



SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Wednesday, 19th May, 2021

1. The Senate met at 11:00 a.m. The President of the Senate read prayers.
2. **Votes and Proceedings:**
The Senate examined the Votes and Proceedings of Tuesday, 18th May, 2021.
Question was put and the Votes and Proceedings were approved.
3. **Announcements:**
 - (a) **Invitation to Zonal Public Hearing:**
The President of the Senate read a letter from Senator Ovie Omo-Agege — (Delta Central) as follows:



THE SENATE FEDERAL REPUBLIC OF NIGERIA Committee on the Review of the 1999 Constitution

18th May, 2021

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

Dear Mr. President,

ANNOUNCEMENT INVITATION TO A 2-DAY ZONAL PUBLIC HEARING

The Chairman and Members of the Senate Committee on the Review of the 1999 Constitution cordially invite the Leadership of the Senate and Distinguished Senators to a 2-Day Zonal Public Hearing on proposals to alter the Provisions of the Constitution of the Federal Republic of Nigeria 1999, scheduled to hold in 2 (two) Centres in each of the 6 (Six) Geo-political Zones in the country, from Wednesday 26th to Thursday 27th of May, 2021.

The Centres are:

1. **North-Central
Chairman** **Jos Centre (Plateau, Nasarawa and Benue)**
Senator Abdullahi Adamu
- " **Minna Centre (Niger, Kwara, Kogi and FCT)**
Senator Abdullahi Sabi Aliyu
2. **North-East
Chairman** **Bauchi Centre (Bauchi, Yobe and Borno)**
Senator Abubakar Kyari
- " **Gombe Centre (Gombe, Taraba and Adamawa)**
Senator Mohammed Danjuma Goje
3. **North-West
Chairman** **Kaduna Centre (Kaduna, Kano, Jigawa and Katsina)**
Senator Kabiru I. Gaya
- " **Sokoto Centre (Sokoto, Kebbi and Zamfara)**
Senator Muhammed A. Aliero
4. **South-East
Chairman** **Owerri Centre (Imo and Abia)**
Senator Orji Uzor Kalu
- " **Enugu Centre (Enugu, Ebonyi and Anambra)**
Senator Ike Ekweremadu
5. **South-South
Chairman** **Asaba Centre (Delta, Edo and Bayelsa)**
Senator James Manager
- " **Port Harcourt Centre (Rivers, Cross River and Akwa-
Ibom)**
Senator Betty Apiafi
6. **South-West
Chairman** **Lagos Centre (Lagos, Oyo and Ogun)**
Senator Oluremi Tinubu
- " **Akure Centre (Ondo, Osun and Ekiti)**
Senator Robert Boroffice

Distinguished Senators should endeavour to attend.

(Signed)

Senator Ovie Omo-Agege

Deputy President of the Senate/Chairman

(b) Notice of Emergency PDP Caucus Meeting:

The President of the Senate read a letter from Senator Enyinnaya H. Abaribe — (*Abia South*) as follows:



SENATOR ENYINNAYA HARCOURT ABARIBE
MINORITY LEADER

19th May, 2021

*The Senate President
National Assembly
Abuja*

NOTICE OF EMERGENCY PDP CAUCUS MEETING

The People's Democratic Party Senate Caucus will be meeting today 19th May, 2021 at 7pm prompt.

*Venue: House 5A
No.7, Gana Street
Maitama*

All members are expected to attend the crucial meeting.

*(Signed)
Senator Enyinnaya H. Abaribe
Minority Leader*

4. Personal Explanation:

Rising on Order 43, Senator Shuaibu L. Isa (*Taraba North*) drew the attention of the Senate to the demise of Senator Aisha Jummai Alhassan on Friday, 17th May, 2021. He noted that Senator Aisha Alhassan was born on 16th September, 1959 and had her Primary and Secondary Education in Kaduna State. She also studied Law at the Ahmadu Bello University (ABU) Zaria and was called to the Nigeria Bar in 1986. Late Senator Aisha Alhassan served as a Magistrate, Chief Registrar, Attorney General of Taraba State in her working career before she joined politics and was elected Senator representing Taraba North in the 7th Senate. She served as Minister of Women Affairs from 2015 to 2019 and contested for Governorship of Taraba State in 2015 and 2019. He urged the Senate to observe a minute silence in her honour.

One minute silence accordingly observed in honour of the Deceased.

5. Personal Explanation:

Rising on Order 43, Senator Smart Adeyemi (*Kogi West*) drew the attention of the Senate to the demise of Senator Joseph Fusho Obasaju who represented Kabba-Bunu State Constituency between 1979 and 1983 in the 2nd Republic, which occurred on the 11th of March, 2021. He noted that Senator Obasaju was a well respected politician who served in the Kwara State Assembly before his election into the Senate. Senator Obasaju attended St. Augustine's College, Kabba; Barewa College Zaria for his Secondary Education; the Ahmadu Bello University (ABU) Zaria where he bagged a B.Sc.; and the University of Ibadan where he obtained a Post Graduate Diploma (PGD). He was a philanthropist, humble and courageous community leader who will be missed. He urged the Senate to observe a minute silence in his honour.

One minute silence accordingly observed in honour of the Deceased.

6. Presentation of Bills:

- (i) Money Laundering (Prevention & Prohibition) (Enactment) Bill, 2021 (SB. 642) — *Read the First Time.*
- (ii) Immigration Act 2010 (Amendment) Bill, 2021 (SB. 694) — *Read the First Time.*
- (iii) Federal Institutes of Tractorization, Field Applications, Precision Agriculture and Irrigation Technology (Establishment) Bill, 2021 (SB. 723) — *Read the First Time.*

- (iv) National Environmental Standards and Regulations Enforcement Agency (NESREA) Act 2007 (Amendment) Bill, 2021 (SB. 724) — *Read the First Time.*
- (v) 1999 Constitution of the Federal Republic of Nigeria (Alteration) Bill, 2021 (SB. 725) — *Read the First Time.*
7. **Federal University of Science and Technology Lau, Taraba State (Establishment) Bill 2021 (SB. 672):**
Motion made: That a Bill for an Act to provide for the establishment of the Federal University of Science and Technology Lau, Taraba State and for Related Matters Thereof, 2021 be read the Second Time (*Senator Shuaibu L. Isa — Taraba North*).
- Debate:*
- Question put and agreed to.*
- Bill accordingly read the Second Time and referred to the Committee on Tertiary Institutions and TETFUND to report within four (4) weeks.*
8. **Federal Sports University Nkalagu, Ebonyi State (Establishment) Bill, 2021 (SB. 138):**
Motion made: That a Bill for an Act to provide for the establishment of the Federal Sports University Nkalagu, Ebonyi State to make comprehensive provisions for its due management and administration and for Other Related Matters, 2021 be read the Second Time (*Senator Joseph O. Ogba — Ebonyi Central*).
- Debate:*
- Question put and agreed to.*
- Bill accordingly read the Second Time and referred to the Committee on Sports and Social Development to report within four (4) weeks.*
9. **Federal Universities of Technology Act Cap F23 LFN 2004 (Amendment) Bill, 2021 (SB.702):**
Motion made: That a Bill for an Act to amend the Federal Universities of Technology Act Cap F23 LFN 2004 to establish the Federal University of Technology Offa, Kwara State by upgrading the Federal Polytechnic Offa and for Other Related Matters, 2021 be read the Second Time (*Senator Oyelola Y. Ashiru — Kwara South*).
- Debate:*
- Question put and agreed to.*
- Bill accordingly read the Second Time and referred to the Committee on Tertiary Institutions and TETFUND to report within four (4) weeks.*
10. **Terrorism (Prevention) Act 2013 (Amendment) Bill, 2021 (SB. 662):**
Motion made: That a Bill for an Act to amend the Terrorism (Prevention) Act 2013 and for Other Matters Connected Thereto, 2021 be read the Second Time (*Senator Ezenwa F. Onyewuchi — Imo East*).
- Debate:*
- Question put and agreed to.*
- Bill accordingly read the Second Time and referred to the Committee on Judiciary, Human Rights and Legal Matters to report within four (4) weeks.*

11. **National Energy Sustainable Development Bill, 2021 (SB. 81):**
Motion made: That a Bill for an Act to provide for Legal, fiscal and regulatory framework for the sustainable energy development with the overall objective of providing clean, affordable, adequate and reliable energy in Nigeria, 2021 be read the Second Time (*Senator Ibrahim A. Gobir — Sokoto East*).
- Debate:*
- Question put and agreed to.*
- Bill accordingly read the Second Time and referred to the Committees on Science & Technology; and Power to report within four (4) weeks.*
12. **Joint Committee on Communications; Science & Technology; ICT & Cyber Crimes; and Primary Health Care & Communicable Diseases:**
Report on the Status of 5G Network in Nigeria and its Technological Impact on Nigerian Citizens:
Motion made: That the Senate do receive and consider the Report of the Joint Committee on Communications; Science & Technology; ICT & Cyber Crimes and Primary Health Care & Communicable Diseases on the investigation of the Status of 5G Network in Nigeria and its technological impact on Nigerian citizens (*Senator Oluremi S. Tinubu — Lagos Central*).
- Question put and agreed to.*
- Report Laid and Presented.*
- Debate:*
- Proposed Resolution (i):**
Question: That having carefully taken into account the immense socio-economic and technological impacts of 5G over other previous generations of networks; the overwhelming aggregate of favourable opinions from majority of stakeholders for its deployment, coupled with the fact that same has been successfully deployed in more advanced countries, the Joint Committee hereby shares the recommendation of very sensitive Government establishments (such as the Federal Ministry of Communications and Digital Economy, the Nigerian Communications Commission, Office of the National Security Adviser, National Information Technology Development Agency etc, and other telecoms professional organisations such as the Association of Telecommunications Companies of Nigeria (ATCON), Association of Licensed Telecommunications Operators of Nigeria (ALTON) and the Global System of Mobile Communications Association, that it is appropriate for Nigeria to join the comity of nations that are engaged in the deployments of 5G for all its inherent gains — *Agreed to.*
- Proposed Resolution (ii):**
Question: That though there is still a fair bit of work to be done towards creating the required enabling environment and support ecosystem for 5G deployments in Nigeria, the Joint Committee is convinced that, having witnessed what has been achieved by its 'lesser ancestors' such as 3G and 4G, the technological impact of 5G will be such that will revolutionize Nigerians' way of life from education to agriculture, security to entertainment, and governance in general if the technology is deployed — *Agreed to.*
- Proposed Resolution (iii):**
Question: That the Senate having clarified that there is no 5G deployment in Nigeria at the moment and that no license has been issued to any Mobile Number Operator on commercial basis, Nigeria should still observe the trend of 5G deployments around the globe and engage in extensive sensitization of the public through all channels before commencement of commercial deployments in the country — *Agreed to.*

Proposed Resolution (iv):

Question: That the relevant Government Agencies are also urged to embark on preparing the ground by putting the necessary infrastructure and technology in place for its eventual deployment. This period of ground preparation is expected to be utilized to complete feasibility studies for the various broadband projects in order to ascertain actual cost implications for their implementation, complete sustainability plans, provide enabling environment including free Right of Way (RoW); tax waivers, sustainable power supply, improve security of men, materials and equipment, eliminate multiple regulations and charges, recognize telecommunications infrastructure as public utility infrastructure; and engender public trust and confidence — *Agreed to.*

Proposed Resolution (v):

Question: That the global standards for the deployment of 5G technology should be strictly adhered to while looking out for lessons learnt by countries that have already deployed in order to guide our own deployment. Lessons from South Korea, the first country with substantial deployment would be instructive in this regard. It is imperative that intense safety standards and precaution, based on available evidence, are put in place for wireless radiation system ahead of wide scale implementation — *Agreed to.*

Proposed Resolution (vi):

Question: That given the infancy of the technology across the globe and the claims and counter claims surrounding the probability of health injury being posed to public health by the level of exposure to radio frequency, further attention should be given to testing and researching potential health risk that may arise from the deployment of 5G network in Nigeria rather than just laboratory conditions — *Agreed to.*

Proposed Resolution (vii):

Question: That the Senate urges the Federal Ministry of Communications and Digital Economy to expedite the action of the Committee put in place to develop Consultation Document (CD) for the deployment of 5G in Nigeria which will include planning spectrum identified for 5G with the inputs of all relevant stakeholders such as the relevant Committees of the National Assembly and the security agencies — *Agreed to.*

Proposed Resolution (viii):

Question: That the Federal Ministry of Communications and Digital Economy be urged to publish the outcome of the work of its Technical Advisory Committee charged to advise on emerging technologies and products and as a matter of urgency, build the National Backbone which will run from Lagos to Katsina (Trans-Saharan Optic fibre network) to move much of the bandwidth from the shore to the hinterland and for distribution to the geopolitical zones — *Agreed to.*

Proposed Resolution (ix):

