



SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Wednesday, 23rd June, 2021

1. The Senate met at 10:56 a.m. The President of the Senate read prayers.
2. **Votes and Proceedings:**
The Senate examined the Votes and Proceedings of Tuesday, 22nd June, 2021.

Question was put and the Votes and Proceedings were approved.

3. **Announcement:**
Constitution of Leadership:
The President of the Senate read a letter from Senator Ifeanyi P. Ubah — (Anambra South) as follows:



Senator Ifeanyi Patrick Ubah

23rd June, 2021

*President of the Senate
The Senate
National Assembly Complex
Three Arms Zone
FCT Abuja*

Your Excellency,

NOTIFICATION OF MY CANDIDATURE AND REQUEST FOR PRAYERS/SUPPORT

With best regards and due recourse to your distinguished office, I write to express my sincere appreciation to you and my distinguished colleagues for according me a cordial relationship in the course of my stay so far in the Ninth Senate despite being the only Senator under the aegis of the Young Progressives Party (YPP). Words cannot express the depth of my gratitude.

By the grace of God, I wish to inform you that, having duly completed the requisite processes as stipulated by the Electoral Act and the Independent National Electoral Commission (INEC), I have successfully emerged as the Gubernatorial Candidate of the Young Progressives Party (YPP) for the forthcoming Governorship elections in Anambra State slated for November 6, 2021.

As indicated in my earlier letter to you and in view of the above, I wish to request that you, as well as my distinguished colleagues, put me in your earnest prayers as I humbly solicit for your staunch support to vie for the position of Governor, Anambra State.

While counting on your fervent prayers and staunch support, please accept the assurances of my distinguished regards.

Yours faithfully,

(Signed)

Senator (Dr.) Ifeanyi Ubah
Anambra South Senatorial District

4. Petitions:

- (a) Rising on Order 41, Senator Patrick A. Akinyelure (*Ondo Central*) drew the attention of the Senate to five (5) petitions received from the Office of the President of the Senate as follows:
- (i) S.S. Ugamah Esq., against the Management of St. Albert Institute, Fayit Fadan Kagoma, Kafachan, Kaduna State and University of Jos over alleged refusal to issue certificates/statement of results to graduates of the Institute and neglect to mobilize them for NYSC since 2016;
 - (ii) Pius Peters Mansur and four others against Mr. Jibril Hassan (Village Head), Mrs. Ohamma Ndawi (Director FCDA) and her officials in Department of Resettlement and compensation over alleged fraudulent act, false information, abuse of office and corrupt practices;
 - (iii) A.H. Adesanya Esq on behalf of Mr. Wasiu Lawal against the Department of State Security over alleged unlawful arrest, harassment, torture, continuous detention;
 - (iv) Comrade Yusuf Mustapha against the Management and the Governing Council of the Nigerian Investment Promotion Commission over an alleged miscarriage of justice in respect to the Commission's 2020 Promotion Exercise; and
 - (v) Abdulrazaq Adebayo Abdulsalami against Pension Transitional Arrangement Directorate (PTAD) over alleged stoppage of his pension.

He urged the Senate to look into the matters.

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

- (b) Rising on Order 41, Senator Chukwuka G. Utazi (*Enugu North*) drew the attention of the Senate to a petition from his constituent, Cpl George Asadu (Rtd) and eight (8) others against Military Pensions Board over non-payment of their gratuity and balance of pension arrears.

He urged the Senate to look into the matter.

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

5. Privileges:

Rising on Orders 14 and 15, Senator Aliyu S. Abdullahi (*Niger North*) drew the attention of the Senate to the heavy rainfall of Tuesday, 22nd June, 2021 and the subsequent leakage from the roof in different places in the National Assembly Complex. He stated that the report of Channels Television on the matter that the leakages affected the Senate Chamber and led to the delay of the sitting was untrue; and the approval of ₦37B in the year 2020 for the rehabilitation of the complex was approved by the President, Commander in Chief of the Armed Forces of the Federation and not by the Leadership of the National Assembly as reported. He opined that the provision for the rehabilitation was made in the budget of the Federal Capital Development Authority (FCDA) for execution.

He informed the Senate that the leakages vindicated the leadership of the NASS on the need for the rehabilitation of the Complex. He concluded that the report of the Channels Television breached his privilege as a Senator and that of the Senate.

The President of the Senate advised the media to investigate matters properly before publication.

6. Personal Explanation:

Rising on Order 43, Senator Ike Ekweremadu (*Enugu West*) drew the attention of the Senate to the fatal shootings by security agents in Abia and Imo States. He stated that on Sunday, 20th June, 2021 an Inspector of Police attached to Special Protection Unit, Base 9, Umuahia, Abia State opened fire on people on sight killing five (5) persons and injured several others. Similarly, on May 31, 2021 an Air Force Personnel at the tollgate of the Sam Mbakwe International Cargo Airport fatally shot dead a German-based Nigerian, Mr. Oguchi Unachukwu in the presence of his wife and children. He urged the Senate to condemn the killings and mandate its Committees on Air Force; and Police Affairs to investigate these incidents to ensure that justice prevails and prevent future occurrence.

7. Presentation of Bills:

- (i) Explosives Act Cap E33 LFN 2004 (Repeal & Re-enactment) Bill, 2021 (SB. 749) — *Read the First Time.*
- (ii) National Sesame and Hibiscus Development Council (Establishment) Bill, 2021 (SB. 750) — *Read the First Time.*
- (iii) Federal College of Agriculture, Ubiaja (Establishment) Bill, 2021 (SB. 751) — *Read the First Time.*
- (iv) Federal College of Forestry, Ijebu-Igbo (Establishment) Bill, 2021 (SB. 752) — *Read the First Time.*
- (v) Federal University of Health Sciences, Otukpo Teaching Hospital (Establishment) Bill, 2021 (SB. 753) — *Read the First Time.*

8. Committee on Tertiary Institutions and TETFUND:

Report on the Federal College of Education Gwoza, Borno State (Establishment) Bill, 2021 (SB. 342):

Motion made: That the Senate do receive and consider the Report of the Committee on Tertiary Institutions and TETFUND on the Federal College of Education Gwoza, Borno State (Establishment) Bill, 2021 (*Senator Sandy O. Onor — Cross River Central*).

Question put and agreed to.

Report Laid and Presented.

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

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE FEDERAL COLLEGE OF EDUCATION GWOZA, BORNO STATE AND FOR OTHER MATTERS CONNECTED THEREWITH, 2021.

PART I - ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF THE
FEDERAL COLLEGE OF EDUCATION GWOZA, BORNO STATE

- Clause 1: Establishment of the Federal College of Education Gwoza, Borno State.**
- [1] There is established a body to be known as the Federal College of Education Gwoza, Borno State.
- [a] which shall have such powers and exercise such functions as is conferred on it by this Bill.
- [b] Which shall be a training institution for the development of teacher Education in the country
- [2] The College shall be a training institution for the development of teacher Education in the country.
- [3] The College shall be supervised by the Federal Ministry of Education through the National Commission for Colleges of Education [NCCE] who shall be responsible for approving and regulating all academic programmes run in the College, to ensure quality compliance and provide funds for academic and research programmes, infrastructures and remunerations of employees.

Committee's Recommendation:

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

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

- Clause 2: Functions of the Federal College of Education Gwoza.**
- The functions of the College shall be—
- [a] to provide full-time and part-time courses in teaching, instruction and training to produce middle and high level teachers—
- [i] in technology, sciences/applied sciences, commerce, arts, social sciences, humanities and management; and
- [ii] in such other fields of applied learning relevant to the needs of the development of Nigeria in the areas of industrial and agricultural production and distribution and for research in the development and adaptation of techniques as the Council may from time to time determine.
- [b] to conduct courses in education for qualified teachers;
- [c] to arrange conferences, seminars, inaugural lectures and workshops relative to the fields of learning specified in paragraph [a] of this clause; and
- [d] to perform such other functions as in the opinion of the Council may serve to promote the objectives of the College.

Committee's Recommendation:

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

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

- Clause 3: Constitution and Principal Officers of the College**
- [1] The College shall consist of:—
- [a] a Provost;
- [b] Deputy provost
- [c] Academic Board;

- [d] the persons holding the offices constituted by the First Schedule to this Bill other than those mentioned in paragraphs [a] to [c] of this subclause;
 - [e] all graduates and undergraduates of the College; and
 - [f] all other persons who are members of the College in accordance with provisions made by Regulation in that behalf.
- [2] The First Schedule to this Bill shall have effect with respect to the principal officers of the College.
- [3] Subject to Clause 5 of this Bill provision shall be made by Regulation with respect to the constitution of the Council, the Academic Board.

Committee's Recommendation:

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

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

Clause 4: Powers of the Federal College of Education Gwoza

- [1] For the carrying out of its objects as specified in Clause 2 of this Bill, Federal College of Education, Gwoza Borno State 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 College as may from time to time be deemed necessary or desirable subject to the approval of National Commission for Colleges of Education
 - [c] to institute and award scholarships, exhibitions, bursaries, medals, prizes and other titles, distinctions, awards and forms of assistance;
 - [d] to provide for the discipline and welfare of members of the College;
 - [e] to hold examinations and grant, diplomas, certificates and other distinctions to persons who have pursued a course of study approved by the College and have satisfied such other requirements as the College may lay down;
 - [f] to demand and receive from any student or any other person attending the College for the purposes of instruction, such fees as the College may from time to time determine subject to the overall directives of the Minister;
 - [g] 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;
 - [h] 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;

- [i] to enter into contracts, establish trusts, act as trustee, solely or jointly with any other person, and employ and act through agents;
 - [j] 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 College;
 - [k] to hold public lectures and to undertake printing, publishing and book selling;
 - [l] subject to any limitations or conditions imposed by Regulation, to invest any moneys appertaining to the College 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;
 - [m] 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 College, 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;
 - [n] to make gifts for any charitable purpose;
 - [o] to do anything which it is authorized or required by this Bill or by Regulation to do; and
 - [p] to do all such acts or things, whether or not incidental to the foregoing powers, as may advance the objects of the College.
- [2] Subject to the provisions of this Bill and of the Regulations and without prejudice to Clause 7[2] of this Bill, the powers conferred on the College by sub clause [1] of this Clause shall be exercisable on behalf of the College by the Council or by the Academic Board or in many other manners which may be authorized by the Regulation.
- [3] The power of the College to establish further campuses and colleges within the College shall be exercisable by Regulation and not otherwise

Committee's Recommendation:

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

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

Clause 5: Composition, Tenure and Powers of the Council of the College

- [1] The Council of the College shall consist of:—
 - [a] the Provost;
 - [c] the Deputy Provost [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 College host community.
 - [f] four persons appointed by the Academic Board from among its members;
 - [g] one person appointed by Academic Board from among its members.
 - [h] 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 College.
- [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 College.
- [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 College.
- [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 College.
- [6] The Council in the discharge of its functions shall ensure that disbursement of funds of the College complies with the approved budgetary ratio for —
- [a] personnel cost;
 - [b] overhead cost;
 - [c] research and development;
 - [d] library developments; and
 - [e] the balance in expenditure between academic vis-à-vis non-academic activities.

