



# HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

## VOTES AND PROCEEDINGS

Wednesday, 24 March, 2021

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1. The House met at 11.33 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 *Votes and Proceedings* of Tuesday, 23 March, 2021.

*The Votes and Proceedings was adopted by unanimous consent.*

4. **Announcement**  
*Ad-hoc Committee to Investigate the Failure of Ministries, Departments and Agencies (MDAs) to Release Retention Funds:*

(1)	Hon. Aniekan Umanah	—	Chairman
(2)	Hon. Abubakar Makki Yalleman	—	Member
(3)	Hon. Olarenwaju Kunle	—	Member
(4)	Hon. Abubakar Hassan Fulata	—	Member
(5)	Hon. Obanikoro Ibrahim	—	Member
(6)	Hon. Ugonna Ozurigbo	—	Member
(7)	Hon. Chinedu Ogah	—	Member
(8)	Hon. Taiwo Oluga	—	Member
(9)	Hon. Omowumi Ogunlola	—	Member
(10)	Hon. Abdullahi S. Abdulkadir	—	Member
(11)	Hon. Abdullahi Ken-Ken Lawan	—	Member
(12)	Hon. Ladan Mukhtar Shehu	—	Member
(13)	Hon. Chisom Promise	—	Member
(14)	Hon. Usman Abdullahi	—	Member
(15)	Hon. Dederi Isa Haruna	—	Member
(16)	Hon. Stanley Adedeji Olajide	—	Member
(17)	Hon. Nkole Uko Ndukwe	—	Member
(18)	Hon. Yakubu Umar Barde	—	Member
(19)	Hon. Tijjani Zakariya	—	Member
(20)	Hon. Sani Ado Kiri	—	Member
(21)	Hon. Ali Abdullahi Ibrahim Halims	—	Member

(22)	Hon. Hassan Abdullahi	—	Member
(23)	Hon. James Adisa Owolabi	—	Member
(24)	Hon. Idahosa Dennis	—	Member
(25)	Hon. Jatau Mohammed Awwal	—	Member
(26)	Hon. Aliyu Ibrahim Mustapha	—	Member
(27)	Hon. Mashema Uba Bashir	—	Member
(28)	Hon. Samuel Godday Odagboyi	—	Member
(29)	Hon. Chinedu Onwuaso Samuel	—	Member
(30)	Hon. Gboluga Dele Ikengboju	—	Member
(31)	Hon. Saidu Umar Doka	—	Member
(32)	Hon. Umar Abdulkadir Sarki	—	Member.

**5. Matter of Urgent Public Importance (Standing Order Eight, Rule 4)  
Need to Ensure Transparency and Accountability in the Rehabilitation Exercise of the Nation's Refineries:**

Hon. Onofiok Akpan Luke (*Etinan/Nsit Ibom/Nsit Ubium Federal Constituency*) introduced the matter and prayed the House to:

- (a) consider and approve the matter as one of urgent public importance; and
- (b) suspend Order Eight, Rule 4 (3) to allow debate on the matter forthwith.

*Question that the matter be considered as one of urgent public importance — Agreed to.*

*Question that the House do suspend Order Eight, Rule 4 (3) to enable it debate the matter forthwith — Agreed to.*

**Need to Ensure Transparency and Accountability in the Rehabilitation Exercise of the Nation's Refineries:**

The House:

*Notes* the recent news of the approval of the Sum of \$1.5 billion, about ₦575 billion, for immediate commencement of rehabilitation work on the 32-year-old Port Harcourt Refinery phased at an estimated completion period of 44 months (approximately - 4 years) with a three components funding from Nigerian National Petroleum Corporation (NNPC), Internally Generated Revenue (IGR), budgetary allocations provisions, and Afrexim Bank;

*Aware* that the Port Harcourt Refineries Located in Alesa Eleme southeast of Port Harcourt, operates two oil refineries, including an old plant commissioned in 1965 that can process 60,000 barrels (9,500 m<sup>3</sup>) per stream day, as well as the new plant commissioned in 1989, which has a capacity of 150,000 barrels (24,000 m<sup>3</sup>) per stream day;

*Concerned* that NNPC had allegedly spent about \$25 billion in turnaround maintenance of refineries in the past 25 years, this latest prevailing development is coming after promises by the current administration that government would no longer spend on the facility. Previous rehabilitations notwithstanding, the Nigerian National Petroleum Corporation (NNPC) audit report had last year revealed that three of the nation's four refineries recorded ₦1.64 trillion cumulative losses in their 2014 to 2018 details. Despite processing no crude oil in June last year, the three refineries still cost the country ₦10.23 billion in expenses. The three refineries processed no crude because of the rehabilitation works being carried out on them, therefore, there was no associated crude plus freight cost for the three refineries since there was no production but operational expenses that amounted to ₦10.27 billion. This resulted in an operating deficit of ₦10.23 billion by the refineries;

*Also concerned* that just in July 2017 major structural construction began on Dangote 650,000 bpd Refineries with partial refining capability likely in 2022. The same lag period that Rehabilitation would be carried out on the 210,000 bpd Port Harcourt Refineries;

*Worried* by the public uproar on this latest initiatives, the House of Representatives must ensure

judicious use of the proposed \$1.5 billion considering the facts that the facility has failed to perform after years of rehabilitation/repair/maintenance;

*Resolves to:*

- (i) urge the Federal Government to grant license and provide incentives for the building and construction of Modular Refineries;
- (ii) mandate the Committee on Petroleum Resources (Downstream) to:
  - (a) carry out an investigative hearing and conduct a comprehensive audit of funds previously spent on the rehabilitation/repair and maintenance of the Port Harcourt Refineries and other refineries in the country and the key performance indicators therefrom,
  - (b) examine the Performance Bond, Assurance, Warrantees and Guarantees put in place for Operating and Maintaining the Plants after Commissioning and report back within six (6) weeks; and
- (iii) also mandate the Committee on Legislative Compliance to ensure compliance (*Hon. Onofriok Akpan Luke — Etinan/Nsit Ibom/Nsit Ubium Federal Constituency*).

*Debate.*

***Agreed to.***

The House:

*Noted* the recent news of the approval of the Sum of \$1.5 billion, about ₦575 billion, for immediate commencement of rehabilitation work on the 32-year-old Port Harcourt Refinery phased at an estimated completion period of 44 months (approximately - 4 years) with a three components funding from Nigerian National Petroleum Corporation (NNPC), Internally Generated Revenue (IGR), budgetary allocations provisions, and Afrexim Bank;

*Aware* that the Port Harcourt Refineries Located in Alesa Eleme southeast of Port Harcourt, operates two oil refineries, including an old plant commissioned in 1965 that can process 60,000 barrels (9,500 m<sup>3</sup>) per stream day, as well as the new plant commissioned in 1989, which has a capacity of 150,000 barrels (24,000 m<sup>3</sup>) per stream day;

*Concerned* that NNPC had allegedly spent about \$25 billion in turnaround maintenance of refineries in the past 25 years, this latest prevailing development is coming after promises by the current administration that government would no longer spend on the facility. Previous rehabilitations notwithstanding, the Nigerian National Petroleum Corporation (NNPC) audit report had last year revealed that three of the nation's four refineries recorded ₦1.64 trillion cumulative losses in their 2014 to 2018 details. Despite processing no crude oil in June last year, the three refineries still cost the country ₦10.23 billion in expenses. The three refineries processed no crude because of the rehabilitation works being carried out on them, therefore, there was no associated crude plus freight cost for the three refineries since there was no production but operational expenses that amounted to ₦10.27 billion. This resulted in an operating deficit of ₦10.23 billion by the refineries;

*Also concerned* that just in July 2017 major structural construction began on Dangote 650,000 bpd Refineries with partial refining capability likely in 2022. The same lag period that Rehabilitation would be carried out on the 210,000 bpd Port Harcourt Refineries;

*Worried* by the public uproar on this latest initiatives, the House of Representatives must ensure judicious use of the proposed \$1.5 billion considering the facts that the facility has failed to perform after years of rehabilitation/repair/maintenance;

*Resolved to:*

- (i) urge the Federal Government to grant license and provide incentives for the building and construction of Modular Refineries;
- (ii) mandate the Committee on Petroleum Resources (Downstream) to:
  - (a) carry out an investigative hearing and conduct a comprehensive audit of funds previously spent on the rehabilitation/repair and maintenance of the Port Harcourt Refineries and other refineries in the country and the key performance indicators therefrom,
  - (b) examine the Performance Bond, Assurance, Warrantees and Guarantees put in place for Operating and Maintaining the Plants after Commissioning and report back within six (6) weeks; and
- (iii) also mandate the Committee on Legislative Compliance to ensure compliance (**HR. 60/03/2021**).

#### 6. **Presentation of Bills**

The following Bills were read the *First Time*:

- (1) Nigerian National Merit Award Act (Amendment) Bill, 2021 (HB. 1257).
- (2) National Identity Management Commission Act (Amendment) Bill, 2021 (HB. 1258).
- (3) Child Rights Act (Amendment) Bill, 2021 (HB. 1262).
- (4) Older Persons (Rights and Privileges) Bill, 2021 (HB. 1263).
- (5) Institute of Co-operative Professionals of Nigeria Bill, 2021 (HB. 1265).
- (6) Fiscal Responsibility Act (Amendment) Bill, 2021 (HB. 1266).
- (7) Constitution of the Federal Republic of Nigeria, 1999 (Alteration) Bill, 2021 (HB. 1267).
- (8) Road Fund Management Authority Bill, 2021 (HB. 1268).
- (9) Inland Fisheries Act (Amendment) Bill, 2021 (HB. 1269).
- (10) Child Rights Act (Amendment) Bill, 2021 (HB. 1273).
- (11) Transition Bill, 2021 (HB. 1274).
- (12) Federal Institute of Fisheries Research (Establishment) Bill, 2021 (HB. 1278).
- (13) Nigerian Institute of International Affairs Act (Repeal and Enactment) Bill, 2021 (HB. 1279).
- (14) Electoral Act (Amendment) Bill, 2021 (HB. 1280).
- (15) Nigerian National Petroleum Corporation Act (Amendment) Bill, 2021 (HB. 1281).

(16) Federal Mortgage Bank of Nigeria Act (Amendment) Bill, 2021 (HB. 1282).

(17) Environmental Trust Fund Bill, 2021 (HB. 1283).

## 7. Presentation of Reports

### (i) **Committee on North - East Development Commission:**

*Motion made and Question proposed*, “That the House do receive the Report of the Committee on North-East Development Commission on the Need to Provide Security, Relief Materials and Immediate Resettlement of the People of Holma in Hong Local Government Area of Adamawa State (**HR. 264/12/2019**) and Need for the Federal Government to Provide Adequate Security, Reconstruction and Relief Materials for parts of Gombi and Hong in Adamawa State attacked by insurgents and for the Nigerian Army to review Strategy on its Current Campaign against Terrorism (**HR. 50/02/2020**)” (*Hon. Khadija Bukar Abba Ibrahim — Damatiru/Gujba/Gulani/Tarmuwa Federal Constituency*).

*Agreed to.*

*Report laid.*

### (ii) **Committee on Urban Development and Regional Planning:**

*Motion made and Question proposed*, “That the House do receive the Report of the Committee on Urban Development and Regional Planning on the Need to Curb the Menace of Building Collapse and the Substandard Nature of Urban Infrastructural Development in Nigeria (**HR. 78/12/2020**)” (*Hon. Jimoh Abdulraheem Olajide — Lagos Mainland Federal Constituency*).

*Agreed to.*

*Report laid.*

### (iii) **Committee on Electoral Matters:**

*Motion made and Question proposed*, “That the House do receive the Report of the Committee on Electoral Matters on the Bye-Election in Aniocha South 1 Constituency, Delta State” (*Hon. Aishatu Jibril Dukku — Dukku/Nafada Federal Constituency*).

*Agreed to.*

*Report laid.*

### (iv) **Committee on Public Petitions:**

#### **Report on the Petition by Jos South Local Government Council:**

*Motion made and Question proposed*, “That the House do receive the Report of the Committee on Public Petitions on the petition by Jos South Local Government Council on behalf of Sir Christopher S. Mancha against Nigeria Defence Academy (NDA) on the non-payment of compensation and constant harassment of his subjects” (*Hon. Jerry Alagbaoso — Orlu/Orsu/Oru East Federal Constituency*).

*Agreed to.*

*Report laid.*

- (v) **Committee on Public Petitions:**  
**Report on the Petition by Alfa Onum:**  
*Motion made and Question proposed, “That the House do receive the Report of the Committee on Public Petitions on the petition by Alfa Onum against the Nigeria Customs Service on his unlawful retirement from service” (Hon. Jerry Alagbaoso — Orlu/Orsu/Oru East Federal Constituency).*

*Agreed to.*

*Report laid.*

- (vi) **Committee on Public Petitions:**  
**Report on the Petition by Mr Peace Obiallor:**  
*Motion made and Question proposed, “That the House do receive the Report of the Committee on Public Petitions on the petition by Mr. Peace Obiallor against the University of Nigeria Nsukka on over ₦3,831,100 salary indebtedness to him” (Hon. Jerry Alagbaoso — Orlu/Orsu/Oru East Federal Constituency).*

*Agreed to.*

*Report laid.*

8. **A Bill for an Act to Provide for the Establishment of the Institute of Economists of Nigeria charged with Responsibility of Determining the Level of Education required to become Professional Economists of the Institute; and for Related Matters (HB. 1148) — Second Reading**

*Motion made and Question proposed, “That a Bill for an Act to Provide for the Establishment of the Institute of Economists of Nigeria charged with Responsibility of Determining the Level of Education required to become Professional Economists of the Institute; and for Related Matters (HB. 1148) be read a Second Time” (Hon. Bulus Solomon Maren — Bokkos/Mangu 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 Commerce.*

9. **A Bill for an Act to Amend the Economic and Financial Crimes Commission Act, Cap. E1, Laws of the Federation of Nigeria, 2004 to Provide for Restructuring the Composition of the Commission by including Members of Independent Organizations in its Membership, Establishment of Operations Review Committee, Witness Protection Unit, Detention Unit and Compensation of Victims of Financial Crimes and Disqualification of Convicted Persons from Holding or Continuing to Hold Public Offices, to make Provisions for a Time Frame within which a Person appointed as the Acting Executive Chairman of the Commission can occupy the Office in an Acting Capacity, provide for the Commission to Retain a Percentage of the Loot recovered to fund its Operations; and for Related Matters (HB. 957, HB. 1073, HB. 1030 and HB. 1089) — Second Reading**

*Motion made and Question proposed, “That a Bill for an Act to Amend the Economic and Financial Crimes Commission Act, Cap. E1, Laws of the Federation of Nigeria, 2004 to Provide for Restructuring the Composition of the Commission by including Members of Independent Organizations in its Membership, Establishment of Operations Review Committee, Witness Protection Unit, Detention Unit and Compensation of Victims of Financial Crimes and Disqualification of Convicted Persons from Holding or Continuing to Hold Public Offices, to make Provisions for a Time Frame within which a Person appointed as the Acting Executive Chairman of the Commission can occupy the Office in an Acting Capacity, provide for the Commission to Retain*

a Percentage of the Loot recovered to fund its Operations; and for Related Matters (HB. 957, HB. 1073, HB. 1030 and HB. 1089) be read a Second Time” (*Hon. Yusuf Ayo Tajudeen — Ijumu/Kabba-Bunu Federal Constituency and 4 others*).

*Debate.*

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

*Bill read the Second Time.*

*Bill referred to the **Committee on Financial Crimes.***

- 10. A Bill for an Act to Establish the Federal College of Agriculture, Ishiagu to provide Full-Time Courses, Teaching Instructions and Training in Agriculture and to carry out Research in the Development and Adaptation of Techniques; and also make provision for Appointment of a Provost and Officials of the College to carry out the Administration and the Discipline of Students of the College; and for Related Matters (HB. 972) — *Second Reading***

*Motion made and Question proposed*, “That a Bill for an Act to Establish the Federal College of Agriculture, Ishiagu to provide Full-Time Courses, Teaching Instructions and Training in Agriculture and to carry out Research in the Development and Adaptation of Techniques; and also make provision for Appointment of a Provost and Officials of the College to carry out the Administration and the Discipline of Students of the College; and for Related Matters (HB. 972) be read a Second Time” (*Hon. Benjamin Okezie Kalu — Bende 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 Agricultural Colleges and Institutions.***

- 11. A Bill for an Act to Establish the Federal Polytechnic, Rano, Kano State to Provide Full and Part Time Courses of Instruction in different fields of Studies; and for Related Matters (HB. 929) — *Second Reading***

*Motion made and Question proposed*, “That a Bill for an Act to Establish the Federal Polytechnic, Rano, Kano State to Provide Full and Part Time Courses of Instruction in different fields of Studies; and for Related Matters (HB. 929) be read a Second Time” (*Hon. Kabiru Alhassan Usman Rurum — Rano/Bunkure/Kibiya 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.***

- 12. A Bill for an Act to Establish the National Youth Development Commission aimed at Creating and Promoting Coordination of Youth Development in Nigeria; and for Related Matters (HB. 777) — *Second Reading***

*Motion made and Question proposed*, “That a Bill for an Act to Establish the National Youth Development Commission aimed at Creating and Promoting Coordination of Youth Development in Nigeria; and for Related Matters (HB. 777) be read a Second Time” (*Hon. Karu Simon Elisha — Kaltungo/Shongom Federal Constituency and 3 others*).

*Debate.*

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

*Bill read the Second Time.*

*Bill referred to the Committee on Youth Development.*

**13. Need to Enforce the Law Forbidding Erection of Buildings and Structures under High Tension Electric Cables**

*Motion made and Question proposed:*

The House:

*Notes* the indiscriminate and unlawful erection of buildings under high tension electric cables all over the country as well as commercial activities taking place on the right of way of the high tension electric cables;

*Aware* that there are existing laws that forbid erection of buildings under electric high tension wires which specify a 50 meters' distance between power lines and buildings;

*Also aware* of the laid down safety standards for electric installations in the country and the efforts of the Nigerian Electricity Management Services Agency towards reducing electricity accidents all over the country;

*Concerned* that people build and transact businesses under 33KVA power transmission lines and therefore susceptible to be electrocuted as many Nigerians had met their untimely deaths as a result of either doing business or building under high tension electric cables which are not maintained and have not been changed over the years since they were installed;

*Resolves to:*

- (i) urge the Nigerian Electricity Management Services Agency and other relevant agencies to, as a matter of urgency, demolish all buildings and structures under high tension electric cables all over the country;
- (ii) also urge the Ministry of Power to ensure the maintenance of high tension cables as they are time bound and to carry out repairs and maintenance not just when an accident occurs;
- (iii) mandate the Committee on Power to ensure compliance (*Hon. Kolawole Taiwo Musibau — Ajeromi Ifelodun Federal Constituency*).

**Amendment Proposed:**

*Insert* a new Prayer (iv) as follows:

“Mandate the Committee on Urban Development and Regional Planning to liaise with the Nigerian Electricity Management Service Agency in order to identify the actual defaulters” (*Hon. Adebayo Balogun — Ibeju Lekki Federal Constituency*).

*Question that the amendment be made — Agreed to.*

*Question on the Motion as amended — Agreed to.*



The House:

*Noted* the indiscriminate and unlawful erection of buildings under high tension electric cables all over the country as well as commercial activities taking place on the right of way of the high tension electric cables;

*Aware* that there are existing laws that forbid erection of buildings under electric high tension wires which specify a 50 meters' distance between power lines and buildings;

*Also aware* of the laid down safety standards for electric installations in the country and the efforts of the Nigerian Electricity Management Services Agency towards reducing electricity accidents all over the country;

*Concerned* that people build and transact businesses under 33KVA power transmission lines and therefore susceptible to be electrocuted as many Nigerians had met their untimely deaths as a result of either doing business or building under high tension electric cables which are not maintained and have not been changed over the years since they were installed;

*Resolved to:*

- (i) urge the Nigerian Electricity Management Services Agency and other relevant agencies to, as a matter of urgency, demolish all buildings and structures under high tension electric cables all over the country;
- (ii) also urge the Ministry of Power to ensure the maintenance of high tension cables as they are time bound and to carry out repairs and maintenance not just when an accident occurs;
- (iii) mandate the Committee on Power to ensure compliance;
- (iv) also mandate the Committee on Urban Development and Regional Planning to liaise with the Nigerian Electricity Management Service Agency in order to identify the actual defaulters (**HR. 61/03/2021**).

**14. Attacks by Boko Haram Insurgents on Katarko Community, Gujba Local Government Area, Yobe State**

*Motion made and Question proposed:*

The House:

*Notes* that in the early hours 16 March, 2021, Boko Haram insurgents attacked Katarko village in Gujba Local Government Area of Yobe State which is 18kms away from Damaturu, the State capital;

*Also notes* that the insurgents stormed the village around 5:30 am and started shooting sporadically, displacing residents who ran into the bush for safety, burnt the Community Primary School and the only Primary Healthcare Centre in the area, and also set the Military base ablaze;

*Aware* that efforts of security operatives are being commended for daily patrolling the roads, however there is need to improve the current strategies of curbing the incessant attacks;

*Resolves to:*

- (i) urge the North East Development Commission (NEDC) and the National Emergency Management Agency (NEMA) to provide succour and relief materials to victims of the affected community;

- (ii) also urge the Universal Basic Education Commission (UBEC) to reconstruct the Community School and provide teaching aids to the school;
- (iii) call on the Military authorities to improve on their current operations in the area and the whole North-East zone to forestall such attacks in the future;
- (iv) mandate the Committees on North-East Development Commission, Emergency and Disaster Preparedness, Basic Education and Services, and Defence to ensure compliance (*Hon. Khadija Bukar Abba Ibrahim — Damatiru/Gujba/Gulani/Tarmuwa Federal Constituency and 5 others*).

*Agreed to.*

**(HR. 62/03/2021).**

*Motion referred to the Committees on North-East Development Commission, Emergency and Disaster Preparedness, Basic Education and Services, and Defence, pursuant to Order Eight, Rule 9 (5).*

**15. Need to Erect a Perimeter Fence at the National Institute of Construction Technology and Management, Uromi, Edo State**

*Motion made and Question proposed:*

The House:

*Notes* that the apprehensive security situation in the country as manifested in the serial abductions of students from schools by armed bandits has assumed a worrisome dimension of utmost urgent national concern;

*Also notes* that the security and welfare of the people shall be the primary purpose of government as enshrined in Section 14 (2) (b) of the Constitution of the Federal Republic of Nigeria, 1999 (as amended);

*Further notes* that the National Assembly is empowered to make laws for the peace, order and good governance of the Federation or any part thereof as enshrined in Section 4 (2) of the Constitution of the Federal Republic of Nigeria, 1999 (as amended);

*Informed* that on 10 March, 2021, a group of armed bandits stormed the National Institute of Construction Technology and Management (NICTM) Uromi, Edo State, and kidnapped a staff and two students of the Institute;

*Aware* that lack of a perimeter fence around the school premises enabled the bandits to gain unhindered access into the Institute;

*Resolves to:*

- (i) mandate the Committee on Tertiary Education and Services to liaise with the Federal Ministry of Education to erect a perimeter fence around the National Institute of Construction Technology and Management (NICTM), Uromi, Edo State;
- (ii) also mandate the Committee on Legislative Compliance to ensure compliance and report back within four weeks (*Hon. Sergius Oseasochie Ogun — Esan North East/Esan South East Federal Constituency*).

**Amendment Proposed:**

*Leave out Prayer (i) and insert a new Prayer (i) as follows:*

“Mandate the Committee on Tertiary Education and Services to ensure that the Federal Ministry of Education erects a perimeter fence around the National Institute of Construction Technology and Management (NICTM), Uromi, Edo State” (*Hon. Sada Soli — Jibia/Kaita Federal Constituency*).

*Question that the amendment be made —.Agreed to.*

*Question on the Motion as amended —.Agreed to.*

The House:

*Noted that the apprehensive security situation in the country as manifested in the serial abductions of students from schools by armed bandits has assumed a worrisome dimension of utmost urgent national concern;*

*Also noted that the security and welfare of the people shall be the primary purpose of government as enshrined in Section 14 (2) (b) of the Constitution of the Federal Republic of Nigeria, 1999 (as amended);*

*Further noted that the National Assembly is empowered to make laws for the peace, order and good governance of the Federation or any part thereof as enshrined in Section 4(2) of the Constitution of the Federal Republic of Nigeria, 1999 (as amended);*

*Informed that on 10 March, 2021, a group of armed bandits stormed the National Institute of Construction Technology and Management (NICTM), Uromi, Edo State, and kidnapped a staff and two students of the Institute;*

*Aware that lack of a perimeter fence around the school premises enabled the bandits to gain unhindered access into the Institute;*

*Resolved to:*

- (i) mandate the Committee on Tertiary Education and Services to ensure that the Federal Ministry of Education erects a perimeter fence around the National Institute of Construction Technology and Management (NICTM), Uromi, Edo State;
- (ii) also mandate the Committee on Legislative Compliance to ensure compliance and report back within four weeks (**HR. 63/03/2021**).

**16. Deteriorating State of Public Infrastructure in Abuja City Centre**

*Motion made and Question proposed:*

The House:

*Notes that Abuja, which is recognized by various local and international peer review organisations as the most-modern, top quality and pace-setting events and conference hub of Africa, is now experiencing an all-time low in terms of infrastructure and environmental development;*

*Also notes that in and around the City Centre, infrastructure decay in roads, unchanneled drainage systems, uncleared debris, damaged and blocked manholes, ineffective street lights and non-functional traffic lights are common features;*

*Concerned that the growing infrastructural decay within the city centre, if left unchecked, may lead to vagaries of health, social and security challenges amongst residents and visitors who come in large numbers on a daily and regular basis to the city centre;*

*Also concerned that the present dilapidated conditions of public infrastructure in the city centre have*

the potentials of slowing down meaningful investment and development in the city;

*Further concerned* that despite yearly budgetary allocations to the Federal Capital Territory Administration (FCTA) for the maintenance, rehabilitation and upgrade of infrastructure, the FCTA and relevant agencies have serially exhibited gross inefficiency, outright ineptitude and apparent non-commitment to their responsibilities;

*Resolves to:*

Mandate the Committee on Federal Capital Territory to carry out a comprehensive investigation on the deteriorating state of public infrastructure in Abuja City center and report back within two (2) weeks (*Hon. Yusuf Ayo Tajudeen — Ijumu/Kabba-Bunu Federal Constituency*).

**Amendment Proposed:**

In the Prayer, immediately after the words “infrastructure in”, *leave out* the words “Abuja City center” and *insert* the words “the Federal Capital Territory” (*Hon. Toby Okechukwu — Aninri/Awgu/Oji-River Federal Constituency*).

*Question that the amendment be made —.Agreed to.*

*Question on the Motion as amended —.Agreed to.*

The House:

*Noted* that Abuja, which is recognized by various local and international peer review organisations as the most-modern, top quality and pace-setting events and conference hub of Africa, is now experiencing an all-time low in terms of infrastructure and environmental development;

*Also noted* that in and around the City Centre, infrastructure decay in roads, unchanneled drainage systems, uncleared debris, damaged and blocked manholes, ineffective street lights and non-functional traffic lights are common features;

*Concerned* that the growing infrastructural decay within the city centre, if left unchecked, may lead to vagaries of health, social and security challenges amongst residents and visitors who come in large numbers on a daily and regular basis to the city centre;

*Also concerned* that the present dilapidated conditions of public infrastructure in the city centre have the potentials of slowing down meaningful investment and development in the city;

*Further concerned* that despite yearly budgetary allocations to the Federal Capital Territory Administration (FCTA) for the maintenance, rehabilitation and upgrade of infrastructure, the FCTA and relevant agencies have serially exhibited gross inefficiency, outright ineptitude and apparent non-commitment to their responsibilities;

*Resolved to:*

Mandate the Committee on Federal Capital Territory to carry out a comprehensive investigation on the deteriorating state of public infrastructure in the Federal Capital Territory and report back within two (2) weeks (**HR. 64/03/2021**).

**17. Need to Investigate the Report of the Auditor General for the Federation on the Accounting and Financial Infractions of Government and International Organizations**

*Order read; deferred by leave of the House.*

**No. 47**

**Wednesday, 24 March, 2021**

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**18. Need for Intervention in the Public Health Crises of Tuberculosis in Nigeria**  
*Motion made and Question proposed:*

The House:

*Notes* that Tuberculosis (TB) is a mycobacterium tuberculosis that affects the lungs and over the years, has been associated with mortality, even though it is curable and preventable;

*Also notes* that the World Tuberculosis Day is celebrated annually on March 24 to re-assess the efforts and encourage a strong engagement of stakeholders to end tuberculosis;

*Further notes* that TB is one of the top 10 causes of death and the leading cause of a single infectious agent above HIV/AIDS and according to data from the World Health Organization (WHO) -

- (a) in 2019, an estimated 10 million people fell ill with TB worldwide,
- (b) 1.4 million people died from TB in 2019 (including 208,000 people with HIV),
- (c) TB is the leading killer of people living with HIV,
- (d) TB is present in all countries and age groups,
- (e) approximately 60 million lives were saved through TB diagnosis and treatment between 2000 and 2019;

*Worried* that in Nigeria, a total of 127,000 people died from TB in 2019 and 27,000 people from HIV;

*Concerned* that in 2019, an estimated 440,000 people in Nigeria were living with tuberculosis of which 285,000 were men, 155,000 were women out of which 83,000 were below 14 years old;

*Also Concerned* that multidrug-resistant TB (MDR-TB) is a public health crisis and threat, as a total of 21,000 people with multidrug and rifampicin-resistant TB (MDR/RR-TB) were diagnosed in 2019;

*Further Concerned* that out of the 440,000 TB cases, only 120,300 were registered, leaving 319,700 undiagnosed and untreated cases which could result in the spread of the disease in Nigeria;

*Also worried* that despite these realities, funding for the control of TB in Nigeria over the years has been largely donor dependent due to government's underfunding of the health sector as well as its failure to fulfil its commitments under the Abuja Declaration of 2001;

*Aware* that in 2019, out of the \$384,000,000 required for TB response in Nigeria, \$88,320,000 representing (23%) was provided by international donors while only a meagre \$26,880 representing (7%) was mobilized from domestic sources, leaving \$268,800,000 (70%) unfunded and as a result of the underfunding of TB in Nigeria, a large number of health facilities do not currently have any form of TB services being rendered;

*Further worried* that although TB is a preventable, treatable and curable disease, people living with TB in Nigeria often have to endure stigmatization and discrimination and mindful that ending the TB epidemic by 2030 is one of the health targets of the United Nations Sustainable Development Goals (SDGs) of which Nigeria is a signatory;

*Resolves to:*

- (i) urge the Federal Ministry of Health and other relevant Ministries, Departments and Agencies to ensure effective and efficient implementation of tuberculosis related policies, including improving government funding, and ensuring the inclusion of TB in the minimum primary health care service package, and other priority interventions in the health sector;
- (ii) also urge the Federal Government to consider the inclusion of TB services into the benefits package of the National Health Insurance scheme due to its qualification as a disease of high burden and public health concern;
- (iii) mandate the Committees on HIV, Aids, Tuberculosis and Malaria Control, Healthcare Services, and Health Institutions to interface with stakeholders, relevant professionals and the public to determine the appropriate legislative intervention required for improved TB control and to mitigate the impact of COVID-19 on Tuberculosis, especially the MDR-TB and also to effectively address stigmatization and all forms of discrimination against people living with TB, and report back within six (6) weeks (*Hon. Benjamin Okezie Kalu — Bende Federal Constituency*).

*Debate.*

***Agreed to.***

The House:

*Noted* that Tuberculosis (TB) is a mycobacterium tuberculosis that affects the lungs and over the years, has been associated with mortality, even though it is curable and preventable;

*Also noted* that the World Tuberculosis Day is celebrated annually on March 24 to re-assess the efforts and encourage a strong engagement of stakeholders to end tuberculosis;

*Further noted* that TB is one of the top 10 causes of death and the leading cause of a single infectious agent above HIV/AIDS and according to data from the World Health Organization (WHO) -

- (a) in 2019, an estimated 10 million people fell ill with TB worldwide,
- (b) 1.4 million people died from TB in 2019 (including 208,000 people with HIV),
- (c) TB is the leading killer of people living with HIV,
- (d) TB is present in all countries and age groups,
- (e) approximately 60 million lives were saved through TB diagnosis and treatment between 2000 and 2019;

*Worried* that in Nigeria, a total of 127,000 people died from TB in 2019 and 27,000 people from HIV;

*Concerned* that in 2019, an estimated 440,000 people in Nigeria were living with tuberculosis of which 285,000 were men, 155,000 were women out of which 83,000 were below 14 years old;

*Also Concerned* that multidrug-resistant TB (MDR-TB) is a public health crisis and threat, as a total of 21,000 people with multidrug and rifampicin-resistant TB (MDR/RR-TB) were diagnosed in 2019;

*Further Concerned* that out of the 440,000 TB cases, only 120,300 were registered, leaving 319,700 undiagnosed and untreated cases which could result in the spread of the disease in Nigeria;

*Also worried* that despite these realities, funding for the control of TB in Nigeria over the years has been largely donor dependent due to government's underfunding of the health sector as well as its failure to fulfil its commitments under the Abuja Declaration of 2001;

*Aware* that in 2019, out of the \$384,000,000 required for TB response in Nigeria, \$88,320,000 representing (23%) was provided by international donors while only a meagre \$26,880 representing (7%) was mobilized from domestic sources, leaving \$268,800,000 (70%) unfunded and as a result of the underfunding of TB in Nigeria, a large number of health facilities do not currently have any form of TB services being rendered;

*Further worried* that although TB is a preventable, treatable and curable disease, people living with TB in Nigeria often have to endure stigmatization and discrimination and mindful that ending the TB epidemic by 2030 is one of the health targets of the United Nations Sustainable Development Goals (SDGs) of which Nigeria is a signatory;

*Resolved to:*

- (i) urge the Federal Ministry of Health and other relevant Ministries, Departments and Agencies to ensure effective and efficient implementation of tuberculosis related policies, including improving government funding, and ensuring the inclusion of TB in the minimum primary health care service package, and other priority interventions in the health sector;
- (ii) also urge the Federal Government to consider the inclusion of TB services into the benefits package of the National Health Insurance scheme due to its qualification as a disease of high burden and public health concern;
- (iii) mandate the Committees on HIV, Aids, Tuberculosis and Malaria Control, Healthcare Services, and Health Institutions to interface with stakeholders, relevant professionals and the public to determine the appropriate legislative intervention required for improved TB control and to mitigate the impact of COVID-19 on Tuberculosis, especially the MDR-TB and also to effectively address stigmatization and all forms of discrimination against people living with TB, and report back within six (6) weeks (**HR. 65/03/2021**).