Question: That despite the almost general consensus concerning the harmlessness of 5G to human health, the Joint Committee hereby recommends that the Nigerian Communications Commission (NCC), in collaboration with the Mobile Network Operators (MNOs), Federal Ministry of Health, Federal Ministry of Science and Technology, Federal Ministry of Environment, and the Nigeria Centre for Disease Control (NCDC) among others, should locally conduct a scientific experimental study over a period of about 6 months to ascertain if a correlation exists between 5G networks and public health — *Agreed to.*

Proposed Resolution (x):

Question: That also, concerning the interaction between COVID-19 and 5G network technologies, the Joint Committee confirms and is convinced that there is no connection between them. The ongoing COVID-19 pandemic is caused by a biological agent - a virus - which is scientifically unconnected with the 5G technology. Responding to rumors across the world that link COVID-19 to 5G, ICNIRP stated thus: "the claim that exposure to EMF generated by 5G

can both cause COVID-19 and increase its severity are not supported by any evidence (not even extremely weak evidence), and the large body of scientific knowledge regarding the EMFs relevant to 5G demonstrates that those claims are not feasible” — *Agreed to.*

Proposed Resolution (xi):

Question: That while appreciating the concerns of the Office of the National Security Adviser (ONSA) over the national security implications of 5G technology deployments, the Joint Committee hereby recommends, as postulated by the Office of the National Security Adviser, the establishment of an Inter-Agency Working Group comprising of the Office of the National Security Adviser, the Nigerian Communications Commission, the Federal Ministry of Communications and Digital Economy and other relevant stakeholders to assess and address all the national security concerns highlighted in paragraph 9.14 and develop necessary Risk Management Framework that would ensure that future deployment of the technology would be done in a manner that protects Nigeria's national security interests — *Agreed to.*

Resolved:

- (i) That having carefully taken into account the immense socio-economic and technological impacts of 5G over other previous generations of networks; the overwhelming aggregate of favourable opinions from majority of stakeholders for its deployment, coupled with the fact that same has been successfully deployed in more advanced countries, the Joint Committee hereby shares the recommendation of very sensitive Government establishments (such as the Federal Ministry of Communications and Digital Economy, the Nigerian Communications Commission, Office of the National Security Adviser, National Information Technology Development Agency etc, and other telecoms professional organisations such as the Association of Telecommunications Companies of Nigeria (ATCON), Association of Licensed Telecommunications Operators of Nigeria (ALTON) and the Global System of Mobile Communications Association, that it is appropriate for Nigeria to join the comity of nations that are engaged in the deployments of 5G for all its inherent gains;
- (ii) That though there is still a fair bit of work to be done towards creating the required enabling environment and support ecosystem for 5G deployments in Nigeria, the Joint Committee is convinced that, having witnessed what has been achieved by its 'lesser ancestors' such as 3G and 4G, the technological impact of 5G will be such that will revolutionize Nigerians' way of life from education to agriculture, security to entertainment, and governance in general if the technology is deployed;
- (iii) That the Senate having clarified that there is no 5G deployment in Nigeria at the moment and that no license has been issued to any Mobile Number Operator on commercial basis, Nigeria should still observe the trend of 5G deployments around the globe and engage in extensive sensitization of the public through all channels before commencement of commercial deployments in the country;
- (iv) That the relevant Government Agencies are also urged to embark on preparing the ground by putting the necessary infrastructure and technology in place for its eventual deployment. This period of ground preparation is expected to be utilized to complete feasibility studies for the various broadband projects in order to ascertain actual cost implications for their implementation, complete sustainability plans, provide enabling environment including free Right of Way (RoW); tax waivers, sustainable power supply, improve security of men, materials and equipment, eliminate multiple regulations and charges, recognize telecommunications infrastructure as public utility infrastructure; and engender public trust and confidence;

- (v) That the global standards for the deployment of 5G technology should be strictly adhered to while looking out for lessons learnt by countries that have already deployed in order to guide our own deployment. Lessons from South Korea, the first country with substantial deployment would be instructive in this regard. It is imperative that intense safety standards and precaution, based on available evidence, are put in place for wireless radiation system ahead of wide scale implementation;
- (vi) That given the infancy of the technology across the globe and the claims and counter claims surrounding the probability of health injury being posed to public health by the level of exposure to radio frequency, further attention should be given to testing and researching potential health risk that may arise from the deployment of 5G network in Nigeria rather than just laboratory conditions;
- (vii) That the Senate urges the Federal Ministry of Communications and Digital Economy to expedite the action of the Committee put in place to develop Consultation Document (CD) for the deployment of 5G in Nigeria which will include planning spectrum identified for 5G with the inputs of all relevant stakeholders such as the relevant Committees of the National Assembly and the security agencies;
- (viii) That the Federal Ministry of Communications and Digital Economy be urged to publish the outcome of the work of its Technical Advisory Committee charged to advise on emerging technologies and products and as a matter of urgency, build the National Backbone which will run from Lagos to Katsina (Trans-Saharan Optic fibre network) to move much of the bandwidth from the shore to the hinterland and for distribution to the geopolitical zones;
- (ix) That despite the almost general consensus concerning the harmlessness of 5G to human health, the Joint Committee hereby recommends that the Nigerian Communications Commission (NCC), in collaboration with the Mobile Network Operators (MNOs), Federal Ministry of Health, Federal Ministry of Science and Technology, Federal Ministry of Environment, and the Nigeria Centre for Disease Control (NCDC) among others, should locally conduct a scientific experimental study over a period of about 6 months to ascertain if a correlation exists between 5G networks and public health;
- (x) That also, concerning the interaction between COVID-19 and 5G network technologies, the Joint Committee confirms and is convinced that there is no connection between them. The ongoing COVID-19 pandemic is caused by a biological agent - a virus - which is scientifically unconnected with the 5G technology. Responding to rumors across the world that link COVID-19 to 5G, ICNIRP stated thus: "the claim that exposure to EMF generated by 5G can both cause COVID-19 and increase its severity are not supported by any evidence (not even extremely weak evidence), and the large body of scientific knowledge regarding the EMFs relevant to 5G demonstrates that those claims are not feasible";
- (xi) That while appreciating the concerns of the Office of the National Security Adviser (ONSA) over the national security implications of 5G technology deployments, the Joint Committee hereby recommends, as postulated by the Office of the National Security Adviser, the establishment of an Inter-Agency Working Group comprising of the Office of the National Security Adviser, the Nigerian Communications Commission, the Federal Ministry of Communications and Digital Economy and other relevant stakeholders to assess and address all the national security concerns highlighted in paragraph 9.14 and develop necessary Risk Management Framework that would ensure that future deployment of the technology would be done in a manner that protects Nigeria's national security interests (*S/Res/106/02/21*).

13. **Committee on Tertiary Institutions and TETFUND:**
Report on the Federal University of Technology Yaba (Establishment) Bill, 2021 (SB. 85):
Motion made: That the Senate do receive and consider the Report of the Committee on Tertiary Institutions and TETFUND on the Federal University of Technology Yaba (Establishment) Bill, 2021 (*Senator Nora L. Daduut — Plateau South*).

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 A BILL FOR AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE FEDERAL UNIVERSITY OF TECHNOLOGY, YABA; AND FOR OTHER MATTERS CONNECTED THEREWITH, 2021.

Clause 1: Incorporation of the Federal University of Technology, Yaba.

- [1] There is hereby established, a body to be known as the Federal University of Technology, Yaba [hereafter in this Bill referred to as the University.
- [2] The University —
- [a] shall be a body corporate with perpetual succession and a common seal;
- [b] and may sue and be sued in its corporate name.

Committee's Recommendation:

That the provision in Clause 1 be retained (*Senator Nora L. Daduut — Plateau South*).

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

Clause 2: Objects of the University.

The objects of the University shall be to —

- [a] encourage the advancement of learning and to hold out to all persons without distinction of race, creed, sex or political conviction.
- [b] develop and offer academic and professional programmes leading to the award of certificates, first degrees, post-graduate research, diploma and higher degrees with emphasis on planning, developmental and adaptive skills in technology education, technology, applied science, management and allied professional disciplines.
- [c] produce socially mature technology specialists with capabilities not to only understand technology need of Nigeria as a nation, but also to exploit existing technological infrastructure and improve on it to develop new ones.

- [d] act as agents and catalysts for effective technological system, through post graduate training, research and innovation, for effective economic utilization and conservation of the country's human resources.
- [e] bring quality change in education by focusing on teacher education through teaching and learning innovations.
- [f] collaborate with other national and international institutions involved in training, research and development of technology with a view to promoting governance, leadership and management skills among technology managers.
- [g] identify technological needs of the society with a view to finding solutions to them within the context of overall national development.
- [h] provide and promote sound basic education training as a foundation for the development of Nigeria, taking into account indigenous culture and the need to enhance national unity.
- [i] provide higher education and foster a systematic advancement of science and act of technology education.
- [j] to provide for instruction in such branches of technology education as it may deem necessary to make provision for research advancement and dissemination of knowledge in such manner as it may determine.
- [k] provide teachers with operational competence for teaching in pre-tertiary institutions, basic, senior secondary schools and non-formal education institutions.
- [l] undertake any other activities that is appropriate for a university of technology of the highest standard.

Committee's Recommendation:

That the provision in Clause 2 be retained (*Senator Nora L. Daduut — Plateau South*).

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] a body to be called Convocation;
 - [f] the campuses and colleges of the University;
 - [g] the colleges, institutes and other teaching and research units of the University;

- [h] the persons holding the offices constituted by the First Schedule to this Bill other than those mentioned in paragraphs [a] to [c] of this sub clause;
 - [i] all graduates and undergraduates of the University; and
 - [j] all other persons who are members of the University in accordance with provisions made by statute in that behalf.
- [2] The First Schedule to this Bill shall have effect with respect to the principal officers of the University.
- [3] Subject to 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 Nora L. Daduut — Plateau South*).

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

Clause 4: Powers of Federal University of Technology, Yaba and its Exercise.

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

- [h] to demand and receive from any student or any other person attending the University for the purposes of instruction, such fees as the University may from time to time determine subject to the overall directives of the Minister;
 - [i] subject to Clause 20 of this Bill, to acquire, hold, grant, charge or otherwise deal with or dispose of movable and immovable property wherever it is situated;
 - [j] to accept gifts, legacies and donations, but without obligation to accept the same for a particular purpose unless it approves the terms and conditions attached thereto;
 - [k] to enter into contracts, establish trusts, act as trustee, solely or jointly with any other person, and employ—and act through agents;
 - [l] to erect, provide, equip and maintain libraries, laboratories, workshops, lecture halls, halls of residence, refectories, sports grounds, playing fields and other buildings or things necessary, suitable or convenient for any of the objects of the University;
 - [m] to hold public lectures and to undertake printing, publishing and book selling;
 - [n] subject to any limitations or conditions imposed by statute, to invest any moneys appertaining to the University by way of endowment it, not being immediately required for current expenditure in any investments or securities or in the purchase or improvement of land, with power from time to time, to vary any such investments to deposit any moneys for the time being not invested with any bank on deposit or current account;
 - [o] to borrow, whether on interest or not and if need be upon the security of any or all of the property, movable or immovable, of the University, such moneys as the Council may from time to time in its discretion find it necessary or expedient to borrow of to guarantee any loan, advances or credit facilities;
 - [p] to make gifts for any charitable purpose;
 - [q] to do anything which it is authorized or required by this Bill or by statute to do; and
 - [r] to do all such acts or things, whether or not incidental to the foregoing powers, as may advance the objects of the University.
- [2] Subject to the provisions of this Bill and of the statutes and without prejudice to 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 many other manners 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 Nora L. Daduut — Plateau South*).

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 Nora L. Daduut — Plateau South*).

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

Clause 6: Composition, Tenure and Powers of the Council of the University.

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

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

Committee's Recommendation:

That the provision in Clause 6 be retained (*Senator Nora L. Daduut — Plateau South*).

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

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

- [1] Subject to the provisions of this Bill relating to the Visitor, the Council shall be the governing body of the University and shall be charged with the general control and superintendence of the policy, finances and property of the University.
- [2] There shall be a committee of the Council, to be known as the Finance, and General Purposes Committee, which shall, subject to the directions of the Council, exercise control over the property and expenditure of the University and perform such other functions of the Council as the Council may from time to time delegate to it.
- [3] Provision shall be made by statute with respect to the constitution of the Finance and General Purposes Committee.

- [4] The Council shall ensure that proper accounts of the University are kept and that the accounts of the University are audited annually by an independent firm of auditors approved by the Council and that an annual report is published by the University together with certified copies of the said accounts as audited.
- [5] Subject to this Bill and the statutes, the Council and the Finance and General Purposes Committee may each make rules for the purpose of exercising any of their respective functions or of regulating their own procedure.
- [6] Rules made under sub-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 direction given by the Council, whether before or after the coming into force of the rules in question, the directions of the Council shall prevail.
- [7] There shall be paid to the members respectively of the Council, the Finance and General Purposes Committee and of any other committee set up by the Council, allowances in respect of travelling and other reasonable expenses, at such rates as may from time to time be fixed by the Minister.
- [8] The Council shall meet as and when necessary for the performance of its functions under this Bill and shall meet at least three times in every year.
- [9] If requested in writing by any five members of the Council, the chairman shall within 28 days after the receipt of such request call a meeting of the Council.
- [10] Any request made under sub-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 Nora L. Daduut — Plateau South*).

