



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Wednesday, 17 November, 2021

1. The House met at 11.30 a.m. Mr Speaker read the Prayers.
2. The House recited the National Pledge.
3. **Votes and Proceedings**
Mr Speaker announced that he had examined and approved the *Second Votes and Proceedings* of Tuesday, 16 November, 2021.
The Votes and Proceedings was adopted by unanimous consent.
4. **Announcement**
 - (i) **Visitors in the Gallery:**
Mr Speaker recognised the presence of the following:
 - (a) Staff and Students of *Sanusi Dantata Memorial School*, Central Business District, Abuja;
 - (b) Councillors from Kaduna South Local Government Area, Kaduna State.
 - (ii) **Bereavement:**
Mr Speaker read a communication from Hon. Balarabe Abdullahi Salame (*Illela/Gwadabawa Federal Constituency*), informing the House of the killing of 38 people by bandits in Illela and Gwadabawa Local Government Areas of Sokoto State.
A minute silence was observed in honour of the deceased; Hon. Balarabe Abdullahi Salame prayed for the repose of their souls.
5. **Presentation of Bills**
The following Bills were read the *First Time*:
 - (1) Legal Practitioners' Act (Amendment) Bill, 2021 (HB. 1671).

- (2) Copyright Act (Amendment) Bill, 2021 (HB. 1673).
- (3) National Youth Service Corps Act (Amendment) Bill, 2021 (HB. 1674).
- (4) Nigerian Investment Promotion Commission Act (Amendment) Bill, 2021 (HB. 1675).
- (5) Federal Infrastructural Rehabilitation Management Agency (Establishment) Bill, 2021 (HB. 1682).
- (6) Federal Medical Centre, Ilesha, Osun State (Establishment) Bill, 2021 (HB. 1683).
- (7) National Industrial Centre for the Manufacture of Timber Products, Olode, Osun State (Establishment) Bill, 2021 (HB. 1684).
- (8) Code of Conduct Bureau and Tribunal Act (Amendment) Bill, 2021 (HB. 1685).
- (9) National Film and Video Censors Board Act (Amendment) Bill, 2021 (HB. 1686).
- (10) National Directorate of Employment Act (Amendment) Bill, 2021 (HB. 1687).

6. **Presentation of Reports**

(i) **Committee on Science and Technology:**

Report of the Committee on Science and Technology on a Bill for an Act to Establish National Renewable Energy Development Agency charged with Responsibility of Promoting the use of Renewable Energy Resources; and for Related Matters (HB. 1241)

Order deferred by leave of the House.

(ii) **Committee on Science and Technology:**

Report of the Committee on Science and Technology on Bill for an Act to Amend the Energy Commission of Nigeria Act, Cap. E10, Laws of the Federation of Nigeria, 2004 to make it Compulsory for the Federal Government through the Commission to Harness, Explore and Utilize Other Sources of Energy other than Hydro and Gas Energy Sources in Nigeria; and for Related Matters (HB. 243 and HB. 446).

Order deferred by leave of the House.

7. **A Bill for an Act to Establish South-South Development Commission charged with Responsibility to Receive and Manage Funds from the Federation Account Allocation and other Sources, Donations, Grants and Aids for the Integration, Development, Resolution of Infrastructural Deficit, Militancy, Communal Crisis as well as Tackle Ecological and Environmental Problems; and for Related Matters (HB. 630) — Third Reading**
Motion made and Question proposed, "That a Bill for an Act to Establish South-South Development Commission charged with Responsibility to Receive and Manage Funds from the Federation Account Allocation and other Sources, Donations, Grants and Aids for the Integration, Development, Resolution of Infrastructural Deficit, Militancy, Communal Crisis as well as Tackle Ecological and Environmental Problems; and for Related Matters (HB. 630) be now read the Third Time" (Hon. Victor Mela — Balanga/Biliri Federal Constituency).

Agreed to.

Bill read the Third Time and passed.

8. **A Bill for an Act to Provide for Establishment of Federal University, Birnin Kebbi, Kebbi State; and for Related Matters (HB. 1384) — Second Reading**

Motion made and Question proposed, "That a Bill for an Act to Provide for Establishment of Federal University, Birnin Kebbi, Kebbi State; and for Related Matters (HB. 1384) be read a Second Time" (*Hon. Victor Mela — Balanga/Biliri Federal Constituency*).

Debate.

Question that the Bill be now read a Second Time — Agreed to.

Bill read the Second Time.

Bill referred to the Committee of the Whole.

9. **A Bill for an Act to Repeal the Medical and Dental Practitioners Act, Cap. M8, Laws of the Federation of Nigeria, 2004 and Enact the Medical and Dental Practitioners Bill; and for Related Matters (HB. 1468) — Second Reading**

Order read; deferred by leave of the House.

10. **A Bill for an Act to Establish Federal College of Education, Omuo, Ekiti State; and for Related Matters (HB. 1559) — Second Reading**

Motion made and Question proposed, "That a Bill for an Act to Establish Federal College of Education, Omuo, Ekiti State; and for Related Matters (HB. 1559) be read a Second Time" (*Hon. Victor Mela — Balanga/Biliri Federal Constituency*).

Debate.

Question that the Bill be now read a Second Time — Agreed to.

Bill read the Second Time.

Bill referred to the Committee of the Whole.

11. **A Bill for an Act to Establish Chartered Institute of Information Management charged with Responsibility of Regulating and Promotion of Sound Information Management Standards, Competence, Research, Preservation, Dissemination, Training and Retraining of Personnel, Certification of Professionals and Registration of Members; and for Related Matters (HB. 1016) — Second Reading**

Motion made and Question proposed, "That a Bill for an Act to Establish Chartered Institute of Information Management charged with Responsibility of Regulating and Promotion of Sound Information Management Standards, Competence, Research, Preservation, Dissemination, Training and Retraining of Personnel, Certification of Professionals and Registration of Members; and for Related Matters (HB. 1016) be read a Second Time" (*Hon. Chinyere Emmanuel Igwe — Port Harcourt II Federal Constituency*).

Debate.

Question that the Bill be now read a Second Time — Agreed to.

Bill read the Second Time.

Bill referred to the Committee on Information, National Orientation, Ethics and Values.

12. **A Bill for an Act to make Health Care Service Delivery free for all Children in Nigeria; and for Related Matters (HB. 1504) — Second Reading**

Motion made and Question proposed, "That a Bill for an Act to make Health Care Service Delivery free for all Children in Nigeria; and for Related Matters (HB. 1504) be read a Second Time" (Hon. Bello A. Kaoje — Bagudo/Suru Federal Constituency).

Debate.

Question that the Bill be now read a Second Time — Agreed to.

Bill read the Second Time.

Bill referred to the Committee on Healthcare Services.

13. **A Bill for an Act to Establish Chartered Institute of Mentoring and Coaching in Nigeria (CICMCN) to be charged with Responsibility for Registration, Discipline of its Members to Regulate and Control the Practice of Mentoring and Coaching; and for Related Matters (HB. 1501) — Second Reading**

Motion made and Question proposed, "That a Bill for an Act to Establish Chartered Institute of Mentoring and Coaching in Nigeria (CICMCN) to be charged with Responsibility for Registration, Discipline of its Members to Regulate and Control the Practice of Mentoring and Coaching; and for Related Matters (HB. 1501) be read a Second Time" (Hon. Ntufam Eta Mborah — Calabar Municipal/Odukpani Federal Constituency).

Debate.

Question that the Bill be now read a Second Time — Agreed to.

Bill read the Second Time.

Bill referred to the Committee on Tertiary Education and Services.

14. **Rescission on the Referral of a Bill for an Act to Provide for Establishment of Chartered Institute of Engineers of Nigeria Bill, 2021 (HB. 1086)**

Motion made and Question proposed:

The House:

Notes that on 3 March, 2021, a Bill for an Act to Establish the Chartered Institute of Engineers of Nigeria was read a Second time and referred to the Committee on Commerce for further legislative action;

Also notes that the Bill seeks to strengthen the synergy between the Industry and Academic in Power Industry and therefore, erroneously assumed to be under the jurisdiction of the Committee on Commerce;

Aware that the Chartered Institute of Engineers of Nigeria Bill which seeks to regulate the professionals in the Power Industry is within the purview of the Committee on Power;

Resolves to:

Rescind its decision on Chartered Institute of Engineers of Nigeria Bill and re-commit same to the Committee on Power for further legislative action (Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasam Federal Constituency).

Agreed to.

15. **Need for the Nigeria Customs Service to Strictly Implement the Executive Order on the Ease of Doing Business in Nigeria**

Motion made and Question proposed:

The House:

Notes that on May 18, 2016, the erstwhile Acting President and current Vice-President of the Federal Republic of Nigeria, Professor Yemi Osinbajo signed an Executive Order on the ease of doing business in Nigeria, part of which was regulation of operations at the ports, which empowered the Nigeria Customs Service to coordinate other examining agencies;

Also notes that around 80 per cent of global trade by volume and over 70 per cent of global trade by value are carried out by sea are handled by ports worldwide;

Further notes that the Executive Order was issued to eliminate the problems that were hitherto associated with clearing goods at the port to ease doing business in the country;

Aware that the Executive Order is in tandem with the Revised Kyoto Convention (RKC), which is aimed at facilitating trade by harmonizing and simplifying customs procedures and practices;

Concerned that despite the Executive Order, the level of delay in clearing procedure at the ports in Nigeria is still alarming and has resulted in situations where importers and clearing agents are made to pay exorbitant charges for demurrage to shipping companies and terminal operators;

Also concerned that the delay in clearing procedures has negatively impacted Nigeria's economy as many companies have closed down, thereby contributing to the rise in prices of goods;

Further concerned that when Cargoes are eventually cleared after a long delay, the importers tend to adjust prices of the goods to reflect the additional expenses, thus creating a situation that is perpetually reducing the purchasing power of the masses;

Also aware that the National Single Window project was introduced in Nigeria to integrate all agencies involved in the clearance of Cargoes at the ports to ease and hasten inspection, calculation and payment of all import duties, levies and other charges at the nation's ports;

Disturbed by allegations of artificial bottlenecks devised by customs officials to exploit importers, which has resulted in huge financial losses for importers and clearing agents;

Cognizant that unless there is a reform of ports operations to reduce the number of Customs units involved in cargo clearing, the turn-around time will continue to be impacted negatively;

Resolves to:

- (i) urge the Nigeria Customs Service to ensure that import duties and levies for all categories of goods are clearly stated online and at all customs offices so that intending importers can simply use their bill of lading details to make payment and that the 24-hour cargo clearance stipulated by the Service is implemented;
- (ii) also urge the Federal Government to ensure that all examining agencies, especially the Nigeria Customs Service are connected to the National Single Window project to make the ports more effective;
- (iii) mandate the Committee on Customs to investigate the alleged importing and clearing ring at the Nigeria Customs Service and report within three (3) weeks (*Hon. Abbas Adigun Adekunle — Ibadan North East/Ibadan South East Federal Constituency*).

*Debate.***Amendments Proposed:**

- (i) In Prayer (iii), immediately after the words "investigate", insert the words "WEBB Fountain Nigeria Limited and" (*Hon. Leke Abejide — Yagba East/Yagba West/Mopamuro Federal Constituency*).

Question that the amendment be made — Agreed to.

- (ii) Insert a new Prayer (iv) as follows:
 "Mandate the Committee on Ports and Harbours to investigate the various operations of the terminals in the ports" (*Hon. Satonu Ahmed — Jere Federal Constituency*)

Question that the amendment be made — Agreed to.

Question on the Motion as amended — Agreed to.

The House:

Noted that on May 18, 2016, the erstwhile Acting President and current Vice-President of the Federal Republic of Nigeria, Professor Yemi Osinbanjo signed an Executive Order on the ease of doing business in Nigeria, part of which was regulation of operations at the ports, which empowered the Nigeria Customs Service to coordinate other examining agencies;

Also noted that around 80 per cent of global trade by volume and over 70 per cent of global trade by value are carried out by sea and are handled by ports worldwide;

Further noted that the Executive Order was issued to eliminate the problems that were hitherto associated with clearing goods at the port to ease doing business in the country;

Aware that the Executive Order is in tandem with the Revised Kyoto Convention (RKC), which is aimed at facilitating trade by harmonizing and simplifying customs procedures and practices;

Concerned that despite the Executive Order, the level of delay in clearing procedure at the ports in Nigeria is still alarming and has resulted in situations where importers and clearing agents are made to pay exorbitant charges for demurrage to shipping companies and terminal operators;

Also concerned that the delay in clearing procedures has negatively impacted Nigeria's economy as many companies have closed down, thereby contributing to the rise in prices of goods;

Further concerned that when Cargoes are eventually cleared after a long delay, the importers tend to adjust prices of the goods to reflect the additional expenses, thus creating a situation that is perpetually reducing the purchasing power of the masses;

Also aware that the National Single Window project was introduced in Nigeria to integrate all agencies involved in the clearance of Cargoes at the ports to ease and hasten inspection, calculation and payment of all import duties, levies and other charges at the nation's ports;

Disturbed by allegations of artificial bottlenecks devised by customs officials to exploit importers, which has resulted in huge financial losses for importers and clearing agents;

Cognizant that unless there is a reform of ports operations to reduce the number of Customs units involved in cargo clearing, the turn-around time will continue to be impacted negatively;

Resolved to:

- (i) urge the Nigeria Customs Service to ensure that import duties and levies for all categories of goods are clearly stated online and at all customs offices so that intending importers can simply use their bill of lading details to make payment and that the 24-hour cargo clearance stipulated by the Service is implemented;
- (ii) also urge the Federal Government to ensure that all examining agencies, especially the Nigeria Customs Service are connected to the National Single Window project to make the ports more effective;
- (iii) mandate the Committee on Customs to investigate WEBB Fountain Nigeria Limited, and the alleged importing and clearing ring at the Nigeria Customs Service and report within three (3) weeks;
- (iv) also mandate the Committee on Ports and Harbours to investigate the various operations of the terminals in the ports (HR. 125/11/2021).