Committee's Recommendation:

That the provision in Clause 5 be retained (*Senator Sandy O. Onor — Cross River Central*) —
Agreed to.

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

Clause 6: Functions of the Council and its Finance and General Purpose Committee

- [1] Subject to the provisions of this Bill relating to the Visitor, the Council shall be the governing body of the College and shall be charged with the general control and superintendence of the policy, finances and property of the College.

- [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 College 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 Regulation with respect to the constitution of the Finance and General Purposes Committee.
- [4] The Council shall ensure that proper accounts of the College are kept and that the accounts of the College are audited annually by an independent firm of auditors approved by the Council and that an annual report is published by the College together with certified copies of the said accounts as audited.
- [5] Subject to this Bill and the Regulations, 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 6 be retained (*Senator Sandy O. Onor — Cross River Central*) —
Agreed to.

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

Clause 7: Functions of the Academic Board of the College.

- [1] It shall be the general function of the Academic Board to organize and control the teaching by the College, the admission of student where no other enactment provides to the contrary and the discipline of students; and to promote research at the College.

- [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 Academic Board to make provision for:—
- [a] the establishment, organization and control of campuses, colleges, schools, institutes and other teaching and research units of the College and the allocation of responsibility for different branches of learning;
 - [b] the organization and control of courses of study at the College and of the examinations held in conjunction with those courses, including the appointment of examiners, both internal and external;
 - [c] the award such other qualifications as may be prescribed in connection with examinations held as aforesaid;
 - [d] the establishment, organization and control of halls of residence and similar institutions at the College;
 - [e] the supervision of the welfare of students at the College and the regulation of their conduct;
 - [f] determining what descriptions of dress shall be academic dress for the purposes of the College, and regulating the use of academic dress.
- [3] The Academic Board shall not establish any new campus, college, school, department, institute or other teaching and research units of the College, or any hall of residence or similar institution at the College without the approval of the Council.
- [4] Subject to this Bill and the Regulations, the Academic Board 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 Regulation.
- [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 College is not a teacher at the College but is a teacher of the branch of learning to which the course relates at some other College 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 Academic Board under this sub-Clause, the Academic Board may deprive any person of any degree, diploma or other award of the College which has been conferred upon him/her if after due enquiry he is found to have been guilty of dishonourable or scandalous conduct in gaining admission into the College or obtaining that award

Committee's Recommendation:

That the provision in Clause 7 be retained (*Senator Sandy O. Onor — Cross River Central*) —
Agreed to.

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

Clause 8: Visitation.

- [1] The Minister of Education shall be the Visitor of the College.
- [2] The Visitor shall, not less than one in every five years, conduct a visitation to the college or appoint a visitation panel consisting of not less than five experts to conduct the visitation
- [3] It shall be the duty of the bodies and persons comprising the College 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 8 be retained (*Senator Sandy O. Onor — Cross River Central*) —
Agreed to.

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

Clause 9: Office of the Provost.

- [1] There shall be a Provost of the College [in his Bill referred to as "the Provost] who shall be appointed by the President, Commander-in-Chief of the Armed Forces in accordance with the provisions of this clause.
- [2] Where vacancy occurs in the post of Provost, the Council shall—
 - [a] advertise the vacancy in a reputable journal or a widely read newspaper in Nigeria specifying—
 - [i] the qualifications of the person who may apply for the post; and
 - [ii] the terms and conditions of service applicable to the post, and thereafter draw up a short list of suitable candidates for consideration.
 - [b] constitute a Search Team consisting of—
 - [i] a member of Council, not being a member of the Academic Board, as Chairman;
 - [ii] two members of the Academic Board not below the rank of Chief Lecturer;
 - [iii] two members of the academic community of the College not below the rank of Principal Lecturer and not members of Academic Board to be selected by the Academic Staff Association to identify and draw up a short list of suitable persons who are not likely to apply for the post for any reason whatsoever.
- [3] A Joint Council and Academic Board Selection Committee shall consist of:—
 - [a] the Chairman of the Council;
 - [b] two members of the Council, not being members of the Academic Board; and

- [c] two members of the Academic Board not below the rank of Chief Lecturer who were not members of the Search Team, shall consider the candidates and persons on the shortlists drawn up under subclause [2] of this clause through an examination of their curriculum vitae and interaction with them and recommend, through the Council, to the President, Commander-in-Chief of the Armed Forces, three candidates for his consideration.
- [4] The President, Commander-in-Chief of the Armed Forces shall appoint as Provost one of the candidates recommended to him/her under the provisions of subclause [3] of this clause.
- [5] Subject to this Bill and the general control of the Council, the Provost shall be the Chief Executive of the College and shall be charged with general responsibility for matters relating to the day-to-day management operations of the College.

Committee's Recommendation:

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

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

Clause 10: Tenure and Procedure for the removal of Provost.

- [1] The Provost shall hold office for a period of 5 years only beginning with the effective date of his appointment and on such terms and conditions as may be specified in his letter of appointment.
- [2] Where on the commencement of this Bill a Provost appointed before the commencement of this Bill has held office—
- [a] for less than five years, he/she shall be deemed to be serving his 5 years' single tenure and shall not have right for the renewal of his appointment for a further term of four years;
- [b] for more than five years and has more than 1 year to complete his second term, the Council may allow him/her to serve as Provost for a further period of one year only and thereafter he shall relinquish his post and be assigned other duties in the College;
- [c] for more than 5 years and has less than 1 year to complete his second term, the Council may allow him/her to serve as Provost to complete his second term and thereafter he shall relinquish his post and be assigned other duties in the College.
- [3] [a] The Provost may be removed from office by the Visitor on grounds of gross misconduct or inability to discharge the functions of his office as a result of infirmity of the body or mind after due consultation with the Council and the Academic Board acting through the Minister of Education.
- [b] When the proposal for the removal of the Provost is made, the Council shall constitute a Joint Committee of Council and Academic Board consisting of—
- [i] three members of the Council one of whom shall be the chairman of the Committee; and

- [ii] two members of Academic Board, provided that where the ground for the removal is infirmity of the body or mind, the Council shall seek appropriate medical opinion.
- [c] The Committee shall conduct investigation into the allegations made against the Provost and shall report its findings to the Council.
- [d] The Council shall where the allegations are proved inform the Visitor who shall remove the Provost.
- [e] There shall be no sole administrator in any Nigerian College of Education.
- [f] In any case of a vacancy in the office of the Provost, the Council shall appoint an Acting Provost on the recommendation of the Academic Board.
- [g] An Acting Provost in all circumstances shall not be in office for more than 6 months.

Committee's Recommendation:

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

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

Clause 11: Office of the Deputy Provost, Functions, Tenure and Procedure of Removal.

- [1] There shall be for the College Deputy Provost.
- [2] The Council shall appoint the Deputy Provost from among the Chief Lecturers in the college in one of the following ways that is—
 - [a] from a list of three candidates, in order of preference, submitted by the Provost; or
 - [b] on the nomination of one candidate by the Academic Board through election.
- [3] The Deputy Provost shall—
 - [a] assist the Provost in the performance of his functions;
 - [b] act in the place of the Provost when the post of the Provost is vacant or if the Provost is, for any reason, absent or unable to perform his functions as Provost; and
 - [c] perform such other functions as the Provost or the Council may, from time to time, assign to him/her.
- [4] The Deputy Provost—
 - [a] shall hold office for a period of two years beginning from the effective date of his appointment and on such terms and conditions as may be specified in his letter of appointment; and
 - [b] may be re-appointed for a further period of two years and no more.

- [5] A Deputy Provost may be removed from office for good cause by the Council acting on the recommendation of the Provost and Academic board.
- [6] "Good cause" for the purpose of this clause means gross misconduct or inability to discharge the functions of his office arising from infirmity of body or mind.

Committee's Recommendation:

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

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

Clause 12: Other Principal Officers.

There shall be for the College, the following principal officers, in addition to the Provost and Deputy Provost, that is—

- [a] the Registrar;
- [b] the Bursar; and
- [c] the College Librarian, who shall be appointed by the Council on the recommendation of the Selection Board constituted under clause 12 [3].

Committee's Recommendation:

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

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

Clause 13: Functions of Registrar and Tenure.

- [1] The Registrar shall keep the records and conduct the correspondence of the Council and shall perform such other duties as the Council subject thereto as the Provost may from time to time direct.
- [2] The Registrar shall, in addition to the other duties conferred on him/her by or under this Bill, be a Secretary to the Council, Secretary to Academic Board and any committee of the Council and in his absence, the Council or any such committee may appoint some other persons to act as Secretary. The Registrar shall not vote on any question before the Council or count towards a quorum.
- [3] A Registrar shall—
- [a] hold office for a single term of five years only beginning from the effective date of his appointment and such terms and conditions as may be specified in his letter of appointment.
- [b] Where on the commencement of this Bill a Registrar appointed before the commencement of this Bill has held office:—
- [i] for less than five years, he shall be allowed to complete the five years specified in his appointment letter and shall not have right for the renewal of his appointment for a further term of five years;
- [ii] for more than five years and has more than 1 year to complete his second term, the council may allow him/her to serve as Registrar for a further period of one year only and thereafter he/she shall relinquish his post and be assigned other duties in the College;

- [iii] for more than five years and has less than 1 year to complete his second term, the council may allow him/her to serve as Registrar for a further period of one year only and thereafter he/she shall relinquish his post and be assigned other duties in the College.

Committee's Recommendation:

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

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

Clause 14: Functions of Bursar and Tenure.

- [1] The Bursar shall be the Chief Financial Officer of the College and be responsible to the Provost for the day-to-day administration and control of financial affairs of the college.
- [2] [a] A Bursar shall hold office for a single term of five years only beginning from the effective date of his appointment and such terms and conditions as may be specified in his letter of appointment.
- [b] Where on the commencement of this Bill a Bursar appointed before the commencement of this Bill has held office—
 - [i] for less than five years, he/she shall be allowed to complete the five years specified in his appointment letter and shall not have right for the renewal of his appointment for a further term of five years;
 - [ii] for more than five years and has more than 1 year to complete his second term, The Council may allow him/her to serve as Bursar for a further period of one year only and thereafter he shall relinquish his post and be assigned other duties in the College;
 - [iii] for more than five years and has less than 1 year to complete his second term, The Council may allow him/her to serve as Bursar for a further period of one year only and thereafter he shall relinquish his post and be assigned other duties in the College.