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 the provisions of this Bill relating to the Visitor, it shall be the general function of the Senate to organize and control the teaching by the University, the admission of student where no other enactment provides to the contrary and the discipline of students; and to promote research at the University.
- [2] Without prejudice to the generality of sub clause [1] of this Clause and subject as therein mentioned, it shall in particular be the function of the Senate to make provision for—

- [a] the establishment, organization and control of campuses, colleges, schools, institutes and other teaching and research units of the University and the allocation of responsibility for different branches of learning;
 - [b] the organization and control of courses of study at the University and of the examinations held in conjunction with those courses, including the appointment of examiners, both internal and external;
 - [c] the award of degrees, and such other qualifications as may be prescribed in connection with examinations held as aforesaid;
 - [d] the making of recommendations to the Council with respect to the award to any person of an honorary fellowship or honorary degree or the title of professor emeritus;
 - [e] the establishment, organization and control of halls of residence and similar institutions at the University;
 - [f] the supervision of the welfare of students at the university and the regulation of their conduct;
 - [g] the granting of fellowships, scholarships, prizes and similar awards in so far as the awards are within the control of the University; and
 - [h] determining what descriptions of dress shall be academic dress for the purposes of the University, and regulating the use of academic dress.
- [3] The Senate shall not establish any new campus, college, school, department, institute or other teaching and research units of the university, or any hall of residence or similar institution at the University without the approval of the Council.
- [4] Subject to this Bill and the statutes, the Senate may make regulations for the purpose of exercising any function conferred on it either by the foregoing provisions of this 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 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 found 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 Nora L. Daduut — Plateau South*).

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

Clause 9: Functions of the Vice-Chancellor.

- [1] The Vice-Chancellor shall, in relation to the University, take precedence before all other members of the University except the Chancellor and subject to 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 Accounting Officer of the University and ex-officio Chairman of the Senate.
- [3] The Vice Chancellor shall be the Chairman of the University Tenders' Board, which is saddled with the responsibility of approving the conduct of public procurement of goods, works and services within the approved threshold from time to time.
- [4] It shall be the responsibility of the Vice Chancellor to establish and appoint members of the Tenders' Board in line with the extant Public Procurement Rules and Regulations.

Committee's Recommendation:

That the provision in Clause 9 be retained (*Senator Nora L. Daduut — Plateau South*).

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

PART II — GENERAL FUND, TRANSFER OF PROPERTY, ETC, TO THE UNIVERSITY.**Clause 10: 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;

- [i] revenue, from time to time, accruing to the University by way of subvention;
 - [j] interests on investments;
 - [k] donations and legacies accruing to the University from any source for the general or special purposes of the University; and
 - [l] Regular TETFund interventions;
- [2] The general fund shall be applied for the purposes of the University.

Committee's Recommendation:

That the provision in Clause 10 be retained (*Senator Nora L. Daduut — Plateau South*).

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 Nora L. Daduut — Plateau South*).

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

PART III — STATUTES OF THE UNIVERSITY

Clause 12: Statutes of the University.

- [1] Subject to this Bill, the University may make statutes for any of the following purposes, that is to say —
 - [a] Making provision with respect to the composition and constitution of any authority of the University;
 - [b] Specifying and regulating the powers and duties of any authority of the University, and regulating any other matter connected with the University or any of its authorities;
 - [c] Regulating the admission of students [where no other enactment provides to the contrary], and their discipline and welfare;
 - [d] Determining whether any particular matter is to be treated as an academic or non-academic matter for the purposes of this Bill and of any statute, regulation or other instrument made thereunder; or
 - [e] Making provision for any other matter for which provision by statute is authorized or required by this Bill.

- [2] Subject to Clause 25[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 28[1] of that Act.
- [3] The statute contained in the Third Schedule to this Bill shall be deemed to have come into force on the commencement of this Bill and shall be deemed to have been made under this 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 Nora L. Daduut — Plateau South*).

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

Clause 13: Power to Make and Approve 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 or the other.
- [4] A statute which —
 - [a] makes provision for or alters the composition or constitution of the Council, the Senate or any other authority of the University; or
 - [b] provides for the establishment of a new campus or college or for the amendment or revocation of any statute.
- [5] For the purpose of 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.

Committee's Recommendation:

That the provision in Clause 13 be retained (*Senator Nora L. Daduut — Plateau South*).

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

Clause 14: Proof of Statute in Court.

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 14 be retained (*Senator Nora L. Daduut — Plateau South*).

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

PART IV — SUPERVISION AND DISCIPLINE

Clause 15: 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 15 be retained (*Senator Nora L. Daduut — Plateau South*).

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

Clause 16: The Visitor.

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

- [3] It shall be the duty of the bodies and persons comprising the University to make available to the Visitor and to any other person conducting a visitation in pursuance of this Clause, such facilities and assistance as he or they may reasonably require for the purposes of a visitation.
- [4] The Visitor shall make the report of such visitations and white paper thereon available to the Council which shall implement same

Committee's Recommendation:

That the provision in Clause 16 be retained (*Senator Nora L. Daduut — Plateau South*).

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 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 Nora L. Daduut — Plateau South*).

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 professional inability to perform the functions of his office or employment, the Council shall —
- [a] give notice of those reasons to the person in question;
- [b] afford him an opportunity of making representations in person on the matter by the Council; and
- [c] for the person in question to be afforded an opportunity of appearing before and being heard by the investigating committee with respect to the matter, and if the Council, after considering the report of the investigating committee, is satisfied that the person in question should be removed as aforesaid, the Council may so remove him by an instrument in writing signed on the directions of the Council.

- [2] The Vice-Chancellor may, in a case of misconduct by a member of the staff which in the opinion of the Vice-Chancellor is prejudicial to the interest of the University, suspend such member and any such suspension shall forthwith be reported to the Council.
- [3] For good cause, any member of the staff may be suspended from his duties or his appointment may be terminated by the Council; and for the purposes of this 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 —
- [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 Nora L. Daduut — Plateau South*).

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 by the Vice-Chancellor may, after affording the examiner an opportunity of making representations in person on the matter to the Vice-Chancellor, remove the examiner from the appointment by an instrument in writing signed by the Vice-Chancellor.
- [2] Subject to the provisions of regulations made in pursuance of 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 pursuant to 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.

Committee's Recommendation:

That the provision in Clause 19 be retained (*Senator Nora L. Daduut — Plateau South*).

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

Clause 20: Participation and Discipline of Students.

- [1] The Students shall be —
- [a] represented in the University's Students Welfare Board and other committees that deal with the affairs of students;

- [b] Participate in various aspects of curriculum development;
 - [c] Participate in the process of assessing academic staff in respect of teaching; and
 - [d] Be encouraged to be more self-assured as part of the national development process.
- [2] Subject to the provisions of this 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 directions, participate in such activities of the University, or make use of such facilities of the University, as may be so specified, or
 - [b] that the activities of the student shall, during such period as may be specified in the direction, be restricted in such manner as may be so specified, or
 - [c] that the student be rusticated for such period as may be specified in the direction; or
 - [d] that the student be expelled from the University.
- [3] Where a direction is given under 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.
- [4] The fact that an appeal from a direction is brought in pursuance to sub clause [2] of this Clause shall not affect the operation of the direction while the appeal is pending—
- [a] 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.
 - [b] Nothing in this Clause shall be construed as preventing the restriction or termination of students' activities at the University otherwise than on the ground of misconduct.
 - [c] A direction under sub clause [2][a] of this Clause may be combined with a direction under sub clause [2][b] of this Clause.

Committee's Recommendation:

That the provision in Clause 20 be retained (*Senator Nora L. Daduut — Plateau South*).

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

- 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, account of race, place of birth or of family origin, or religious or political persuasion, as a condition of becoming or continuing to be a student at the university, the holder of any degree of the University or of any appointment or employment at the University, or a member of anybody established by virtue of this Bill; and no person shall be subject to any disadvantage or accorded any advantage relation to the University, by reference to any of those matters.
- [2] Nothing in 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 person or any group of them which duty, having regard to its nature and the special circumstances pertaining thereto, is in the opinion of the University reasonably justifiable in the national interest.

Committee's Recommendation:

That the provision in Clause 21 be retained (*Senator Nora L. Daduut — Plateau South*).

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

- Clause 22: Restriction on Disposal of Land by University.**
- Without prejudice to the provisions of the Land Use Act, the University shall not dispose of or charge any land or an interest in any land [including any land transferred to the University by this Bill] except with the prior written consent, either general or special, of the Governor, provided that such consent shall not be required in the case of any lease or tenancy at a rack-rent for a term not exceeding 21 years or any lease or tenancy to a member of the University for residential purpose.

Committee's Recommendation:

That the provision in Clause 22 be retained (*Senator Nora L. Daduut — Plateau South*).

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.**
- 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 Nora L. Daduut — Plateau South*).

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

- Clause 24: Transfer of Land to the University.**
- [1] For the purpose of the Land Use Act [which provides for the compulsory acquisition of land for public purposes] any purpose of the University shall be the same as that of the Federation.

- [2] Where an estate or interest in land is acquired by the Government pursuant to this clause, the Government may, by a certificate under the hand and seal of the person so authorized or any other person authorized in that behalf transfer it to the University.

Committee's Recommendation:

That the provision in Clause 24 be retained (*Senator Nora L. Daduut — Plateau South*).

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

Clause 25: Appointment of Committee, etc.

- [1] Anybody of persons established by this Bill shall, without prejudice to the generality of the powers of that body, have power to appoint committees, which need not consist exclusively of members of that body, and to authorize a committee established by it—
- [a] to exercise, on its behalf, such of its functions as it may determine;
- [b] to co-opt members, and
- [2] Any two or more such bodies may arrange for the holding of joint meetings of those bodies, or for the appointment of committees consisting of members of those bodies, for the purpose of considering any matter within the competence of those bodies or any of them, and either of dealing with it or of reporting on it to those bodies or any of them.
- [3] Except as may be otherwise provided by statute or by regulations, the quorum and procedure of a committee established or meeting held in pursuance of this 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 subclause [1], [2] and [3] of this Clause shall be construed as —
- [a] enabling the statutes to be made otherwise than in accordance with Clause 1 of this Bill; or
- [b] enabling the Senate to empower any other body to make regulations of the award degrees or other qualifications.
- [5] The Pro-Chancellor and the Vice-Chancellor shall be members of every committee of which the members are wholly or partly appointed by the Council [other than a committee appointed to inquire into the conduct of the officer in question]; and the Vice-Chancellor shall be a member of every committee of which the members are wholly or partly appointed by the Senate.

Committee's Recommendation:

That the provision in Clause 25 be retained (*Senator Nora L. Daduut — Plateau South*).

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

Clause 26: Retiring age of Academic Staff.

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

Committee's Recommendation:

That the provision in Clause 26 be retained (*Senator Nora L. Daduut — Plateau South*).

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

Clause 27: Transitional and Savings Provision.

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

Committee's Recommendation:

That the provision in Clause 27 be retained (*Senator Nora L. Daduut — Plateau South*).

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

Clause 28: Special Provisions relating to Pension of Professors.

An academic staff of the University who retires as a Professor in the University shall be entitled to pension at a rate equivalent to his annual salary provided that the Professor has served continuously in the University up to the retirement age.

Committee's Recommendation:

That the provision in Clause 28 be retained (*Senator Nora L. Daduut — Plateau South*).

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

Clause 29: Seal of the University; Miscellaneous Administrative Provisions.

- [1] The seal of the University shall be such as may be determined by the Council and approved by the Chancellor, and the affixing of the seal shall be authenticated by any member of the Council and by the Vice-Chancellor, Secretary to the Council or any other person authorized by statute.
- [2] Any document purporting to be a document executed under the seal of the University shall be received in evidence and shall, unless the contrary is proved, be presumed to be so executed.

- [3] Any contract or instrument which if made or executed by a person not being a body corporate would not be required to be under seal, may be made or executed on behalf of the University by any person generally or specially authorized to do so by the Council.
- [4] The validity of any proceedings of anybody established in pursuance of this Bill shall not be affected by any vacancy in the membership of the body, or by any defect in the appointment of a member of the body or by reason that any person not entitled to do so took part in the preceding.
- [5] Any member of any such body who has a personal interest in any matter proposed to be considered by that body shall forthwith disclose his interest to the body and shall vote on any question relating to that matter.
- [6] Nothing in 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 to this Bill.
- [7] The power conferred by this Bill on anybody to make statutes or regulations shall include power to revoke or vary any statute [including the statute contained in the Third Schedule of this Bill] or any regulation by a subsequent statute or as the case may be, by a subsequent regulation and statutes and regulations may make different provisions in relation to different circumstances.
- [8] No stamp or other duty shall be payable in respect of any transfer of property to the University by virtue of 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 29 be retained (*Senator Nora L. Daduut — Plateau South*).