16. Need for Construction of 132 KVA Electricity Sub-Station in Gwaram, Jigawa State
Motion made and Question proposed:

The House:

Notes that the Federal Government appropriated three hundred million Naira (₦300,000,000.00) only in the 2016 budget for the takeoff of a 132 KVA Electricity Sub-Station in Gwaram, Jigawa State:

Also notes that the President in 2016 sent a virement letter, requesting that the money be transferred to a similar project and promised to provide adequate funds in the 2017 budget for the takeoff and completion of the 132 KVA Electricity Sub-Station in Gwaram by the Transmission Company of Nigeria (TCN);

Aware that according to Section 4 (4) and item 13 Part II of the Concurrent Legislative List of the Constitution of the Federal Republic of Nigeria 1999 (as amended) provides that the National Assembly may make laws for the Federation or any part thereof on electricity and the establishment of electric power stations and the generation and transmission of electricity in or to any part of the Federation and from one State to another;

Observes that the Federal Government, through the Electric Power Sector Reform Act, 2005 established the Transmission Company of Nigeria (TCN) to issue transmission License to operate, expand/upgrade transmission facilities for efficient and effective wheeling of generated power;

Cognizant that the 132 KVA Electricity Sub-Station in Gwaram, Jigawa State, if completed, will enhance sustainable economic activities that will provide more opportunities for individuals to improve their standards of living;

Disturbed that despite being allocated land with Certificate of Occupancy (C of O) by the Jigawa State government for commencement of the project, the Transmission Company of Nigeria (TCN) is yet to commence any visible action on the project;

Resolves to:

Mandate the Committees on Appropriations, and Power to make provisions for funds in the 2022 budget for the construction of a 132 KVA Electricity Sub-Station in Gwaram, Jigawa State (*Hon. Yusuf Shitu Galambi — Gwaram Federal Constituency*).

Agreed to.

(HR. 126/11/2021).

Motion referred to the Committees on Appropriations, and Power, pursuant to Order Eight, Rule 9 (5).

17. **Need to Construct Iwaraja - Ilesha/Ile Ife Federal Highway**

Order read; deferred by leave of the House.

18. **Call for Intervention on the Abandoned Earth Satellite Station of the Nigerian Telecommunication Limited (NITEL), Lanlate, Oyo State**

Motion made and Question proposed:

The House:

Notes that the Nigerian Telecommunications Limited (NITEL) was a monopoly service provider in Nigeria until 1992 when the Federal Government enacted the Nigerian Communications Commission Act, allowing new entrants into the Communications sector;

Also notes that NITEL has contributed immensely to the development of the sector in many ways as it seconded several pioneer staff to the Nigerian Communications Commission (NCC) and the Digital Bridge Institute;

Aware that NATCOM acquired all assets owned by NITEL and its mobile arm, Mobile Telecommunications (MTEL), thus ending a decade of trickery over the resale of the company;

Also aware that since the Privatization of NITEL in Lanlate, Ibarapa East Local Government Area of Oyo State, the infrastructure has been abandoned thus becoming obsolete with many of its equipment rendered useless;

Resolves to:

Mandate the Committees on Telecommunications, and Privatisation and Commercialisation to investigate the issues surrounding the sale and abandonment of the Earth Satellite Station at Lanlate in Oyo State and report within two (2) weeks (*Hon. Oluyemi Adewale Taiwo — Federal Constituency*).

Agreed to.

(HR. 127/11/2021).

Motion referred to the Committees on Telecommunications, and Privatisation and Commercialisation, pursuant to Order Eight, Rule 9 (5).

19. **Consideration of Reports**

(i) **Committee on Niger Delta Development Commission (NDDC):**

Motion made and Question proposed, "That the House do consider the Report on the 2020 Budget of the Niger Delta Development Commission (NDDC) to expand the life span of the Budget from 31 March, 2021 to 31 December, 2021" (*Committee of Supply*) (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-kasamma Federal Constituency*).

Agreed to.

Question that the House do resolve into the Committee of Supply to consider the Report — Agreed to.

(HOUSE IN COMMITTEE OF SUPPLY)*(Mr Speaker in the Chair)*

Issue from the Statutory Revenue Fund of the Niger Delta Development Commission (NDDC), the Total Sum of ₦453,200,000,000.00 (Four Hundred and Fifty-Three Billion, Two Hundred Million Naira) only, of which the sum of ₦27,389,000,000 (Twenty-Seven Billion, Three Hundred and Eighty-Nine Million, Naira) only, is for Personnel Expenditure, ₦13,937,244,107 (Thirteen Billion, Nine Hundred and Thirty-Seven Million, Two Hundred and Forty-Four Thousand, One Hundred and Seven Naira) only, is for Overhead Expenditure, ₦2,793,755,893 (Two Billion, Seven Hundred and Ninety-Three Million, Seven Hundred and Fifty-Five Thousand, Eight Hundred and Ninety-Three Naira) only, is for Internal Capital, ₦409,080,000,000 (Four Hundred and Nine Billion, Eighty Million Naira) only, is for Development Projects for the period ending on 31 December, 2021 (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-kasamma Federal Constituency*).

*Agreed to.**Chairman to report proceedings.***(HOUSE IN PLENARY)**

Mr Speaker in the Chair, reported that the House in Committee of Supply considered the Report on the 2020 Budget of the Niger Delta Development Commission (NDDC) to expand the life span of the Budget from 31 March, 2021 to 31 December, 2021 and adopted the Report.

*Question that the House do adopt the Report of the Committee of Supply — Agreed to.**Motion made and Question proposed, That the House do suspend Order Seven, Rule 2 (2), to enable the Speaker preside in the Committee of the Whole — Agreed to.*

- (ii) *A Bill for an Act to Provide for Establishment of Federal University of Agriculture and Technology, Aboh; and for Related Matters (HB.1590) (Committee of the Whole):*
Motion made and Question proposed, "That the House do consider the Report on a Bill for an Act to Provide for Establishment of Federal University of Agriculture and Technology, Aboh; and for Related Matters (HB.1590)" (Hon. Victor Mela — Balanga/Biliri Federal Constituency).

*Agreed to.**Question that the House do resolve into the Committee of the Whole to consider the Report — Agreed to.***(HOUSE IN COMMITTEE)***(Mr Speaker in the Chair)*

A BILL FOR AN ACT TO PROVIDE FOR ESTABLISHMENT OF
 FEDERAL UNIVERSITY OF AGRICULTURE AND TECHNOLOGY, ABOH
 AND FOR RELATED MATTERS (HB. 1590)

PART I — CONSTITUTION AND FUNCTIONS OF THE
 UNIVERSITY AND ITS CONSTITUENT BODIES, ETC.

- Clause 1:** **Establishment of Federal University of Agriculture and Technology, Aboh.**
 There is hereby established a body to be called The Federal University of Agriculture and Technology, Aboh, Delta State

- (a) which shall be a body corporate with perpetual succession and a common seal.
- (b) may sue or be sued in its corporate name (*Hon. Victor Mela -- Balanga/Biliri Federal Constituency*).

Question that Clause 1 stands part of the Bill — 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 technical education;
- (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 (*Hon. Victor Mela — Balanga/Biliri Federal Constituency*).

Question that Clause 2 stands part of the Bill — 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 sub-clause;
- (i) all graduates and undergraduates; and

- (j) all other persons who are members of the University in accordance with provision 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 (*Hon. Victor Mela — Balanga/Biliri Federal Constituency*).

Question that Clause 3 stands part of the Bill — Agreed to.

Clause 4: Powers of the University and their exercise.

- (1) To carry 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, diplomas, certificates and other distinctions to persons who have pursued a course of study approved by the University and have satisfied such other requirements as the University may lay down;
 - (f) to grant honorary degrees, fellowships or academic titles;
 - (g) to demand and receive from any student or any other person attending the University for the purpose of instruction such fees as the University may from time to time determine, subject to the overall directives of the Minister;
 - (h) subject to clause 19 of this Bill, to acquire, hold, grant, charge or otherwise deal with or dispose of movable and immovable property wherever situate;
 - (i) to accept gifts, legacies and donations, but without obligation to accept the same for a particular purpose unless it approves the terms and conditions attaching thereto;
 - (j) to enter into contracts, establish trusts, act as trustee, solely or jointly with any other person, and employ and act through agents;

- (k) to erect, provide, equip and maintain libraries, laboratories, lecture halls, halls of residence, refectories, sports grounds, playing fields and other buildings or things necessary or suitable or convenient for any of the objects of the University;
 - (l) to hold public lectures and to 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 un-invested with any bank on deposit or current account;
 - (n) to borrow, whether on interest or not and if need be upon the security of any or all of the property movable or immovable of the University, such moneys as the Council may from time to time in its discretion find it necessary or expedient to borrow or to guarantee any loan, advances or credit facilities;
 - (o) to make gifts for any charitable purpose;
 - (p) to 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 (*Hon. Victor Mela -- Balanga/Biliri Federal Constituency*).

Question that Clause 4 stands part of the Bill — 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/she is present shall preside at all meetings of convocation held for conferring degrees.
- (2) The Pro-Chancellor shall, in relation to the University, take precedence before all other members of the University except the Chancellor and except the Vice-Chancellor when acting as chairman of congregation or convocation the Pro-Chancellor shall, when he/she is present, be the chairman at all meetings of the Council (*Hon. Victor Mela -- Balanga/Biliri Federal Constituency*).

Question that Clause 5 stands part of the Bill — Agreed to.

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

- (1) The Council of the University shall consist of:
 - (a) the Pro-Chancellor who shall be appointed by the President on the recommendation of the Honourable Minister of Education;
 - (b) the Vice-Chancellor;
 - (c) the Deputy Vice-Chancellor(s);
 - (d) one person from the Ministry responsible for education;
 - (e) four persons representing a variety of interests and broadly representative of the whole Federation to be appointed from:
 - (i) the Teacher's Registration Council,
 - (ii) Tertiary Education Trust Fund, and
 - (iii) two other persons, one of whom shall be a representative of the University host community;
 - (f) four persons appointed by the Senate from among its members;
 - (g) two persons appointed by Congregation from among its members;
 - (h) one person appointed by Convocation from among its members;
 - (i) two persons representing the community appointed by the President.
- (2) Persons to be appointed to the Council shall be of proven integrity, knowledgeable and familiar with the affairs and tradition of the University.
- (3) The Council so constituted shall have a tenure of four years from the date of its inauguration provided that where a Council is found to be incompetent and corrupt, it shall be dissolved by the Visitor and a new Council shall be immediately constituted for the effective functioning of the University.
- (4) The powers of the Council shall be exercised, as in this Bill and to that extent establishment circulars that are inconsistent with this Bill shall not apply to the University.
- (5) The Council shall be free in the discharge of its functions and exercise of its responsibilities for the good management, growth and development of the University.
- (6) The Council in the discharge of its functions shall ensure that disbursement of funds of the University complies with the approved budgetary ratio for —
 - (a) personnel cost;
 - (b) overhead cost;
 - (c) research and development;

- (d) library developments; and
- (e) the balance in expenditure between academic vis-à-vis non-academic activities (*Hon. Victor Mela — Balanga/Biliri Federal Constituency*).

Question that Clause 6 stands part of the Bill — Agreed to.

Clause 7: Functions of the Council and its finance and general purposes committee.

- (1) Subject to the provisions of this Bill relating to the visitor, the Council shall be the governing body of the University and shall be charged with the general control and superintendence of the policy, finances and property of the university, including its public relations.
- (2) There shall be a committee of the Council, to be known as the finance and general purposes committee, which shall, subject to the directions of the Council, exercise control over the property and expenditure of the 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 (*Hon. Victor Mela — Balanga/Biliri Federal Constituency*).

Question that Clause 7 stands part of the Bill — Agreed to.

Clause 8: Functions of the Senate.

- (1) Subject to clause 5 of this Bill and sub-clauses (3) and (4) of this clause, and to the provisions of this Bill relating to the visitor, it shall be the general function of the Senate to organize and control 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 or 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, diploma, or other award of the University which has been conferred upon him if after due enquiry he/she is shown to have been guilty of dishonourable or scandalous conduct in gaining admission into the University or obtaining that award (*Hon. Victor Mela — Balanga/Biliri Federal Constituency*).

Question that Clause 8 stands part of the Bill — 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 (*Hon. Victor Mela — Balanga/Biliri Federal Constituency*).

Question that Clause 9 stands part of the Bill — Agreed to.

PART II — STATUTES OF THE UNIVERSITY

Clause 10: General fund of the University.