## **19. Need to Complete the Enterprise Infrastructure and Application Projects of Galaxy Backbone Nigeria Limited**

*Motion made and Question proposed:*

The House:

*Notes* that Information and Communication Technology plays a key role in national development as it enables organizations to be productive, spurring economic growth, make governments more efficient in making decision transparent and fosters social inclusion;

*Also notes* that Galaxy Backbone was established by the Federal Government to operate a nationwide IP-based network that will provide a secure and common platform for connectivity, transmission and storage of vital information and sensitive data, as well as other infrastructure services for Government Ministries, Departments and Agencies (MDAs) and Private institutions;

*Aware* that in line with the mandate, Galaxy Backbone has designed, manufactured, employed and commissioned the National Information Communication Technology Infrastructure Backbone (NICTIB) Phase 1 project which controls how and where data are sent across all Ministries, Departments and Agencies within the country;

*Also aware* that the building of the National Shared Service Centre of the Galaxy Backbone Limited that host the only public-owned Tier III Data Centre in West Africa, houses Government Integrated Data, meant to serve as Galaxy Backbone Headquarter, which commenced in 2012 at the cost of ₦7.2 billion, is at 60% completion and yet to be completed;

*Further aware* that Galaxy Backbone relies solely on Huawei Cloud infrastructure for the storage of government data, and urgently needs to acquire critical cybersecurity infrastructure, as well as carry out capacity building training for MDAs;

*Concerned* that the power system of NICTIB Phase 1 project, designed to use the grid and generator is serviced with an unsustainable cost of ₦2.5 billion per annum and the generator sets that are end-of-life needs replacement soon, whereas a Hybrid the power system of solar and diesel generators (supported by the main grid) can be installed at a far lesser cost as Galaxy Backbone prepares to take-up the managed services at the end of its contract with Huawei;

*Also concerned* that the cost for completion of the building of National Shared Service Centre continues to rise significantly due to inflation and if not urgently completed, construction of the building may be abandoned or completed at much more cost;

*Worried* that the government solely rely on Huawei cloud infrastructure for the storage of data; hence there is a need to have a backup storage infrastructure especially one that does not comply with the data sovereignty policies of foreign governments and is preferred by MDAs;

*Resolves to:*

- (i) urge the Federal Executive Council to include in the supplementary budget or set up a Special Intervention Fund for the completion of enterprise infrastructure and application projects of Galaxy Backbone Nigeria Limited:
  - (a) Wing A and B of National Shared Service Centre building (₦7,687,285,769.38),
  - (b) Hybrid Power Solution and Backup System (₦1,031,424,555.4),
  - (c) DC & Cloud Solution (₦7,916,060,386.59),
  - (d) Information security and Capacity building (₦5,088,397,180.00);
- (ii) mandate the Committee on Information Technology to ensure compliance (*Hon. Adedeji Stanley Olajide — Ibadan North West/Ibadan South West Federal Constituency and 2 others*).

*Agreed to.*

**(HR. 66/03/2021).**

*Motion referred to the Committee on Information Technology, pursuant to Order Eight, Rule 9 (5).*

## 20. Consideration of Reports

- (i) ***A Bill for an Act to Provide for the Establishment of the Federal University of Education, Kontagora; and for Related Matters (HB.1136) (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 the Establishment of the Federal University of Education, Kontagora; and for Related Matters (HB.1136)” (Hon. Garba Alhassan Ado — House Leader).*

*Agreed to.*



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

**(HOUSE IN COMMITTEE)**

*(Mr Deputy Speaker in the Chair)*

A BILL FOR AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF  
THE FEDERAL UNIVERSITY OF EDUCATION, KONTAGORA; AND FOR  
OTHER MATTERS CONNECTED THEREWITH (HB. 1136)

PART I — ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF THE  
FEDERAL UNIVERSITY OF EDUCATION, KONTAGORA

**Clause 1: Establishment and Objectives of the Federal University of Education, Kontagora.**

- (1) There is hereby Federal College of Education, Kontagora upgraded and established as the Federal University of Education, Kontagora.
- (2) The University shall be a body corporate with perpetual succession and a common seal and may sue or be sued in its corporate name.
- (3) The University shall be a training institution for the development of teacher education in the country.
- (4) The University shall be supervised by the Federal Ministry of Education through the National Universities Commission (NUC) who shall be responsible for approving and regulating all academic programmes run in the University, to ensure quality compliance and provide funds for academic and research programmes, infrastructures and remunerations of employees.
- (5) The objective of the University shall be:
  - (a) to encourage the advancement of learning and to hold out to all persons without distinction of race, creed, sex or political conviction;
  - (b) to develop and offer academic and professional programmes leading to the award of certificates, first degrees, post-graduate, 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) to produce socially matured educated men and women with capabilities not to only understand educational need of Nigeria as a nation, but also to exploit existing educational infrastructure and improve on it to develop new ones;
  - (d) to act as agents and catalysts for effective educational system, through post graduate training, research and innovation, for effective economic utilization and conservation of the country's human resources;

- (e) to 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;
- (f) to identify educational needs of the society with a view to finding solutions to them within the context of overall national development;
- (g) 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;
- (h) to provide higher education and foster a systematic advancement of the science and art of teacher education;
- (i) to provide for instruction in such branches of teacher education as it may deem necessary to make provision for research advancement and dissemination of knowledge in such manner as it may determine;
- (j) to provide teachers with operational competence for teaching in pre-tertiary institutions, basic, senior secondary schools and non-formal education institutions;
- (k) to undertake any other activities that is appropriate for a university of education of the highest standard (*Hon. Garba Alhassan Ado — House Leader*).

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

**Clause 2: Constitution and Principal Officers of the University.**

- (1) The University shall consist of:
- (a) a Chancellor;
  - (b) a Pro-Chancellor and a Council;
  - (c) a Vice-Chancellor and a Senate;
  - (d) a body to be called Congregation;
  - (e) a body to be called Convocation;
  - (f) the campuses and colleges of the University;
  - (g) the colleges, institutes and other teaching and research units of the University;
  - (h) the persons holding the offices constituted by the First Schedule to this Bill other than those mentioned in paragraphs (a) to (c) of this subsection;
  - (i) all graduates and undergraduates of the University; and
  - (j) all other persons who are members of the University in accordance with provisions made by statute in that behalf.

- (2) The First Schedule to this Bill shall have effect with respect to the principal officers of the University.
- (3) Subject to section 5 of this Bill provision shall be made by statute with respect to the constitution of the Council, the Senate, Congregation and Convocation (*Hon. Garba Alhassan Ado — House Leader*).

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

**Clause 3: Powers of Federal University of Education, Kontagora and its Exercise.**

- (1) For the carrying out of its objects as specified in section 1 of this Bill, Federal; University of Education, Kontagora shall have power:
  - (a) to offer courses of instruction, training and research in education and allied areas for the production of quality and skilled teachers required to teach at lower, middle and higher levels of education in Nigeria in particular and the world at large.
  - (b) to establish such colleges, campuses, institutes, schools, departments and other teaching and research units within the University as may from time to time be deemed necessary or desirable subject to the approval of National Universities Commission;
  - (c) to institute professorships, readerships or associate professorships, lectureships, and other posts and offices and to make appointments thereto;
  - (d) to institute and award fellowships, scholarships, exhibitions, bursaries, medals, prizes and other titles, distinctions, awards and forms of assistance;
  - (e) to provide for the discipline and welfare of members of the University;
  - (f) to hold examinations and grant degrees, diplomas, certificates and other distinctions to persons who have pursued a course of study approved by the University and have satisfied such other requirements as the University may lay down;
  - (g) to grant honorary degrees, fellowships or academic titles;
  - (h) to demand and receive from any student or any other person attending the University for the purposes of instruction, such fees as the University may from time to time determine subject to the overall directives of the Minister;
  - (i) subject to section 20 of this Bill, to acquire, hold, grant, charge or otherwise deal with or dispose of movable and immovable property wherever it is situate;
  - (j) to accept gifts, legacies and donations, but without obligation to accept the same for a particular purpose unless it approves the terms and conditions attached thereto;
  - (k) to enter into contracts, establish trusts, act as trustee, solely or jointly with any other person, and employ and act through agents;
  - (l) to erect, provide, equip and maintain libraries, laboratories,

workshops, lecture halls, halls of residence, refectories, sports grounds, playing fields and other buildings or things necessary, suitable or convenient for any of the objects of the University;

- (m) to hold public lectures and to undertake printing, publishing and book selling;
  - (n) subject to any limitations or conditions imposed by statute, to invest any moneys appertaining to the University by way of endowment it, not being immediately required for current expenditure in any investments or securities or in the purchase or improvement of land, with power from time to time, to vary any such investments to deposit any moneys for the time being not invested with any bank on deposit or current account;
  - (o) to borrow, whether on interest or not and if need be upon the security of any or all of the property, movable or immovable, of the University, such moneys as the Council may from time to time in its discretion find it necessary or expedient to borrow of to guarantee any loan, advances or credit facilities;
  - (p) to make gifts for any charitable purpose;
  - (q) to do anything which it is authorized or required by this Bill or by statute to do; and
  - (r) to do all such acts or things, whether or not incidental to the foregoing powers, as may advance the objects of the University.
- (2) Subject to the provisions of this Bill and of the statutes and without prejudice to section 7 (2) of this Bill, the powers conferred on the University by subsection (1) of this section shall be exercisable on behalf of the University by the Council or by the Senate or in many other manner which may be authorized by the statute.
- (3) The power of the University to establish further campuses and colleges within the University shall be exercisable by statute and not otherwise (*Hon. Garba Alhassan Ado — House Leader*).

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

**Clause 4: Functions of the Chancellor and Pro-Chancellor.**

- (1) The Chancellor shall, in relation to the University, take precedence before all other members of the University, and when he is present, shall preside at all meetings of Convocation held for conferring degrees.
- (2) The Pro-Chancellor shall, in relation to the University, take precedence before all other members of the University, except the Chancellor and except the Vice-Chancellor when acting as chairman of Congregation or Convocation and the Pro-Chancellor shall, when he is present, be the chairman at all meetings of the Council (*Hon. Garba Alhassan Ado — House Leader*).

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

**Clause 5: 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 Minister of 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. Garba Alhassan Ado — House Leader*).

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

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

- (1) Subject to the provisions of this Bill relating to the Visitor, the Council shall be the governing body of the University and shall be charged with the general control and superintendence of the policy, finances and property of the University.
- (2) There shall be a committee of the Council, to be known as the Finance, and General Purposes Committee, which shall, subject to the directions of the Council, exercise control over the property and expenditure of the University and perform such other functions of the Council as the Council may from time to time delegate to it.
- (3) Provision shall be made by statute with respect to the constitution of the Finance and General Purposes Committee.
- (4) The Council shall ensure that proper accounts of the University are kept and that the accounts of the University are audited annually by an independent firm of auditors approved by the Council and that an annual report is published by the University together with certified copies of the said accounts as audited.
- (5) Subject to this Bill and the statutes, the Council and the Finance and General Purposes Committee may each make rules for the purpose of exercising any of their respective functions or of regulating their own procedure.
- (6) Rules made under sub-section (5) of this section by the Finance and General Purposes Committee shall not come into force unless approved by the Council; and in so far and to the extent that any rules so made by that Committee conflict with any direction given by the Council, whether before or after the coming into force of the rules in question, the directions of the Council shall prevail.
- (7) There shall be paid to the members respectively of the Council, the Finance and General Purposes Committee and of any other committee set up by the Council, allowances in respect of travelling and other reasonable expenses, at such rates as may from time to time be fixed by the Minister.
- (8) The Council shall meet as and when necessary for the performance of its functions under this Bill and shall meet at least three times in every year.
- (9) If requested in writing by any five members of the Council, the chairman shall within 28 days after the receipt of such request call a meeting of the Council.
- (10) Any request made under sub-section (9) of this section shall specify the business to be considered at the meeting and no business not so specified shall be transacted at that meeting (*Hon. Garba Alhassan Ado — House Leader*).

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

**Clause 7: Functions of the Senate of the University.**

- (1) Subject to section 6 of this Bill and subsections (3) and (4) of this section and the provisions of this Bill relating to the Visitor, it shall be the general function of the Senate to organize and control the teaching by the University, the admission of student where no other enactment provides to the contrary and the discipline of students; and to promote research at the University.

- (2) Without prejudice to the generality of subsection (1) of this section and subject as therein mentioned, it shall in particular be the function of the Senate to make provision for:
  - (a) the establishment, organization and control of campuses, colleges, schools, institutes and other teaching and research units of the University and the allocation of responsibility for different branches of learning;
  - (b) the organization and control of courses of study at the University and of the examinations held in conjunction with those courses, including the appointment of examiners, both internal and external;
  - (c) the award of degrees, and such other qualifications as may be prescribed in connection with examinations held as aforesaid;
  - (d) the making of recommendations to the Council with respect to the award to any person of an honorary fellowship or honorary degree or the title of professor emeritus;
  - (e) the establishment, organization and control of halls of residence and similar institutions at the University;
  - (f) the supervision of the welfare of students at the university and the regulation of their conduct;
  - (g) the granting of fellowships, scholarships, prizes and similar awards in so far as the awards are within the control of the University; and
  - (h) determining what descriptions of dress shall be academic dress for the purposes of the University, and regulating the use of academic dress.
- (3) The Senate shall not establish any new campus, college, school, department, institute or other teaching and research units of the university, or any hall of residence or similar institution at the University without the approval of the Council.
- (4) Subject to this Bill and the statutes, the Senate may make regulations for the purpose of exercising any function conferred on it either by the foregoing provisions of this section or otherwise or for the purpose of making provision for any matter for which provision by regulations is authorized or required by this Bill or by statute.
- (5) Regulations shall provide that at least one of the persons appointed as the examiners at each final or professional examination held in conjunction with any course of study at the University is not a teacher at the University but

is a teacher of the branch of learning to which the course relates at some other University of high repute or a person engaged in practicing the profession in a reputable organization or institution.

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

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

**Clause 8: 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 section 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 sections 6, 7 and 14 of this Bill, the Vice-Chancellor shall have the general function, in addition to any other functions conferred on him by this Bill or otherwise of directing the activities of the University and shall be the Chief Executive and Accounting Officer of the University and *ex-officio* Chairman of the Senate.
- (3) The Vice Chancellor shall be the Chairman of the University Tenders' Board, which is saddled with the responsibility of approving the conduct of public procurement of goods, works and services within the approved threshold from time to time.
- (4) It shall be the responsibility of the Vice Chancellor to establish and appoint members of the Tenders' Board in line with the extant Public Procurement Rules and Regulations (*Hon. Garba Alhassan Ado — House Leader*).

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

PART II — GENERAL FUND, TRANSFER OF PROPERTY, ETC, TO  
THE UNIVERSITY AND CONDITION OF SERVICE OF EMPLOYEES

**Clause 9: General fund of the University.**

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



- subvention;
  - (h) interests on investments;
  - (i) donations and legacies accruing to the University from any source for the general or special purposes of the University; and
  - (j) regular TETFund interventions.
- (2) The general fund shall be applied for the purposes of the University (*Hon. Garba Alhassan Ado — House Leader*).

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

### PART III — STATUTES OF THE UNIVERSITY

**Clause 10: Transfer of Property.**

- (1) All property held by or on behalf of the Provisional Council of the University shall, by virtue of this sub-section 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 section and with respect to the other matters mentioned in that Schedule (*Hon. Garba Alhassan Ado — House Leader*).

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

**Clause 11: Power of the University to make Statutes.**

- (1) Subject to this Bill, the University may make statutes for any of the following purposes, that is to say:
- (a) making provision with respect to the composition and constitution of any authority of the University;
  - (b) specifying and regulating the powers and duties of any authority of the University, and regulating any other matter connected with the University or any of its authorities;
  - (c) regulating the admission of students (where no other enactment provides to the contrary), and their discipline and welfare;
  - (d) determining whether any particular matter is to be treated as an academic or non-academic matter for the purposes of this Bill and of any statute, regulation or other instrument made thereunder; or
  - (e) making provision for any other matter for which provision by statute is authorized or required by this Bill.
- (2) Subject to section 25 (6) of this Bill, the Interpretation Act shall apply in relation to any statute made under this section as it applies to a subsidiary instrument within the meaning of section 28 (1) of that Act.

- (3) The statute contained in the Third Schedule to this Bill shall be deemed to have come into force on the commencement of this Bill and shall be deemed to have been made under this section by the University.
- (4) The power to make statutes conferred by this section shall not be prejudiced or limited in any way by reason of the inclusion or omission of any matter in or from the statute contained in the Third Schedule to this Bill or any subsequent statute (*Hon. Garba Alhassan Ado — House Leader*).

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

**Clause 12: Mode of exercising power to make statutes.**

- (1) The power of the University to make statutes shall be exercised in accordance with the provisions of this section and not otherwise.
- (2) A proposed statute shall not become law unless it has been approved:
  - (a) at a meeting of the Senate, by the votes of not less than two thirds of the members present and voting; and
  - (b) at a meeting of the Council, by the votes of not less than two thirds of the members present and voting.
- (3) A proposed statute may originate either in the Senate or in the Council, and may be approved as required by subsection (2) of this section by either one of those bodies or the other.
- (4) A statute which:
  - (a) makes provision for or alters the composition or constitution of the Council, the Senate or any other authority of the University; or
  - (b) provides for the establishment of a new campus or college or for the amendment or revocation of any statute.
- (5) For the purpose of section 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 subsection (4) of this section, on the date on which it is approved by the President.
- (6) In the event of any doubt or dispute arising at any time:
  - (a) as to the meaning of any provision of a statute; or
  - (b) as to whether any matter is for the purposes of this Bill an academic or non-academic matter as they relate to such doubt or dispute, the matter may be referred to the Visitor, who shall take such advice and make such decision thereon as he shall think fit.
- (7) The decision of the Visitor on any matter referred to him under sub-section (6) of this section shall be binding upon the authorities, staff and students of the University and where any question as to the meaning of any provision of

a statute has been decided by the Visitor under that sub-section, no question as to the meaning of that provision shall be entertained by any court of law in Nigeria.

- (8) Nothing in sub-section (7) of this section shall affect any power of a court of competent jurisdiction to determine whether any provision of a statute is wholly or partly void as being ultra vires or as being inconsistent with the Constitution of the Federal Republic of Nigeria, 1999 (*Hon. Garba Alhassan Ado — House Leader*).

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

PART IV — SUPERVISION AND DISCIPLINE

**Clause 13: The Visitor.**

- (1) The President shall be the Visitor of the University.
- (2) The Visitor shall cause a visitation to the University when necessary, at least every five years, or direct that such a visitation be conducted by such person or persons as the Visitor may deem fit and in respect of any of the affairs of the University.
- (3) It shall be the duty of the bodies and persons comprising the University to make available to the Visitor and to any other person conducting a visitation in pursuance of this section, such facilities and assistance as he or they may reasonably require for the purposes of a visitation.
- (4) The Visitor shall make the report of such visitations and white paper thereon available to the Council which shall implement same (*Hon. Garba Alhassan Ado — House Leader*).

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

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

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

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

**Clause 15: Removal and discipline of academic, administrative and professional staff.**

- (1) If it appears to the Council that there are reasons for believing that any person employed as a member of the academic, administrative or professional staff of the University, other than the Vice-Chancellor, should be removed from his office or employment on the ground of misconduct or

of professional inability to perform the functions of his office or employment, the Council shall:

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

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

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

**Clause 16: Removal of examiners.**

- (1) If, on the recommendation of the Senate, it appears to the Vice-Chancellor that a person appointed as an examiner for any examination of the University ought to be removed from his office or appointment, then, except in such cases as may be prescribed by the Vice-Chancellor may, after affording the examiner an opportunity of making representations in person on the matter to the Vice-Chancellor, remove the examiner from the appointment by an instrument in writing signed by the Vice-Chancellor.
- (2) Subject to the provisions of regulations made in pursuance of section 7(5) of this Bill, the Vice-Chancellor may, on the recommendation of the Senate, appoint an appropriate person as examiner in the place of the examiner removed in pursuance of subsection (1) of this section.
- (3) It shall be the duty of the Vice-Chancellor on signing an instrument of removal pursuant to this section, to use his best endeavours to cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it is related (*Hon. Garba Alhassan Ado — House Leader*).

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

**Clause 17: Participation and Discipline of Students.**

- (1) The Students shall be:
  - (a) represented in the University's Students Welfare Board and other committees that deal with the affairs of students;
  - (b) participate in various aspects of curriculum development;
  - (c) participate in the process of assessing academic staff in respect of teaching; and
  - (d) be encouraged to be more self-assured as part of the national development process.
- (2) Subject to the provisions of this section, where it appears to the Vice-Chancellor that any student of the University has been guilty of misconduct, the Vice-Chancellor may, without prejudice to any other disciplinary powers conferred on him by statute or regulations, direct:
  - (a) that the student shall not, during such period as may be specified in the directions, participate in such activities of the University, or make use of such facilities of the University, as may be so specified, or
  - (b) that the activities of the student shall, during such period as may be specified in the direction, be restricted in such manner as may be so specified, or
  - (c) that the student be rusticated for such period as may be specified in the direction; or
  - (d) that the student be expelled from the University.
- (3) Where a direction is given under subsection (1) (c) or (d) of this section in respect of any student, that student may, within the prescribed period and in the prescribed manner, appeal to the Council; and where such an appeal is brought, the Council shall, after causing such inquiry to be made in the matter as the Council considers just either confirm or set aside the direction or modify it in such manner as the Council thinks fit.
- (4) The fact that an appeal from a direction is brought in pursuance to subsection (2) of this section shall not affect the operation of the direction while the appeal is pending:
  - (a) the Vice-Chancellor may delegate his powers under this section to a disciplinary board consisting of such members of the University as he may nominate.
  - (b) nothing in this section shall be construed as preventing the restriction or termination of students' activities at the University otherwise than on the ground of misconduct.
  - (c) a direction under subsection (2) (a) of this section may be combined with a direction under subsection (2) (b) of this section (*Hon. Garba Alhassan Ado — House Leader*).

**Clause 18: Exclusion of discrimination on account of race, religion, etc.**

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

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

**Clause 19: Restriction on disposal of land by University.**

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

Provided that such consent shall not be required in the case of any lease or tenancy at a rack-rent for a term not exceeding 21 years or any lease or tenancy to a member of the University for residential purpose (*Hon. Garba Alhassan Ado — House Leader*).

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

**Clause 20: Quorum and procedure of bodies established by this Bill.**

Except as may be otherwise provided by statute or by regulations, the quorum and procedure of any body of persons established by this Bill shall be as determined by that body (*Hon. Garba Alhassan Ado — House Leader*).

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

**Clause 21: Appointment of committee, etc.**

- (1) Anybody of persons established by this Bill shall, without prejudice to the generality of the powers of that body, have power to appoint committees, which need not consist exclusively of members of that body, and to authorize a committee established by it:
  - (a) to exercise, on its behalf, such of its functions as it may determine; and
  - (b) to co-opt members.

- (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 section, shall be such as may be determined by the body or bodies which have decided to establish the committee or hold the meeting.
- (4) Nothing in the provisions of subsection (1), (2) and (3) of this section shall be construed as:
  - (a) enabling the statutes to be made otherwise than in accordance with section 1 of this Bill; or
  - (b) enabling the Senate to empower any other body to make regulations of the award degrees or other qualifications.
- (5) The Pro-Chancellor and the Vice-Chancellor shall be members of every committee of which the members are wholly or partly appointed by the Council (other than a committee appointed to inquire into the conduct of the officer in question); and the Vice-Chancellor shall be a member of every committee of which the members are wholly or partly appointed by the Senate (*Hon. Garba Alhassan Ado — House Leader*).

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

**Clause 22: Retiring age of academic staff.**

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

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

**Clause 23: Special Provisions relating to Pension of Professors.**

An academic staff of the University who retires as a Professor in the University shall be entitled to pension at a rate equivalent to his annual salary provided that the Professor has served continuously in the University up to the retirement age (*Hon. Garba Alhassan Ado — House Leader*).

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



**Clause 24: Miscellaneous Administrative Provisions.**

- (1) The seal of the University shall be such as may be determined by the Council and approved by the Chancellor, and the affixing of the seal shall be authenticated by any member of the Council and by the Vice-Chancellor, Secretary to the Council or any other person authorized by statute.
- (2) Any document purporting to be a document executed under the seal of the University shall be received in evidence and shall, unless the contrary is proved, be presumed to be so executed.
- (3) Any contract or instrument which if made or executed by a person not being a body corporate would not be required to be under seal, may be made or executed on behalf of the University by any person generally or specially authorized to do so by the Council.
- (4) The validity of any proceedings of anybody established in pursuance of this Bill shall not be affected by any vacancy in the membership of the body, or by any defect in the appointment of a member of the body or by reason that any person not entitled to do so took part in the preceding.
- (5) Any member of any such body who has a personal interest in any matter proposed to be considered by that body shall forthwith disclose his interest to the body and shall vote on any question relating to that matter.
- (6) Nothing in section 12 of the Interpretation Act (which provides for the application in relation to subordinate legislation of certain incidental provisions) shall apply to statutes or regulations made in pursuance to this Bill.
- (7) The power conferred by this Bill on anybody to make statutes or regulations shall include power to revoke or vary any statute (including the statute contained in the Third Schedule of this Bill) or any regulation by a subsequent statute or as the case may be, by a subsequent regulation and statutes and regulations may make different provisions in relation to different circumstances.
- (8) No stamp or other duty shall be payable in respect of any transfer of property to the University by virtue of section 8 or section 18 of this Bill or the Second Schedule to this Bill.
- (9) Any notice or other instrument authorized to be served by virtue of this Bill may, without prejudice to any other mode of service, be served by post (*Hon. Garba Alhassan Ado — House Leader*).

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

**Clause 25: Restriction of suits and execution.**

- (1) **Pre-Action Notice:**
  - (a) No legal proceeding shall be instituted and/or commenced against the University or any of its agents in the course of their official duties unless a 3 months' Pre-Action Notice of such intention is served on the University by an aggrieved party;

- (b) The Notice shall state the reason and the cause of action intended to be taken against the University, the particulars of the claim, the name and place of abode of the intending plaintiff and the relief which he claims.
- (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 duties, unless three months at least has elapsed after written notice of intention to commence the same shall have been served on the University by the intending plaintiff or his agent.
- (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. Garba Alhassan Ado — House Leader*).

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

**Clause 26: Interpretation.**

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

"Campus" means any campus which may be established by the University (*Hon. Garba Alhassan Ado — House Leader*).

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

"College" means the College established pursuant to section 2 (1) (b) of this Bill for the University (*Hon. Garba Alhassan Ado — House Leader*).

*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 University established by section 5 of this Bill (*Hon. Garba Alhassan Ado — House Leader*).

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

"Functions" includes powers and duties (*Hon. Garba Alhassan Ado — House Leader*).

*Question that the meaning of the word "Functions" 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 and any other person as may be designated as a graduate by the Council, acting in accordance with the recommendation of the Senate (*Hon. Garba Alhassan Ado — House Leader*).

*Question that the meaning of the word “Graduate” be as defined in the interpretation to this Bill Bill — Agreed to.*

"Minister" means the Hon. Minister of Education (*Hon. Garba Alhassan Ado — House Leader*).

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

"Notice" means notice in writing (*Hon. Garba Alhassan Ado — House Leader*).

*Question that the meaning of the word “Notice” be as defined in the interpretation to this Bill Bill — Agreed to.*

"Officer" does not include the Visitor (*Hon. Garba Alhassan Ado — House Leader*).

*Question that the meaning of the word “Officer” be as defined in the interpretation to this Bill Bill — Agreed to.*

"Prescribed" means prescribed by statute or regulations (*Hon. Garba Alhassan Ado — House Leader*).

*Question that the meaning of the word “Prescribed” be as defined in the interpretation to this Bill Bill — Agreed to.*

"Professor" means a person designated as a Professor of the University in accordance with provisions made in that behalf by statute or by regulations (*Hon. Garba Alhassan Ado — House Leader*).

*Question that the meaning of the word “Professor” be as defined in the interpretation to this Bill Bill — Agreed to.*

"Property" includes rights, liabilities and obligations (*Hon. Garba Alhassan Ado — House Leader*).

*Question that the meaning of the word “Property” be as defined in the interpretation to this Bill Bill — Agreed to.*

"Provisional Council" means the provisional council appointed for the University (*Hon. Garba Alhassan Ado — House Leader*).

*Question that the meaning of the words “Provisional Council” be as defined in the interpretation to this Bill Bill — Agreed to.*

"Regulations" means regulations made by the Senate or the Council (*Hon. Garba Alhassan Ado — House Leader*).

*Question that the meaning of the word “Regulations” be as defined in the interpretation to this Bill Bill — Agreed to.*

"Senate" means the Senate of the University established pursuant to section 2 (1) (e) of this Bill (*Hon. Garba Alhassan Ado — House Leader*).

*Question that the meaning of the word “Senate” be as defined in the interpretation to this Bill — Agreed to.*

"School" means a unit of closely related academic programmes (*Hon. Garba Alhassan Ado — House Leader*).

*Question that the meaning of the word “School” be as defined in the interpretation to this Bill — Agreed to.*

"Statute" means a statute made by each University under section 10 of this Bill and in accordance with the provisions of section 11 of this Bill, and (*Hon. Garba Alhassan Ado — House Leader*).

*Question that the meaning of the word “Statute” be as defined in the interpretation to this Bill — Agreed to.*

"the statutes" means all such statutes as are in force from time to time (*Hon. Garba Alhassan Ado — House Leader*).

*Question that the meaning of the words “the statutes” 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. Garba Alhassan Ado — House Leader*).

*Question that the meaning of the word “Teacher” be as defined in the interpretation to this Bill — Agreed to.*

"Undergraduate" means a person registered as a student undergoing a course of study for a first degree of the University or such other course in the University as may be approved by the Senate as qualifying a student undergoing it for the status of an under-graduate (*Hon. Garba Alhassan Ado — House Leader*).

*Question that the meaning of the word “Undergraduate” be as defined in the interpretation to this Bill — Agreed to.*

"University" means Federal University of Education, Kontagora established and incorporated by section 1 of this Bill (*Hon. Garba Alhassan Ado — House Leader*).

*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 the proposals are to be submitted or a recommendation is to be made by one authority or another through one or more intermediate authorities, it shall be the duty of every such intermediate authority to forward any proposals of that or recommendations received by it in pursuance of that provision to the appropriate authority; but any such intermediate authority may, if it thinks fit, forward therewith its own comments thereon (*Hon. Garba Alhassan Ado — House Leader*).

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

**Clause 27: Short Title.**

This Bill may be cited as the Federal University of Education, Kontagora Bill, 2021 (*Hon. Garba Alhassan Ado — House Leader*).

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

## SCHEDULES

### FIRST SCHEDULE

[Section 2 (2)]

#### PRINCIPAL OFFICERS OF THE UNIVERSITY

##### *The Chancellor*

1. (1) The Chancellor shall be appointed by the President of Nigeria.
- (2) The Chancellor shall hold office at the pleasure of the President.
- (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 function of his office, the Visitor may by notice in the Federal Gazette remove the Chancellor from office.

##### *The Pro-Chancellor*

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

##### *The Vice-Chancellor*

3. (1) The Vice-Chancellor of the University shall be appointed by the Council in accordance with the provisions of this paragraph.
- (2) Where a vacancy occurs in the post of a Vice-Chancellor, the Council shall:
  - (a) advertise the vacancy in a reputable journal or a widely read newspaper in Nigeria, specifying:
    - (i) the qualities of the persons who may apply for the post, and
    - (ii) the terms and conditions of service applicable to the post, and thereafter draw up a short list of suitable candidates for the post for consideration;
  - (b) constitute a Search Team consisting of:
    - (i) a member of the Council, who is not a member of the Senate, as chairman,
    - (ii) two members of the Senate who are not members of the Council, one of whom shall be a professor,
    - (iii) two members of Congregation who are not members of the Council, one of whom shall be a professor, to identify and nominate for consideration, suitable persons who are not likely to apply for the post of their own volition because they feel that it is not proper to do so.

- (b) two members of the Council, not being members of the Senate;
  - (c) two members of the Senate who are professors, but who were not members of the Search Team, shall consider the candidates and persons in the short list drawn up under subparagraph (2) of this paragraph through an examination of their curriculum vitae and interaction with them, and recommend to the Council suitable candidates for further consideration.
- (4) The Council shall select and appoint as Vice-Chancellor one from among the three candidates recommended to it under subparagraph (3) and thereafter inform the Visitor.
  - (5) The Vice-Chancellor shall hold office for a single term of five years only on such terms and conditions as may be specified in his letter of appointment.
  - (6) The Vice-Chancellor may be removed from office by the Governing Council on the ground of gross misconduct or inability to discharge the functions of his office as result of the infirmity of the body or mind at the time at the initiative of the Council, Senate or Congregation after due process.
  - (7) When the proposal for the removal of Vice-Chancellor is made, the Council shall constitute a joint committee of Council and Senate consisting of:
    - (i) three members of Council of whom one shall be Chairman of the Committee; and
    - (ii) two members of Senate, provided that where the ground for removal is infirmity of the body or mind, the Council shall seek appropriate medical opinion.
  - (8) The Committee shall conduct investigation made into the allegation made against the Vice-Chancellor and shall report its findings to the Council.
  - (9) The Council may where the allegations are proved, remove the Vice-Chancellor or apply any other disciplinary action it may deem fit and notify the Visitor accordingly provided that a Vice-Chancellor who is removed shall have a right of appeal to the Visitor.

*Deputy Vice-Chancellor*

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

- (2) Where a vacancy occurs in the post of Deputy Vice-Chancellor, the Vice-Chancellor shall forward to the Senate a list of two candidates for each post of Deputy Vice-Chancellor that is vacant.
- (3) The Senate shall select for each vacant post one candidate from each list forwarded to it under subparagraph (2) of this paragraph and forward his name to the Council for confirmation.
- (4) A Deputy Vice-Chancellor shall:
  - (a) assist the Vice-Chancellor in the performance of his functions;
  - (b) act in the place of the Vice-Chancellor when the post of the Vice-Chancellor is vacant or if the Vice-Chancellor is, for any reason, absent or unable to perform his functions as Vice-Chancellor; and
  - (c) perform such other functions as the Vice-Chancellor of the Council may, from time to time, assign to him.
- (5) A Deputy Vice-Chancellor:
  - (a) shall hold office for a period of two years beginning from the effective date his appointment and on such terms and conditions as may be specified in his letter of appointment; and
  - (b) may be re-appointed for one further period of two years and no more.
- (6) The Deputy Vice-Chancellor(s) may be removed from office for good cause by the Council, acting on the recommendation of the Vice-Chancellor and Senate.
- (7) Good cause for the purpose of this subparagraph means gross misconduct or the inability to discharge the function of his office arising from infirmity of the body or mind.

