancellors;
  - [b] the Deans of the several schools;
  - [c] the Directors of the several institutes;

- [d] the professors;
  - [e] the Provosts of the several colleges;
  - [f] the Librarian;
  - [g] the persons for the time being holding such appointment on the staff of the University as may be specified by the Vice-Chancellor;
  - [h] such teachers, not being more than one third of the total number of non-elected members, elected by Congregation and at least one of whom shall come from each school; and
  - [i] two members representing a variety of interests of the professional bodies outside the University appointed by the Senate on the recommendation of the Vice-Chancellor.
- [2] The Vice-Chancellor shall be the chairman at all meetings of the Senate when he is present; and in his absence any of the Deputy Vice-Chancellors present at the meeting as the Senate may appoint for that meeting shall be the chairman at the meeting.
- [3] The quorum for the Senate shall be one quarter or the nearest whole number less than one quarter; and subject to paragraph [2] of this article, the Senate may regulate its own procedure.
- [4] An elected member may, by notice to the Senate, resign his office.
- [5] Subject to paragraph [7] of this article, there shall be elections for the selection of elected members which shall be held in the prescribed manner on such day in the month of May or June in each year as the Vice-Chancellor may from time to time determine.
- [6] An elected member shall hold office for the period of two years beginning with 1 August in the year of his election, and may be a candidate at any election held in pursuance of paragraph [5] of this article in the year in which his period of office expires, so however that no person shall be such a candidate if at the end of his current period of office he will have held office as an elected member for a continuous period of six years or would have so held office if he had not resigned it.
- [7] No election shall be held in pursuance of this article in any year if the number specified in the certificate given in pursuance of paragraph [10] of this article does not exceed by more than one the figure which is thrice the number of those elected members holding office on the date of the certificate who do not vacate office during that year in pursuance of paragraph [6] of this article.
- [8] the avoidance of doubt it is hereby declared that no person shall be precluded from continuing in or taking office as an elected member by reason only of reduction in the total of non-elected members occurring on or after 30 April in any year in which he is to continue in or take office as an elected member.
- [9] If so requested in writing by any fifteen members of the Senate, the Vice-Chancellor, or in his absence any of the Deputy Vice-Chancellors duly appointed by him, shall convene a meeting of the Senate to be held not later than the tenth day following that on which the request was received.

- [10] In this article "total of non-elected members" means as respects any year, such number as may be certified by the Vice-Chancellor on 30 April of that year to be the number of persons holding office as members of the Senate on that day otherwise than as elected members.

2. Congregation

- [1] Congregation shall consist or-
- [a] the Vice-Chancellor and the Deputy Vice-Chancellors;
  - [b] the full-time members of the academic staff;
  - [c] the Registrar;
  - [d] the Bursar;
  - [e] the Librarian;
  - [f] the Director of Works;
  - [g] the Director of Health Services; and
  - [h] every member of the administrative staff who holds a degree, other than an honorary degree, of any University recognized for the purposes of this Statute by the Vice-Chancellor.
- [2] Subject to Clause 4 of this Bill, the Vice-Chancellor shall be the chairman at all meetings of Congregation when he is present; and in his absence any of the Deputy Vice-Chancellors present at the meeting as Congregation may appoint for that meeting, shall be the chairman at the meeting.
- [3] The quorum of Congregation shall be one third or the whole number nearest to one-third of the total number of members of Congregation or fifty, whichever is less.
- [4] A certificate signed by the Vice-Chancellor specifying-
- [a] the total number of members of Congregation for the purpose of any particular meeting or meetings of Congregation; or
  - [b] the names of the persons who are members of Congregation during a particular period, shall be conclusive evidence of that number or, as the case may be, of the names of those persons.
- [5] Subject to the foregoing provisions of this article, Congregation may regulate its own procedure.
- [6] Congregation shall be entitled to express by resolutions or otherwise its opinion on all matters affecting the interest and welfare of the University and shall have such other functions, in addition to the function of electing a member of the Council, as may be provided by statute or regulations.