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

Clause 30: Restriction of Suits and Execution.

- [1] Pre-Action Notice—
- [a] No legal proceeding shall be instituted and/or commenced against the University or any of its agents in the course of their official duties unless a 3 months' Pre-Action Notice of such intention is served on the University by an aggrieved party.
- [b] The Notice shall state the reason and the cause of action intended to be taken against the University, the particulars of the claim, the name and place of abode of the intending plaintiff and the relief which he claims.

- [b] For the avoidance of doubt, it is hereby declared that no suit shall be commenced against an officer or servant of the University, in any case where the University is vicariously liable for any alleged act, neglect or default of the officer or servant in the performance or intended performances of his duties, unless three months at least has elapsed after written notice of intention to commence the same shall have been served on the University by the intending plaintiff or his agent.
- [c] In any suit against this University, no execution or attachment or process in the nature thereof shall be issued against the University, but any sums of money which may be judgment of the court be awarded against the University shall, subject to any direction given by the court where notice of appeal has been given by the University in respect of the said judgment, be paid by the University from its general fund.

- [2] **Service of Notices**
Service upon the University of any notice, order or other document may be effected by delivering the same or by sending it by registered post addressed to the Registrar and Secretary of the Council.

Committee's Recommendation:

That the provision in Clause 30 be retained (*Senator Nora L. Daduut — Plateau South*).

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

Clause 31: Interpretation.

- [1] In this Bill, unless the context otherwise requires —
- "Campus" means any campus which may be established by the University;
- "College" means the College established pursuant to Clause 2 [1] [b] of this Bill for the University;
- "Council" means the Governing Council of the University established by Clause 5 of this Bill.
- "Functions" includes powers and duties
- "Graduate" means a person on whom a degree, other than an honorary degree, has been conferred by the University and any other person as may be designated as a graduate by the Council, acting in accordance with the recommendation of the Senate; [Erroneously omitted]
- "Minister" means the Hon. Minister of Education;
- "Notice" means notice in writing;
- "Officer" does not include the Visitor
- "Prescribed" means prescribed by statute or regulations;
- "Professor" means a person designated as a Professor of the University in accordance with provisions made in that behalf by statute or by regulations;

"Property" includes rights, liabilities and obligations;

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

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

"Senate" means the Senate of the University established pursuant to Clause 2[1][e] of this Bill;

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

"Statute" means a statute made by each 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;

"University" means Federal University of Technology, Yaba established and incorporated by Clause I of this Bill.

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

Committee's Recommendation:

That the provision in Clause 31 be retained (*Senator Nora L. Daduut — Plateau South*).

Question that Clause 31 do stand part of the Bill, put and agreed to.

Clause 32: Short Title.

This Bill may be cited as the Federal University of Technology, Yaba Bill, 2021.

Committee's Recommendation:

That the provision in Clause 32 be retained (*Senator Nora L. Daduut — Plateau South*).

Question that Clause 32 do stand part of the Bill, put and agreed to.

FIRST SCHEDULE
PRINCIPAL OFFICERS OF THE UNIVERSITY

1. **The Chancellor.**
 - [1] The Chancellor shall be appointed by the President
 - [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 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.

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

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 Section 3[1] of the Universities [Miscellaneous Provision] Act 1993 [As amended].
 - [2] The Council shall select and appoint as the Vice-Chancellor one candidate from among the three candidates recommended to it under sub clause [3] of this Clause and thereafter inform the Visitor.
 - [3] 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.

4. **Deputy Vice-Chancellor.**
 - [1] There shall be for the University, two Deputy Vice-Chancellors or such number of Deputy Vice Chancellors as the Council may, from time to time, deem necessary for the proper administration of the University.
 - [2] The procedure for the appointment and removal of the Deputy Vice Chancellor shall be in accordance with the provisions of the Universities [Miscellaneous Provisions] Act, 1993 [as amended].
 - [3] A Deputy Vice-Chancellor shall —
 - [a] Assist the Vice-Chancellor in the performance of his functions;
 - [b] Act in place of the Vice-Chancellor when the post of the Vice-Chancellor is vacant or if the Vice-Chancellor is, for any reason, absent or unable to perform his functions as Vice-Chancellor; and
 - [c] Perform such other functions as the Vic Chancellor or the Council may, from time to time, assign to him.

5. Other Principal Officers of the University.

- [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 the clause 5 of the Universities [Miscellaneous Provision] Act 1993 [As amended].
- [6] Any question as to the scope of the responsibilities of the aforesaid officers shall be determined by the Vice-Chancellor.

6. 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

7. 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 and he shall be the Chief Medical Officer of the University and shall coordinate all matters relating to the health of all staff and students.

- [1] Any officer mentioned in this Schedule may resign his office in —
- [a] The case of the Chancellors or Pro-Chancellor, by notice to the Visitor;
- [b] in the case of the Vice Chancellor, by notice to the Council which shall immediately notify the Minister.
- [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. Resignation and Re-appointment.

- [1] Any officer mentioned in the foregoing provisions of this schedule may resign his office in —
- [a] the case of the Chancellor or Pro-Chancellor, by notice to the Visitor;
- [b] the case of the Vice-Chancellor by notice to the Council which shall immediately notify the Minister; and
- [2] A person who has ceased to hold an office so mentioned otherwise than by removal for misconduct shall be eligible for re-appointment to that office.

Question that the provision in the First schedule stand part of the bill, put and agreed to.

SECOND SCHEDULE
TRANSITIONAL PROVISIONS ETC.

1. Registration of Transfers.

- [1] If the law in force at the place where any property transferred by this Bill is situate provides for the registration of transfers of property of the kind in question [whether by reference to an instrument of transfer or otherwise], the law shall, so far as it provides for alterations of a register [but not for avoidance of transfers, the payment of fees or any other matter] apply, with necessary modifications, to the property aforesaid.

- [2] It shall be the duty of the body to which any property is transferred by this Bill to furnish the necessary particulars of the transfer to the proper officer of the registration authority, and of that officer to register the transfer accordingly.

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

Question that the provision in the Second schedule stand part of the bill, put and agreed to.

THIRD SCHEDULE

FEDERAL UNIVERSITY OF TECHNOLOGY, YABA

The Council.

- [1] [1] The Council shall consist of—
- [a] The Pro-Chancellor;
- [b] The Vice-Chancellor and the deputy Vice-Chancellor;
- [c] 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].
- [d] Four person appointed by the Senate from among the members of that body;

- [e] Two person appointed by congregation from amongst the members of that body; section 2 [g] of the Universities [Miscellaneous Provisions] Act 1993 [As amended].
 - [f] one person appointed by convocation from among the members of that body; and
 - [g] The Permanent Secretary, Federal Ministry of Education or, in his absence, one Person from the Federal Ministry responsible for Education to represent him.
- [2] Any member of the Council holding office otherwise than in pursuance of paragraph [1] [a], [b], [g] or [h] of this article may, by notices to the Council, resign his office.
 - [3] A member of the Council holding office otherwise than in pursuance of paragraph [1] [a], [b], [g] or [h] of this article shall, unless he previously vacates it, vacate that office on the expiration of the period of four years beginning with effect from the 1st of August in the year in which he was appointed.
 - [4] Where a member of the Council holding office otherwise than in pursuance of paragraph [1] [a], [b], [g] or [h] of this article 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 the 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 paragraph [1] [c], [f], [g] and [h] of this article.
 - [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 the 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 Senate.

- [1] The Senate shall consist of —
 - [i] the Vice-Chancellor;
 - [ii] Deputy Vice-Chancellors;
 - [iii] the Deans of respective Colleges;
 - [iv] the Professors in the University;
 - [v] Heads of Academic Departments and Units;

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

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

3. Congregation.

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

4. The Convocation.

- [1] Convocation shall consist of —
- [i] the officers of the University mentioned in the First Schedule to this Bill;
 - [ii] All teachers within the meaning of this Bill; and

- [iii] All other persons whose names are registered in accordance with paragraph [2] of this article.
- [2] A person shall be entitled to have his name registered as a member of convocation if —
- [a] he is either a graduate of a University or a person satisfying such requirements as may be prescribed for the purposes of this paragraph; and
- [b] he applies for the registration of his name in the prescribed manner and pay the prescribed fees.
- [3] Regulations shall provide for the establishment and maintenance of a register for the purpose of this paragraph and subject to paragraph [4] of this article may provide for the payment, from time to time, of further fees by persons whose names are on the register and for the removal from the register of the name of any person who fails to pay those fees.
- [4] The person responsible for maintaining the register shall, without the payment of any fees, ensure that the names of all persons who are for the time being members of the Convocation by virtue of paragraph [1] [a] or [b] of this article are entered and retained on the register.
- [5] A person who reasonably claims that he is entitled to have his name on the register shall be entitled on demand to inspect the register or a copy of the register at the principal times of the University at all reasonable times.
- [6] The register shall, unless the contrary is proved, be sufficient evidence that any person named therein is not, a member of Convocation; but for the purpose of ascertaining whether a particular person was such a member on a particular date, any entries in and deletions from the register made on or after that date shall be disregarded.
- [7] The quorum of Convocation shall be fifty or one third or the whole number nearest to one third or the whole number of members of Convocation whichever is less.
- [8] Subject to Clause 4 of the Act, the Chancellor shall be chairman at all meetings of Convocation when he is present, and in his absence the Vice-chancellor shall be the chairman at the meeting.
- [9] Convocation shall have such functions, in addition to the function of appointing a member of the Council, as may be provided by statute or regulations.

5. The Finance and General Purposes 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 four members of the Council appointed by the Senate and one member appointed to the Council by Congregation;

[d] the Permanent Secretary of the Federal Ministry of Education, or in his absence, such member of his Ministry as he may designate to represent him; and

[e] the Executive Secretary of the Petroleum Technology Development Fund, or in his absence, such member of the Fund as he may designate to represent him.

[2] The quorum of the Committee shall be five.

[3] Subject to any directions given by the Council, the Committee may regulate its own procedure.

6. Annual Budget and Estimates.

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

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

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

7. Gifts, donations, etc.

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

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

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

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

8. Payment into bank.

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

Provided that the Council may invest, as it deems fit, any money not required for immediate use other than donations of money referred to in sub clause [1] of this Clause.

9. Audit.

[1] The Council shall cause the accounts of the University to be audited by auditors appointed by the Council as soon as may be after the end of each financial year or for any such other period as the Council may require.

- [2] The appointment and other matters relative to the auditors, their continuance in office and their functions, as the case may be, shall, subject to the provisions of this Clause, be prescribed by statute.

10. **Division of Colleges.**

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

11. **College Boards.**

- [1] There shall be established in respect of each College, a Board of Studies which, subject to the provisions of this Statute, and subject to the directions of the Vice-Chancellor, shall —
- [a] Regulate the teaching and study of, and the conduct of examinations connected with, the subjects assigned to the college;
 - [b] Deal with any other matter assigned to it by statute or by the Vice-Chancellor or by the Senate; and
 - [c] Advise the Vice-Chancellor or the Senate on any matter referred to it by the Vice-Chancellor or the Senate.
- [2] Each College Board of Studies shall consist of —
- [a] the Vice-Chancellor;
 - [b] the Dean;
 - [c] the persons severally in charge of the branches of the school;
 - [d] the College Examination Officer;
 - [e] such of the teachers assigned to the college and having the prescribed qualifications as the Board may determine; and
 - [f] such persons, whether or not members of the University, as the Board may determine with the general or special approval of the Senate.
- [3] The quorum of the Board shall be eight members or one quarter, whichever is greater, of the members for the time being of the board; and subject to the provisions of this statute and to any provision made by regulations in that behalf, the Board may regulate its own procedure.

12. **Deans of the Faculty.**

- [1] The Board of each College shall, at a meeting in the last term of any academic year which the term of office of the Dean expires, nominate one of its members, being one of the Professors assigned to that teaching unit, for appointment by the Senate as Dean of the College
- [2] The person appointed under paragraph 1 of this Article shall act as Dean of the College and chairman of all meetings of the College Board when he is present and shall be a member of all committees and other boards appointed by the College.
- [3] The Dean shall hold office for two years and shall be eligible for re-appointment one further period of two years. Thereafter he shall not be eligible for re-appointment until two years have elapsed.

- [4] The Dean of a College shall exercise general superintendence over the academic and administrative affairs of the College.
- [5] It shall be the function of the Dean to present to Convocation for the conferment of degrees to persons who have qualified for the degrees of the University at examination held in the branches of learning for which responsibility is allocated to that College.
- [6] There shall be a committee to be known as the Committee of Deans consisting of all the Deans of the several Colleges and that Committee shall advise the Vice-Chancellor on all academic matters and on particular matters referred to the University by the Senate.
- [7] The Dean of a College may be removed from office for good cause by the College Board after a vote would have been taken at a meeting of the Board, and in the event of a vacancy occurring following the removal of a Dean, an acting Dean may be appointed by the Vice-Chancellor:
- Provided that at the next College Board meeting an election shall be held for a new Dean.
- [8] In this article "good cause" has the same meaning as in Clause 15[3] of the Act.