*Office of the Registrar*

5. (1) There shall be for the University, a Registrar, who shall be the chief administrative officer of the University and shall be responsible to the Vice-Chancellor for the day-to-day administrative work of the University except as regards matters for which the Bursar is responsible in accordance with paragraph 6 (2) of this Schedule.
- (2) The person holding the office of the Registrar shall by virtue of that office be Secretary to the Council, the Senate, Congregation and Convocation.

*Other Principal Officers of the University*

6. (1) There shall be for the University the following principal officers, in addition to the Registrar, that is:
  - (a) the Bursar; and
  - (b) the University Librarian, who shall be appointed by the Council on the recommendation of the Selection Board constituted under paragraph 7 of this Schedule.

- (2) The Bursar shall be the Chief Financial Officer of the University and be responsible to the Vice-Chancellor for the day-to-day administration and control of the financial affairs of the University.
- (3) The University Librarian shall be responsible to the Vice-Chancellor for the administration of the university library and the co-ordination of the library services in the University and its campuses, colleges, faculties, schools, departments, institutes and other teaching or research units.
- (4) Any question as to the scope of the responsibilities of the aforesaid officers shall be determined by the Vice-Chancellor.
- (5) The Registrar, Bursar and Librarian shall hold office for a single term of five years only beginning from the effective date of his appointment and on such terms and condition as may be specified in his letter of appointment.
- (6) Notwithstanding subparagraph (5) of this paragraph, the Council may, upon satisfactory performance, extend the tenure of the Registrar, Bursar and Librarian for a further period of one year only thereafter the Registrar, Bursar or Librarian shall relinquish his post and be assigned to other duties in the University.

*Selection Board for other Principal Officers*

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

*Resignation and Re-appointment*

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



## SECOND SCHEDULE

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

#### *Transfer of Property to University*

1. Without prejudice to the generality of section 9 (1) of this Bill:
  - (a) the reference in that subsection to property held by the Provisional Council shall include a reference to the right to receive and give a good discharge for any grants or contributions which may have been voted or promised to the Provisional Council;
  - (b) all debts and liabilities of the Provisional Council outstanding shall become debts or liabilities of the University.
2.
  - (1) All agreements, contracts, deeds and other instruments to which the Provisional Council was a party shall, so far as possible and subject to any necessary modifications, have effect as if the University had been a party thereto in place of the Provisional Council.
  - (2) Documents not falling within subsection (1) of this paragraph, including enactment which refer, whether specially or generally, to the Provisional Council, shall be construed in accordance with that sub-section so far as applicable.
  - (3) Any legal proceedings or application to any authority pending by or against the Provisional Council may be continued by or against the University.

#### *Registration of transfers*

3.
  - (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.*

4.
  - (1) The first meeting of the Council shall be convened by the Pro-Chancellor on such date and in such manner as he may determine.
  - (2) The persons who were members of the Provisional Council shall be deemed to constitute the Council until the date when the Council as set up under the Third Schedule to this Bill shall have been duly constituted.
  - (3) The first meeting of the Senate as constituted by this Bill shall be convened by the Vice-Chancellor on such date and in such manner as he may determine.

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

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

#### THIRD SCHEDULE

[Section 9 (3)]

### FEDERAL UNIVERSITY OF EDUCATION, KONTAGORA, Statute No. 1

#### ARRANGEMENT OF ARTICLES

##### *Articles:*

1. The Council.
2. The Finance and General Purposes Committee
3. The Senate
4. The Congregation
5. Convocation
6. Division of Colleges
7. College/School Boards
8. Dean of the College
9. Selection of certain Principal Officers
10. Creation of academic posts
11. Appointment of academic staff
12. Appointment of administrative and professional staff
13. Interpretation.
14. Short Title

##### *The Council*

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

- (4) Where a member of the Council holding office otherwise than in pursuance of

section 5 (a), (b), (g), or (h) of this Bill vacates office before the expiration of the period aforesaid, the body or person by whom he was appointed may appoint a successor to hold office for the residue of the term of his predecessor.

- (5) A person ceasing to hold office as a member of the Council otherwise than by removal for misconduct shall be eligible for re-appointment for only one further period of four years.
- (6) The quorum of the Council shall be five, at least one of whom shall be a member appointed pursuant to section 5 (d) or (e) of this Bill.
- (7) If the Pro-Chancellor is not present at a meeting of the Council, such other member of the Council present at the meeting as the Council may appoint as respects that meeting shall be the chairman at that meeting, and subject to section 4 of this Bill and the foregoing provisions of this paragraph, the Council may regulate its own procedure.
- (8) Where the Council desires to obtain advice with respect to any particular matter may co-opt not more than two persons for that purpose, and the persons co-opted may take part in the deliberations of the Council at any meeting but shall not be entitled to vote.

*The Finance and General Purposes Committee*

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

*Annual budget and estimates, etc.*

- (4) (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.*

- (5) (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.

*Payment into bank*

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

Provided that the Council may invest, as it deems fit, any money not required for immediate use other than donations of money referred to in subsection (1) of this section.

*Audit*

3. (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 section, be prescribed by statute.

*The Senate*

4. (1) The Senate shall consist of:
- (i) the Vice-Chancellor
- (ii) Deputy Vice-Chancellors;
- (iii) the Deans of respective Colleges;
- (iv) the Professors in the University;

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

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

*Congregation*

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

*Convocation*

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

*Division of Colleges*

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

*College Boards*

8. (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.

*Deans of the Colleges*

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



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

*Departmental Board of Studies*

10. (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 Directors of Physical Planning and Development,  
Works and Services and Health*

11. (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.

*Tenure of Directors*

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

*Creation of Academic Posts*

13. Recommendations for the creation of academic posts other than principal officers shall be made by the Senate to the Council through the Finance and General Purposes Committee.

*Appointment of Academic Staff*

14. (1) Subject to the Act and statutes, the filling of vacancies in academic posts (including newly created ones) shall be the responsibility of the Council through the Departments and Colleges.
- (2) For the purpose of filling such vacancies, suitable selection boards to select and make appointments on behalf of the Council shall be set up.
- (3) For appointment to Professorships, Associate Professorship or Readerships or equivalent posts, a Board of Selection, with power to appoint, shall consist of:
  - (a) the Vice-Chancellor — Chairman
  - (b) Deputy Vice-Chancellor — Member
  - (c) the Dean of the College — Member
  - (d) Head of Department — Member
  - (e) Registrar — Secretary
  - (f) such other person(s), not exceeding two in number, deemed capable of helping the Board in assessing both the professional and academic suitability of a candidate under consideration, as the Senate may from time to time appoint.
- (4) For other academic posts, a Selection Board, with power to appoint, shall consist of:
  - (a) the Vice-Chancellor or his representative — Chairman:
  - (b) the Dean of the College — Member
  - (c) Head of the Department concerned — Member
  - (d) an internal member of Council (not below the Rank of Senior Lecturer from the sister college in the Candidate's subject-area) — Member
  - (e) Registrar or his representative — Secretary

- (5) All appointments to senior library posts shall be made in the same way as equivalent appointments in the academic cadre; and for all such posts other than that of the Librarian, the Librarian shall be a member of the Selection Board.
- (6) Boards of Selection may interview candidates directly or consider the reports of specialist interviewing panels and shall in addition, in the case of Professorships, Associate Professorship, Readerships or equivalent Posts, consider the reports of External Assessors relevant to the area in which the appointment is being considered. Quorum shall be three (3) including the Chairman.

*Appointment of Administrative and Professional Staff*

15. (1) The administrative and professional staff of the University other than principal officers shall be appointed by the Council or on its behalf by the Vice-Chancellor in accordance with delegation of powers made by the Council on its behalf.
- (2) A Selection Board, with power to appoint, shall consist of:
- (i) Vice Chancellor;
  - (ii) Deputy Vice Chancellor;
  - (iii) Registrar;
  - (iv) Bursar;
  - (v) University Librarian;
  - (vi) the Head of Department concerned;
  - (vii) Establishment and Human Resources Officer who shall serve as Secretary
- Quorum shall be three (3) including the Chairman.

*Interpretation*

16. In this Statute, the expression "the Act" means the Federal University of Education, Kontagora Act and any word or expression defined in the Act has the same meaning in this Statute.

*Short Title*

17. This Statute may be cited as the Federal University of Education, Kontagora Statute No.1 (*Hon. Garba Alhassan Ado — House Leader*).

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

**Explanatory Memorandum:**

This Bill seeks to upgrade the Federal College of Education, Kontagora to Federal University of Education, Kontagora (*Hon. Garba Alhassan Ado — House Leader*).

*Agreed to.*

**Long Title:**

A Bill for an Act to Provide for the Establishment of the Federal University of Education, Kontagora; and for Other Matters Connected Therewith (HB. 1136) (*Hon. Garba Alhassan Ado — House Leader*).

*Agreed to.*

*Chairman to report Bill.*

**(HOUSE IN PLENARY)**

Mr Deputy 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 the Establishment of the Federal University of Education, Kontagora; and for Related Matters (HB.1136), and approved Clauses 1 - 27, 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.*

**(ii) A Bill for an Act to Establish the Fisheries Institute of Nigeria charged with Responsibility for Registration and Disciplining of Members of the Profession; and for Related Matters (HB. 896) (Committee of the Whole):**

*Motion made and Question proposed, “That the House do consider the Report on a Bill for an Act to Establish the Fisheries Institute of Nigeria charged with Responsibility for Registration and Disciplining of Members of the Profession; and for Related Matters (HB. 896)” (Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai 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 Deputy Speaker in the Chair)*

A BILL FOR AN ACT TO ESTABLISH THE FISHERIES INSTITUTE OF NIGERIA  
CHARGED WITH RESPONSIBILITY FOR REGISTRATION AND DISCIPLINE OF  
MEMBERS OF THE PROFESSION; AND FOR RELATED MATTERS (HB. 896)

PART I — ESTABLISHMENT OF THE FISHERIES INSTITUTE OF NIGERIA

**Clause 1: Establishment of the Institute.**

- (1) There is established the Fisheries Institute of Nigeria (in this Bill referred to as "the Institute").
- (2) The Institute:
  - (a) is a body corporate with:
    - (i) perpetual succession, and
    - (ii) a common seal which shall be kept in such custody as the Council may direct;
  - (b) may sue and be sued in its corporate name;
  - (c) may hold, acquire and dispose of any property movable or immovable; and

- (d) shall be the highest professional body of the Fisheries Science in Nigeria (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

**Clause 2: General duty of the Institute.**

The Institute has the general duty to:

- (a) determine members of the Fisheries Profession;
- (b) determine what standards of knowledge and skills to be attained by persons seeking to become registered as Individuals, Corporate and Affiliates members of the Fisheries Institute and reviewing those standards, from time to time, as circumstances may require;
- (c) train and be the capacity building body of the Fishery Society of Nigeria;
- (d) regulate the syllabuses of academic and professional programme of fisheries in tertiary institutions in Nigeria;
- (e) be the administrator of certification, accreditation, project programmes, production centres and facilities nationwide;
- (f) in consultation with state chapters of the fisheries society of Nigeria develop, moderate, and implement the annual work plan for capacity training and resources of the fisheries society of Nigeria;
- (g) regulate and control the practice of Fisheries Profession in Nigeria;
- (h) secure in accordance with the provisions of this Bill, the establishment and maintenance of the register of individuals, corporate and affiliate members of the profession and the publication, of the list of those members;
- (i) maintain in accordance with this Bill, discipline within the Profession;
- (j) promote the production of fishes;
- (k) ensure that Fisheries science practitioners in Nigeria uphold the ethics of the Profession and guarantee the production of high quality of fish;
- (l) affiliate with any relevant association in fish production either locally or internationally;
- (m) educate the public on the activities of the fisheries society; and
- (n) perform, through the Council, such other functions conferred on it by the Act (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

**Clause 3: Powers of the Institute.**

The Institute shall have power to:

- (a) promote the professional and practitioner development of all categories of aquaculture, capture fisheries and post-harvest management sub-sectors of operations, as well as fisheries research and development in Nigeria;
- (b) promote necessary fora for the productive interaction of individuals and corporate stakeholders, organisations involved in Aquaculture, capture fisheries, post-harvest management sub sector and related development activities in Nigeria;
- (c) collate, publish and disseminate information for sustainable development of fisheries sector in Nigeria;
- (d) establish the necessary organisation for the proper and efficient conduct of the affairs of the Institute;
- (e) provide regulations for staff of the Institute as well as welfare scheme for the staff;
- (f) do such other acts or things as may be necessary for the performance of the functions of the Institute (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

**Clause 4: Members of the Institute.**

- (1) Subject to the provisions of this Bill, persons admitted to membership of the Institute shall be registered as member in the category of:
  - (a) individuals:
    - (i) associate members (AM),
    - (ii) graduate members (GM),
    - (iii) professional members (MFS), or
    - (iv) Chartered Fisheries Scientist (CFS);
  - (b) corporates; and
  - (c) affiliates.
- (2) A person registered under this Bill as a member of the Institute shall be entitled to be enrolled as an individual in the following category:
  - (a) as an Associate Member (AM), if he satisfies the Council that he has obtained a minimum of a National Diploma in Fisheries or is a graduate of other related disciplines including Zoology, Animal Science, Microbiology, Veterinary Medicine, etc. from recognised institutions;

- (b) as a Graduate Member (GM), if he satisfies the Council that he has been formally inducted by the Institute having completed a programme leading to Higher National Diploma in fisheries or Bachelor Degree in Fisheries or Aquaculture from a recognised Institution and is assigned an enrolment number that will be revalidated with a professional number after two years post National Youth Service Corps (NYSC);
  - (c) as a Professional Member (PM), if he satisfies the Council that he has obtained Higher National Diploma (HND), a Bachelor of Science, B.Tech or Bachelor of Agriculture (B. Agric.) in fisheries, Aquaculture and shall be entitled to the award of "Member of the Fisheries Institute" (MFI) and an enrolment number after 3 year of consecutive participation at the Annual National Conference of the Institute.
  - (d) as a Chartered Fisheries Scientist (CFS), if he satisfies the Council by passing the qualifying examination to ascertain that he has fulfilled the requirement for charter registration as set by the Institute and be entitled to the award of "Chartered Fisheries Scientist (CFS)" and the use of Consultant's stamp for endorsing documents on all relevant professional or specialist assignments.
- (3) The Institute may register a member as a Corporate member and Corporate membership includes all corporate organisations, agencies with the award of a registration number in the under listed categories:
- (a) fishing Companies, Fish Feed Exporters or Importers;
  - (b) industrial fish farms, fisheries equipment suppliers or distributors companies, Feed Millers;
  - (c) fisheries, Commodities Vendors and Service agencies or organisations; and
  - (d) individually-owned Cooperative fish farms, Cooperative Estate Unions, Cooperative Fisheries, Fish Farms Projects.
- (4) The Institute may register a member as an Affiliate Member if such member has been formally admitted into the Institute under an approval schedule or guidelines set by the Institute.
- (5) A person shall, when enrolled or registered, as the case may be, receive a certificate in such form as the Institute may approve for the purpose (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

PART II — ESTABLISHMENT AND FUNCTIONS OF THE COUNCIL

**Clause 5: Establishment of the Council.**

- (1) There is established a governing body of the Institute (in this Bill referred to as "the Council") which shall be the highest policy body of the Institute.
- (2) The Council shall consist of:

- (a) the Chairman of the Board of Trustees who shall be the Chairman;

- (b) the immediate Past President of the Society (FISON);
  - (c) the Chairman Council of fellows;
  - (d) the National President, Fisheries Society of Nigeria (FISON) who shall be the Vice-Chairman;
  - (e) the Vice President (FIN and Linkages) FISON;
  - (f) the Registrar of the Institute;
  - (g) the Minister of Agriculture or his representative;
  - (h) the Minister of Education or his representative;
  - (i) the Minister of Environment or his representative;
  - (j) the Minister of Water Resources or his representative;
  - (k) the Executive Director, National Institute for Freshwater Fisheries Research;
  - (l) the Executive Director, National Institute for Oceanography and Marine Research;
  - (m) one representative of the Nigerian Chamber of Commerce, Industry, Mines and Agriculture to be appointed by the Chamber;
  - (n) one person to be elected by the Institute to represent agro-allied industries;
  - (o) three persons to be appointed by the Institute to represent the various polytechnics, colleges and universities studying agriculture in Nigeria;
  - (p) the Registrar of the Institute who shall be the Secretary to the Council; and
  - (q) the Executive Directors of Any other Research Institutes relevant to Fisheries that may be created in from time to time.
- (3) The provisions of Second Schedule to this Bill shall have effect with respect to the qualification and tenure of office of members of the Council and the other related matters (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

**Clause 6: Functions of the Council.**

The functions of the Council shall be to:

- (a) carry into effect the functions and powers of the Institute;
- (b) govern the affairs and the services of the Institute;
- (c) effect proper management of the Institute; and
- (d) do other acts or things as the Council may consider necessary for carrying out the functions and powers of the Institute (*Hon. Mohammed Tahir*



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

**Clause 7: Tenure of office.**

- (1) The term of office of a member of the Council other than an *ex-officio* member shall be three years but such member shall at the end of that term be eligible for another term of three years and no more.
- (2) The office of a member of the Council shall become vacant if the member:
  - (a) resigns his office, by notice under his hand, addressed to the Council;
  - (b) is removed from office by the Council, by reason of his professional misconduct, physical or mental infirmity; or
  - (c) without leave of the Council, absents himself from three consecutive meetings of the Council or death (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

**Clause 8: Establishment of the Council of Fellows.**

- (1) There is established for the Institute a Council of Fellows.
- (2) The Council of Fellows shall:
  - (a) be a professional advisory body for the maintenance of the Professional traditions and norms of the Institute;
  - (b) have statutory and moderator responsibility on the programme and policies of the Institute; and
  - (c) advice on the composition of the appropriate positions and professional activities of the Institute.
- (3) The Council shall keep and maintain a register for the Institute for appointment of fit and proper person by the Registrar in these categories:
  - (a) Chartered members as Distinguished Fellow; and
  - (b) Honorary Fellow.
- (4) A person is eligible to be admitted as a Distinguished Fellow, if the person holds a bachelor degree or a higher national diploma in Fisheries and Aquaculture from a recognised institution and has passed the requisite examination of the Institute and shall not be less than 10 years as a Chartered Fisheries Scientist (CFS).

- (5) An Associate or Corporate member who has contributed immensely through research, publications and experience towards the growth of Fisheries or other areas of Agriculture generally in Nigeria is eligible to be admitted as an Honorary Fellow (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

**Clause 9: Charter registration.**

- (1) The Institute shall undertake the charter registration of professional members of the Institute.
- (2) The Charter registration of professional members shall be managed by the Programme Management Unit (PMU) of the Institute.
- (3) The Programme Management Unit of the Institute shall consist of the:
- (a) Registrar;
  - (b) Deputy Registrar;
  - (c) Bursar;
  - (d) Librarian;
  - (e) Coordinator, examinations and Records; and
  - (f) Heads of Capture Fisheries, Aquaculture and Management Technology, Fisheries Resources Management and Extension units of the Institute.
- (4) The members of the Programme Management Unit (PMU) shall be:
- (a) appointed on the recommendation of the Council and in consultation with the Council of Fellows; and
  - (b) serve for a period of five years only and no more.
- (5) A professional member of the Institute shall be qualified for registration if he makes an application for charter registration provided that the evidence of qualification shows that he:
- (a) has passed the requisite examinations and formally applied to be so registered;
  - (b) is of good character;
  - (c) has the basic educational qualifications required by the Institute;
  - (d) has not been convicted in Nigeria or elsewhere; and
  - (e) has fulfilled all his financial obligations.
- (6) The Institute shall, from time to time, publish particulars of qualification acceptable to the Institute for Charter registration (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

**Clause 10: Registration of fisheries consultants.**

(1) Subject to any rules made by the Institute, a member shall be entitled to be registered as a Fisheries Consultant if:

- (a) he is prima facie qualified for enrolment as a Professional member having passed the prescribed examinations of the Institute; and
- (b) shall provide professional stamps for its Charter Fisheries Scientists as Fisheries Consultants.

(2) The Institute shall, in collaboration with the Department of Fisheries, Federal Ministry of Agriculture, issue Fisheries competence certificates as well as products endorsement in respect of:

- (a) cold-rooms and cold-storage centres;
- (b) fish markets and fish marketers;
- (c) fish enclosures and farms infrastructure;
- (d) fish processing and fish handling centres;
- (e) fishing vessels, boats and crafts;
- (f) fish hatcheries and brood fish centres;
- (g) fish feed vending and feed milling centres;
- (h) fisheries commodities sales and service centres;
- (i) other fisheries production and operations companies, agencies, facilities and utilities;
- (j) fisheries cooperatives production centres;
- (k) fisheries artisans; and
- (l) fisheries service providers.

(3) The Institute shall undertake professional training and empowerment activities which includes:

- (a) practical training and building capacity centres;
- (b) tutorial and providing professional training Units;
- (c) development of training materials;
- (d) provision of research support monitoring schedules;
- (e) fisheries Cooperatives Societies Empowerment;
- (f) collaborative certification training and assignments;

- (g) fisheries consultancy reports inventory;
- (h) participatory consultancy application support services based on formal application; and

- (i) project management services, monitoring supervision, evaluation intervention and undertakings based on formal application.
- (4) The FIN is entitled to:
- (i) granting of compulsory attestation to all expatriate quota for Fisheries and Aquaculture practitioners such as crew members in industrial fisheries and farm managers, that there are no qualified and competent Nigerians for the jobs in question at the time of application and that granting of the expatriate quota shall be contingent on training of such number of persons as may be required for the execution of the jobs;
  - (ii) ensuring that, before being allowed to practice in Nigeria, such foreign practitioners granted work permit, register with FIN, and obtain such licenses as may be required from time to time;
  - (iii) investigating fisheries and aquaculture industries failures; and
  - (iv) maintain a fund into which shall be paid money appropriated by the National Assembly, subventions, fees, charges for services rendered or publications made, donations, fisheries and aquaculture development levies, among others.
- (5) The Institute shall, on the recommendation of the programme managers unit, appoint State Coordinators from the list of financial professional members, train and accredit the state coordinators and the State Coordinators shall be appointed for three years only (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

### PART III — FINANCIAL PROVISIONS

**Clause 11: Fund of the Institute.**

- (1) There is established for the Institute a fund (in this Bill referred to as "the Fund") which shall be managed and controlled by the Council.
- (2) There shall be paid into the Fund:
  - (a) all fees and other money payable to the Institute under this Bill;
  - (b) contributions, levies, subscriptions, fees and other dues paid by the members;
  - (c) revenue accruing to the Institute from its investments, activities and services; and
  - (d) grants, endowments and donations from Governments, agencies, organisations, benefactors and other donors (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

**Clause 12: Bank account.**

The funds of the Institute shall be paid into an account in a reputable bank approved by the Council and no instrument for the withdrawal of any money from the bank shall be valid unless it is authenticated by the signatures of the Chairman and the Registrar or by the signatures of such officers of the Institute as may be approved by

the Council (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

**Clause 13: Investment.**

The Institute may subject to such terms and conditions as the Council may approve, invest any part of its funds in any securities and may, at any time, dispose of such money as the Council may require for performing any of the functions or exercising the power of the Institute (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

**Clause 14: Borrowing power.**

The Institute may subject to such terms and conditions as the Council may approve, borrow such money as the Council may require for performing any of the functions or exercising the power of the Institute (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

**Clause 15: Accounts of the Institute.**

- (1) The Institute shall keep and maintain proper accounts of its income and expenditure and shall by the 30 day of September of each year submit such account to be audited by any auditor approved by the Accountant-General of the Federation.
- (2) The audited accounts by the Institute and the auditor's report thereon shall, not later than the 31 day of December of each year, be submitted by the Institute to the Minister of Agriculture who shall immediately lay them before each chamber of the National Assembly (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

PART IV — THE REGISTRAR AND THE REGISTER

**Clause 16: Appointment of Registrar.**

- (1) The Council shall appoint a fit and proper person to be the Registrar of the Institute for the purpose of this Bill.
- (2) The Registrar shall, in addition to his other functions under this Bill, be the Secretary to the Council and shall, on the instruction of the Chairman of the Institute or any Committee of the Council, convene and keep minutes of the proceedings at all meetings of the Council and its Committees.

- (3) The Council may appoint such other persons to be employees of the Institute as the Council may determine to assist the Registrar in the execution of his functions under this Bill.
- (4) The Registrar shall prepare and maintain, in accordance with the rules and regulations made by the Council, a register of the names, addresses, approved qualifications and such other qualifications and particulars as may be specified in the rule, of all persons who are entitled in accordance with the provisions of this Bill.
- (5) Subject to the provisions of this Bill, the Council shall make rules with respect to the form and keeping of the registers and the making of entries in the register and in specifying:
  - (a) the fees including annual subscriptions, to be paid to the Institute in respect of the entry of names on the register and authorising the Registrar to refuse to enter a name in the register until any fees specified for the entry has been paid; and
  - (b) anything not specified under the provisions of this section, but rules made for the purpose of paragraph (a) shall not come into effect until they are confirmed at a meeting of the Institute.
- (6) The Registrar shall:
  - (a) correct, in accordance with the Council's directions, any entry in the register which the Council directs him to correct as being, in the Council's opinion, an entry which was incorrectly made;
  - (b) make any necessary alteration in the register on particulars of registered persons;
  - (c) remove from the register the name of any enrolled or registered person who died; and
  - (d) record the names of the members of the Institute who are in default for more than six months in the payment of annual subscriptions, and to take such action in relation to it (including removal of the names of defaulters from the register) as the Council may direct or require (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

#### PART V — ACCREDITATION OF FISHERIES SCIENCE INSTITUTIONS

**Clause 17: Accreditation.**

- (1) Every faculty, college, polytechnic or university offering Fisheries and Aquaculture in Nigeria shall, on demand by the Council and in consultation with the relevant bodies, submit to the Council details of its curricula and courses of study in Fisheries and Aquaculture Science and related sciences for consideration and approval of the Council

- (2) The Council shall, delegate a committee of the Council to evaluate the contents of the curricula and courses and ensure that such curricula and courses sufficiently endow persons offering such courses with requisite knowledge, skill and working experience for the practice of the profession of fisheries
- (3) The Council shall, where such curricula and courses are approved, by instrument, accredit the faculty, polytechnics, colleges or Universities as the case may be, as a fit and proper institution for the training of prospective members
- (4) Subject to this Bill, a person who has obtained a higher national diploma, a first degree or other academic qualification in Fisheries and Aquaculture from an accredited institution shall not be eligible to be a registered member and cannot head any Unit (academic, corporate or ministry) unless he becomes a Chartered Fisheries Scientist as approved by the Institute (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

PART VI — PROFESSIONAL DISCIPLINE

**Clause 18: Establishment of Investigating Panel and Disciplinary Tribunal.**

- (1) There is established the Fisheries Investigating Panel (in this Bill referred to as "the Panel) charged with the duty of:
  - (a) conducting preliminary investigations into cases where it is alleged that a member of the Institute has committed an act of gross misconduct, fraud, bribery or corruption in his capacity as a consultant or Chartered Fisheries Scientist; and
  - (b) deciding whether the case should be referred to the Tribunal.
- (2) The members of the Panel are appointed by the Council and shall consist of such number of members as the Council may determine.
- (3) There is established the Fisheries Disciplinary Tribunal (in this Bill referred to as "the Tribunal") charged with the duty of considering and determining any case referred to it by the Panel.
- (4) The Tribunal shall consist of the Chairman who shall be a retired Magistrate or a High Court Judge and six other professional members appointed by the Council.
- (5) The supplementary provisions set out in the First Schedule to this Bill shall apply to the Panel and Tribunal (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

**Clause 19: Allegations of professional misconduct.**

- (1) The Council may make rules or bye-laws not contained in this Bill as to what constitute professional misconduct.

- (2) The allegations of professional misconduct shall be made through the relevant State Chapter to the Council (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

**Clause 20: Penalties by the Disciplinary Tribunal.**

- (1) Where:
- (a) a member is adjudged by the Tribunal to be guilty of professional misconduct,
  - (b) a member is convicted by a court of competent jurisdiction in Nigeria or elsewhere having power to sentence a person to imprisonment (whether or not the member was sentenced to a term of imprisonment) which, in the opinion of the Tribunal is incompatible with the status of a member of the Institute; or
  - (c) the Tribunal is satisfied that the name of any person has been fraudulently registered,
- the Tribunal may, if it deems fit, give a direction reprimanding an erring member or directing the Registrar of the Institute to strike his name off the relevant part of the register.
- (2) For the purpose of subsection (1) (b), a person shall not be treated as convicted unless the conviction stands at a time when no appeal or further appeal is pending or may (without extension of time) be brought in connection with the conviction.
- (3) When the Tribunal gives a direction under subsection (1), the Tribunal shall cause notice of the direction to be served on the member to whom it relates.
- (4) The person to whom such direction relates may, at any time within 28 days from the date of such service on him of the notice of the direction, make a representation to the court with appropriate jurisdiction, and the Tribunal may appear as respondent to the appeal and, for the purposes of enabling directions to be given as to costs, the Tribunal is deemed to be a party whether or not it appears at the hearing of the appeal.
- (5) A decision of the Tribunal under subsection (1) shall be taken where:
- (a) no appeal under this section is brought against the direction within the time limit for such an appeal and on the expiration of that time;
  - (b) such appeal is brought and is withdrawn or struck out for want of prosecution; or
  - (c) the appeal is heard, it shall take effect only in accordance with the provisions of this Bill.
- (6) A person whose name is struck out from the register under the direction of the Tribunal is not entitled to be registered again except upon another given by the Tribunal on an application by the person, provided that the another



direction to strike off may prohibit any application by that member until the expiration of the application as may be specified in the direction (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

PART VII — MISCELLANEOUS AND SUPPLEMENTARY

**Clause 21: Provisions of library and research facilities.**

The Institute shall:

- (a) provide and maintain a library comprising books, documents, electronic storage systems, publications, aquaculture research work data sets, internet access for the advancement of knowledge in fisheries;
- (b) encourage research into any aspect of fisheries as it may consider necessary;
- (c) undertake regular studies of the existing fisheries and aquaculture practices, scientific information technology and extension services relevant to viable large scale fish culture obtainable from internet and electronic mail services and related options for keeping abreast of current technology-driven research and publication; and
- (d) engage in the production and sale of informational research materials, books and journals, etc arising from its research and consultancy linkages (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

**Clause 22: Offences and penalties.**

- (1) Any person who is not a member of the Institute and practices as a chartered registered member of the Institute in expectation of a reward, takes or uses a name, title in addition to his name implying that he practices as a chartered registered member of the Institute commits an offence.
- (2) If the Registrar or any person employed on behalf of the Institute wilfully makes any falsification in any matter relating to the register, commits an offence
- (3) Any person found guilty of an offence under the subsection (1)-(2) is liable on conviction to a fine of not exceeding ₦500,000.00 or to imprisonment for a term not exceeding two years or both.
- (4) Where the offence is committed by a corporate body and is proved to have been committed with the consent or connivance of or to be attributable to any neglect on the part of any director, manager or every officer, the director, manager and every officer as well as the corporate body shall be liable on conviction to:
  - (a) in the case of an individual, to a fine of ₦500,000 or imprisonment for a term of two years or both;

- (b) in the case of a corporate body to a fine of ₦2,000,000 (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

**Clause 23: Powers of the Minister to give directives to the Council.**

The Minister may give the Council directives of a general character or relating generally to particular matters (but not to any individual person) with regard to the exercise by the Council of its functions and the Council shall comply with the directives (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

**Clause 24: Regulations.**

- (1) The Council may in consultation with the Minister make regulations generally for the purpose of giving full effect to the provisions of this Bill.
- (2) A regulation, made under this Bill, shall be published in the Gazette as soon as may be necessary after they are made, and a copy of any such regulations shall be sent to the Minister not later than seven days, before they are published (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

**Clause 25: Interpretation.**

In this Bill:

"Council" means the governing council of the chartered fisheries society of Nigeria (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

"Disciplinary Tribunal" means the Disciplinary Tribunal established under section 18 of this Bill (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

*Question that the meaning of the words "disciplinary Tribunal" be as defined in the interpretation to this Bill — Agreed to.*

"fees" includes annual subscription (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

"Institute" means the Fisheries Institute of Nigeria established under section 1 (1) of this Bill (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

"member" means member of the Institute and includes an associate, a graduate, a

chartered fisheries scientist, corporates and affiliates (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

"Minister" means the Minister charged with the responsibility for matters relating to Fisheries (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

"Registrar" means the Registrar of the Institute of Nigeria; and (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

*Question that the meaning of the word “Registrar” be as defined in the interpretation to this Bill — Agreed to.*

"Register" means the register maintained under this Bill (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

*Question that the meaning of the word “Register” be as defined in the interpretation to this Bill — Agreed to.*

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

**Clause 26: Citation.**

This Bill may be cited as the Fisheries Institute of Nigeria (FIN) (Establishment) Bill, 2021 (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

## SCHEDULES

### FIRST SCHEDULE

Section 18 (5)

#### SUPPLEMENTARY PROVISIONS RELATING TO THE FISHERIES DISCIPLINARY TRIBUNAL (FDT)

##### *The Disciplinary Tribunal*

1. (1) The quorum of the Fisheries Disciplinary Tribunal referred to as the Tribunal) shall be three of whom at least, one should be a Magistrate who will be the Chairman and two charter-registered professional-members
- (2) The Tribunal shall in particular provide:
  - (a) for securing that notice of the proceedings shall be given at such time and in such manner as may be specified by the rules, to the person who is the subject of the proceedings

(b) for determining who in addition to the aforesaid, shall be a party to the proceedings;

(c) for securing that any party to the proceedings shall, if he so requires, be

entitled to be heard by the Tribunal;

- (d) for enabling any party to the proceedings to be represented by a legal practitioner;
  - (e) the Tribunal shall take cognisance of all the costs requirements;
  - (f) for requiring, in case where it is alleged that the person who is subject of the proceedings is guilty of infamous conduct in any professional respect, that where the Tribunal adjudges that the allegation has not been proved it shall record a finding that the person is not guilty of such conduct in respect of the matters to which the allegation relates; and
  - (g) for publishing in the media notice or any direction of the Tribunal, any member of the Tribunal may administer oaths on any party as the proceedings may sue, of the register of the Supreme Court on the writ of subpoena ad testificandum and duces tecum but no person appearing before the Tribunal shall be compelled to:
    - (i) make any statement before the Tribunal tending to incriminate himself, or
    - (ii) produce any document under such a writ which he could not be compelled to produce at the trial of an action.
- (3) The Tribunal shall make rules as to the functions of assessors appointed under this paragraph, and in particular such rules shall contain provisions for securing:
- (a) that where an assessor advises the Tribunal on any question of law as to evidence, procedure or any other matters specified in the rules, he shall do so in the presence of every party or person representing a party to the proceedings who appears thereat or, if the advice is tendered while the Tribunal is deliberating in private, that every such party or person as aforesaid shall be informed what advice the assessor has tendered; and
  - (b) that every party or person as stated shall be informed if in any case the Tribunal does not accept the advice of the assessor on such a question as aforesaid.
- (4) An assessor may be appointed under this paragraph either generally or for any particular proceedings or class of proceedings and shall hold and vacate office in accordance with the terms of the instrument by which he is appointed.