3. Convocation

- [1] Convocation shall consist of-
- [a] the officers of the University mentioned in the First Schedule to this Bill;
  - [b] all teachers within the meaning of this Bill;

- [c] all other persons whose names are registered in accordance with paragraph [2] of this article.
- [2] A person shall be entitled to have his name registered as a member of Convocation if-
  - [a] he is either a graduate of the University or a person satisfying such requirements as may be prescribed for the purposes of this paragraph; and
  - [b] he applies for the registration of his name in the prescribed manner and pays the prescribed fees.
- [3] Regulations shall provide for the establishment and maintenance of a register for the purpose of this paragraph and, subject to paragraph [4] of this article may provide for the payment, from time to time, of further fees by persons whose names are on the register and for the removal from the register of the name of any person who fails to pay those fees.
- [4] The person responsible for maintaining the register shall, without the payment of any fees, ensure that the names of all persons who are for the time being members of the Convocation by virtue of paragraph [1] [a] or [b] of this article are entered and retained on the register.
- [5] A person who reasonably claims that he is entitled to have his name on the register shall be entitled on demand to inspect the register or a copy of the register at the principal offices of the University at all reasonable times.
- [6] The register shall, unless the contrary is proved, be sufficient evidence that any person named therein is, and that any person not named therein is not, a member of Convocation; but for the purpose of ascertaining whether a particular person was such a member on a particular date, any entries in and deletions from the register made on or after that date shall be disregarded.
- [7] The quorum of Convocation shall be fifty or one third or the whole number nearest to one third or the whole number of members of Convocation whichever is less.
- [8] Subject to Clause 4 of the Bill, the Chancellor shall be chairman at all meetings of Convocation when he is present, and in his absence the Vice-Chancellor shall be the chairman at the meeting.
- [9] Convocation shall have such functions, in addition to the function of appointing a member of the Council, as may be provided by statute or regulations.
- 4. Division of schools  
Each school shall be divided into such number of branches as may be prescribed.
- 5. School boards
  - [1] There shall be established in respect of each school a board of studies which, subject to the provisions of this Statute, and subject to the directions of the Vice-Chancellor, shall-
    - [a] regulate the teaching and study of, and the conduct of examinations connected with, the subjects assigned to the school;
    - [b] deal with any other matter assigned to it by statute or by the Vice-Chancellor or by the Senate; and

- [c] advise the Vice-Chancellor or the Senate on any matter referred to it by the Vice-Chancellor or the Senate.
  - [2] Each school board of studies shall consist of-
    - [a] the Vice-Chancellor;
    - [b] the Dean;
    - [c] the persons severally in charge of the branches of the school;
    - [d] such of the teachers assigned to the school and having the prescribed qualifications as the board may determine; and
    - [e] such persons, whether or not members of the University, as the Board may determine with the general or special approval of the Senate.
  - [3] The quorum of the board shall be eight members or one quarter, whichever is greater, of the members for the time being of the board; and subject to the provisions of this Statute and to any provision made by regulations in that behalf, the board may regulate its own procedure.
6. Dean of the school
- [1] The board of each school shall, at a meeting in the last term of any academic year in which the term of office of the Dean expires, nominate one of its members, being one of the Teachers assigned to that teaching unit, for appointment by the Senate as Dean of the school.
  - [2] The person appointed under paragraph 1 of this article shall act as Dean of the school and chairman at all meetings of the school board when he is present and shall be a member of all committees and other boards appointed by the school.
  - [3] The Dean shall hold office for two years and shall be eligible for reappointment for one further period of two years. Thereafter he shall not be eligible for re-appointment until four years have elapsed.
  - [4] The Dean of a school shall exercise general superintendence over the academic and administrative affairs of the school.
  - [5] It shall be the function of the Dean to present to Convocation for the conferment of degrees' persons who have qualified for the degrees of the University at examinations held in the branches of learning for which responsibility is allocated to that school.
  - [6] There shall be a committee to be known as the Committee of Deans consisting of all the Deans of the several schools and that Committee shall advise the Vice-Chancellor on all academic matters and on particular matters referred to the University by the Senate.
  - [7] The Dean of school may be removed from office for good cause by the school board after a vote would have been taken at a meeting of the board, and in the event of a vacancy occurring following the removal of a Dean, an acting Dean may be appointed by the Vice-Chancellor: Provided that at the next school board meeting an election shall be held for a new Dean.
  - [8] In this article "good cause" has the same meaning as in Clause 14 [3] of the Bill.