- (1) There shall be a general fund of the university which shall consist of the following:
- (a) annual budgetary allocation by the Federal Government through Appropriation by the National Assembly
 - (b) grants-in-aid;
 - (c) fees;
 - (d) income derived from investments;
 - (e) gifts, legacies, endowments and donations not accepted for a particular purpose;
 - (f) income derived from the exercise of any functions conferred or imposed on the University by this Bill;
 - (g) any other amounts, charges or dues recoverable by the University;
 - (h) revenue, from time to time, accruing to the University by way of subvention;
 - (i) interests on investments;

- (j) donations and legacies accruing to the University from any source for the general or special purposes of the University; and
 - (k) Regular TETFund interventions.
- (2) The general fund shall be applied for the purposes of the University (*Hon. Victor Mela — Balanga/Biliri Federal Constituency*).

Question that Clause 10 stands part of the Bill — Agreed to.

Clause 11: Transfer of Property.

- (1) All property held by or on behalf of the Provisional Council of the University shall, by virtue of this sub-Clause and without further assurance, vest in the University and be held by it for the purpose of the University.
- (2) The provisions of the Second Schedule to this Bill shall have effect with respect to, and to matters arising from, the transfer of property by this Clause and with respect to the other matters mentioned in that Schedule (*Hon. Victor Mela — Balanga/Biliri Federal Constituency*).

Question that Clause 11 stands part of the Bill — Agreed to.

PART III — STATUTES OF THE UNIVERSITY

Clause 12: Statutes of the University.

- (1) Subject to this Bill, the University may make statutes for any of the following purposes, that is to say —
 - (a) making provision with respect to the composition and constitution of any authority of the University;
 - (b) specifying and regulating the powers and duties of any authority of the University, and regulating any other matter connected with the University or any of its authorities;
 - (c) regulating the admission of students where 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 thereunder; 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 Act.
- (3) The Statute contained in the Third Schedule to this Bill shall be deemed to have come into force on the commencement of this Bill and shall be deemed to have been made under this clause.

- (4) The power to make statutes conferred by this clause shall not be prejudiced or limited in any way by reason of the inclusion or omission of any matter in or from the Statute contained in the Third Schedule to this Bill or any subsequent statute (*Hon. Victor Mela — Balanga/Biliri Federal Constituency*).

Question that Clause 12 stands part of the Bill — Agreed to.

Clause 13: Mode of exercising power to make statutes.

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

Question that Clause 13 stands part of the Bill — Agreed to.

Clause 14: 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 (*Hon. Victor Mela — Balanga/Biliri Federal Constituency*).

Question that Clause 14 stands part of the Bill — Agreed to.

PART IV — SUPERVISION AND DISCIPLINE

Clause 15: Power of Visitor to decide meaning of statutes.

- (1) In the event of any doubt or dispute arising at any time as to the meaning of any provision of a statute, the matter may be referred to the visitor, who shall take such advice and make such decision thereon as he/she shall think 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 (*Hon. Victor Mela — Balanga/Biliri Federal Constituency*).

Question that Clause 15 stands part of the Bill — Agreed to.

Clause 16: The Visitor.

- (1) The President shall be the visitor of the University.
- (2) The Visitor shall as often as the circumstances may require, not being less than once every five years, conduct a visitation of the University or direct that such a visitation be conducted by such persons as the visitor may deem fit and in respect of any of the affairs of the University.
- (3) It shall be the duty of the bodies and persons comprising the University —
 - (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/she 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. (*Hon. Victor Mela — Balanga/Biliri Federal Constituency*).

Question that Clause 16 stands part of the Bill — Agreed to.

Clause 17: Removal of certain members of Council.

- (1) If it appears to the Council that a member of the Council (other than the Pro-Chancellor, or the Vice-Chancellor) should be removed from office on the ground of misconduct or inability to perform the functions of his/her 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/her 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 (*Hon. Victor Mela — Balanga/Biliri Federal Constituency*).

Question that Clause 17 stands part of the Bill — Agreed to.

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

- (1) If it appears to the Council that there are reasons for believing that any person employed as a member of the academic or administrative or professional staff of the University other than the Vice-Chancellor, should be removed from his/her office or employment on the ground of misconduct or of inability to perform the functions of his/her 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/she 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/her duties or his/her appointment may be terminated by Council; and for the purposes of this sub- clause "good cause" means —

- (a) conviction for any offence which the Council considers to be such as to render the person concerned unfit for the discharge of the functions of his/her office;
 - (b) any physical or mental incapacity which the Council, after obtaining medical advice, considers to be such as to render the person concerned unfit to continue to hold his/her office;
 - (c) conduct of a scandalous or other disgraceful nature which the Council considers to be such as to render the person concerned unfit to continue to hold his/her 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/her office or to comply with the terms and conditions of his/her service.
- (4) Any person suspended pursuant to sub-clause (2) or (3) of this clause shall be on half pay and the Council shall before the expiration of a period of three months after the date of such suspension consider the case against that person and come to a decision as to —
- (a) whether to continue such person's suspension and if so on what terms (including the proportion of his/her emoluments to be paid to him);
 - (b) whether to reinstate such person in which case the Council shall restore his/her 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/her 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/her emoluments that might have been withheld) as the Council may determine; and in any case where the Council, pursuant to this clause, decides to continue a person's suspension or decides to take further disciplinary action against a person, the Council shall before the expiration of a period of three months from such decision come to 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 in pursuant of sub-clause (1) above to use his/her 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 clause shall prevent the Council from making regulations for the discipline of other categories of staff and workers of the University as may be prescribed (*Hon. Victor Mela — Balanga/Biliri Federal Constituency*).

Question that Clause 18 stands part of the Bill — Agreed to.

Clause 19: Removal of examiners.

- (1) If on the recommendation of the Senate, it appears to the Vice-Chancellor that a person appointed as an examiner for any examination of the University ought to be removed from his/her office or appointment, then except in such cases as may be prescribed, he/she 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 clause 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/her best endeavours to cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it relates (*Hon. Victor Mela — Balanga/Biliri Federal Constituency*).

Question that Clause 19 stands part of the Bill — Agreed to.

Clause 20: Discipline of students.

- (1) Subject to the provisions of this clause, where it appears to the Vice-Chancellor that any student of the University has been guilty of misconduct, the Vice-Chancellor may, without prejudice to any other disciplinary powers conferred on him by statute or regulations, direct —
 - (a) that the student shall not, during such period as may be specified in the direction, participate in such activities of the University, or make use of such facilities of the University, as may be so specified; or
 - (b) that the activities of the student shall, during such period as may be specified in the direction, be restricted in such manner as may be so specified;
 - (c) that the student be rusticated for such period as may be specified in the direction; or
 - (d) that the student be, expelled from the University.
- (2) Where a direction is given under sub-clause (1) (c) or (d) of this clause in respect of any student, 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 sub-clause shall not affect the operation of the direction while the appeal is pending.
- (4) The Vice-Chancellor may delegate his/her powers under this clause to a disciplinary board consisting of such members of the University as he/she 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 (*Hon. Victor Mela — Balanga/Biliri Federal Constituency*).

Question that Clause 20 stands part of the Bill — Agreed to.

PART IV — MISCELLANEOUS AND GENERAL

Clause 21: 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 (*Hon. Victor Mela — Balanga/Biliri Federal Constituency*).

Question that Clause 21 stands part of the Bill — Agreed to.

Clause 22: Restriction on disposal of land by University.
Without prejudice to the provisions of the Land Use Act, the University shall not dispose of or charge any land or an interest in any land (including any land transferred to the University by this Bill) except with the prior written consent, either general or special, of the 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 (*Hon. Victor Mela — Balanga/Biliri Federal Constituency*).

Question that Clause 22 stands part of the Bill — Agreed to.

Clause 23: Quorum and procedure of bodies established by this Bill.
Except as may be otherwise provided by statute or by regulations, the quorum and procedure of any body of persons established by this Bill shall be such as may be determined by that body (*Hon. Victor Mela — Balanga/Biliri Federal Constituency*).

Question that Clause 23 stands part of the Bill — Agreed to.

Clause 24: Transfer of Land to the University.

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

Question that Clause 24 stands part of the Bill — Agreed to.

Clause 25: Retirement.

- (1) Notwithstanding anything to the contrary in the Pension Act, the compulsory retiring age of the following categories of staff shall be as follows:
 - (a) Academic Staff of the University in the non-Professorial cadre shall be 65 years;
 - (b) Academic Staff of the University in the Professorial Cadre shall be 70 years;
 - (c) Non-academic staff of the University shall be 65 years.
- (2) A law or rule requiring a person to retire from the public service after serving for 35 years shall not apply to an academic staff of the University (*Hon. Victor Mela — Balanga/Biliri Federal Constituency*).

Question that Clause 25 stands part of the Bill — Agreed to.

Clause 26: Transitional and Savings Provision.

- (1) On the commencement of this Bill, any person employed by or serving in, Federal University of Agriculture and Technology Aboh, shall be deemed to have been employed or serving in the University established under this Bill.
- (2) All Assets or liabilities belonging to Federal University of Agriculture and Technology Aboh shall be deemed to belong to the University established under this Bill (*Hon. Victor Mela — Balanga/Biliri Federal Constituency*).

Question that Clause 26 stands part of the Bill — Agreed to.

Clause 27: 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 (*Hon. Victor Mela — Balanga/Biliri Federal Constituency*).

Question that Clause 27 stands part of the Bill — Agreed to.

Clause 28: Special Provisions relating to Pension of Professors.

An academic staff of the University who retires as a Professor in the University shall be entitled to pension at a rate equivalent to his/her annual salary provided that the Professor has served continuously in the University up to the retirement age (*Hon. Victor Mela — Balanga/Biliri Federal Constituency*).

Question that Clause 28 stands part of the Bill — Agreed to.

Clause 29: 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 anybody established in pursuance of this Bill shall not be affected by any vacancy in the membership of the body, or by any defect in the appointment of a member of the body or by reason that any person not entitled to do so took part in the proceedings.

- (5) Any member of any such body who has a personal interest in any matter proposed to be considered by that body shall forthwith disclose his/her interest to the body and shall not vote on any question relating to that matter.
- (6) Nothing in Clause 12 of the Interpretation Act (which provides for the application, in relation to subordinate legislation, of certain incidental provisions) shall apply to statutes or regulations made in pursuance of this Bill; 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 Third Schedule of this Bill) or any regulation by a subsequent statute or, as the case may be, by a subsequent regulation, and statutes and regulations may make different 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 clauses 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 Bill may, without prejudice to any other mode of service, be served by post (*Hon. Victor Mela — Balanga/Biliri Federal Constituency*).

Question that Clause 29 stands part of the Bill — Agreed to.

Clause 30: Restriction of suits and execution.

(1) **Pre-Action Notice:**

- (a) No legal proceeding shall be instituted and/or commenced against the University or any of its agents in the course of their official duties unless a 3 months' Pre-Action Notice of such intention is served on the University by an aggrieved party.
- (b) The Notice shall state the reason and the cause of action intended to be taken against the University, the particulars of the claim, the name and place of abode of the intending plaintiff and the relief which he/she claims.
- (c) For the avoidance of doubt, it is hereby declared that no suit shall be commenced against an officer or servant of the University, in any case where the University is vicariously liable for any alleged act, neglect or default of the officer or servant in the performance or intended performances of his/her duties, unless three months at least has elapsed after written notice of intention to commence the same shall have been served on the University by the intending plaintiff or his/her agent.
- (d) In any suit against this University, no execution or attachment or process in the nature thereof shall be issued against the University, but any sums of money which may be judgment of the court be awarded against the University shall, subject to any direction given by the court where notice of appeal has been given by the University in respect of the said judgment, be paid by the University from its general fund.

(2) **Service of Notices:**

Service upon the University of any notice, order or other document may be effected by delivering the same or by sending it by registered post addressed to the Registrar and Secretary of the Council (*Hon. Victor Mela — Balanga/Biliri Federal Constituency*).

Question that Clause 30 stands part of the Bill — Agreed to.

Clause 31: Interpretation.

(1) In this Bill, unless the context otherwise requires —

"campuses" means any campus which may be established by the University (*Hon. Victor Mela — Balanga/Biliri Federal Constituency*).

Question that the meaning of the word "campuses" be as defined in the interpretation to this Bill — Agreed to.

"college" means any college which may be established by the University (*Hon. Victor Mela — Balanga/Biliri Federal Constituency*).

Question that the meaning of the word "college" be as defined in the interpretation to this Bill — Agreed to.

"Council" means the Council established by this Bill for the University (*Hon. Victor Mela — Balanga/Biliri Federal Constituency*).

Question that the meaning of the word "Council" be as defined in the interpretation to this Bill — Agreed to.

"graduate" means a person on whom a degree (other than an honorary degree) has been conferred by the University (*Hon. Victor Mela — Balanga/Biliri Federal Constituency*).

Question that the meaning of the word "graduate" be as defined in the interpretation to this Bill — Agreed to.

"Minister" means the Minister charged with responsibility for education (*Hon. Victor Mela — Balanga/Biliri Federal Constituency*).

Question that the meaning of the word "Minister" be as defined in the interpretation to this Bill — Agreed to.

"notice" means notice in writing (*Hon. Victor Mela — Balanga/Biliri Federal Constituency*).

Question that the meaning of the word "notice" be as defined in the interpretation to this Bill — Agreed to.

"officer" does not include the visitor (*Hon. Victor Mela — Balanga/Biliri Federal Constituency*).

