



SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Wednesday, 5th May, 2021

1. The Senate met at 10:51 a.m. The President of the Senate read prayers.
2. **Votes and Proceedings:**
The Senate examined the Votes and Proceedings of Tuesday, 4th May, 2021.
Question was put and the Votes and Proceedings were approved.
3. **Announcement:**
All Progressives Party (APC) Caucus Meeting
The President of the Senate read a letter from Senator Yahaya A. Abdullahi — (*Keppi North*) as follows:



THE SENATE
Senator Yahaya A. Abdullahi
KEBBI NORTH SENATORIAL DISTRICT

5th May, 2021

*President of the Senate,
Federal Republic of Nigeria,
National Assembly Complex,
Abuja.*

ANNOUNCEMENT

There will be a meeting of the APC Caucus of the Senate immediately after plenary at Hearing Room One (1).

All Distinguished APC members of the Senate are invited to attend, please.

(Signed)
Senator Yahaya A. Abdullahi
Senate Leader

4. **Petitions:**
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) Dr. George Uboh against the Chairman of the Economic & Financial Crimes Commission (EFCC) and Access Bank PLC over the alleged diversion of ₦779 million (seized) from Tafa Balogun Funds;

- (ii) Dr. George Uboh against MTN Nigeria Limited; Attorney General of the Federation; Governor of Central Bank of Nigeria; Managing Director of SCB, Stanbic IBTC, Citi Bank and others over the non-payment of \$25,698,363,716.40 to the Federation Account as directed by the Ministry of Finance;
- (iii) Olatunbosun S.E. Odusanya against the Governing Council and the Vice Chancellor of Federal University, Oye-Ekiti over wrongful termination of his appointment;
- (iv) Debo Ologunaigba against Propertymart Real Estate Investment Limited; Nigeria Police Force and some Law Enforcement Agents over alleged defraud of innocent Nigerians through direct investment into housing scheme without delivering; and
- (v) Dr. Donatus Benson Idahosa, Ph.D., against the Executive Vice Chairman and top management staff of Nigerian Communications Commission (NCC) over alleged gross misappropriation of ₦122,000,000.

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 two (2) weeks.

5. Matter of Urgent Public Importance:

Rising on Orders 42 and 52, Senator Emmanuel Bwacha (*Taraba South*) drew the attention of the Senate to abuse and gross violation of fundamental human rights of 14 members of his constituents. He sought and obtained the leave of the Senate to present the matter forthwith:

The Senate:

notes with rude shock and concern the continuous perpetration and perpetuation of human rights violation of Nigerian citizens with impunity by some institutions, from both the executive and judicial arms of government, amidst concerted efforts made by the Senate to bring sanity to the system and promote/preserve dignity of our citizenry;

worried that Nigerians are yet to forget in a hurry the danger that engulfed this country by our youth originating from Police brutality popularly known as #ENDSARS#;

concerned that 14 members of my Senatorial District, particularly Takum Local Government Area, namely; Smaila Yakubu, Bwaseh Tanimu, Nuvalga Iga, Gambo Iga, Gensheya Garba, Jibrin Chin do, Bala Danjuma, Caleb Iliya, Sawerga Dauda, Friday Akeniba, Martin Nwunuji Shiban, Adi Ando, Nyiso Dalandi, were mischievously lured by His Excellency, Arch. Darius Dickson Ishaku (DDI) to Jalingo on Friday, 23rd April, 2021. On arrival they were whisked away by Police and detained for 7 days without bail, though, the alleged offence made against them were criminal assault or criminal force and mischief, which are not capital offences. It is common knowledge that the Nigerian Constitution demands in a matter of this nature, the suspects shall be charged to court within 24 hours or be released on bail as can be seen in Section 35(4) and (5)(a) of the Constitution of the Federal Republic Nigeria, 1999 (as amended). In spite of the bail application served on the Police on 29th April, 2021 by their lawyer, the Police instead aggravated the situation by conspiring with the judiciary through an overzealous Acting Chief Registrar of Taraba State High Court, His Lordship Hon. Bartholomew R. Kaigama, in his quest for promotion to become a member of the Bench from his paid master DDI, and facilitated this judicial rascality by issuing detention warrant at the comfort of his residence to the Police on 14 members of my constituency to be remanded in the Nigerian Correctional Centre, Jalingo (Prison) till date without according them the right to fair hearing.

Surprisingly, from the Police custody, they were moved to Prison on bailable offences, even as the State Judiciary had been on strike in the agitation for financial autonomy of the Judiciary.

further worried that the 14 members of my constituency had accident and sustain various degrees of injuries while travelling to honour the governor's invitation, they has not been able to access medical attention due to their continuous detention in the prison;

alarmed that this is the time in the political history of our dear country Nigeria, when Nigerians look at the Judiciary as the Temple of Justice and hope for common man, but regrettably, such black market Judicial Officer is found in the corridors of the Judicial arm of government;

further concerned over a broad day robbery of the provision of the criminal justice system that has taken the cognizance of the fundamental rights of a suspect to be presumed innocent until he is proven otherwise before a competent court of law as encapsulated in Section 36 (5) of the Nigerian 1999 Constitution (as amended); and sections 62 and 63 of the Police Act 2020 which empowers the Police to release my 14 constituents on bail in such circumstances; and

Observes that this equally violates the African Charter on Human and Peoples Rights, thereby constituting an illegality in the whole processes, and the pragmatic efforts being made by the Senate Chamber to decongest the Nigeria Correctional Service Centres, as well as a breach of COVID-19 protocols.

The Senate accordingly resolves to:

- (i) urge the Acting Inspector General of Police (AIGP) and the Police Service Commission to investigate the Commissioner of Police of Taraba State for unlawful detention of 14 suspects from Takum Local Government Area;
- (ii) urge the National Judicial Commission (NJC) in collaboration with its State counterpart to sanction the Acting Chief Registrar of the State High Court, for exercising arbitrarily powers of his office; and
- (iii) urge the NJC to direct for the release of the detained suspects.

Debate:

Proposed Resolution (i):

Question: That the Senate do urge the Acting Inspector General of Police (AIGP) and the Police Service Commission to investigate the Commissioner of Police of Taraba State for unlawful detention of 14 suspects from Takum Local Government Area — *Agreed to.*

Proposed Resolution (ii):

Question: That the Senate do urge the National Judicial Commission (NJC) in collaboration with its State counterpart to sanction the Acting Chief Registrar of the State High Court, for exercising arbitrarily powers of his office — *Agreed to.*

Proposed Resolution (iii):

Question: That the Senate do urge the NJC to direct for the release of the detained suspects — *Agreed to.*

Resolved:

That the Senate do:

- (i) urge the Acting Inspector General of Police (AIGP) and the Police Service Commission to investigate the Commissioner of Police of Taraba State for unlawful detention of 14 suspects from Takum Local Government Area;

- (ii) urge the National Judicial Commission (NJC) in collaboration with its State counterpart to sanction the Acting Chief Registrar of the State High Court, for exercising arbitrarily powers of his office;
- (iii) urge the NJC to direct for the release of the detained suspects (*S/Res/100/02/21*).

6. Presentation of Bills:

- (i) Solid Minerals Producing Areas Development Agency Bill, 2021 (SB. 713) — *Read the First Time.*
- (ii) Local Industry Patronage Bill, 2021 (SB. 714) — *Read the First Time.*
- (iii) Nigeria Armed Forces Trust Fund (Establishment) Bill, 2021 (SB. 715) — *Read the First Time.*
- (iv) National Commission for Peace, Reconciliation and Mediation Bill, 2021 (SB. 716) — *Read the First Time.*
- (v) National Emergency Medical Services Agency (Establishment) Bill, 2021 (SB. 717) — *Read the First Time.*

7. Committee on Aviation:

Report on the Oversight visits to some Agencies under the jurisdiction of the Committee:

Motion made: That the Senate do receive the Report of the Committee on Aviation on the Oversight visits to some Agencies under the jurisdiction of the Committee (*Senator Smart Adeyemi — Kogi West*).

Question put and agreed to.

Report Laid.

8. Committee on Health (Secondary & Tertiary):

Report on the National Dermatology Specialist Hospital, Garkida, Adamawa State (Establishment) Bill, 2021 (SB, 631):

Motion made: That the Senate do receive the Report of the Committee on Health (Secondary & Tertiary) on the National Dermatology Specialist Hospital, Garkida, Adamawa State (Establishment) Bill, 2021 (*Senator Betty J. Apiafi — Rivers West*).

Question put and agreed to.

Report Laid.

9. Institute of Bitumen Management (Establishment) Bill, 2021 (SB. 663):

Motion made: That a Bill for an Act to Establish the Institute of Bitumen Management to provide courses of instruction, training and research in Bitumen technology and to produce technicians and other skilled personnel required to run the industry, 2021 be read the Second Time (*Senator Nicholas O. Tofowomo — Ondo South*).

Question put and agreed to.

Debate:

Bill accordingly read the Second Time and referred to the Committee on Solid Minerals and Steel Development to report within two (2) weeks.

10. **Federal Capital Territory College of Nursing and Midwifery (Establishment) Bill, 2021 (SB.571):**

Motion made: That a Bill for an Act to provide for the Establishment of the Federal Capital Territory College of Nursing and Midwifery and for Other Related Matters 2021, be read the Second Time (*Senator Mohammed S. Musa — Niger East*).

Question put and agreed to.

Debate:

Bill accordingly read the Second Time and referred to the Committee on FCT to report within two (2) weeks.

11. **Nigerian Correctional Services Academy (Establishment) Bill, 2021 (SB. 545):**

Motion made: That a Bill for an Act to provide for the Establishment of the Nigerian Correctional Services Academy to serve as an institution of high level manpower development, with a mandate to train officers and men of the Correctional Service to acquire and attain the highest standards of professionalism and award such certificate as may be approved by the relevant academic regulatory body from time to time; and for Other Related Matters, 2021 be read the Second Time (*Senator Olalekan R. Mustapha — Ogun East*).

Question put and agreed to.

Debate:

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

12. **Committee on Agriculture and Rural Development:**

Report on the Agricultural Research Council Act (Amendment) Bill, 2021 (SB. 118):

Motion made: That the Senate do receive and consider the Report of the Committee on Agriculture and Rural Development on the Agricultural Research Council Act (Amendment) Bill, 2021 (*Senator Adamu Abdullahi — Nasarawa West*).

Question put and agreed to.

Report Laid and presented.

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

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO AMEND THE AGRICULTURAL RESEARCH COUNCIL OF NIGERIA AND FOR RELATED MATTERS, 2021

Clause 1: Amendment of CAP. A12 LFN, 2004.

1. The Agricultural Research Council of Nigeria Act 1999 (hereinafter referred to as "the Principal Act") is hereby amended as set out in this Bill.

Committee's Recommendation:

That the provision in Clause 1 be retained (*Senator Adamu Abdullahi — Nasarawa East*) — *Agreed to.*

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

Clause 2: Governing Board of the Council.

1. Section 2 of the Principal Act is amended by:
 - (i) substituting for the heading "Governing Board of the Council" the following new heading "Membership of the Board"
 - (ii) In subsection (1) by substituting therefore a new subsection (1) as follows:
2. "(1) There is hereby established for the Council a Governing Board which shall consist of the following members to be appointed by the President on the recommendation of the Minister —
 - (a) the Chairman who shall be a person in any of the fields of agricultural sciences with cognate wide knowledge and experience;
 - (b) the Permanent Secretary of the Federal Ministry of Agriculture and Rural Development;
 - (c) the Vice-Chancellor of one of the Universities of Agriculture on rotation for two years at a time;
 - (d) the President of the Farmers Association of Nigeria;
 - (e) the Chairman of the Agribusiness Group of the Manufacturers Association of Nigeria;
 - (f) a technical expert each with wide knowledge and research experience in:
 - (i) crops,
 - (ii) livestock,
 - (iii) fisheries, and
 - (g) the Executive Secretary of the Council who shall be the Secretary to the Council."

Committee's Recommendation:

That the provision in Clause 2 be retained (*Senator Adamu Abdullahi — Nasarawa East*) —
Agreed to.

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

Clause 3: Remuneration and allowances.

- (1) Section 4 of the Principal Act is amended by—
 - (i) substituting for the heading the following new heading "Allowances"; and
 - (ii) substituting for the words "remuneration and allowances" the words "Sitting Allowances".

Committee's Recommendation:

That the provision in Clause 3 be retained (*Senator Adamu Abdullahi — Nasarawa East*) —
Agreed to.

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

Clause 4: Function of the Council.