#### *Miscellaneous*

- 2.
- (1) A person ceasing to be a member of the Tribunal is eligible for reappointment as a member of that body.
  - (2) A charter-registered specialist-member may, if otherwise eligible, be a member of the Tribunal

- (3) The Tribunal may act notwithstanding any vacancy in its membership and the proceedings of the body shall not be invalidated by any irregularity in the appointment of a member of that body, or (subject to a paragraph of this schedule) by reason of the fact that any person who was not entitled to do so took part in the proceedings of that body.
- (4) Any document authorised or required by virtue of this Bill to be served on the Tribunal shall be served on the Registrar appointed in pursuance of section of this Bill.
- (5) Any expenses of the Tribunal or the Panel shall be defrayed by Institute.

*Disciplinary Tribunal Procedure*

3. (1) On receipt of any allegations of professional misconduct against any registered member of the Institute, the Tribunal shall direct the Registrar to send to the Registered person complained about a written statement of the facts of the allegation.
- (2) The respondent to the complaint, being a registered member of the institute, shall reply by a sworn affidavit to the allegation.
- (3) The Registrar shall cause copies of the statement of the allegation and the affidavit in reply and any other documents related thereto to be sent with notice of meeting to the members of the Tribunal.
- (4) The Registrar shall summon the member against whom allegation is made to appear before the Tribunal specifying time and place, and inform him to come with a legal practitioner if he so desire.
- (5) The decisions of the Tribunal shall be final.
- (6) All witnesses testifying before the Tribunal shall do so on Oath.
- (7) The Oath may be administered by the Registrar or any member of the Tribunal nominated by the Chairman (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

SECOND SCHEDULE

Section 5 (3)

SUPPLEMENTARY PROVISIONS RELATING TO THE  
GOVERNING COUNCIL OF FISHERIES INSTITUTE OF NIGERIA (FIN)

*Eligibility for Membership of the Governing  
Council of Fisheries Institute of Nigeria (FIN)*

1. (1) Subject to the provisions of this paragraph, a member of the Governing Council shall hold office for a period not exceeding four years single term.
- (2) Any member of Institute who ceases to be a member thereof, if he is also a member of the Council, ceases to hold office in the Council.

- (3) Any elected member may by notice in writing and addressed to the National president resign his office, and any appointed member may, likewise resign his appointment.
- (4) A person who retires from or otherwise ceases to be an elected member of the Council shall be eligible again to become a member of the Council, as an appointed member if appropriately re-appointed.

*Proceedings of the Council*

2. (1) Subject to the provisions of this Bill, the Council may in the name of FIN declare policy instruments regulating the proceedings of FISON or of itself, and in the exercise of its powers under this Bill, may set up Committees in the general interest of FIN, and make policy instruments thereof.
- (2) The quorum of the Council shall be five provided this includes any of the Chairman or the Registrar and the policy instruments shall provide for decisions to be taken by a majority of the members, and in the event of equality of votes, the Chairman, will as the case may be, have a second or casting vote.
- (3) Policy instruments made by a Committee shall provide that it is to report back to the Council on any matter not within its competence to decide.

*Meetings of the Institute*

3. (1) The Institute shall convene its Annual General Meeting on a day as it may appoint in any particular year, but if the meeting is not held within one year after the previous Annual General Meeting, not more than 15 months shall elapse between the respective dates of the two meetings.
- (2) A special meeting of the Institute may be convened by the Registrar at any time and if not less than five members of the Programme Management Unit of the Institute require it.
- (3) The validity of any proceedings of the Institute or its committee shall not be affected by any vacancy in membership, or by any defect in the appointment of a member of the Programme Management Unit or of a person to serve on the committee or by reason that a person not entitled to do so took part in the proceedings.
- (4) Any member of the Programme Management Committee of the Institute and any person holding office on a committee of the Institute who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Institute or its committee, shall immediately disclose his interest to the national President or to the Institute, as the case may be, and shall not vote on any issues relating to the contract or arrangement.
- (5) A person shall not by reason only of his membership of the Institute be required to disclose any interest relating solely to the audit of the accounts of Institute (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

**Explanatory Memorandum:**

This Bill establishes the the Fisheries Research Institute of Nigeria charged with responsibility for registration and discipline of members of the profession (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

**Long Title:**

A Bill for an Act to Establish the Fisheries Institute of Nigeria Charged with Responsibility for Registration and Discipline of Members of the Profession; and for Related Matters (HB. 896) (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

**Agreed to.**

*Chairman to report Bill.*

**(HOUSE IN PLENARY)**

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Establish the Fisheries Institute of Nigeria charged with Responsibility for Registration and Disciplining of Members of the Profession; and for Related Matters (HB. 896), and approved Clauses 1 - 26, 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 Establish the Federal University of Agriculture, Kabba; and for Related Matters (HB.789) (Committee of the Whole):**

*Motion made and Question proposed, "That the House do consider the Report on a Bill for an Act to Establish the Federal University of Agriculture, Kabba; and for Related Matters (HB.789)" (Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma 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 Deputy Speaker in the Chair)*

A BILL FOR AN ACT TO ESTABLISH THE FEDERAL UNIVERSITY OF AGRICULTURE, KABBA TO MAKE COMPREHENSIVE PROVISIONS FOR ITS DUE MANAGEMENT AND ADMINISTRATION AND OTHER RELATED MATTERS (HB.789)

PART I — ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF FEDERAL UNIVERSITY OF AGRICULTURE, KABBA

**Clause 1: Establishment and Objects of the Federal University of Agriculture, Kabba.**

- (1) There is hereby upgraded the Federal College of Agriculture, Kabba (in this Bill referred to as "the University") to be known as the Federal University of Agriculture, Kabba.
- (2) The University —
  - (a) shall be a body corporate with perpetual succession and a common seal; and

- (b) may sue or be sued in its corporate name (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirir-Kasamma 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, gender or political conviction the opportunity of acquiring higher Agriculture in Agriculture;
- (b) to develop and offer academic and professional programmes leading to the award of diplomas, first degrees, post-graduate research and higher degrees with emphasis on planning, adaptive, technical, maintenance, developmental and productive skills in the engineering, scientific, and allied professional disciplines relating to Sports resources with the aim of producing socially mature men and women with capability not only to understand, use and adapt existing technologies in the Agriculture, but also to improve on them and develop new ones;
- (c) to act as agents and catalysts, through post-graduate training, research and innovation for the effective and economic utilization, exploitation and conservation of the country's Agriculture resources;
- (d) to offer to the general population particularly in the area Agriculture as a form of public service, the results of training and research and to foster the practical applications of these results;
- (e) to establish appropriate relationships with other national institutions involved in training, research and development of technologies in the Sports sector;
- (f) to identify the problems and needs of the Agriculture sector in Nigeria and to find solutions to them within the context of overall national development;
- (g) to provide and promote sound basic scientific training as a foundation for the development of Agriculture in Nigeria, taking into account indigenous cultures and the need to enhance national unity;
- (h) to encourage and promote scholarship and conduct research in restricted fields of learning and human endeavor;
- (i) to relate its activities to the technological, social, cultural and economic needs of the people of Nigeria; and
- (j) to undertake any other activities appropriate for an Agriculture university of the highest standard (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirir-Kasamma Federal Constituency*).

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

**Clause 3: Constitution of the University and its Constituent Bodies, etc.**

(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 Deputy Vice-Chancellor;
  - (e) a body to be called Congregation;
  - (f) a body to be called Convocation;
  - (g) the campuses and colleges of the University;
  - (h) the faculties, schools, institutes and other teaching and research units of the University;
  - (i) the persons holding the offices constituted by the First Schedule to this Bill other than those mentioned in paragraphs (a) to (c) of this subsection;
  - (j) all graduates and undergraduates; and
  - (k) all other persons who are members of the University in accordance with provisions made by Statute in that behalf.
- (2) The First Schedule to this Bill shall have effect with respect to the Principal Officers of the University mentioned therein.
- (3) Provision shall be made by Statute with respect to the constitution of the following bodies, namely —
- (a) the Council;
  - (b) the Senate;
  - (c) the Congregation; and
  - (d) the Convocation (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirir-Kasamma Federal Constituency*).

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

**Clause 4: Powers of the University.**

- (1) For the carrying out of its objects as specified in Section 2 of this Bill, the University shall have power to —
- (a) 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) institute professorships, readerships and associate professorships, lectureships and other posts and offices and to make appointments thereto;

- (c) institute and award fellowships, scholarships, exhibitions, bursaries, medals, prizes and other titles, distinctions, awards and forms of assistance;
- (d) provide for the residence, discipline and welfare of members of the University;
- (e) hold examinations and award degrees, diplomas, certificates and other distinctions to persons who have pursued a course of study approved by the University and have satisfied such other requirements as the University may lay down;
- (f) award honorary degrees, fellowships or academic titles;
- (g) demand and receive from any student or any other person attending the University for the purpose of instruction such fees as the University may from time to time determine, subject to the overall directives of the appropriate authority;
- (h) subject to section 22 of this Bill, to acquire, hold, grant, charge or otherwise deal with or dispose of movable and immovable property wherever situate;
- (i) accept gifts, legacies and donations, but without obligation to accept the same for a particular purpose unless it approves the terms and conditions attaching thereto;
- (j) enter into contracts, establish trusts, act as trustee, solely or jointly with any other person, and employ and act through agents;
- (k) erect, provide, equip and maintain libraries, laboratories, lecture halls, halls of residence, refectories, sports grounds, playing fields and other buildings or things necessary, suitable or convenient for any of the objects of the University;
- (l) hold public lectures and undertake printing, publishing and book selling;
- (m) subject to any limitations or conditions imposed by Statute, to invest any moneys appertaining to the University by law of endorsement, whether for general or special purposes, and such other moneys as may not be immediately required for current expenditure, in any investments or securities or in the purchase or improvement of land, with power from time to time to vary any such investments and to deposit any moneys for the time being uninvested with any bank on deposit or current account;
- (n) borrow, whether on interest or not, and if need be, upon the security of any or all of the property movable or immovable of the University, such moneys as the Council may from time to time in its discretion find necessary or expedient to borrow or to guarantee any loan, advances or credit facilities;
- (o) make gifts for any charitable purpose;

- (p) do anything which it is authorized or required by this Bill or by any other Statute to do; and
  - (q) do all such acts or things, whether or not incidental to the foregoing powers, as may advance the objects of the University.
- (2) Subject to the provisions of this Bill and of the Statutes made thereunder and without prejudice to Section 9 (2) of this Bill, the powers conferred on the University by subsection (1) of this section shall be exercisable on behalf of the University by the Council or by the Senate or in any other manner which may be authorized by this Bill (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirir-Kasamma 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 is present shall preside at all meetings of convocation held for conferring degrees.
- (2) The Pro-Chancellor shall, in relation to the University, take precedence before all other members of the University except the Chancellor, and except for the Vice Chancellor when acting as Chairman of Congregation or Convocation, and the Pro-Chancellor shall when he is present, be the Chairman at all meetings of the Council (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirir-Kasamma Federal Constituency*).

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

**Clause 6: Establishment and Composition of Council.**

- (1) There shall be a Council for the University consisting of:
  - (a) the Pro-Chancellor;
  - (b) the Vice-Chancellor;
  - (c) the Deputy Vice-Chancellor;
  - (d) one person from the Ministry responsible for Agriculture;
  - (e) four persons representing a variety of interest and broadly representative of the whole Federation;
  - (f) four persons appointed by the Senate from among its members;
  - (g) two persons appointed by the congregation from among its members; and
  - (h) one persons appointed by Convocation from among its members.
- (2) Persons to be appointed to the Council shall be persons of proven integrity, knowledgeable and familiar with the affairs and tradition of the University (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirir-Kasamma Federal Constituency*).

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

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

- (1) Subject to the provisions of this Bill relating to the Visitor, the Council shall be the Governing Body of the University and shall be charged with the general control and superintendence of the policy, finances and property of the University, including its public relations.
- (2) There shall be a committee of the Council to be known as the Finance and General Purposes Committee, which shall, subject to the directions of the Council, exercise control over the property and expenditure of the Council as the Council 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 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 and the Statutes, the Council and the Finance and General Purposes Committee may each make rules for the purpose of exercising any of their respective functions or of regulating their own procedure.
- (6) Rules made under subsection (5) of this section by the Finance and General Purposes Committee shall not come into force unless approved by the Council, and where any rule so made by the Committee conflict with any directions given by the Council (whether before or after the coming into force of the rules in question), the direction of the Council shall prevail.
- (7) There shall be paid to the members of the Council, the Finance and General Purposes Committee and of any other committee set up by the Council, allowances in respect of travelling and other reasonable expenses, at such rates as may from time to time be fixed by extant government circulars.
- (8) The Council shall meet as and when necessary for the performance of its functions under this Bill, and shall meet at least four times every year.
- (9) If required in writing by 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:

Provided that if after 28 days of the receipt or delivering to him of such request, the chairman fails or neglects to call a meeting, the Registrar shall within 14 days thereof, cause a meeting of the Council to be convened for that purpose. 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. Abubakar Hassan Fulata — Birniwa/Guri/Kirir-Kasamma Federal Constituency*).

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

**Clause 8: Functions of the Senate.**

- (1) Subject to section 5 of this Bill and subsections (3) and (4) of this section and to the provisions of this Bill relating to the Visitor, it shall be the general function of the Senate to organize and control teaching in the University, admission to Postgraduate courses and other admission of students, the discipline of students and to promote research in the University.
- (2) Without prejudice to the generality of the provisions of subsection (1) of this section, it shall in particular be the function of the Senate to make provision for the —
  - (a) establishment, organization and control of campuses, colleges, faculties, departments, schools, institutes and other teaching and research units of the University, and the allocation of responsibility for different branches of learning;
  - (b) organization and control of courses of study in the University and of the examinations held in conjunction with those courses, including the appointment of examiners, both internal and external;
  - (c) award of degrees, and such other qualifications as may be prescribed, in connection with examinations conducted by the University;
  - (d) making of recommendations to the Council with respect to the award to any person of an honorary fellowship or honorary degree or the title of professor emeritus;
  - (e) establishment, organization and control of halls of residence and similar institutions in the University;
  - (f) supervision of the welfare of students in the University and the regulation of their conduct;
  - (g) granting of fellowships, scholarships, prizes and similar awards in so far as the awards are within the control of the University; and
  - (h) determination of what description of dress shall be academic dress for the purposes of the University, and regulating the use of academic dress.
- (3) The Senate shall not establish any new campus, college, 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)
  - (a) Subject to this Bill and the Statutes, the Senate may make regulations for the purpose of exercising any function conferred on it either by the provisions of this section or for the purpose of providing for any matter for which provision by regulation is authorized or required by this Bill or by Statute.
  - (b) The Senate shall, by regulation, provide that at least one of the persons appointed as examiners at each final or professional examination held in conjunction with any course of study in the University is not a teacher at the University but is a teacher at the

branch of learning to which the course relates in some other university of high repute.

- (5) Subject to a right of appeal to the Council from a decision of the Senate under this subsection, the Senate may deprive any person of any degree, diploma or other award of the University which has been conferred on him if after due enquiry he is shown to have been guilty of any dishonourable or scandalous conduct in gaining admission into the University or obtaining that award (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirir-Kasamma 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 section 5 of this Bill, the Pro-Chancellor and any other person for the time being acting as Chairman of the Council.
- (2) Subject to the provisions of this Bill, the Vice-Chancellor shall have general function, in addition to any other 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. Abubakar Hassan Fulata — Birniwa/Guri/Kirir-Kasamma Federal Constituency*).

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

PART II — TRANSFER OF PROPERTY

**Clause 10: Transfer of Property to the University.**

- (1) All property held by or on behalf of the Provisional Council shall, by virtue of this subsection and without further assurance, vest in the University and be held by it for the purpose of the University.
- (2) The provisions of the Second Schedule to this Bill shall have effect with respect to the transfer of property by this section and to matters arising therefrom and with respect to other matters mentioned in that Schedule (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirir-Kasamma Federal Constituency*).

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

PART III — STATUTES OF THE UNIVERSITY

**Clause 11: Power of the University to make Statues.**

- (1) Subject to this Bill, the University may make Statutes for any of the following purposes —
- (a) making provision with respect to the composition and constitution of any authority of the University;
- (b) specifying and regulating the powers and duties of any authority of the University, and regulating any other matter connected with the University or any of its authorities;
- (c) regulating the admission of students where it is done by the University, and their discipline and welfare;

- (d) determining whether any particular matter is to be treated as an academic or non-academic matter for the purposes of this Bill and of any Statute, regulation or other instrument made there-under; and
  - (e) making provision for other matters for which provision by Statute is authorized or required by this Bill.
- (2) Subject to section 25 (6) of this Bill, the Interpretation Act shall apply in relation to any Statute made under this section as it applies to a subsidiary instrument within the meaning of section 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 section by the University.
  - (4) The power to make Statute conferred by this section shall not be prejudiced or limited in any way by reason of the inclusion or omission of any matter in or from the Statute contained in the Third Schedule to this Bill or any subsequent Statute (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirir-Kasamma Federal Constituency*).

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

**Clause 12: Mode of exercising the power to make Statutes.**

- (1) The power of the University to make Statutes shall be exercised in accordance with the provisions of this section.
- (2) A proposed Statute shall not have the force of law until it has been approved at a meeting of the —
  - (a) Senate, by the votes of not less than two thirds of the members present and voting; and
  - (b) Council by the votes of not less than two thirds of the members present and voting.
- (3) A proposed Statute may originate either in the Senate or Council, and may be approved as required by subsection (2) of this section by both bodies in no particular order.
- (4) A Statute which —
  - (a) makes provision for or alters the composition or constitution of the Council, the Senate or any other authority of the University; or
  - (b) provides for the establishment of a new campus or college or 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 Visitor.

- (5) For the purpose of section 2 (2) of the Interpretation Act, a Statute shall be treated as being made on the date on which it is approved by the Council and the Senate in accordance with subsection (3) of this section or in the case of a Statute falling within subsection (4) of this section, on the date on which it is approved by the President (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirir-Kasamma Federal Constituency*).

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

**Clause 13: Proof of Statute.**

A Statute may be proved in any court by the production of a copy thereof bearing or having affixed to it a certificate signed by the Vice-Chancellor or the Registrar to the effect that the copy is a true copy of a Statute of that University (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirir-Kasamma Federal Constituency*).

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

**Clause 14: Power to decide the meaning of Statute.**

- (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 deems fit.
- (2) The decision of the Visitor on any matter referred to him under this section shall be binding upon the authorities, staff and students of that University and where any question as to the meaning of any provision of a statute has been decided by the Visitor under this section, no question as to the meaning of that provision shall be entertained by any other authority in Nigeria:

Provided that nothing in this subsection shall affect the 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.

- (3) The foregoing provisions of this section shall apply in relation to any doubt or dispute as to whether any matter is, for the purposes of this Bill, academic or a non-academic matter as they apply in relation to any such doubt or dispute as is mentioned in subsection (1) of this section, and accordingly the reference in subsection (2) of this section 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 non-academic matter (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirir-Kasamma Federal Constituency*).

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

PART IV — SUPERVISION AND DISCIPLINE

**Clause 15: The Visitor.**

- (1) The President shall be the Visitor of the University.
- (2) The Visitor shall as often as the circumstances may require, not being less than once every five years, conduct a visitation of the University or direct that such a visitation be conducted by such persons as the Visitor may deem fit and in respect of any of the affairs of the University.



- (3) It shall be the duty of the bodies and persons comprising the University to —
- (a) make available to the Visitor, and to any other persons conducting a visitation in pursuance of this section, such facilities and assistance as he or they may reasonably require for the purpose of the visitation; and
  - (b) give effect to any instructions consistent with the provisions of this Bill which may be given by the Visitor in consequence of the visitation (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirir-Kasamma Federal Constituency*).

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

**Clause 16: Removal of certain Members of the Council.**

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

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

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

- (1) If it appears to the Council that there are reasons for believing that any person employed as a member of the academic, administrative or professional staff of the University, other than the Vice-Chancellor, should be removed from office or on grounds of misconduct or inability to perform the functions of his office Council shall —
  - (a) give notice of those reasons to the person in question;
  - (b) afford such person an opportunity of making representation in person on the matter to the Council; and
  - (c) take a decision to terminate or not to terminate the appointment.
- (2) If the affected staff or any three members of the Council so request within a period of one month from the date of receipt of the notice of the Council's decision, the Council shall make arrangements for —
  - (a) a joint committee of the Council and the Senate to review the matter and to report on it to the Council;
  - (b) the person in question to be afforded an opportunity to appear before and be heard by an investigating committee with respect to the matter;

committee, is satisfied that the person in question should be removed, the Council may so remove him by an instrument in writing signed on the directions of the Council.

- (3) The Vice-Chancellor may, in a case of gross misconduct by a member of staff which in the opinion of the Vice-Chancellor is prejudicial to the interest of the University, suspend such member and any such suspension shall immediately be reported to the Council.
- (4) Any member of staff may be suspended from duty or his appointment may be terminated by Council for a good cause and for the purposes of this subsection "good cause" means —
  - (a) conviction for any offence which the Council considers to be such as to render the person concerned unfit for the discharge of the functions of his office;
  - (b) any physical or mental incapacity which the Council, after obtaining medical advice, considers to be such as to render the person concerned unfit to continue to hold office;
  - (c) conduct of a scandalous or disgraceful nature which the Council considers to be such as to render the person concerned unfit to continue to hold office; or
  - (d) conduct which the Council considers to be such as to constitute failure or inability of the person concerned to discharge the functions of his office or to comply with the terms and conditions of his service.
- (5) Any person suspended pursuant to subsection (3) of this section shall be on half pay and the Council shall before the expiration of a period of three months from the date of such suspension consider the case against that person and come to a decision as to whether to —
  - (a) continue such person's suspension and if so on what terms (including the proportion of his emoluments to be paid to him);
  - (b) reinstate such person in which case the Council shall restore his full emoluments with effect from the date of suspension;
  - (c) terminate the appointment of the person concerned in which case such a person will not be entitled to the proportion of his emoluments withheld during the period of suspension; or
  - (d) take such lesser disciplinary action against such person (including the restoration of such proportion of his emoluments that might have been withheld) as the Council may determine.
- (6) Where the Council, pursuant to this section, decides to continue a person's suspension or decides to take further disciplinary action against the person, the Council shall, before the expiration of three months from such decision come to a final determination in respect of the case concerning such a person.

- (7) It shall be the duty of the person by whom an instrument of removal is signed in pursuance of subsection (1) above to use his best endeavors to cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it relates.

- (8) Nothing in the foregoing provisions of this section shall prevent the Council from making regulations for the discipline of staff and workers of the University as may be appropriate (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirir-Kasamma Federal Constituency*).

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

**Clause 18: Removal of Examiners.**

- (1) If, on the recommendation of the Vice-Chancellor, it appears to the Senate that a person appointed as an examiner for any examination of the University ought to be removed from his office or appointment, then, the Senate may, after affording the examiner an opportunity of making representations in person on the matter, direct the Vice-Chancellor to remove the examiner by an instrument in writing signed by the Registrar.
- (2) Subject to the provisions of any regulation made pursuant to section 8 (4) of this Bill, the Vice-Chancellor may, on the recommendation of Senate, appoint an appropriate person as examiner in the place of the examiner removed.
- (3) It shall be the duty of the Registrar on signing an instrument of removal pursuant to this section, to use his best endeavours to cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it relates (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirir-Kasamma Federal Constituency*).

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

**Clause 19: Discipline of Students.**

- (1) Subject to the provisions of this section, where it appears to the Vice-Chancellor that any student is guilty of misconduct, the Vice-Chancellor may, without prejudice to any other disciplinary powers conferred on him by Statute or regulations, direct that the —
- (a) student shall not, during such period as may be specified in the direction, participate in such activities of the University or make use of such facilities of the University as may be so specified;
- (b) activities of the student shall, during such period as may be specified in the direction, be restricted in such manner as may be so specified;
- (c) student be rusticated for such period as may be specified in the direction; or
- (2) Where a direction is given under subsection (1) paragraphs (c) or (d) of this section in respect of any student, the student may, within the prescribed period and in the prescribed manner, appeal against the direction to the Senate.

- (3) Where an appeal is brought pursuant to subsection (2) of this section, the Senate shall, after causing such inquiry to be made in the matter as the Senate considers just, either confirm or set aside the direction or modify it in such manner as the Senate thinks fit.
- (4) The fact that an appeal from a direction is brought pursuant to subsection (2) of this section shall not affect the operation of the direction while the appeal is pending.
- (5) The Vice-Chancellor may delegate his powers under this section to a disciplinary board consisting of such members of the University as he may nominate.
- (6) Nothing in this section shall be construed as preventing the restriction or termination of a student's activities at the University for conduct which in the opinion of Senate is prejudicial to the interest of the University or to its corporate objective or image.
- (7) A direction under subsection (1) (a) of this section may be combined with a direction under subsection (1) (b) of this section (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirir-Kasamma Federal Constituency*).

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

#### PART V — MISCELLANEOUS AND GENERAL PROVISIONS

#### **Clause 20: Exclusion or discrimination on account of race, religion, etc.**

- (1) No person shall be required to satisfy requirements as to any of the following matters, that is to say, race (including ethnic grouping) sex, place of birth, family origin, religious or political persuasion, as a condition for becoming or continuing to be a —
  - (a) student in the University;
  - (b) holder of any degree, appointment or employment in the University; or
  - (c) member of anybody established by virtue of this Bill.
- (2) No person shall be subjected to any disadvantage or accorded any advantage in relation to the University by reference to any of the matters referred to in subsection (1) of this section.
- (3) Nothing in subsection (1) of this section shall be construed as preventing the University from imposing any disability or restriction on any of the persons specified in subsection (1) of this section where such persons wilfully refuse or fail on grounds of religious belief to undertake any duty generally and uniformly imposed on all such persons or any group of them which duty, having regard to its nature and the special circumstances, is in the opinion of the University reasonably justifiable in the national interest (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirir-Kasamma Federal Constituency*).

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

**Clause 21: 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 section, the Government may, by a certificate under the hand and seal of the Sports University of Nigeria, Abuja or any other person authorized in that behalf transfer it to the University (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirir-Kasamma 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 Visitor:

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 of any lease or tenancy to a member of the University for residential purpose (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirir-Kasamma 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 Regulation, the quorum and procedure of any body of persons established by this Bill shall be such as may be determined by that body (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirir-Kasamma Federal Constituency*).

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

**Clause 24: Appointment of Committees, etc.**

- (1) Anybody of persons established by this Bill shall, without prejudice to the generality of the powers of that body, have power to appoint committees, which need not consist exclusively of members of that body and authorize a committee established by it to —
  - (a) exercise on its behalf, such of its functions as it may determine; and
  - (b) co-opt members and direct whether or not co-opted members 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 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 Regulations, the quorum and procedure of a committee established or meeting held pursuant to this section shall be such as may be determined by the body or bodies which have decided to establish the committee or hold the meeting.

- (4) 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.

- (5) Nothing in the foregoing provisions of this section shall be construed as enabling —
- (a) statutes to be made otherwise than in accordance with section 11 of this Bill; or
  - (b) the Senate to empower any other body to make Regulations or to award degrees or other qualifications (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirir-Kasamma Federal Constituency*).

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

**Clause 25: Miscellaneous Administrative provisions.**

- (1) The seal of the University shall be such as may be determined by the Council and approved by the Chancellor and the affixing of the seal shall —
- (a) in the case of certificates issued by the University, be authenticated by the Vice-Chancellor and the Registrar; and
  - (b) in the case of any other document, be authenticated by any member of Council, the Vice-Chancellor and the Registrar or any other person authorized by Statute.
- (2) Any document purporting to be a document executed under the seal of the University shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed.
- (3) Any contract or instrument which, if made or executed by a person not being a body corporate, would not be required to be under seal, may be made or executed on behalf of the University by any person generally or specially authorized to do so by the Council without seal.
- (4) The validity of the proceedings of anybody established pursuant to this Bill shall not be affected by-
- (5) Any member of any such body who has a personal interest in any matter proposed to be considered by that body shall disclose his interest to the body and shall not vote on any question relating to that matter.
- (6) Nothing in section 12 of the Interpretation Act (which provides for the application, in relation to subordinate legislation, of certain incidental provisions) shall apply to Statutes or Regulations made pursuant to this Bill.
- (7) The power conferred by this Bill on anybody to make Statute or Regulations shall include power to revoke or vary any —
- (a) Statute (including the Statute contained in the Third Schedule to this Bill); or

- (b) regulation by a subsequent Statute or Regulation as the case may be:

Provided that the Statutes and Regulations may have different

provisions in relation to different circumstances.

- (8) No stamp or other duty shall be payable in respect of any transfer of property to the University by virtue of sections 10, 21 and the Second Schedule to this Bill.
- (9) Any notice or other instrument authorized to be served by virtue of this Bill may, without prejudice to any other mode of service, be served by post (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirir-Kasamma Federal Constituency*).

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

**Clause 26: Interpretation.**

- (1) In this Bill —

"appropriate authority" means any person, body or authority authorized by law to act in a specific or general capacity in relation to a subject matter (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirir-Kasamma Federal Constituency*).

*Question that the meaning of the words "appropriate authority" be as defined in the interpretation to this Bill — Agreed to.*

"campus" means any campus which may be established by the University (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirir-Kasamma Federal Constituency*).

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

"college" means any college which may be established by the University (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirir-Kasamma Federal Constituency*).

*Question that the meaning of the word "college" 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. Abubakar Hassan Fulata — Birniwa/Guri/Kirir-Kasamma Federal Constituency*).

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

"gross misconduct" means any act of misconduct and improper behavior that may be designated as gross misconduct by any Statute or Regulation made, pursuant to this Bill (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirir-Kasamma Federal Constituency*).

*Question that the meaning of the words "gross misconduct" be as defined in the interpretation to this Bill — Agreed to.*

"Minister" means the Minister charged with responsibility for Agriculture (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirir-Kasamma Federal Constituency*).

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

"misconduct" means any conduct which is prejudicial to the good name of the University and or discipline and the proper administration of the business of the University (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirir-Kasamma Federal Constituency*).

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

"notice" means notice in writing (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirir-Kasamma 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. Abubakar Hassan Fulata — Birniwa/Guri/Kirir-Kasamma 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 Regulation made under this Bill (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirir-Kasamma 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 provisions made in that behalf by Statute or by Regulations (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirir-Kasamma 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. Abubakar Hassan Fulata — Birniwa/Guri/Kirir-Kasamma Federal Constituency*).

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

"the provisional Council" means the provisional Council appointed for the University by the President with effect from September 2016 (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirir-Kasamma Federal Constituency*).

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

"regulations" means regulations made by the Senate or Council (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirir-Kasamma Federal Constituency*).

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

"Senate" means the Senate of the University established by the Act (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirir-Kasamma Federal*



Constituency).

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

"Statute" means a Statute made by the University under section 11 of this Bill and in accordance with the provisions of section 12 of this Bill (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirir-Kasamma Federal Constituency*).

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

"the Statutes" means all such Statutes as are in force from time to time (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirir-Kasamma Federal Constituency*).

*Question that the meaning of the words "the Statutes" 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. Abubakar Hassan Fulata — Birniwa/Guri/Kirir-Kasamma Federal Constituency*).

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

"President" means the President of the Federal Republic of Nigeria (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirir-Kasamma Federal Constituency*).

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

"Constitution" means the Constitution of the Federal Republic of Nigeria (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirir-Kasamma Federal Constituency*).

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

"undergraduate" means a person in statu pupillari in 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. Abubakar Hassan Fulata — Birniwa/Guri/Kirir-Kasamma Federal Constituency*).

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

"the University" the Federal University of Agriculture, Kabba incorporated and constituted by this Bill; and (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirir-Kasamma Federal Constituency*).

*Question that the meaning of the words “the University” be as defined in the interpretation to this Bill — Agreed to.*

"the Act" means the Federal University of Agriculture, Kabba Act (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirir-Kasamma Federal Constituency*).

*Question that the meaning of the words “the Act” be as defined in the interpretation to this Bill — Agreed to.*

- (2) 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 pursuant to that provision to the appropriate authority; but any such intermediate authority may, if it thinks fit, forward therewith its own comments thereon (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirir-Kasamma Federal Constituency*).

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

**Clause 27: Short Title.**

This Bill may be cited as the Federal University of Agriculture, Kabba (Establishment, etc.) Bill, 2021 (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirir-Kasamma Federal Constituency*).

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

## SCHEDULES

### FIRST SCHEDULE

Section 3 (2)

#### PRINCIPAL OFFICERS OF THE UNIVERSITY

##### *The Chancellor*

1. The Chancellor shall be appointed by and hold office at the pleasure of the President.

##### *The Pro-Chancellor*

2. (1) The Pro-Chancellor shall be appointed or removed from office by the President.

- (2) Subject to the provisions of this Bill, the Pro-Chancellor shall hold office for a period of four years from the date of his appointment.

*The Vice-Chancellor*

3. The procedure for the appointment and removal of the Vice-Chancellor shall be in accordance with the provision of the University (Miscellaneous Provisions) Act 1993 as amended.

*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 —
- (a) assist the Vice-Chancellor in the performance of his functions;
- (b) act in place of the Vice-Chancellor when the post of the Vice-Chancellor is vacant or if the Vice-Chancellor is, for any reason, absent or unable to perform his functions as Vice-Chancellor; and
- (c) perform such other functions as the Vice-Chancellor or the Council may, from time to time, assign to him.

*Office of the Registrar, Bursar and University Librarian*

5. (1) There shall be for the University, a Registrar, who shall be the Chief Administrative Officer of the University and shall be responsible to the Vice-Chancellor for the day-to-day administration of the University except as regards matters for which the Bursar is responsible in accordance with paragraph 6 (2) below.
- (2) The person holding the office of Registrar shall by virtue of that office be Secretary to the Council, the Senate, Congregation and Convocation.
- (3) The Registrar shall hold office for such period and on such terms and conditions as to emoluments as may be specified in his letter of appointment.
6. (1) There shall be for the University, the following Principal Officers in addition to the Registrar, that is —
- (a) the Bursar; and
- (b) the University Librarian.
- (2) The Bursar shall be the Chief Financial Officer of the University and shall be responsible to the Vice-Chancellor for the day-to-day administration and control of the financial affairs of the University.