13. Departmental Board of Studies.

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

14. Selection of Certain Principal And other Key Officers.

- [1] When a vacancy occurs in the office of the Directors of Physical Planning and Development, Works and Services and Health, a Selection Board shall be constituted by the Council which shall consist of --
- [a] The Pro-Chancellor;
- [b] The Vice-Chancellor;
- [c] Two members appointed by the Council, not being members of the Senate;
- [d] Two members appointed by the Senate.

- [2] The Selection Board after making such inquiries as it thinks fit, shall recommend a candidate to the Council for appointment to the vacant office; and after considering the recommendation of the board the Council may make an appointment to that office.
- 15. Tenure of Directors.**
A Director shall hold office on such terms and conditions as may be specified in his letter of appointment subject to the extant Regulations
- 16. 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.
- 17. Appointment of Academic Staff.**
Subject to this Bill and the Statute made under it, the filling of vacancies in academic posts, including newly created ones, shall be as prescribed from time to time by Statute.
- 18. 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 in accordance with delegation of powers made by the Council on its behalf.
[2] In the case of administrative or technical staff that has close and important contacts with the academic staff, there shall be Senate participation in the process of selection.
- 19. Interpretation.**
In this Statute, the expression "the Act" means the Federal University of Technology, Yaba Act and any word or expression defined in the Act has the same meaning in this Statute.
- 20. Short Title.**
This Statute may be cited as the Federal University of Technology, Yaba Statute No. I.

Question that the provision in the Third schedule stand part of the bill, put and 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 Federal University of Technology, Yaba; and for Other Matters Connected Therewith, 2021 and approved as follows:

Clauses 1-32	—	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.

14. Committee on Tertiary Institutions and TETFUND:

Report on the Federal University Birnin-Kebbi, Kebbi State (Establishment) Bill, 2021 (SB.165):

Motion made: That the Senate do receive and consider the Report of the Committee on Tertiary Institutions and TETFUND on the Federal University Birnin-Kebbi, Kebbi State (Establishment) Bill, 2021 (*Senator Nora L. Daduut — Plateau South*).

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 A BILL FOR AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE FEDERAL UNIVERSITY, BIRNIN KEBBI, KEBBI STATE TO ENSURE EQUITY AND ACCESS TO TERTIARY EDUCATION IN THE COUNTRY. THE UNIVERSITY IS A CONVENTIONAL UNIVERSITY WITH RESTRICTED PROGRAMMES, LIMITED AND FOCUSED FACULTIES AND FOR OTHER MATTERS CONNECTED THEREWITH, 2021.

**PART I—ESTABLISHMENT, CONSTITUTION, AND FUNCTIONS OF THE
FEDERAL UNIVERSITY, BIRNIN KEBBI, KEBBI STATE**

Clause 1: Incorporation of the Federal University Birnin-Kebbi, Kebbi State.

[1] There shall be established, a body to be known as the Federal University, Birnin-Kebbi, Kebbi State [hereafter in this Bill referred to as "the University"].

[2] The University:—

[a] shall be a body corporate with perpetual succession and a common seal;

[b] and may sue and be sued in its corporate name.

Committee's Recommendation:

That the provision in Clause 1 be retained (*Senator Nora L. Daduut — Plateau South*).

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

Clause 2: Objects of the University.

1. The objects of the University shall be to:—

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

- [b] provide courses of instruction and other facilities for the pursuit of learning in all its branches.
- [c] Encourage and promote scholarship and conduct research in restricted fields of learning and human endeavor;
- [d] Relate its activities to the social, cultural and economic needs of the people of Nigeria; and
- [e] Undertake other activities appropriate for the highest standard of an Institute.

Committee's Recommendation:

That the provision in Clause 2 be retained (*Senator Nora L. Daduut — Plateau South*).

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

Clause 3: Constitution and Principal Officers of the University.

- [1]. There is established a Governing Council for the University [in this Bill referred to as "the Council"], which Council shall consist of:—
 - [a] Chancellor;
 - [b] Pro-chancellors;
 - [c] Vice Chancellor;
 - [d] Two Deputy Vice Chancellor;
 - [e] A body to be called Congregation;
 - [f] A body to be called Convocation;
 - [g] The campuses and colleges of the University;
 - [h] The faculties, schools, and other teaching and research units of the University;
 - [i] 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;
 - [j] All graduates and undergraduates;
 - [k] A representative of National Universities Commission, not below directorate grade; and
 - [l] 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 mentioned [therein].
- [3] A provision shall be made by a Statute with respect to the constitution of the following bodies:—

- [a] The Council;
- [b] The Senate;
- [c] The Congregation; and
- [d] The Convocation.

Committee's Recommendation:

That the provision in Clause 3 be retained (*Senator Nora L. Daduut — Plateau South*).

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 2 of this Bill, the University shall have power to:—
 - [a] establish such campuses, colleges, faculties, schools, extramural departments and other teaching and research units within the University as may, from time to time, seem necessary or desirable, subject to the approval of the National Universities Commission;
 - [b] institute professorships, readership and associate professorships, lectureships and other posts and offices and to make appointments thereto;
 - [c] institute and award fellowships, scholarships, exhibitions, bursaries, medals, prizes and other titles, distinctions awards and forms of assistance;
 - [d] provide for the residence, discipline and welfare of members of the University;
 - [e] hold examinations and award degrees, diplomas, certificates and other distinctions to persons who have pursued a course of study approved by the University and have satisfied such other requirements as the University may lay down;
 - [f] award honorary degrees, fellowships or academic titles;
 - [g] demand and receive from any student or any other person attending the University for the purpose of instruction such fees as the University from time to time determine, subject to the overall directives of the appropriate authority;
 - [h] subject to clause 22 of this Bill, to acquire, hold, grant, charge or otherwise deal with or dispose of moveable 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 contract, 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 hall, halls of residence, refectories, sports grounds, playing fields and other buildings or things necessary, suitable or convenient for any of the objects of the University;
 - [l] hold public lectures and undertake printing, publishing and book selling;
 - [m] subject to any limitation or condition imposed by statute, to invest any moneys appertaining to the University by law of endorsement, whether for general or special purposes, and such other moneys as may not be immediately required for current expenditure, in any investment or security or in the purchase or improvement of land, with power from time to time to vary any such investment and to deposit any money for the time being un-invested with any bank on deposit or current account;
 - [n] borrow, whether on interest or not and if need be, upon the security of any or all of the property movable or immovable of the University, such moneys as the Council may, from time to time in its discretion, find necessary or expedient to borrow or to guarantee any loan advance or credit facility;
 - [o] make gifts for any charitable purpose;
 - [p] do anything which it is authorized or required by this Bill or by any other Statute to do; and
 - [q] Do all such acts or things, whether or not incidental to the foregoing powers, as may advance the objects of the University.
- [2] Subject to the provisions of this Bill and of the Statute made there under and without prejudice to Clause 9 [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 Bill.

Committee's Recommendation:

That the provision in Clause 4 be retained (*Senator Nora L. Daduut — Plateau South*).

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

Clause 5: Functions of the chancellor and Pro-Chancellor.

- [1] The Chancellor shall, in relation to the University, take precedence before all other members of the University, and when he is present shall preside at all meetings of convocation held for conferring degrees.
- [2] The Pro-Chancellor shall, in relation to the University, take precedence before all other members of the University, except the Chancellor, and except for the Vice Chancellor when acting as Chairman of Congregation or Convocation, and the Pro-Chancellor shall, when he is present, be the Chairman at all meetings of the Council.

Committee's Recommendation:

That the provision in Clause 5 be retained (*Senator Nora L. Daduut — Plateau South*).

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

Clause 6: Establishment and membership of the Council.

- [1] there shall be a Council for the University consisting of:
- [a] The Pro-Chancellor;
 - [b] The Vice-Chancellor;
 - [c] The Deputy Vice Chancellors;
 - [d] One person from the Federal Ministry responsible for education;
 - [e] Four persons representing a variety of interest and broadly representative of the whole Federation 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; and
 - [h] One person appointed to the Council shall be person of proven integrity, knowledgeable and familiar with the affairs and tradition of the University.
- [2] persons to be appointed to the Council shall be persons proven integrity, knowledgeable and familiar with the affairs and tradition of the University.

Committee's Recommendation:

That the provision in Clause 6 be retained (*Senator Nora L. Daduut — Plateau South*).

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 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, including its public relations.
- [2] There shall be a committee of the Council to be known as the Finance and General Purposes Committee, which shall, subject to the directions of the Council, exercise control over the property and expenditure of the Council as the Council from time to time delegate to it.
- [3] Provision shall be made by Senate 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 the accounts of the University are audited annually by auditors appointed by the Council from the list and in accordance with guidelines supplied by the Auditors-General for the Federation, and that an annual report is published by the University together with certified copies of the said accounts as audited.
- [5] Subject to this 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 Purpose Committee shall not come into force unless approved by the Council, and where any rules so made by the Committee conflicts with any direction 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 and of any other Committee set up by the Council, allowances in respect of travelling and other reasonable expenses, at such rates as may from time to time be fixed by extant government circulars.
- [8] The Council shall meet as and when necessary for the performance of its functions under this Bill, and shall meet at least four times every year.
- [9] If required in writing by five members of the Council, the Chairman shall within, 28 days after the receipt of such request, call a meeting of the Council, provided that if after 28 days of the receipt or delivering to him of such request, the chairman fails or neglect to call a meeting, the Registrar shall within 14 days thereof, cause a meeting of the Council to be convened for that purpose and the request shall specify the business to be considered at the meeting and no business not so specified shall be transacted at the meeting.

Committee's Recommendation:

That the provision in Clause 7 be retained (*Senator Nora L. Daduut — Plateau South*).

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

Clause 8: *Function of the Senate.*

- [1] Subject to Clause 5 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 teaching in the University, admission to Post- graduate courses and other admission of students the discipline of students and to promote research in the University.
- [2] Without prejudice to the generality of the provisions of sub clause [1] of this clause, it shall in particular be the function of the Senate to make provision for the:—

- [a] Establishment, organization and control of campuses, colleges, faculties, departments, schools, Institutes and other teaching and research units of the University. and the allocation of responsibility for different branches of learning;
 - [b] organization and control of courses of study in the University and of the examinations held in conjunction with those courses, including the appointment of examiners, both internal and external;
 - [c] Award of degrees, and such other qualifications as may be prescribed, in connection with examination conducted by the University;
 - [d] making of recommendations to the 'Council with respect to the award to any person of an honorary fellowship or honorary degree or the title of professor emeritus;
 - [e] establishment, organization and control of halls of residence and similar institutions in the University;
 - [f] supervision of the welfare of students in the University and the regulation of their conduct;
 - [g] Granting of fellowships, scholarships, prize and similar awards in so far as the awards are within the control of the University; and
 - [h] Determination of what description or dress shall be academic dress for the purposes of the University, and regulating the use of academic dress.
- [3] The Senate shall not establish any new campus, college, faculty, department, school, institute or other teaching and research units of the University, or any hall of residence or similar institution at the University without the approval of the Council.
- [4] 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 provisions of this clause or for the purpose of providing for any matter for which provision by regulation is authorized or required by this Bill or by Statute.
- [5] The Senate shall, by regulation, provide that at least one of the persons appointed as examiners at each final or professional examination held in conjunction with any course of study in the University is not a teacher at the University but is a teacher at the branch of learning to which the course relates in some other Institute of high repute.
- [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 an degree, diploma or other award of the University which has been conferred on him if after due enquiry he is shown to have been guilty of any dishonorably 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 Nora L. Daduut — Plateau South*).

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

Committee's Recommendation:

That the provision in Clause 4 be retained (*Senator Nora L. Daduut — Plateau South*).

Question that Clause 4 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 5 of this Bill, the Pro-Chancellor and any other person for the time being acting as Chairman of the Council.
- [2] Subject to the provisions of this Bill, the Vice Chancellor shall have general function, in addition to any other function conferred on him by this Bill or otherwise, of directing the activities of the University, and shall to the exclusion of any other person or authority, be the chief executive and academic officer of the University and ex-officio Chairman of the Senate.

PART II—STATUTES OF UNIVERSITY

Committee's Recommendation:

That the provision in Clause 10 be retained (*Senator Nora L. Daduut — Plateau South*).

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

Clause 11: Statutes of the University.