7. Selection of Director of Works
  - [1] When a vacancy occurs in the office of the Director of Works, a selection board shall be constituted by the Council which shall consist of-
    - [a] the Pro-Chancellor;
    - [b] the Vice-Chancellor;
    - [c] two members appointed by the Council, not being members of the Senate; and
    - [d] two members appointed by the Senate.
  - [2] The selection board, after making such inquiries as it thinks fit, shall recommend a candidate to the Council for appointment to the vacant office; and after considering the recommendation of the board the Council may make an appointment to that office.
8. Creation of academic posts

Recommendations for the creation of academic posts other than principal officers shall be made by the Senate to the Council through the Finance and General Purposes Committee
9. Appointment of academic staff
  - [1] Subject to the Bill and statutes, the filling of vacancies in academic posts [including newly created ones] shall be the responsibility of the Senate.
  - [2] For the purpose of filling such vacancies, suitable selection boards to select and make appointments on behalf of the Council shall be set up.
  - [3] For appointments to professorships, associate professorship or readerships or equivalent posts, a board of selection, with power to appoint, shall consist of-
    - [a] the Vice-Chancellor;
    - [b] two members appointed by the Council;
    - [c] four members appointed by the Senate, at least two of whom shall be members of the Senate, while the other two members shall be professional peers in the professional area in which an appointment is to be considered;
    - [d] if the post is tenable at a college, the Provost of the college;
    - [e] if the post is within a school, institute or other teaching unit in the University, the Dean of the school or the teaching unit, or the director of the institute, as the case may be; and
    - [f] such other persons, not exceeding two in number, deemed capable of helping the board in assessing both the professional and academic suitability of a candidate under consideration, as the Senate may from time to time appoint.
  - [4] For other academic posts, a selection board, with power to appoint, shall consist of-
    - [a] the Vice-Chancellor;



- [b] four members appointed by the Senate, at least two of whom shall be members of the Senate, while the other two members shall be professional peers in the professional area in which an appointment is to be considered;
  - [c] four members appointed by the Senate, at least two of whom shall be members of the Senate, while the other two members shall be professional peers in the professional area in which an appointment is to be considered;
  - [d] if the post is tenable at a college, the Provost of the college;
  - [e] if the post is within a school, institute or other teaching unit in the University, the Dean of the school or the teaching unit or the director of the institute, as the case may be; and
  - [f] such other persons, not exceeding two in number, deemed capable of helping the board in assessing both the professional and academic suitability of a candidate under consideration, as the Senate may from time to time appoint.
- [5] All appointments to senior library posts shall be made in the same way as equivalent appointments in the academic cadre; and for all such posts other than that of the Librarian, the Librarian shall be a member of the selection board.
- [6] Boards of selection may interview candidates directly or consider the reports of specialists interviewing panels and shall in addition, in the case of professorships, associate professorships, readerships or equivalent posts, consider the reports of external assessors relevant to the area in which the appointment is being considered.
10. Appointment of administrative and professional staff
- [1] The administrative and professional staff of the University other than principal officers, shall be appointed by the Council or on its behalf by the Vice-Chancellor or the Registrar in accordance with delegation of any powers made by the Council in that behalf.
  - [2] In the case of administrative or professional staff who have close and important contacts with the academic staff, there shall be Senate participation in the process of selection.
11. Interpretation
- In this Statute, the expression "the Act" means the Universities of Aerospace and Aeronautics, Bill, 2021 and any word or expression defined in the Bill has the same meaning in this Statute.

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

Chairman to report Bill.

**(SENATE IN PLENARY)**

The President of the Senate reported that the Senate in the Committee of the Whole considered the Report of the Committee on Tertiary Institutions and TETFUND on a Bill for an act to provide for the establishment of the University of Aerospace and Aeronautics Oka Akoko and for matters of administration and discipline of students connected therewith 2021 and approved as follows:

Clauses 1-30 — As Recommended

Schedules 1-3 — As Recommended

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

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

*Question put and agreed to.*

*Bill accordingly Read the Third Time and Passed.*

**11. Real Estate (Regulations and Development) Council (Establishment) Bill, 2021 (SB. 540):**

*Motion made:* That a Bill for an Act to establish the Real Estate (Regulations and Development) Council to regulate and promote Real Estate Business in Nigeria and for other matters connected thereto, 2021 be read the Second Time (*Senator Aliyu M. Wamakko — Sokoto North*).