1. Section 5 of the Principal Act is amended by —
 - (i) renaming the whole of Section 5 as Section 5 subsection (1), and
 - (ii) inserting immediately after (m) two new subsections 2 and 3
- 5.(1) "The functions of the Council shall be to —
 - (a) advise the Federal Government on national policies and priorities in agricultural research, training and extension activities;
 - (b) plan, manage, conduct and promote research, human resource development and technology generation, assessment and adoption for the advancement of all aspects of agriculture in Nigeria;
 - (c) prepare periodic master plans for agricultural research, training and extension and advise the Federal Government on the financial requirement for the implementation of such plans;
 - (d) ensure the implementation of the approved master plans by the appropriate research institutes, universities and other bodies;
 - (e) participate in the process of the appointment of Directors of agricultural research institutes established under university statutes, by Vice Chancellors;
 - (f) prescribe and give policy direction to the Federal Colleges of Agriculture on their overall management function, training and extension activities;
 - (g) supervise research, training and extension activities of research institutes established under section 16 of this Act;
 - (h) prepare the annual budget for agricultural research, training and extension programmes of the institutes under its aegis and receive grants for allocation to the institutes for the implementation of the annual programmes and to universities and other bodies for special research or training projects;
 - (i) maintain an up-to-date record of all existing facilities for research, training and extension in the agricultural sciences in Nigeria and advise the Federal Government on their adequacy and efficient utilization;
 - (j) advise the Federal Government on the re-organisation of existing institutes, including the creation of new ones, as are required to implement or further the efficiency of research, training and extension in the agricultural sciences;

- (k) promote collaboration between scientists engaged in research, training and extension in the agricultural sciences in Nigeria and their counterparts in other countries or international bodies;
 - (l) establish and maintain a National Agricultural Science Library and Documentation Centre and publish or sponsor the publication of research results in the agricultural sciences; and
 - (m) carry out such activities as may, in the opinion of the Council, further the advancement of research, training and extension in the agricultural sciences."
- (2) Notwithstanding anything to the contrary in this Bill, the Minister shall exercise all the powers of the Board where —
- i. the Board has not been constituted;
 - ii. the Board has been dissolved.
- (3) Any action taken or decision reached in compliance with the provisions of subsection 2 of this section shall be valid.

Committee's Recommendation:

That the provision in Clause 1 be retained (*Senator Adamu Abdullahi — Nasarawa East*) —
Agreed to.

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

Clause 5: Executive Secretary and other Staff of the Council.

Section 6 of the Principal Act is amended by—

- (i) inserting immediately after the existing subsection (3) the following new subsection:

"(4)(a) The Board shall on the recommendation of the Council appoint the following and such other Deputy Executive Secretaries it may deem fit on a tenure of two years and renewable for a final term of two years—

- (i) a Deputy Executive Secretary (Crops Research);
- (ii) a Deputy Executive Secretary (Livestock, Fisheries & Marine Research);
- (iii) a Deputy Executive Secretary (Education, Training & Extension); and
- (iv) a Deputy Executive Secretary (Technical Cooperation and Communication) who shall each be persons with requisite experience and academic qualifications and assigned such responsibilities as are determined by the Board;

(b) The persons appointed by the Board shall each be —

- (i) persons with requisite academic qualification and experience;

- (ii) persons who, in the opinion of the Board, will assist the Council in the effective discharge of any of its functions. ";
 - (iii) deleting subsections (5) and (6) of the Principal Act;
 - (iv) renumbering the existing subsections (4),(5),(6) and (7) as (4), (5) and (6) respectively; and
 - (v) amending and renumbering subsection 4(b) as 4(c).
- "(c) pay to such persons so appointed such allowances as the Board shall in consultation with the National Salaries Income and Wages Commission determine."

Committee's Recommendation:

That the provision in Clause 5 be retained (*Senator Adamu Abdullahi — Nasarawa East*) — Agreed to.

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

Clause 6: Application of Pensions Act.

- (1) Section 7 of the Principal Act is amended —
 - (a) by substituting for the heading the following new heading "Application of the Pensions Reform Act";
 - (b) in subsection (2) by substituting therefore the following new subsection:
- "(2) Employees of the Council shall be entitled to pensions, gratuities and other retirement benefits as are enjoyed by persons holding equivalent grades in the universities."

Committee's Recommendation:

That the provision in Clause 6 be retained (*Senator Adamu Abdullahi — Nasarawa East*) — Agreed to.

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

Clause 7: Establishment of the National Agricultural Research and Extension Endowment Fund.

Section 8 of the Principal Act is amended —

Section 8 of the Bill is deleted

- (a) by substituting for the heading the following new heading:

"Establishment of the National Agricultural Research, Training & Extension Fund";
- (b) by inserting the following new subsections (1), (2), (3) and (4):
 - "(1) There is hereby established a fund to be known as the National Agricultural Research, Training & Extension Fund (in this Act referred to as "the Fund").
 - (2) There shall be paid into the Fund the following —
 - (a) 1 per cent of duty on agricultural imports and exports;

- (b) 1 per cent of annual profit of agricultural producers in Nigeria; and
 - (c) such other monies as may be determined by the Federal Government from time to time.
- (3) The Funds referred to in subsection (1) of this section shall be applied exclusively for agricultural research, training and extension.
- (4) The Minister shall prescribe by regulations, the management of the funds referred to in subsection (1) of this section."
- (c) by renumbering the existing subsection (2) as subsection (5).

Committee's Recommendation:

Leave out the provision in Clause 7 (*Senator Adamu Abdullahi — Nasarawa East*) — *Agreed to.*

PART V: ESTABLISHMENT OF RESEARCH INSTITUTES

New Insertion of Part V

Clause 8: Amendment of Section 14 of the Principal Act.

- (1) Part V of the Principal Act is amended as follows —
- (a) by substituting for the heading the following new heading-

"Establishment of Research Institutes and constitution of Technical Committees, etc";
 - (b) immediately after the existing subsection (1), insert the following new subsections-
- "(2) The Minister shall, after consultation with the Board of the Council constitute for each research institute a Technical Committee.
- (3) The Technical Committee of each research institute shall consist of—
- (a) a Chairman who shall be a person with requisite professional qualifications in the area of specialization of the mandate of the research institute and two other members;
 - (b) The Executive Director shall act as the Secretary of the Technical Committee.
- (4) The Chairman and members of each Technical Committee shall hold office for a term of three years and no more.
- (5) Each Technical Committee shall —
- (a) be charged with responsibility for giving policy directions for the management of the research institute; and
 - (b) carry out such other functions as will facilitate optimum output of each research institute."

Committee's Recommendation:

That the provision in Clause 8 be retained (*Senator Adamu Abdullahi — Nasarawa East*) —
 Agreed to.

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

PART VI: ESTABLISHMENT OF FEDERAL COLLEGES OF AGRICULTURE

Insertion of a new Part VI

Clause 9:**Amendment of new Part VI**

Part VI of the Principal Act is amended as follows —

(a) by substituting for the heading the following new heading -

"Establishment of Federal Colleges of Agriculture and Constitution of Technical Committees, etc."

(b) immediately after the existing Part V of the Principal Act, insert the following new Part VI -

16. (1) The Minister may, with the approval of the President, by order published in the Gazette, establish Federal Colleges of Agriculture under this Act (in this Act referred to as "Colleges of Agriculture").
- (2) The Minister shall, after consultation with the Board of the Council constitute for each College of Agriculture a Technical Committee.
- (3) The Colleges of Agriculture shall provide training for middle level manpower for the agricultural sector.
- (4) The statutory functions, rights, interests, obligations and liabilities of the Colleges of Agriculture in subsection (2) of this section, existing before the commencement of this Act under any contract or instrument, or in law or in equity shall, by virtue of this Act, be deemed to have been assigned to and vested in the Council established by this Act.
- (5) Any such contract or instrument as is mentioned in subsection (4) of this section shall be of the same force and effect against or in favour of the Council established by this Act and shall be enforceable as fully and effectively as if instead of the Colleges of Agriculture in subsection (2) of this section existing before the commencement of this Act, the Council established by this Act has been named therein or had been a party thereto.
- (6) The Council established by this Act shall be subject to all the obligations and liabilities to which the Colleges of Agriculture in subsection (2) of this section existing before the commencement of this Act were subject immediately before the commencement of this Act and all other persons shall have the same rights, powers and remedies against the Council established by this Act as they had against the Colleges of Agriculture specified in subsection (2) of this section and existing before the commencement of this Act.

- (7) Any proceeding or cause of action pending or existing immediately before the commencement of this Act, by or against the Colleges of Agriculture specified in subsection (2) of this section and existing before the commencement of this Act in respect of any right, interest, obligation or liability of the Colleges of Agriculture specified in subsection (2) of this section and existing before the commencement of this Act may be continued or as the case may be commenced and any determination of a court of law, tribunal or other authority or person may be enforced by or against the Council established by this Act to the same extent that such proceeding or cause of action or determination might have been continued, commenced or enforced by or against the Colleges of Agriculture specified in subsection (2) of this section and existing before the commencement of this Act.
- (8) All assets, funds, resources and other movable or immovable property which immediately before the commencement of this Act were vested in the Colleges of Agriculture existing before the commencement of this Act shall by virtue of this Act and without further assurance, be vested in the Council established by this Act.
- (9) Any person who immediately before the coming into force of this Act is the holder of any office in any of the Colleges of Agriculture specified in subsection (2) of this section and existing before the commencement of this Act shall, on the commencement of this Act, continue in office and be deemed to have been appointed to his office by the Council established by this Act unless authority by which the person was appointed terminates the appointment."
- (2) Renumber the existing Part VI as "Part VII"; and
- (3) Renumber the existing section 15 as section 16.
- (4) Immediately after section 16 of the Principal Act as renumbered, there shall be inserted the following section 17:

Committee's Recommendation:

That the provision in Clause 9 be retained (*Senator Adamu Abdullahi — Nasarawa East*) —
Agreed to.

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

Clause 10: Incorporation of Spin off Companies and Intellectual Property Rights.

10. Insertion of New Section 17

- (1) The Institutes and Colleges referred to in sections 15 and 19 of this Act and such other institutes and colleges as may be established by order of the Minister pursuant to sections 16(1) and 20(1) of this Act, shall have power, after consultations with the Minister, to incorporate spin off companies in the agricultural research system in Nigeria.

- (2) The spin off companies incorporated pursuant to subsection (1) of this section shall be charged with the responsibilities of providing the platform for the commercialization, privatization and marketing of scientific, agricultural and technological discoveries, innovations and findings of products developed by the Institutes and Colleges referred to in this Act.
CAP. C28 LFN, 2004, CAP. N62 LFN, 2004
- (3) For the avoidance of doubt, the scientific, agricultural and technological discoveries, innovations and findings of the Council, Institutes and Colleges established under this Act shall have intellectual property rights attached to them as prescribed and protected under the Nigeria Copyright Commission Act 2004 and the National Office for Technology Acquisition and Promotion Act 2004."
- (4) The existing sections 16 - 17 of the principal Act are renumbered as sections 18 - 19 respectively.

Committee's Recommendation:

That the provision in Clause 10 be retained (*Senator Adamu Abdullahi — Nasarawa East*) — *Agreed to.*

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

Clause 11: Saving of Certain Research Institutes.

- (1) Section 19 of the Principal Act as renumbered, is amended by inserting after the existing subsection (1) the following new subsections:
 - "(2) Any research institute established for agricultural research under the Nigerian Research Institutes Act 1964 and the Research Institutes (Establishment, etc.) Order 1975, shall each be deemed to be established under this Act.
- (3) For the avoidance of doubt, the governing boards of Institutes constituted under the Act and Order referred to in subsection (2) of this section shall be deemed to have been dissolved and the staff of the Institutes deemed to have transferred to the employment of the Council from the date of their appointment by the respective Institutes.
- (4) Accordingly, the Nigerian Research Institutes Act 1964 and the Research Institutes (Establishment, etc.) Order 1975 are hereby consequently repealed.
- (5) The statutory functions, rights, interests, obligations and liabilities of the repealed Institutes in subsection (4) of this section, existing before the commencement of this Act under any contract or instrument, or in law or in equity shall by virtue of this Act, be deemed to have been assigned to and vested in the Council established by this Act.
- (6) Any such contract or instrument as is mentioned in subsection (5) of this section shall be of the same force and effect against or in favour of the Council established by this Act and shall be enforceable as fully and effectively as if instead of the Institutes in subsection (4) of this section existing before the commencement of this Act, the Council established by this Act has been named therein or had been a party thereto.