Committee's Recommendation:

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

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

Clause 15: Functions of College Librarian and Tenure.

- [1] The College Librarian shall be responsible to the Provost for the administration of the College Library and co-ordination of the Library services in the teaching units of the College.
- [2] [a] A College Librarian shall hold office for a single term of five years only and upon such terms and conditions as may be specified in his letter of appointment.
- [b] Where on the commencement of this Bill a College Librarian appointed before the commencement of this Bill has held office—

- [i] for less than five years, he/she shall be allowed to complete the five years specified in his appointment letter and shall not have right for the renewal of his appointment for a further term of five years;
- [ii] for more than five years and has more than 1 year to complete his second term, the Council may allow him/her to serve as College Librarian for a further period of one year only and thereafter he shall relinquish his post and be assigned other duties in the College;
- [iii] for more than 5 years and has less than 1 year to complete his second term, the Council may allow him/her to serve as College Librarian to complete his second term and thereafter he/she shall relinquish his post and be assigned other duties in the College.

Committee's Recommendation:

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

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

Clause 16: Resignation.

A Principal Officer may resign his appointment—

- [a] in the case of the Provost, by notice to the Visitor;
- [b] in any other case, by notice to the Council.

Committee's Recommendation:

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

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

Clause 17: Appointment of Registrar, College Librarian and Bursar.

- [1] There shall be for the College, a Selection Board which shall consist of —
 - [a] the Chairman of the Council;
 - [b] the Provost;
 - [c] four members of the Council not being members of Academic Board; and
 - [d] two members of Academic Board.
- [2] The functions, procedure and other matters relating to the Selection Board constituted under sub clause [i] of this clause shall be as the Council may determine from time to time.

Committee's Recommendation:

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

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

Clause 18: Appointment of other staff of the College.

- [1] The Council may appoint such other persons to be employees of the College as the Council may determine to assist the Provost and the Principal Officers of the College in the performance of their functions under this Bill.
- [2] Subject to the provisions of this Bill, the remuneration, tenure of office and conditions of service of the employees of the Council shall be determined by the Council in consultation with appropriate authorities.
- [3] The Council may appoint such other persons to be employees of the College as the Council may determine to assist the Provost in the exercise of his functions under this Bill

Committee's Recommendation:

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

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

Clause 19: Remuneration of Provost and other employees.

The remuneration, tenure of office and conditions of service of the Provost and other employees of the Council shall be determined by the Council, in consultation with the Head of the Civil Service of the Federation/Revenue Mobilization, Allocation and Fiscal Commission, National Salaries, Income and Wages Commission.

Committee's Recommendation:

That the provision in Clause 19 be retained (*Senator Sandy O. Onor — Cross River Central*) — Agreed to.

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

Clause 20: Pension Act Provisions.

- [1] It is hereby declared that service in the College shall be approved service for the purposes of the Pensions Reform Act and accordingly, officers and other persons employed in the College, except Principal Officers shall, in respect of their service in the College, be entitled to pensions, gratuities and other retirement benefits as are prescribed thereunder, so however that nothing in this Bill shall prevent the appointment of a person to any office on terms which preclude the grant of a pension and gratuity in respect of that office.
- [2] For the purposes of the application of the provisions of the Pensions Reform Act, any power exercisable thereunder by a Minister or other authority of the Government of the Federation [other than the power to make regulations under clause 23 thereof] shall be exercisable by the College and not by any other person or authority.

Committee's Recommendation:

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

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

Clause 21: General Funds of the College.

- [1] The Council shall establish and maintain a fund which shall be applied towards the promotion of the objectives specified in this Bill.
- [2] There shall be paid and credited to the fund established under subclause [1] of this clause—
- [a] such sums as may from time to time be granted to the Council by the Government of the Federation;
- [b] all monies raised for the purposes of the Council by way of gifts, grants-in-aid or testamentary dispositions;
- [c] all subscriptions, fees and charges for services rendered by the Council and all other sums that may accrue to the Council from any source.
- [3] The Council shall submit to the Minister, not later than 3 months before the end of each financial year or at least at such other time as he/she may direct, an estimate of its revenue and expenditure for the succeeding financial year.

Committee's Recommendation:

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

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

Clause 22: Accounts and Audit.

The Council shall keep proper accounts of its receipts, payments, assets and liabilities and shall in respect of each year cause the accounts to be audited.

Committee's Recommendation:

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

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

Clause 23: Transfer of Property.

- [1] All property held by or on behalf of the Provisional Council of the College shall, by virtue of this sub-Clause and without further assurance, vest in the College and be held by it for the purpose of the College.
- [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 23 be retained (*Senator Sandy O. Onor — Cross River Central*) — *Agreed to.*

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

Clause 24: Annual Reports of Operations, Finance & Audit.

The Council shall soon after the expiration of each financial year prepare and submit to the Minister, through NCCE a report of its activities during the immediate preceding financial year and shall include in the report a copy of the audited accounts of the College for that year and of the auditor's report on the accounts.

Committee's Recommendation:

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

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

PART III — MISCELLANEOUS AND SUPPLEMENTARY**Clause 25: Offices and premises.**

- [1] For the purpose of providing offices and premises necessary for the performance of its functions, the Council may—
- [a] purchase any interest in or take on lease any land; and
 - [b] build, equip and maintain offices and premises.
- [2] The Council may, with the approval of the Minister, sell any interest in or lease any land, offices or premises held by it and no longer required for the performance of its functions

Committee's Recommendation:

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

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

Clause 26: Discipline of students.

- [1] The Council may make rules providing for the Provost to conduct enquiries into alleged breaches of discipline [including lack of diligence] by students and such rules may make different provisions for different circumstances.
- [2] The rules shall provide for the procedure and rules of evidence to be followed at enquiries under this clause.
- [3] Subject to the provisions of subclause [1] of this clause, where it is proved during the enquiry that any student of the College has been found guilty of misconduct, the Provost may, without prejudice to any other disciplinary powers conferred on him/her by this Bill or any regulations made thereunder, direct—
- [a] that the student shall not, during such period as may be specified in the direction, participate in such activities of the College, or make use of such facilities of the College, as he/she may specify; or
 - [b] that the activities of the student shall, during such period as may be specified in the directions, be restricted in such manner as may be so specified; or
 - [c] that the student be suspended for such period as may be specified in the direction; or
 - [d] that the student shall be expelled from the College.
- [4] Where there is temporarily no Provost or where the Provost refuses to apply any disciplinary measures, the Council may, either directly or through some other staff, apply such disciplinary actions as are specified in subclause [3] of this clause to any student of the College who is guilty of misconduct.

- [5] Where a direction is given under subclause [3] [c] or [d] of this clause in respect of any student, the student may, within 21 days from the date of the letter communicating the decision to him/her appeal against the decision of 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 decision or modify it in such manner as the Council may think fit.
- [6] The fact that an appeal from a decision is brought in pursuance of the last foregoing subclause shall not affect the operation of the decision while the appeal is pending, except the Council direct otherwise.
- [7] The Provost may delegate his powers under this clause to a disciplinary committee, consisting of such members of the College as he/she may nominate.
- [8] Nothing in this clause shall be construed as prevention or restriction or termination of a student's activities at the College otherwise than on the ground of misconduct.
- [9] It is hereby declared that a direction under sub clause [3] [a] of this clause may be combined with a direction under sub clause [3] [b] of this clause.
- [10] In all cases under this clause, the decision of the Council shall be final unless reversed by the Minister on appeal by the student.

Committee's Recommendation:

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

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

Clause 28: Interpretation.

- [1] In this Bill, unless the context otherwise requires:—
- "Campus" means any campus which may be established by the College;
- "College" means the College established pursuant to Clause 2 [1] [b] of this Bill for the College;
- "Council" means the Governing Council of the College established by Clause 5 of this Bill.
- "Functions" includes powers and duties
- "Minister" means the Hon. Minister of Education;
- "Notice" means notice in writing;
- "Officer" does not include the Visitor
- "Prescribed" means prescribed by regulations;
- "Professor" means a person designated as a Professor of the College in accordance with provisions made in that behalf by regulations;
- "Property" includes rights, liabilities and obligations;

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

"Regulations" means regulations made by the Academic Board or the Council;

"Academic Board" means the Academic Board of the College established pursuant to Clause 2[1][e] of this Bill;

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

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

"College" means the Federal College of Education Gwoza, Borno State 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 28 be retained (*Senator Sandy O. Onor — Cross River Central*) — *Agreed to.*

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

Clause 29: Short Title.

This Bill may be cited as the Federal College of Education Gwoza, Borno State Bill, 2021.

Committee's Recommendation:

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

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

SCHEDULES

SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL, ETC

1. Remuneration of Council Members.

- [1] There may be paid to members of the council, other than ex-officio members, such remuneration and allowances as may from time to time be determined by the president.

2. Vacancy of Council Seat.

- [1] where a vacancy occurs in respect of the membership specified it shall be filled by the appointment of s successor to hold office for the remainder of the term of office of his predecessor in office shall represent the same interest at his predecessor.

- [2] The validity of proceedings of the council shall not be adversely affected, notwithstanding any vacancy in its membership or any defect in the appointment of a member or the absence of a member.

3. Proceedings.

- [1] The Council shall meet for the conduct of business at such times, places and on such days as the Chairman may appoint but shall meet not less than once in every three months.
- [2] The Chairman may at any time and shall, at the request in writing of not less than 6 members, convene a meeting of the Council.
- [3] At any meeting of the Council the Chairman shall preside but in his absence, members present shall elect one of their members to preside at the meeting.
- [4] Where the Council desires to obtain the advice of any person on any particular matter, the Council may co-opt persons who are not members of the Council but persons co-opted shall not be entitled to vote at a meeting of the Council.
- [5] The quorum of the Council shall be one half of the total members of the Council at least one of whom shall be a member appointed by the President, Commander-in-Chief of the Armed Forces.
- [6] Decisions of the Council shall be made on approval by a simple majority of members.

4. Miscellaneous.

- [1] The fixing of the seal of the College shall be authenticated by the signature of the Chairman, Provost and some other members of the Council authorized generally or specially by the Council to act for that purpose.
- [2] Any contract or instrument which, if made or executed by a person other than a body corporate would not be required to be under seal may be made and executed on behalf of the College by any person generally or specially authorized to act for that purpose by the Council.
- [3] Any document purporting to be duly executed under the seal of the College shall be received in evidence and shall, unless the contrary is proved, be presumed to be so executed.