*Question put and agreed to.*

*Debate:*

*Bill accordingly read the Second Time and referred to the Committee on Housing to report within four (4) weeks.*

**12. Solid Minerals Producing Areas Development Commission (Establishment) Bill, 2021 (SB.713):**

*Motion made:* That a Bill for an Act to establish the Solid Minerals Producing Areas Development Commission in the Federal Republic of Nigeria to address environmental devastation and for Other Connected Matters Thereto, 2021 be read the Second Time (*Senator Oseni Yakubu — Kogi Central*).

*Question put and agreed to.*

*Debate:*

*Bill accordingly read the Second Time and referred to the Committee on Solid Minerals to report within four (4) weeks.*

**13. Nigerian Research Institute of Fisheries and Aquaculture, Bakassi (Establishment) Bill, 2021 (SB. 116):**

*Motion made:* That a Bill for an Act to establish the Nigerian Research Institute of Fisheries and Aquaculture, Bakassi and for other related matters therewith, 2021 be read the Second Time (*Senator Gershom H. Bassey — Cross River South*).

*Question put and agreed to.*

*Debate:*

*Bill accordingly read the Second Time and referred to the Committee on Agriculture and Rural Development to report within four (4) weeks.*

14. **National Paediatric Centre Yala Cross River (Establishment) Bill, 2021 (SB. 734):**

*Motion made:* That a Bill for an act to provide the legal framework to establish the National Paediatric Centre Yala Cross River State to provide for the manner of running the Centre, including establishment board of management, chief medical director and other staff, and to provide for discipline of staff and for Related Matters, 2021 be read the Second Time (*Senator Stephen A. Odey — Cross River North*).

*Question put and agreed to.*

*Debate:*

*Bill accordingly read the Second Time and referred to the Committee on Health (Secondary and Tertiary) to report within four (4) weeks.*

15. **Motions:**

(a) ***Urgent need to construct the Power Transmission Substation in Okigwe LGA for rapid industrial growth:***

The Senate aware that constant and regular electricity supply is key to the industrial development of any country since it would improve the standard of living of the citizens and rank such a country among the emerging economies of the world;

*notes* that Okigwe, the headquarters of Imo North Senatorial District has suffered neglect over the years in the area of regular electricity supply due to absence of a power transmission substation;

*aware* that in the year 2003, Okigwe was earmarked for a power transmission substation alongside Port Harcourt, Aba, Umuahia and Enugu axis respectively, by the Federal Ministry of Power;

*notes* that the Federal Ministry of Power supervised and delivered the approved transmission line from Port Harcourt to Enugu with construction of substation leaving out Okigwe from the approved list;

*worried* that this action has made electricity supply in Okigwe epileptic and placed it at the mercy of the districts that are its contemporaries; and

*further worried* that the absence of light and the approved power station has not only occasioned darkness and stunted general development but engendered avoidable criminal activities, unemployment and youth restiveness in the town.

*The Senate accordingly resolves to:*

(i) urge the Federal Ministry of Power to urgently effect the construction/completion of the already approved but abandoned Okigwe 132/33KVA transmission substation; and

(ii) urge the Federal Ministry of Power to upgrade the Okigwe power facility to a district station (*Senator Frank C. Ibezim — Imo North*).

*Debate:*

***Proposed Resolution (i):***

*Question:* That the Senate do urge the Federal Ministry of Power to urgently effect the construction/completion of the already approved but abandoned Okigwe 132/33KVA transmission substation — *Agreed to.*

***Proposed Resolution (ii):***

*Question:* That the Senate do urge the Federal Ministry of Power to upgrade the Okigwe power facility to a district station — *Agreed to.*

***Resolved:***

That the Senate do:

- (i) urge the Federal Ministry of Power to urgently effect the construction/completion of the already approved but abandoned Okigwe 132/33KVA transmission substation; and
- (ii) urge the Federal Ministry of Power to upgrade the Okigwe power facility to a district station (*S/Res/002/03/21*).