- (7) The Council established by this Act shall be subject to all the obligations and liabilities to which the Institutes in subsection (5) of this section existing before the commencement of this Act was subject immediately before the commencement of this Act and all other persons shall have the same rights, powers and remedies against the Council established by this Act as they had against the Institutes in subsection (5) of this section existing before the commencement of this Act.
- (8) Any proceeding or cause of action pending or existing immediately before the commencement of this Act, by or against the Institutes in subsection (5) of this section existing before the commencement of this Act in respect of any right, interest, obligation or liability of the Institutes in subsection (5) of this section existing before the commencement of this Act may be continued or as the case may be commenced and any determination of a court of law, tribunal or other authority or person may be enforced by or against the Council established by this Act to the same extent that such proceeding or cause of action or determination might have been continued, commenced or enforced by or against the Institutes in subsection (5) of this section existing before the commencement of this Act.
- (9) All assets, funds, resources and other movable or immovable property which immediately before the commencement of this Act were vested in the Institutes existing before the commencement of this Act shall by virtue of this Act and without further assurance, be vested in the Council established by this Act.
- (10) Any person who immediately before the coming into force of this Act is the holder of any office in the Institutes in subsection (5) of this section existing before the commencement of this Act shall, on the commencement of this Act, continue in office and be deemed to have been appointed to his office by the Council established by this Act unless authority by which the person was appointed terminates the appointment."

Committee's Recommendation:

That the provision in Clause 11 be retained (*Senator Adamu Abdullahi — Nasarawa East*) — *Agreed to.*

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

Clause 12: Insertion of a New Section 20.

- (1) Immediately after the existing section 19 of the Principal Act as renumbered, there shall be inserted the following new section 20:

Repeal and Savings of CAP. N13 LFN, 2004 etc.

"20.-(1) The National Centre for Agriculture Mechanization Act 1990 is hereby repealed.

- (2) The National Centre for Agriculture Mechanization, the Federal College of Co-operatives and the Federal College of Land Resources Technology, respectively operational under the Departments of Co-operatives and Agricultural Land Resources of the Ministry, shall be deemed to be established under this Act.

- (3) Accordingly, the provisions of section 16 (4) - (9) of this Act shall apply mutatis mutandi to the Centres and Colleges specified under subsection (2) of this section with such modifications as are applicable."
- (4) The existing sections 19 - 21 as renumbered are hereby re-numbered as sections 20 - 22.

Committee's Recommendation:

That the provision in Clause 12 be retained (*Senator Adamu Abdullahi — Nasarawa East*) —
Agreed to.

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

Clause 13: Interpretation.

In this Act, unless the context otherwise requires —
"Agricultural Sciences" includes crop sciences, fisheries, forestry and veterinary sciences;

"Board" means the Governing Board of the Council;

"Chairman" Means the Chairman of the Board;

"Council" means the Agricultural Research Council of Nigeria established under section 1 of this Act;

"Endowment Fund" means the National Agricultural Research and Extension Endowment Fund under section 8 of this Act;

"Executive Secretary" means the Executive Secretary appointed for the Council under section 6 of this Act;

"Members of the Board" includes the Chairman

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

Committee's Recommendation:

That the provision in Clause 13 be retained (*Senator Adamu Abdullahi — Nasarawa East*) —
Agreed to.

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

Clause 14: Short Title.

This Bill may be cited as the Agricultural Research Council of Nigeria (Amendment) Bill, 2021.

Committee's Recommendation:

That the provision in Clause 14 be retained (*Senator Adamu Abdullahi — Nasarawa East*) —
Agreed to.

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

FIRST SCHEDULE
AMENDMENT OF FIRST SCHEDULE

14. The First Schedule to the Principal Act is amended in paragraph 3 by:
- (a) inserting immediately after sub-paragraph (1) a new sub-paragraph (2) as follows:
- "(2) The Board shall appoint a Standing Agricultural Scientific and Technological Research Committee of the Board to be known as "the Technical Committee" which shall be charged with the responsibility of advising the Board and the Council on research and innovation matters.";
- (3) A Committee appointed under this paragraph shall consist of such number of persons (not necessarily members of the Board) as may be determined by the Board and a person other than a member of the Board shall hold office in the committee in accordance with the terms of his appointment.
 - (4) A decision of a Committee of the Board shall be of no effect until it is confirmed by the Board.

Question that the provision in this First Schedule do stand part of the Bill — Put and agreed to.

SECOND SCHEDULE.
AMENDMENT OF SECOND SCHEDULE

1. Governing Board.

- (1) The Second Schedule of the Principal Act is amended in paragraph 1 by:
- (a) deleting paragraph I and substituting therefore a new paragraph:

"1. All references to "the Governing Board" in this Part of the Act shall be construed as "the Council".

2. For the avoidance of doubt, reference in this Part of this Act to "the Council" means the Agricultural Research Council of Nigeria."
- (b) delete paragraph 3 and renumber paragraphs 4, 5, 6, 7, 8, and (9) as paragraphs 3, 4,5,6, 7, 8 respectively.

2. Powers

- (1) Subject to the Provisions of this Act, each institute shall have power to -
- (a) prepare a programme of research within the field for which the institute is responsible, under the approved master plan prepared by the Council in pursuance of section 5 (b) of this Act, together with detailed estimates of the expenditure which will be required for carrying out the programme;
 - (b) review and, if necessary revise, each year the programme approved under sub-paragraph (1) (a) of this paragraph for the following year, together with the estimated budget for that year;
 - (c) carry out the programmes of research approved by the Council;
 - (d) do anything and enter into any transaction which in its opinion ought to be done in the proper discharge of its functions.

- (2) Each institute shall, in particular, and without prejudice to the generality of the foregoing power, have power to acquire and hold immoveable property.
- 3. Committees.**
- (3) For the purpose of the Land Use Act, the purposes of an institute shall be public purposes of the Federation within the meaning of the Act.
- 4. Director.**
- (1) There shall be for each Institute a Director to be appointed by the Minister on the advice of the Council.
- (2) The Director shall be -
- (a) a person with wide experience of the matter with which the institute is concerned;
- (b) charged with the day-to-day management of the affairs of the institute in accordance with such instruction as may from time to time be given to him by the Governing Board of the institute; and
- (c) appointed in accordance with the regulations and conditions of service approved by the Council.
- 5. Other Staff.**
4. Each Institute may appoint such employees as are deemed necessary for the proper discharge of the functions of the Institute under this Act and pay such employees such remuneration and allowances as are payable to persons of equivalent grades in the service of the Council.
- 6. Fund.**
- (1) Each Institute shall establish and maintain a fund from which shall be defrayed all expenditures incurred by the Institute.
- (2) There shall be paid into the fund such sums as may be made available to the Institute by the Council and such other assets as may accrue to the Institute from time to time.
- (3) The fund shall be managed in accordance with rules made by the Federal Minister of Finance, and without prejudice to the generality of the power to make rules conferred by this section, the rules shall include provisions -
- (a) specifying the manner in which the assets and the fund are to be held and regulating the making of payments to and from the fund;
- (b) requiring the keeping of proper accounts and records for the fund in such form as may be specified by the rules;
- (c) for ensuring that the accounts are audited annually by an auditor approved by the Council.
- 7. Annual Estimate.**
- Each Institute shall prepare and submit its programme and estimated budget and any annual revision for approval by the Council.
- 8. Annual report.**
- Each Institute shall prepare and submit to the Council an annual report on the activities of the Institute.

9. Power to Borrow Money.

8. The Board of each Institute shall prepare and submit to the Council an annual report on the activities of the Institute.

9. Each Institute may borrow or lend money only with the approval of the Council.

Question that the provision in this Second Schedule do stand part of the Bill — Put and agreed to.

THIRD SCHEDULE

(Section 16)

FEDERAL COLLEGES OF AGRICULTURE

S/No. NAME OF COLLEGE.

1. Federal College of Agriculture Akure, Ondo State.
 2. Federal College of Agriculture Ibadan, Oyo State.
 3. Federal College of Agriculture Ishiagu, Ebonyi State.
 4. Federal College of Animal Health and Production Technology, Ibadan, Oyo State.
 5. Federal College of Animal Health and Production Technology, Vom, Plateau State.
 6. Federal College of Freshwaters Fisheries Technology, New Bussa, Niger State.
 7. Federal College of Freshwaters Fisheries Technology, New Baga, Borno State.
 8. Federal College of Fisheries and Marine Technology, Lagos, Lagos State.
 9. Federal College of Veterinary and Medical Laboratory Technology, Vom, Plateau State.
 10. Federal College of Agricultural Produce Technology, Kano, Kano State.
 11. Federal College of Horticulture, DadinKowa, Gombe State.
 12. Federal Co-operative College, Ibadan.
 13. Federal Co-operative College, Kaduna
 14. Federal Co-operative College, Oji River.
 15. Federal College of Land Resources Technology, Owerri.
 16. Federal College of Land Resources Technology, Kuru-Jos.
- 2. Proceedings of the Board.**
- (1) All references to "the governing board" in this Part of the Act shall be construed as "the Council";
 - (2) For the avoidance of doubt, reference in this Part of this Act to "the Council" means the Agricultural Research Council of Nigeria;

3. Powers.

- (1) Subject to the provisions of this Act, each College shall have power to:
- (a) provide full-time courses in teaching, instruction and training in agricultural production and distribution and for research in the development and adaptation of techniques in the agricultural sector;
 - (b) prepare a programme of academic training, for middle level manpower for the agricultural sector, within the field for which the College is responsible, under the approved master plan prepared by the Council together with detailed estimates of the expenditure which will be required for carrying out the programme;
 - (c) review and, if necessary revise, each year the programme approved under sub-paragraph (1) (a) of this paragraph for the following year, together with the estimated budget for that year;
 - (d) carry out the programmes of academic training approved by the Council;
 - (e) make suitable arrangement for extension services to Federal and State Ministries, agencies and the private sector;
 - (f) to arrange conference, seminars and workshops relative to agricultural training and extension; and
 - (h) do anything and enter into any transaction which in its opinion ought to be done in the proper discharge of its functions.
- (2) Each College shall, in particular, and without prejudice to the generality of the foregoing power, have power to acquire and hold immovable property.
- (3) For the purpose of the Land Use Act, the purposes of a College shall be public purposes of the Federation within the meaning of that Act.

4. Provost.

- (1) There shall be a Provost for each College to be appointed by the Minister on the advice of the Council.
- (2) The Provost shall be:
- (a) a person with relevant qualification and wide experience of the matter with which the College is concerned;
 - (b) charged with the day to day management of the affairs of the College in accordance with such instruction as may from time to time be given to him by the Board; and
 - (c) appointed in accordance with the regulations and conditions of service approved by the Council.

5. Other Staff.

The Board may appoint such employees as are deemed necessary for the proper discharge of the functions of the College under this Act and pay such employees such remuneration and allowances as are payable to persons of equivalent grades in the service of the Council.

6. Fund.

- (1) Each College shall establish and maintain a fund from which shall be defrayed all expenditures incurred by the College.
- (2) There shall be paid into the fund such sums as may be made available to the College by the Council and such other assets as may accrue to the College from time to time.
- (3) The fund shall be managed in accordance with rules made by the Federal Minister of Finance, and without prejudice to the generality of the power to make rules conferred by this section, the rules shall include provisions:
 - (a) specifying the manner in which the assets and the fund are to be held and regulating the making of payments to and from the fund;
 - (b) requiring the keeping of proper accounts and records for the fund in such form as may be specified by the rules;
 - (c) for ensuring that the accounts are audited annually by an auditor approved by the Council.

7. Annual Estimates and Accounts.

- (1) Each College shall prepare and submit its programme and estimated budget and any annual revision for approval by the Council;
- (2) Each College shall keep proper accounts in respect of each year and proper records in relation to those accounts and shall cause its accounts to be audited within six months after the end of each year by auditors appointed from the list in accordance with the guidelines supplied by the Auditor-General for the Federation, through the Council.

8. Annual Report.

The Technical Committee of each of College shall prepare and submit to the Council not later than 30th June in each year a report in such form as prescribed in this Bill on the activities of the College during the immediate preceding 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 thereon.

9. Power to Borrow Money.

Each College may borrow or lend money only with the approval of the Council.

Question that the provision in this Third Schedule do stand part of the Bill — Put and agreed to.

Chairman to report Bill.

(SENATE IN PLENARY)

The President of the Senate reported that the Senate in the Committee of the Whole considered the Report of the Committee on Agriculture and Rural Development on a Bill for an Act to Amend the Agricultural Research Council of Nigeria and for Related Matters, 2021 and approved as follows:

Clauses 1-14	—	As Recommended
Schedules 1-3	—	As Recommended

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

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

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

13. **Committee on Tertiary Institutions and TETFUND:**
Report on the Nigeria Steel University, Ajaokuta, Kogi State (Establishment) Bill, 2021 (SB.393):

Motion made: That the Senate do receive and consider the Report of the Committee on Tertiary Institutions and TETFUND on the Nigeria Steel University, Ajaokuta, Kogi State (Establishment) Bill, 2021 (*Senator Samuel O. Egwu — Ebonyi North*).

Question put and agreed to.

Report Laid and presented.