Question that the 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 College of Education Gwoza, Borno State (Establishment) Bill, 2021 and approved as follows:

Clauses 1-29	—	As Recommended
Schedule	—	As Recommended

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

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

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

8. Committee on Health (Secondary & Tertiary):

Report on the Federal University of Medicine and Medical Sciences, Abeokuta, Ogun State (Establishment) Bill, 2021 (SB. 26):

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

Question put and agreed to.

Report Laid and Presented.

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

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO ESTABLISH THE FEDERAL UNIVERSITY OF MEDICINE AND MEDICAL SCIENCES ABEOKUTA, OGUN STATE, 2021

Clause 1: Establishment of the Federal University of Medicine and Medical Sciences.

(1) There is hereby established the Federal University of Medicine and Medical Sciences Abeokuta Ogun State.

(2) The University -

(a) shall be a body corporate;

(b) may sue and be sued in its corporate name;

(c) shall have perpetual succession and a common seal.

Committee's Recommendation:

That the provision in Clause 1 be retained (*Senator Sadiq S. Umar — Kwara North*) — *Agreed to.*

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

Clause 2: Objects and Purposes of the University.

(1) The objects and purposes of the University shall be to-

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

(b) develop and offer academic and professional programs leading to the award of diplomas, first degrees, postgraduate research and higher degrees with emphasis on planning, adaptive, technical, maintenance, developmental and productive skills in the field of Medicine, biomedical engineering, scientific, and allied professional disciplines relating to health resources with the aim of producing socially mature persons with capacity not only to understand, use and adapt existing technologies in the

- health industry, but also to improve on those disciplines and develop new ones, and to contribute to the scientific transformation of medical and other health practices in Nigeria;
- (c) act as agents and catalysts, through postgraduate training, research and innovation for the effective and economic utilization, exploitation and conservation of Nigeria's natural, economic and human resources;
 - (d) offer to the general population, as a form of public service, the results of training and research in medicine and allied disciplines and to foster the practical application of those results;
 - (e) establish appropriate relationships with other national institutions involved in training, research and development of health care;
 - (f) identify the health problems and needs of Nigeria and to find solutions to them within the context of overall national development;
 - (g) provide and promote sound basic scientific training as a foundation for the development of medicine and allied disciplines, taking into account indigenous culture, the need to enhance national unity, the need to vastly increase the practical content of student training, and adequate preparation of graduates for self-employment in medicine and allied professions;
 - (h) promote and emphasize teaching, research and extension of health knowledge, including health extension services and outreach programs, in-service training, continuing education, and adaptive research;
 - (i) offer academic programs in relation to the training of manpower for medicine and allied profession in Nigeria;
 - (j) organize research relevant to training of manpower and health technology;
 - (k) organize extension services and outreach programs for technology transfer;
 - (l) establish institutional linkages in order to foster collaboration and integration of training, research, and extension activities; and
 - (m) undertake any other activities appropriate for a University of Health Sciences.
- (2) The University has the mandate to:
- (i) teach and train high calibre health-care professionals,
 - (ii) provide healthcare services and consultancy,
 - (iii) conduct research and participate in extension, outreach and community services,

- (iv) operate various schools and specialties that offer exemplary training and quality research in health care,
- (v) facilitate the acquisition of knowledge and skills in different specialties for effective and efficient management of health care,
- (vi) provide solution to the lack and the inequitable distribution of health professionals serving rural communities,
- (vii) train clinically, competent and socially conscious health workers who will stay and serve in depressed and undeserved communities especially in the rural areas of Nigeria,
- (viii) develop a training model for the training of community-oriented health workers that could be replicated in other areas of Nigeria,
- (ix) facilitate collaboration and enhancement of health sciences research and education endeavours,
- (x) advance the national and international reputation as the premier university for health sciences education and research in Nigeria,
- (xi) advise and report regularly to the ministry of education on all matters relevant to the health sciences sector and its education and research programs,
- (xii) work collectively on common health academic issues and their implementation,
- (xiii) provide management support for education and research across the health sciences sector,
- (xiv) promote inter-professional education across all health professional programs and optimize the resources to do so; and
- (xv) ensure that the health sciences sector is adequately and appropriately represented at all levels of University governance.

Committee's Recommendation:

That the provision in Clause 2 be retained (*Senator Sadiq S. Umar — Kwara North*) — *Agreed to.*

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

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

- (1) The University shall consist of-
 - (a) Chancellor;
 - (b) Pro-Chancellor and a Council;
 - (c) Vice-Chancellor and a Senate;
 - (d) Deputy Vice-Chancellor (s);
 - (e) a body to be called Congregation;

- (f) a body to be called Convocation;
 - (g) campuses and colleges of the University;
 - (h) schools, institutes and other teaching and research units;
 - (i) persons holding the offices constituted by the First Schedule to this Act other than those mentioned in paragraph (a) to (d) of this subsection;
 - (j) all graduates and undergraduates of the University; and
 - (k) all other persons who are members of the University in accordance with provisions made by statute in that behalf.
- (2) The First Schedule to this Act shall have effect with respect to the principal officers of each University therein mentioned.
[First Schedule]
- (3) Subject to section 6 of this Act, provision shall be made by statute with respect to the constitution of the following bodies, namely the Council, the Senate, Congregation and Convocation.

Committee's Recommendation:

That the provision in Clause 3 be retained (*Senator Sadiq S. Umar — Kwara North*) — *Agreed to.*

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

Clause 4: Powers of the University and Their Exercise.

- (1) For the carrying out of its objects as specified in section 2 of this Act, the University shall have power-
- (a) to establish such campuses, colleges, institutes, schools, extramural departments and other teaching and research units within the University as may, from time to time, be deemed necessary or desirable, subject to the approval of the Federal Ministry of Education;
 - (b) to institute professorships, readerships or associate professorships, and other posts and offices and to make appointments thereto;
 - (c) to institute and award fellowships, scholarships, exhibitions, bursaries, medals, prizes and other titles, distinctions, awards and other forms of assistance;
 - (d) to provide for the discipline and welfare of members of the University;
 - (e) to hold examinations and grant degrees, diplomas, certificates and other distinctions to persons who have pursued a course of study approved by the University and have satisfied such other requirements as the University may lay down;
 - (f) to grant honorary degrees, fellowships or academic titles;

- (g) to demand and receive from any student or any other person attending the University for the purpose of instruction such fees as the University may, from time to time, determine subject to the overall directives of the Minister;
 - (h) subject to section 23 of this Act, to acquire, hold, grant, charge or otherwise deal with or dispose of movable and immovable property wherever situate;
 - (i) to accept gifts, legacies and donations, but without obligation to accept the same for a particular purpose unless it approves the terms and conditions attaching thereto;
 - (j) to enter into contracts, establish trusts, act as trustee, solely or jointly with any other person, and employ and act through agents;
 - (k) to erect, provide, equip and maintain libraries, laboratories; lecture halls, halls of residence, refectories, sports grounds, playing fields and other buildings or things necessary or suitable or convenient for any of the objects of the University;
 - (l) to hold public lectures and to undertake printing, publishing and book -selling;
 - (m) subject to any limitations on conditions imposed by statute, to invest any money appertaining to the University by way of endowment, not being immediately required for current expenditure, in any investments or securities or the purchase or improvement of land, with power from time to time to vary any such investments and to deposit any money for the time being not invested with any bank on deposit or current account;
 - (n) to borrow, whether on interest or not if need be upon the security of any or all of the property, movable or immovable, of the University, such moneys as the Council may, from time to time, in its discretion find it necessary or expedient to borrow or to guarantee any loan, advances or credit facilities;
 - (o) to do anything which it is authorized or required by this Act or by statute to do; and
 - (p) to do all such acts or things, incidental to the foregoing powers, as may advance the objects of the University.
- (2) Subject to the provisions of this Act and of the statutes and without prejudice to section 9 (2) of this Act, the powers conferred on the University by subsection (1) of this section shall be exercisable on behalf of the University by the Council or by the Senate or in any other manner, which may be authorized by 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 Sadiq S. Umar — Kwara North*) — *Agreed to.*

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

Clause 5: Functions of the Chancellor.

- (1) The Chancellor shall, in relation to the University, take precedence before all other members of the University and when he is present shall preside at all meetings of Convocation held for conferring degrees.
- (2) Every proposal to confer an honorary degree shall be subject to the confirmation of the Chancellor.
- (3) The Chancellor shall exercise such other powers and perform such other duties as may be conferred or imposed on him by this Act or the statutes.

Committee's Recommendation:

That the provision in Clause 5 be retained (*Senator Sadiq S. Umar — Kwara North*) — *Agreed to.*

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

Clause 6: Functions of the Pro-Chancellor.

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

Committee's Recommendation:

That the provision in Clause 6 be retained (*Senator Sadiq S. Umar — Kwara North*) — *Agreed to.*

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

Clause 7: Composition of the Council.

The Council of each University shall consist of-

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

Committee's Recommendation:

That the provision in Clause 7 be retained (*Senator Sadiq S. Umar — Kwara North*) — *Agreed to.*

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

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

Committee's Recommendation:

That the provision in Clause 8 be retained (*Senator Sadiq S. Umar — Kwara North*) — *Agreed to.*

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

Clause 9: Functions of the Senate.

- (1) Subject to section 8 of this Act and subsections (3) and (4) of this section and to the provisions of this Act relating to the Visitor, it shall be the general function of the Senate to organize and control the teaching by the University, the admission (where no other enactment provides to the contrary, of students) and the discipline of students; and to promote research at the University.
- (2) Without prejudice to the generality of subsection (1) of this section and subject as there mentioned, it shall in particular be the function of the Senate to make provision for-
 - (a) the establishment and organization and control of campuses, colleges, schools, institutes and other teaching and research units of the University and allocation of responsibility for different branches of learning;
 - (b) the organization and control of courses of study in the University and of the examinations held in conjunction with those courses, including the appointment of examiners, both internal and external;
 - (c) the award of degrees, and such other qualifications as may be prescribed, in connection with examinations held as aforesaid;
 - (d) the making of recommendations to the Council with respect to the award to any person of an honorary fellowship or degree or the title of professor emeritus;
 - (e) the establishment, organization and control of halls of residence and similar institutions at the University;
 - (f) the supervision of the welfare of students at the University and the regulation of their conduct;
 - (g) the granting of fellowships, scholarships, prizes and similar awards in so far as the awards are within the control of the University; and
 - (h) determining what description of dress shall be academic dress for the purposes of the University, and regulating the use of academic dress.
- (3) The Senate shall not establish any new campus, college, school, department, institute or other teaching and research units of the University without the approval of the Council.
- (4) Subject to this Act and statutes, the Senate may make regulations for the purpose of exercising any function conferred on it either by the foregoing provisions of this section or otherwise or for the purpose of making provisions for any matter for which provision by regulations is authorized or required by this Act or by statute.
- (5) Regulations shall provide that at least one of the persons appointed as the examiners at each final or professional examination held in conjunction with any course of study at the University, as may be prescribed by the Senate from time to time, is not a teacher at the University but is a teacher of the branch of learning to which the course relates at some other university of high repute or a person engaged in practicing the profession in a reputable organization or institution.

