



**HOUSE OF REPRESENTATIVES
FEDERAL REPUBLIC OF NIGERIA
VOTES AND PROCEEDINGS**

Thursday, 23 September, 2021

1. The House met at 11.48 a.m. Mr Deputy Speaker read the Prayers.
2. The House recited the National Pledge.
3. **Votes and Proceedings**
Mr Deputy Speaker announced that he had examined and approved the *Votes and Proceedings* of Wednesday, 22 September, 2021.

The Votes and Proceedings was adopted by unanimous consent.

4. **Matter of Urgent Public Importance (Standing Order Eight, Rule 4)**
Need to Curb Oil Spillage at the College of Education (Technical), Omoku in Ogba/Egbema/Adoni Local Government Area of Rivers State:
Hon. Uchechuku Nnam-Obi (*Ahoada West/Ogba/Egbema/Ndoni 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 Curb Oil Spillage at the College of Education (Technical), Omoku in Ogba/Egbema/Adoni Local Government Area of Rivers State:

The House:

Notes that the Oil and Gas Industry, one of the major hubs of economic activities, accounts for a high percentage of Nigeria's export since independence. With oil pipelines as crucial means of transporting crude oil in Nigeria as well as important to Nigeria oil production;

Also notes that with the Petroleum Industry Act, 2021, a substantial percentage of the pipelines are owned by International Oil Companies, including the Nigerian Agip Oil Company;

Further notes that Nigerian Agip Oil Company is the owner of the pipelines passing through the Federal College of Education (Technical), Omoku, as it faces severe environmental pollution arising from leakages from oil pipelines in the premises of the school causing danger to students and citizens alike, due to handwork of vandals;

Worried that the crude oil has been leaking consistently in the school premises and other farmlands around the area in the recent time without immediate action to address the leakages which are disrupting academic activities due to spillage from the Nigerian Agip Oil Company (NAOC) owned pipeline and also resulting in environmental pollution;

Also worried that the company's reaction has been slow and lethargic, while the lives of students and the entire communities around the institution are in grave danger;

Concerned that if there is continued failure to urgently address this disaster, the lives of students and staff of the institution and people of the area would be in grave danger, with the possibility of fire disaster from the leakages in the school premises;

Resolves to:

- (i) call on the Nigerian Agip Oil Company (NAOC) to immediately ensure the stoppage of the dangerous trend so as not to endanger the lives, property and academic activities at the Federal College of Education (Technical), Omoku;
- (ii) also call on the NAOC to investigate the immediate and remote causes of the leakage to avert future occurrences of the release of hazardous substances into the environment;
- (iii) further call on the National Oil Spill Detection and Responses Agency to immediately visit the affected area and liaise with NAOC to stop the flow from those pipelines to enable immediate repairs (*Hon. Uchechuku Nnam-Obi — Ahoada-West/Ogba/Egbema/Ndoni Federal Constituency*).

Debate.

Agreed to.

The House:

Noted that the Oil and Gas Industry, one of the major hubs of economic activities, accounts for a high percentage of Nigeria's export since independence. With oil pipelines as crucial means of transporting crude oil in Nigeria as well as important to Nigeria oil production;

Also noted that with the Petroleum Industry Act, 2021, a substantial percentage of the pipelines are owned by International Oil Companies, including the Nigerian Agip Oil Company;

Further noted that Nigerian Agip Oil Company is the owner of the pipelines passing through the Federal College of Education (Technical), Omoku, as it faces severe environmental pollution arising from leakages from oil pipelines in the premises of the school causing danger to students and citizens alike, due to handwork of vandals;

Worried that the crude oil has been leaking consistently in the school premises and other farmlands around the area in the recent time without immediate action to address the leakages which are disrupting academic activities due to spillage from the Nigerian Agip Oil Company (NAOC) owned pipeline and also resulting in environmental pollution;

Also worried that the company's reaction has been slow and lethargic, while the lives of students and the entire communities around the institution are in grave danger;

Concerned that if there is continued failure to urgently address this disaster, the lives of students and staff of the institution and people of the area would be in grave danger, with the possibility of fire disaster from the leakages in the school premises;

Resolved to:

- (i) call on the National Oil Spill Detection and Responses Agency to immediately visit the affected area and liaise with NAOC to stop the flow from those pipelines to enable immediate repairs;
- (ii) also call on the NAOC to investigate the immediate and remote causes of the leakage to avert future occurrences of the release of hazardous substances into the environment;
- (iii) further call on the Nigerian Agip Oil Company (NAOC) to immediately ensure the stoppage of the dangerous trend so as not to endanger the lives, property and academic activities at the Federal College of Education (Technical), Omoku (HR. 70/09/2021).