- [1] Subject to this Bill, the University may make Statutes for any of the following purposes:—
- [a] making provision with respect to the composition constitution of any authority of the University;
 - [b] specifying and regulating the powers and duties of any authority of the University, and regulating any other matter connected with the University or any of its authorities;
 - [c] regulating the admission of students where it is done by the University, and their discipline and welfare;
 - [d] determining whether any particular matter is to be treated as an academic or non-academic matter for the purposes of this Bill and of any Statute, regulation or other instrument made there-under; and
 - [e] making provision for other matters for which provision by Statute is authorized or required by this Bill.
- [2] Subject to clause 25 [6] of this Bill, the Interpretation Bill shall apply in relation to any Statute made under this clause as it applies to a subsidiary instrument within the meaning of clause 27[I] of this Bill.
- [3] The Statute contained in the Third Schedule to this Bill shall be deemed to have come into force on the commencement of this Bill and shall be deemed to have been made under this clause by the University.
- [4] The power to make Statute 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 Second Schedule to this Bill.

Committee's Recommendation:

That the provision in Clause 11 be retained (*Senator Nora L. Daduut — Plateau South*).

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

Clause 12: Power to Make and Approve Statutes.

- [1] The power of the University to make Statutes shall be exercised in accordance with the provisions of this clause.
- [2] A proposed Statute shall not have the force of law until it has been approved at a meeting of the:—
- [a] Senate, by the votes of not less than two thirds of the members present and voting; and

- [b] Council by the votes of not less than two third of the members Present and voting.
- [3] A proposed Statute may originate either in the Senate or Council, and may be approved as required by sub clause [2] of this clause by both bodies in no particular order.
- [4] A Statute which:—
- [a] makes provision for or alters the composition or constitution of the Council, the Senate or any other authority of the University; or
- [b] Provides for the establishment of a new campus or college or the amendment or revocation of any Statute whereby a campus or college is established, shall not come into operation unless it has been approved by the Visitor.
- [5] For the purpose of clause 2[2] of the Interpretation Bill, Statute shall be treated as being made on the date on which it is approved by the Council and the Senate in accordance with Sub clause [3] of this clause 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.

Committee's Recommendation:

That the provision in Clause 12 be retained (*Senator Nora L. Daduut — Plateau South*).

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

Clause 13: Proof of Statue in court.

A Statute may be proved in any court by the production of a copy thereof bearing or having affixed to it a certificate signed by the vice Chancellor or the Registrar to the effect that the copy is a true copy of a Statute of the Institute.

Committee's Recommendation:

That the provision in Clause 13 be retained (*Senator Nora L. Daduut — Plateau South*).

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

Clause 14: Transfer of property to the University.

- [1] All property held by or on behalf of the Provisional Council 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 the transfer of property by this clause and to matters arising there from and with respect to other matters mentioned in that Schedule.

Committee's Recommendation:

That the provision in Clause 14 be retained (*Senator Nora L. Daduut — Plateau South*).

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

Clause 15: Power of Visitor to Decide Meaning of Statutes.

- [1] In the event of any doubt or dispute arising 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 there on as he deems 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 other authority in Nigeria, provided that nothing in this sub clause shall affect the power of court of competent jurisdiction to determine whether any provision of a Statute is wholly or partly void as being ultra vires or as being inconsistent with the Constitution.
- [3] The 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 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 reference in sub clause [2] of this clause to any question as to the meaning of any provision of the Statute shall include references to any question as to whether any matter is for the said purposes an academic or Proof of Statute in court Visitor's decision in case of dispute in academic or non-academic matter.

PART III—SUPERVISION AND DISCIPLINE

Committee's Recommendation:

That the provision in Clause 15 be retained (*Senator Nora L. Daduut — Plateau South*).

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

Clause 16: 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 persons as the Visitor may deem fit and in respect of any of the affairs of the University.
- [3] The bodies and persons comprising the University Shall:—
- [a] Make available to the visitor, and to any other persons conducting a visitation in pursuance of this clause, such facilities and assistance as he or they may reasonably require for the purpose of the visitation; and
- [b] Give effect to any instruction consistent with the provision of this Bill which may be given by the Visitor in consequence of the visitation.

Committee's Recommendation:

That the provision in Clause 16 be retained (*Senator Nora L. Daduut — Plateau South*).

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

Clause 17: Removal of Members of Council.

- [1] If it appears to the Council that a member [other than Pro-Chancellor or the Vice Chancellor] should be removed from office on grounds of misconduct or inability to perform the functions of his office, the Council shall make a recommendation to that effect through the Minister to the Federal Executive Council and if the Federal Executive Council, after making such enquires [if any] as may be considered necessary, approves the recommendation, it may direct the removal of the member from office.
- [2] The Minister shall use his best endeavors to cease a copy other 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 Nora L. Daduut -- Plateau South*).

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

Clause 18: Removal of and discipline of academic, administrative and professional staff.

- [1] If it appears to the Council that there are reasons for believing that any person employed as a member of the academic, administrative or professional staff of the University, other than the Vice Chancellor should be removed from office or on grounds of misconduct or inability to perform the functions of his office Council shall:—
- [a] give notice of those reasons to the person in question;
 - [b] afford such person an opportunity of making representation on the matter to the Council, and
 - [c] take a decision to terminate or not to terminate the appointment.
- [2] If the affected staff or any three members of the Council so request within a period of one month from the date of receipt of the notice of the Council's decision, the Council shall make arrangements for:—
- [a] a Joint committee of the Council and the Senate to review the matter and to report it to the Council; and
 - [b] the person in question to be afforded an opportunity to appear before and be heard by an investigation committee with respect to the matter; and if the Council after considering the report of the investigating council may have satisfied that the person in question should be removed, the Council may so remove him by an instrument in writing, signed on the directions of the Council.
- [3] The Vice Chancellor may, in a case of gross misconduct by a member of staff which in the opinion of the Vice Chancellor is prejudicial to the interest of the University, suspend such member and any such suspension shall immediately be reported to the Council.
- [4] Any member of staff maybe suspended from duty or his appointment may be terminated by Council for a good cause 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;
 - [b] any physical or mental incapacity which the Council, after obtaining medical advice, considers to be such as to render the person concerned unfit to continue to hold office;
 - [c] conduct of a scandalous or disgraceful nature which the Council considers to be such as to render the person concerned unfit to continue to hold office; or
 - [d] conduct which the Council considers to be such as to constitute failure or inability of the person concerned to discharge the functions of his office or to comply with the terms and conditions of his service.
- [5] Any person suspended under sub clause [3] of this clause shall be on half pay and the Council shall, before the expiration of a period of three months from the date of such suspension, consider the case against that person and come to a decision as to whether to:—
- [a] continue such person's suspension and if so on what terms [including the proportion of his emolument to be paid to him];
 - [b] reinstate such person in which case the Council shall restore his full emoluments with effect from the date of suspension;
 - [c] terminate the appointment of the person concerned in which case such a person will not be entitled to the proportion of his emoluments withheld during the period of suspension; and
 - [d] Take such lesser disciplinary action against such person [including the restoration of such proportion of his emoluments that might have been withheld] as the Council may determine.
- [6] Where the Council, pursuant to this clause decides, to continue a person's suspension or decides to take further disciplinary action against the person, the Council shall, before the expiration of three months from such decision, come to a final determination in respect of the case concerning such a person.
- [7] The person, by whom an instrument of removal is signed in pursuance of sub clause [1] of this clause shall use his best endeavors' to cause a copy of the instrument to be served soon as reasonably practicable on the person to whom it relates.
- [8] Nothing in this clause shall prevent the Council from making regulations for the discipline of staff and workers of the university as may be appropriate.

Committee's Recommendation:

That the provision in Clause 18 be retained (*Senator Nora L. Daduut — Plateau South*).

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

Clause 19: Removal of Examiner.

- [1] if, on the recommendation of the Vice Chancellor It Examiner appears to the Senate that a person appointed as examiner for any examination of the University ought to be removed from his office or appointment, then, the Senate may, after, affording the examiner opportunity of making presentations in person on the matter, direct the Vice Chancellor to remove the examiner by an instrument in writing signed by the registrar.
- [2] Subject to the provisions, of any regulation made under this Bill, the Vice Chancellor may, on the recommendation of Senate, appoint an appropriate person as examiner in the place of the examiner removed.
- [3] The Registrar shall on signing an instrument of removal under this clause, 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 Nora L. Daduut — Plateau South*).

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

Clause 20: Disciplinary Action on Students.

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

- [5] 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.
- [6] Nothing in this clause shall be construed as preventing the restriction or termination of a student's activities at the University for conduct which in the opinion of the Senate is prejudicial to the interest of the University or to its corporate objective or image.
- [7] 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 Nora L. Daduut — Plateau South*).

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

PART IV — MISCELLANEOUS AND GENERAL PROVISIONS.

Clause 21: Exclusion of Discrimination on Account of Race, Religion, etc.

- [1] No person shall be required to satisfy requirements as to race [including ethnic grouping] sex, place of birth, family origin, religious or political persuasion, as a condition for becoming or continuing to be a —
- [a] student in the University;
- [b] holder of any degree, appointment employment in the University; or
- [c] Member of anybody established by virtue of this Bill.
- [2] No person shall be subjected to any disadvantage or accorded any advantage in relation to the University by reference to any of the matters referred to in sub clause [1] of this clause.
- [3] 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 person specified in sub clause [1] of this clause. Where such person willfully refuse or fail on grounds of religious belief to, undertake any duty generally and uniformly imposed on all, such persons or any group of them which duty, having regard to its nature and the special circumstances, is in the opinion of the University reasonably justifiable in the national interest.

Committee's Recommendation:

That the provision in Clause 21 be retained (*Senator Nora L. Daduut — Plateau South*).

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

Clause 22: Application of Land Use Act Cap. L5 LFN, 2004.

- [1] For the purpose of the Land Use Act, which provides for the compulsory acquisition of land for public purposes, any purpose of the University, shall be the same as that of the Federation.

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

Committee's Recommendation:

That the provision in Clause 22 be retained (*Senator Nora L. Daduut — Plateau South*).

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

Clause 23: Restriction on Disposal of Land by University Cap. L5 LFN, 2004.

Without prejudice to the provisions of the Land Use Act, the University shall not dispose of or charge any land or an interest in any Land, including any land transferred to the University by this Bill, except with the prior written consent, either general or special, of the visitor; provided that such consent shall not be required in the case of any lease or tenancy at rack-rent for a term not exceeding 21 years of any lease or tenancy to a member of the University for residential purpose.

Committee's Recommendation:

That the provision in Clause 23 be retained (*Senator Nora L. Daduut — Plateau South*).

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

Clause 24: Quorum and Procedure of Bodies Established by this Clause.

Except as may be otherwise provided by Statute or by regulation, the quorum and procedure of anybody or persons established by this Bill shall be such as maybe determined by that body.

Committee's Recommendation:

That the provision in Clause 24 be retained (*Senator Nora L. Daduut — Plateau South*).

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

Clause 25: Appointment of Committees. Etc.

- [1] Anybody of person 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 authorized a committee established by it to —

[a] exercise on its behalf, such functions as it may determine, and

[b] Co-opt members and direct whether or not coopted members shall be entitled to vote in that committee.

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

- [3] Except as may be otherwise provided by a Statute or regulation, the quorum and procedure of a committee established or meeting held pursuant to 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] The Pro-Chancellor and Vice Chancellor shall be members of every committee of which the members are wholly or partly appointed by the Council, other than a committee appointed to inquire into the conduct of the officer in question and the vice Chancellor shall be a member of every committee of which the members are wholly or partly appointed by the Senate.
- [5] Nothing in this clause shall be constructed as enabling —
- [a] Statutes to be made otherwise than in accordance with clause 11 of this Bill; or
- [b] The Senate to empower any other body to make regulations to award degree or other qualifications.

Committee's Recommendation:

That the provision in Clause 25 be retained (*Senator Nora L. Daduut — Plateau South*).

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

Clause 26: Seal of the University; Miscellaneous Administrative Provisions.

- [1] The seal of the University shall be such as may be determined by the Council and approved by the Chancellor and the affixing of the seal shall —
- [a] In the case of certificates issued by the University, be authenticated by the Vice Chancellor and the Registrar; and
- [b] in the case of any other document, be authenticated by any member of Council, the Vice Chancellor and the Registrar or any other person authorized by Statute.
- [2] Any document purporting to be a document executed under the seal of the University shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed.
- [3] Any contract or instrument which, if made or executed by a person not being a body corporate, would not be required to be under seal; may be made or executed on behalf of the University by any person generally or specially authorized to do so by the Council without seal.
- [4] The validity of the proceedings of any body established pursuant to this Bill shall not be affected by—
- [a] any vacancy in the membership of the body;
- [b] any defect with appointment of a member of the body;
- [c] 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 disclose his interest to the body and shall not vote on any question relating to the that matter.
- [6] Nothing in clause 12 of the interpretation Bill, which provides for the application, in relation to subordinate legislation, of certain incidental provisions, shall apply to Statutes or Regulations made under this Bill.

- [7] The power conferred by this Bill on anybody to make Statutes, Regulations shall include power to revoke or vary any —
- [a] Statute, including the Statute contained in the Second Schedule to this Bill; or
 - [b] Regulation by a subsequent Statute or Regulation as the case may be provided that the Statutes and Regulations may have different provisions in relation to different circumstances.
- [8] No stamp or other duty shall be payable in respect of any transfer of property to the University by virtue of clauses 10, 21, and 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 26 be retained (*Senator Nora L. Daduut — Plateau South*).