- (3) The University Librarian shall be responsible to the Vice-Chancellor for the administration of the University Library and the co-ordination of all library services in the University and its campuses, colleges, faculties, schools, departments and institutes and other teaching or research units.
- (4) The Bursar and the University Librarian —
- (a) shall each hold office for such period and on such terms and conditions as to emoluments as may be specified in his letter of appointment.

*Other Officers of the University*

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 shall be responsible for all works, services and maintenance of University facilities.
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. He shall be the Chief Medical Officer of the University and shall coordinate all matters relating to the health of all staff and students.

*Resignation and re-appointment*

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

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

SECOND SCHEDULE

Section 10 (2)

TRANSITIONAL PROVISIONS AS TO PROPERTY, FUNCTIONS, ETC.

*Transfer of Property to the University*

1. Without prejudice to the generality of Section 10 (1) of this Bill —
- (a) the reference in the subsection to property held by the provisional Council and the University shall include a reference to the right to receive and give a good discharge for any grants or contributions which may have been voted or promised to the provisional Council and the University; and
- (b) all outstanding debts and liabilities of the provisional Council shall become debts and liabilities of the University established by this Bill.

2. (1) All agreements, contracts, deeds and other instruments to which the provisional Council was a party shall, so far as possible and subject to any necessary modifications, have effect as if the University established by this Bill had been a party to it in place of the provisional Council.
- (2) Documents not falling within sub-paragraph (1) above, including enactments, which refer whether specially or generally to the provisional Council shall be construed in accordance with that subparagraph so far as applicable.
- (3) Any legal proceedings or application to any authority pending by or against the provisional Council may be continued by or against the University established by this Bill.

*Registration of Transfers*

3. (1) If the law in force at the place where any property transferred by this Bill is situated provides for the registration of transfers of property of the kind in question (whether by reference to an instrument of transfer or otherwise), the law shall, so far as it provides for alterations of a register (but not for avoidance of transfers, the payment of fees of any other matter) apply, with the necessary modifications to the transfer of the property in question.
- (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.
4. (1) The first meeting of the Council shall be convened by the Pro-Chancellor on such date and in such manner as he may determine.
- (2) The persons who were members of the provisional Council shall be deemed to constitute the Council until the date when the Council set up under the Third Schedule to this Bill must have been duly constituted.
- (3) The first meetings of the Senate as constituted by this Bill shall be convened by the Vice-Chancellor on such date and in such manner as he may determine.
- (4) The persons who were members of the Senate immediately before the coming into force of this Bill shall be deemed to constitute the Senate of the University until the date when the Senate as set up under the Third Schedule of this Bill must 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 faculties, faculty boards and students of the University immediately before the coming into force of this Bill shall on that day become faculties, faculty boards and students of the University as established by this Bill.
- (6) Persons who were deans or associate deans of faculties or members of faculty boards shall continue to be deans or associate deans or become members of the corresponding faculty boards, until new appointment are made in pursuance of the Statutes under this Bill.
5. Any person who was a member of the staff of the University as established or was otherwise employed by the provisional Council shall be employed at the University on such designation, status and functions which correspond as nearly as possible to those which pertained to him as a member of that staff or as such an employee.

6. Questions as to the scope of the responsibilities of the aforesaid officers shall be determined

by the Vice-Chancellor (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirir-Kasamma Federal Constituency*).

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

### THIRD SCHEDULE

Section 11 (3)

#### **FEDERAL UNIVERSITY OF AGRICULTURE, KABBA STATUTE NO. 1**

*Articles:*

1. The Council.
2. Finance and General Purpose Committee
3. The Senate.
4. The Congregation.
5. Convocation.
6. Organization of Faculties and the Branches thereof.
7. Faculty Board.
8. The Dean of the Faculty.
9. Selection of Certain Principal and other key officers.
10. Creation of Academic Post.
11. Appointment of Academic Staff.
12. Appointment of Administrative and Technical Staff.

*The Council*

1. (1) Any member of Council holding office pursuant to section 6 (e) (f) (g) or (h) of this Bill may, by notice to the Council resign his office.
- (2) A member of Council holding office pursuant to section 6 (e) (f) (g) or (h) of this Bill shall, unless he previously vacates it, vacate that office on the expiration of a period of four years starting from 1st August in the year in which he was appointed.
- (3) Where a member of Council holding office pursuant to section 6 (e) (f) (g) or (h) of this Bill vacates office before the expiration of his tenure, the body that appointed him may appoint a successor to hold office for the residue of his unexpired term.
- (4) A person ceasing to hold office as a member of Council otherwise than by removal for misconduct shall be eligible for reappointment for only one further period of four years.
- (5) The quorum of the Council shall be five, at least one of whom shall be a member pursuant to Section 6 (d) and (e) of this Bill.
- (6) If the Pro-Chancellor is not present at a meeting of the Council, the members present at the meeting may appoint one of them to be the Chairman at that meeting, and subject to section 5 of this Bill and the provisions of this paragraph the Council may regulate its own procedure.
- (7) 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.

- (8) The Council constituted by this Bill shall have a four year tenure 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.

- (9) The powers of the Council shall be exercised in accordance with the laws and Statutes of the University, and to that extent, establishment circulars that are inconsistent with the laws and Statutes of the University shall not apply to the University.

*The Finance and General Purpose Committee*

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

*The Senate*

3. (1) There shall be a Senate for the University consisting of:
- (a) the Vice-Chancellor;
  - (b) the Deputy Vice-Chancellor;
  - (c) all Professors of the University;
  - (d) all Deans, Provosts and Directors of Academic units of the University;
  - (e) all Heads of Academic Departments, Units and Research Institutes of the University;
  - (f) the University Librarian; and
  - (g) academic members of the congregation who are not Professors as specified in the Laws of the University.
- (2) The Vice-Chancellor shall be the chairman at all meetings of the Senate when he is present and in his absence, one of the Deputy Vice-Chancellors appointed by him shall be the chairman at the meeting.

- (3) The quorum of the Senate shall be one-quarter (or the nearest whole number less than one quarter), and subject to paragraph (2) above the Senate may regulate its own procedure.
- (4) If so requested in writing by any ten members of the Senate, the Vice-Chancellor, or in his absence a person duly appointed by him, shall convene a meeting of the Senate to be held not later than the tenth day following that on which the request

was received.

*Congregation*

4. (1) Congregation shall consist of —
- (a) the Vice-Chancellor and the Deputy Vice-Chancellor;
  - (b) the full time members of the academic staff;
  - (c) the Registrar;
  - (d) the Bursar; and
  - (e) every member of the administrative and technical staff who holds a degree of any University recognized for the purpose of this Statute by the Vice-Chancellor, not being an honorary degree.
- (2) Subject to section 5 of this Bill, the Vice-Chancellor shall be the Chairman at all meetings of congregation when he is present, and in his absence one of the Deputy Vice Chancellors appointed by him shall be the chairman at the meeting.
- (3) The quorum of congregation shall be one-third (or the nearest whole number to one-third) of the total number of members of congregation or fifty, whichever is less.
- (4) A certificate signed by the Vice-Chancellor specifying —
- (a) the total number of members of 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 provisions of this schedule, 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 Schedule 1 to this Bill;
- (2) A person shall be entitled to have his name registered as a member of convocation if he -
- (a) is either a graduate of the University or a person satisfying such requirements as may be prescribed for the purposes of this paragraph; and



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

*Organisation of Faculties and Branches thereof*

- 6. Each Faculty shall be divided into such number of branches as may be prescribed.
- 7. (1) There shall Be established in respect of each Faculty, a Faculty Board, which, subject to the provisions of this Bill, and subject to the directions of the Vice-Chancellor, shall —
  - (a) regulate the teaching and study of, and the conduct of examinations connected with the subjects assigned to the faculty;

- (b) deal with other matters assigned to it by Statute, by the Vice-Chancellor or by the Senate; and
- (c) advice the Vice-Chancellor or Senate on any matter referred to it by the Vice-Chancellor or Senate.
- (2) Each Faculty Board shall consists of —
  - (a) the Vice-Chancellor;
  - (b) the persons severally in charge of the branches of the faculty;
  - (c) such number of the teachers assigned to the faculty and having the

prescribed qualifications as the Board may determine; and

- (d) such persons whether or not members of the University as the Board may determine with the general or special approval of Senate.
- (3) The quorum of the Board shall be eight members or one-quarter of the members of the Board for the time being whichever is greater.
- (4) Subject to the provisions of this statute and to any provision made by regulations in that behalf, the Board may regulate its own procedure.

*The Dean of the Faculty*

- 8. (1) The Dean of a faculty shall be a professor elected by the Faculty Board and such Dean shall hold office for a term of two years. He will be eligible for re-election for another term of two years after which he may not be elected again until two years have elapsed.
- (2) If there is no professor in a faculty, the Vice-Chancellor shall appoint an Acting Dean who shall not be below the rank of Senior Lecturer for the faculty, who will act for a period of one year in the first instance, renewable for another one year only.
- (3) In the absence of the Vice-Chancellor, the Dean shall be the chairman at all meetings of the Faculty Board when he is present and he shall be a member of all committees and other boards appointed by the faculty.
- (4) The Dean of a faculty shall exercise general superintendence over the academic and administrative affairs of the faculty and it shall be the function of the Dean to present to the convocation for the conferment of Degrees, persons who have qualified for the Degrees of the University at examinations held in the branches of learning for which responsibility is allocated to that faculty.
- (5) There shall be a committee to be known as the Committee of Deans which shall consist of all the Deans of the several faculties and that committee shall advise the Vice-Chancellor on all academic matters and on particular matters referred to the Committee by the Senate.
- (6) The Dean of a faculty may be removed from office for a good cause by the Faculty Board after a vote would have been taken at a meeting of the Board, and in the event of a vacancy occurring following the removal of the Dean, an Acting Dean may be appointed by the Vice-Chancellor provided that at the next faculty board meeting an election shall be held for a new Dean.

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- (7) In this article, "good cause" has the same meaning as in section 17 (4) of this Bill.

*Selection of Certain Principal and other key Officers*

- 9. (1) When a vacancy occurs in the Office of the Registrar, Bursar, the University Librarian, Director of Works or Director of Health Services, a Selection Board shall be constituted by the Council and shall consist of -
  - (i) the Pro-Chancellor;
  - (ii) the Vice-chancellor;
  - (iii) two members appointed by the Council, not being members of Senate; and
  - (iv) two members appointed by the Senate not being members of Council.
- (2) The Selection Board, after making such inquiries as it thinks fit, shall recommend a

candidate to the Council for appointment to the vacant office, and after considering the recommendation of the Board the Council may make an appointment to that office.

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

*Creation of Academic Post*

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

*Appointment of Academic Staff*

11. Subject to this Bill and the Statutes derived from it, 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*

12. (1) The administrative and technical staff of the University, other than those mentioned in paragraph 9 of this schedule shall be appointed by the Council on its behalf by the Vice-Chancellor or the Registrar in accordance with any delegation of powers made by the Council in that behalf.
- (2) In the case of administrative or technical staff that has close and important contacts with the academic staff, there shall be Senate participation in the process of selection (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirir-Kasamma Federal Constituency*).

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

**Long Title:**

A Bill for an Act to Establish the Federal University of Agriculture, Kabba to Make Comprehensive Provisions for its Due Management and Administration and Other Related Matters (HB.789) (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency*).

*Agreed to.*

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*Chairman to report Bill.*

**(HOUSE IN PLENARY)**

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Establish the Federal University of Agriculture, Kabba; and for Related Matters (HB.789), and approved Clauses 1 - 27, the Schedules, and the Long Title of the Bill.

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

- (iv) ***A Bill for an Act to Amend the National Oil Spill Detection and Response Agency Act, 2006; and for Related Matters (HB. 351) (Committee of the Whole):***  
*Motion made and Question proposed, “That the House do consider the Report on a Bill for an Act to Amend the National Oil Spill Detection and Response Agency Act, 2006; and for Related Matters (HB. 351)” (Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha 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 Deputy Speaker in the Chair)*

A BILL FOR AN ACT TO AMEND THE NATIONAL OIL SPILL DETECTION  
AND RESPONSE AGENCY (ESTABLISHMENT) ACT, 2006,  
AND FOR RELATED MATTERS (HB. 351)

**Clause 1: Amendment of NOSDRA Act No. 15, 2006.**

The National Oil Spill Detection and Response Agency (Establishment, etc.) Act 2006 (in this Bill referred to as “the Principal Act”) is hereby amended as set out in this Bill (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

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

**Clause 2: Amendment of section 2.**

Section 2 of the Principal Act is amended in subsection (2) (b) by substituting for the existing paragraph (b) a new paragraph (b) as follows:

"(b) one representative each of the following Federal Ministries and Agencies not below the rank of Director and Heads of the Organisations:

(i) Environment;

(ii) Petroleum Resources;

(iii) Defence;

(iv) Water Resources;

(v) Nigerian Civil Aviation Authority (NCAA);

(vi) Nigerian Maritime Administration and Safety Agency (NIMASA);

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(vii) National Emergency Management Agency (NEMA);

(viii) Ecological Fund Office;

(ix) Nigerian Environmental Society (NES);

(x) Oil Producers' Trade Section of Lagos Chambers of Commerce (OPTS) and

(xi) Independent Petroleum Marketers Association of Nigeria (IPMAN)” (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

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

**Clause 3: Amendment of section 5.**

Section 5 of the Principal Act is amended by:

(a) substituting for the existing paragraph, a new paragraph as follows:

**"Objectives of the Agency.**

5. The objectives of the Agency shall be to monitor and regulate Tiers 1 and 2 oil spills as well as coordinate, implement and activate the National Oil Spill Contingency Plan for Nigeria (in this Bill

referred to as "the Plan") in the event of a Tier 3 oil spill as follows:"

(b) substituting for the existing paragraph 5 (a), a new paragraph as follows:

“5. (a) establish a viable national operational organization that ensures a safe, timely, effective and appropriate response to all oil spills as well as other hazardous substances in the petroleum sector” (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

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

**Clause 4: Amendment of section 6.**

Section 6 of the Principal Act is amended by substituting for section 6 (2)-(4) new section 6 (2)-(5) as follows:

**Penalties.**

- (2) A facility owner or operator shall notify the Agency of an oil spill by reporting to the Agency in writing, by fax or electronic mail or by any other means not later than 24 hours after the occurrence of an oil spill in default of which the failure to report shall attract penalty of not less than ₦2,000,000 for each day of failure to report the occurrence.
- (3) The failure to commence clean-up operations on the impacted site within two weeks after the completion of the Joint Investigation Visit (JIV) in accordance with the polluter-pays principle, shall constitute an offence and on conviction, the facility owner shall be liable to a fine not less than ₦5,000,000 or to imprisonment for a term not exceeding two years or to both such fine and imprisonment.

- (4) Failure to submit an action plan for remediation and restoration within two weeks after the completion of post clean up assessment shall constitute an offence, and on conviction, the facility owner shall be liable to a fine not less than ₦5,000,000 or to imprisonment for a term not exceeding two years or to both such fine and imprisonment.
- (5) The notice required under subsection (2) of this section shall be deemed to have been made, if sent by telephone or in writing by fax, electronic mail or delivered at the nearest Zonal or Field office of the Agency closer to the impacted site or the National Control and Response Centre within the time stipulated in subsection (2) of this section” (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

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

**Clause 5: Insertion of new sections 8 and 9.**

- (1) There shall be inserted immediately after section 7 of the Principal Act, the following new sections 8 and 9:

**Abandonment and Decommissioning of Drill Sites and Oil Facilities.**

- 8.** (1) The Agency, pursuant to section 1 (1) of the Principal Act, shall monitor the process of decommissioning or abandonment of drill sites and oil facilities as well as oil industry operational areas to ensure that there is no oil spillage in the course of the exercise.
- (2) Where oil spill occurs in the course of decommissioning or abandonment of facilities specified in sub-section (1) of this section, to ensure that it is cleaned up to all practical extent, in accordance with the procedure and guidelines issued by the Agency.
- (3) The facility owner shall notify the Agency in writing at least two months prior to commencement of decommissioning or abandonment of any facility or installations within its area of operation.
- (4) Failure to notify the Agency prior to the commencement of such activities as specified in subsection (3) of this section shall attract penalty not less than the sum of ₦2,000,000 for failure to notify the Agency.

**Pipelines and other Oil Facilities Integrity Monitoring and Testing.**

- 9.** (1) The Agency, pursuant to section 1 (1) of the Principal Act, shall periodically inspect the records of assets and integrity tests conducted by facility owners to ensure that such assets are safe to store or convey crude oil or petroleum products effectively to minimize potential for oil spills.
- (2) The Agency shall provide a programme for periodic inspection and compliance monitoring of the oil facilities in the upstream, midstream and downstream sectors in accordance with its Regulations, Guidelines and Standards.

**Consequential Amendment.**

The subsisting sections 8-9 are renumbered accordingly (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

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

**Clause 6: Amendment of section 11.**

Section 11 of the Principal Act is amended by:

- (a) inserting immediately after paragraph (b), new paragraphs (c) and (d) as follows:
  - "(c) 2.5% of the ecological fund annually for the procurement of oil spill response equipment and materials, management of oil spill disasters, clean up and remediation of oil impacted sites arising from third party interference;
  - "(d)" penalties, permits, and certification fees prescribed in the Agency's Regulations, Guidelines and Standards.
- (b) renumbering the existing paragraphs (c), (d), (e) and (f) as paragraphs (e), (f), (g), and (h) (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

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

**Clause 7: Amendment of section 19.**

Section 19 of the Principal Act is amended by:

- (a) inserting a new paragraph "(c)" immediately after subsection "(1) (b)" that is:
  - "(c) inspect oil facilities with a view to ensuring full compliance with existing environmental legislation on oil pollution;
- (b) amending subsection (1) (g) by adding immediately after the words "spillage" the following:
  - "and ensure the payment of adequate compensation to impacted party or parties";
- (c) renumbering the existing subsections (1) (c) - (j) appropriately.
- (d) deleting the existing subsection (3) (d) (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

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

**Clause 8: Amendment of section 20.**

Section 20 of the Principal Act is amended by substituting for section 20 (3) new section 20 (3)-(4) as follows:

- "(3) No suit shall be commenced against the Agency before the expiration of a period of three (3) months after written notice of intention to commence the suit shall have been served on the Agency by the intending plaintiff or his agent.

- (4) Such notice shall clearly and explicitly state the cause of action, particulars

of the claim, name and place of abode of the intending plaintiff and the relief which he claims" (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

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

**Clause 9: Amendment of section 26.**

Section 26 of the Principal Act is amended by:

- (a) renumbering the existing section as subsection (1);
- (b) adding the following new subsections (2), (3) and (4) immediately after subsection (1) to read:
  - "(2) The Agency shall in pursuance of the provision of subsection (1) of this section, make regulations setting specifications and standards relating to the:
    - (a) use of dispersant;
    - (b) engagement or invitation of any oil spill responder by oil companies;
    - (c) establishment of a benchmark for oil spill contingency planning;
    - (d) development of framework to guide operators in oil Spill contingency planning;
    - (e) most appropriate means of preventing and combating oil spills and its attendant oil pollution; and
    - (f) development of benchmarks for remediation threshold for different land surfaces and uses.
  - (3) Any person who contravenes the regulations made pursuant to subsection (2) of this section, commits an offence and shall on conviction, be liable to a fine not less than N2,000,000 or to imprisonment for a term not less than two years or to both such fine and imprisonment and additional fine of not less than ₦500,000 for every day the offence subsists.
  - (4) Where an offence under subsection (2) of this section is committed by a body corporate, the body corporate shall on conviction be liable to a fine not less than ₦5,000,000 and additional fine of not less than ₦2,000,000 for every day the offence subsists" (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

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

**Clause 10: Insertion of new sections 27, 28, 29 and 30.**

- (1) There shall be inserted immediately after section 26 of the Principal Act, the following new sections 27 - 30:



**“Power to enter premises.**

27. (1) An officer of the Agency may, in the course of his duty, at any reasonable time and on presentation of his official identification, if so required:
- (a) in collaboration with relevant agencies, enter and search with a warrant issued by a court, any premises including land, vehicle, tent, vessel, floating craft including Maritime Tankers, Barges or Floating Production, Storage, Offloading (FPSO) and oil facilities or any inland waters and other structure, at all times, for the purposes of conducting inspection, searching and taking samples for analysis which he reasonably believes carries out activities or stores goods which contravene environmental standards or legislation relating to oil pollution;
  - (b) examine any article found pursuant to paragraph (a) of this subsection, which appears to him to be an article to which this Bill or the regulations made under apply or anything which he reasonably believes is capable of being used to the detriment of the environment in the petroleum sector;
  - (c) take a sample or specimen of any article to which this Bill or the regulations apply or which he has power to examine under paragraph (b) hereof;
  - (d) open and examine, pursuant to paragraph (a) of this subsection, any container or package which he reasonably believes may contain anything to which this Bill or its regulations apply or which may help in his investigations;
  - (e) examine any book, document or other record found pursuant to paragraph (a) of this subsection, which he reasonably believes may contain any information relevant to the enforcement of this Bill or the regulations and make copies thereof or extracts there from;
  - (f) seize and detain for such time as may be necessary for the purpose of this Bill, any articles by means of or in relation to which he reasonably believes any provision of this Bill or the regulations has been contravened; and
  - (g) obtain an order of a court to suspend activities, seal and close down premises including land, vehicle, tent, well head, vessel, floating craft, oil facilities or any inland waters and other structures whatsoever.
- (2) A written receipt shall be given for any article or thing seized under subsection (1) and the reasons for such seizure shall be stated on such receipt.
- (3) An article seized under this Bill shall be kept or stored in such a place as the officer of the Agency may direct and shall be returned to the owner or the person from whom it was seized if the article upon analysis or examination is found to conform with the requirements of this Bill or regulations made under it.
- (4) An article seized by an officer of the Agency in pursuance of this

Bill or the regulations made under it, may be submitted to an analyst for analysis or examination and the analyst upon making such analysis or examination shall, issue a certificate or report in the prescribed form, setting forth the result of such analysis or examination and the officer of the Agency shall, on demand, deliver a copy of such certificate or report to the owner of the article if the article is to be subject of a proceeding under this Bill or regulations thereunder.

(5) In this section, the expression "article" to which this Bill or regulations made under it apply are:

- (a) liquid, soil, vegetation;
- (b) biological and chemical samples; and
- (c) such other articles or samples as may be determined.

#### **Offences and Penalties.**

28. (1) A person who obstructs an officer of the Agency in the discharge or performance of his duties under sections 5, 6, 7, 8 and 9 of this Bill, commits an offence and is liable on conviction to:

- (a) in the case of an individual, to a fine of not less than ₦300,000 or to imprisonment for a term of not less than two years or to both fine and imprisonment, and an additional fine of not less than ₦30,000 for each day the offence subsists; and
- (b) in the case of a body corporate, to a fine of not less than ₦5,000,000 and an additional fine of not less than ₦500,000 for each day the offence subsists.

(2) Any person who contravenes the provision of any regulations made under the Act is guilty of an offence and is liable on conviction to the penalties specified in the regulations and as may be reviewed from time to time.

(3) Any person who engages in any activity that causes the spillage of crude oil or petroleum products commits an offence and on conviction is liable to a fine of not less than ₦2,000,000.00 or to imprisonment for a term of not less than two years; or to both such fine and imprisonment.

#### **Conduct of proceedings.**

29. (1) Subject to the provisions of section 174 of the Constitution of the Federal Republic of Nigeria 1999, (which relates to the power of the Attorney-General of the Federation to institute, continue or discontinue criminal proceedings against any person in a court of law), the Agency may, with the consent of the Attorney-General of the Federation:

- (a) institute criminal proceedings against offenders in respect of offences under this Bill or regulations made under this Bill;

- (b) conduct such proceedings as may be necessary for the enforcement and due administration of this Bill.

- (2) Subject to subsection (1) of this section, a staff of the Agency who is a Legal Officer within the meaning of the Legal Practitioners Act, shall, while in the employment of the Agency be entitled to represent the Agency as a Legal Practitioner for the purpose and in the course of his employment.
- (3) In a judicial proceeding for an offence under this Bill or any regulation made under it, the provisions of the Criminal Procedure Act or depending on the venue, the Criminal Procedure Code shall, with such modification as the circumstance may require, apply in respect of such matter to the same extent as they apply to the trial of offences generally.

**Requisition.**

**30.** The Agency shall ensure that the polluter provides reasonable compensation for loss or damage arising from the use of any equipment, facility or personnel required under this Bill” (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

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

**Clause 11: Amendment of section 27.**

There shall be substituted for the existing section 27 of the Principal Act, the following new section 31 as follows:

**Interpretation.**

**31.** In this Bill, unless the context otherwise requires:

"Agency" means the National Oil Spill Detection and Response Agency established under section 1 of this Bill (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

*Question that the meaning of the word “Agency” be as defined in the interpretation to this Bill — Agreed to.*

"Centre" means the National Control and Response Centre established under section 18 of this Bill (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

*Question that the meaning of the word “Centre” be as defined in the interpretation to this Bill — Agreed to.*

"Chairman" means the Chairman of the Governing Board of the Agency (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

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

"Constitution" Constitution of the Federal means Republic of Nigeria (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

*Question that the meaning of the word “Constitution” be as defined in the interpretation to this Bill — **Agreed to.***

"Court" means Federal High Court (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

*Question that the meaning of the word “Court” be as defined in the interpretation to this Bill — **Agreed to.***

“Facility Owner” means a registered entity given the authority to operate in the oil and gas industry (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

*Question that the meaning of the words “Facility Owner” be as defined in the interpretation to this Bill — **Agreed to.***

"Governing Board" means the National Oil Spill Detection and Response Governing Board of the Agency established under section 2 (1) of this Bill (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

*Question that the meaning of the words “Governing Board” be as defined in the interpretation to this Bill — **Agreed to.***

"member" means a member of the Governing Board of the Agency and includes the Chairman (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

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

"Minister" means the Minister charged with responsibilities for matters relating to environment (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

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

"Ministry" shall be construed accordingly (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

*Question that the meaning of the word “Ministry” be as defined in the interpretation to this Bill — **Agreed to.***

"officer" means any employee of the Agency (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

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

"oil" means mineral oil (or any related hydrocarbon) or natural gas as it exists in its natural state in strata, and does not include coal or bituminous shale or other stratified deposits from which oil can be extracted by destructive distillation but including premium motor spirit, automotive gas

oil, low/high pour, fuel oil, aviation fuel, kerosene, liquefied petroleum gases and any lubrication oil or grease or other lubricant oil in its natural state before it has been refined or treated (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

*Question that the meaning of the word “oil” be as defined in the interpretation to this Bill — Agreed to.*

“operator” means a person operating an oil facility whether as registered owner or on rent or lease or by any other such arrangement (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

*Question that the meaning of the word “operator” be as defined in the interpretation to this Bill — Agreed to.*

"oil spill responder" includes Clean Nigeria Associates (Oil Companies Cooperative), Oil Spill Response Limited (OSRL) or any other oil spill response contractors (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

*Question that the meaning of the words “oil spill responder” be as defined in the interpretation to this Bill — Agreed to.*

“polluter” means owner of a facility through which oil, oily waste or hazardous substances are released or discharged into the environment (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

*Question that the meaning of the word “polluter” be as defined in the interpretation to this Bill — Agreed to.*

"release" means any spilling, leaking, pump Leaking, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, discarding or disposing into the environment (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

*Question that the meaning of the word “release” be as defined in the interpretation to this Bill — Agreed to.*

"remediation" means the process of remedying or restoring an area or situation to its natural (or as close to natural as possible) state (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

*Question that the meaning of the word “remediation” be as defined in the interpretation to this Bill — Agreed to.*

“Tier 1” means a minor oil spill of 0-25 barrels to inland waters, or 0-250 barrels to land or coastal or offshore waters (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

*Question that the meaning of the word “Tiers 1” be as defined in the interpretation to this Bill — Agreed to.*

“Tier 2” means a medium oil spill of 25-250 barrels to inland waters, or 250-2,500 barrels to land or coastal or offshore waters (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

*Question that the meaning of the words “Tier 2” be as defined in the*

*interpretation to this Bill — Agreed to.*

“Tier 3” means a major oil spill above 250 barrels to inland waters, or above 2,500 barrels to land or coastal or offshore waters (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

*Question that the meaning of the word “Tiers 3” be as defined in the interpretation to this Bill — Agreed to.*

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

**Clause 12: Amendment of the First Schedule.**

The First Schedule to the Principal Act is amended by substituting for the word "six" the word "five" in the third line of paragraph 3 therein (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

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

**Clause 13: Short Title.**

This Bill may be cited as the National Oil Spill Detection and Response Agency (Establishment, etc.) Act (Amendment) Bill, 2021 (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

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

**Explanatory Memorandum:**

*(This note does not form part of the above Act but is intended to explain its purport)*

This Bill amends the National Oil Spill Detection and Response Agency (Establishment, etc) Act, 2006 to provide, among other things, statutory power for the Agency to charge adequate fines, introduce criminal offences and penalties in order to ensure strict compliance with all existing environmental legislation in the petroleum sector (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

*Agreed to.*

**Long Title:**

A Bill for an Act to Amend the National Oil Spill Detection and Response Agency (Establishment) Act, 2006, and for Related Matters (HB. 351) (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

*Agreed to.*

*Chairman to report Bill.*

**(HOUSE IN PLENARY)**

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Amend the National Oil Spill Detection and Response Agency Act, 2006; and for Related Matters (HB. 351), and approved Clauses 1 - 28, 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) ***A Bill for an Act to Establish the Nigerian Council for Psychologists charged with Responsibility for Determining the Standards of Knowledge and Skills to be Attained by Persons seeking to become Registered Members of the Psychology Profession in Nigeria; and for Related Matters (HB. 848) (Committee of the Whole):***

*Motion made and Question proposed, "That the House do consider the Report on a Bill for an Act to Establish the Nigerian Council for Psychologists charged with Responsibility for Determining the Standards of Knowledge and Skills to be Attained by Persons seeking to become Registered Members of the Psychology Profession in Nigeria; and for Related Matters (HB. 848)" (Hon. Ari Mohammed Abdulmumin — Nasarawa/Toto 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 Deputy Speaker in the Chair)*

A BILL FOR AN ACT TO ESTABLISH THE NIGERIAN COUNCIL FOR PSYCHOLOGISTS CHARGED WITH THE RESPONSIBILITY FOR DETERMINING THE STANDARDS OF KNOWLEDGE AND SKILL TO BE ATTAINED BY PERSONS SEEKING TO BECOME REGISTERED MEMBERS OF THE PSYCHOLOGY PROFESSION IN NIGERIA, AND FOR RELATED MATTERS (HB. 848)

PART I — ESTABLISHMENT OF THE NIGERIAN COUNCIL FOR PSYCHOLOGIST, POWERS AND FUNCTIONS, ETC.

**Clause 1: Establishment of the Council.**

- (1) There is established the Nigerian Council for Psychologists (in this Bill referred to as "the Council").
- (2) The Council:
  - (a) is a body corporate with perpetual succession and a common seal;
  - (b) may sue and be sued in its corporate name; and
  - (c) may acquire, hold and dispose of any property, movable and immovable (*Hon. Ari Mohammed Abdulmumin — Nasarawa/Toto Federal Constituency*).

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

**Clause 2: Functions of the Council.**

The Council is responsible for:

- (a) determining the standards of knowledge and skill to be attained by persons seeking to become registered members of the psychology profession (in this Bill referred to as the "the profession") and reviewing those standards as circumstances may require;

- (b) securing, in accordance with the provisions of this Bill, the establishment and maintenance of registers of persons entitled to practise as members of the profession, and the publication of lists of these persons;
- (c) preparing and reviewing a statement as to the Code of Conduct which the Council considers desirable for the practice of psychology profession;
- (d) regulating and controlling the practice of the profession in all its aspects and ramifications; and
- (e) performing such other functions as may be required of the Council under this Bill (*Hon. Ari Mohammed Abdulmumin — Nasarawa/Toto Federal Constituency*).

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

**Clause 3: Membership of the Council.**

- (1) Subject to the provisions of this Bill, persons admitted to membership of the Council shall be registered as members in the category of:
  - (a) Fellow;
  - (b) Associate Fellow;
  - (c) Chartered Member;
  - (d) Member; or
  - (e) Graduate Member.
- (2) Subject to the fulfillment of all other conditions set out by the Council, persons registered under the Act as members are entitled to be enrolled as:
  - (a) Fellow, if for the period of at least five years immediately preceding the date of admission as an Associate Fellow, he still practises as a Psychologist;
  - (b) Associate Fellow, if for the period of at least five years immediately preceding the date of admission as a Chartered Member, he is still actively involved in practice as a Psychologist;
  - (c) Chartered Member, if for the period of at least five years immediately preceding the date of admission as a Member, he is still actively involved in the practice as a Psychologist;
  - (d) Member, if for the period of not less than two years immediately preceding the date of admission as a Graduate Member, he is still actively involved in practice; or
  - (e) Graduate Member, for those who have successfully completed the programme for Master of Science in Psychology in any recognised institution and are fit to be enrolled shall apply to the Council through their Department and be admitted on the next induction ceremony (*Hon. Ari Mohammed Abdulmumin — Nasarawa/Toto Federal Constituency*).

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



PART II — ESTABLISHMENT AND COMPOSITION OF THE GOVERNING BOARD

**Clause 4: Establishment of the Governing Board.**

- (1) There is established for the Council a Governing Board (in this Bill referred to as "the Board") consisting of:
  - (a) the Chairman and a Vice-Chairman who shall be qualified Fellows of the Council of not less than 17 years post-registration or qualification experience and shall be elected at the Annual General Meeting (AGM) of the Council;
  - (b) the representative of the Federal Ministry of Health who shall be a fully registered Psychologist;
  - (c) 12 members of the Nigerian Psychological Association, representing the six geopolitical zones of Nigeria, with two persons representing each zone respectively on rotational basis, and the two of them shall not come from a particular State at the same time;
  - (d) three registered members representing the Nigerian Universities offering any field of psychology as an option in their Master's programme, on a rotational basis;
  - (e) two representatives of the private practitioners in psychology who shall be registered with the Association;
  - (f) three representatives of the Association (President, Vice-President and Secretary);
  - (g) three representatives of the Armed Forces Medical Services who shall be registered Psychologists;
  - (h) a registered Psychologist, each to represent the:
    - (i) Nigerian Prisons Service,
    - (ii) Nigeria Police,
    - (iii) State Security Service,
    - (iv) Nigerian Immigration Service, and
    - (v) Nigerian Customs Service;
  - (i) five representatives of the Hospitals which include Teaching Hospitals, Psychiatric Hospitals, and other Specialist Hospitals where Psychology Department, Unit or Section exists and take part in the training of Psychologists and such representation shall have a national spread; and

- (j) 10 members representing different Divisions of the Nigerian Psychological Association, who shall be registered as Psychologists, and not less than Chartered Member under section 3 (2) (c) of this Bill (*Hon. Ari Mohammed Abdulmumin — Nasarawa/Toto Federal Constituency*).