(b) ***The need to critically assess the performance of the Economic Recovery and Growth Plan (ERGP) 2017- 2020:***

The Senate concerned of the need to critically assess the performance of the Economic Recovery and Growth Plan (ERGP) 2017- 2020;

*notes* that the four year Economic Recovery and Growth Plan (ERGP) 2017-2020 which was the source document of our four years Appropriations Act has elapsed;

*recalls* that President Muhammadu Buhari, launched the Plan in April of 2017 to ensure the actualization of a sustainable inclusive growth of our national economy;

*aware* that the Plan was targeted at achieving a structural economic transformation with emphasis on improving the efficiency of both the public and private sectors of the Nigerian economy;

*further aware* that the key objectives of the plan were to increase our national productivity, achieve a sustainable diversification of production, significantly grow our economy by 7% by the year 2020, maximize the welfare of our citizens and attain food and energy security;

*worried* that the four-year plan, which has now elapsed, cannot be said to have met our desired socio-economic aspiration;

*believes* that there is need for stock taking to critically assess the performance of the Economic Recovery and Growth Plan in order to ascertain whether the Plan has met the desired goals now that it has technically come to an end;

*further believes* that in taking stock, it is imperative to benchmark the implementation outcomes of the Plan based on the following indices:

- real growth in the agricultural, solid minerals and energy sectors of the economy;
- SMEs growth as laid out in the plan;
- positive impact on our industries and manufacturing sectors;
- investment on the human capital;
- the number of jobs and wealth created;
- investments on health and education sectors;
- investment and progress on our national infrastructure;
- progress made by the Presidential Enabling Business Environment Council (PEBEC);
- the digital led economy targets and the anti-corruption fight / recovery of stolen assets;

- the progress of the fight against insecurity;
- determine the fiscal and other macroeconomic policies as benchmarked in the ERGP; and
- the level of implementation of the Central Bank of Nigeria interventions in all the sectors;

*acknowledges* and regrets the negative impact of the COVID-19 pandemic in 2020, on the world economy and its consequent effects on the Nigerian economy, which may have adversely affected the implementation of the Plan in 2020; and

*cognizant* that it is the solemn and constitutional duty of the National Assembly to assess the performances of the budgets as against the line items and objectives of the ERGP, on which it was based.

*The Senate accordingly resolves to:*

mandate the Committees on National Planning; Banking, Insurance and Other Financial Institutions to interface with the Hon. Minister of Finance, Budget and National Planning on the performance of the ERGP, whose life span has elapsed and report back on the way forward within four weeks (*Senator Suleiman A. Kwari — Kaduna North*).

*Debate:*

***Proposed Resolution:***

*Question:* That the Senate do mandate the Committees on National Planning; Banking, Insurance and Other Financial Institutions to interface with the Honourable Minister of Finance, Budget and National Planning on the performance of the ERGP, whose life span has elapsed and report back on the way forward within four weeks.

***Amendment Proposed***

*Leave out* the provision in the Proposed Resolution *insert* the following instead thereof: “That the Senate do mandate the Committees on National Planning; Banking, Insurance and Other Financial Institutions; Works; Power; Land Transport; and Agriculture and Rural Development to interface with the Honourable Minister of Finance, Budget and National Planning on the performance of the ERGP, whose life span has elapsed and report on the way forward within four (4) weeks” (*Senator Muhammadu A. Adamu — Kebbi North*).

*Resolved:*

That the Senate do mandate the Committees on National Planning; Banking, Insurance and Other Financial Institutions; Works; Power; Land Transport; and Agriculture and Rural Development to interface with the Honourable Minister of Finance, Budget and National Planning on the performance of the ERGP, whose life span has elapsed and report on the way forward within four (4) weeks (*S/Res/003/03/21*).

16. **Raw Materials Research and Development Council Act Cap R3 LFN 2004 (Repeal & Re-enactment) Bill, 2021 (HB. 47) — Concurrence:**

*Consideration of Bill deferred to another Legislative Day.*

17. **Chartered Institute of Public Administration of Nigeria (Establishment) Bill, 2021 (HB. 329) — Concurrence:**

*Consideration of Bill deferred to another Legislative Day.*

18. **Nigerian Film Commission Bill, 2021 (HB. 324) — Concurrence:**

*Consideration of Bill deferred to another Legislative Day.*

19. **Federal College of Education (Special) Birnin-kudu (Establishment) Bill, 2021 (HB. 169) — Concurrence:**

*Consideration of Bill deferred to another Legislative Day.*

20. **Adjournment:**

*Motion made:* That the Senate do now adjourn till Wednesday, 23<sup>rd</sup> June, 2021 at 10:00 a.m.  
(*Senate Leader*).

*Question put and agreed to.*

*Adjourned accordingly at 2:00 p.m.*

**Ahmad Ibrahim Lawan, Ph.D, CON**  
*President,*  
*Senate of the Federal Republic of Nigeria.*