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

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE NIGERIA STEEL UNIVERSITY, AJAOKUTA, KOGI STATE AND OTHER MATTERS CONNECTED THEREWITH [ESTABLISHMENT] BILL, 2021

PART I

Clause 1: Establishment, Constitution, and Functions of the Nigeria Steel University Ajaokuta, Kogi State.

Incorporation of the Nigeria Steel University, Ajaokuta, Kogi State

[1] The University-

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

[b] may sue or be sued in its corporate name

Committee's Recommendation:

That the provision in Clause 1 be retained (*Senator Samuel O. Egwu — Ebonyi North*) — *Agreed to.*

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

Clause 2: Objects of the University

The objects of the University shall be to-

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

- [b] provide courses of instruction and other facilities for the pursuit of learning in all its branches and to make those facilities available on proper terms to such persons as are equipped to benefit from them;
- [c] encourage and promote scholarship and conduct research in all fields of learning with emphasis on Steel, metallurgy and technology;
- [d] relate its activities to the social, cultural and economic needs of the people of Nigeria; and
- [e] Undertake any other activities appropriate for a university of the highest standard.
- [f] to develop and offer academic and professional programmes leading to the award of degrees, post-graduate: degrees and diplomas in research with emphasis on technical, maintenance, developmental and productive skills training and instructions in every aspect of Metallurgy, technology and Engineering and such other fields relevant to the needs of the development of education in Nigeria
- [g] meet learning and research needs of prospective students, in professional areas of; technology and engineering but not limited to the following thus; Aluminium fabrication; Auto-card training; Computerized numeric control; theory of management; total productive maintenance; metallurgical; mechanical; electrical, electronics and civil engineering
- [h] prepare the young people for the challenges of industrialization of Nigeria as a nation state with the aim of producing socially mature men and women with capacity and capability of not only to understand, use and adapt existing technologies and engineering but also to improve on them and develop new ones.

Committee's Recommendation:

That the provision in Clause 2 be retained (*Senator Samuel O. Egwu — Ebonyi North*) — *Agreed to.*

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

Clause 3: Constitution and Principal Officers of the University.

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

- [h] the persons holding the offices constituted by the First Schedule to this Bill other than those mentioned in paragraphs [a] to [c] of this subsection;
 - [i] all graduates and undergraduates; and
 - [j] all other persons who are members of the University in accordance with provisions made by statute in that behalf.
- [2] The First Schedule to this Bill shall have effect with respect to the principal officers of the University therein mentioned.
- [3] 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 Samuel O. Egwu — Ebonyi 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 its objects as specified in clause 1 of this Bill the University shall have power-
- [a] to establish such campuses, colleges, faculties, institutes, schools, extra-mural departments and other teaching and research units within the University as may from time to time seem necessary or desirable subject to the approval of the National Universities Commission;
 - [b] to institute professorships, readerships, lectureships and other posts and offices and to make appointments thereto;
 - [c] to institute and award fellowships, scholarships, exhibitions, bursaries, medals, prizes and other titles, distinctions, awards and forms of assistance;
 - [d] to provide for the discipline and welfare of members of the University;
 - [e] to hold examinations and grant degrees, postgraduate diplomas, certificates and other distinctions to persons who have pursued a course of study approved by the University and have satisfied such other requirements as the University may lay down;
 - [f] to grant honorary degrees, fellowships or academic titles;
 - [g] to demand and receive from any student or any other person attending the University for the purpose of instruction such fees as the University may from time to time determine, subject to the overall directives of the Minister;

- [h] subject to clause 19 of this Bill, to acquire, hold, grant, charge or otherwise deal with or dispose off 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 for any of the objects of the University;
 - [l] to hold public lectures and undertake printing, publishing and bookselling;
 - [m] subject to any limitations or conditions imposed by statute, to invest any moneys appertaining to the University by way of endowment, whether for general or special purposes, and such other moneys as may not be immediately required for current expenditure, in any investments or securities or in the purchase or improvement of land, with power from time to time to vary any such investments, and to deposit any moneys for the time being uninvested with any bank on deposit or current account;
 - [n] to borrow, whether on interest or not and if need be upon the security of any or all of the property movable or immovable of the University, such moneys as the Council may from time to time in its discretion find it necessary or expedient to borrow or to guarantee any loan, advances or credit facilities;
 - [o] to make gifts for any charitable purpose;
 - [p] to arrange for the general welfare of children of members of staff;
 - [q] to do anything which it is authorised or required by this Bill or by statute to do; and
 - [r] to do all such acts or things, whether or not incidental to the foregoing powers, as may advance the objects of the University.
- [2] Subject to the provisions of this Bill and of the statutes and without prejudice to clause 7 [2] of this Bill, the powers conferred on the University by sub clause [1] of this clause shall be exercisable on behalf of the University by the Council or by the Senate or in any other manner which may be authorised 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 Samuel O. Egwu — Ebonyi North*) — Agreed to.

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

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

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

Committee's Recommendation:

That the provision in Clause 5 be retained (*Senator Samuel O. Egwu — Ebonyi North*) — Agreed to.

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

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

- [1] Subject to the provisions of this Bill relating to the visitor, the Council shall be the governing body of the University and shall be charged with the general control and superintendence of the policy, finances and property of the university, including its public relations.
- [2] There shall be a committee of the Council, to be known as the Finance and General Purposes Committee, which shall, subject to the directions of the Council, exercise control over the property and expenditure of the 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 auditors appointed by the Council from the list and in accordance with guidelines supplied by the Auditor-General of the Federation; and that an annual report is published by the University together with certified copies of the said accounts as audited.
- [5] Subject to this Bill the statutes, the Council and the Finance and General Purposes Committee may each make rules for the purpose of exercising any of their respective functions or of regulating their own procedure.
- [6] Rules made under sub clause [5] of this clause by the Finance and General Purposes Committee shall not come into force unless approved by the Council; and in so far and to the extent that any rules so made by that committee conflict with any directions given by the Council [whether before or after the coming into force of the rules in question], the directions of the Council shall prevail.

- [7] There shall be paid to the members of the Council, of the Finance and General Purposes Committee and of any other committee set up by the Council respectively allowances in respect of traveling and other reasonable expenses, at such rates as may from time to time be fixed by the Council.
- [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 twenty-eight days after the receipt of such request call a meeting of the Council; and the request shall specify the business to be considered at the meeting and no business not so specified shall be transacted at that meeting.

Committee's Recommendation:

That the provision in Clause 6 be retained (*Senator Samuel O. Egwu — Ebonyi North*) — *Agreed to.*

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

Clause 7: Functions of the Senate.

- [1] Subject to clause 5 of this Bill and subclasses [3] and [4] of this clause, and to the provisions of this Bill relating to the visitor, it shall be the general function of the Senate to organise and control the teaching of 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 sub clause [1] of this clause and subject as there mentioned, it shall in particular be the function of the Senate to make provision for-
- [a] the establishment, organisation and control of campuses, colleges, faculties, departments, schools, institutes and other teaching and research units of the University, and the allocation of responsibility for different branches of learning;
 - [b] the organisation and control of courses of study at the University and the examinations held in conjunction with those courses, including the appointment of examiners, both internal and external;
 - [c] the award of degrees, and such other qualifications as may be prescribed, in connection with examinations held as aforesaid;
 - [d] the making of recommendations to the Council with respect to the award to any person of an honorary fellowship or honorary degree or the title of professor emeritus;
 - [e] the establishment, organisation and control of halls or residence and similar institutions at the University;
 - [f] the supervision of the welfare of students at the University and the regulations of their conduct;

- [g] the granting of fellowships, scholarships, prizes and similar awards in so far as the awards are within the control of the University; and
 - [h] Determining what descriptions of dress shall be academic dress for the purposes of the University, and regulating the use of academic dress.
- [3] The Senate shall not establish any new campus, college, faculty, department, school, institute or other teaching and research units of the University, or any hall of residence or similar institution at the University, without the approval of the Council.
- [4] Subject to this Bill and the statutes, the Senate may make regulations for the purpose of exercising any function conferred on it either by the foregoing provisions of this clause or otherwise or for the purpose of making provision for any matter for which provision by regulation is authorised or required by this Bill or by statute.
- [5] Regulations shall provide that at least one of the persons appointed as the examiners at each final or professional examination held in conjunction with any course of study at the University is not a teacher at the University but is a teacher of the branch of learning to which the course relates at some other university of high repute.
- [6] Subject to a right of appeal to the Council from a decision of the Senate under this sub clause, the Senate may deprive any person of any degree, postgraduate 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 7 be retained (*Senator Samuel O. Egwu — Ebonyi North*) — Agreed to.

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

Clause 8: General Fund of the University

- [1] There shall be a general fund of the University which shall consist of the following:
- [a] Grants-in-aid;
 - [b] Fees;
 - [c] Income derived from investments;
 - [d] Gifts, legacies, endowments and donations not accepted for a particular purpose;
 - [e] Income derived from the exercise of any functions conferred or imposed on the University by this Bill;
 - [f] Any other amounts, charges or dues recoverable by the university;

- [g] Revenue, from time to time, accruing to the University by way of subvention;
- [h] Interest on Investments; and
- [i] Donations and legacies accruing to the University from any source for the general or special purposes of the University; and

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

Committee's Recommendation:

That the provision in Clause 8 be retained (*Senator Samuel O. Egwu — Ebonyi North*) — *Agreed to.*

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

Clause 9: Functions of the Vice-Chancellor

- [1] The Vice-Chancellor shall, in relation to the University, take precedence before all other members of the University except the chancellor and, subject to clause 4 of this Bill, except the Pro-Chancellor and any other person for the time being acting as chairman of the Council.
- [2] Subject to clauses 5, 6 and 13 of this Bill, the Vice-Chancellor shall have the general function, in addition to any other functions conferred on him by this Bill or otherwise, of directing the activities of the University, and shall to the exclusion of any other person or authority be the Chief Executive and Academic Officer of the University and ex-officio chairman of the Senate.

Committee's Recommendation:

That the provision in Clause 9 be retained (*Senator Samuel O. Egwu — Ebonyi North*) — *Agreed to.*

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

PART II- STATUTES OF THE UNIVERSITY

Clause 10: Power of University to Make Statutes

- [1] Subject to this Bill, the University may make statutes for any of the following purposes, that is to say:
 - [a] making provision with respect to the composition and constitution of any authority of the University;
 - [b] specifying and regulating the powers and duties of any authority of the University, and regulating any other matter connected with the University or any of its authorities;
 - [c] regulating the admission of students where it is done by the University, and their discipline and welfare;
 - [d] determining whether any particular matter is to be treated as an academic or non-academic matter for the purposes of this Bill and of any statute, regulation or other instrument made there under; or

- [e] Making provision for any other matter for which provision by statute is authorised or required by this Bill.
- [2] Subject to clause 22 [6] of this Bill, the Interpretation Act shall apply in relation to any statute made under this clause as it applies to a subsidiary instrument within the meaning of clause 27 [1] of that Bill.
- [3] The Statute contained in the SECOND SCHEDULE to this Bill shall be deemed to have come into force on the commencement of this Bill and shall be deemed to have been made under this clause.
- [4] The power to make statutes conferred by this clause shall not be prejudiced or limited in any way by reason of the inclusion or omission of any matter in or from the Statute contained in the SECOND SCHEDULE to this Bill or any subsequent statute.

Committee's Recommendation:

That the provision in Clause 10 be retained (*Senator Samuel O. Egwu — Ebonyi North*) —
Agreed to.

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

Clause 11: Mode of Exercising Power to Make Statutes.

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

Committee's Recommendation:

That the provision in Clause 11 be retained (*Senator Samuel O. Egwu — Ebonyi North*) —
Agreed to.

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

Clause 12: Transfer of Property to the University

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

Committee's Recommendation:

That the provision in Clause 12 be retained (*Senator Samuel O. Egwu — Ebonyi North*) —
Agreed to.

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

Clause 13: Proof of Statutes.

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

Committee's Recommendation:

That the provision in Clause 13 be retained (*Senator Samuel O. Egwu — Ebonyi North*) —
Agreed to.

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

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

- [1] In the event of any doubt or dispute arising at any time as to the meaning of any provision of a statute, the matter may be referred to the visitor, who shall take such advice and make such decision thereon as he shall deem fit.
- [2] The decision of the visitor on any matter referred to him under this clause shall be binding upon the authorities, staff and students of the University, and where any question as to the meaning of any provision of a statute has been decided by the visitor under this clause, no question as to the meaning of that provision shall be entertained by any court of law in Nigeria:

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

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

and accordingly the references in sub clause [2] of this clause to any question as to the meaning of any provision of a statute shall include references to any question as to whether any matter is for the said purposes an academic or a non-academic matter.

Committee's Recommendation:

That the provision in Clause 14 be retained (*Senator Samuel O. Egwu — Ebonyi North*) — Agreed to.

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

PART III - SUPERVISION AND DISCIPLINE

Clause 15: The Visitor.