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

**Clause 5: Tenure of office of the Chairman and Vice-Chairman.**

- (1) The Chairman and Vice Chairman shall each hold office for three years from the date of appointment and may be eligible for re-appointment for another three years and no more.
- (2) The Chairman shall preside over all meetings of the Council, but in the event of death, incapacity or inability, or for other reason, a new Chairman shall be appointed for the unexpired portion of the term of office of the erstwhile Chairman.

**First Schedule.**

- (3) The provisions of the First Schedule to this Bill shall have effect with respect to the qualifications and tenure of office of members of the Council and other matters mentioned in the Schedule (*Hon. Ari Mohammed Abdulmumin — Nasarawa/Toto Federal Constituency*).

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

PART III — FINANCIAL PROVISIONS

**Clause 6: Funds of the Council.**

- (1) The Council shall establish and maintain a fund (in this Bill referred to as "the Fund") for the purpose of this Bill.
- (2) There shall be paid into the Fund:
- (a) all fees and other money payable to the Council under this Bill; and
- (b) such money as may be payable to the Council, whether in the course of the performance of its functions or otherwise.
- (3) There shall be paid out of the Fund:
- (a) the remuneration and allowances of the Registrar and other employees of the Council;
- (b) such reasonable travelling and subsistence allowance of members of the Council in respect of the time spent on the business of the Council as the Council may approve;
- (c) any other expenses incurred by the Council in the performance of its functions under this Bill.
- (4) The Council may invest money in the Fund in any security created or issued by or on behalf of the Federal Government or in any other security in Nigeria approved by the Council.

- (5) The Council may borrow money for the purposes the Council, and any interest payable on money so borrowed shall be paid out of the Fund (*Hon. Ari Mohammed Abdulmumin — Nasarawa/Toto Federal Constituency*).

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

**Clause 7: Accounts, Records and Audit.**

The Council shall keep proper accounts and records in respect of each year and shall cause its accounts to be audited, as soon as may be after the end of the year to which the accounts relate, by a firm of auditors appointed from the list and in accordance with guidelines supplied by the Auditor-General for the Federation (*Hon. Ari Mohammed Abdulmumin — Nasarawa/Toto Federal Constituency*).

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

PART IV — APPOINTMENT OF THE REGISTRAR, DUTIES  
AND FUNCTIONS AND THE PREPARATION OF THE REGISTER

**Clause 8: Appointment of the Registrar, His Duties and Functions.**

- (1) The Council shall appoint a fit and proper person to be the Registrar for the purposes of this Bill, and such other persons as the Council may deem necessary to assist the Registrar in the performance of his functions under this Bill on terms and conditions of service determined by the Council.
- (2) The Registrar shall:
- (a) be a citizen of Nigeria;
  - (b) possess a minimum qualification of second degree in psychology or in any relevant field from a recognised institution of higher learning; and
  - (c) have at least 10 years cognate experience and possess any professional qualification as the Council may deem fit.
- (3) If the Registrar retires or resigns from office, a qualified member of the Council shall be appointed by the Board as the Registrar of the Council.
- (4) There shall be the offices of the Deputy Registrars who shall be administrative heads in each of the six geopolitical zones of Nigeria for the purposes of smooth administration of the Council at the zones and for such other important duties that may be assigned to him by either the Council or Registrar.
- (5) The Deputy Registrars shall fulfill the conditions stipulated under subsection (2) to qualify for appointments.
- (6) The Registrar shall be the Secretary to the Council and to the Disciplinary Tribunal.
- (7) The Registrar shall prepare and maintain, in accordance with rules made by the Council:

- (a) a register of the names, addresses, approved qualifications, and of such other qualifications and particulars as may be specified in the rules of all persons who are entitled, in accordance with the provisions of this Bill to be enrolled as Fellow, Associate Fellow, Chartered Member, Member, Graduate Member, and who, in the manner prescribed by such rules, applies to be so registered; and
  - (b) a register of the institutions or organisations where members of the profession engage in their practice.
- (8) The register shall consist of six parts :
- (a) first part in respect of Fellow;
  - (b) second part in respect of Associate Fellow;
  - (c) third part in respect of Chartered Member
  - (d) fourth part in respect of Member;
  - (e) fifth part in respect of Graduate Member; and
  - (f) sixth part in respect of the premises of members.
- (9) Subject to the provisions of this section, the Council shall make rules with respect to the form, keeping of the register and the making of entries therein, and in particular:
- (a) regulate the making of applications for enrolment of registration, as the case may be, and providing for the evidence to be produced in support of such applications;
  - (b) provide for the notification to the Registrar, by the person to whom the registered particulars relate, of any change in those particulars;
  - (c) authorise a registered person to have any qualification which is in relation to the profession, whether an approved qualification or an accepted qualification for the purposes of this Bill, registered in relation to name in addition to, or as he may elect, in substitution for any other qualification so registered;
  - (d) specify the fees, including any annual subscription, to be paid to the Council in respect of the entry of names on the register, and authorising the Registrar to refuse to enter a name on the register until the fee specified for the entry has been paid;
  - (e) specify anything not specified under this section, but rules made for the purposes of paragraph (d) shall not come into force until they are confirmed at the Annual General Meeting of the Nigerian Psychological Association.
- (10) The Registrar shall:
- (a) correct, in accordance with the Council's directions, any entry in the register which the Council directs him to correct as being, in the Council's opinion, an entry which was incorrectly made;
  - (b) make any necessary alteration to the registered particulars of

registered persons and institution or organisation;

- (c) remove from the register the name of any registered person who has died or the person whose temporary registration has ceased; and
  - (d) record the names of registered persons who are in default for more than six months in the payment of annual dues, and take such action in relation the default (including removal of the names of defaulters from the register) as the Council may direct or require.
- (11) The Registrar may remove the particulars relating to the person in question from the relevant part of the register if the Registrar:
- (a) sends by post to any registered person a registered letter addressed to him at his address on the register enquiring whether the registered particulars relating to him are correct and receives no reply to the letter within six months from the date of posting it; and
  - (b) upon the expiration of that period, sends, in the like manner to the person in question, a second similar letter and receives no reply to that letter within three months from the date of posting it.
- (12) Notwithstanding the provisions of subsection (11) (a) and (b), the Council may direct the Registrar to restore to the appropriate part of the register any particulars removed
- (13) When a person's name is entered on the register of Psychologists under this section, that person shall thereupon be taken to become a member of the Nigerian Council for Psychologists (*Hon. Ari Mohammed Abdulmumin — Nasarawa/Toto Federal Constituency*).

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

**Clause 9: Publication of the register.**

- (1) The Registrar shall:
- (a) cause the register to be printed, published and put on sale to members of the public, not later than two years from the commencement of this Bill;
  - (b) thereafter in each year, cause to be printed, published and put on sale, either a corrected edition of the register or a list of connections made to the register, since it was last printed;
  - (c) cause a print of each edition of the register and of each list of corrections to be deposited at the principal offices of the Council; and
  - (d) keep the register and lists so deposited open to members of the public at all reasonable times for inspection.
- (2) A document purporting to be a print of an edition of the register published under this section by authority of the Registrar in the current year, or documents purporting to be prints of an edition of the register so published in the current year and of the list of corrections to that edition so published,

is (without prejudice to any other mode of proof) admissible in any proceeding as evidence that any person specified in the document, or the documents read together as being registered, was so registered at the date of the edition, or of the list of corrections, as the case may be, that any person

not so specified was not so registered.

- (3) Where, in accordance with subsection (2), a person is, in any proceeding, shown to have been or not to have been registered at a particular date, he shall, unless the contrary is proved, be taken for the purposes of those proceedings as having at all material times thereafter continued to be, or not to be so enrolled or registered (*Hon. Ari Mohammed Abdulmumin — Nasarawa/Toto Federal Constituency*).

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

PART V — REGISTRATION

**Clause 10: Registration of members of the Council.**

- (1) A person shall not hold any appointment or practice as a Psychologist in Nigeria, unless he is registered with, and licensed by, the Council under the provisions of this Bill.
- (2) A registered Psychologist shall be licensed, and is entitled to practice as a Psychologist in Nigeria either as:
- (a) a clinician;
  - (b) a researcher;
  - (c) scientist- practitioner; or
  - (d) restricted or limited licensee.
- (3) Subject to section 12 of this Bill and requirements under section 8 (10) of this Bill, a person is entitled to be:
- (a) fully registered as a Psychologist under this Bill, if he:
    - (i) is a Nigerian citizen,
    - (ii) is of good character and a fit and proper person,
    - (iii) has attended a course of training approved by the Council under section 15 of this Bill, or the course was conducted at an institution approved by the Council,
    - (iv) holds a qualification approved by the Council,
    - (v) has undergone the statutory continuous internship training for at least one year under a registered Psychologist approved by the Council for the purpose of internship or in an institution approved for that purpose by the Council and has obtained a certificate of experience,
    - (vi) holds a certificate of experience issued under section 11 (1) (c) of this Bill, and
  - (b) registered as a Fellow, if he:
    - (i) has attended a course of training approved by the Council or the course was conducted at an institution so approved by the Council,

- (ii) holds a qualification approved by the Council,
  - (iii) has undergone the statutory internship training in an institution approved for that purpose by the Council and under a registered Psychologist approved by the Council for that purpose,
  - (iv) shall have spent five years as Associate fellow, and
  - (v) pays the prescribed fee;
- (c) registered as an Associate Fellow, if he:
  - (i) has attended a course of training approved by the Council or the course was conducted at an institution so approved by the Council,
  - (ii) holds a qualification approved by the Council,
  - (iii) has undergone the statutory internship training in an institution approved for that purpose by the Council and under a registered Psychologist approved by the Council for that purpose,
  - (iv) shall have spend five years as Chartered Member, and
  - (v) pays the prescribed fee;
- (d) registered as a Chartered Member, if he:
  - (i) has attended a course of training approved by the Council or the course was conducted at an institution so approved by the Council,
  - (ii) holds a qualification approved by the Council,
  - (iii) has undergone the statutory internship training in an institution approved for that purpose by the Council and under a registered Psychologist approved by the Council for that purpose,
  - (iv) shall have spend five years as Member, and
  - (v) pays the prescribed fee;
- (e) registered as a Member, if he:

- (i) has attended a course of training approved by the Council or the course was conducted at an institution so approved by the Council,
  - (ii) holds a qualification approved by the Council,
  - (iii) has undergone the statutory internship training in an institution approved for that purpose by the Council and under a registered Psychologist approved by the Council for that purpose, and
  - (iv) shall have spend two years as Graduate Member, and
  - (v) pays the prescribed fee;
- (f) registered as a Graduate Member, if he:
- (i) has attended a course of training approved by the Council or the course was conducted at an institution so approved by the Council,
  - (ii) holds a qualification approved by the Council,
  - (iii) is undergoing or has undergone the statutory internship training in an institution approved for that purpose by the Council and under a registered Psychologist approved by the Council for that purpose, and
  - (iv) pays the prescribed fee (*Hon. Ari Mohammed Abdulmumin — Nasarawa/Toto Federal Constituency*).

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

**Clause 11: Registration of Nigerians who are qualified outside Nigeria.**

- (1) Subject to the provisions of section 10 of this Bill, a Nigerian citizen who qualified in an approved institution outside Nigeria is entitled to be fully registered under this Bill, if he satisfies the Council that:
- (a) he holds a qualification granted outside Nigeria and for the time being accepted by the Council for the purposes of this subsection as regards the profession;
  - (b) in the country in which the qualification was granted he was under no legal disability in the practice of Psychology;
  - (c) he holds a certificate of registration as a Psychologist from the country of study;
  - (d) in addition to any other condition that may be prescribed by the Council, he had received instructions in an approved institution in Nigeria and passed such examination as the Council may prescribe; and
  - (e) he pays the prescribed fee.



- (2) A person aggrieved by a decision of the Council under this section may appeal to the Minister of Health within one month after notification of the refusal is communicated to him (*Hon. Ari Mohammed Abdulmumin — Nasarawa/Toto Federal Constituency*).

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

**Clause 12: Registration of non-citizens of Nigeria.**

- (1) A person who is not a citizen of Nigeria may be registered as a Psychologist under this Bill if the country of which he is a citizen or national, as the case may be, grants reciprocal registration facilities to Nigerian citizens and if:
- (a) he holds a qualification approved by the Council;
  - (b) he has passed the Council's examination in law and ethics governing the practice of psychology in Nigeria and such other examinations as the Council may prescribe and before being registered acquires the required experience in accordance with section 11 (1) (a) of this Bill; and
  - (c) has been resident in Nigeria for at least 24 calendar months and shall have been enrolled or undergoing internship in Nigeria.
- (2) An applicant for registration shall, in addition to evidence of qualification, satisfy the Council that he:
- (a) is of good character;
  - (b) has attained the age of 21 years;
  - (c) has not been convicted in Nigeria or elsewhere of any offence involving fraud or dishonesty; and
  - (d) has paid the prescribed fee.
- (3) The Council may provisionally accept a qualification produced in respect of an application for registration under this section or direct that the application be renewed within such period as may be specified in the direction.
- (4) Any entry directed to be made in the register under subsection (3) shall show that such registration is provisional and no entry so made shall be converted to full registration without the consent of the Council signified in writing in that respect (*Hon. Ari Mohammed Abdulmumin — Nasarawa/Toto Federal Constituency*).

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

**Clause 13: Public Registration in the Gazette.**

The Council shall publish in the Federal Government Gazette particulars of qualifications for the time being accepted for registration under this Bill (*Hon. Ari Mohammed Abdulmumin — Nasarawa/Toto Federal Constituency*).

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

**Clause 14: Rules as to practice.**

- (1) No registered person shall practise as a Psychologist in any year unless he has paid to the Council in respect of that year the appropriate practising fee which shall be due every January as prescribed under this section:
  - (a) in the case of a Psychologist of at least 15 years post-registration experience, ₦25,000.00;
  - (b) in the case of a Psychologist of at least 15 years but more than 10 years post-registration experience, ₦20,000.00;
  - (c) in the case of a Psychologist of 10 years post-registration experience and below, ₦10,000.00;
  - (d) in the case of a Psychologist undergoing internship training, ₦5,000.00; and
  - (e) in the case of a Psychologist trained abroad and currently holding Bachelor of Psychology and Masters in any field of Psychology who is back in Nigeria for the purpose of National Service Youth Corps (NYSC), during his year in the National Service Youth Corps scheme, ₦5,000.00.
- (2) Without prejudice to being fully registered, any Psychologist with at least 50 years post registration experience shall not pay practicing fee.
- (3) Every fully registered Psychologist who has paid his registration fee as prescribed in subsection (1) or is exempted from payment of registration fee as in subsection (2) is entitled to an annual practicing licence authorising him subject to any regulation in force to practice in Nigeria.
- (4) The Council may, with the confirmation of the Minister of Health, vary the practicing fees prescribed in subsection (1).
- (5) The Council shall share the aggregate amount collected as practicing fees as:
  - (a) 70% to the Nigerian Psychological Association; and
  - (b) 30% to the Council.
- (6) Any Psychologist who, in respect of any year without paying the practicing fee, practices as such commits an offence and is liable on conviction by a competent panel of enquiry or court of law:
  - (a) in the case of a first offence, to a fine of twice the prescribed practicing fee;
  - (b) in the case of second or subsequent offence, to a fine of not less than 10 times the prescribed practicing fee; and
  - (c) if the Psychologist is in the employment of any person, the employer is also guilty of an offence punishable in like manner as the Psychologist if it is proved that the failure to pay the practicing fee was with his knowledge, consent and connivance (*Hon. Ari Mohammed Abdulmumin — Nasarawa/Toto Federal Constituency*).

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

**Clause 15: Approval of Qualifications.**

- (1) The Council may approve any institution (accredited by a recognised regulatory body) for the purposes of this Bill and may approve any:
  - (a) course of training at any approved institution which is intended for persons seeking to become or are already Psychologist and which in the opinion of the Council is designed to confer on persons completing it sufficient knowledge and skill for the practice of the profession; and
  - (b) qualification which, as a result of an examination taken in conjunction with a course of training approved by the Council under this section is granted to candidates who reached a standard at the examination indicating in the opinion of the Council that the candidates have sufficient knowledge and skill to practise as a Psychologist.
- (2) The Council may, if it deems fit, withdraw any approval given under this section in respect of any course, qualification or institution, but before withdrawing such an approval, the Council shall:
  - (a) give notice that it proposes to do so to such person in Nigeria appearing to the Council to be a person by whom the course is conducted or the qualification is granted or the institution is controlled, as the case may be;
  - (b) afford each such person an opportunity to make representation to the Council with regard to the proposal; and
  - (c) take into consideration any representation made as regards the proposal;
- (3) A course, qualification or institution shall not be treated as approved during the period the approval is withdrawn under subsection (2).
- (4) Notwithstanding the provisions of subsection (3), the withdrawal of an approval under subsection (2) shall not prejudice the registration or eligibility for registration of any person who, by virtue of the approval, was registered or eligible for registration (either unconditionally or subject to his obtaining a certificate of experience) immediately before the approval was withdrawn.
- (5) The giving or withdrawal of an approval under this section shall have effect from such date, either before or after the execution of the instrument signifying the giving, or withdrawal of the approval, as the Council may specify in the instrument, and the Council shall:
  - (a) publish a copy of every such instrument in the Federal Government Gazette; and
  - (b) not later than seven days before its publication, send a copy of the instrument to the Minister of Health (*Hon. Ari Mohammed Abdulmumin — Nasarawa/Toto Federal Constituency*).

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

**Clause 16: Supervision of instructions and examinations leading to approved qualifications.**

- (1) The Council shall keep itself informed of the nature of the:
  - (a) instruction given at approved institutions to persons attending approved courses of training; and
  - (b) examination as a result of which approved qualifications are granted;
- (2) For the purposes of discharging that duty, the Council may appoint, either from among its own members or otherwise, persons to visit approved institutions or to attend such examinations.
- (3) A Visitor under this section shall report to the Council on:
  - (a) the adequacy of the instruction given to persons attending approved courses of training at institutions visited by him;
  - (b) the adequacy of the examinations attended by him; and
  - (c) any other matter relating to the institutions or examinations on which the Council may, either generally or in a particular case, request him to report, but no such person shall interfere with the giving of any instructions or the holding of any examination.
- (4) On receiving, a report made under this section, the Council may, if it deems fit, and shall, if so required by the instructions, send a copy of the report to the person appearing to the Council to be in charge of the institution or responsible for the examinations to which the report relates, requesting that person to make observation on the report to the Council within such period as may be specified in the request, not being more than one month beginning with the date of the request.
- (5) There shall be established a College of Psychology (in this Bill referred to as "the College") which shall be the training arm of the Nigerian Council for Psychologists where prospective members shall undergo training for a specified period of time and pass relevant examinations before induction into membership.
- (6) The College shall be headed by a Director-General who shall be appointed by the Board and the activities of the College shall be regulated by the Board.
- (7) There shall be other Directors and relevant officers to be appointed by the Director-General with the approval of the Board for the smooth running of the College.
- (8) The conditions of service and the tenure of office of the Director-General and other Directors of the College shall be specified in their letters of appointment and be determined by the Board (*Hon. Ari Mohammed Abdulmumin — Nasarawa/Toto Federal Constituency*).

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

## PART VI — DUTIES OF PSYCHOLOGISTS

**Clause 17: Duties of a Psychologist.**

It is the exclusive duties of the psychologists, as defined by this Bill, to provide such professional services in line with their training and such duties include:

- (a) provision of psychological services involving psychological assessment using psychological tests;
- (b) provision of psychological treatment including psychotherapy, behaviour therapy, cognitive behaviour therapy psychoprophylaxis, psychoeducation and all other treatment that are psychological in nature;
- (c) development, custody and use of psychological tests;
- (d) development and use of personality tests and assessment thereof for clinical, industrial or organisational, personnel evaluation and placement, educational, or for other uses where psychological variables of individuals are needed for relevant decisions;
- (e) conduct of psychological fitness to work tests;
- (f) development and use of intelligence test batteries; and
- (g) all other duties where certification as psychologists is required for effective competent performance and for public good in line with global practices (*Hon. Ari Mohammed Abdulmumin — Nasarawa/Toto Federal Constituency*).

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

## PART VII — PROFESSIONAL DISCIPLINE

**Clause 18: Establishment of Investigating Panel and Disciplinary Tribunal.**

- (1) There is established for the Council the Investigating Panel (in this Bill referred to as "the Panel") charged with the duty of:
  - (a) conducting preliminary investigations into any case where it is alleged that a person registered has misbehaved in his capacity as a Psychologist or should for any other reason be the subject of proceedings before the Tribunal; and
  - (b) deciding whether the case should be referred to the Tribunal.
- (2) The Panel shall be constituted by the Board and shall consist of six members of the Council and one member of the Board who shall be the Chairman of the Panel.
- (3) There is established for the Council the Disciplinary Tribunal (in this Bill referred to as "the Tribunal") charged with the duties of considering and determining any case referred to it by the Panel and any other case which the Tribunal takes cognisance of under this Bill.
- (4) The Tribunal shall consist of the Chairman of the Council and eight members of the Council appointed by the Board.

- (5) The provision of the Second Schedule to this Bill shall, if applicable to the Tribunal and Panel respectively, have effect with respect to those bodies.
- (6) The Council shall not make rules that are not consistent with this Bill as to acts which constitute professional misconduct.
- (7) The Panel shall act independently in receiving and investigating allegations under subsection (3) and shall have power to receive complaints directly from any individual or organisation.
- (8) A person shall not be appointed as a member of the Tribunal or Panel unless such a person is a Fellow of the Council (*Hon. Ari Mohammed Abdulmumin — Nasarawa/Toto Federal Constituency*).

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

**Clause 19: Penalties for professional misconduct.**

- (1) Where:
  - (a) a person registered under this Bill is judged by the Tribunal to be guilty of infamous conduct in any professional respect, or
  - (b) a person registered under this Bill is convicted by any court or Tribunal in Nigeria or elsewhere having power to award imprisonment, of an offence (whether or not an offence punishable with imprisonment) which, in the opinion of the Tribunal, is incompatible with the status of a Psychologist, or
  - (c) the tribunal is satisfied that the name of any person has been fraudulently registered,

the Tribunal may, if it deems fit, give any of the directions specified in subsection (2).
- (2) The Tribunal may give a directive under subsection (1):
  - (a) ordering the Registrar to strike the person's name off the relevant part of the register; or
  - (b) suspend the person from practice by ordering him not to engage in practice as Psychologist for such period not exceeding three years as may be specified in the direction; or
  - (c) admonish that person.
- (3) The Tribunal may, if it deems fit, defer or further defer its decision as to the giving of a direction under subsection (1) until a subsequent meeting of the Tribunal, but no:
  - (a) decision shall be deferred under this subsection for periods exceeding two years in the aggregate; and

- (b) person shall be a member of the Tribunal for the purposes of reaching a decision which has been deferred or further deferred, unless he was present as a member of the Tribunal where the decision was deferred.
- (4) For the purposes of subsection (1) (b), a person shall not be treated as convicted, unless the conviction stands at a time when to appeal or further appeal is pending or may (without extension of time) be brought in connection with the conviction.
- (5) When the Tribunal gives a direction under subsection (1), the Tribunal shall cause notice of the direction to be served on the person to whom it relates.
- (6) A person to whom a direction relates may, at any time within 28 days from the date of service on him of notice of the direction, appeal against the direction to the Federal High Court and the Tribunal may appear as respondent to the appeal and, for the purpose of enabling directions to be given as to the costs of the appeal and of proceedings before The Tribunal, and the Tribunal is deemed to be a party thereto whether or not it appears on the hearing of the appeal.
- (7) A direction of the Tribunal under subsection (1) takes effect where:
- (a) no appeal under this section is brought against the direction within the time limited for such an appeal, or on the expiration of that time;
- (b) an appeal is brought and is withdrawn or struck out for want of prosecution, on the withdrawal or striking out of the appeal; and
- (c) an appeal is brought and is not withdrawn or struck out as aforesaid, if and when the appeal is dismissed and shall not take effect in accordance with the provisions of this subsection.
- (8) A person whose name is struck off the register under a direction of the Tribunal under this section is not entitled to be registered in that register again except under direction in that behalf given by the Tribunal on the application of that person.
- (9) A direction under subsection (8) for the striking off of a person's name from the register may prohibit an application under this subsection by that person until the expiration of such period from the date of the direction (and where he has duly made such an application, from the date of his last application, as may be specified in the direction) (*Hon. Ari Mohammed Abdulmumin — Nasarawa/Toto Federal Constituency*).

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

#### PART VIII — MISCELLANEOUS

**Clause 20: Application of the Act to un-enrolled persons.**

Any person who is not a member of the Nigerian Psychological Association (in this Bill referred to as "the Association") but, for the purpose of this Bill would have been qualified to apply for and obtain membership of the Association may, within the

period of three months beginning from the commencement of this Bill, apply for membership of the profession in such manner as may be prescribed by rules made by the Council, and if approved, he shall be registered, according to his qualification (*Hon. Ari Mohammed Abdulmumin — Nasarawa/Toto Federal Constituency*).

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

**Clause 21: Persons deemed to practice as professional psychologists.**

A person is deemed to practise as a Psychologist if, in consideration of remuneration received or to be received and whether by himself or in partnership with any other person he:

- (a) engages himself in the practice of psychology or holds himself out to the public as a psychologist after being duly certified by the Council to have met all necessary requirements;
- (b) renders professional service or assistance in or about matters of principle or detail relating to psychology; or
- (c) renders any other service or assistance in or about matters of principle or detail relating to psychology (*Hon. Ari Mohammed Abdulmumin — Nasarawa/Toto Federal Constituency*).

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

**Clause 22: Rules as to practice.**

- (1) The Council may make rules for the:
  - (a) training of suitable persons in any field of Psychology methods and practice;
  - (b) supervision and regulation of the engagement, training and transfer of such persons;
  - (c) prescribing the form of licence to practise to be issued annually or, if the Council deems fit, by endorsement of an existing licence;
  - (d) restricting the right to practise as a Psychologist in default of payment of the amount of the annual subscription where the default continues for longer than such period as may be prescribed by the rules; and
  - (e) restricting the right to practise as a Psychologist if the qualification granted outside Nigeria does not entitle the holder to practice as a Psychologist.
- (2) Rules when made under this section shall, if the Chairman of the Council so directs, be published in the Federal Government Gazette (*Hon. Ari Mohammed Abdulmumin — Nasarawa/Toto Federal Constituency*).

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

**Clause 23: Provision of Library Facilities.**

The Council shall:



- (a) provide and maintain a library comprising books and publications for the advancement of knowledge of Psychology and such other books and publications as the Council may deem necessary for the purpose; and
- (b) encourage research into psychology disciplines and allied subjects to the extent that the Council may consider necessary (*Hon. Ari Mohammed Abdulmumin — Nasarawa/Toto Federal Constituency*).

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

**Clause 24: Offences and Penalties.**

- (1) A person who is not a registered Psychologist commits an offence if:
  - (a) for or in expectation of reward, practices or holds himself out to practice as a Psychologist; or
  - (b) take or use the title Psychologist; or
  - (c) without reasonable excuse, takes or uses any name, title addition or description implying that he is authorised by law to practice as a Psychologist.
- (2) A person who, for the purpose of procuring the registration of any name, qualification or other matter:
  - (a) makes a statement, or
  - (b) recklessly makes a statement,which believes to be false, commits an offence.
- (3) If, on or after the relevant date, any person who is not a member of the profession and practices or holds himself out to practice for or in expectation of reward or takes or uses name, title, addition or description implying that he is authorised by law to practice as a Psychologist, commits an offence.
- (4) In the case of a person falling within section 20 of this Bill:
  - (a) the provisions of subsection (3) does not apply in respect of anything done by him during the period of three months mentioned in section 20;
  - (b) if, within that period, he duly applies for membership of the profession then, unless within that period he is notified that his application has not been approved, the provision of subsection (3) does not apply in respect of anything done by him between the end of that period and the date on which he is registered or is notified; and
  - (c) if the Registrar, or any other person employed by or on behalf of the Council, willfully makes any falsification in any matter relating to the register,he commits an offence.

- (5) A person commits an offence under this section and is liable:
- (a) on summary conviction, to a fine of at least ₦100,000.00;
  - (b) on conviction or indictment, to a fine of at least ₦100,000.00 or to imprisonment for four years, or both.
- (6) Where an offence under this section which has been committed by a body corporate is proved to have been committed with the consent or connivance of or to be attributable to any neglect on the part of any director, manager, secretary or other similar officer of the body corporate or any person purporting to act in any such capacity, he and the body corporate, are deemed to be guilty of that offence and are liable to be prosecuted against and punished accordingly by a constituted disciplinary committee by the Council or court of law (*Hon. Ari Mohammed Abdulmumin — Nasarawa/Toto Federal Constituency*).

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

**Clause 25: Regulations and rules.**

- (1) In this section, "the relevant date" means the second anniversary of the coming into effect of this Bill or such earlier date as may be prescribed for the purposes of this section by order of the Minister published in the Federal Government Gazette.
- (2) Any regulation made under this Bill shall be published in the Federal Government Gazette as soon as may be after there are made, a copy of such regulations shall be sent to the Minister not later than seven days before they are so published.
- (3) Rules made for the purposes of this Bill are subject to confirmation by the Nigerian Psychological Association at its next meeting or at any special meeting of the Association for that purpose, and if then annulled, shall cease to have effect on the day after the date of annulment, but without prejudice to anything done in pursuance or intended to be done in pursuance of such rules (*Hon. Ari Mohammed Abdulmumin — Nasarawa/Toto Federal Constituency*).

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

**Clause 26: Interpretation.**

In this Bill:

"Association" means the Nigerian Psychological Association (*Hon. Ari Mohammed Abdulmumin — Nasarawa/Toto Federal Constituency*).

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

"Board" means the Governing Board of the Council established under section 4 (1) of this Bill (*Hon. Ari Mohammed Abdulmumin — Nasarawa/Toto Federal Constituency*).

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

(1) of this Bill (*Hon. Ari Mohammed Abdulmumin — Nasarawa/Toto Federal Constituency*).

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

"Disciplinary Tribunal" means the Nigerian Council for Psychologists Disciplinary Tribunal established under section 18 (3) of this Bill (*Hon. Ari Mohammed Abdulmumin — Nasarawa/Toto Federal Constituency*).

*Question that the meaning of the words “Disciplinary Tribunal” be as defined in the interpretation to this Bill — Agreed to.*

"fees" include annual subscription (*Hon. Ari Mohammed Abdulmumin — Nasarawa/Toto Federal Constituency*).

*Question that the meaning of the word “fees” be as defined in the interpretation to this Bill — Agreed to.*

"Member" means a registered member of the profession, which includes Graduate Members, Members, Chartered Members, Associate Fellows and Fellows (*Hon. Ari Mohammed Abdulmumin — Nasarawa/Toto Federal Constituency*).

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

"Minister" means the Minister charged with the responsibility for matters relating to Health (*Hon. Ari Mohammed Abdulmumin — Nasarawa/Toto Federal Constituency*).

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

"Panel" means the Nigerian Council for Psychologists Investigating Panel established under section 18 (1) of this Bill (*Hon. Ari Mohammed Abdulmumin — Nasarawa/Toto Federal Constituency*).

*Question that the meaning of the word “Panel” be as defined in the interpretation to this Bill — Agreed to.*

"profession" means the practice of Psychology; and (*Hon. Ari Mohammed Abdulmumin — Nasarawa/Toto Federal Constituency*).

*Question that the meaning of the word “profession” be as defined in the interpretation to this Bill — Agreed to.*

"register" means the register prepared and maintained under section 8 (8) of this Bill (*Hon. Ari Mohammed Abdulmumin — Nasarawa/Toto Federal Constituency*).

*Question that the meaning of the word “register” be as defined in the interpretation to this Bill — Agreed to.*

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

**Clause 27: Citation.**  
 This Bill may be cited as the Nigerian Council for Psychologists (Establishment) Bill, 2021 (*Hon. Ari Mohammed Abdulmumin — Nasarawa/Toto Federal Constituency*).

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

## SCHEDULES

### FIRST SCHEDULE

Section 5 (3)

#### SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

##### *Qualifications and Tenure of Office of Members of the Council*

1. (1) A person shall not be a member of the Council unless he is a Nigerian citizen fully registered under this Bill as a Psychologist and at the date of his appointment, has had not less than 17 years registration experience in Psychology profession.
- (2) Subject to the provision of this paragraph, a member of the Council shall hold office for three years beginning with the date of his appointment or election.
- (3) Any member of the Board, other than a member appointed by the office, may, by notice in writing under his hand addressed to the Chairman, resign his office.
- (4) A person who retires or ceases to be an elected member of the Council is eligible again to become a member of the Council, and any appointed member may be re-appointed.
- (5) If for any reason there is a vacation in office of a member:
  - (a) such member was appointed by the Minister or any other body, the Minister or that body may appoint another fit person to fill that vacancy; or
  - (b) such member was elected, the Council may, if the time between the unexpired portion of the term of office and the next general meeting of the Council appears to warrant the filling of the vacancy, co-opt a fit person for such time.

##### *Proceedings of the Council*

2. (1) Subject to the provisions of this Bill, the Council may make standing orders regulating its proceedings or any of its committee.
- (2) Questions for determinations shall be decided by a majority of the members present and voting and, in the event of equality of votes, the Chairman shall have a casting vote.
- (3) Standing orders made for a committee shall provide for the committee to report back to the Council on any matter referred to it by the Council.
- (4) The quorum of the Council shall be two third and the quorum of a committee of the Council shall be fixed by the Council.

*Meeting of the Council*

3. (1) Subject to the provisions of any standing orders of the Council, the Council shall meet whenever it is summoned by the Chairman and, if the Chairman is required to do so by notice in writing given to him by at least five other members, he shall summon a meeting of the Council to be held within 14 days from the date on which the notice is given, the Council shall meet at least twice a year.
- (2) At any meeting of the Council, the Chairman shall preside and in his absence, the Vice Chairman shall preside, but in their absence, the members present at the meeting shall appoint one of their members to preside at the meeting.
- (3) Where the Council desires to obtain the advice of any person on a particular matter, the Council may co-opt him as a member for such period as the Council deems fit, but a person who is a member by virtue of this subparagraph shall not be entitled to vote at any meeting of the Council and shall not count towards a quorum.
- (4) Notwithstanding anything in the foregoing provisions of this paragraph, the first meeting of the Council shall be summoned by the Minister.
4. (1) The Council may set up one or more committees to carry out on behalf of the Council such functions as the Council may determine.
- (2) A committee set up under this paragraph shall consist of the number of persons determined by the Council of whom not more than two-third may be persons who are not members of the Council.
- (3) A person other than a member of the Council shall hold office on the committee in accordance with the terms of the letter by which he is appointed.
- (4) A decision of a committee of the Council is of no effect until it is confirmed by the Council.