Question that the meaning of the word "officer" be as defined in the interpretation to this Bill — Agreed to.

"prescribed" means prescribed by statute or regulations (*Hon. Victor Mela — Balanga/Biliri Federal Constituency*).

Question that the meaning of the word "prescribed" be as defined in the interpretation to this Bill — Agreed to.

"professor" means a person designated as a professor of the University in accordance with provision made in that behalf by statute or by regulations (Hon. Victor Mela — Balanga/Biliri Federal Constituency).

Question that the meaning of the word "professor" be as defined in the interpretation to this Bill — Agreed to.

"property" includes rights, liabilities and obligations (Hon. Victor Mela — Balanga/Biliri Federal Constituency).

Question that the meaning of the word "property" be as defined in the interpretation to this Bill — Agreed to.

"regulations" means regulations made by the Senate or Council (Hon. Victor Mela — Balanga/Biliri Federal Constituency).

Question that the meaning of the word "regulations" be as defined in the interpretation to this Bill — Agreed to.

"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 (Hon. Victor Mela — Balanga/Biliri Federal Constituency).

Question that the meaning of the word "statute" be as defined in the interpretation to this Bill — Agreed to.

"teacher" means a person holding a full-time appointment as a member of the teaching or research staff of the University (Hon. Victor Mela — Balanga/Biliri Federal Constituency).

Question that the meaning of the word "teacher" be as defined in the interpretation to this Bill — Agreed to.

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

- (a) a graduate; and
- (b) a person of such description as may be prescribed for the purposes of this definition (Hon. Victor Mela — Balanga/Biliri Federal Constituency).

Question that the meaning of the word "undergraduate" be as defined in the interpretation to this Bill — Agreed to.

"University" means the Federal University of Agriculture and Technology, Aboh as incorporated and constituted by this Bill (Hon. Victor Mela — Balanga/Biliri Federal Constituency).

Question that the meaning of the word "University" be as defined in the interpretation to this Bill — Agreed to.

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

Question that Clause 31 stands part of the Bill — Agreed to.

Clause 32: Short Title.

This Bill may be cited as the Federal University of Agriculture and Technology, Aboh (Establishment) Bill, 2021 (*Hon. Victor Mela — Balanga/Biliri Federal Constituency*).

Question that Clause 32 stands part of the Bill — Agreed to.

SCHEDULES

FIRST SCHEDULE

PRINCIPAL OFFICERS OF THE UNIVERSITY

The Chancellor

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

The Pro-Chancellor

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

The Vice-Chancellor

3. (1) Subject to the provisions of this paragraph, the Vice-Chancellor shall be appointed or removed from his/her office by the President after consultation with the University Council.
- (2) The Vice-Chancellor shall hold office for four years in the first instance and shall be eligible for re-appointment for a second term of three years, thereafter he/she shall no longer be eligible for appointment until at least four years have elapsed since the last held office as Vice-Chancellor.
- (3) Subject to this paragraph, the Vice-Chancellor shall hold office on such terms as to emoluments and otherwise as may be specified in his/her instrument of appointment.

Deputy Vice-Chancellor

4. (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:
- assist the Vice-Chancellor in the performance of his/her functions;
 - 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/her functions as Vice-Chancellor; and
 - perform such other functions as the Vice-Chancellor or the Council may, from time to time, assign to him.

Other principal officers of the University

5. The officers aforesaid shall be appointed by the Governing Council for a tenure for a single term of five years and Council may upon satisfactory performance, extend the tenure of the Registrar, Bursar or Librarian for a further period of one year and thereafter such Registrar, Bursar or Librarian shall relinquish his/her post and be assigned to other duties in the University this is in line with the provisions of the clause 5 of the Universities (Miscellaneous Provision) Act, 1993 (as amended).
6. Any question as to the scope of the responsibilities of the aforesaid officers shall be determined by the Vice-Chancellor.

Director of Works

7. 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/she shall be responsible for all works, services and maintenance of University facilities

Director of Health Services

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

9. (1) Any officer mentioned in this Schedule may resign his/her office in:
- the case of the Chancellors or Pro-Chancellor, by notice to the Visitor;
 - in the case of the Vice-Chancellor, by notice to the Council which shall immediately notify the Minister.
- (2) A person who has ceased to hold an office so mentioned otherwise than by removal for misconduct shall be eligible for re-appointment to that office.

Resignation and re-appointment.

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

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

SECOND SCHEDULE

TRANSITIONAL PROVISION.

Registration of transfers

1. If the law in force at the place where any property transferred by this Bill is situate provides for the registration of transfers of property of the kind in question (whether by reference to an instrument of transfer or otherwise), the law shall, so far as it provides for alterations of a register (but not for avoidance of transfers, the payment of fees or any other matter) apply, with necessary modifications, to the property aforesaid.
2. It shall be the duty of the body to which any property is transferred by this Bill to furnish the necessary particulars of the transfer to the proper officer of the registration authority, and of that officer to register the transfer accordingly.

Transfer of Functions, etc.

3. (1) The first meeting of the Council shall be convened by the Pro-Chancellor on such date and in such manner as he/she may determine.
- (2) The persons who were members of the Provisional Council shall be deemed to constitute the Council until the date when the Council as set up under the Third Schedule to this Bill shall have been duly constituted.
- (3) The first meeting of the Senate as constituted by this Bill shall be convened by the Vice-Chancellor on such date and in such manner as he/she may determine.
- (4) The persons who were members of the Academic Board immediately before the coming into force of this Bill shall be deemed to constitute the Senate of the University until the date when the Senate as set up under the Third Schedule to this Bill shall have been duly constituted.
- (5) Subject to any regulations which may be made by the Senate after the date on which this Bill is made, the schools, school boards and students of the University immediately before the coming into force of this Bill shall on that day become schools, school boards and students of the University as constituted by this Bill.

- (6) Persons who were Deans of schools and Heads of Academic Departments shall continue to be Deans or HODs of the corresponding School/Department, until new appointments are made in pursuance of the statutes.
- (7) Any person who was a member of the staff of the University as established or was otherwise employed by the Provisional Council shall become the holder of an appointment at the University with the status, designation and functions which correspond as nearly as may be to those which appertained to him as member of that staff or as such an employee (*Hon. Victor Mela — Balanga/Biliri Federal Constituency*).

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

THIRD SCHEDULE

The Council

1. (1) The Council shall consist of —
- (a) the Pro-Chancellor;
 - (b) the Vice-Chancellor and the deputy Vice-Chancellor;
 - (c) four persons representing a variety of interests and broadly representative of the whole Federation appointed by the National Council of Ministers: by virtue of Clause 2 (e) of the Universities (Miscellaneous Provisions) Act, 1993 (as amended);
 - (d) four person appointed by the Senate from among the members of that body;
 - (e) two person appointed by congregation from amongst the members of that body; Clause 2 (g) of the Universities (Miscellaneous Provisions) Act, 1993 (as amended).
 - (f) one person appointed by convocation from among the members of that body;
 - (g) the Permanent Secretary, Federal Ministry of Education or, in his/her 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/her 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/she 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/she 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/she was appointed may appoint a successor to hold office for the residue of the term of his/her 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.

The Finance and General Purposes Committee

2. (1) The finance and general purposes committee of the Council shall consist of —
 - (a) the Pro-Chancellor, who shall be the chairman of the committee at any meeting at which he/she 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 Finance or, in his/her absence, such member of his/her Ministry shall as may be designated to represent him.
- (2) The quorum of the committee shall be five.
- (3) Subject to any directions given by the Council, the committee may regulate its own procedure.

The Senate

3. (1) The Senate shall consist of —
 - (a) the Vice-Chancellor and 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 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/she is present; and in his/her 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/her 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/her election, and may be a candidate at any election held in pursuance of paragraph (5) above in the year in which his/her period of office expires, so however that no person shall be such a candidate if at the end of his/her current period of office he/she would have held office as an elected member for a continuous period of six years or would have so held office if he/she 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/she 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/her 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.

Congregation

4. (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/she is present; and in his/her 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.

Convocation

5. (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/her name registered as a member of convocation if —
- (a) he/she is either a graduate of the University or a person satisfying such requirements as may be prescribed for the purposes of this paragraph; and

- (b) he/she applies for the registration of his/her 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/she is entitled to have his/her 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/she is present, and in his/her absence the Vice Chancellor 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.

Organisation of faculties and branches thereof Each faculty shall be divided into such number of branches as may be prescribed

6. (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.

Annual Budget and Estimates

7. (i) The estimates of income and expenditure for a financial year shall be presented by the Vice-Chancellor to the Council and may be approved by the Council before the beginning of that financial year:

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

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

Gifts, donations, etc.

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

- (ii) Registers shall be kept of all donations to the University including the names of donors and any special conditions under which any donation may have been given:

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

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

Audit

9. (1) The Council shall cause the accounts of the University to be audited by auditors appointed by the Council as soon as may be after the end of each financial year or for any such other period as the Council may require.
- (2) The appointment and other matters relative to the auditors, their continuance in office and their functions, as the case may be, shall, subject to the provisions of this Clause, be prescribed by statute.

Selection of certain principal officers

10. (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.

Division of colleges

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

Departmental Board of Studies

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

Selection of Certain Principal And other Key Officers

13. (1) When a vacancy occurs in the office of the Directors of Physical Planning and Development, Works and Services and Health, a Selection Board shall be constituted by the Council which shall consist of:
- (a) the Pro-Chancellor;
 - (b) the Vice-Chancellor;
 - (c) two members appointed by the Council, not being members of the Senate;
 - (d) two members appointed by the Senate.
- (2) The Selection Board after making such inquiries as it thinks fit, shall recommend a candidate to the Council for appointment to the vacant office; and after considering the recommendation of the board the Council may make an appointment to that office.

College Boards

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

Tenure of Directors

15. A Director shall hold office on such terms and conditions as may be specified in his/her letter of appointment subject to the extant Regulations.

Creation of academic posts

16. 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.

Appointment of academic staff

17. 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.

Appointment of administrative and technical staff

18. (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 staff who have close and important contacts with the academic staff, there shall be Senate participation in the process of selection.

Interpretation

19. In this Statute, the expression "the Bill" means the Federal University of Agriculture and Technology, Aboh Bill and any expression defined in the Bill has the same meaning in this Statute (*Hon. Victor Mela — Balanga/Biliri Federal Constituency*).

Question that the provisions of the Third Schedule stand part of the Bill — Agreed to.

Explanatory Memorandum:

This Bill seeks to provide for the establishment of the Federal University of Agriculture and Technology, Aboh in Ndokwa East Local Government Area, Delta State (*Hon. Victor Mela — Balanga/Biliri Federal Constituency*).

Agreed to.

Long Title:

A Bill for an Act to Provide for Establishment of Federal University of Agriculture and Technology, Aboh and for Related Matters (HB. 1590) (*Hon. Victor Mela — Balanga/Biliri Federal Constituency*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Provide for Establishment of Federal University of Agriculture and Technology, Aboh; and for Related Matters (HB. 1590) and approved Clauses 1 - 32, the Schedules, the Explanatory Memorandum, and the Long Title of the Bill.

Question that the House do adopt the Report of the Committee of the Whole — Agreed to.

- (iii) ***A Bill for an Act to Provide for Establishment of Federal College of Education (Technical) Aghoro, Bayelsa State; and for Related Matters (HB. 1649) (Committee of the Whole): Motion made and Question proposed, "That the House do consider the Report on a Bill for an Act to Provide for Establishment of Federal College of Education (Technical) Aghoro, Bayelsa State; and for Related Matters (HB. 1649)" (Hon. Aminu Suleiman — Fagge Federal Constituency).***

Agreed to.

Question that the House do resolve into the Committee of the Whole to consider the Report — Agreed to.

(HOUSE IN COMMITTEE)*(Mr Speaker in the Chair)*

A BILL FOR AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE FEDERAL COLLEGE OF EDUCATION (TECHNICAL), AGHORO, BAYELSA STATE; AND FOR OTHER MATTERS CONNECTED THEREWITH

PART I — ESTABLISHMENT OF THE FEDERAL COLLEGE OF EDUCATION (TECHNICAL), AGHORO, BAYELSA STATE

Clause 1: Establishment and objectives of the Federal College of Education.

- (1) There is established the Federal College of Education (Technical), Aghoro, Bayelsa State which shall have such powers and exercise such functions as is conferred on it by this Bill.
- (2) The College shall be a body corporate with perpetual succession and a common seal and shall have power to acquire and dispose of interests in movable and immovable property and may sue and be sued in its corporate name.
- (3) The College shall be a training institution for the development of teacher Education in the country.
- (4) The College shall be supervised by the Federal Ministry of Education through the National Commission for Colleges of Education (NCCE) who shall be responsible for approving and regulating all academic programmes run in the College, to ensure quality compliance and provide funds for academic and research programmes, infrastructures and remunerations of employees.
- (5) The objects of the College shall be to:
 - (a) encourage the advancement of learning and to hold out to all persons without distinction of race, creed, sex or political conviction;
 - (b) develop and offer academic and professional programmes leading to the award of certificates, first degrees, post-graduate degrees, diploma and higher degrees with emphasis on planning, developmental and adaptive skills in education, technology, applied science, agriculture, commerce, arts, social science, humanities, management and allied professional disciplines;
 - (c) bring quality change in Education by focusing on teacher Education through teaching and learning innovations;
 - (d) collaborate with other national and international institutions involved in training, research and development of Education with a view to promoting governance, leadership and management skills among Educational managers;
 - (e) to provide and promote sound basic Education training as a foundation for the development of Nigeria, taking into account indigenous culture and the need to enhance national unity;

- (f) to provide higher Education and foster a systematic advancement of the science and art of teacher Education;
- (g) provide teachers with operational competence for teaching in pre-tertiary institutions, basic, senior secondary schools and non-formal Education institutions;
- (h) undertake any other activities that is appropriate for a College of Education of the highest standard (*Hon. Frederick Y. Agbedi — Brass/Nembe Federal Constituency*).