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

Committee's Recommendation:

That the provision in Clause 15 be retained (*Senator Samuel O. Egwu — Ebonyi 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 and if the President, after making such enquiries [if any] as may be considered appropriate, approves the recommendation, may direct the removal of the person in question from office.
- [2] It shall be the duty of the Minister to use his best endeavours to cause a copy of the instrument embodying a direction under sub clause [1] of this clause to be served as soon as reasonably practicable on the person to whom it relates.

Committee's Recommendation:

That the provision in Clause 16 be retained (*Senator Samuel O. Egwu — Ebonyi North*) — Agreed to.

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

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

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

- [4] Any person suspended pursuant to subs close [2] or [3] of this close shall be on half pay and the Council shall before the expiration of a period of three months after the date of such suspension consider the case against that person and come to a decision as to-
- [a] whether to continue such person's suspension and if so on what terms [including the proportion of his emoluments to be paid to him];
- [b] whether to reinstate such person in which case the Council shall restore his full emoluments to him with effect from the date of suspension;
- [c] whether to terminate the appointment of the person concerned, in which case such a person shall not be entitled 'to the proportion of his emoluments withheld during the period of suspension; or
- [d] whether to take such lesser disciplinary action against such person [including the restoration of such proportion of his emoluments that might have been withheld] as the Council may determine; and in any case where the Council, pursuant to this close, 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.
- [5] It shall be the duty of the person by whom an instrument of removal is signed pursuant to sub close [1] above to use his best endeavours to cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it relates.
- [6] Nothing in the foregoing provisions of this close shall prevent the Council from making regulations for the discipline of other categories of staff and workers of the University as may be prescribed.

Committee's Recommendation:

That the provision in Clause 17 be retained (*Senator Samuel O. Egwu — Ebonyi North*) —
Agreed to.

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

Clause 18: Removal of Examiners.

- [1] If on the recommendation of the 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, he may, after affording the examiner an opportunity of making representation in person on the matter to the Vice-Chancellor, remove the examiner from the appointment by an instrument in writing signed by the Vice-Chancellor and, subject to the provisions of regulations made in pursuance of close 6 [5] of this bill the Vice-Chancellor may, on the recommendation of the Senate, appoint an appropriate person as examiner in the place of the examiner removed in pursuance of this sub clause.

- [2] It shall be the duty of the Vice-Chancellor, on signing an instrument of removal in pursuance of this clause, to use his best endeavours to cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it relates.

Committee's Recommendation:

That the provision in Clause 18 be retained (*Senator Samuel O. Egwu — Ebonyi North*).—
Agreed to.

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

Clause 19: Discipline of Students

- [1] Subject to the provisions of this clause, where it appears to the Vice-Chancellor that any student of the University has been guilty of misconduct, the Vice-Chancellor may, without prejudice to any other disciplinary powers conferred on him by statute or regulations, direct—
- [a] that the student shall not, during such period as may be specified in the direction, participate in such activities of the University, or make use of such facilities of the University, as may be so specified; or
- [b] that the activities of the student shall, during such period as may be specified in the direction, be restricted in such manner as may be so specified; or
- [c] that the student be rusticated for such period as may be specified in the direction; or
- [d] that the student be, expelled from the University.
- [2] Where a direction is given under subsection [1] [c] or [d] of this clause in respect of any student, the student may, within the prescribed period and in the prescribed manner, appeal from the direction to the Council; and where such an appeal is brought, the Council shall, after causing such inquiry to be made in the matter as the Council considers just, either confirm or set aside the direction or modify it in such manner as the Council thinks fit.
- [3] The fact that an appeal from a direction is brought in pursuance of the last foregoing clause shall not affect the operation of the direction while the appeal is pending.
- [4] The Vice-Chancellor may delegate his powers under this clause to a disciplinary board consisting of such members of the University as he may nominate.
- [5] Nothing in this clause shall be construed as preventing the restriction or termination of a student's activities at the University otherwise than on the ground of misconduct.
- [6] It is hereby declared that a direction under sub clause [1] [a] of this clause may be combined with a direction under sub clause 1 [b] of this clause.

Committee's Recommendation:

That the provision in Clause 19 be retained (*Senator Samuel O. Egwu — Ebonyi North*) — Agreed to.

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

PART IV - MISCELLANEOUS AND GENERAL

Clause 20: Exclusion of Discrimination on Account of Race, Religion, Etc

No person shall be required to satisfy requirements as to any of the following matters, that is to say, race [including ethnic grouping], sex, place of birth or of family, origin, or religious or political persuasion, as a condition of becoming or continuing to be a student at the University, the holder of any degree of the University or of any appointment or employment at the University, or a member of anybody established by virtue of this Bill and no person shall be subjected to any disadvantage or accorded any advantage in relation to the University, by reference to any of those matters:

Provided that nothing in this clause shall be construed as preventing the University from imposing any disability or restriction on any of the aforementioned persons where such person willfully refuses or fails on grounds of religious belief to undertake any duty generally and uniformly imposed on all such persons or any group of them which duty, having regard to its nature and the special circumstances pertaining thereto, is in the opinion of the University reasonably justifiable in the national interest.

Committee's Recommendation:

That the provision in Clause 20 be retained (*Senator Samuel O. Egwu — Ebonyi North*) — Agreed to.

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

Clause 21: Restriction on disposal of land by University.

Without prejudice to the provisions of the Land Use Act, the University shall not dispose of or charge any land or an interest in any land [including any land transferred to the University by this Bill except with the prior written consent, either general or special, of the Minister:

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

Committee's Recommendation:

That the provision in Clause 21 be retained (*Senator Samuel O. Egwu — Ebonyi North*) — Agreed to.

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

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

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

Committee's Recommendation:

That the provision in Clause 22 be retained (*Senator Samuel O. Egwu — Ebonyi North*) — Agreed to.

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

Clause 23: Transfer of Land to the University

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

Committee's Recommendation:

That the provision in Clause 23 be retained (*Senator Samuel O. Egwu — Ebonyi North*) —
Agreed to.

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

Clause 24: Appointment of Committees, Etc.

- [1] Anybody of persons established by the Bill shall, without prejudice to the generality of the powers of that body, have power to appoint committees, which need not consist exclusively of members of that body, and to authorize a committee established by it-
 - [a] to exercise, on its behalf, such of its functions as it may determine; and
 - [b] to co-opt members, and may direct whether or not co-opted members [if any] shall be entitled to vote in that committee.
- [2] Any two or more such bodies may arrange for the holding of joint meetings of those bodies, or for the appointment of committees consisting of members of those bodies, for the purpose of considering any matter within the competence of those bodies or any of them, and either of dealing with it or of reporting on it to those bodies or any of them.
- [3] Except as may be otherwise provided by statute or by regulations, the quorum and procedure of a committee established or meeting held in pursuance of this clause shall be such as may be determined by the body or bodies which have decided to establish the committee or hold the meeting.
- [4] Nothing in the foregoing provisions of this clause shall be construed as-
 - [a] enabling statutes to be made otherwise than in accordance with clause 10 of this Bill; or
 - [b] enabling the Senate to empower any other body to make regulations or to award degrees or other qualifications.
- [5] The Pro-Chancellor and the Vice-Chancellor shall be members of every committee of which the members are wholly or partly appointed by the Council [other than a committee appointed to inquire into the conduct of the officer in question]; and the Vice-Chancellor shall be a member of every committee of which the members are wholly or partly appointed by the Senate

Committee's Recommendation:

That the provision in Clause 24 be retained (*Senator Samuel O. Egwu — Ebonyi North*) —
Agreed to.

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

Clause 25: Miscellaneous Administrative Provisions.

- [1] The seal of the University shall be such as may be determined by the Council and approved by the chancellor; and the affixing of the seal shall be authenticated by any member of the Council and by the vice-chancellor, registrar or any other person authorized by statute.
- [2] Any document purporting to be a document executed under the seal of the University shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed.
- [3] Any contract or instrument which, if made or executed by a person not being a body corporate, would not be required to be under seal may be made or executed on behalf of the University by any person generally or specially authorized to do so by the Council.
- [4] The validity of any proceedings of established in pursuance of this Bill shall not be affected by any vacancy in the membership of the body, or by any defect in the appointment of a member of the body or by reason that any person not entitled to do so took part in the proceedings.
- [5] Any member of any such body who has a personal interest in any matter proposed to be considered by that body shall forthwith disclose his interest to the body and shall not vote on any question relating to that matter.
- [6] Nothing in 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 Bill; but the power conferred by this Bill 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 statutes and regulations may make different provision in relation to different circumstances.
- [7] No stamp or other duty shall be payable in respect of any transfer of property to the University by virtue of clause 8 and 19 of this Bill or the Second Schedule to this Bill.
- [8] 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 Bill.

Committee's Recommendation:

That the provision in Clause 25 be retained (*Senator Samuel O. Egwu — Ebonyi North*) —
Agreed to.

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

Clause 26: Transitional and Savings Provision

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

Committee's Recommendation:

That the provision in Clause 26 be retained (*Senator Samuel O. Egwu — Ebonyi 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

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

Committee's Recommendation:

That the provision in Clause 27 be retained (*Senator Samuel O. Egwu — Ebonyi North*) — 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 -

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

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

"Council" means the Council established by this Bill for the University;

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

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

"notice" means notice in writing;

"officer" does not include the visitor;

"prescribed" means prescribed by statute or regulations;

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

"property" includes rights, liabilities and obligations;

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

"statute" means the statute of the University under clause 9 of this Bill and in accordance with the provisions of clause 10 of this Bill, and "the statute" 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 statupupiiari 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 the Steel University, Ajaokuta as incorporated and constituted by this Bill.

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

Committee's Recommendation:

That the provision in Clause 28 be retained (*Senator Samuel O. Egwu — Ebonyi North*) — 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 Nigeria Steel University, Ajaokuta Bill, 2021.

Committee's Recommendation:

That the provision in Clause 29 be retained (*Senator Samuel O. Egwu — Ebonyi North*) — Agreed to.

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

SCHEDULES

FIRST SCHEDULE

Clause 3 [2]

PRINCIPAL OFFICERS OF THE UNIVERSITY

1. The Chancellor

The Chancellor shall be appointed by the President.

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

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

2. The Pro Chancellor

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

- [2] Subject to the provisions of this Bill, the Pro-Chancellor shall hold office a period of four years beginning with the date of his appointment.

3. The Vice-Chancellor

- [1] Subject to the provisions of this paragraph, the Vice-Chancellor shall be appointed or removed from his office by the Governing Council; this is in line with the provisions of Section 3[1] of the Universities [Miscellaneous Provision] Act 1993 [As amended]
- [2] The Vice-Chancellor shall hold office for a single term of Five years; this is in line with the provisions of 3[7] of the Universities [Miscellaneous Provision] Act 1993 [As amended]

4. Deputy Vice-Chancellor

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

5. Other Principal Officers of the University

- [1] There shall be 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 subparagraph [3] of this Schedule.
- [2] The person holding the office of Registrar shall by virtue of that office be secretary to the Council, the Senate, congregation and convocation.
- [3] There shall be a Bursar, who shall be the Chief Financial Officer of the University and shall be responsible to the Vice-Chancellor for the day-to-day administration and control of the financial affairs of the University.
- [4] There shall be a Librarian who shall be responsible to the Vice-Chancellor for the administration of the University library and the co-ordination of all library services in the University and its campuses, colleges, faculties, schools, departments and institutes and other teaching or research units.
- [5] The officers aforesaid shall be appointed by' the Governing Council for a tenure for a single term of Five years and Council may upon satisfactory performance, extend the tenure of the Registrar , Bursar or Librarian for a further period of one year and thereafter such Registrar, Bursar or Librarian shall relinquish his post and be assigned to other duties in the University' this is in line with the provisions of the section 5 of the Universities [Miscellaneous Provision] Act 1993 [As amended].

6. **Director of Works**
There shall be for the University, a Director of Works, who shall be responsible to the Vice Chancellor for the administration of the Works Department. He shall be responsible for all works, services and maintenance of University facilities
7. **Director of Health Services**
There shall be for the University, a Director of Health Services, who shall be responsible to the Vice Chancellor for the administration of the Health Centre. He shall be the Chief Medical Officer of the University and shall co-ordinate all matters relating to the health of all staff and students.
8. **Resignation and Re-appointment**
[1] Any officer mentioned in the foregoing provisions of this schedule may resign his office in -
[a] the case of the Chancellor or Pro-Chancellor, by notice to the Visitor;
[b] the case of the Vice-Chancellor by notice to the Council which shall immediately notify the Minister; and
[2] A person who has ceased to hold an office so mentioned otherwise than by removal for misconduct shall be eligible for re-appointment to that office.