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

Clause 27: Transfer of Land to the University.

- [1] For the purpose of the Land Use Act [which provides for the compulsory acquisition of land for public purposes] any purpose of the University shall be the same as that of the Federation.
- [2] Where an estate or interest in land is acquired by the Government pursuant to this clause, the Government may, by a certificate under the hand and seal of the person so authorized or any other person authorized in that behalf transfer it to the University.

Committee's Recommendation:

That the provision in Clause 27 be retained (*Senator Nora L. Daduut — Plateau South*).

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

Clause 28: Special Provisions Relating to Pension of Professors.

An academic Staff of the University shall be entitled to pension at a rate equivalent to his annual salary provided that the professor has served continuously in the University up to the retirement age.

Committee's Recommendation:

That the provision in Clause 28 be retained (*Senator Nora L. Daduut — Plateau South*).

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

Clause 29: Proposal and Recommendation.

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, every such intermediate authority shall forward any proposal or recommendation received by it pursuant to that provision to the appropriate authority; but any such intermediate authority may, if it thinks fit, forward therewith its own Comment thereon.

Committee's Recommendation:

That the provision in Clause 29 be retained (*Senator Nora L. Daduut — Plateau South*).

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

Clause 30: Pre-Action Notice.

- [1] A person who has a cause of action against the University shall —
- [a] give the University three months' notice, in writing, of intention to commence an action, disclosing the cause of action and serve the processes to the principal office of the University; and
- [b] Commence the legal action within two years from the date the cause of action arose.

Committee's Recommendation:

That the provision in Clause 30 be retained (*Senator Nora L. Daduut — Plateau South*).

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

Clause 31: Transitional and Savings Provision.

- [1] All assets, rights, liabilities, interests, and obligation vested in the Federal University, Birnin-Kebbi, before the commencement of this Bill, shall after commencement of this Bill be vested in the Federal University, Birnin-Kebbi
- [2] All staff of Federal University, Birnin-kebbi existing before the commencement of this Bill shall after commencement of this Bill continue to be staff of Federal University Birnin-kebbi, Kebbi State in accordance with new terms of appointment.

Committee's Recommendation:

That the provision in Clause 31 be retained (*Senator Nora L. Daduut — Plateau South*).

Question that Clause 31 do stand part of the Bill, put and agreed to.

Clause 32: Interpretation.

In this Bill —

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

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

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

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

"Government" means the Federal Government of Nigeria;

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

"Gross misconduct" means any act of misconduct and improper behavior that may be designated as gross misconduct by any Statute or regulation made, under this Bill;

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

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

"Officer" does not include the Visitor,

"Prescribed" means prescribed by Statute or regulation made under this Bill;

"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 end obligations;

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

"Senate" means the Senate of the University established by this Bill',

"Statute" means a Statute made by the University under clause 11 of this Bill;

"The provisional Council" means the provisional Council appointed for the University by the President;

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

"The University" means the Federal University Birnin-Kebbi, Kebbi State.

Committee's Recommendation:

That the provision in Clause 32 be retained (*Senator Nora L. Daduut — Plateau South*).

Question that Clause 32 do stand part of the Bill, put and agreed to.

Clause 33: Short Tittle.

This Bill may be cited as the Federal University Birnin-Kebbi, Bill, 2021.

Committee's Recommendation:

That the provision in Clause 33 be retained (*Senator Nora L. Daduut — Plateau South*).

Question that Clause 33 do stand part of the Bill, put and agreed to.

FIRST SCHEDULE:

PRINCIPAL OFFICERS OF THE UNIVERSITY

1. **The Chancellor.**

[1] The Chancellor shall be appointed by, the President.

[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 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.

1. The Pro-Chancellor.

- [1] The Pro-Chancellor shall be appointed or removed from office by the President on the recommendation of the minister.
- [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.

2. 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 Section 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].

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 Section 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].

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.

4. Deputy Vice Chancellor.

- [1] There shall be for the University, two Deputy Vice-Chancellors or such number of Deputy Vice Chancellors as the Council may, from time to time, deem necessary for the proper administration of the University.
- [2] The procedure for the appointment and removal of the Deputy Vice Chancellor shall be in accordance with the provisions of the Universities [Miscellaneous Provisions] Act, 1993 [As amended].
- [3] A Deputy Vice-Chancellor shall —
- [a] Assist the Vice-Chancellor in the performance of his functions;
 - [b] Act in place of the Vice-Chancellor when the post of the Vice-Chancellor is vacant or if the Vice-Chancellor is, for any reason, absent or unable to perform his functions as Vice-Chancellor; and
 - [c] Perform such other functions as the Vic Chancellor or the Council may, from time to time, assign to him.

5. Other Principal Officers of the University.

- [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 the clause 5 of the Universities [Miscellaneous Provision] Act 1993 [As amended].

[6] Any question as to the scope of the responsibilities of the aforesaid officers shall be determined by the Vice-Chancellor.

6. 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, and shall be responsible for all works, services mid maintenance of institute facilities.

7. Director of Health Services.

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 and he shall be the Chief Medical Officer of the University shall coordinate all matters relating to the health of all staff and students.

[1] Any officer mentioned in this Schedule may resign his office in —
[a] The case of the Chancellors or Pro-Chancellor, by notice to the Visitor;
[b] in the case of the Vice Chancellor, by notice to the Council which shall immediately notify the Minister.

[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. Resignation.

[1] Any officer mentioned in the foregoing provisions of this schedule may resign his office in —
[a] the case of the Chancellor or Pro-Chancellor, by notice to the Visitor;
[b] the case of the Vice-Chancellor by notice to the Council which shall immediately notify the Minister; and

[2] A person who has ceased to hold an office so mentioned otherwise than by removal for misconduct shall be eligible for re-appointment to that office.

Question that the provision in this First Schedule stands part of the Bill. — Agreed to:

SECOND SCHEDULE

FEDERAL UNIVERSITY BIRNIN-KEBBI, KEBBI STATE STATUTE NO.1

The Council.

- [1] The Council shall consist of—
[a] The Pro-Chancellor;
[b] The Vice-Chancellor and the deputy Vice-Chancellor;
[c] 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].
[d] Four person appointed by the Senate from among the members of that body;

- [e] Two person appointed by congregation from amongst the members of that body; section 2 [g] of the Universities [Miscellaneous Provisions] Act 1993 [As amended].
- [f] one person appointed by convocation from among the members of that body;
- [g] The Permanent Secretary, Federal Ministry of Education or, in his absence, one Person from the Federal Ministry responsible for Education to represent him.
- [2] Any member of the Council holding office otherwise than in pursuance of paragraph [1] [a], [b], [g] or [h] of this article may, by notices to the Council, resign his office.
- [3] A member of the Council holding office otherwise than in pursuance of paragraph [1] [a], [b], [g] or [h] of this article shall, unless he previously vacates it, vacate that office on the expiration of the period of four years beginning with effect from the 1st of August in the year in which he was appointed.
- [4] Where a member of the Council holding office otherwise than in pursuance of paragraph [1] [a], [b], [g] or [h] of this article 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 the 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 paragraph [1] [c], [f], [g] and [h] of this article.
- [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 the 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 Purpose Committee of the Council shall consist of—
- [a] the Pro-Chancellor, who shall be the Chairman of the Committee at any meeting at which he is present;
- [b] the Vice Chancellor and a Deputy Vice Chancellor;
- [c] six other members of the Council appointed by the Council two of whom shall be selected from among the four members of the Council appointed by the Senate and one of whom shall be selected from among members of the Council appointed by the congregation; and
- [d] The Permanent Secretary, Federal Ministry of Education or, in his absence, such member of his Ministry as he may designate to represent him.
- [2] The quorum of the Committee shall be six.

- [3] Subject to any direction given by the Council, the Committee may regulate its own procedure.

3. **The Senate.**

- [1] The Senate shall consist of —
- [a] The Vice-Chancellor and the deputy Vice-Chancellor;
 - [b] The deans of the several faculties;
 - [c] The directors of the several institutes;
 - [d] The professors;
 - [e] The librarian;
 - [f] The persons for the time being holding such appointments on the staff of the University as may be specified by the Vice-Chancellor; and
 - [g] Such teachers [of senior's lecturer rank and above and not being more than two in respect of each faculty] as may be elected from among the members of each faculty, the total number thereto to be determined from time to time by the Senate; and
 - [h] Such persons, not exceeding two in number, whether or not members of the University, as may be appointed by the Senate to be members of the Senate.
- [2] The Vice-Chancellor shall be the chairman at all meetings of the Senate when he is present; and in his absence such other member of the Senate present at the meeting as the Senate may appoint for that meeting, shall be the chairman at the meeting.
- [3] The quorum of the Senate shall be one-quarter [or the nearest whole number less than one-quarter]; and subject to paragraph [2] of this article, the Senate may regulate its own procedure.
- [4] An elected member may, by notice to the Senate, resign his office.
- [5] Subject to paragraph [7] of this article, there shall be elections for the selection of elected members which shall be held in the prescribed manner on such day in the month of May or June in each year as the Vice-Chancellor may from time to time determine.
- [6] An elected member shall hold office for the period of two years beginning with 1st August in the year of his election, and may be a candidate at any election held in pursuance of paragraph [5] above 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 would 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 [9] 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; but 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 30th April in any year in which he is to continue in or take office as an elected member.

- [8] If so requested in writing by any ten members of the Senate, the vice-chancellor, or in his absence a person duly appointed by him, shall convene a meeting of the Senate to be held not later than the tenth day following that on which the request was received.
- [9] In this article, "total of non-elected members" means, as respects any year, such number as may be certified by the Vice-Chancellor on the 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.

4. Congregation.

- [1] The Congregation shall consist of —
- [a] the Vice Chancellor and the Deputy Vice Chancellors;
 - [b] the full time members of the academic staff;
 - [c] the Registrar;
 - [d] the Bursar; and
 - [e] every member of the administrative and technical staff who holds a degree of any Institute recognized for the purpose of this Statute by the Vice Chancellor, not being an honorary degree.
- [2] Subject to clause 5 of this Bill, the Vice Chancellor shall be the Chairman at all meetings of Congregation when he is present, and, in his absence, one of the Deputy Vice Chancellors appointed by him shall be the Chairman at the meeting.
- [3] The quorum of Congregation shall be one-third, or the nearest whole number to one-third, of the total number of members of Congregation or fifty, whichever is less.
- [4] A certificate signed by the Vice Chancellor specifying —
- [a] the total number of members of the Congregation for the purposes of any particular meeting or meetings of the Congregation, or
 - [b] the names of the persons who are members of Congregation during a particular period, shall be conclusive evidence of the number or as the case may be of the names of those persons.
- [5] Subject to the provisions of this Schedule, the Congregation may regulate its own procedure.
- [6] The Congregation shall be entitled to express by, resolution or otherwise, its opinion on all matters effecting the interest and welfare of the University and shall have such other functions in addition to the function of electing a member of the Council, as may be provided by Statute or regulations.

5. The Convocation.

- [1] The 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 and
 - [c] All other person whose names are registered in accordance with sub-paragraph [2] of this paragraph.
- [2] A person shall be entitled to have his name registered as a member of the convocation if he —
- [a] is either a graduate of the University or a person satisfying such requirements as may be prescribed for the purposes of this paragraph; and
 - [b] Applies for the registration of his name in the prescribed manner and pays the prescribed fee.
- [3] Regulations shall provide for the establishment and maintenance of a register for the purpose of this paragraph and subject to sub-paragraph [3], 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 fee, ensure that the names of all persons who are for the time being members of the Convocation by virtue of sub-paragraph [1][a] or [b] of this paragraph are entered and retained in 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 the convocation; but for the purpose of ascertaining whether a particular person was such a member on a particular date, any entry in, and deletion from, the register made on or after that date shall be disregarded.
- [7] The quorum of the Convocation shall be fifty or one-third, or the whole number nearest to one-third, or the total number of members of the Convocation whichever is less.
- [8] Subject to clause 5 of this Bill, the Chancellor shall be Chairman at all meetings of the Convocation when he is present, and in his absence, the Vice Chancellor shall be the Chairman at the meeting.
- [9] The Convocation shall have such function in addition to the function of appointing a member of the Council, as may be provided by Statute.

6. Organization of Faculties and Branches Thereof.

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

- [1] There shall be established in respect of each Faculty; a Faculty Board, which, subject to the provisions of this Bill, and subject to the directions of the Vice Chancellor shall —

- [a] regulate the teaching and study of, and the conduct of examinations connected with, the subjects assigned to the faculty;
 - [b] deal with other matters assigned to it by Statute, the Vice Chancellor or the Senate; and
 - [c] advise the Vice Chancellor or Senate on any matter referred to it by the vice Chancellor or Senate.
- [2] Each Faculty Board shall consist of —
- [a] the Vice Chancellor;
 - [b] the persons severally in charge of the branches of the faculty
 - [c] such number of the teachers assigned to the faculty and having the prescribed qualifications as the Board may determine; and
 - [d] such persons whether or not members of the University as the Board may determine with the general or special approval of Senate.
- [3] The quorum of the Board shall be 8 members or one-quarter of the members of the Board for the time being, whichever is greater.
- [4] Subject to the provisions of this Statute and any provision made by regulations in that behalf, the Board may regulate its own procedure.