Question that Clause 1 stands part of the Bill — Agreed to.

Clause 2: Functions of the College.

The functions of the College shall be to:

- (a) to provide full-time and part-time courses in teaching, instruction and training to produce middle and high level teachers:
 - (i) in technology, sciences/applied sciences, commerce, arts, social sciences, humanities and management, and
 - (ii) in such other fields of applied learning relevant to the needs of the development of Nigeria in the areas of industrial and agricultural production and distribution and for research in the development and adaptation of techniques as the Council may from time to time determine;
- (b) conduct courses in education for qualified teachers;
- (c) arrange conferences, seminars, inaugural lectures and workshops relative to the fields of learning specified in paragraph (a) of this section; and
- (d) to perform such other functions as in the opinion of the Council may serve to promote the objectives of the College (*Hon. Frederick Y. Agbedi — Brass/Nembe Federal Constituency*).

Question that Clause 2 stands part of the Bill — Agreed to.

Clause 3: Governing Council of College.

- (1) The governance of the College and the direction of its affairs shall vest in the Governing Council of the College (in this Bill referred to as "the Council").
- (2) Without prejudice to the generality of subsection (1) of this section, it shall be the responsibility of the Council to consider and approve the:
 - (a) plan of activities of the College;
 - (b) programme of studies, courses and research to be undertaken by the College;
 - (c) annual estimates of the College; and
 - (d) investment plans of the College.

- (3) The provisions of the Schedule to this Bill shall have effect with respect to the Council as specified therein (*Hon. Frederick Y. Agbedi — Brass/Nembe Federal Constituency*).

Question that Clause 3 stands part of the Bill — Agreed to.

Clause 4: Membership of the Governing Council.

The Council shall consist of a Chairman, to be appointed by the President, Commander-in-Chief of the Armed Forces and the following other members:

- (a) the Hon. Minister of Education or his Representative;
- (b) four persons of note in the areas of Sciences and of Technology, at least one of whom shall be a woman, to be appointed by the President, Commander-in-Chief of the Armed Forces;
- (c) an elected representative of the Alumni Association of the College;
- (d) two elected representatives of the Academic Board and the Congregation of the College (one each);
- (e) the Provost of the College;
- (f) the Registrar shall be a Secretary;
- (g) two members who are handicapped (*Hon. Frederick Y. Agbedi — Brass/Nembe Federal Constituency*).

Question that Clause 4 stands part of the Bill — Agreed to.

Clause 5: Tenure of Council Members.

- (1) A member of the Council shall hold office for a term of four years and, subject to the provisions of subsection (2) of this section, shall be eligible for re-appointment for a further period of four years.
- (2) The office of a member appointed under section 4(d) of this Bill shall become vacant if :
 - (a) the member resigns his office by notice in writing under his hand, addressed to the Minister; or
 - (b) the Minister is satisfied that it is not in the interest of the College for the person appointed to continue in office and notifies the member in writing to that effect (*Hon. Frederick Y. Agbedi — Brass/Nembe Federal Constituency*).

Question that Clause 5 stands part of the Bill — Agreed to.

Clause 6: Power of the Governing Council.

- (1) For the carrying out of the functions of the College, the Council shall have power to :
 - (a) hold examinations and award diplomas, professional certificates, Degrees and other distinctions of the College, to persons who have.

- pursued a course of study approved by the Council and who have satisfied such other requirements of the Council as accredited by NCCE;
- (b) demand and receive from any student or any other person attending the College for the purpose of instruction such fees as the Council may, with the prior approval of NCCE from time to time determine;
 - (c) hold public lectures and undertake printing, publishing and bookselling;
 - (d) make gifts for any charitable purpose;
 - (e) hold examinations in education for qualified teachers;
 - (f) provide amenities for and make such other provision for the welfare of the staff of the College;
 - (g) invest the funds of the College in securities specified by law or in such other securities in Nigeria as may be approved by the NCCE;
 - (h) borrow money within Nigeria in such manner and upon such security as the NCCE may from time to time authorize;
 - (i) recruit staff of the right caliber and determine the career structure of such staff;
 - (j) establish and maintain such schools and other teaching units within the College or extramural departments as the Council may from time to time decide;
 - (k) provide such courses of instruction either alone or in association with other institutions whether in Nigeria or not as the Council may determine approve;
 - (l) institute and award fellowships, medals, prizes and other titles;
 - (m) mount exhibitions and displays designed to foster an appreciation of trends in the scope and requirements of education;
 - (n) erect, provide, equip and maintain such educational, recreational and residential facilities as the College may require;
 - (o) create lecturerships and other academic posts and offices and to make appointments thereto;
 - (p) encourage and make provision for research and research grant in the College; and
 - (q) do such acts and things whether or not incidental to the foregoing powers as may advance the objects of the College.
- (2) The President and Commander-in-chief shall be the visitor to College.
- (3) The Minister shall arrange visitation every 4 years on behalf of the visitor.

(HOUSE IN COMMITTEE)*(Mr Speaker in the Chair)*

A BILL FOR AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE FEDERAL COLLEGE OF EDUCATION (TECHNICAL), AGHORO, BAYELSA STATE; AND FOR OTHER MATTERS CONNECTED THEREWITH

PART I — ESTABLISHMENT OF THE FEDERAL COLLEGE OF EDUCATION (TECHNICAL), AGHORO, BAYELSA STATE

Clause 1: Establishment and objectives of the Federal College of Education.

- (1) There is established the Federal College of Education (Technical), Aghoro, Bayelsa State which shall have such powers and exercise such functions as is conferred on it by this Bill.
- (2) The College shall be a body corporate with perpetual succession and a common seal and shall have power to acquire and dispose of interests in movable and immovable property and may sue and be sued in its corporate name.
- (3) The College shall be a training institution for the development of teacher Education in the country.
- (4) The College shall be supervised by the Federal Ministry of Education through the National Commission for Colleges of Education (NCCE) who shall be responsible for approving and regulating all academic programmes run in the College, to ensure quality compliance and provide funds for academic and research programmes, infrastructures and remunerations of employees.
- (5) The objects of the College shall be to:
 - (a) encourage the advancement of learning and to hold out to all persons without distinction of race, creed, sex or political conviction;
 - (b) develop and offer academic and professional programmes leading to the award of certificates, first degrees, post-graduate degrees, diploma and higher degrees with emphasis on planning, developmental and adaptive skills in education, technology, applied science, agriculture, commerce, arts, social science, humanities, management and allied professional disciplines;
 - (c) bring quality change in Education by focusing on teacher Education through teaching and learning innovations;
 - (d) collaborate with other national and international institutions involved in training, research and development of Education with a view to promoting governance, leadership and management skills among Educational managers;
 - (e) to provide and promote sound basic Education training as a foundation for the development of Nigeria, taking into account indigenous culture and the need to enhance national unity;

- (f) to provide higher Education and foster a systematic advancement of the science and art of teacher Education;
- (g) provide teachers with operational competence for teaching in pre-tertiary institutions, basic, senior secondary schools and non-formal Education institutions;
- (h) undertake any other activities that is appropriate for a College of Education of the highest standard (*Hon. Frederick Y. Agbedi — Brass/Nembe Federal Constituency*).

Question that Clause 1 stands part of the Bill — Agreed to.

Clause 2: Functions of the College.

The functions of the College shall be to:

- (a) to provide full-time and part-time courses in teaching, instruction and training to produce middle and high level teachers:
- (i) in technology, sciences/applied sciences, commerce, arts, social sciences, humanities and management, and
- (ii) in such other fields of applied learning relevant to the needs of the development of Nigeria in the areas of industrial and agricultural production and distribution and for research in the development and adaptation of techniques as the Council may from time to time determine;
- (b) conduct courses in education for qualified teachers;
- (c) arrange conferences, seminars, inaugural lectures and workshops relative to the fields of learning specified in paragraph (a) of this section; and
- (d) to perform such other functions as in the opinion of the Council may serve to promote the objectives of the College (*Hon. Frederick Y. Agbedi — Brass/Nembe Federal Constituency*).

Question that Clause 2 stands part of the Bill — Agreed to.

Clause 3: Governing Council of College.

- (1) The governance of the College and the direction of its affairs shall vest in the Governing Council of the College (in this Bill referred to as "the Council").
- (2) Without prejudice to the generality of subsection (1) of this section, it shall be the responsibility of the Council to consider and approve the:
- (a) plan of activities of the College;
- (b) programme of studies, courses and research to be undertaken by the College;
- (c) annual estimates of the College; and
- (d) investment plans of the College.

- (3) The provisions of the Schedule to this Bill shall have effect with respect to the Council as specified therein (*Hon. Frederick Y. Agbedi — Brass/Nembe Federal Constituency*).

Question that Clause 3 stands part of the Bill — Agreed to.

Clause 4: Membership of the Governing Council.

The Council shall consist of a Chairman, to be appointed by the President, Commander-in-Chief of the Armed Forces and the following other members:

- (a) the Hon. Minister of Education or his Representative;
- (b) four persons of note in the areas of Sciences and of Technology, at least one of whom shall be a woman, to be appointed by the President, Commander-in-Chief of the Armed Forces;
- (c) an elected representative of the Alumni Association of the College;
- (d) two elected representatives of the Academic Board and the Congregation of the College (one each);
- (e) the Provost of the College;
- (f) the Registrar shall be a Secretary;
- (g) two members who are handicapped (*Hon. Frederick Y. Agbedi — Brass/Nembe Federal Constituency*).

Question that Clause 4 stands part of the Bill — Agreed to.

Clause 5: Tenure of Council Members.

- (1) A member of the Council shall hold office for a term of four years and, subject to the provisions of subsection (2) of this section, shall be eligible for re-appointment for a further period of four years.
- (2) The office of a member appointed under section 4(d) of this Bill shall become vacant if:
 - (a) the member resigns his office by notice in writing under his hand, addressed to the Minister; or
 - (b) the Minister is satisfied that it is not in the interest of the College for the person appointed to continue in office and notifies the member in writing to that effect (*Hon. Frederick Y. Agbedi — Brass/Nembe Federal Constituency*).

Question that Clause 5 stands part of the Bill — Agreed to.

Clause 6: Power of the Governing Council.

- (1) For the carrying out of the functions of the College, the Council shall have power to:
 - (a) hold examinations and award diplomas, professional certificates, Degrees and other distinctions of the College, to persons who have.

- pursued a course of study approved by the Council and who have satisfied such other requirements of the Council as accredited by NCCE;
- (b) demand and receive from any student or any other person attending the College for the purpose of instruction such fees as the Council may, with the prior approval of NCCE from time to time determine;
 - (c) hold public lectures and undertake printing, publishing and bookselling;
 - (d) make gifts for any charitable purpose;
 - (e) hold examinations in education for qualified teachers;
 - (f) provide amenities for and make such other provision for the welfare of the staff of the College;
 - (g) invest the funds of the College in securities specified by law or in such other securities in Nigeria as may be approved by the NCCE;
 - (h) borrow money within Nigeria in such manner and upon such security as the NCCE may from time to time authorize;
 - (i) recruit staff of the right caliber and determine the career structure of such staff;
 - (j) establish and maintain such schools and other teaching units within the College or extramural departments as the Council may from time to time decide;
 - (k) provide such courses of instruction either alone or in association with other institutions whether in Nigeria or not as the Council may determine approve;
 - (l) institute and award fellowships, medals, prizes and other titles;
 - (m) mount exhibitions and displays designed to foster an appreciation of trends in the scope and requirements of education;
 - (n) erect, provide, equip and maintain such educational, recreational and residential facilities as the College may require;
 - (o) create lecturerships and other academic posts and offices and to make appointments thereto;
 - (p) encourage and make provision for research and research grant in the College; and
 - (q) do such acts and things whether or not incidental to the foregoing powers as may advance the objects of the College.
- (2) The President and Commander-in-chief shall be the visitor to College.
 - (3) The Minister shall arrange visitation every 4 years on behalf of the visitor.

- (4) The power of the Council to establish further schools within the College shall be exercisable by order and not otherwise (*Hon. Frederick Y. Agbedi — Brass/Nembe Federal Constituency*).

Question that Clause 6 stands part of the Bill — Agreed to.

Clause 7: Establishment of Academic Board.

- (1) There shall be established for the College a Board to be known as the Academic Board, which shall consist of the following members:
- (a) the Provost of the College, who shall be the Chairman;
 - (b) all Heads of Academic Units;
 - (c) the College Librarian;
 - (d) not more than two members of the academic staff Congregation other than Heads of Department to be appointed by the congregation; and
 - (e) Deputy Provosts, Deans, Academic Directors/Coordinators, all Chief lecturers with Ph.D/Professors.
- (2) The Academic Board shall be responsible for:
- (a) the direction and management of academic matters of the College including the regulation of admission of students, the award of certificates, scholarships, teaching and research, prizes and other academic distinctions;
 - (b) making periodic reports on such academic matters to the Council; and
 - (c) discharging any other functions which the Council may from time to time delegate to it (*Hon. Frederick Y. Agbedi — Brass/Nembe Federal Constituency*).