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

Committee's Recommendation:

That the provision in Clause 9 be retained (*Senator Sadiq S. Umar — Kwara North*) — *Agreed to.*

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

Clause 10: Functions of the Vice-Chancellor.

- (1) The Vice-Chancellor shall, in relation to each University, take precedence before all other members of the University, except the Chancellor, and any other person for the time being acting as chairman of the Council.
- (2) Subject to sections 8, 9, and 15 of this Act, the Vice-Chancellor shall have the general function, in addition to any other functions conferred on him by this Act or otherwise, of directing the activities of the University and shall be the chief executive and academic officer of the University and ex-officio chairman of the Senate.

Committee's Recommendation:

That the provision in Clause 10 be retained (*Senator Sadiq S. Umar — Kwara North*) — *Agreed to.*

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

Clause 11: Transfer of Property.

Transfer of property, etc., to the University
[Second Schedule]

- (1) All property held by or on behalf of the University shall, by virtue of this subsection and without further assurance, vest in the University and be held by it for the purposes of the University.
- (2) The provisions of the Second Schedule to this Bill shall have effect with respect to, and to matters arising from the transfer of property by this section and with respect to the other matters mentioned in that schedule.

Committee's Recommendation:

That the provision in Clause 11 be retained (*Senator Sadiq S. Umar — Kwara North*) — *Agreed to.*

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

Clause 12: Powers of the University to Make Statutes.

Statutes of the University

- (1) Subject to this Act, the University may make statutes for any of the following purposes, that is to say-
- (a) making provision with respect to the composition and constitution of any authority of the University;
- (b) specifying and regulating the powers and duties of any authority of the University and regulating any other matter connected with the University or any of its authorities;

- (c) regulating the admission of students (where no other enactment provides to the contrary), and their discipline and welfare;
 - (d) determining whether any particular matter is to be treated as an academic or non-academic matter for the purposes of this Act and of any statute, regulation or other instrument made thereunder;
 - (e) making provision for any other matter for which provision by statute is authorized or required by this Act.
- (2) Subject to section 28 (6) of this Bill, the Interpretation Act shall apply in relation to any statute made under this section as it applies to a subsidiary instrument within the meaning of section 29 (1) of that Act.
 - (3) The statute contained in the Second Schedule to this Act shall be deemed to have come into force on the commencement of section 6 of this Bill and shall be deemed to have been made under this section by the University.
- [Second Schedule]
- (4) The power to make statutes conferred by this section shall not be prejudiced or limited in any way by reason of the inclusion or omission of any matter in or from the statute contained in the Second Schedule to this Act or any subsequent statute.

Committee's Recommendation:

That the provision in Clause 12 be retained (*Senator Sadiq S. Umar — Kwara North*) — *Agreed to.*

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

Clause 13: Mode of Exercising Power to Make Statutes

- (1) The power of the University to make statutes shall be exercised in accordance with the provisions of this section and not otherwise.
- (2) A proposed statute shall not become law unless it has been approved-
 - (a) at a meeting of the Senate, by the votes of not less than two thirds of the members present and voting; and
 - (b) at a meeting of the Council, by the votes of not less than two thirds of the members present and voting.
- (3) A proposed statute may originate either in the Senate or in the Council, and may be approved as required by subsection (2) of this section by either one of those bodies before the other.
- (4) A statute which makes provision for or alters the composition or constitution of the Council, the Senate or any other authority of the University shall not come into operation unless it has been approved by the President.
- (5) For the purposes of section 1 (2) of the Interpretation Act a statute shall be treated as being made on the date on which it is duly approved by the Council after having been approved by the Senate, as the case may be or, in the case of a statute falling within sub- section (4) of this section, on the date on which it is approved by the President.
[Cap. 123]
- (6) In the event of any doubt or dispute arising at any time-
 - (a) as to the meaning of any provision of a statute; or

- (b) as to whether any matter is for the purpose of this Act an academic matter as they relate to such doubt or dispute, the matter may be referred to the Visitor, who shall take such advice and make such decision therein as he shall think fit.
- (7) The decision of the Visitor on any matter referred to him under subsection (6) of this section shall be final and binding upon the authorities, staff and students of the University and where any question as to the meaning of any provision of a statute has been decided by the Visitor under that subsection, the question as to the meaning of that provision shall not be entertained by any court of law in Nigeria.
- (8) Nothing in subsection (7) of this section shall affect any power of a court of competent jurisdiction to determine whether any provision of a statute is wholly or partially void as being ultra vires or as being inconsistent with the Constitution of the Federal Republic of Nigeria 1999.
[Cap. C23]

Committee's Recommendation:

That the provision in Clause 13 be retained (*Senator Sadiq S. Umar — Kwara North*) — *Agreed to.*

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

Clause 14: Proof of Statutes

A statute may be proved in any court by the production of a copy thereto bearing 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 Sadiq S. Umar — Kwara North*) — *Agreed to.*

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

Clause 15: The Visitor

Supervision and discipline

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

Committee's Recommendation:

That the provision in Clause 15 be retained (*Senator Sadiq S. Umar — Kwara North*) — *Agreed to.*

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

Clause 16: Removal of Certain Members of Council

- (1) If it appears to the Council that a member of the Council (other than the Pro-Chancellor or the Vice-Chancellor) should be removed from office on the ground of misconduct or inability to perform the functions of his office or employment, the Council shall make a recommendation to that effect through the Minister to the President after making such enquiry, if any, as may be considered appropriate, and if the President approves the recommendation he may direct the removal of the person in question from office.
- (2) It shall be the duty of the Minister to use his best endeavour to cause a copy of the instrument embodying a direction under subsection (1) of this section to be served as soon as reasonably practicable on the person to whom it relates.

Committee's Recommendation:

That the provision in Clause 16 be retained (*Senator Sadiq S. Umar — Kwara North*) — *Agreed to.*

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

Clause 17: Removal and Discipline of Academic, Administrative and Professional Staff

- (1) If it appears to the Council that there are reasons for believing that any person employed as a member of the academic, administrative or professional staff of the University, other than Vice-Chancellor, should be removed from his office or employment on the ground of misconduct or of inability to perform the functions of his office or employment, the Council shall-
 - (a) give notice of those reasons to the person in question; afford him an opportunity of making representations in person on the matter;
 - (b) appoint a Staff Disciplinary Committee;
 - (c) and if the Council, after considering the report of the Staff Disciplinary Committee, is satisfied that the person in question should be removed as aforesaid, the Council may so remove him by an instrument in writing signed on the directions of the Council.
- (2) The Vice-Chancellor may, in case of misconduct by a member of staff, which in the opinion of the Vice-Chancellor is prejudicial to the interests of the University, suspend such member and any such suspension shall forthwith be reported to the Council.
- (3) For good cause, any member of staff may be suspended from his duties or his appointment may be terminated by the Council; and for the purposes of this subsection "good cause" means-
 - (a) conviction for any offence which the Council considers to be such as to render the person concerned unfit for the discharge of the functions of his office;
 - (b) any physical or mental incapacity which the Council, after obtaining medical advice, considers to be such as to render the person concerned unfit to continue to hold his office;
 - (c) conduct of a scandalous or other disgraceful nature which the Council considers to be such as to render the person concerned unfit to continue to hold his office;

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

Committee's Recommendation:

That the provision in Clause 17 be retained (*Senator Sadiq S. Umar — Kwara North*) — Agreed to.

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

Clause 18: Procedures for Staff Discipline

- (1) The Vice-Chancellor or Senate shall constitute an Investigation Panel to determine whether or not a prima facie case has been established against any member of staff.

- (2) The Investigation Panel shall include the President or the chairman of the union to which the staff being investigated belongs.
- (3) The Vice-Chancellor shall constitute a Staff Disciplinary Committee, which shall consist of such members of the Senate as he may determine, to consider the report of the Investigating Panel.
- (4) The report and recommendation of the Staff Disciplinary Committee shall be forwarded to the Council for consideration and decision.

Committee's Recommendation:

That the provision in Clause 18 be retained (*Senator Sadiq S. Umar — Kwara North*) — *Agreed to.*

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

Clause 19: Appointment of external examiners
The Senate shall appoint external examiners.

Committee's Recommendation:

That the provision in Clause 19 be retained (*Senator Sadiq S. Umar — Kwara North*) — *Agreed to.*

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

Clause 20: Removal of Examiners

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

Committee's Recommendation:

That the provision in Clause 20 be retained (*Senator Sadiq S. Umar — Kwara North*) — *Agreed to.*

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

Clause 21: Discipline of Students

- (1) Subject to the provisions of this section, where it appears to the Vice-Chancellor that any student of the University has been guilty of misconduct, the Vice-Chancellor may, in consultation with the Senate and, without prejudice to any other disciplinary power conferred on him by statute or regulations, direct that
 - (a) the student shall not, during such period as may be specified in the direction, participate in such activities of the University, or make use of such facilities of the University, as may be so specified;

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

Committee's Recommendation:

That the provision in Clause 21 be retained (*Senator Sadiq S. Umar — Kwara North*) — *Agreed to.*

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

Clause 22: Exclusion of Discrimination on Account of Race, Religion, Etc.

Miscellaneous and General

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

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

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

Committee's Recommendation:

That the provision in Clause 22 be retained (*Senator Sadiq S. Umar — Kwara North*) — *Agreed to.*

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

Clause 23: Restriction on disposal of land by University

Without prejudice to the provisions of the Land Use Act, the University shall not dispose of or charge any land or an interest in any land (including any land transferred to the University by this Act) except either with the prior written consent either general or special, of the President:
[Cap. L5.]

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

Committee's Recommendation:

That the provision in Clause 23 be retained (*Senator Sadiq S. Umar — Kwara North*) — *Agreed to.*

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

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

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

Committee's Recommendation:

That the provision in Clause 24 be retained (*Senator Sadiq S. Umar — Kwara North*) — *Agreed to.*

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

Clause 25: Appointment of Committees, Etc.