*Miscellaneous*

5. (1) The fixing of the seal of the Council shall be authenticated by the signature of the Chairman and the Registrar who is the Secretary of the Board of the Council.
- (2) Any contract or instrument which, if made or executed by a person not being a body corporate would not be required to be under seal, may be made or executed on behalf of the Council by any person generally or specifically authorised to act for that purpose by the Council.
- (3) Any document purporting to be a document duly executed under the seal of the Council shall be received in evidence and is, unless the contrary is proved, deemed to be so executed.
- (4) The validity of any proceeding of the Board or of a committee of the Council is not adversely affected by:
  - (a) any vacancy in membership of the Board;
  - (b) any defect in the appointment of a member of the Board or of a person to serve on the committee; or
  - (c) reason that a person not entitled to do so took part in the proceedings.

- (5) Any member of the Council and any person holding office of a committee of the

Council, who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Council or a committee shall disclose his interest, and shall not vote on any question relating to the contract or arrangement.

- (6) A person shall not by reason only of his membership of the Council be treated as holding an office in the Public Service of the Federation (*Hon. Ari Mohammed Abdulmumin — Nasarawa/Toto Federal Constituency*).

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

## SECOND SCHEDULE

Section 18 (5)

### SUPPLEMENTARY PROVISIONS RELATING TO THE DISCIPLINARY TRIBUNAL AND INVESTIGATING PANEL

#### *The Investigating Panel*

1. The quorum of the Panel shall be three, all of whom shall be Clinical Psychologist.
2. (1) The Panel may, at any of its meetings attended by all the members of the Panel, make standing orders with respect to the Panel.  
(2) Subject to the provisions for any such standing orders, the Panel may regulate its own procedure.
3. (1) A person ceasing to be a member of the Tribunal or the Panel shall be eligible for appointment as a member of that body.  
(2) A person may, if otherwise eligible, be a member of both the Tribunal and the Panel; but no person who acted as member of the Panel with respect to any case shall act as a member of the Panel with respect to that case.

#### *The Disciplinary Tribunal*

4. The quorum of the Tribunal shall be four members.
5. (1) The Attorney-General of the Federation shall make rules as to the:
  - (a) selection of members of the Tribunal for the purpose of any proceeding;
  - (b) procedure to be followed; and
  - (c) rules of evidence to be observed in proceedings before the Tribunal.(2) The rules shall in particular provide:
  - (a) for securing that notice of the proceedings shall be given at such time and in such manner, as may be specified by the rules, to the person who is the subject of the proceedings;
  - (b) for determining who, in addition to the person aforesaid, shall be party to the proceedings;

- (c) for securing that any party to the proceedings shall, if he so requires, be entitled to be heard by the Tribunal.
- (d) for securing that any party to the proceedings may be represented by a legal

practitioner;

- (e) subject to the provisions of section 19 (6) of this Bill, as to the costs of proceedings before the Tribunal;
- (f) for requiring, in a case where it is alleged that the person who is the subject of the proceedings is guilty of infamous conduct in any professional respect, that where the Tribunal adjudges that the allegation has not been proved it shall record a finding that the person is not guilty of such conduct in respect of the matters to which the allegation relates; and
- (g) for publishing in the Federal Government Gazette notice of any direction of the Tribunal which has taken effect providing that a person's name shall be struck off a register.

6. For the purposes of any proceeding before the Disciplinary Tribunal any member of the Disciplinary Tribunal may administer oaths and any party to the proceedings may issue out of the Registry of the Federal High Court writs of subpoena ad testificandum and decestecum but no person appearing before the tribunal shall be compelled to:
- (a) make any statement before the Tribunal tending to incriminate himself; or
  - (b) produce any document under such a writ which he could not be compelled to produce at the trial of an action.
7. (1) For the purpose of advising the Tribunal on questions of law arising in the proceedings before it, there shall, in all such proceedings be an assessor to the Tribunal who shall be appointed by the Council on the nomination of the Attorney-General of the Federation and shall be a legal practitioner of at least seven years standing.
- (2) The Attorney-General of the Federation shall make rules as to the functions of assessors appointed under this paragraph and in particular such rules shall contain provisions for securing:
- (a) that where an assessor advises the Tribunal on any question of law as to evidence, procedure or any other matters specified by rules, he shall do so in the presence of every party or person representing a party to the proceedings who appear there or, if the advice is tendered while the Tribunal is deliberating in private, that every such party or person as aforesaid shall be informed what advise the assessor has tendered; and
  - (b) that every such party or person shall be informed if in any case the Tribunal does not accept the advice of the assessor on such a question as aforesaid.
- (3) An assessor may be appointed under this paragraph either generally or for any particular class or proceedings and shall hold and vacate office in accordance with the terms of the letter by which he is appointed.

8. The Tribunal or Panel may act notwithstanding any vacancy in its membership, and the proceedings of either body shall not be invalidated by any irregularity in the appointment of a member of that body or subject to paragraph 7 (2) of this Schedule, by reason of the fact that any person who was not entitled to do so took part in the proceedings of that body.
9. Any document authorised or required by virtue of this Bill to be served on the Tribunal or the Panel shall be served on the Registrar.
10. Any expenses of the Tribunal or the Panel shall be defrayed by the Council.
11. A person shall not by reason of his appointment as an assessor to the Tribunal, be treated as holding an office in the public service of the Federation (*Hon. Ari Mohammed Abdulmumin — Nasarawa/Toto Federal Constituency*).

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

**Explanatory Memorandum:**

This Bill establishes the Nigerian Council for Psychologists charged with the responsibility determining the standard of knowledge and skill to be attained by persons seeking to become registered members of the psychology profession in Nigeria (*Hon. Ari Mohammed Abdulmumin — Nasarawa/Toto Federal Constituency*).

*Agreed to.*

**Long Title:**

A Bill for an Act to Establish the Nigerian Council for Psychologists Charged with the Responsibility for Determining the Standards of Knowledge and Skill to be Attained by Persons Seeking to Become Registered Members of the Psychology Profession in Nigeria, and for Related Matters (HB. 848) (*Hon. Ari Mohammed Abdulmumin — Nasarawa/Toto Federal Constituency*).

*Agreed to.*

*Chairman to report Bill.*

**(HOUSE IN PLENARY)**

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Establish the Nigerian Council for Psychologists charged with Responsibility for Determining the Standards of Knowledge and Skills to be Attained by Persons seeking to become Registered Members of the Psychology Profession in Nigeria; and for Related Matters (HB. 848), and approved Clauses 1 - 27, 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.*

**(vi) Committee on Health Institutions:**

*Motion made and Question proposed*, “That the House do consider the Report of the Committee on Health Institutions on a Bill for an Act to Amend the Orthopedic Hospitals Management Board Act, Cap. O10, Laws of the Federation of Nigeria, 2004 to provide for Establishment of Orthopedic Hospital, Jos, Plateau State; and for Related Matters (HB. 886)” (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency*).

*Agreed to.*

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



(Mr Deputy Speaker in the Chair)

A BILL FOR AN ACT TO AMEND THE ORTHOPAEDIC HOSPITALS  
MANAGEMENT BOARD ACT, CAP. O10, LAWS OF THE FEDERATION OF  
NIGERIA 2004, TO PROVIDE FOR THE ESTABLISHMENT OF THE ORTHOPAEDIC  
HOSPITAL JOS, PLATEAU STATE; AND FOR RELATED MATTERS (HB. 886)

**Committee Recommendation:**

**Clause 1: Amendment of the Principal Act.**

The Orthopaedic Hospitals Management Board Act, Cap. O10, Laws of the Federation of Nigeria 2004 is amended as set out in this Bill (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kirir-Kasamma Federal Constituency.*

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

**Committee Recommendation:**

**Clause 2: Amendment of the Second Schedule.**

The Second Schedule to the Orthopaedic Hospitals Management Board Act is amended by inserting a new paragraph 4 as set out below:

"The Orthopaedic Hospital, Jos, Plateau" (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency.*)

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

**Committee Recommendation:**

**Clause 3: Amendment of the Third Schedule.**

The Third Schedule to the Orthopaedic Hospitals Management Board Act is amended by inserting a new paragraph 4 as set out below:

"The Orthopaedic Hospital, Jos, Plateau;

Affiliated Hospital:

"Jos University Teaching Hospital, Jos" (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency.*)

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

**Committee Recommendation:**

**Clause 4: Citation.**

This Bill may be cited as the Orthopaedic Hospitals Management Board Act (Amendment) Bill, 2021 (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency.*)

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

**Explanatory Memorandum:**

This Bill seeks to amend the Orthopaedic Hospitals Management Board Act, Cap.O10, Laws of the Federation of Nigeria, 2004 to provide for the establishment of the Orthopaedic Hospital Jos, Plateau State under the control of the Orthopaedic Hospitals Management Board and affiliated to the Jos University Teaching Hospital to provide specialized orthopaedic treatment and medical services (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency.*)

*Agreed to.*

**Long Title:**

A Bill for an Act to Amend the Orthopaedic Hospitals Management Board Act, Cap. O10, Laws of the Federation of Nigeria 2004, to Provide for the Establishment of the Orthopaedic Hospital, Jos,

Plateau State; and for Related Matters (HB. 886) (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency*).

***Agreed to.***

*Chairman to report Bill.*

**(HOUSE IN PLENARY)**

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committee on Health Institutions on a Bill for an Act to Amend the Orthopedic Hospitals Management Board Act, Cap. O10, Laws of the Federation of Nigeria, 2004 to provide for Establishment of Orthopedic Hospital, Jos, Plateau State; and for Related Matters (HB. 886), and approved Clauses 1 - 4, 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.*

**(vii) Committee on Health Institutions:**

*Motion made and Question proposed, “That the House do consider the Report of the Committee on Health Institutions on a Bill for an Act to provide for the Establishment of the Federal Medical Centre, Wase, Plateau State; and for Related Matters (HB. 885)” (Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma 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 Deputy Speaker in the Chair)*

A BILL FOR AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF  
FEDERAL MEDICAL CENTRE, WASE, PLATEAU STATE  
AND FOR RELATED MATTERS (HB. 885)

PART I — ESTABLISHMENT OF THE FEDERAL MEDICAL CENTRE, WASE

***Committee Recommendation:***

**Clause 1: Establishment of the Federal Medical Centre, Wase.**

- (1) There is hereby established the Federal Medical Centre, Wase (in this Bill referred to as "the Medical Centre").
- (2) The Medical Centre:
  - (a) shall be a body corporate;
  - (b) may sue and be sued in its corporate name;

- (c) shall have perpetual succession and a common seal (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency.*)

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

**Committee Recommendation:**

**Clause 2: Establishment of the Board of Management of the Medical Centre.**

There is hereby established for the management of the Medical Centre a Board of Management (in this Bill referred to as "Board") which shall be constituted and have the functions and powers set out in this Bill (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency.*)

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

**Committee Recommendation:**

**Clause 3: Membership of the Board.**

- (1) The Board shall consist of:
- (a) a chairman;
  - (b) the Chief Medical Director of the Medical Centre
  - (c) the Director of Clinical Services;
  - (d) Association of Medical Laboratory Scientists;
  - (e) one person to represent each Medical and Health Workers Union,
  - (f) one person to represent National Union of Allied Health Professional;
  - (g) the representative of the Minister of Health who should not be below the rank of Assistant Director
  - (h) the Federal Ministry of Health;
  - (i) the National Planning Commission;
  - (j) one representative of Nigerian Medical Association;
  - (k) the Pharmaceutical Society of Nigeria;
  - (l) the Association of Medical Laboratory Scientists of Nigeria
  - (m) the Pediatrics Association of Nigeria;
  - (n) the National Association of Nigerian Nurses and Midwives; and
  - (o) one person to represent public interest.
- (2) The Director of Administration shall be the Secretary of the board.
- (3) The chairman and members of the Board, other than ex-officio members, shall be:

- (a) appointed by the President; and

- (b) persons of proven integrity and ability.

**Schedule.**

- (4) The supplementary provisions set out in the Schedule to this Bill shall have effect with respect to the proceedings of the Board and the other matters contained therein (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency.*

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

**Committee Recommendation:**

**Clause 4: Tenure of office.**

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

- (a) for a term of three years in the first instance and may be re-appointed for a further term of three years and no more; and
- (b) on such terms and conditions as may be specified in his letter of appointment (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency.*

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

**Committee Recommendation:**

**Clause 5: Cessation of Membership.**

- (1) Notwithstanding the provisions of section 4 of this Bill a person shall cease to hold office as a member of the Board if:
  - (a) he becomes bankrupt, suspends payment principal loan with his creditors;
  - (b) he is convicted of a felony or any offence involving dishonesty or fraud;
  - (c) he becomes of unsound mind or is incapable of carrying out his duties;
  - (d) he is guilty of a serious misconduct in relation to his duties; or
  - (e) in the case of a person possessed of professional qualifications, he is disqualified or suspended, other than at his own request, from practising his profession in any part of the world by an order of a competent authority made in respect of that member; or
  - (f) he resigns his appointment by a letter addressed to the President.
- (2) If a member of the Board ceases to hold office for any reason whatsoever, before the expiration of the term for which he is appointed, another person representing the same Interest as that member shall be appointed to the Board for the unexpired term.

- (3) A member of the Board may be removed by the President if he is satisfied that it is not in the interest of the Medical Centre or the interest of the public that the member continues in office (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency.*)

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

**Committee Recommendation:**

**Clause 6: Allowances of the Board.**

There shall be paid to every member of the Board such allowances and expenses as the Revenue Mobilization Allocation and Fiscal Commission may, from time to time, direct (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency.*)

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

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

**Committee Recommendation:**

**Clause 7: Function of the Board.**

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

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

**Committee Recommendation:**

**Clause 8: Power of the Board.**

The Board shall have power to:

- (a) provide the general policies and guidelines relating to major expansion programmes of the Medical Centre;

- (b) provide facilities for the training of medical students of associate universities;
- (c) manage and superintend the affairs of the Medical Centre;
- (d) subject to the provisions of this Bill, make, alter and revoke rules and regulations for carrying on the functions of the Medical Centre;
- (e) fix terms and conditions of service, including remuneration of the employees of the Medical Centre subject to the approval of National Salaries Incomes and Wages Commission;
- (f) do such other things which in the opinion of the Board are necessary to ensure the efficient performance of the functions of the Medical Centre (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency.*)

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

#### PART III — STAFF OF THE MEDICAL CENTRE

**Committee Recommendation:**

**Clause 9: Medical Director of the Medical Centre.**

- (1) There shall be for the Medical Centre a Medical Director who shall be appointed by the President on the recommendation of Hon. Minister of Health on such terms and conditions as may be specified in his letter of appointment or as may be determined, from time to time, by the National Salaries Income and Wages Commission.
- (2) The Medical Director shall:
  - (a) be the chief executive and accounting officer of the Medical Centre;
  - (b) be responsible to the Board for the day-to-day administration of the Medical Centre;
  - (c) be appointed for a term of four years in the first instance and may be reappointed for a further term of four years subject to satisfactory performance;
  - (d) be a person who is a medical practitioner and shall have been so qualified for a period of not less than 15 years;
  - (e) have considerable administrative experience in matters of health;
  - (f) hold a post-graduate specialist qualification obtained not less than ten years prior to the appointment as Medical Director (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency.*)

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

**Committee Recommendation:**

**Clause 10: Appointment of Director of Administration and recruitment of other staff of the Medical Centre.**

- (1) The Board shall appoint for the Medical Centre:

- (a) a Director of Administration, who shall:

- (i) be responsible to the Medical Director for the effective functioning of all the administrative divisions of the Medical Centre;
  - (ii) conduct the correspondence of the Board and keep the records of the Medical Centre; and
  - (iii) perform such other functions as the Board or the Medical Director, as the case may be, may, from time to time, assign to him;
- (b) a Director of Clinical Services;
  - (c) a Director of Finance;
  - (d) a Director of Maintenance.
- (2) The Directors appointed under paragraphs (b), (c) and (d) of subsection (1) of this section shall each be responsible to the Medical Director for the effective running of the clinical services, the finance and accounts and the co-ordination of the maintenance of the Medical Centre, as the case may be.
  - (3) The Board shall appoint for the Medical Centre such number of employees as may in opinion of the Board expedient and necessary for the proper and efficient performance of the functions of the Medical Centre for the proper and efficient.
  - (4) Notwithstanding the provisions of subsections (1) and (2) of this section the Board shall have power to appoint for the Medical Centre either directly or on secondment from any public service in the Federation, such number of employees as may, in the opinion of the Board, be required to assist the Medical Centre in the discharge of any of its functions under this Bill.
  - (5) Nothing in subsection (4) of this section shall preclude the Board from appointing persons from outside the public service of the Federation or of the State whenever it deems it necessary so to do.
  - (6) The terms and conditions of service of the employees of the Medical Centre shall be as determined by the National Salaries Income and Wages Commission (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency*).

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

***Committee Recommendation:***

**Clause 11: Service in the Medical Centre to be pensionable.**

- (1) Service in the Medical Centre shall be approved service for the purposes of the Pensions Reforms Act.
- (2) The officers and other persons employed in the Medical Centre shall be entitled to pensions, gratuities and other retirement benefits as are enjoyed by persons holding equivalent grades in the civil service of the Federation.

- (3) Nothing in subsections (1) and (2) of this section shall prevent the appointment of a person to any office on terms which preclude the grant of pension and gratuity in respect of that office (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency*).

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

**Committee Recommendation:**

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

- (1) There shall be for the Medical Centre a Medical Advisory Committee which shall:
- (a) consist of a chairman who shall be the Director, Clinical Services and such number of other members as may be determined from time to time;
  - (b) be responsible to the Medical Director for all the clinical and training activities of the Medical Centre; and
  - (c) be appointed by the Board.
- (2) Subject to this Bill, the Board shall have power to appoint either directly or on secondment and discipline consultants holding or acting in any office in the hospital; and any such appointment shall be made having due regard to the approved personnel establishment of the Medical Centre.
- (3) Notwithstanding anything to the contrary, the Board may, from time to time, appoint consultants outside the hospital to perform such medical duties as the Board or the Medical Director may assign to such consultants (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency*).

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

PART IV — FINANCIAL PROVISIONS

**Committee Recommendation:**

**Clause 13: Fund of the Medical Centre.**

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

- (a) all subventions and budgetary allocation from the Government of the Federation;
- (b) all fees and funds accruing from the sale of drugs and other services;
- (c) all sums accruing to the Medical Centre by way of gifts, endowments, bequests, grants or other contributions by persons and organisations;
- (d) foreign aid and assistance from bilateral agencies; and all other sums which may, from time to time, accrue to the Medical Centre (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency*).

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



**Committee Recommendation:****Clause 14: Expenditure of the Medical Centre.**

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

- (a) the cost of administration and maintenance of the Medical Centre;
- (b) publicize and promote the activities of the Medical Centre;
- (c) pay allowances, expenses and other benefits of members of the Board and committees of the Board;
- (d) pay the salaries, allowances and benefits of employees of the Medical Centre;
- (e) pay other overhead allowances, benefits and other administrative costs of the Medical Centre; and
- (f) undertake such other activities as are connected with all or any of the functions of the Medical Centre under this Bill (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency.*

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

**Committee Recommendation:****Clause 15: Power to accept gifts.**

- (1) The Medical Centre may accept gifts of land, money or other property on such terms and conditions, if any, as may be specified by the person or organization making the gift.
- (2) The Medical Centre shall not accept any gift if the conditions attached by the person or organisation making the gift are inconsistent with the functions of the Medical Centre under this Bill (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency.*

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

**Committee Recommendation:****Clause 16: Annual estimate and expenditure.**

- (1) The Board shall, not later than 30 September in each year, submit to the President through the Secretary to the Government of the Federation an estimate of the expenditure and income of the Medical Centre during the next succeeding year.
- (2) The Board shall cause to be kept proper accounts of the Medical Centre in respect of each year and proper records in relation thereto and shall cause the accounts to be audited not later than six months after the end of each year by auditors appointed from the list and in accordance with the guidelines supplied by the Auditor-General for the Federation (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency.*

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

**Committee Recommendation:****Clause 17: Annual report.**

The Board shall prepare and submit to the President, not later than 30th June in each year, a report in such form as the President may direct on the activities of the Medical Centre during the immediately preceding year, and shall include in the report a copy of the audited accounts of the Federal Medical Centre for that year and the auditor's report thereon (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency.*

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

**Committee Recommendation:****Clause 18: Power to borrow.**

- (1) The Medical Centre may, from time to time, borrow by overdraft or otherwise such sums as it may require for the performance of its functions under this Bill.
- (2) The Medical Centre shall not, without the approval of the President, borrow money which exceeds, at any time, the limit set by the President.
- (3) Notwithstanding subsection (1) of this section, where the sum to be borrowed is in foreign currency, the Medical Centre shall not borrow the sum without the prior approval of the President (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency.*

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

**Committee Recommendation:****Clause 19: Exemption from tax.**

- (1) The Medical Centre shall not pay income tax on any income derived by the Federal Medical Centre under this Bill or accruing to it from any of its investments.
- (2) Accordingly, the provisions of any enactment relating to the taxation of companies or trust funds shall not apply to the Board of the Federal Medical Centre (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency.*

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

**Committee Recommendation:****Clause 20: Exemption from customs duties, etc.**

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

Provided that nothing in this section shall be construed as preventing the Nigeria Customs Service from inspecting any equipment, or material imported by the Centre (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency.*

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

## PART V — GENERAL

**Committee Recommendation:****Clause 21: Discipline of student.**

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

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

**Committee Recommendation:****Clause 22: Removal and discipline of clinical administrative and technical staff.**

- (1) If it appears to the Board that there are reasons for believing that any person employed as a member of the clinical, administrative or technical staff of the Medical Centre, other than the Medical Director, should be removed from his office or employment, the Board shall require the Director of Administration to:
  - (a) give notice of those reasons to the person in question;

- (b) afford him an opportunity of making representations in person on the matter to the Board; and
    - (c) if the person in question so requests within a period of 1 month beginning with the date of the notice, make arrangements for:
      - (i) a committee to investigate the matter and report on it to the Board; and
      - (ii) the person in question to be afforded an opportunity of appearing before and being heard by an investigating committee set up with respect to the matter, and if the Board, after considering the report of the investigating committee, is satisfied that the person in question should be removed as aforesaid, the Board may so remove him by a letter signed on the direction of the Board.
- (2) The Medical Director may, in a case of misconduct by a member of the staff which in the opinion of the Medical Director is prejudicial to the interest of the Medical Centre, suspend any such member and any such suspension shall forthwith be reported to the Board.
- (3) For good cause, any member of staff may be suspended from his duties or his appointment may be terminated or he may be dismissed by the Board and for the purposes of this section, "good cause" means:
  - (a) a conviction for any offence which the Board considers to be such as to render the person concerned unfit for the discharge of the functions of his office;
  - (b) any physical or mental incapacity which the Board, after obtaining medical advice, considers to be such as to render the person concerned unfit to continue to hold his office;
  - (c) conduct of a scandalous or other disgraceful nature which the Board considers to be such as to render the person concerned unfit to continue to hold his office; or
  - (d) conduct which the Board considers to be such as to constitute a failure or inability of the person concerned to discharge the functions of his office or to comply with the terms and conditions of his service.
- (4) Any person suspended shall, subject to subsections (2) and (3) of this section be on half pay and the Board shall before the expiration of a period of three months after the date of such suspension consider the case against that person and come to a decision as to:
  - (a) whether to continue the person's suspension and if so, on what terms (including the proportion of his emoluments to be paid to him);
  - (b) whether to reinstate the person, in which case the Board shall restore his full emoluments to him with effect from the date of suspension;

- (c) whether to terminate the appointment of the person concerned, in which case he shall not be entitled to the proportion of his emoluments withheld during the period of suspension; or
  - (d) whether to take such lesser disciplinary action against the person (including the restoration of his emoluments that might have been withheld), as the Board may determine, and in any case where the Board, pursuant to this section, decides to continue a person's suspension or decides to take further disciplinary action against a person, the Board shall before the expiration of a period of three months from such decision come to a final determination in respect of the case concerning any such person.
- (5) It shall be the duty of the person by whom a letter of removal is signed in pursuance of subsection (1) of this section to use his best endeavors to cause a copy of the letter to be served as soon as reasonably practicable on the person to whom it relates.
  - (6) Nothing in the foregoing provisions of this section shall preclude the Board from making such regulations not inconsistent with the provisions of this Bill for the discipline of students and all other categories of employees of the hospital as the Board may prescribe.
  - (7) Regulations made under subsection (6) of this section need not be published in the Gazette but the Board shall cause them to be brought to the notice of all affected persons in such manner as it may, from time to time, determine (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency.*)

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

**Committee Recommendation:**

**Clause 23: Discipline of junior staff.**

- (1) If any junior staff is accused of misconduct or inefficiency, the Medical Director may suspend him for not more than a period of 3 months and shall direct a Committee to:
  - (a) consider the case; and
  - (b) make recommendations as to the appropriate action to be taken by the Medical Director.
- (2) In all cases under this section of this Act, the officer shall be informed of the charge against him and given a reasonable opportunity to defend himself.
- (3) The Medical Director may, after considering the recommendation made pursuant to subsection (1) (b) of this section, dismiss, or take such other disciplinary action against the officer concerned.
- (4) Any person aggrieved by a decision of the Medical Director made under subsection (3) of this section may, within a period of 21 days from the date of the letter communicating the decision to him, address a petition to the Board to reconsider his case (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency.*)

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

PART VI — MISCELLANEOUS

**Committee Recommendation:**

**Clause 24: Regulations.**

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

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

**Committee Recommendation:**

**Clause 25: Power to give directives.**

The "Minister of Health" may give to the Board directions of a general character or relating generally to particular matters (but not to any individual person or case) with regard to the exercise by the Board of its functions under this Bill, and it shall be the duty of the Board to comply with the directions; but no direction shall be given which is inconsistent with the duties of the Board under this Act (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency.*

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

**Committee Recommendation:**

**Clause 26: Transition and savings provision.**

- (1) On the commencement of this Act, any person employed by or serving in, the Medical Centre shall be deemed to have been employed or serving in the Medical Centre established under this Act.
- (2) All Assets or liabilities belonging to the Medical Centre shall be deemed to belong to the Medical Centre established under this Act (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency.*

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

**Committee Recommendation:**

**Clause 27: Interpretation.**

In this Act, unless the context otherwise requires:

"associate universities" means the universities whose medical students receive aspects of their training from the Medical Centre (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency.*

*Question that the meaning of the words "Associate universities" be as defined in the interpretation to this Bill — Agreed to.*

"Board" means the Board of Management of the Medical Centre (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency.*

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

"chairman" means the chairman of the Board (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency.*

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

"functions" include powers and duties (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency.*

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

"Federal Medical Centre" means the Federal Medical Centre, Wase (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency.*

*Question that the meaning of the words "Federal Medical Centre" be as defined in the interpretation to this Bill — Agreed to.*

"junior staff" means staff of such grade as may be determined, from time to time, by the Board (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency.*

*Question that the meaning of the words "junior staff" be as defined in the interpretation to this Bill — Agreed to.*

"medical student" means a student whose course of instruction is:

- (a) designed (either alone or in conjunction with other courses) to enable him to qualify as a medical practitioner; or
- (b) designed for the further training of medical practitioners (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency.*

*Question that the meaning of the words "medical student" be as defined in the interpretation to this Bill — Agreed to.*

"Minister" means the Minister charged with responsibility for matters relating to health; and (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency.*

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

"student" means a person enrolled at an institution controlled by the Board for the purpose of pursuing a course of instruction at the institution (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency.*

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

**Committee Recommendation:**

**Clause 28: Short Title.**

This Bill may be cited as the Federal Medical Centre, Wase (Establishment) Bill, 2021 (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency.*)

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

**SCHEDULE**

[Section 3(3).]

SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD, ETC.

*Proceedings of the Board*

1. (1) Subject to this Bill and section 27 of the Interpretation Act, the Board may make standing orders regulating its proceedings or those of any committees.
- (2) The quorum of the Board shall be the chairman or the person presiding at the meeting and 5 other members of the Board, 2 of whom shall be ex-officio members, and the quorum of any Committee of the Board shall be as determined by the Board.
2. (1) The Board shall meet whenever it is summoned by the chairman and if the chairman is required to do so by notice given to him by not less than 8 other members, he shall summon a meeting of the Board to be held within 14 days from the date on which the notice is given.
- (2) At any meeting of the Board, the chairman shall preside but if he is absent, the members present at the meeting shall appoint one of their members to preside at the meeting.
- (3) Where the Board desires to obtain the advice of any person on a particular matter, the Board may co-opt him to the Board for such period as it deems fit, but a person who is in attendance by virtue of this "Sub-section" shall not be entitle to vote at any meeting of the Board and shall not count toward a quorum.

*Committees*

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

*Miscellaneous*

4. (1) The fixing of the seal of the Medical Centre shall be authenticated by the signatures of the Chairman, the Medical Director or any person generally or specifically authorized by the Board to act for that purpose.

- (2) Any contract or instrument which, if made or executed by a person not being a body corporate, would not be required to be under seal may be made or executed on behalf of the Medical Centre by the Medical Director or any person generally or specifically authorized by the Board to act for that purpose.



- (3) A document purporting to be a document duly executed under the seal of the Medical Centre shall be received in evidence and shall, unless and until the contrary is proved, be presumed to be so executed.
5. The validity of any proceedings of the Board or of a committee shall not be adversely affected by:
- (a) a vacancy in the membership of the Board or committee;
  - (b) a defect in the appointment of a member of the Board or committee; or
  - (c) reason that a person not entitled to do so took part in the proceedings of the Board or committee (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency*).

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

**Explanatory Note:**

This Bill seeks to Establish the Federal Medical Centre, Wase, Plateau State (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency*).

*Agreed to.*

**Long Title:**

A Bill for an Act to Provide for the Establishment of Federal Medical Centre, Wase, Plateau State and for Related Matters (HB. 885) (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency*).

*Agreed to.*

*Chairman to report Bill.*

**(HOUSE IN PLENARY)**

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committee on Health Institutions on a Bill for an Act to provide for the Establishment of the Federal Medical Centre, Wase, Plateau State; and for Related Matters (HB. 885), and approved Clauses 1 - 28, 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.*

**(viii) Committee on Health Institutions:**

*Motion made and Question proposed, “That the House do consider the Report of the Committee on Health Institutions on a Bill for an Act to Establish the Federal University of Medicine and Health Sciences, Bida, Niger State for the purpose of Providing Qualitative Education in Medicine and Health Sciences; and for Related Matters (HB. 411)” (Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma 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 Deputy Speaker in the Chair)*

A BILL FOR AN ACT TO ESTABLISH THE FEDERAL UNIVERSITY  
OF MEDICINE AND HEALTH SCIENCES, BIDA, NIGER STATE  
FOR THE PURPOSE OF PROVIDING QUALITATIVE EDUCATION IN  
MEDICINE AND HEALTH SCIENCES; AND FOR RELATED MATTERS

PART I — ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF  
THE FEDERAL UNIVERSITY OF MEDICINE AND HEALTH SCIENCES

***Committee Recommendation:***

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

- (1) There is hereby established the Federal University of Medicine and Medical Sciences, Bida, Niger State.
- (2) The University shall be a body corporate with perpetual succession and a common seal and may sue and be sued in its corporate name.
- (3) The general objects/purposes of the University shall be —
  - (a) to encourage the advancement of learning and to hold out to all persons without distinction of race, creed, sex or political conviction, the opportunity of acquiring a higher education in Medicine and other Health Sciences;
  - (b) to develop and offer academic and professional programs leading to the award of diplomas, first degrees, postgraduate research and higher degrees with emphasis on planning, adaptive, technical, maintenance, developmental and productive skills in the field of Medicine, biomedical engineering, scientific, and allied professional disciplines relating to health resources with the aim of producing socially mature persons with capacity not only to understand, use and adapt existing technologies in the health industry, but also to improve on those disciplines and develop new ones, and to contribute to the scientific transformation of medical and other health practices in Nigeria;
  - (c) to act as agents and catalysts, through postgraduate training, research and innovation for the effective and economic utilization, exploitation and conservation of Nigeria's natural, economic and human resources;
  - (d) to offer to the general population, as a form of public service, the results of training and research in medicine and allied disciplines and to foster the practical application of those results;
  - (e) to establish appropriate relationships with other national institutions involved in training, research and development of health care;

- (f) to identify the health problems and needs of Nigeria and to find solutions to them within the context of overall national development;
  - (g) to provide and promote sound basic scientific training as a foundation for the development of medicine and allied disciplines, taking into account indigenous culture, the need to enhance national unity, the need to vastly increase the practical content of student training, and adequate preparation of graduates for self-employment in medicine and allied professions;
  - (h) to promote and emphasize teaching, research and extension of health knowledge, including health extension services and outreach programs, in-service training, continuing education, and adaptive research;
  - (i) to offer academic programs in relation to the training of manpower for medicine and allied profession in Nigeria;
  - (j) to organize research relevant to training of manpower and health technology;
  - (k) to organize extension services and outreach programs for technology transfer;
  - (l) to establish institutional linkages in order to foster collaboration and integration of training, research, and extension activities; and
  - (m) to undertake any other activities appropriate for a University of Health Sciences.
- (5) The University has the mandate to:
- (i) teach and train high caliber health-care professionals;
  - (ii) provide healthcare services and consultancy;
  - (iii) conduct research and participate in extension, outreach and community services;
  - (iv) operate various schools and specialties that offer exemplary training and quality research in health care;
  - (v) facilitate the acquisition of knowledge and skills in different specialties for effective and efficient management of health care;
  - (vi) provide solution to the lack and the inequitable distribution of health professionals serving rural communities;
  - (vii) train clinically, competent and socially conscious health workers who will stay and serve in depressed and undeserved communities especially in the rural areas of Nigeria;
  - (viii) develop a training model for the training of community oriented health workers that could be replicated in other areas of Nigeria;

- (ix) facilitate collaboration and enhancement of health sciences research and education endeavors;
- (x) advance the national and international reputation as the premier university for health sciences education and research in Nigeria;
- (xii) advise and report regularly to the ministry of education on all matters relevant to the health sciences sector and its education and research programs;
- (xii) work collectively on common health academic issues and their implementation;
- (xiii) provide management support for education and research across the health sciences sector;
- (xiv) promote inter-professional education across all health professional programs and optimize the resources to do so; and
- (xv) ensure that the health sciences sector is adequately and appropriately represented at all levels of University governance  
*(Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency.*

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

**Committee Recommendation:**

**Clause 2: Composition of the University**

- (1) The University shall consist of —
  - (a) Chancellor;
  - (b) Pro-Chancellor and a Council;
  - (c) Vice-Chancellor and a Senate;
  - (d) Deputy Vice-Chancellor (s);
  - (e) a body to be called Congregation;
  - (f) a body to be called Convocation;
  - (g) campuses and colleges of the University;
  - (h) schools, institutes and other teaching and research units;
  - (i) persons holding the offices constituted by the First Schedule to this Bill other than those mentioned in paragraph (a) to (d) of this subsection;
  - (j) all graduates and undergraduates of the University; and
  - (k) all other persons who are members of the University in accordance with provisions made by statute in that behalf.