5. A Bill for an Act to Amend the Asset Management Corporation of Nigeria Act, No. 2, 2019 to Extend the Tenor of the Resolution Cost Fund, Grant Access to the Special Tribunal Established by the BOFIA, 2020 and Confer on it the Powers to take Possession, Manage, Foreclose or Sell, Transfer, Assign or Otherwise of Asset or Proffer used as Security for Eligible Bank Assets; and for Related Matters (HB.1320) — Third Reading.

Motion made and Question proposed, "That a Bill for an Act to Amend the Asset Management Corporation of Nigeria Act, No. 2, 2019 to Extend the Tenor of the Resolution Cost Fund, Grant Access to the Special Tribunal Established by the BOFIA, 2020 and Confer on it the Powers to take Possession, Manage, Foreclose or Sell, Transfer, Assign or Otherwise of Asset or Proffer used as Security for Eligible Bank Assets; and for Related Matters (HB.1320) be now read the Third Time" (Hon. Alhassan Ado Garba — House Leader).

Agreed to.

Bill read the Third Time and passed.

6. A Bill for an Act to Amend the Electric Power Sector Reform Act, 2005 to Provide the Legal and Institutional Framework for the Implementation and Coordination of Rural Electrification Projects, Establishment of the National Power Training Institute and Regulatory Provisions to strengthen the Sector for Efficient Service Delivery; and for Related Matters (HB. 1528) — Second Reading

Motion made and Question proposed, "That a Bill for an Act to Amend the Electric Power Sector Reform Act, 2005 to Provide the Legal and Institutional Framework for the Implementation and Coordination of Rural Electrification Projects, Establishment of the National Power Training Institute and Regulatory Provisions to strengthen the Sector for Efficient Service Delivery; and for Related Matters (HB. 1528) be now read a Second Time" (Hon. Magaji Da'u Aliyu — Birni-Kudu/Buji Federal Constituency and 51 Others).

Debate.

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

Bill read the Second Time.

Bill referred to the Committee on Power.

7. **A Bill for an Act to Repeal the Federal Roads Maintenance Agency (FERMA) Act, 2007 and Enact a Road Fund and Management Authority Bill (ROFMA); and for Related Matters (HB. 1268) — Second Reading**

Order read; deferred by leave of the House.

8. **A Bill for an Act to Provide for Establishment of Nigeria Pesticide Council; and for Related Matters (HB. 1396) — Second Reading**

Motion made and Question proposed, "That a Bill for an Act to Provide for Establishment of Nigeria Pesticide Council; and for Related Matters (HB. 1396) be now read a Second Time" (Hon. Danduste Muntari M. — Dandume/Funtua Federal Constituency).

Debate.

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

Bill read the Second Time.

Bill referred to the Committee on Agricultural Production and Services.

9. **Re-committal of Bills, Pursuant to Order Twelve, Rule 16 of the Standing Orders of the House of Representatives:**

Motion made and Question proposed:

The House:

Notes that the under-listed Bills were respectively passed by the House of Representatives, concurred by the Senate and transmitted to the President for assent but assent was withheld:

- (i) Federal Capital Territory Health Insurance Agency (Establishment) Bill, 2021 (HB. 60),
- (ii) National Commission for Refugees, Migrant and Internally Displaced Persons Bill, 2021 (HB.171),
- (iii) Environmental Health Officers (Registration, Etc.) Act, 2002 (Amendment) Bill 2021. (HB. 44),
- (iv) Federal University of Agriculture, Jalingo (Establishment) Bill, 2021 (HB.750),
- (v) Nigerian Institute of Agriculturists Bill, 2021 (HB. 104),
- (vi) Counselling Practitioners Council of Nigeria (Establishment) Bill, 2021 (HB.409);

Aware that some issues that needed to be addressed were observed in the Bills, hence the need for the re-committal;

Resolves to:

Commit the Bills to Committee of the Whole for reconsideration (Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency).

Agreed to.