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

- (2) Any two or more such bodies may arrange for the holding of joint meetings of those bodies or for the appointment of committees consisting of members of those bodies or any of them and either of dealing with it or of reporting on it to those bodies or any of them.
- (3) Except as may be otherwise provided by statute or by regulations, the quorum and procedure of a committee established or meeting held in pursuance of this section shall be such as may be determined by the body or bodies which have decided to establish the committee or hold the meeting.
- (4) Nothing in the foregoing provisions of this section shall be construed as-
 - (a) enabling statutes to be made otherwise than in accordance with section 13 of this Act; or
 - (b) enabling the Senate to empower any other body to make regulations or to award degrees or other qualifications.
- (5) The Pro-Chancellor and the Vice-Chancellor shall be members of every committee of which the members are wholly or partly appointed by the Council (other than a committee appointed to inquire into the conduct of any officer in question); and the Vice-Chancellor shall be a member of the Council and the Vice-Chancellor shall be a member of every committee of which the members are wholly or partly appointed by the Senate.

Committee's Recommendation:

That the provision in Clause 25 be retained (*Senator Sadiq S. Umar — Kwara North*) — *Agreed to.*

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

Clause 26: Retiring Age of Academic Staff of the University.

- (1) Notwithstanding anything to the contrary in the Pensions Act, the compulsory retiring age of an academic staff of a University shall be 65 years except for those in the professorial cadre, which shall be 70 years.
[Cap. P4.]
- (2) A law or rule requiring a person to retire from the public service after serving for 35 years shall not apply to an academic staff of the University.

Committee's Recommendation:

That the provision in Clause 26 be retained (*Senator Sadiq S. Umar — Kwara North*) — *Agreed to.*

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

Clause 27: Special Provisions Relating to Pension of Professors.

- A person who retires as a professor having served-
[1993 No. 11.]
- (a) a minimum period of fifteen years as a professor in the University or continuously in the service of a university in Nigeria up to the retiring age; and

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

Committee's Recommendation:

That the provision in Clause 27 be retained (*Senator Sadiq S. Umar — Kwara North*) — *Agreed to.*

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

Clause 28: Miscellaneous Administrative Provisions.

- (1) The seal of each University shall be such as may be determined by the Council and approved by the Chancellor, and the affixing of the seal shall be authenticated by any member of the Council and by the Vice Chancellor, secretary to the Council or any other person authorized by statute.
- (2) Any document purporting to be a document executed under the seal of the University shall be received in evidence and shall, unless the contrary is proved, be presumed to be so executed.
- (3) Any contract or instrument, which if made or executed by a person not being a body corporate would not be required to be under seal, may be made or executed on behalf of the University by any person generally or specifically authorized to do so by the Council.
- (4) The validity of any proceedings of anybody established in pursuance of this Act shall not be affected by any vacancy in the membership of the body, or by any defect in the appointment of a member of the body or by reason that any person not entitled to do proceedings.
- (5) Any member of any such body who has a personal interest in any matter proposed to be considered by that body shall forthwith disclose his interest to the body and shall not vote on any question relating to that matter.
- (6) Nothing in section 12 of the Interpretation Act (which provides for the application in relation to subordinate legislation of certain incidental provisions) shall apply to statutes or regulations made in pursuance of this Act.
[Cap. 123.]
- (7) The power conferred by this Act on anybody to make statutes or regulations shall include power to revoke or vary any statute (including the statute contained in the Second Schedule of this Act) or any regulation by a subsequent statute, or, as the case may be, by a subsequent regulation and statute and regulations may make different provisions in reaction to different circumstances.
[Second Schedule.]
- (8) No stamp duty or other duty shall be payable in respect of any transfer of property to the University by virtue of any provision of this Act.
- (9) Any notice or other instrument authorized to be served by virtue of this Act may, without prejudice to any other mode of service, be served by post.

Committee's Recommendation:

That the provision in Clause 28 be retained (*Senator Sadiq S. Umar — Kwara North*) — *Agreed to.*

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

Clause 29: Interpretation

- (1) In this Act, unless the context otherwise requires-
- "campus" means any campus which may be established by the University;
 - "college" means any college which may be established by the University;
 - "Council" means the Council established by this Act for the University;
 - "graduate" means a person on whom a degree, (other than an honorary degree) has been conferred by the University;
 - "Minister" means the Minister charged with responsibility for education;
 - "notice" means notice in writing;
 - "office" does not include the Visitor;
 - "prescribed" means prescribed by statutes or regulations;
 - "professor" means a person designated as a professor of the University in accordance with provisions made in that behalf by statute or regulations;
 - "property" includes rights, liabilities and obligations;
 - "regulations" means regulations made by the Senate or the Council;
 - "Senate" means the Senate of the University established pursuant to section 3 (1) (c) of this Act;
 - "statute" means a statute made by the University under section 12 of this Act and in accordance with the provisions of section 13 of this Act; and "the statutes" means all such statutes as are in force from time to time;
 - "teacher" means a person holding a full-time appointment as a member of the teaching or research staff of the University;
 - "undergraduate" means a person in statu pupillari at the University other than-
 - (a) a graduate; and
 - (b) a person of such description as may be prescribed for the purposes of this definition;
 - "University" means any of the University of Health Sciences established under section 2 of this Act.
- (2) It is hereby declared that where in any provisions of this Act it is laid down that proposals are to be submitted or a recommendation is to be made by one authority to another through one or more intermediate

authorities, it shall be the duty of every such intermediate authority to forward any proposals or recommendations received by it in pursuance of that provision to the appropriate authority, but any such intermediate authority may, if it thinks fit, forward therewith its own comments thereon.

Committee's Recommendation:

That the provision in Clause 29 be retained (*Senator Sadiq S. Umar — Kwara North*) — *Agreed to.*

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

Clause 30: Short Title

This Bill may be cited as the Federal University of Medicine and Medical Sciences Abeokuta, Ogun State (Est, etc.) Bill 2021.

Committee's Recommendation:

That the provision in Clause 30 be retained (*Senator Sadiq S. Umar — Kwara North*) — *Agreed to.*

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

SCHEDULES

FIRST SCHEDULE

[Section 2 (2)]

Principal Officers of the University

The Chancellor

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

The Pro-Chancellor

2. (1) The Pro-Chancellor shall be appointed or removed by the President on the recommendation of the Minister.
- (2) Subject to the provisions of this Act, the Pro-Chancellor shall hold office for a period of four years beginning with the date of his/her appointment.

The Vice-Chancellor

3. (1) There shall be a Vice-Chancellor of the University who shall be appointed by the President in accordance with the provisions of this paragraph.
[1993 No.] 1. 1996 No. 25.]
- (2) Where a vacancy occurs in the post of a Vice-Chancellor, the Council shall-
 - (a) advertise the vacancy in a reputable journal or a widely read newspaper in Nigeria, specifying-
 - (i) the qualities of the persons who may apply for the post; and
 - (ii) the terms and conditions of service applicable to the post, and thereafter draw up a short list of suitable candidates for the post for consideration;
 - (b) constitute a search team consisting of-
 - (i) a member of the Council, who is not a member of the Senate, as chairman;

- (ii) two members of the Senate who are not members of the Council, one of whom shall be a professor;
 - (iii) two members of Congregation who are not members of the Council, one of whom shall be a professor, to identify and nominate for consideration, suitable persons who are not likely to apply for the post on their own volition because they feel that it is not proper to do so.
- (3) A joint Council and Senate Selection Board consisting of-
- (a) the Pro-Chancellor, as chairman;
 - (b) two members of the Council, not being members of the Senate;
 - (c) two members of the Senate who are professors, but who were not members of the Search Team, shall consider the candidates and persons on the short list drawn up under subparagraph (2) of this paragraph through an examination of their curriculum vitae and interaction with them, and recommend to the Council suitable candidates for further consideration.
- (4) The Council shall select three candidates from among the candidates recommended to it under subparagraph (3) of this paragraph and may indicate its order of preference stating the reasons therefor and forward the names to the President.
- [1996 No. 25.]
- (5) The President may appoint as Vice-Chancellor anyone of the candidates recommended to him in accordance with the provisions of subparagraph (4) of this paragraph.
- (6) The Vice-Chancellor shall hold office for a single term of five years only on such terms and conditions as may be specified in his letter of appointment.
- (7) For the avoidance of doubt, the provisions of subparagraph (6) of this paragraph shall-
- [1996 No. 25.]
- (a) only be applicable to those appointed to the office of Vice-Chancellor after 1 January, 1993;
 - (b) not confer on a person serving a first term of office as Vice Chancellor before 1st January, 1993 any right to renewal of the appointment for a further term of four years.
- (8) The Vice-Chancellor may be removed from office by the Visitor after due consultation with the Council and the Senate acting through the Minister of Education.

Deputy Vice-Chancellors

4. (1) There shall be for the University such number of Deputy Vice Chancellors as the Council may, from time to time, deem necessary for the proper administration of the University.
- [1996 No. 25.]
- (2) Where a vacancy occurs in the post of Deputy Vice-Chancellor, the Vice-Chancellor shall forward to the Senate a list of two candidates for each post of Deputy Vice-Chancellor that is vacant.
 - (3) The Senate shall select for each vacant post one candidate from each list forwarded to it under subparagraph (2) of this paragraph and forward his name to the Council for confirmation.
 - (4) A Deputy Vice-Chancellor shall-
 - (a) assist the Vice-Chancellor in the performance of his functions;

- (b) act in the place of the Vice-Chancellor when the post of the Vice-Chancellor is vacant or if the Vice-Chancellor is, for any reason, absent or unable to perform his functions as Vice-Chancellor; and
 - (c) perform such other functions as the Vice-Chancellor or the Council may, from time to time, assign to him.
- (5) A Deputy Vice-Chancellor-
- (a) shall hold office for a period of two years beginning from the effective date of his appointment and on such terms and conditions as may be specified in his letter of appointment; and
 - (b) may be re-appointed for one further period of two years and no more.

Office of the Registrar

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

Selection Board for other principal officers

7. (1) There shall be, for the University, a Selection Board for the appointment of principal officers, other than the Vice-Chancellor or Deputy Vice-Chancellor, which shall consist of-
[1993 No. 11.]
- (a) the Pro-Chancellor, as chairman;
 - (b) the Vice-Chancellor;
 - (c) four members of the Council not being members of the Senate; and
 - (d) two members of the Senate.