Question that Clause 7 stands part of the Bill — Agreed to.

Clause 8: Establishment of Management Committee.

- (1) There shall be a Management Committee made up of all the Principal Officers of the College, all Deans and Directors in the College.
- (2) The Provost shall be the Chairman of the Management Committee.
- (3) The Management Committee shall meet at least once in a month to discuss and take decisions on matters of general interest to the College (*Hon. Frederick Y. Agbedi — Brass/Nembe Federal Constituency*).

Question that Clause 8 stands part of the Bill — Agreed to.

Clause 9: Establishment of School/Departmental Board.

- (a) (i) There shall be a School Board for each school in the College of Education made up of all the Academic Staff in that School.

- (ii) The School Board deal with academic matters and any other matter of interest to the School or any matter assigned to it by the Council, the Provost or the Academic Board.
 - (iii) The Dean shall be the Chairman of the School Board.
 - (iv) The Dean shall be elected from among the Academic Staff not below the rank of Chief Lecturer in that School for a tenure of three years and not immediately renewable.
- (b)
- (i) There shall be a Departmental Board for each Department in the College of Education made up of all the Academic Staff in that department.
 - (ii) The Departmental Board shall deal with academic matters and any other matter of interest to the Department.
 - (iii) The Head of Department shall be Chairman of the Departmental Board.
 - (iv) The Head of Department shall be elected from among the Academic staff not below the rank of Senior Lecturer in that department for a tenure of three years and not immediately renewable.
- (c)
- Where there is no qualified candidate for the position of Dean or Head of Department, the Provost shall appoint an Acting Dean not below the rank of Senior Lecturer or Acting Head of Department not below the rank of Lecturer I for a period of one year in the first instance and renewable once and no more.
- (d)
- Nothing in this Bill shall prevent the management Committee and Boards from making supplementary rules to guide their proceedings provided such rules are not inconsistent with the provisions of this Bill (*Hon. Frederick Y. Agbedi — Brass/Nembe Federal Constituency*).

Question that Clause 9 stands part of the Bill — Agreed to.

Clause 10: Establishment of the Congregation.

- (a) There shall be for the College of Education, a Congregation made of both Academic and Senior Non-Teaching staff, who holds at least a first degree or its equivalent.
- (b) The Provost shall be the Chairman of the Congregation; and
- (c) The Congregation shall meet at least once in a year (*Hon. Frederick Y. Agbedi — Brass/Nembe Federal Constituency*).

Question that Clause 10 stands part of the Bill — Agreed to.

Clause 11: Power of Minister over Council.

Subject to the provisions of this Bill, the Minister may give to the Council directives of a general character or relating generally to matters of policy with regard to the exercise by the Council of its functions under this Bill, and it shall be the duty of the Council to comply with such directives (*Hon. Frederick Y. Agbedi — Brass/Nembe Federal Constituency*).

Question that Clause 11 stands part of the Bill — Agreed to.

Clause 12: Office of Provost.

- (1) There shall be a Provost of the College (in this Bill referred to as "the Provost") who shall be appointed by the President, Commander-in-Chief of the Armed Forces in accordance with the provisions of this section.
- (2) Where vacancy occurs in the post of Provost, the Council shall:
 - (a) advertise the vacancy in a reputable journal or a widely read newspaper in Nigeria specifying:
 - (i) the qualifications of the person who may apply for the post, and
 - (ii) the terms and conditions of service applicable to the post, and thereafter draw up a short list of suitable candidates for consideration;
 - (b) constitute a Search Team consisting of:
 - (i) a member of Council, not being a member of the Academic Board, as Chairman;
 - (ii) two members of the Academic Board not below the rank of Chief Lecturer/Professor;
 - (iii) two members of the academic community of the college not below the rank of Principal Lecturer/Associate Professor/Reader and not members of Academic Board to be selected by the Academic Staff Congregation, to identify and draw up a short list of suitable persons who are not likely to apply for the post for any reason whatsoever.
- (3) A Joint Council and Academic Board Selection Committee consisting of:
 - (a) the Chairman of the Council;
 - (b) two members of the Council, not being members of the Academic Board; and
 - (c) two members of the Academic Board not below the rank of Chief Lecturer/Professor, who were not members of the Search Team, shall consider the candidates and persons on the shortlists drawn up under subsection (2) of this section through an examination of their curriculum vitae and interaction with them and recommend, through the Council, to the President, Commander-in-Chief of the Armed Forces, three candidates for his consideration.
- (4) The President, Commander-in-Chief of the Armed Forces shall appoint as Provost one of the candidates recommended to him under the provisions of subsection (3) of this section.

- (5) Subject to this Bill and the general control of the Council, the Provost shall be the Chief Executive of the College and shall be charged with general responsibility for matters relating to the day-to-day management operations of the College (*Hon. Frederick Y. Agbedi — Brass/Nembe Federal Constituency*).

Question that Clause 12 stands part of the Bill — Agreed to.

Clause 13: Tenure of office and procedure for the removal of Provost.

- (1) The Provost shall hold office for a period of 5 years only beginning with the effective date of his appointment and on such terms and conditions as may be specified in his letter of appointment.
- (2) Where on the commencement of this section a Provost appointed before the commencement of this section has held office:
- (a) for less than five years, he shall be deemed to be serving his 5 years single tenure and shall not have right for the renewal of his appointment for a further term of four years;
 - (b) for more than five years and has more than 1 year to complete his second term, the Council may allow him to serve as Provost for a further period of one year only and thereafter he shall relinquish his post and be assigned other duties in the College;
 - (c) for more than 5 years and has less than 1 year to complete his second term, the Council may allow him to serve as Provost to complete his term and thereafter he shall relinquish his post and be assigned other duties in the College.
- (3) (a) The Provost may be removed from office by the Visitor on grounds of gross misconduct or inability to discharge the functions of his office as a result of infirmity of the body or mind after due consultation with the Council and the Academic Board acting through the Minister of Education.
- (b) When the proposal for the removal of the Provost is made, the Council shall constitute a joint committee of Council and Academic Board consisting of:
- (i) three members of the Council one of whom shall be the chairman of the Committee, and
 - (ii) two members of Academic Board, provided that where the ground for the removal is infirmity of the body or mind, the Council shall seek appropriate medical opinion.
- (c) The committee shall conduct investigation into the allegations made against the Provost and shall report its findings to the Council.
- (d) The Council shall where the allegations are proved inform the Visitor who shall remove the Provost.
- (e) There shall be no sole administrator in any Nigerian College of Education.

- (f) In any case of a vacancy in the office of the Provost, the Council shall appoint an acting Provost on the recommendation of the Academic Board.
- (g) An acting Provost in all circumstances shall not be in office for more than 6 months (*Hon. Frederick Y. Agbedi — Brass/Nembe Federal Constituency*).

Question that Clause 13 stands part of the Bill — Agreed to.

Clause 14: Office of the Deputy Provost and Functions, tenure and procedure for removal.

- (1) There shall be for the College Deputy Provosts.
- (2) The Council shall appoint the Deputy Provost from among the Chief Lecturers in the college in one of the following ways, that is:
 - (a) from a list of three candidates, in order of preference, submitted by the Provost; or
 - (b) on the nomination of one candidate by the Academic Board through election.
- (3) The Deputy Provost shall:
 - (a) assist the Provost in the performance of his functions;
 - (b) act in the place of the Provost when the post of the Provost is vacant or if the Provost is, for any reason, absent or unable to perform his functions as Provost; and
 - (c) perform such other functions as the Provost or the Council may, from time to time, assign to him.
- (4) The Deputy Provost:
 - (a) shall hold office for a period of two years beginning from the effective date of his appointment and on such terms and conditions as may be specified in his letter of appointment; and
 - (b) may be re-appointed for the further period of two years and no more;
 - (c) a Deputy Provost may be removed from office for good cause by the Council acting on the recommendation of the Provost and Academic board;
 - (d) "Good cause" for the purpose of this section means gross misconduct or inability to discharge the functions of his office arising from infirmity of body or mind (*Hon. Frederick Y. Agbedi — Brass/Nembe Federal Constituency*).

Question that Clause 14 stands part of the Bill — Agreed to.

Clause 15: Other Principal Officers.

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

- (a) the Registrar;
- (b) the Bursar; and
- (c) the College Librarian;

who shall be appointed by the Council on the recommendation of the Selection Board constituted under section 12 (3) (*Hon. Frederick Y. Agbedi — Brass/Nembe Federal Constituency*).

Question that Clause 15 stands part of the Bill — Agreed to.

Clause 16: Functions of Registrar and tenure.

- (1) The Registrar shall keep the records and conduct the correspondence of the Council and shall perform such other duties as the Council subject thereto as the Provost may from time to time direct.
- (2) The Registrar shall, in addition to the other duties conferred on him by or under this Bill, be a Secretary to the Council, Secretary to Academic Board and any committee of the Council and in his absence, the Council or any such committee may appoint some other persons to act as Secretary.
- (3) The Registrar shall not vote on any question before the Council or count towards a quorum.
- (4)
 - (a) A Registrar shall hold office for a single term of five years only beginning from the effective date of his appointment and such terms and conditions as may be specified in his letter of appointment.
 - (b) Where on the commencement of this section a Registrar appointed before the commencement of this section has held office for:
 - (i) less than five years, he shall be allowed to complete the five years specified in his appointment letter and shall not have right for the renewal of his appointment for a further term of five years;
 - (ii) more than five years and has more than 1 year to complete his second term, the Council may allow him to serve as Registrar for a further period of one year only and thereafter he shall relinquish his post and be assigned other duties in the College;
 - (iii) more than five years and has less than 1 year to complete his second term, the Council may allow him to serve as Registrar for a further period of one year only and thereafter he shall relinquish his post and be assigned other duties in the College (*Hon. Frederick Y. Agbedi — Brass/Nembe Federal Constituency*).

Question that Clause 16 stands part of the Bill — Agreed to.

Clause 17: Functions of Bursar and tenure.

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

Question that Clause 17 stands part of the Bill — Agreed to.

Clause 18: Functions of College Librarian and tenure.

- (1) The College Librarian shall be responsible to the Provost for the administration of the College Library and co-ordination of the Library services in the teaching units of the College.
- (2)
 - (a) A College Librarian shall hold office for a single term of five years only beginning on such terms and conditions as may be specified in his letter of appointment.
 - (b) Where on the commencement of this section, a College Librarian appointed before the commencement of this section has held office for:
 - (i) less than five years, he shall be allowed to complete the five years specified in his appointment letter and shall not have right for the renewal of his appointment for a further term of five years.
 - (ii) more than five years and has more than 1 year to complete his second term, the Council may allow him to serve as College Librarian for a further period of one year only and thereafter he shall relinquish his post and be assigned other duties in the College;

- (iii) more than 5 years and has less than 1 year to complete his second term, the Council may allow him to serve as College Librarian to complete his second term and thereafter he shall relinquish his post and be assigned other duties in the College (*Hon. Frederick Y. Agbedi — Brass/Nembe Federal Constituency*).

Question that Clause 18 stands part of the Bill — Agreed to.

Clause 19: How a principal Officer can resign.

A Principal Officer may resign his appointment —

- (a) in the case of the Provost, by notice to the Visitor;
- (b) in any other case, by notice to the Council (*Hon. Frederick Y. Agbedi — Brass/Nembe Federal Constituency*).

Question that Clause 19 stands part of the Bill — Agreed to.

Clause 20: Procedure for appointment of Registrar, College Librarian and Bursar.

(a) There shall be for the College, a Selection Board which shall consist of:

- (i) the Chairman of the Council;
- (ii) the Provost;
- (iii) four members of the Council not being members of Academic Board; and
- (iv) two members of Academic Board.

(b) The functions, procedure and other matters relating to the Selection Board constituted under paragraph (i) of this section shall be as the Council may determine from time to time (*Hon. Frederick Y. Agbedi — Brass/Nembe Federal Constituency*).

Question that Clause 20 stands part of the Bill — Agreed to.

Clause 21: Appointment of other staff of the College that are not Principal officers.

- (1) The Council may appoint such other persons to be employees of the College as the Council may determine to assist the Provost and the Principal Officers of the College in the performance of their functions under this Bill.
- (2) Subject to the provisions of this Bill, the remuneration, tenure of office and conditions of service of the employees of the Council shall be determined by the Council in consultation with appropriate authorities.
- (3) The Council may appoint such other persons to be employees of the College as the Council may determine to assist the Provost in the exercise of his functions under this Bill (*Hon. Frederick Y. Agbedi — Brass/Nembe Federal Constituency*).

Question that Clause 21 stands part of the Bill — Agreed to.

Clause 22: Remuneration of Provost and other employees.

The remuneration, tenure of office and conditions of service of the Provost and other employees of the Council shall be determined by the Council, in consultation with the Head of the Civil Service of the Federation/Revenue Mobilization, Allocation and Fiscal Commission, National Salaries, National Salaries, Income and Wages Commission (*Hon. Frederick Y. Agbedi — Brass/Nembe Federal Constituency*).

Question that Clause 22 stands part of the Bill — Agreed to.