Question that the Provision in the First Schedule stand part of the Bill — agreed to

SECOND SCHEDULE

THE NIGERIA STEEL UNIVERSITY, AJAOKUTA, NO. 1

1. **The Council**
[1] The Council shall consist of-
[a] the Pro-Chancellor;
[b] the Vice-Chancellor and the deputy Vice-Chancellor;
[c] Four persons representing a variety of interests and broadly representative of the whole Federation appointed by the National Council of Ministers; by virtue of section 2 [e] of the Universities [Miscellaneous Provisions] Act 1993 [As amended].
[d] Two person appointed by congregation from amongst the members of that body; section 2 [g] of the Universities [Miscellaneous Provisions] Act 1993 [As amended].
[e] The Permanent Secretary, Federal Ministry of Education or, in his absence, one Person from the Federal Ministry responsible for Education to represent him.
[2] Any member of the Council holding office otherwise than in pursuance of paragraph [1] [a], [b], [g] or [h] of this article may, by notices to the Council, resign his office.
[3] A member of the Council holding office otherwise than in pursuance of paragraph [1] [a], [b], [g] or [h] of this article shall, unless he previously vacates it, vacate that office on the expiration of the period of four years beginning with effect from the 1st of August in the year in which he was appointed.

- [4] Where a member of the Council holding office otherwise than in pursuance of paragraph [1] [a], [b], [g] or [h] of this article vacates office before the expiration of the period aforesaid, the body or person by whom he was appointed may appoint a successor to hold office for the residue of the term of his predecessor.
- [5] A person ceasing to hold office as a member of the Council otherwise than by the removal for misconduct shall be eligible for re-appointment for only one further period of four years.
- [6] The quorum of the Council shall be five at least one of whom shall be a member appointed pursuant to paragraph [1] [c], [f], [g] and [h] of this article.
- [7] If the Pro-Chancellor is not present at a meeting of the Council such other member of the Council present at the meeting as the Council may appoint as respects that meeting shall be the chairman at that meeting, and subject to clause 4 of the Bill and the foregoing provisions of this paragraph, the Council may regulate its own procedure.
- [8] Where the Council desires to obtain advice with respect to any particular matter, it may co-opt not more than two persons for that purpose; and the persons co-opted may take part in the deliberations of the Council at any meeting but shall not be entitled to vote.
- [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 the deputy Vice-Chancellor;
 - [c] six other members of the Council appointed by the Council, two of whom shall be selected from among the four members of the Council appointed by the Senate and one member appointed to Council by the congregation;
 - [d] the Permanent Secretary, Federal Ministry of Education or, in his absence, one person from the Federal Ministry responsible for Education
- [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.

2. The Senate

- [1] The Senate shall consist of-
- [a] the Vice-Chancellor and the deputy Vice-Chancellor;
 - [b] the deans of the several faculties;
 - [c] the directors of the several institutes;
 - [d] the professors;

- [e] the librarian;
 - [f] the persons for the time being holding such appointments on the staff of the University as may be specified by the Vice-Chancellor; and
 - [g] such teachers [of senior's lecturer rank and above and not being more than two in respect of each faculty] as may be elected from among the members of each faculty, the total number thereto to be determined from time to time by the Senate; and
 - [h] such persons, not exceeding two in number, whether or not members of the University, as may be appointed by the Senate to be members of the Senate.
- [2] The Vice-Chancellor shall be the chairman at all meetings of the Senate when he is present; and in his absence such other member of the Senate present at the meeting as the Senate may appoint for that meeting, shall be the chairman at the meeting.
- [3] The quorum of the Senate shall be one-quarter [or the nearest whole number less than one-quarter]; and subject to paragraph [2] of this article, the Senate may regulate its own procedure.
- [4] An elected member may, by notice to the Senate, resign his office.
- [5] Subject to paragraph [7] of this article, there shall be elections for the selection of elected members which shall be held in the prescribed manner on such day in the month of May or June in each year as the Vice-Chancellor may from time to time determine.
- [6] An elected member shall hold office for the period of two years beginning with 1st August in the year of his election, and may be a candidate at any election held in pursuance of paragraph [5] above in the year in which his period of office expires, so however that no person shall be such a candidate if at the end of his current period of office he would have held office as an elected member for a continuous period of six years or would have so held office if he had not resigned it.
- [7] No election shall be held in pursuance of this article in any year if the number specified in the certificate given in pursuance of paragraph [9] of this article does not exceed by more than one the figure which is thrice the number of those elected members holding office on the date of the certificate who do not vacate office during that year in pursuance of paragraph [6] of this article; but for the avoidance of doubt it is hereby declared that no person shall be precluded from continuing in or taking office as an elected member by reason only of a reduction in the total of non-elected members occurring on or after 30th April in any year in which he is to continue in or take office as an elected member.
- [8] If so requested in writing by any ten members of the Senate, the vice-chancellor, or in his absence a person duly appointed by him, shall convene a meeting of the Senate to be held not later than the tenth day following that on which the request was received.

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

3. Congregation

- [1] Congregation shall consist of-
- [a] the Vice-Chancellor;
 - [b] the full time members of the academic staff;
 - [c] the Registrar;
 - [d] the Bursar; and
 - [e] every member of the administrative staff who holds a degree of any university recognised for the purposes of this statute by the Vice-Chancellor, not being an honorary degree.
- [2] Subject to clause 4 of the Bill, the Vice-Chancellor shall be the chairman at all meetings of congregation when he is present; and in his absence such other member of congregation present at the meeting as congregation may appoint for that meeting, shall be the chairman at the meeting.
- [3] The quorum of the congregation shall be one-third [or the whole number nearest to one-third] of the total number of members of members of the 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 period;
- shall be conclusive evidence of that number or, as the case may be, of the names of those persons.
- [5] Subject to the foregoing provisions of this article, congregation may regulate its own procedure.
- [6] Congregation shall be entitled to express by 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.

4. Convocation

- [1] Convocation shall consist of-
- [a] the officers of the University mentioned in the First Schedule to the Bill
 - [b] all teachers within the meaning of the Bill; and
 - [c] all other persons whose names are registered in accordance with paragraph [2] of this article.

- [2] A person shall be entitled to have his name registered as a member of convocation if-
- [a] he is either a graduate of the University or a person satisfying such requirements as may be prescribed for the purposes of this paragraph; and
 - [b] he applies for the registration of his name in the prescribed manner and pays the prescribed fees;

and regulations shall provide for the establishment and maintenance of a register for the purposes of this paragraph and, subject to paragraph [3] below, may provide for the payment from time to time of further fees by persons whose names are on the register and for the removal from the register of the name of any person who fails to pay those fees.

- [3] 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.
- [4] 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.
- [5] The register shall, unless the contrary is proved, be sufficient evidence that any person named therein is, and that any person not named therein is not, a member of convocation; but for the purpose of ascertaining whether a particular person was such a member on a particular date, any entries in and deletions from the register made on or after that shall be disregarded.
- [6] 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.
- [7] Subject to clause 4 of the Bill, the Vice-Chancellor shall be chairman at all meetings of convocation when he is present, and in his absence the Dept vice-chancellors he shall be the chairman at the meeting.
- [8] Convocation shall have such functions, in addition to the function of appointing a member of the Council, as may be provided by statute.

5. Organisation of Faculties and Branches Thereof

6. Each faculty shall be divided into such number of branches as may be prescribed.
- [1] There shall be established in respect of each faculty a faculty board, which, subject to the provisions of this 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 faculty;

- [b] deal with any other matter assigned to it by the 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 faculty board shall consist of-
- [a] the Vice-Chancellor;
 - [b] the persons severally in charge of the branches of the faculty;
 - [c] such of the teachers assigned to the faculty and having the prescribed qualifications as the board may determine; and
 - [d] such persons whether or not members of the University as the board may determine with the general or special approval of the Senate.
- [3] The quorum of the board shall be eight members or one-quarter [whichever is greater] of the members for the time being of the board; and subject to the provisions of this statute and to any provisions made by regulations in that behalf, the board may regulate its own procedure.

6. **The Dean of the Faculty**

- [1] The dean of a faculty shall be a professor elected by the faculty board and each dean shall hold office for 2 years. He will be eligible for re-election for another term of two years after which he may not be elected again until two years have elapsed.
- [2] If there is no professor in a faculty, the office of the dean of the faculty shall be held in rotation by members of the faculty holding the ranks of reader or senior lecturer on the basis of seniority as determined by the statute.
- [3] The dean shall be the chairman at all meetings of the faculty board when he is present and he shall be a member of all committees and other boards appointed by the faculty.
- [4] The dean of a faculty shall exercise general superintendence over the academic and administrative affairs of the faculty. It shall be the function of the dean to present to convocation for the conferment of degrees' persons who have qualified for the degrees of the University at examinations held in the branches of learning for which responsibility is allocated to that faculty.
- [5] There shall be a committee to be known as the committee of deans consisting of all the deans of the several faculties and that committee shall advise the Vice-Chancellor on all academic matters and on particular matters referred to the University Council by Senate.
- [6] The dean of a faculty may be removed from office for good cause by the faculty board after a vote would have been taken at a meeting of the board, and in the event of a vacancy occurring following the removal of a dean, an acting dean may be appointed by the Vice-Chancellor provided that at the next faculty board meeting an election shall hold for a new dean.

7. **Selection of Certain Principal Officers**

[7] In this article, "good cause" has the same meaning as in clause 15 [3] of the Bill.

Selection of certain principal officers

[1] When a vacancy occurs in the office of the Registrar, Bursar, Librarian, or Director of works, a selection board shall be constituted by the Council and shall consist of-

[a] the Pro-Chancellor;

[b] the Vice-Chancellor;

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

[d] two members appointed by the Senate.

[2] The selection board, after making such inquiries as it thinks fit, shall recommend a candidate to the Council for appointment to the vacant office; and after considering the recommendation of the board the Council may make an appointment to that office.

8. **Creation of Academic Posts**

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

9. **Appointment of Academic Staff**

Subject to the Bill and the statutes, the filling of vacancies in academic posts [including newly created ones] shall be as prescribed from time to time by statutes

10. **Appointment of Administrative and Technical Staff**

[1] The administrative and professional staff of the University other than those mentioned in article 9 of this Statute, shall be appointed by the Council or on its behalf by the Vice-Chancellor or the registrar in accordance with any delegation of powers made by the Council in that behalf.

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

11. **Interpretation**

In this Statute, the expression "the Bill" means the Nigeria Steel University, Ajaokuta Bill and any expression defined in the Bill has the same meaning in this Statute.

12. **Finance and General Purpose Committee**

[1] The Finance and General Purpose Committee of the Council shall consist of:

[a] the Pro-Chancellor, who shall be the Chairman of the committee at any meeting at which he is present;

[b] the Vice-Chancellor and a Deputy Vice-Chancellor;

- [c] Six other members of the Council appointed by the Council two of whom shall be selected from among the four members of the Council appointed by the Senate and one of whom shall be selected from among members of the Council appointed by the congregation; and
- [d] The Permanent Secretary, Federal Ministry of Education or, in his absence, one person from the Ministry responsible for Education to represent him.
- [2] The quorum of the Committee shall be six.
- [3] Subject to any directions given by the Council, the committee may regulate its own procedure.

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 Nigeria Steel University, Ajaokuta, Kogi State (Establishment) Bill, 2021 and approved as follows:

Clauses 1-29 — 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.

**14. Committee on Health (Secondary & Tertiary):
Report on the Federal Medical Centres (Establishment) Bill, 2021 (SB. 636):**

Consideration deferred to another Legislative Day.

**15. Committee on Health (Secondary & Tertiary):
Report on the Federal Medical Centre Mubi (Establishment) Bill, 2021 (SB.668):**

Motion made: That the Senate do receive and consider the Report on a Bill for an Act to Provide a Legal Framework to Establish the Federal Medical Centre Mubi and for Other Related Matters, 2021 (*Senator Betty J. Apiafi — Rivers West*).

Question put and agreed to.

Report Laid and presented.

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

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO PROVIDE A LEGAL FRAMEWORK TO ESTABLISH THE FEDERAL MEDICAL CENTRE MUBI AND FOR OTHER RELATED MATTERS, 2021

Clause 1: Establishment of Federal Medical Centre Mubi

- (1) There is established the Federal Medical Center Mubi (in this Bill referred to as "the Center") as specified in the Second Schedule to this Bill.
- (2) The Centre:
 - (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 Betty J. Apiafi — Rivers West*) — *Agreed to.*

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

Clause 2: Establishment of the Board of Federal Medical Centre Mubi.

There is established for the management of the Medical Center Mubi a Board of Management (in this Bill referred to as "Board") which shall be constituted and have the functions and powers set out in this Bill.

Committee's Recommendation:

That the provision in Clause 2 be retained (*Senator Betty J. Apiafi — Rivers West*) — *Agreed to.*

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

Clause 3: Membership of the Board.