- (2) The functions, procedure and other matters relating to the Selection Board constituted under sub-paragraph (1) of this paragraph shall be as the Council may, from time to time, determine.
- (3) The Registrar, Bursar and Librarian shall hold office for such period and on such terms as to the emoluments of their offices and otherwise as may be specified in their letters of appointment.

Resignation and re-appointment

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

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

SECOND SCHEDULE

[Section 9 (2)]

University of Health Sciences Statute No.1

ARRANGEMENT OF ARTICLES

ARTICLES

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

18. Interpretation.

19. Citation.

The Council

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

The Finance and General Purposes Committee

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

The Senate

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

Congregation

4. (1) Congregation shall consist of-
- (a) the Vice-Chancellor and the Deputy Vice-Chancellors;
 - (b) the full-time members of the academic staff;
 - (c) the Registrar;
 - (d) the Bursar;
 - (e) the Librarian;
 - (f) the Director of Works;
 - (g) the Director of Academic Planning;
 - (h) the Director of Physical Planning;
 - (i) the Director of Health Services; and
 - (j) every member of the administrative staff who holds a degree other than an honorary degree of any university recognized for the purposes of this statute by the Vice-Chancellor.
- (2) Subject to sections 5 and 6 of the Act, 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 numbers of Congregation or fifty, whichever is less.
- (4) A certificate signed by the Vice-Chancellor specifying-
- (a) the total number of members of Congregation for the purposes of any particular meeting or meetings of Congregation; or
 - (b) the names of the persons who are members of Congregation during a particular shall be conclusive evidence of that number or as the case may be, of the names of those persons.
- (5) Subject to the foregoing provision of this article, Congregation may regulate its own procedure.
- (6) Congregation shall be entitled to express by resolution or otherwise its opinion on all matters affecting the interest and welfare of the University and shall have such other functions in addition to the function of electing a member of the Council, as may be provided by statute or regulations.

Convocation

5. (1) Convocation shall consist of-
- (a) the officers of the University mentioned in the First Schedule to the Act;
 - (b) all teachers within the meaning of the Act;
 - (c) all other persons whose names are registered in accordance with paragraph (2) of this article.
- (2) A person shall be entitled to have his name registered as a member of Convocation if-

- (a) he/she is either a graduate of the University or a person satisfying such requirements as may be prescribed for the purposes of this paragraph; and
 - (b) he/she applies for the registration of his name in the prescribed manner and pays the prescribed fees.
- (3) Regulations shall provide for the establishment and maintenance of a register for the purposes 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 any person who fails to pay those fees.
- (4) The person responsible for maintaining the register shall, without the payment of any fees, ensure that the names of all persons who are for the time being members of Convocation by virtue of paragraph (1) (a) or (b) of this article are entered and retained on the register.
- (5) A person who reasonably claims that he is entitled to have his name on the register shall be entitled on demand to inspect the register or a copy of the register at the principal offices of the University at all reasonable times.
- (6) The register shall, unless the contrary is proved, be sufficient evidence that any persons named therein is, and that any person not named therein is not, a member of Convocation; but for the purpose of ascertaining whether a particular person was such a member on a particular date, any entries in and deletions from the register made on or after that date shall be disregarded.
- (7) The quorum of Convocation shall be fifty or one third (or the whole number nearest to one third) of the total number of members of Convocation, whichever is less.
- (8) Subject to section 5 of this Act, the Chancellor shall be the 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 other functions, in addition to the functions of appointing a member of the Council, as may be provided by statute or regulations.

Division of colleges

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

College Boards

7. (1) There shall be established in respect of each college a College Board, which, subject to 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 shall consist of
 - (a) the Vice-Chancellor;
 - (b) the Deputy Vice-Chancellor;
 - (c) the Dean;

- (d) the persons severally in charge of the departments of the college;
 - (e) such of the teachers assigned to the college and having the prescribed qualifications as the Board may determine; and to any provisions of this article and to any provision made by regulations in that behalf, the Board may regulate its own procedure.
 - (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 Six 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

Appointments and Promotions Committee

8. (1) There shall be an Appointments and Promotions Committee of the Council which shall ultimately be responsible for all appointments, promotions and discipline of all categories of senior staff in the University, under the chairmanship of the Vice-Chancellor. \
- (2) The Committee shall operate where necessary through the Senate or Selection Board or ad- hoc Committees and its recommendations shall be subject to the approval of the Council.

Dean of college

9. (1) The Dean of a college shall be a professor appointed by the Appointments and Pro- motions Committee and such Dean shall hold office for a term of three years, and shall be eligible for re-appointment for another term of three years after which he may not be re- appointed again until two years have elapsed.
- (2) The Dean shall be the chairman at all meetings of the College Board when he is pre- sent and shall be a member of all committees and other boards appointed by the College.
- (3) The Dean of a college shall exercise general superintendence over the academic and administrative affairs of the college and it shall be the function of the Dean to present to Con- vocation or for the conferment of degrees on persons of the University at examinations held in the branches of learning for which responsibility is allocated to that college.
- (4) There shall be a committee to be known as the Committee of Deans consisting of all Deans of the colleges and that Committee shall advise the Vice-Chancellor on all academic matters and on particular matters referred to the University Council.

Deputy Dean of college

10. (1) There shall be a Deputy Dean of college who shall be appointed by the Senate on the recommendation of the Dean.
- (2) The Deputy Dean shall be appointed for two years in the first instance and may be re-appointed for a further period of two years after which he shall not be entitled to re-appointment until after two years.

Director of Institute or Centre

11. (1) The Director of an Institute or of a Centre shall be appointed by the Appointments and Promotions Committee for academic staff, and such Director shall hold office for a period of three years and shall be eligible for re-appointment for another term of three years after which he may not be appointed again until two years have elapsed.
- (2) The Director of an Institute or Centre shall exercise general superintendence over the affairs of the Institute or Centre.

Head of Department

12. (1) The Head of a Department shall be appointment by the Vice-Chancellor and such Head shall hold office for a period of three years and shall be eligible for re-appointment for another term of three years after which he may not be appointed again until two years have elapsed.
- (2) The Head of a Department shall exercise general superintendence over the academic and administrative affairs of the department.

Creation of academic posts

13. Recommendations for the creation of posts other than those mentioned in article 10 of this statute shall be made by Senate to the Council through the Finance and General Purposes Committee.

Appointment of academic staff

14. (1) Subject to the Act and the statutes, the filling of vacancies in academic posts (including newly created ones) shall be the responsibility of the Senate.
- (2) For the purpose of filling such vacancies, the Senate shall set up suitable selection boards to select and make appointments on its behalf.
- (3) For appointments to professorships, associate professorships or readerships or equivalent posts, a board of selection (with power to appoint) shall consist of-
- (a) the Vice-Chancellor;
 - (b) if the post is tenable at a college, or is within a school comprised in a college, the Provost of that college;
 - (c) if the post is within a faculty, school, institute or other teaching unit of the University, the Dean of that teaching unit;
 - (d) two members appointed by the Council;
 - (e) four members of the Senate appointed by the Senate, at least two of whom shall, if the post is tenable at a college, be senior members of the staff of the college;
 - (f) such other persons as the Senate may from time to time appoint.
- (4) Subject to paragraph (5) of this Article, for appointments to associate professorships, readerships, senior lectureships and other academic posts, a selection board (with power to appoint) shall consist of-
- (a) the Vice-Chancellor;
 - (b) if the post is tenable at a college, or is within a school comprised in a college, the Provost of that college;
 - (c) if the post is within a faculty, school, institute or other teaching unit of the University, the Dean of that teaching unit;
 - (d) four members of the Senate appointed by the Senate, at least two of whom shall, if the post is tenable at a college, be members of the staff of the college; and
 - (e) such other persons as the Senate may from time to time appoint.
- (5) Where an appointment falling within paragraph (4) above is tenable at a college, the Senate may authorize the college to set up a selection board therefore (with power to appoint); but every selection board set up in pursuance of this paragraph shall include the Vice-Chancellor and shall also include at least two members of the Senate, nominated by the Senate, who are not members of the academic staff of the college.

- (6) A college shall have power to make appointments to academic posts within the college below the level of associate professor or reader.
- (7) For the purpose of exercising the power conferred by paragraph (6) above, the college shall set up suitable selection boards to select and make appointments on its behalf.
- (8) Every selection board set up in pursuance of paragraph (7) of this article shall include the Vice-Chancellor and shall also include at least two members of the Senate, nominated by the Senate, who are not members of the academic staff of the college.
- (9) All appointments to senior library posts shall be made in the same way as equivalent appointments in the academic staff; and for all such posts, other than that of librarian, the librarian shall be a member of the selection board.
- (10) Boards of selection may interview candidates directly or consider the reports of assessors or specialist interviewing panels.

Appointment of administrative and technical staff

15. (1) The administrative and technical staff of the University, other than principal officers, shall be appointed by the council or on its behalf by the Vice-Chancellor or the Registrar in accordance with any delegation of powers made by the Council in that behalf.
- (2) Administrative and technical staff of a college, other than principal officers, shall be appointed by the board of governors of the college or by the Provost or secretary of the college in accordance with any delegation of powers made by the court in that behalf.
- (3) In the case of administrative or technical staff who have close and important contracts with the academic staff, there shall be Senate or (in the case of a college) academic board participation in the process of selection.

Question that the 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 Health (Secondary & Tertiary) on the Federal University of Medicine and Medical Sciences, Abeokuta, Ogun State (Establishment) Bill, 2021 and approved as follows:

Clauses 1-30	—	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.

9. Committee on Public Accounts:

Report on the Annual report of the Auditor-General for the Federation on the accounts of the Federation for the year ended 31st December, 2015 (Part I & II):

Motion made: That the Senate do consider the Report of the Committee on Public Accounts on the annual report of the Auditor-General for the Federation on the accounts of the Federation for the year ended 31st December, 2015 (Part I & II) (*Senator Matthew A. Urhoghide — Edo South*).

Question put and agreed to.

Report Laid and Presented.

Debate:

Report Recommitted to the Committee for further Legislative Action.

10. Committee on Ethics, Privileges and Public Petitions:

Motion made: That the Senate do receive and consider the Report of the Committee on Ethics, Privileges and Public Petitions in respect of:

- a. E. C. Igwe, Esq. on behalf of employees of Transport and Port Management System of Nigeria Limited against the Nigerian Shippers' Council and Transport and Port Management System of Nigeria Limited for alleged non-payment of salaries (*Senator Patrick A. Akinyelure — Ondo Central*).

Question put and agreed to.

Report Laid and Presented.