7. The Dean of the Faculty.

- [1] The Dean of a faculty shall be a professor elected by the Faculty Board and such Dean shall hold office for a term of two years and may be eligible for re-election for another term of two years after which he may not be elected again until two years have elapsed.
- [2] If there is no professor in a faculty, the Vice Chancellor shall appoint an acting Dean who shall not be below the rank of Senior Lecturer for the faculty, who shall act for a period of one year in the first instance, renewable for another one year only.
- [3] In the absence of the Vice Chancellor, the Dean shall be the Chairman at all meetings of the Faculty Board when he is present and he shall be a member of all committees and other boards appointed by the faculty.
- [4] The Dean of a faculty shall exercise general superintendence over the academic and administrative affairs of the faculty and shall present to the Convocation for the conferment of Degrees, persons who have qualified for the Degrees of the University at examinations held in the branches of learning for which responsibility is allocated to that faculty
- [5] There shall be a committee to be known as the Committee of Deans which shall consist of all the Deans of the several faculties and that committee shall advise the Vice Chancellor on all academic matters and on particular matters referred to the Committee by the Senate.

[6] The Dean of a faculty may be removed from office for a good cause by the Faculty Board after a vote would have been taken at a meeting of the Board, and in the event of a vacancy occurring following the removal of the Dean, a Billing Dean may be appointed by the Vice Chancellor provided that at the next faculty board meeting an election shall be held for a new Dean.

[7] In this article, "good cause" has the same meaning as in clause 17 of this Bill.

8. Selection of certain Principal and other key Officers.

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

[a] the Pro-Chancellor;

[b] the Vice Chancellor;

[c] two members appointed by the Council, not being members of Senate; and

[d] Two members appointed by the Senate not being members of Council.

[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.

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

9. Creation of Academic Post.

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

10. Appointment of Academic Staff.

Subject to this Bill and the Statute made under it, the filling of vacancies in academic posts, including newly created ones, shall be as prescribed from time to time by Statute.

11. Appointment of Technical/Staff Administrative and Technical Staff.

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

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

12. Interpretation.

In this Statute, the expression "the Bill" means the Federal University, Birnin Kebbi, Kebbi State Bill and any expression defined in the Bill has the same meaning in this Statute.

Question that the provision in this Second Schedule stands 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 the Federal University Birnin-Kebbi, Kebbi State (Establishment) Bill, 2021 and approved as follows:

Clauses 1-33 — 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.

15. Motions:

(a) ***Ghana Games in Nigeria: Need to investigate non-execution of terms of settlement:***
Motion made: That the Senate notes that a lottery market report (Research Dive 2021) projects that the global lottery market is expected to generate a revenue of \$353.1 billion by 2026, rising from \$157.7 billion in 2018;

further notes that lottery in Nigeria has a potential to increase the revenue base of the country with roughly 60 million Nigerians between the ages of 18 and 40, involved in acting sports betting while over ₦2 billion is spent on sports betting daily which translates to \$2.2 billion per annum;

aware that between 2018 and 2019, Nigeria was reported to have been generating N2 billion annually from lottery;

further aware that while Nigeria with a population of over 200 million generates a paltry ₦2 billion annually from lottery, Senegal with a 12 million population generates 200 billion CFA (about ₦125 billion) annually; Ivory Coast with a 25 million population generates 500 billion CFA (about ₦312 billion) annually and Burkina Faso with a 20 million population generates 900 billion CFA which translates to ₦562 billion annually;

concerned that in line with Section 24 of the National Lottery Commission Act, 2005, there has been significant revenue loss due to government from the proceeds of lottery sales in Nigeria;

further concerned that statutory remittances by lottery operators in the country especially from the popular Ghana games, have been extremely poor and not reflective of the actual sales generated by the operators;

worried that a proposed terms of settlement, approved by the Governing Board of the National Lottery Regulatory Commission on the 1st and 2nd of June, 2020, has not been executed;

alarmed that the approved terms of settlement, will aid the Federal Government to commence generation of high revenues from Ghana games and cure all illegalities surrounding the operations of the games in Nigeria; and

further alarmed that despite a ministerial directive to the National Lottery Regulatory Commission on 3rd July, 2020 to execute the terms of settlement in line with the National Lottery Act 2005 (as amended by the National Lottery Amendment Law 2017) within 7 working days, nothing has been done.

The Senate accordingly resolves to:

mandate the Committee on Sports to investigate the circumstances surrounding the alleged non-execution of the terms of settlement and report back within 4 weeks (Senator Peter O. Nwaoboshi — Delta North).

Debate:

Proposed Resolution:

Question: That the Senate do mandate the Committee on Sports to investigate the circumstances surrounding the alleged non-execution of the terms of settlement and report back within 4 weeks — *Agreed to.*

Resolved:

That the Senate do mandate the Committee on Sports to investigate the circumstances surrounding the alleged non-execution of the terms of settlement and report back within 4 weeks (S/Res/107/02/21).

(b) ***Urgent need to curb the dismantling of the Standard/Narrow Gauge Rail Lines by some disgruntled elements in Nigeria:***

Motion made: That the Senate *notes* that the railway boosted the Nigerian local content through employment of indigenous workers from the various ethnic groups in the country, and was therefore acknowledged as having a diversified workforce;

aware that the Nigerian rail has been neglected for decades but in recent time, the government has stepped up the rehabilitation, revitalization, reinvigoration and construction of railways across the country;

acknowledges that the Warri-Itakpe standard gauge rail line was commissioned by President Muhammadu Buhari on 23rd September, 2020 with freight services further commissioned on 16th April, 2021;

considers that the rail transport system is the most cost effective, affordable, energy saving and environmentally friendly form of transportation;

also considers that the economic level of traffic can be consolidated to enable the railway provide efficient services for high density flows of homogenous traffic over relatively long distance, particularly the high volumes of containerized cargo or bulk freight such as oil and gas, coal, steel or agricultural products;

concerned that recently some unscrupulous persons damaged, vandalized and maliciously cut some portions of the newly constructed Warri-Itakpe rail line at about Kilometre 30 in Adogo, Kogi State;

aware that in Niger State, the Nigerian Police Force intercepted trucks loaded with rail tracks and pieces of rail sleepers along Kataregi-Minna road;

alarmed that the newly completely Lagos-Ibadan rail line was vandalized in 2019 where clips, bolts and knots of the rail tracks were carted away;

further alarmed that the same incident of theft of rail clips that hold the sleepers and rail together happened in Zaria, Kaduna State, even as it would be recalled that in May, this year, a train loaded with water pipes from Lagos to Zaria derailed along Kanawa axis, opposite Sultan Bello Mosque in Kaduna due to vandals' activities; and

worried that all the aforementioned rail vandalism can cause acute train mishap, resulting in loss of precious lives which is tantamount to murder and destruction of properties.

The Senate accordingly resolves to:

- (i) urge the Federal Government, particularly the Federal Ministry of Transport and the relevant Security Agencies to ensure that the perpetrators, including the saboteurs are charged for economic sabotage with maximum punishment without option of fine;
- (ii) urge the relevant authorities including the Nigerian Railway Corporation to engage the services of Local Security Guards along all the Rail Lines in the country; and
- (iii) mandate the Committees on Police Affairs; and Interior to liaise with the hierarchy of the Nigeria police Force (NPF) and the National Security and Civil Defence Corps (NSCDC) to work out modalities towards regular patrol and surveillance of rail tracks within the country (*Senator Buhari Abdulfatai — Oyo North*).

Debate:

Extension of Time:

Motion made: That the Senate do sit this day beyond the time appointed for the termination of the Sitting of the Senate (Order 13) (*Senate Leader*).

Question put and agreed to.

Proposed Resolution (i):

Question: That the Senate do urge the Federal Government, particularly the Federal Ministry of Transport and the relevant Security Agencies to ensure that the perpetrators, including the saboteurs are charged for economic sabotage with maximum punishment without option of fine — *Agreed to.*

Proposed Resolution (ii):

Question: That the Senate do urge the relevant authorities including the Nigerian Railway Corporation to engage the services of Local Security Guards along all the Rail Lines in the country — *Agreed to.*

Proposed Resolution (iii):

Question: That the Senate do mandate the Committees on Police Affairs; and Interior to liaise with the hierarchy of the Nigeria Police Force (NPF) and the National Security and Civil Defence Corps (NSCDC) to work out modalities towards regular patrol and surveillance of rail tracks within the country — *Agreed to.*

Resolved:

That the Senate do:

- (i) urge the Federal Government, particularly the Federal Ministry of Transport and the relevant Security Agencies to ensure that the perpetrators, including the saboteurs are charged for economic sabotage with maximum punishment without option of fine;
 - (ii) urge the relevant authorities including the Nigerian Railway Corporation to engage the services of Local Security Guards along all the Rail Lines in the country; and
 - (iii) mandate the Committees on Police Affairs; and Interior to liaise with the hierarchy of the Nigeria Police Force (NPF) and the National Security and Civil Defence Corps (NSCDC) to work out modalities towards regular patrol and surveillance of rail tracks within the country (*S/Res/108/02/21*).
- (c) ***Urgent need for an upward review of Budgetary Allocation to the National Veterinary Research Institute Vom, Plateau State to boost the vaccine production capacity of the Institute:***

Motion made: That the Senate *notes* that veterinary research includes the study of spontaneously occurring and experimentally induced models of both human and animal diseases and research at human animal interferences, such as food safety, wildlife and ecosystem health, zoonotic diseases, and public policy;

further notes that the contribution of veterinary research to our everyday lives cannot be overemphasized;

cognizant that the National Veterinary Research Institute (NVRI), Vom Plateau State was established with a mandate to amongst others conduct research into all aspects of animal diseases, their treatments and control, develop and produce animal vaccines to meet national demand;

further cognizant that NVRI strives to be the foremost veterinary research institute in Africa, producing international quality vaccines and offering services for the identification, control, and eradication of livestock diseases, through best practices and research excellence and has recently developed, produced and commercialized nineteen (19) vaccines for the control of livestock and poultry;

also aware that towards meeting the demand of vaccine production, the institute also recently constructed and established quality control complex for quality assurance of vaccines and laboratory test, as well as bacterial vaccine production complex to meet compliance and continuous culture for vaccine production;

evident that the continuing actualization of the excellent research output of the Institute is dependent upon the availability of financial resources to boost its research facilities and infrastructure;

regrets despite its visible efforts and commendable outputs, the Institute has not been able to perform optimally due to paucity of funds, a situation that has negatively impacted on the ability of the Institute to deliver its mandate to the best of its potential; and

worried that the failure to adequately fund the activities of the Institute is having serious negative effects on the country's livestock production with harmful consequences for the economy.

The Senate accordingly resolves to:

mandate its Committee on Agriculture and Rural Development to engage with the Federal Ministry of Agriculture and Rural Development in order to explore ways of increasing the budgetary allocation to the National Veterinary Research Institute (NVRI), Vom for optimal performance (*Senator Nora L. Daduut — Plateau South*).

Debate:

Proposed Resolution:

Question: That the Senate do mandate its Committee on Agriculture and Rural Development to engage with the Federal Ministry of Agriculture and Rural Development in order to explore ways of increasing the budgetary allocation to the National Veterinary Research Institute (NVRI), Vom for optimal performance — *Agreed to.*

Additional Proposed Resolution:

Insert Additional Proposed Resolution as follows:

“That the Senate do urge the Central Bank of Nigeria (CBN) to provide intervention funds to the National Veterinary Research Institute (NVRI), Vom to boost the production and distribution of vaccines to livestock” (*Senator Muhammed A. Aliero — Kebbi Central*).

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

Resolved:

- (i) That the Senate do mandate its Committee on Agriculture and Rural Development to engage with the Federal Ministry of Agriculture and Rural Development in order to explore ways of increasing the budgetary allocation to the National Veterinary Research Institute (NVRI), Vom for optimal performance; and
- (ii) That the Senate do urge the Central Bank of Nigeria (CBN) to provide intervention funds to the National Veterinary Research Institute (NVRI), Vom to boost the production and distribution of vaccines to livestock (*S/Res/109/02/21*).

16. Raw Materials Research and Development Council Bill, 2020 (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. Chartered Institute of Treasury Management (Establishment) Bill, 2021 (HB. 57) — Concurrence:

Consideration of Bill deferred to another Legislative Day.

19. Adjournment:

And it being 2:13 p.m. the President of the Senate adjourned the Senate till Tuesday, 1st June, 2021 at 10:00 a.m.

Adjourned accordingly at 2:13 p.m.

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