- (1) The Board shall consist of:
 - (a) a chairman;
 - (b) the Chief Medical Director of the Medical Center;
 - (c) the Head of Clinical Services;
 - (d) the Director of Administration; who shall be the Secretary of the Board;
 - (e) three persons nominated by the Minister to represent a wide variety of community interests in health matters;
 - (f) one representative of the Federal Ministry of Health;
 - (g) one representative of the medical profession not being a person who is a member of Federal Medical Centre Mubi;

- (h) one representative from allied health professionals; not being a staff of Federal Medical Centre Mubi;
- (i) One representative of Adamawa State Ministry of Health;
- (2) The chairman and members of the Board, other than ex-officio members, shall be:
 - (a) appointed by the President; and
 - (b) persons of proven integrity and ability.

Schedule.

- (3) The supplementary provisions set out in the First Schedule to this Bill shall have effect with respect to the proceedings of the Board and the other matters contained therein.

Committee's Recommendation:

That the provision in Clause 3 be retained (*Senator Betty J. Apiafi — Rivers West*) — *Agreed to.*

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

Clause 4: Tenure of Office.

Subject to the provisions of section 5 of this Bill, a member of the Board, other than ex-officio members, shall each hold office:

- (a) for a term not exceeding fours (4) years;
- (b) on such terms and conditions as may be specified in his letter of appointment.

Committee's Recommendation:

That the provision in Clause 4 be retained (*Senator Betty J. Apiafi — Rivers West*) — *Agreed to.*

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

Clause 5: Cessation of Membership.

- (1) Notwithstanding the provisions of section 4 of this Bill a person shall cease to hold office as a member of the Board if:
 - (a) he becomes bankrupt, suspends payment of principal loan with his creditors;
 - (b) he is convicted of a felony or any offence involving dishonesty or fraud;
 - (c) he becomes of unsound mind or is incapable of carrying out his duties;
 - (d) he is guilty of a serious misconduct in relation to his duties; or
 - (e) in the case of a person possessed of professional qualifications, he is disqualified or suspended, other than at his own request, from practicing his profession in any part of the world by an order of a competent authority made in respect of that member; or

- (f) he resigns his appointment by a letter addressed to the President.
- (2) If a member of the Board ceases to hold office for any reason whatsoever, before the expiration of the term for which he is appointed, another person representing the same interest as that member shall be appointed to the Board for the unexpired term.
- (3) A member of the Board may be removed by the President if he is satisfied that it is not in the interest of the Medical Center or the interest of the public that the member continues in office.

Committee's Recommendation:

That the provision in Clause 5 be retained (*Senator Betty J. Apiafi — Rivers West*) — *Agreed to.*

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

Clause 6: Allowances of Members.

There shall be paid to every member of the Board such allowances and expenses as the Revenue Mobilization Allocation and Fiscal Commission may, from time to time, direct.

Committee's Recommendation:

That the provision in Clause 6 be retained (*Senator Betty J. Apiafi — Rivers West*) — *Agreed to.*

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

PART II - FUNCTIONS AND POWERS OF THE BOARD, ETC.

Clause 7: Functions of the Board.

- (1) The Board shall:
- (a) equip, maintain and operate the Medical Center so as to provide facilities for diagnosis, curative, promotion and rehabilitative services in medical treatment;
 - (b) construct, equip, maintain and operate such training schools and similar institutions as the Board considers necessary for providing the Medical Center at all times with a proper staff of the Medical Center technicians and nurses;
 - (c) construct, equip, maintain and operate such clinics, out-patient departments, laboratories, research or experimental stations and other like institutions as the Board considers necessary for the efficient functioning of the Medical Center.
- (2) The Board shall ensure that the standards of teaching provided at all establishments under its control and the standards of treatment and care provided for patients at those establishments do not fall below those usually provided by similar establishments of international repute.
- (3) Subject to this Bill, the Board shall perform such other functions which in its opinion are calculated to facilitate the carrying out of its functions under this Bill.

Committee's Recommendation:

That the provision in Clause 7 be retained (*Senator Betty J. Apiafi — Rivers West*) — *Agreed to.*

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

Clause 8: Powers of the Board.

The Board shall have power to:

- (a) provide the general policies and guidelines relating to major expansion programs of the Medical Centre;
- (b) manage and superintend the affairs of the Medical Centre;
- (c) subject to the provisions of this Bill, make, alter and revoke rules and regulations for carrying on the functions of the Medical Centre;
- (d) do such other things which in the opinion of the Board are necessary to ensure the efficient performance of the functions of the Medical Centre.

Committee's Recommendation:

That the provision in Clause 8 be retained (*Senator Betty J. Apiafi — Rivers West*) — *Agreed to.*

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

PART III - STAFF OF THE MEDICAL CENTRE**Clause 9: Medical Director of the Medical Center.**

- (1) There shall be for the Medical Center a Chief Medical Director who shall be appointed by the President on the recommendation of Hon. Minister of Health on such terms and conditions as may be specified in his letter of appointment or as may be determined, from time to time, by the Revenue Mobilization Allocation and Fiscal Commission (RMAFC).
- (2) The Chief Medical Director shall:
 - (a) be the Chief Medical Director and accounting officer of the Medical Center;
 - (b) be responsible to the Board for the day-to-day administration of the Medical Center;
 - (c) be appointed for a term of four years in the first instance and may be reappointed for a further term of four years subject to satisfactory performance;
 - (d) be a person who is a medical practitioner and shall have been so qualified for a period of not less than 15 years;
 - (e) have considerable administrative experience in matters of health;
 - (f) hold a post-graduate fellowship of the National Post-Graduate Medical College of Nigeria or its equivalent qualification obtained not less than five (5) years prior to the appointment as Chief Medical Director.

Committee's Recommendation:

That the provision in Clause 9 be retained (*Senator Betty J. Apiafi — Rivers West*) — *Agreed to.*

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

Clause 10: Appointment of Head of Clinical Services, Director of Administration and Recruitment of Other Staff of the Medical Center.

- (1) The Board shall appoint for the Medical Center:
 - (a) a Head of Clinical Services;
 - (b) a Director of Administration, who shall:
 - (i) be responsible to the Chief Medical Director for the effective functioning of all the administrative divisions of the Medical Center;
 - (ii) conduct the correspondence of the Board and keep the records of the Medical Center; and
 - (iii) perform such other functions as the Board or the Chief Medical Director, as the case may be, may, from time to time, assign to him;
- (2) The Head of Clinical Services appointed under paragraphs (a)-sub section (1) of this section shall be responsible to the Chief Medical Director for the effective running of the clinical services and training.
- (3) The Board shall appoint for the Medical Center such number of employees as may in the opinion of the Board be expedient and necessary for the proper and efficient performance of the functions of the Medical Center.
- (4) Notwithstanding the provisions of subsections (1) and (2) of this section the Board shall have power to appoint for the Medical Center either directly or on secondment from any public service in the Federation, such number of employees as may, in the opinion of the Board, be required to assist the Medical Center in the discharge of any of its functions under this Bill.
- (5) Nothing in subsection (4) of this section shall preclude the Board from appointing persons from outside the public service of the Federation or of the State whenever it deems it necessary so to do.
- (6) The terms and conditions of service (including remuneration, allowances, benefits and pensions) of the employees of the Medical Center shall be as determined by the National Salaries Income and Wages Commission.

Committee's Recommendation:

That the provision in Clause 10 be retained (*Senator Betty J. Apiafi — Rivers West*) — *Agreed to.*

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

Clause 11: Service in the Medical Center to Be Pensionable.

- (1) Service in the Medical Center shall be approved service for the purposes of the Pensions Reforms Act.

- (2) The officers and other persons employed in the Medical Center shall be entitled to pensions, gratuities and other retirement benefits as are enjoyed by persons holding equivalent grades in the civil service of the Federation.
- (3) Nothing in subsections (1) and (2) of this section shall prevent the appointment of a person to any office on terms which preclude the grant of pension and gratuity in respect of that office.

Committee's Recommendation:

That the provision in Clause 11 be retained (*Senator Betty J. Apiafi — Rivers West*) — *Agreed to.*

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

Clause 12: Establishment of the Medical Advisory Committee, etc.

- (1) There shall be for the Medical Center a Medical Advisory Committee which shall:
 - (a) consist of a chairman who shall be the Head of Clinical Services and such number of other members as may be determined from time to time;
 - (b) be responsible to the Chief Medical Director for all the clinical and training activities of the Medical Center; and
 - (c) be appointed by the Board.

Committee's Recommendation:

That the provision in Clause 12 be retained (*Senator Betty J. Apiafi — Rivers West*) — *Agreed to.*

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

PART IV - FINANCIAL PROVISIONS

Clause 13: Fund of the Medical Centre.

There shall be established and maintained for the Medical Center a fund into which shall be paid and credited:

- (a) all subventions and budgetary allocation from the Government of the Federation;
- (b) all fees and funds accruing from the sale of drugs and other services;
- (c) all sums accruing to the Medical Center by way of gifts, endowments, bequests, grants or other contributions by persons and organizations;
- (d) foreign aid and assistance from bilateral agencies; and
- (e) all other sums which may, from time to time, accrue to the Medical Center.

Committee's Recommendation:

That the provision in Clause 13 be retained (*Senator Betty J. Apiafi — Rivers West*) — *Agreed to.*

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

Clause 14: Expenditure of the Medical Centre.

The hospital shall, from time to time, apply the funds at its disposal to:

- (a) the cost of administration and maintenance of the Medical Center;
- (b) publicize and promote the activities of the Medical Center;
- (c) pay allowances, expenses and other benefits of members of the Board and committees of the Board;
- (d) pay the salaries, allowances and benefits of employees of the Medical Center;
- (e) pay other overhead allowances, benefits and other administrative costs of the Medical Center; and
- (f) undertake such other activities as are connected with all or any of the functions of the Medical Center under this Bill.

Committee's Recommendation:

That the provision in Clause 14 be retained (*Senator Betty J. Apiafi — Rivers West*) — *Agreed to.*

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

Clause 15: Power to Accept Gifts.

- (1) The Medical Center may accept gifts of land, money or other property on such terms and conditions, if any, as may be specified by the person or organization making the gift.
- (2) The Medical Center shall not accept any gift if the conditions attached by the person or organization making the gift are inconsistent with the functions of the Medical Center under this Bill.

Committee's Recommendation:

That the provision in Clause 15 be retained (*Senator Betty J. Apiafi — Rivers West*) — *Agreed to.*

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

Clause 16: Annual Estimates and Expenditure.

- (1) The Board shall, not later than 30th September in each year, submit to the Minister an estimate of the expenditure and income of the Medical Centre during the next succeeding year.
- (2) The Medical Centre shall cause to be kept proper accounts of the Medical Center in respect of each year and proper records in relation thereto and shall cause the accounts to be audited not later than six months after the end of each year by auditors appointed from the list and in accordance with the guidelines supplied by the Auditor-General for the Federation.

Committee's Recommendation:

That the provision in Clause 16 be retained (*Senator Betty J. Apiafi — Rivers West*) — *Agreed to.*

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

Clause 17: Annual Report.

The Board shall prepare and submit to the Minister, not later than 30th June in each year, a report in such form as the Minister may direct on the activities of the Medical Centre during the immediately preceding year, and shall include in the report a copy of the audited accounts of the Federal Medical Centre for that year and the auditor's report thereon.

Committee's Recommendation:

That the provision in Clause 17 be retained (*Senator Betty J. Apiafi — Rivers West*) — *Agreed to.*

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

Clause 18: Power to Borrow.

- (1) The Medical Center may, from time to time, borrow by overdraft or otherwise such sums as it may require for the performance of its functions under this Bill.
- (2) The Medical Center shall not, without the approval of the President, borrow money which exceeds, at any time, the limit set by the President.
- (3) Notwithstanding subsection (1) of this section, where the sum to be borrowed is in foreign currency, the Medical Center shall not borrow the sum without the prior approval of the President.

Committee's Recommendation:

That the provision in Clause 18 be retained (*Senator Betty J. Apiafi — Rivers West*) — *Agreed to.*

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

Clause 19: Exemption from Tax.

- (1) The Medical Center shall not pay income tax on any income derived by the Federal Medical Center under this Bill or accruing to it from any of its investments.
- (2) Accordingly, the provisions of any enactment relating to the taxation of companies or trust funds shall not apply to the Board of the Federal Medical Center.

Committee's Recommendation:

That the provision in Clause 19 be retained (*Senator Betty J. Apiafi — Rivers West*) — *Agreed to.*

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

Clause 20: Exemption from Customs Duties, Etc.

The Medical Center shall not pay customs duty on or be restricted or prohibited from importing any equipment, material, supply and any other thing required by the Medical Center for the purposes of this Bill:

Provided that nothing in this section shall be construed as preventing the Nigeria Customs Service from inspecting any equipment, or material imported by the Center.