- (2) The First Schedule to this Bill shall have effect with respect to the principal officers of each University therein mentioned. [*First Schedule*]
- (3) Subject to section 6 of this Bill, provision shall be made by statute with respect to the constitution of the following bodies, namely the Council, the Senate, Congregation and Convocation (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency.*

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

**Committee Recommendation:**

**Clause 3: Powers of the University and their exercise**

- (1) For the carrying out of its objects as specified in section 2 of this Bill, the University shall have power —
  - (a) to establish such campuses, colleges, institutes, schools, extramural departments and other teaching and research units within the University as may, from time to time, be deemed necessary or desirable, subject to the approval of the Federal Ministry of Education;
  - (b) to institute professorships, readerships or associate professorships, and other posts and offices and to make appointments thereto;
  - (c) to institute and award fellowships, scholarships, exhibitions, bursaries, medals, prizes and other titles, distinctions, awards and other forms of assistance;
  - (d) to provide for the discipline and welfare of members of the University;
  - (e) to hold examinations and grant degrees, diplomas, certificates and other distinctions to persons who have pursued a course of study approved by the University and have satisfied such other requirements as the University may lay down;
  - (f) to grant honorary degrees, fellowships or academic titles;
  - (g) to demand and receive from any student or any other person attending the University for the purpose of instruction such fees as the University may, from time to time, determine subject to the overall directives of the Minister;
  - (h) subject to section 23 of this 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 book-selling;
  - (m) subject to any limitations on conditions imposed by statute, to invest any money appertaining to the University by way of endowment, not being immediately required for current expenditure, in any investments or securities or the purchase or improvement of land, with power from time to time to vary any such investments and to deposit any money for the time being not invested with any bank on deposit or current account;
  - (n) to borrow, whether on interest or not if need be upon the security of any or all of the property, movable or immovable, of the University, such moneys as the Council may, from time to time, in its discretion find it necessary or expedient to borrow or to guarantee any loan, advances or credit facilities;
  - (o) to do anything which it is authorized or required by this Bill or by statute to do; and
  - (p) to do all such acts or things, incidental to the foregoing powers, as may advance the objects of the University.
- (2) Subject to the provisions of this Bill and of the statutes and without prejudice to section 9 (2) of this Bill, the powers conferred on the University by subsection (1) of this section shall be exercisable on behalf of the University by the Council or by the Senate or in any other manner, which may be authorized by statute.
- (3) The power of the University to establish further campuses and colleges within the University shall be exercisable by statute and not otherwise  
(*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency.*)

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

**Committee Recommendation:**

**Clause 4: Functions of the Chancellor**

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

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

**Clause 5: Functions of the Pro-Chancellor**

- (1) The Pro-Chancellor shall, in relation to the University, take precedence before all other members of the University, except the Chancellor and except the Vice-Chancellor when acting as chairman of Congregation or Convocation and the Pro-Chancellor shall, when he is present, be the chairman at all meetings of the Council.
- (2) Subject to the provisions of this Bill, the Pro-Chancellor shall hold office for a period of five years beginning with the date of his appointment (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency*).

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

**Committee Recommendation:**

**Clause 6: Composition of the Council**

The Council of each University shall consist of —

- (a) the Pro-Chancellor;
- (b) the Vice-Chancellor;
- (c) the Deputy Vice-Chancellor (s);
- (d) one person from the Ministry responsible for education;
- (e) nine persons representing a variety of interests and broadly representative of the whole Federation to be appointed by the President
- (f) four persons appointed by the Senate from among its members;
- (g) two persons appointed by the Congregation from among its members;
- (h) one person appointed by Convocation from among its members (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency*).

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

**Committee Recommendation:**

**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 each University and shall be charged with the general control and superintendence of the policy, finance and property of the University.
- (2) There shall be a committee of the Council to be known as the Finance and General Purposes Committee, which shall, subject to the directions of the Council, exercise control over the property and expenditure of the University and perform such other functions of the Council as the Council may, from time to time, delegate to it.
- (3) Provision shall be made by statute with respect to the constitution of the Finance and General Purposes Committee.

- (4) The Council shall ensure that proper accounts of the University are kept and that the accounts of the University are audited annually by an independent firm of auditors approved by the Council, and that an annual report shall be published by the University together with certified copies of the said

accounts as audited.

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

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

**Committee Recommendation:**

**Clause 8: Functions of the Senate**

- (1) Subject to section 8 of this Bill and subsections (3) and (4) of this section and to the provisions of this Bill relating to the Visitor, it shall be the general function of the Senate to organize and control the teaching by the University, the admission (where no other enactment provides to the contrary, of students) and the discipline of students; and to promote research at the University.
- (2) Without prejudice to the generality of subsection (1) of this section and subject as there mentioned, it shall in particular be the function of the Senate to make provision for —
  - (a) the establishment and organization and control of campuses, colleges, schools, institutes and other teaching and research units of the University and allocation of responsibility for different branches of learning;



- (b) the organization and control of courses of study in the University and of the examinations held in conjunction with those courses, including the appointment of examiners, both internal and external;
  - (c) the award of degrees, and such other qualifications as may be prescribed, in connection with examinations held as aforesaid;
  - (d) the making of recommendations to the Council with respect to the award to any person of an honorary fellowship or degree or the title of professor emeritus;
  - (e) the establishment, organization and control of halls of residence and similar institutions at the University;
  - (f) the supervision of the welfare of students at the University and the regulation of their conduct;
  - (g) the granting of fellowships, scholarships, prizes and similar awards in so far as the awards are within the control of the University; and
  - (h) determining what description of dress shall be academic dress for the purposes of the University, and regulating the use of academic dress.
- (3) The Senate shall not establish any new campus, college, school, department, institute or other teaching and research units of the University without the approval of the Council.
- (4) Subject to this Bill and statutes, the Senate may make regulations for the purpose of exercising any function conferred on it either by the foregoing provisions of this section or otherwise or for the purpose of making provisions for any matter for which provision by regulations is authorized or required by this 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, as may be prescribed by the Senate from time to time, is not a teacher at the University but is a teacher of the branch of learning to which the course relates at some other university of high repute or a person engaged in practicing the profession in a reputable organization or institution.
- (6) Subject to a right of appeal to the Council from a decision of the Senate under this subsection, the Senate may deprive any person of any degree, diploma or other award of the University which has been conferred upon him if after due enquiry he is shown to have been guilty of dishonourable or scandalous conduct in gaining admission into the University or obtaining that award (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency*).

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

**Committee Recommendation:****Clause 9: Functions of the Vice-Chancellor**

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

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

**Committee Recommendation:****Clause 10: Powers of the University to make statutes**

- (1) Subject to this Bill, the University may make statutes for any of the following purposes, that is to say —
  - (a) making provision with respect to the composition and constitution of any authority of the University;
  - (b) specifying and regulating the powers and duties of any authority of the University and regulating any other matter connected with the University or any of its authorities;
  - (c) regulating the admission of students (where no other enactment provides to the contrary), and their discipline and welfare;
  - (d) determining whether any particular matter is to be treated as an academic or non-academic matter for the purposes of this Bill and of any statute, regulation or other instrument made thereunder;
  - (e) making provision for any other matter for which provision by statute is authorized or required by this Bill.
- (2) Subject to section 28 (6) of this Bill, the Interpretation Act shall apply 2 in relation to any statute made under this section as it applies to a 3 subsidiary instrument within the meaning of section 29 (1) of that Act.
- (3) The statute contained in the Second Schedule to this Bill shall be 5 deemed to have come into force on the commencement of this section 6 of this Bill and shall be deemed to have been made under this section by each University. [*Second Schedule*]
- (4) The power to make statutes conferred by this section shall not be prejudiced or limited in any way by reason of the inclusion or omission of any matter in or from the statute contained in the Second Schedule to this Bill or any subsequent statute. [*Second Schedule*] (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency*).

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

**Committee Recommendation:****Clause 11: Mode of exercising power to make statutes**

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

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

**Committee Recommendation:****Clause 12: Proof of statutes**

A statute may be proved in any court by the production of a copy thereto bearing affixed to it a certificate purporting to be signed by the Vice Chancellor or the secretary to the Council to the effect that the copy is a true copy of a statute of the University (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency*).

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

**Committee Recommendation:****Clause 13: 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 person or persons as the Visitor may deem fit and in respect of any of the affairs of the University.
- (3) It shall be duty of the bodies and persons comprising the University to make available to the Visitor and to any other person conducting a visitation in pursuance of this section, such facilities and assistance as he or they may reasonably require for the purposes of a visitation (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency*).

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

**Committee Recommendation:****Clause 14: Removal of certain members of Council**

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

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

**Committee Recommendation:****Clause 15: Removal and discipline of academic, administrative and professional staff**

- (1) If it appears to the Council that there are reasons for believing that any person employed as a member of the academic, administrative or professional staff of the University, other than Vice-Chancellor, should be removed from his office or employment on the ground of misconduct or of inability to perform the functions of his office or employment, the Council shall —
  - (a) give notice of those reasons to the person in question; afford him an opportunity of making representations in person on the matter;

- (b) appoint a Staff Disciplinary Committee;
  - (c) and if the Council, after considering the report of the Staff Disciplinary Committee, is satisfied that the person in question should be removed as aforesaid, the Council may so remove him by an instrument in writing signed on the directions of the Council.
- (2) The Vice-Chancellor may, in case of misconduct by a member of staff, which in the opinion of the Vice-Chancellor is prejudicial to the interests of the University, suspend such member and any such suspension shall forthwith be reported to the Council.
- (3) For good cause, any member of staff may be suspended from his duties or his appointment may be terminated by the Council; and for the purposes of this subsection "good cause" means —
- (a) conviction for any offence which the Council considers to be such as to render the person concerned unfit for the discharge of the functions of his office;
  - (b) any physical or mental incapacity which the Council, after obtaining medical advice, considers to be such as to render the person concerned unfit to continue to hold his office;
  - (c) conduct of a scandalous or other disgraceful nature which the Council considers to be such as to render the person concerned unfit to continue to hold his office;
  - (d) conduct which the Council considers to be such as to constitute failure or inability of the person concerned to discharge the functions of his office or to comply with terms and conditions of his service; or
  - (e) conduct which the Council considers to be generally of such nature as to render the continued appointment or service of the person concerned prejudicial or detrimental to the interest of the University.
- (4) Any person suspended pursuant to subsection (2) or (3) of this section shall be on half pay and the Council shall before the expiration of a period of three months after the date of such suspension consider the case against that person and come to a decision as to —
- (a) whether to continue such person's suspension and if so on what terms (including the proportion of his emoluments to be paid to him);
  - (b) whether to re-instate such person in which case the Council shall restore his full emoluments with effect from the date of suspension;
  - (c) whether to terminate the appointment of the person concerned in which case such person shall not be entitled to the proportion of his emoluments withheld during the period of suspension; or
  - (d) whether to take such lesser disciplinary action against such person (including the restoration of such proportion of his emoluments as might have been withheld) as the Council may determine.

- (5) In any case where the Council, pursuant to this section, decides to continue a person's suspension or decides to take further disciplinary action against a

person, the Council shall before the expiration of a period of three months from such decision come to a final determination in respect of the case concerning any such person.

- (6) It shall be the duty of the person by whom an instrument of removal is signed in pursuance of subsection (1) of this section to use his best endeavor to cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it relates.
- (7) Nothing in the foregoing provisions of this section shall —
  - (a) apply to any directive given by the Visitor in consequence of any visitation; or
  - (b) prevent the Council from making regulations for the discipline of other categories of workers of the University as may be prescribed (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency.*)

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

**Committee Recommendation:**

**Clause 16: Procedures for staff discipline**

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

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

**Committee Recommendation:**

**Clause 17: Appointment of external examiners**

The Senate shall appoint external examiners (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency.*)

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

**Committee Recommendation:**

**Clause 18: Removal of examiners**

- (1) If on the recommendation of the Senate, it appears to the Vice Chancellor that a person appointed as an examiner for any examination of the University ought to be removed from his office or appointment, then except in such cases as may be prescribed, the Vice-Chancellor may, after affording the examiner an opportunity of making representations in person on the matter

to the Vice-Chancellor, remove the examiner from the office or appointment by an instrument in writing signed by the Vice-Chancellor.

- (2) Subject to the provisions of regulations made in pursuance of section 9 (5)

of this Bill, the Vice-Chancellor may, on the recommendation of the Senate, appoint an appropriate person as examiner in place of the examiner removed in pursuance of subsection (1) of this section.

- (3) It shall be duty of the Vice-Chancellor to sign an instrument of removal in pursuance of this section, to use his best endeavor to cause a copy of this instrument to be served as soon as is reasonably practicable on the person to whom it relates (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency.*

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

**Committee Recommendation:**

**Clause 19: Discipline of students**

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

- (6) Without prejudice to the provision of subsection (1) of this section, nothing shall prevent the Vice-Chancellor from taking an immediate disciplinary action against a student where he deems fit, and report thereafter to the Senate.
- (7) It is hereby declared that a direction under subsection (1) (a) of this section may be combined with a direction under subsection (1) (b) of this section.

- (8) No staff or student shall resort to a law court without proof of having exhausted the integral avenues for settling disputes or grievances or for seeking redress.
- (9) The Visitor shall be the final arbiter on staff and student discipline, and his decision shall not be contestable in any court of law in Nigeria.
- (10) Nothing in this subsection shall affect any power of a court of competent jurisdiction to enforce the fundamental right of any aggrieved citizen as enshrined in the Constitution of the Federal Republic of Nigeria, 1999 (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency.*)

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

***Committee Recommendation:***

**Clause 20: Exclusion of discrimination on account of race, religion, etc.**

- (1) No person shall be required to satisfy the requirements as to any of the following matters, that is to say, race (including ethnic grounding), sex, place of birth or family origin, or religious or political persuasion, as a condition of becoming or continuing to be a student at the University, the holder of any degree of the University or of any appointment or employment at the University or a member of any body established by virtue of this Bill; and no person shall be subjected to any disadvantage or accorded any advantage in relation to the University, by reference to any of those matters.
- (2) Nothing in subsection (1) of this section shall be construed as preventing the University from imposing any disability or restriction on any of the aforementioned persons where such person 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 circumstance pertaining thereto, is in the opinion of the University reasonably justifiable in the national interest (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency.*)

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

***Committee Recommendation:***

**Clause 21: Restriction on disposal of land by University**

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



Provided that such consent shall not be required in the case of any lease or tenancy at a rack-rent for a term not exceeding 21 years or lease or tenancy to a member of the University for residential purposes (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency.*)

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

**Committee Recommendation:**

**Clause 22: Quorum and procedure of bodies established by this Bill**

Except as may be otherwise provided by statute or by regulations, the quorum and procedure of any body of persons established by this Bill shall be as determined by that body (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency.*)

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

**Committee Recommendation:**

**Clause 23: Appointment of committees, etc.**

- (1) Anybody of persons established by this Bill shall, without prejudice to the generality of the powers of that body, have power to appoint committees, which need not consist exclusively of members of that body and to authorize a committee established by it —
  - (a) to exercise, on its behalf, such of its functions as it may determine;
  - (b) to co-opt members, and may direct whether or not co-opted members (if any) shall be entitled to vote in that committee.
- (2) Any two or more such bodies may arrange for the holding of joint meetings of those bodies or for the appointment of committees consisting of members of those bodies or any of them and either of dealing with it or of reporting on it to those bodies or any of them.
- (3) Except as may be otherwise provided by statute or by regulations, the quorum and procedure of a committee established or meeting held in pursuance of this section shall be such as may be determined by the body or bodies which have decided to establish the committee or hold the meeting.
- (4) Nothing in the foregoing provisions of this section shall be construed as —
  - (a) enabling statutes to be made otherwise than in accordance with section 13 of this 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 any officer in question); and the Vice-Chancellor shall be a member of the Council and the Vice-Chancellor shall be a member of every committee of which the members are wholly or partly appointed by the Senate (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency.*)

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

**Committee Recommendation:**

**Clause 24: Retiring age of academic staff of the University**

- (1) Notwithstanding anything to the contrary in the Pensions Act, the compulsory retiring age of an academic staff of a University shall be 65 years except for the professor, which is 70 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. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency*).

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

**Committee Recommendation:**

**Clause 25: Special provisions relating to pension of professors**

A person who retires as a professor having served —

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

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

**Committee Recommendation:**

**Clause 26: Miscellaneous administrative provisions**

- (1) The seal of each University shall be such as may be determined by the Council and approved by the Chancellor, and the affixing of the seal shall be authenticated by any member of the Council and by the Vice Chancellor, secretary to the Council or any other person authorized by statute.
- (2) Any document purporting to be a document executed under the seal of the University shall be received in evidence and shall, unless the contrary is proved, be presumed to be so executed.
- (3) Any contract or instrument, which if made or executed by a person not being a body corporate would not be required to be under seal, may be made or executed on behalf of the University by any person generally or specifically authorized to do so by the Council.
- (4) The validity of any proceedings of any body 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 proceedings.
- (5) Any member of any such body who has a personal interest in any matter proposed to be considered by that body shall forthwith disclose his interest to the body and shall not vote on any question relating to that matter.

- (6) Nothing in section 12 of the Interpretation Act (which provides for the application in relation to subordinate legislation of certain incidental provisions) shall apply to statutes or regulations made in pursuance of this Bill.

- (7) The power conferred by this Bill on any body to make statutes or regulations shall include power to revoke or vary any statute (including the statute contained in the Second Schedule of this Bill) or any regulation by a subsequent statute, or, as the case may be, by a subsequent regulation and statute and regulations may make different provisions in reaction to different circumstances.
- (8) No stamp duty or other duty shall be payable in respect of any transfer of property to the University by virtue of any provision of this Bill.
- (9) Any notice or other instrument authorized to be served by virtue of this Bill may, without prejudice to any other mode of service, be served by post  
*(Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency.*

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

**Committee Recommendation:**

**Clause 27: Interpretation**

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

"campus" means any campus which may be established by the University  
*(Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency.*

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

"college" means any college which may be established by the University  
*(Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma 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. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma 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. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma 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. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma 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. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency).

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

"office" does not include the Visitor (Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency).

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

"prescribed" means prescribed by statutes or regulations (Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma 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 provisions made in that behalf by statute or regulations (Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma 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. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma 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 the Council (Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency).

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

"Senate" means the Senate of the University established pursuant to section 3 (1) (c) of this Bill (Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency).

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

"statute" means a statute made by the University under section 12 of this Bill and in accordance with the provisions of section 13 of this Bill; and (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency.*

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

"the statutes" means all such statutes as are in force from time to time (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency.*

*Question that the meaning of the words "the statutes" 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. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma 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. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency.*

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

"University" means any of the University of Health Sciences established under section 2 of this Bill (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma 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 provisions of this Bill it is laid down that proposals are to be submitted or a recommendation is to be made by one authority to another through one or more intermediate authorities, it shall be the duty of every such intermediate authority to forward any proposals or recommendations received by it in pursuance of that provision to the appropriate authority, but any such intermediate authority may, if it thinks fit, forward therewith its own comments thereon (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency.*

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

**Committee Recommendation:****Clause 28: Short title**

This Bill may be cited as the Federal University of Medicine and Medical Sciences, Bida, Niger State (Establishment, etc.) Bill, 2021 (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency.*

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

**SCHEDULES**

## FIRST SCHEDULE

[Section 2 (2).]

## PRINCIPAL OFFICERS OF THE UNIVERSITY

*The Chancellor*

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

*The Pro-Chancellor*

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

*The Vice-Chancellor*

3. (1) There shall be a Vice-Chancellor of the University who shall be appointed by the President in accordance with the provisions of this paragraph.
- (2) Where a vacancy occurs in the post of a Vice-Chancellor, the Council shall —
  - (a) advertise the vacancy in a reputable journal or a widely read newspaper in Nigeria, specifying —
    - (i) the qualities of the persons who may apply for the post; and
    - (ii) the terms and conditions of service applicable to the post, and thereafter draw up a short list of suitable candidates for the post for consideration;
  - (b) constitute a search team consisting of —
    - (i) a member of the Council, who is not a member of the Senate, as chairman;

- (ii) two members of the Senate who are not members of the Council, one of whom shall be a professor;
  - (iii) two members of Congregation who are not members of the Council, one of whom shall be a professor, to identify and nominate for consideration, suitable persons who are not likely to apply for the post on their own volition because they feel that it is not proper to do so.
- (3) A joint Council and Senate Selection Board consisting of —
- (a) the Pro-Chancellor, as chairman;
  - (b) two members of the Council, not being members of the Senate;
  - (c) two members of the Senate who are professors, but who were not members of the Search Team, shall consider the candidates and persons on the short list drawn up under subparagraph (2) of this paragraph through an examination of their curriculum vitae and interaction with them, and recommend to the Council suitable candidates for further consideration.
- (4) The Council shall select three candidates from among the candidates recommended to it under subparagraph (3) of this paragraph and may indicate its order of preference stating the reasons therefor and forward the names to the President.
- (5) The President may appoint as Vice-Chancellor anyone of the candidates recommended to him in accordance with the provisions of subparagraph (4) of this paragraph.
- (6) The Vice-Chancellor shall hold office for a single term of five years only on such terms and conditions as may be specified in his letter of appointment.
- (7) For the avoidance of doubt, the provisions of subparagraph (6) of this paragraph shall —
- (a) only be applicable to those appointed to the office of Vice-Chancellor after 1 January, 1993;
  - (b) not confer on a person serving a first term of office as Vice Chancellor before 1st January, 1993 any right to renewal of the appointment for a further term of four years.
- (8) The Vice-Chancellor may be removed from office by the Visitor after due consultation with the Council and the Senate acting through the Minister of Education.

*Deputy Vice-Chancellors*

4. (1) There shall be for the University such number of Deputy Vice Chancellors as the Council may, from time to time, deem necessary for the proper administration of the University.
- (2) Where a vacancy occurs in the post of Deputy Vice-Chancellor, the Vice-Chancellor shall forward to the Senate a list of two candidates for each post of Deputy Vice-Chancellor that is vacant.

- (3) The Senate shall select for each vacant post one candidate from each list forwarded

to it under subparagraph (2) of this paragraph and forward his name to the Council for confirmation.

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

*Office of the Registrar*

5. (1) There shall be for the University a Registrar, who shall be the chief administrative officer of the University and shall be responsible to the Vice-Chancellor for the day-to-day administrative work of the University except as regards matters for which the Bursar is responsible in accordance with paragraph 6 (2) of this Schedule.
- (2) The person holding the office of the Registrar shall by virtue of that office be secretary to the Council, the Senate, Congregation and Convocation.
- (3) The Registrar shall hold office for such period and on such terms as to the emoluments of his/her office and otherwise as may be specified Other principal officers of the University
6. (1) There shall be for each University the following principal officers, in addition to the Registrar, that is —
- (a) the Bursar; and
  - (b) the University Librarian, who shall be appointed by the Council on the recommendation of the Selection Board constituted under paragraph 8 of this Schedule.
- (2) The Bursar shall be the chief financial officer of the University and be responsible to the Vice-Chancellor for the day-to-day administration and control of the financial affairs of the University.
- (3) The University Librarian shall be responsible to the Vice-Chancellor for the administration of the university library and the co-ordination of the library services in the University and its campuses, colleges, faculties, schools, departments, institutes and other teaching or research units.



- (4) The Bursar and Librarian shall hold office for such period and on such terms as to the emoluments of their offices and otherwise as may be specified.
- (5) Any question as to the scope of the responsibilities of the aforesaid officers shall be determined by the Vice-Chancellor.

*Selection Board for other principal officers*

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

*Resignation and re-appointment*

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

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

SECOND SCHEDULE

[Section 9 (2).]

**UNIVERSITY OF HEALTH SCIENCES STATUTE NO.1**

ARRANGEMENT OF ARTICLES

*Articles:*

1. The Council.
2. The Finance and General Purposes Committee.

3. The Senate.

4. Congregation.
5. Convocation.
6. Division of colleges.
7. College Board.
8. Appointments and Promotions Committees.
9. Dean of college.
10. Deputy Dean of college.
11. Director of institute or center.
12. Head of department.
13. Selection of certain principal officers.
14. Creation of academics posts.
14. Appointment of academic staff.
15. Appointment of Administrative and Technical Staff.
16. Interpretation.
17. Citation.

#### *The Council*

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

#### *The Finance and General Purposes Committee*

2. (1) The Finance and General Purposes Committee of the Council shall consist of —

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

*The Senate*

- 3. (1) The Senate shall consist of —
  - (a) the Vice-Chancellor and Deputy Vice-Chancellors;
  - (b) Deans of Colleges;
  - (c) the Directors of Institutes and Research Centres;
  - (d) the Heads of academic Departments;
  - (e) the Librarian;
  - (f) one member of not less than the rank of senior lecturer of each college;
  - (g) four persons representing the Congregation.
- (2) The Vice-Chancellor shall be the chairman at all meetings of the Senate when he is present; and in his absence any of the Deputy Vice-Chancellors present at the meeting as the Senate may appoint for that meeting shall be chairman at the meeting.
- (3) The quorum of the Senate shall be one quarter (or the nearest whole number less than one quarter) and subject to paragraph 2 of this article, the Senate may regulate its own procedure.
- (4) An elected member may, by notice to the Senate, resign his office.
- (5) Subject to paragraph (7) of this article, there shall be elections for the selection of elected members, which shall be in the prescribed manner on such day in the month of May or June in each year as the Vice-Chancellor may, from time to time, determine.
- (6) An elected member shall hold office for the period of two years beginning with 1 August in the year of his election, and may be a candidate at any election held in pursuance of paragraph (5) of this article in the year in which his period of office expires, so however that no person shall be such a candidate if at the end of his current period of office he will hold office as an elected member for a continuous period of six years or would have so held office if he had not resigned it.

- (7) No election held in pursuance of this article in any year if the number specified in

the certificate given in pursuance of paragraph (10) of this article does not exceed by more than one the figure which is thrice the number of those elected members holding office on the date of the certificate who do not vacate office during that year III pursuance of paragraph (6) of this article.

- (8) For the avoidance of doubt it is hereby declared that no person shall be precluded from continuing in or taking office as an elected member by reason only of a reduction in the total of non-elected members occurring on or after 30 April in any year in which he is to continue in or take office as an elected member.
- (9) If so requested in writing by any fifteen members of the Senate, the Vice-Chancellor, or in his absence, any of the Deputy Vice-Chancellors duly appointed by him, shall convene a meeting of the Senate to be held not later than the tenth day following that on which the request was received.
- (10) In this article "total of non-elected members" means as respects any year, such number as may be certified by the Vice-Chancellor on 30 April of that year to be the number of persons holding office as members of the Senate on that day otherwise than as elected members.

#### *Congregation*

4. (1) Congregation shall consist of —
  - (a) the Vice-Chancellor and the Deputy Vice-Chancellors;
  - (b) the full-time members of the academic staff;
  - (c) the Registrar;
  - (d) the Bursar;
  - (e) the Librarian;
  - (f) the Director of Works;
  - (g) the Director of Academic Planning;
  - (h) the Director of Physical Planning;
  - (i) the Director of Health Services; and
  - (j) every member of the administrative staff who holds a degree other than an honorary degree of any university recognized for the purposes of this statute by the Vice-Chancellor.
- (2) Subject to sections 5 and 6 of the Act, the Vice-Chancellor shall be the chairman at all meetings of Congregation when he is present; and in his absence any of the Deputy Vice-Chancellors present at the meeting as Congregation may appoint for that meeting, shall be the chairman at the meeting.
- (3) The quorum of Congregation shall be one third (or the whole number nearest to one third) of the total numbers of Congregation or fifty, whichever is less.
- (4) A certificate signed by the Vice-Chancellor specifying —

- (a) the total number of members of Congregation for the purposes of any particular meeting or meetings of Congregation; or
- (b) the names of the persons who are members of Congregation during a

particular shall be conclusive evidence of that number or as the case may be, of the names of those persons.

- (5) Subject to the foregoing provision of this article, Congregation may regulate its own procedure.
- (6) Congregation shall be entitled to express by resolution or otherwise its opinion on all matters affecting the interest and welfare of the University and shall have such other functions in addition to the function of electing a member of the Council, as may be provided by statute or regulations.

*Convocation*

5. (1) Convocation shall consist of—
  - (a) the officers of the University mentioned in the First Schedule to the Act;
  - (b) all teachers within the meaning of the Act;
  - (c) all other persons whose names are registered in accordance with paragraph (2) of this article.
- (2) A person shall be entitled to have his name registered as a member of Convocation if—
  - (a) he/she is either a graduate of the University or a person satisfying such requirements as may be prescribed for the purposes of this paragraph; and
  - (b) he/she applies for the registration of his name in the prescribed manner and pays the prescribed fees.
- (3) Regulations shall provide for the establishment and maintenance of a register for the purposes of this paragraph and subject to paragraph (4) of this article may provide for the payment from time to time of further fees by persons whose names are on the register and for any person who fails to pay those fees.
- (4) The person responsible for maintaining the register shall, without the payment of any fees, ensure that the names of all persons who are for the time being members of Convocation by virtue of paragraph (1) (a) or (b) of this article are entered and retained on the register.
- (5) A person who reasonably claims that he is entitled to have his name on the register shall be entitled on demand to inspect the register or a copy of the register at the principal offices of the University at all reasonable times.
- (6) The register shall, unless the contrary is proved, be sufficient evidence that any persons named therein is, and that any person not named therein is not, a member of Convocation; but for the purpose of ascertaining whether a particular person was such a member on a particular date, any entries in and deletions from the register made on or after that date shall be disregarded.
- (7) The quorum of Convocation shall be fifty or one third (or the whole number nearest to one third) of the total number of members of Convocation, whichever is less.

- (8) Subject to section 5 of this Bill, the Chancellor shall be the chairman at all meetings of Convocation when he is present, and in his absence the Vice-Chancellor shall be the chair- man at the meeting.
- (9) Convocation shall have such other functions, in addition to the functions of appointing a member of the Council, as may be provided by statute or regulations.

*Division of colleges*

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

*College Boards*

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

*Appointments and Promotions Committee*

8. (1) There shall be an Appointments and Promotions Committee of the Council which shall ultimately be responsible for all appointments, promotions and discipline of all categories of senior staff in the University, under the chairmanship of the Vice-Chancellor.

- (2) The Committee shall operate where necessary through the Senate or Selection Board or ad- hoc Committees and its recommendations shall be subject to the approval of the Council.

*Dean of college*

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

*Deputy Dean of college*

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

*Director of Institute or Centre*

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

*Head of Department*

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

*Creation of academic posts*

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

*Appointment of academic staff*

14. (1) Subject to the Act and the statutes, the filling of vacancies in academic posts (including newly created ones) shall be the responsibility of the Senate.
- (2) For the purpose of filling such vacancies, the Senate shall set up suitable selection boards to select and make appointments on its behalf.
- (3) For appointments to professorships, associate professorships or readerships or equivalent posts, a board of selection (with power to appoint) shall consist of —
- (a) the Vice-Chancellor;
  - (b) if the post is tenable at a college, or is within a school comprised in a college, the Provost of that college;
  - (c) if the post is within a faculty, school, institute or other teaching unit of the University, the Dean of that teaching unit;
  - (d) two members appointed by the Council;
  - (e) four members of the Senate appointed by the Senate, at least two of whom shall, if the post is tenable at a college, be senior members of the staff of the college;
  - (f) such other persons as the Senate may from time to time appoint.
- (4) Subject to paragraph (5) of this Article, for appointments to associate professorships, readerships, senior lectureships and other academic posts, a selection board (with power to appoint) shall consist of —
- (a) the Vice-Chancellor;
  - (b) if the post is tenable at a college, or is within a school comprised in a college, the Provost of that college;
  - (c) if the post is within a faculty, school, institute or other teaching unit of the University, the Dean of that teaching unit;
  - (d) four members of the Senate appointed by the Senate, at least two of whom shall, if the post is tenable at a college, be members of the staff of the college; and
  - (e) such other persons as the Senate may from time to time appoint.
- (5) Where an appointment falling within paragraph (4) above is tenable at a college, the Senate may authorize the college to set up a selection board therefore (with power



to appoint); but every selection board set up in pursuance of this paragraph shall include the Vice-Chancellor and shall also include at least two members of the Senate, nominated by the Senate, who are not members of the academic staff of the college.

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

*Appointment of administrative and technical staff*

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

*Interpretation*

16. In this Statute, the expression "the Act" means the Federal University of Medicine and Medical Sciences Bida, Niger State Act and any expression defined in the Act has the same meaning in this Statute.

*Short title*

17. This Statute may be cited as Federal University of Medicine and Medical Sciences, Bida, Niger State No. 1 (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency*).

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

**Explanatory Memorandum:**

This Bill seeks to establish the Federal University of Medicine and Medical Sciences, Bida, Nigeria State (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency*).

*Agreed to.*

**Long Title:**

A Bill for an Act to Establish the Federal University of Medicine and Health Sciences, Bida, Niger State for the Purpose of Providing Qualitative Education in Medicine and Health Sciences; and for Related Matters (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency*).

*Agreed to.*

*Chairman to report Bill.*

**(HOUSE IN PLENARY)**

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committee on Health Institutions on a Bill for an Act to Establish the Federal University of Medicine and Health Sciences, Bida, Niger State for the purpose of Providing Qualitative Education in Medicine and Health Sciences; and for Related Matters (HB. 411), and approved Clauses 1 - 28, 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.*

**21. Adjournment**

*That the House do adjourn till Thursday, 25 March, 2021 at 11.00 a.m. (Hon. Garba Alhassan Ado — House Leader).*

*The House adjourned accordingly at 2.59 p.m.*

**Femi Hakeem Gbajabiamila**  
*Speaker*

**CORRIGENDUM**

In the *Votes and Proceedings* of Tuesday, 23 March, 2021, page 1569, item 20, in Prayer (iii), line 1, *leave out* the words “**Committees on Host Communities, and Environment**”, and *insert* the words “**Joint Committee on Environment, and Host Communities**”.

**Femi Hakeem Gbajabiamila**  
*Speaker*