Debate:

Proposed Resolution:

Question: That the Senate do urge the Nigerian Shippers' Council to find a way through the Accountant-General of the Federation to access the Treasury Single Account (TSA) of its Agencies and honour the payment of outstanding 40% of total Revenue generated by Transport and Port Management Systems (TPMS) to enable it pay all outstanding salaries due to its workforce since December, 2016 till the expiration of the contract.

Amendment Proposed:

Leave out the figure "40%" in line 3, and *insert* the figure "46%" instead thereof: (*Senator Aliyu S. Abdullahi — Niger North*).

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

Resolved:

That the Senate do urge the Nigerian Shippers' Council to find a way through the Accountant-General of the Federation to access the Treasury Single Account (TSA) of its Agencies and honour the payment of outstanding 46% of total Revenue generated by Transport and Port Management Systems (TPMS) to enable it pay all outstanding salaries due to its workforce since December, 2016 till the expiration of the contract (*S/Res/004/03/21*).

Motion made: That the Senate do receive and consider the Report of the Committee on Ethics, Privileges and Public Petitions in respect of:

- b. Usman Hamzah K/bai against Trustfund Pensions Plc for alleged Persistent Refusal to pay agreed Agency Fees in the Sum of ₦35,894,799.95 on the roll-over of pension accounts from five Organizations (*Senator Patrick A. Akinyelure — Ondo Central*).

Question put and agreed to.

Report Laid and Presented.

Debate:

Proposed Resolution (i):

Question: That Trustfund Pension Plc (the respondent) and Hamzah Usman K/bai (the petitioner) be commended for their maturity in agreeing to the terms of settlement proposed by the Committee for amicable resolution of the issues permanently — *Agreed to.*

Proposed Resolution (ii):

Question: That Senate do specially commend the management of Trustfund Pensions Plc for display of professional maturity and integrity to make the ₦20,000,000 final settlement available to the petitioner within one week as agreed between the parties, in a memorandum of understanding executed to end the dispute, and that both petitioner and respondent should go ahead and do their own business the way that suits them best in the open market — *Agreed to.*

Resolved:

That the Senate do:

- (i) commend the Trustfund Pension Plc (the respondent) and Hamzah Usman K/bai (the petitioner) for their maturity in agreeing to the terms of settlement proposed by the Committee for amicable resolution of the issues permanently; and
- (ii) specially commend the management of Trustfund Pensions Plc for display of professional maturity and integrity to make the ₦20,000,000 final settlement available to the petitioner within one week as agreed between the parties, in a memorandum of understanding executed to end the dispute, and that both petitioner and respondent should go ahead and do their own business the way that suits them best in the open market (*S/Res/005/03/21*).

Motion made: That the Senate do receive and consider the Report of the Committee on Ethics, Privileges and Public Petitions in respect of:

- c. V.A. Oladapo and Two others on behalf of Forty other disengaged staff of Conoil Plc against Conoil Plc for non-payment of their final entitlements after being disengaged from the service of the Company (*Senator Patrick A. Akinyelure — Ondo Central*).

Question put and agreed to.

Report Laid and Presented.

Debate:

Proposed Resolution (i)

Question: That the Senate do commend Conoil Plc for being willing to alleviate the plights of the petitioners by agreeing to pay them their final entitlements after disengagement — *Agreed to.*

Proposed Resolution (ii)

Question: That the Senate do also commend the petitioners for not resorting to violence while trying to demand for the payment of their delayed entitlements from Conoil Plc — *Agreed to.*

Amendment Proposed:

Insert a new Proposed Resolution (iii) as follows:

“That the Senate do urge the Management of Conoil Plc to forward to the Committee evidence of compliance with their promise to pay the petitioners in the month of March, 2021” (*Senator Gabriel T. Suswam — Benue North*).

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

Amendment Proposed:

Insert a new Proposed Resolution (iv) as follows:

“That the Senate do commend Conoil Plc for being willing to alleviate the plights of the petitioners by agreeing to pay them their entitlements after disengagement within 90 days from the date of this resolution” (Senator Ovie A. Omo-Agege — Delta Central).

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

Resolved:

That the Senate do:

- (i) commend Conoil Plc for being willing to alleviate the plights of the petitioners by agreeing to pay them their final entitlements after disengagement;
- (ii) commend the petitioners for not resorting to violence while trying to demand for the payment of their delayed entitlements from Conoil Plc.;
- (iii) urge the Management of Conoil Plc to forward to the Committee evidence of compliance with their promise to pay the petitioners in the month of March, 2021; and
- (iv) commend Conoil Plc for being willing to alleviate the plights of the petitioners by agreeing to pay them their entitlements after disengagement within 90 days from the date of this resolution (*S/Res/006/03/21*).

Motion made: That the Senate do receive and consider the Report of the Committee on Ethics, Privileges and Public Petitions in respect of:

- d. Pastor Niyi Adebajo on Behalf of the Redeemed Christian Church of God (RCCG) against Cartil Construzioni Nigeria Limited for Unjustly Claiming the Sum of ₦151,508,901.22 as reimbursement for the rehabilitation of Ife-Ifewara Road, Osun State which was actually carried out by the Redeemed Christian Church of God (RCCG) (*Senator Patrick A. Akinyelure — Ondo Central*).

Question put and agreed to.

Report Laid and Presented.

Debate:

Proposed Resolution (i)

Question: That the Senate do commend the Redeemed Christian Church of God (RCCG) for alleviating the suffering of Ife-Ifewara Community by rehabilitating the Ife-Ifewara Road in Osun State of Nigeria — *Agreed to.*

Proposed Resolution (ii)

Question: That the Senate do urge the Federal Ministry of Works and Housing to formally terminate the contract for the rehabilitation of the Ife-Ifewara Road in Osun State, awarded to Cartil Construzioni Nigeria Limited in 2010 and abandoned by the contractor since 2011; and also recover the sum ₦145,000,000,00 being total amount released to the contractor for the rehabilitation of the road before it abandoned the project — *Agreed to.*

Proposed Resolution (iii)

Question: That the Senate do urge the Federal Ministry of Works and Housing not to make any refund to the Redeemed Christian Church of God (RCCG) for rehabilitating the Ife-Ifewara Road in Osun State because the Church rehabilitated the road as a corporate social responsibility support to Osun State — *Agreed to.*

Resolved:

That the Senate do:

- (i) commend the Redeemed Christian Church of God (RCCG) for alleviating the suffering of Ife-Ifewara Community by rehabilitating the Ife-Ifewara Road in Osun State of Nigeria;
- (ii) urge the Federal Ministry of Works and Housing to formally terminate the contract for the rehabilitation of the Ife-Ifewara Road in Osun State, awarded to Cartil Construzioni Nigeria Limited in 2010 and abandoned by the contractor since 2011; and also recover the sum ₦145,000,000,00 being total amount released to the contractor for the rehabilitation of the road before it abandoned the project; and
- (iii) urge the Federal Ministry of Works and Housing not to make any refund to the Redeemed Christian Church of God (RCCG) for rehabilitating the Ife-Ifewara Road in Osun State because the Church rehabilitated the road as a corporate social responsibility support to Osun State (*S/Res/007/03/21*).

11. 2021 Supplementary Appropriation Bill, 2021 (SB. 754):

Motion made: That the Supplementary Bill for an Act to authorize the issue from the Consolidated Revenue Fund of the Federation the total sum of ₦895,842,465,917 (Eight Hundred and Ninety Five Billion, Eight Hundred and Forty-Two Million, Four Hundred and Sixty-Five Thousand, Nine Hundred and Seventeen Naira) only, of which ₦173,445,506,664 (One Hundred and Seventy-Three Billion, Four Hundred and Forty-Five Million, Five Hundred and Six Thousand, Six Hundred and Sixty-Four Naira) only, is for Recurrent (Non-Debt) Expenditure while the sum of ₦722,396,959,253 (Seven Hundred and Twenty-Two Billion, Three Hundred and Ninety-Six Million, Nine Hundred and Fifty-Nine Thousand, Two Hundred and Fifty-Three Naira) only, is for contribution to the Development Fund for Capital Expenditure for the year ending on the 31st day of December, 2021 be read the Second Time (*Senator Yahaya A. Abdullahi — Kebbi North*).

Question put and agreed to.

Debate:

Bill accordingly read the Second Time and referred to the Committee on Appropriations to report on Tuesday, 29th June, 2021.

12. National Payment System Bill, 2021 (SB. 148):

Motion made: That a Bill for an Act to provide for the management, administration, operation, regulation and supervision of payment, clearing and settlement systems in Nigeria and for Related Matters, 2021 be read the Second Time (*Senator Sadiq S. Umar — Kwara North*).

Question put and agreed to.

Debate:

Bill accordingly read the Second Time and referred to the Committee on Banking, Insurance and Other Financial Institutions to report within four (4) weeks.

13. Federal University of Agriculture Mpu, Enugu State (Establishment) Bill, 2021 (SB. 690):

Motion made: That a Bill for an Act to Establish the Federal University of Agriculture Mpu, Enugu State to make comprehensive provisions for its due management and administration and for Other Related Matters, 2021 be read the Second Time (*Senator Ike Ekweremadu — Enugu West*).

Question put and agreed to.

Debate:

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

14. Federal University Gusau, Zamfara State (Establishment) Bill, 2021 (SB. 640):

Motion made: That a Bill for an Act to Provide for the establishment of Teaching Hospital and Management Board for the Federal University Gusau and Other Related Matters, 2021 be read the Second Time (*Senator Ya'u S. Alhaji — Zamfara North*).

Question put and agreed to.

Debate:

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

15. National Burns and Rehabilitation Center Ilaro, Ogun State (Establishment) Bill, 2021 (SB.676):

Motion made: That a Bill for an Act to Establish the National Burns and Rehabilitation Center Ilaro, Ogun State to provide intensive treatment and the rehabilitative needs of burns victims and to train capable hands in the treatment of burns related injuries and for Other Related Matters, 2021 be read the Second Time (*Senator Tolulope A. Odebiyi — Ogun West*).

Question put and agreed to.

Debate:

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

16. Motions:

(a) *Need for the Federal Government to address the astronomical rise in food prices and its adverse effect on Nigerians:*

Consideration of Motion deferred to another Legislative Day.

(b) *Approval for the restoration of the suppressed Nsukka South State Constituency, Enugu State in compliance with the decision of the Federal High Court and Section 115 of the constitution:*

Consideration of Motion deferred to another Legislative Day.

17. Adjournment:

Motion made: That the Senate do now adjourn till Tuesday, 29th June, 2021 at 10:00 a.m. (*Senate Leader*).

Question put and agreed to.

Adjourned accordingly at 2:00 p.m.

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