Clause 23: Pensions Reform Act Provisions.

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

Question that Clause 23 stands part of the Bill — Agreed to.

PART II — FINANCIAL PROVISIONS**Clause 24: Establishment of College of Education Fund.**

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

Question that Clause 24 stands part of the Bill — Agreed to.

Clause 25: Power to accept gifts.

- (1) The Council may accept gifts of land, money or other property upon such terms and conditions, if any, as may be specified by the person making the gift.
- (2) The Council shall not accept any gift if the conditions attached by the person making the gift are inconsistent with the functions of the Council (*Hon. Frederick Y. Agbedi — Brass/Nembe Federal Constituency*).

Question that Clause 25 stands part of the Bill — Agreed to.

Clause 26: Accounts and Audit.

The Council shall keep proper accounts of its receipts, payments, assets and liabilities and shall in respect of each year cause the accounts to be audited (*Hon. Frederick Y. Agbedi — Brass/Nembe Federal Constituency*).

Question that Clause 26 stands part of the Bill — Agreed to.

Clause 27: Annual Reports of Operations, Finance & Audit.

The Council shall soon after the expiration of each financial year prepare and submit to the Minister, through NCCE a report of its activities during the immediately preceding financial year and shall include in the report a copy of the audited accounts of the College for that year and of the auditor's report on the accounts (*Hon. Frederick Y. Agbedi — Brass/Nembe Federal Constituency*).

Question that Clause 27 stands part of the Bill — Agreed to.

PART III — MISCELLANEOUS AND SUPPLEMENTARY PROVISIONS

Clause 28: Offices and premises.

- (1) For the purpose of providing offices and premises necessary for the performance of its functions, the Council may:
 - (a) purchase any interest in or take on lease any land, and
 - (b) build, equip and maintain offices and premises.
- (2) The Council may, with the approval of the Minister, sell any interest in or lease any land, offices or premises held by it and no longer required for the performance of its functions (*Hon. Frederick Y. Agbedi — Brass/Nembe Federal Constituency*).

Question that Clause 28 stands part of the Bill — Agreed to.

Clause 29: Discipline of students.

- (1) The Council may make rules providing for the Provost to conduct enquiries into alleged breaches of discipline (including lack of diligence) by students and such rules may make different provisions for different circumstances.
- (2) The rules shall provide for the procedure and rules of evidence to be followed at enquiries under this section.
- (3) Subject to the provisions of subsection (1) of this section, where it is proved during the enquiry that any student of the College has been found culpable

or guilty of misconduct, the Provost may, without prejudice to any other disciplinary powers conferred on him by this Bill or any regulations made thereunder, direct that the:

- (a) student shall not, during such period as may be specified in the direction, participate in such activities of the College, or make use of such facilities of the College, as he may specify; or
 - (b) activities of the student shall, during such period as may be specified in the directions, be restricted in such manner as may be so specified; or
 - (c) student be suspended for such period as may be specified in the direction; or
 - (d) student shall be expelled from the College.
- (4) Where there is temporarily no Provost or where the Provost refuses to apply any disciplinary measures, the Council may, either directly or through some other staff, apply such disciplinary actions as are specified in subsection (3) of this section to any student of the College who is guilty of misconduct.
- (5) Where a direction is given under subsection 3 (c) or (d) of this section in respect of any student, the student may, within 21 days from the date of the letter communicating the decision to him appeal from the decision 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 decision or modify it in such manner as the Council may think fit.
- (6) The fact that an appeal from a decision is brought in pursuance of the last foregoing subsection shall not affect the operation of the decision while the appeal is pending, except the Council direct otherwise.
- (7) The Provost may delegate his powers under this section to a disciplinary committee, consisting of such members of the College as he may nominate.
- (8) Nothing in this section shall be construed as preventing or restriction or termination of a student's activities at the College otherwise than on the ground of misconduct.
- (9) It is hereby declared that a direction under subsection (3) (a) of this section may be combined with a direction under subsection (3) (b) of this section.
- (10) In all cases under this section, the decision of the Council shall be final unless reversed by the Minister on appeal by the student (*Hon. Frederick Y. Agbedi — Brass/Nembe Federal Constituency*).

Question that Clause 29 stands part of the Bill — Agreed to.

Clause 30: Interpretation.

In this Bill, unless the context otherwise requires —

"Chairman" means the Chairman of the Council (*Hon. Frederick Y. Agbedi — Brass/Nembe Federal Constituency*).

Question that the meaning of the word "Chairman" be as defined in the interpretation to this Bill — Agreed to.

"College" means any of the Federal College of Education specified in the Schedule to this Bill (Hon. Frederick Y. Agbedi — Brass/Nembe Federal Constituency).

Question that the meaning of the word "College" be as defined in the interpretation to this Bill — Agreed to.

"Council" means the Governing Council of the College established by or pursuant to section 1 of this Bill (Hon. Frederick Y. Agbedi — Brass/Nembe Federal Constituency).

Question that the meaning of the word "Council" be as defined in the interpretation to this Bill — Agreed to.

"Provost" means the Provost of a College appointed under section 9 of this Bill (Hon. Frederick Y. Agbedi — Brass/Nembe Federal Constituency).

Question that the meaning of the word "Provost" be as defined in the interpretation to this Bill — Agreed to.

"function" includes powers and duties (Hon. Frederick Y. Agbedi — Brass/Nembe Federal Constituency).

Question that the meaning of the word "functions" be as defined in the interpretation to this Bill — Agreed to.

"Minister" means the Minister charged with responsibility for matters relating to education (Hon. Frederick Y. Agbedi — Brass/Nembe Federal Constituency).

Question that the meaning of the word "Minister" be as defined in the interpretation to this Bill — Agreed to.

"member" means a member of the Council including the Chairman (Hon. Frederick Y. Agbedi — Brass/Nembe Federal Constituency).

Question that the meaning of the word "member" be as defined in the interpretation to this Bill — Agreed to.

Question that Clause 30 stands part of the Bill — Agreed to.

Clause 31: Short Title.

This Bill may be cited as the Federal College of Education (Technical), Aghoro, Bayelsa State (Establishment, etc.) Bill, 2021 (Hon. Frederick Y. Agbedi — Brass/Nembe Federal Constituency).

Question that Clause 31 stands part of the Bill — Agreed to.

SCHEDULE

Section 3 (3)

SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL, ETC

*Terms of Service**Remuneration of Council Members*

1. There may be paid to the members of the Council or any Committee, such remuneration and allowances as may from time to time be determined by the President, Commander-in-Chief of the Armed Forces.

Vacancy of Council Seat

2. Where a vacancy occurs in respect of the membership specified in section 4 (d), it shall be filled by the appointment of a successor to hold office for the remainder of the term of office of his predecessor.
3. The Council may act notwithstanding any vacancy in its membership or any defect in the appointment of a member or the absence of a member.

Proceedings

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

Miscellaneous

5. (1) The fixing of the seal of the College shall be authenticated by the signature of the Chairman, Provost and some other members of the Council authorized generally or specially by the Council to act for that purpose.
- (2) Any contract or instrument which, if made or executed by a person other than a body corporate would not be required to be under seal may be made and executed on behalf of the College by any person generally or specially authorized to act for that purpose by the Council.

- (3) Any document purporting to be duly executed under the seal of the College shall be received in evidence and shall, unless the contrary is proved, be presumed to be so executed (*Hon. Frederick Y. Agbedi — Brass/Nembe Federal Constituency*).

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

Explanatory Memorandum:

This Bill establishes the Federal College of Education (Technical), Aghoro, Bayelsa State. The functions of the College, amongst other things are:

- (a) to provide full-time and part-time courses in teaching, instruction and training to produce middle and high level teachers in technology, applied sciences, commerce, arts, social sciences, humanities, law and management;
- (b) carry out research in the development and adaptation of techniques as the Council may, from time to time, determine.

The Bill also provides for the appointment of a Provost to be the Chief Executive of the College, Principal Officers and other members of staff.

Other provisions relate to the discipline of students, finances, pensions of staff and supplementary matters.

The Schedule to this Bill prescribes the terms of service of members of the Council and proceedings thereof (*Hon. Frederick Y. Agbedi — Brass/Nembe Federal Constituency*).

Agreed to.

Long Title:

A Bill for an Act to Provide for the Establishment of the Federal College of Education (Technical), Aghoro, Bayelsa State; and for Other Matters Connected Therewith (HB. 1649) (*Hon. Frederick Y. Agbedi — Brass/Nembe Federal Constituency*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Provide for Establishment of Federal College of Education (Technical) Aghoro, Bayelsa State; and for Related Matters (HB. 1649) and approved Clauses 1 - 31 the Schedule, the Explanatory Memorandum, and the Long Title of the Bill.

Question that the House do adopt the Report of the Committee of the Whole — Agreed to.

(iv) Committee on Tertiary Education and Services:

Motion made and Question proposed, "That the House do consider the Report of the Committee on Tertiary Education and Services on a Bill for an Act to Establish Federal College of Education; Bende to Provide Full-Time Courses, Teaching, Instruction and Training in Technology, Applied Sciences, Commerce, Arts, Social Sciences, Humanities and Management and to carry out Research in the Development and Adaptation of Techniques; and also make Provision for the Appointment of a Provost and the Officials of the College to carry out the Administration and Discipline of Students of the College; and for Related Matters (HB. 852)" (Hon. Aminu Suleiman — Fagge Federal Constituency).

Agreed to.

Question that the House do resolve into the Committee of the Whole to consider the Report — Agreed to.

(HOUSE IN COMMITTEE)

(Mr Speaker in the Chair)

A BILL FOR AN ACT TO ESTABLISH THE FEDERAL COLLEGE OF EDUCATION, BENDE TO PROVIDE FULL-TIME COURSES, TEACHING, INSTRUCTION AND TRAINING IN TECHNOLOGY, APPLIED SCIENCES, COMMERCE, ARTS, SOCIAL SCIENCES, HUMANITIES AND MANAGEMENT AND TO CARRY OUT RESEARCH IN THE DEVELOPMENT AND ADAPTATION OF TECHNIQUES; AND ALSO MAKE PROVISION FOR THE APPOINTMENT OF A PROVOST AND THE OFFICIALS OF THE COLLEGE TO CARRY OUT THE ADMINISTRATION AND THE DISCIPLINE OF STUDENTS OF THE COLLEGE; AND FOR RELATED MATTERS (HB. 852)

Committee's Recommendation:

Clause 1: Establishment of the Federal College of Education, Bende.

- (1) There is hereby established the Federal College of Education, Bende (in this Bill referred to as "the College").
- (2) The College shall be a body corporate with perpetual succession and common seal and shall have the power to acquire and dispose of interest in moveable and immovable properties.
- (3) The College may sue and be sued in its corporate name (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Question that Clause 1 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 2: Establishment of the Governing Council.

- (1) There is hereby established for the Federal College of Education, Bende Governing Council (in this Bill referred to as "the Governing Council").
- (2) The governance and direction of affairs of the College shall rest in the Governing Council.
- (3) The Governing Council shall have the responsibility to consider and approve the —
 - (a) programme of studies to be undertaken in the College;
 - (b) annual estimates of the College; and
 - (c) investment plan of the College.

- (4) The provision of the Schedule to this Bill shall have effect with respect to the Governing Council as mentioned in this Bill (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Question that Clause 2 stands part of the Bill — Agreed to.

Committee's Recommendation:**Clause 3: Composition of the Governing Council.**

The Governing Council, which shall be appointed by the President, shall consist of —

- (a) the Chairman;
- (b) a representative of the Federal Ministry of Education;
- (c) a representative of the University with the College is affiliated to for the purpose of moderation;
- (d) two representatives of the academic board of the College;
- (e) a representative of the National Commission for Colleges of Education; and
- (f) the Provost of the College (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Question that Clause 3 stands part of the Bill — Agreed to.

Committee's Recommendation:**Clause 4: Tenure of office.**

- (1) A member of the Council (other than the ex-officio members) shall hold office for a term of four years and subject to the provision of subsection (2) of this section, may be eligible for re-appointment for a further period of four years.
- (2) The office of a member appointed under section 3 of this Bill shall become vacant if —
 - (a) he resigns from office by notice in writing under his hand addressed to the Minister; or
 - (b) the Minister is satisfied that it is not in the interest of the College for the person appointed to continue in office and notifies the member in writing to that effect (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Question that Clause 4 stands part of the Bill — Agreed to.

Committee's Recommendation:**Clause 5: Functions of the College.**

The functions of the College shall be —

- (a) to provide full-time courses in teaching instruction and training in —
 - (i) technology, applied sciences, arts social science, humanities and management, and
 - (ii) such other fields of applied learning relevant to the developmental needs of Nigeria;
- (b) to conduct courses in Education for qualified teachers;

- (c) to arrange conferences, seminars and workshops relative to the functions of the College; and
- (d) to perform such other functions which, in the opinion of the Council, may serve to promote the objective of the College (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Question that Clause 5 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 6: Powers of the Governing Council.