Committee's Recommendation:

That the provision in Clause 20 be retained (*Senator Betty J. Apiafi — Rivers West*) — *Agreed to.*

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

PART V - GENERAL

Clause 21: Discipline of Students.

- (1) Notwithstanding anything to the contrary contained in any other enactment, where it appears to the Board that any student of the Medical Center has been guilty of misconduct, the Board may, without prejudice to any other disciplinary powers conferred on it by regulations, direct:
 - (a) that the student shall not, during such period as may be specified in the direction, participate in such activities of the Medical Center, or make use of such facilities of the Medical Center as may be so specified;
 - (b) that the activities of the student shall, during such period as may be specified in the direction, be restricted in such manner as may be so specified;
 - (c) that the student be rusticated for such period as may be specified in the direction; or
 - (d) that the student be expelled from the Medical Center.
- (2) The fact that an appeal from a direction is brought in pursuance of subsection (1) of this section shall not affect the operation of the direction while the appeal is pending.
- (3) The Board may delegate its powers under this section to a disciplinary committee consisting of such members of the Medical Center as the Board may nominate.
- (4) Nothing in this section shall be construed as preventing the restriction or termination of student's activities at the Medical Center otherwise than on the ground of misconduct.
- (5) A direction issued under subsection (1) (a) of this section may be combined with a direction issued under subsection (1) (b) of this section.
- (6) Nothing in this Bill shall affect the provisions of any enactment relating to the discipline of medical practitioners, pharmacists, midwives, nurses or members of any other profession or calling.

Committee's Recommendation:

That the provision in Clause 21 be retained (*Senator Betty J. Apiafi — Rivers West*) — *Agreed to.*

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

Clause 22: Removal and Discipline of Clinical, Administrative and Technical Staff.

- (1) If it appears to the Board that there are reasons for believing that any person employed as a member of the clinical, administrative or technical staff of the Medical Center, other than the Chief Medical Director, should be removed from his office or employment, the Board shall require the Director of Administration to:
 - (a) give notice of those reasons to the person in question;
 - (b) afford him an opportunity of making representations in person on the matter to the Board; and
 - (c) if the person in question so requests within a period of 1 month beginning with the date of the notice, make arrangements for:
 - (i) a committee to investigate the matter and report on it to the Board; and
 - (ii) the person in question to be afforded an opportunity of appearing before and being heard by an investigating committee set up with respect to the matter, and if the Board, after considering the report of the investigating committee, is satisfied that the person in question should be removed as aforesaid, the Board may so remove him by a letter signed on the direction of the Board.
- (2) The Chief Medical Director may, in a case of misconduct by a member of the staff which in the opinion of the Chief Medical Director is prejudicial to the interest of the Medical Center, suspend any such member and any such suspension shall forthwith be reported to the Board.
- (3) For good cause, any member of staff may be suspended from his duties or his appointment may be terminated or he may be dismissed by the Board and for the purposes of this section, "good cause" means:
 - (a) a conviction for any offence which the Board 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 Board, 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 Board considers to be such as to render the person concerned unfit to continue to hold his office; or
 - (d) conduct which the Board considers to be such as to constitute a failure or inability of the person concerned to discharge the functions of his office or to comply with the terms and conditions of his service.
- (4) Any person suspended shall, subject to subsections (2) and (3) of this section be on half pay and the Board 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 the person's suspension and if so, on what terms (including the proportion of his emoluments to be paid to him);
 - (b) whether to reinstate the person, in which case the Board shall restore his full emoluments to him with effect from the date of suspension;
 - (c) whether to terminate the appointment of the person concerned, in which case he 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 the person (including the restoration of his emoluments that might have been withheld), as the Board may determine, and in any case where the Board, pursuant to this section, decides to continue a person's suspension or decides to take further disciplinary action against a person, the Board 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.
- (5) It shall be the duty of the person by whom a letter of removal is signed in pursuance of subsection (1) of this section to use his best endeavors to cause a copy of the letter to be served as soon as reasonably practicable on the person to whom it relates.
 - (6) Nothing in the foregoing provisions of this section shall preclude the Board from making such regulations not inconsistent with the provisions of this Bill for the discipline of students and all other categories of employees of the hospital as the Board may prescribe.
 - (7) Regulations made under subsection (6) of this section need not be published in the Gazette but the Board shall cause them to be brought to the notice of all affected persons in such manner as it may, from time to time, determine.

Committee's Recommendation:

That the provision in Clause 22 be retained (*Senator Betty J. Apiafi — Rivers West*) — *Agreed to.*

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

Clause 23: Discipline of Junior Staff.

- (1) If any junior staff is accused of misconduct or inefficiency, the Chief Medical Director may suspend him for not more than a period of 3 months and shall direct a committee to:
 - (a) consider the case; and
 - (b) make recommendations as to the appropriate action to be taken by the Chief Medical Director.
- (2) In all cases under this section of this Bill, the officer shall be informed of the charge against him and given a reasonable opportunity to defend himself.

- (3) The Chief Medical Director may, after considering the recommendation made pursuant to subsection (1) (b) of this section, dismiss, or take such other disciplinary action against the officer concerned.
- (4) Any person aggrieved by a decision of the Chief Medical Director made under subsection (3) of this section may, within a period of 21 days from the date of the letter communicating the decision to him, address a petition to the Board to reconsider his case.

Committee's Recommendation:

That the provision in Clause 23 be retained (*Senator Betty J. Apiafi — Rivers West*) — *Agreed to.*

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

PART VI - MISCELLANEOUS

Clause 24: Regulations.

- (1) The Board may, with the approval of the President, make regulations
 - (a) as to the access of members of the public either generally or of a particular class, to premises under the control of the Board and as to the orderly conduct of members of the public on those premises; and
 - (b) for safeguarding any property belonging to or controlled by the Board from damage by members of the public.
- (2) Bye-laws under this section shall not come into force until they are confirmed (with or without modification) by the National Assembly and published in such manner as he may direct.

Committee's Recommendation:

That the provision in Clause 24 be retained (*Senator Betty J. Apiafi — Rivers West*) — *Agreed to.*

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

Clause 25: Power to Give Directives.

The "Minister of Health" may give to the Board directions of a general character or relating generally to particular matters (but not to any individual person or case) with regard to the exercise by the Board of its functions under this Bill, and it shall be the duty of the Board to comply with the directions; but no direction shall be given which is inconsistent with the duties of the Board under this Bill.

Committee's Recommendation:

That the provision in Clause 25 be retained (*Senator Betty J. Apiafi — Rivers West*) — *Agreed to.*

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

Clause 26: Transition and Savings Provision.

- (1) On the commencement of this Bill, any person employed by or serving in, the Medical Center shall be deemed to have been employed or serving in the Medical Center established under this Bill.

- (2) All Assets or liabilities belonging to the Medical Center shall be deemed to belong to the Medical Center established under this Bill.

Committee's Recommendation:

That the provision in Clause 26 be retained (*Senator Betty J. Apiafi — Rivers West*) — *Agreed to.*

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

Clause 27: Interpretation.

In this Bill, unless the context otherwise requires -

"Board" means the Board of Management of the Medical Centre;

"chairman" means the chairman of the Board;

"functions" include powers and duties;

"junior staff" means staff of such grade as may be determined, from time to time, by the Board;

"Minister" means the Minister charged with responsibility for matters relating to health and

"Ministry" shall be construed accordingly;

"student" means a person enrolled at an institution controlled by the Board for the purpose of pursuing a course of instruction at the institution.

Committee's Recommendation:

That the provision in Clause 27 be retained (*Senator Betty J. Apiafi — Rivers West*) — *Agreed to.*

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

Clause 28: Short Title.

This Bill may be cited as the Federal Medical Center Mubi (Establishment) Bill, 2021.

Committee's Recommendation:

That the provision in Clause 28 be retained (*Senator Betty J. Apiafi — Rivers West*) — *Agreed to.*

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

FIRST SCHEDULE

[Section 3 (3)]

SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD, ETC.

Proceedings of the Board

1. (1) Subject to this Bill and section 27 of the Interpretation Act, the Board may make standing orders regulating its proceedings or those of any of its committees.

- (2) The quorum of the Board shall be the chairman or the person presiding at the meeting and 5 other members of the Board, 2 of whom shall be ex-officio members, and the quorum of any Committee of the Board shall be as determined by the Board.
2.
 - (1) The Board shall meet whenever it is summoned by the chairman and if the chairman is required to do so by notice given to him by not less than 8 other members, he shall summon a meeting of the Board to be held within 14 days from the date on which the notice is given.
 - (2) At any meeting of the Board, the chairman shall preside but if he is absent, the members present at the meeting shall appoint one of their members to preside at the meeting.
 - (3) Where the Board desires to obtain the advice of any person on a particular matter, the Board may co-opt him to the Board for such period as it deems fit, but a person who is in attendance by virtue of this "sub-section" shall not be entitled to vote at any meeting of the Board and shall not count towards a quorum.

Committees

3.
 - (1) The Board may appoint one or more committees to carry out, on behalf of the Board, such functions as the Board may determine.
 - (2) A committee appointed under this paragraph shall consist of such number of persons as may be determined by the Board and a person shall hold office on the committee in accordance with the terms of his appointment.
 - (3) A decision of a committee of the Board shall be of no effect until it is confirmed by the Board.

Miscellaneous

4.
 - (1) The fixing of the seal of the Medical Center shall be authenticated by the signatures of the Chairman, the Chief Medical Director or any person generally or specifically authorized by the Board to act for that purpose.
 - (2) 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 Medical Center by the Chief Medical Director or any person generally or specifically authorized by the Board to act for that purpose.
 - (3) A document purporting to be a document duly executed under the seal of the Medical Center shall be received in evidence and shall, unless and until the contrary is proved, be presumed to be so executed.
5. The validity of any proceedings of the Board or of a committee shall not be adversely affected by:
 - (a) a vacancy in the membership of the Board or committee;
 - (b) a defect in the appointment of a member of the Board or committee; or
 - (c) reason that a person not entitled to do so took part in the proceedings of the Board or committee.

Question that the Provision in the First Schedule stand part of the Bill — agreed to

SECOND SCHEDULE

[Section 1 (1)]

Federal Medical Centres

1. Federal Medical Centre, Abeokuta
2. Federal Medical Centre, Abuja
3. Federal Medical Centre, Asaba
4. Federal Medical Centre, Azare
5. Federal Medical Centre, Bida
6. Federal Medical Centre, Birni-Kebbi
7. Federal Medical Centre, Birni-Kudu
8. Federal Medical Centre, Ebute-Meta
9. Federal Medical Centre, Gusau
10. Federal Medical Centre, Jalingo
11. Federal Medical Center, Katsina
12. Federal Medical Centre, Keffi
13. Federal Medical Centre, Lokoja
14. Federal Medical Center, Makurdi
15. Federal Medical Centre, Mubi
16. Federal Medical Centre, Nguru
17. Federal Medical Centre, Owerri
18. Federal Medical Centre, Owo
19. Federal Medical Centre, Umuahia
20. Federal Medical Centre, Yenagoa
21. Federal Medical Centre, Yola

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 a Bill for an Act to Provide a Legal Framework to Establish the Federal Medical Centre Mubi and for Other Related Matters, 2021 and approved as follows:

Clauses 1-28 — As Recommended

Schedules 1-2 — As Recommended

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

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

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

16. Motions:

- (a) *Urgent call for a stop to the communal crises between Oka Akoko and Supare Communities in Ondo North Senatorial District and the need for National Emergency Management Agency (NEMA) to provide relief materials to displaced persons:*

Consideration of Motion deferred to another Legislative Day.

- (b) *Urgent need for the construction of Federal Roads linking Communities and Local Government Areas in Cross River North Senatorial District to other Communities and Local Government Areas in Benue and Ebonyi States:*

Consideration of Motion deferred to another Legislative Day.

- (c) *Ghana Games in Nigeria: Need to investigate non-execution of terms of settlement:*

Consideration of Motion deferred to another Legislative Day.

17. **National Institute for Hospitality and Tourism (Establishment) Bill, 2021 (HB. 45) — Concurrence:**

Consideration of Bill deferred to another Legislative Day.

18. **National Blood Service Commission (Establishment) Bill, 2021 (HB.181) — Concurrence:**

Consideration of Bill deferred to another Legislative Day.

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

Consideration of Bill deferred to another Legislative Day.

20. **National Primary Health Care Development Agency Act Cap N69 (Amendment) Bill, 2021 (HB. 39) — Concurrence:**

Consideration of Bill deferred to another Legislative Day.

20. **Adjournment:**

Motion made: That the Senate do now adjourn till Thursday, 6th May, 2021 at 10:00 a.m. (*Senate Leader*).

Adjourned accordingly at 1:20 p.m.

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