The Council shall have the power to —

- (a) hold examinations and grant National Certificate of Education (NCE), Diplomas, Professional Council Certificates and other distinctions to persons who have pursued a course of study approved and accredited by the National Commission for Colleges of Education;
- (b) hold examinations in Education for qualified teachers;
- (c) recruit staff and determine structure of such staff;
- (d) demand and receive from any student or any other person attending the College, for the purpose of construction, such fees as the Governing Council may with the prior approval of the Minister, from time to time determine;
- (e) hold public lectures and undertake printing, publishing and bookselling;
- (f) award fellowships, medals, prizes and other titles;
- (g) establish and maintain such schools and other teaching units within the College or extra-mural departments as the Governing Councils may from time to time determine;
- (h) erect, provide, equip and maintain such educational, recreational and residential facilities as the College may require;
- (i) create lectureships and other academic post and offices and to make appointments thereof;
- (j) receive and make gifts;
- (k) enter into such contracts as may be necessary or expedient for carrying into effect the objective of the College;
- (l) provide amenities for and make such other provisions for the welfare of the staff and students of the College;
- (m) encourage and make provisions for research in the College; and
- (n) do such acts and things whether or not incidental to the foregoing and as may advance the objects of the College (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Question that Clause 6 stands part of the Bill — Agreed to.

Committee's Recommendation:**Clause 7: The Visitor of the College.**

- (1) The Minister shall be the Visitor of the College.
- (2) The Visitor shall, not less than once in every 5 years, conduct a visitation to the College or appoint a visitation panel to consist of not less than 5 experts to conduct the visitation for —
 - (a) the purpose of evaluating the academic and administrative performance of the College; or
 - (b) such other purpose as the Visitor may deem fit (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Question that Clause 7 stands part of the Bill — Agreed to.

Committee's Recommendation:**Clause 8: The Academic Board of the College.**

- (1) There shall be established for the College a board to be known as the Academic Board which shall consist of the following members —
 - (a) the Provost of the College as the Chairman;
 - (b) all heads of departments;
 - (c) the College Bursar;
 - (d) the College Librarian; and
 - (e) not more than 3 members of the academic staff other than the heads of departments to be appointed by the Governing Council.
- (2) The Academic Board shall be responsible for —
 - (a) the direction and management of academic matters of the College including the regulation of admission of students, the award of certificates, scholarships, prizes and other academic distinction; and
 - (b) discharging any other function which the Governing Council may from time to time delegate to it (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Question that Clause 8 stands part of the Bill — Agreed to.

Committee's Recommendation:**Clause 9: Direction:**

The Minister may give to the Governing Council directions of general character relating generally to matters with regard to the exercise by the Council of its functions and it shall be the duty of the Governing Council to comply with such directions (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Question that Clause 9 stands part of the Bill — Agreed to.

Committee's Recommendation:**Clause 10: The Provost of the College.**

- (1) There shall be a Provost for the College (in this Bill referred to as "the Provost") who shall be appointed by the President on the recommendation of the Minister.
- (2) Where a vacancy occurs in the post of the Provost, the Governing Council shall advertise the vacancy in reputable widely read newspapers in Nigeria specifying the —
 - (a) qualities of the person who may apply for the post, and
 - (b) terms and condition of service applicable to the post and thereafter draw up a short list of suitable candidates for consideration of the Minister.
- (3) The President shall appoint as Provost one of the candidates recommended by the Minister.
- (4) Subject to the general control of the Governing Council the Provost shall be the chief executive of the College and shall be charged with general responsibility for matters relating to the day-to-day management and operations of the College.
- (5) The Provost shall hold office for a period of 5 years only and on such terms and conditions as may be specified in his letter of appointment (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Question that Clause 10 stands part of the Bill — Agreed to.

Committee's Recommendation:**Clause 11: Deputy Provosts.**

- (1) There shall be for the College 2 Deputy Provosts namely —
 - (a) Deputy Provost (Academics); and
 - (b) Deputy Provost (Administration).
- (2) The Governing Council shall appoint the Deputy Provosts from among the chief lecturers in the College in any of the following ways, that is —
 - (a) from a list of 5 candidates in order of preference, submitted by the Provost;
 - (b) on the recommendation of a Selection Board constituted for the purpose; or
 - (c) on the nomination of the provost.
- (3) The Deputy Provost (Academics) shall —
 - (a) assist the Provost in the performance of his functions in academic matters of the College; and

- (b) act as the Provost when the post of the Provost is vacant or if the Provost is, for any reason, absent or unable to perform his functions.
- (4) The Deputy Provost (Administration) shall —
 - (a) assist the Provost in administrative matters of the College; and
 - (b) perform such other functions as the Provost or the Governing Council may from time to time assign to him.
- (5) Each of the Deputy Provosts shall hold office for a period of 2 years and no more (*Hon. Aminu Suleiman -- Fagge Federal Constituency*).

Question that Clause 11 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 12: Registrar of the College.

- (1) There shall be a Registrar for the College to be appointed by the Governing Council.
- (2) The Registrar shall keep the records and conduct the correspondence of the Council.
- (3) The Registrar shall be the Secretary to —
 - (a) the Governing Council;
 - (b) the Academic Board; and
 - (c) any Committee of the Governing Council.
- (4) The Registrar may perform any duty as may be assigned to him by the Governing Council or the Provost.
- (5) The Registrar shall hold office for a period of 5 years and no more (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Question that Clause 12 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 13: Bursar and Librarian of the College.

- (1) There shall be for the College in addition to the Registrar, the —
 - (a) Bursar; and
 - (b) College Librarian,
 who shall be appointed by the Governing Council.
- (2) The Bursar shall be the chief financial officer of the College and be responsible to the Provost for the day-to-day administration and control of the financial affairs of the College.

- (3) The College Librarian shall be responsible to the Provost for the administration of the College library and the coordination of the library services in the teaching units of the College.
- (4) The Bursar and the College Librarian shall each hold office for a period of 5 years and no more (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Question that Clause 13 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 14: Resignation of Principal Officers.

A Principal Officer of the College may resign his appointment —

- (a) in the case of the Provost, by notice to the Visitor; and
- (b) in any other case, by notice to the Governing Council (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Question that Clause 14 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 15: Other employees of the College.

- (1) The Governing Council may appoint other persons to be employees of the College as the it may deem fit to assist the Provost and the Principal Officers in the performance of their functions.
- (2) The remuneration, tenure of office and condition of service of the employees of the College shall be determined by the Governing Council in consultation with the Federal Civil Service Commission (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Question that Clause 15 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 16: Pension.

Service in the College shall be approved service for the purpose of the Pension Reform Act and accordingly, officers and other persons employed in the College shall be entitled to pensions, gratuity and other retirement benefit as may be prescribed in their respective letters of appointment (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Question that Clause 16 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 17: Selection Board.

- (1) There shall be a Selection Board for the College which shall consist of —
 - (a) the Chairman of the Governing Council;
 - (b) the Provost of the College;
 - (c) members of the Governing Council not being members of the Academic Board; and
 - (d) members of the Academic Board.

- (2) The functions, procedure and other matters relating to the Selection Board constituted under subsection (1) of this section shall be determined from time to time by the Governing Council (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Question that Clause 17 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 18: Fund of the College.

- (1) The College shall establish and maintain a fund which shall be applied towards the promotion of the objective of this Bill.
- (2) There shall be paid and credited to the fund established under subsection (1) of this section —
- (a) such sums as may from time to time be granted by the Federal Government;
- (b) all monies raised by the Governing Council by way of gifts, grants-in-aid and monetary disposition; and
- (c) all subscription, fee and charges for services rendered by the College and all other sums that may accrue to the College from any source.
- (3) The Governing Council shall submit to the Minister, through the National Commission for Colleges of Education not later than three months before the end of each financial year or at such other time as he may direct an estimate of its revenue and expenditure for the next succeeding financial year (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Question that Clause 18 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 19: Power to accept gifts.

- (1) The College may accept gifts, money or of other property and upon such terms and conditions, if any, as may be specified by the person making the gifts.
- (2) The College shall not accept any gift if the conditions attached to the gifts are inconsistent with the functions of the College (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Question that Clause 19 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 20: Accounts and audit.

The College shall keep proper accounts of its receipt, payments, assets and liabilities and shall in respect of each year cause the account to be audited (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Question that Clause 20 stands part of the Bill — Agreed to.

Committee's Recommendation:**Clause 21: Annual reports.**

The Governing Council shall as soon as may be after the expiration of each financial year, prepare and submit to the Minister a report of its activities during the immediate preceding financial year and shall include in the report a copy of the audited accounts of the College for that year and of the auditor's report of the accounts. (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Question that Clause 21 stands part of the Bill — Agreed to.

Committee's Recommendation:**Clause 22: Interpretation.**

In this Bill —

"Chairman" means the Chairman of the Governing Council (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Question that the meaning of the word "Chairman" be as defined in the interpretation to this Bill — Agreed to.

"College" means the Federal College of Education, Bende established under section (1) of this Bill (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Question that the meaning of the word "College" be as defined in the interpretation to this Bill — Agreed to.

"Council" means the Governing Council of the College established under section 2 of this Bill (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Question that the meaning of the word "Council" be as defined in the interpretation to this Bill — Agreed to.

"Function" includes power and duties (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Question that the meaning of the word "Function" be as defined in the interpretation to this Bill — Agreed to.

"Minister" means the minister charged with responsibility for education (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Question that the meaning of the word "Minister" be as defined in the interpretation to this Bill — Agreed to.

"Member" means a member of the Governing Council including the Chairman (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Question that the meaning of the word "Member" be as defined in the interpretation to this Bill — Agreed to.

"Provost" means the Provost of the College established under section 10 of this Bill (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Question that the meaning of the word "Provost" be as defined in the interpretation to this Bill — Agreed to.

Question that Clause 22 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 23: Citation.

This Bill may be cited as the Federal College of Education, Bende (Establishment, etc.) Bill, 2021 (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Question that Clause 23 stands part of the Bill — Agreed to.

SCHEDULE

SUPPLEMENTARY PROVISION RELATING TO THE GOVERNING COUNCIL, ETC.

Terms of Service

1. There may be paid to the members of the Governing Council or any committee, other than ex-officio members, such remuneration and allowances as may from time to time be determined by the President.
2. Where a vacancy occurs in respect of the membership specified in section 3, it shall be filled by the appointment of a successor to hold office for the remainder of the term of office of his predecessor in office and such successor shall represent the same interest as his predecessor.
3. The Governing Council may act notwithstanding any vacancy in its membership or any defect in the appointment of a member or the absence of a member.

Proceedings

4. (1) The Governing Council shall meet for the conduct of business at such times, places and on such days as the Chairman may appoint but shall meet not less than once every four months.
- (2) The Chairman may at any time and shall at the request in writing of not less than six members, convene a meeting of the Governing Council.
- (3) Where the Governing Council desires to obtain the advice of any person on any particular matter, the council may co-opt persons who are not members of the Governing Council but person co-opted shall not be entitled to vote at a meeting of the Governing Council.
- (4) The Quorum of the Governing Council shall be one half of the total members of the Governing Council, at least one of whom shall be a member appointed by the President.
- (5) Decisions of the Governing Council shall be made on approval by a simple majority of members.

Miscellaneous

5. (1) The fixing of the seal of the College shall be authenticated by the signature of the Chairman, Provost and of some other members of the Governing Council authorized generally or specially by the Governing Council to act for that purpose.

(2) Any contract or instrument which, if made or executed by a person other than a body corporate would not be required to be under seal may be made executed on behalf of the College by any person generally or specially authorized to act for that purpose by the Governing Council.

(3) Any document purporting to be duly executed under the seal of the College shall be received in evidence and shall, unless the contrary is proved, be presumed to be so executed (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

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

Explanatory Memorandum:

This Bill seeks to provide for the establishment of the Federal College of Education, Bende as an institute to offer full-time courses leading to the awards of National Certificate of Education, Diplomas, etc. (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Agreed to.

Long Title:

A Bill for an Act to Establish the Federal College of Education, Bende to Provide Full-Time Courses, Teaching, Instruction and Training in Technology, Applied Sciences, Commerce, Arts, Social Sciences, Humanities and Management and to Carry Out Research in the Development and Adaptation of Techniques; and Also Make Provision for the Appointment of A Provost and the Officials of the College to Carry Out the Administration and the Discipline of Students of the College; and for Related Matters (HB. 852) (*Hon. Aminu Suleiman — Fagge Federal Constituency*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committee on Tertiary Education and Services on a Bill for an Act to Establish Federal College of Education, Bende to Provide Full-Time Courses, Teaching, Instruction and Training in Technology, Applied Sciences, Commerce, Arts, Social Sciences, Humanities and Management and to carry out Research in the Development and Adaptation of Techniques; and also make Provision for the Appointment of a Provost and the Officials of the College to carry out the Administration and Discipline of Students of the College; and for Related Matters (HB. 852) and approved Clauses 1 - 23, the Schedules, the Explanatory Memorandum, and the Long Title of the Bill.

Question that the House do adopt the Report of the Committee of the Whole — Agreed to.

(v) **Committee on Public Petitions:**

Report on the Petition by M. O. Olagunju on behalf of Mr Adeleke Teslim Oyediran:
Report of the Committee on Public Petitions on the petition by M. O. Olagunju on behalf of Mr Adeleke Teslim Oyediran on the unjust, premature and unfair retirement from the Department of Petroleum Resources (DPR).

Order read; deferred by leave of the House.

20. **Adjournment**

That the House do adjourn till Thursday, 18 November, 2021 at 11.00 a.m. (Hon. Peter Akpatason Deputy House Leader).

The House adjourned accordingly at 1.45 p.m.

Femi Hakeem Gbajabamila
Speaker