10. **Reconsideration of Outstanding Bills from the Preceding Assembly, Pursuant to Order Twelve, Rule 16 of the Standing Orders of the House of Representatives**

Motion made and Question proposed:

The House:

Notes that pursuant to Order Twelve, Rule 16 of the Standing Orders of the House, Bills passed by the preceding Assembly and forwarded to the Senate for concurrence for which no concurrence was made or negatived or passed by the Senate and forwarded to the House for which no concurrence was made or negatived or which were passed by the National Assembly and forwarded to the President for assent but for which assent or withholding thereof was not communicated before the end of the tenure of the Assembly, the House may resolve that such Bills, upon being re-gazetted or clean copies circulated, be re-considered in the Committee of the Whole without being commenced *de-novo*;

Also notes that the under-listed Bills were passed by the preceding Assembly and forwarded to the President for assent but for which assent or withholding thereof was not communicated before the end of the tenure of the last Assembly:

- (i) Obafemi Awolowo University (Transitional Provisions) Act (Amendment) Bill, 2020 (HB.922),
- (ii) University of Ibadan Act (Amendment) Bill, 2020 (HB.923),
- (iii) Abubakar Tafawa Balewa University, Bauchi Act (Amendment) Bill, 2020 (HB.924),
- (iv) Usman Dan Fodio University, Sokoto Act (Amendment) Bill, 2020 (HB.925),
- (v) University of Maiduguri Act (Amendment) Bill, 2020 (HB.926), and
- (vi) Federal College of Education (Technical), Aghoro, Bayelsa State (Establishment) Bill, 2020 (HB.1649);

Aware that the Bills were re-gazetted as HB. 922, HB. 923, HB. 924, HB. 925, HB. 926, and HB. 1649 and had been respectively read the First Time;

Resolves to:

Commit the Bills to the Committee of the Whole for consideration (*Hon. Abubakar Hassan Fulata – Birniwa/Guri/Kiri-Kasamma Federal Constituency*).

Agreed to.

11. **Need to Construct Ogu-Anyama-Okodi Road in Ogbia Local Government Area of Bayelsa State**

Motion made and Question proposed:

The House:

Notes that Ogu-Okodi road in Ogbia Local Government Area of Bayelsa State which links Ogbia Local Government Area to Ayakoro-Ologi-Otuedu-Anyama-Ogbia, Otuganagu-Otukpen-Okodi-Epebu and Emadike towns serves as an alternative route for residents of Ogbia Federal Constituency who engage predominantly in fishing, rice, plantain, yam and groundnuts cultivation and also harness crude oil to the nation;

Also notes that the rate of infrastructural deficiency and level of road dilapidation in Bayelsa State is alarming such that economic activities of rural dwellers are adversely affected, usually coming to a halt during rainy seasons, thus leading to loss of revenues, man-hours and destruction of perishable goods;

Concerned that the dilapidated state of the road has made it a target for hoodlums in the perpetration of their criminal activities and has increased the rate of unproductivity, poverty and crime such that most residents are being displaced;

Cognizant that if remedial action is not taken to reconstruct the road, the situation will continue to jeopardize economic activities and development of the communities;

Resolves to:

- (i) urge the Niger-Delta Development Commission (NDDC) and the Federal Ministry of Works and Housing to commence construction of Ogu-Okodi road leading to all the affected towns in Ogbia Local Government Area of Bayelsa State;
- (ii) mandate the Committee on Niger-Delta Development Commission (NDDC) to make provision for the construction of the road in the 2022 Budget;
- (iii) also mandate the Committees on Works, and Legislative Compliance to ensure compliance (*Hon. Fred Obua Azibapu — Ogbia Federal Constituency*).

Debate.

Amendments Proposed:

- (i) *Leave out* all the words in Prayer (i), and *insert* as follows:
“Urge the Niger-Delta Development Commission (NDDC) to accommodate the Ogu-Okodi road under its emergency jobs, considering its importance and location” (*Hon. Nkem-Abonta Uzoma — Ukwu East/West Federal Constituency*).

Question that the amendment be made — Agreed to.

- (ii) In Prayer (iii), immediately after the words “Committees on”, *leave out* the word “Works” and *insert* the words “Niger Delta Development Commission (NDDC)” (*Hon. Nkem-Abonta Uzoma — Ukwu East/West Federal Constituency*).

Question that the amendment be made — Agreed to.

Question on the Motion as amended — Agreed to.

The House:

Noted that Ogu-Okodi road in Ogbia Local Government Area of Bayelsa State which links Ogbia Local Government Area to Ayakoro-Ologi-Otuedu-Anyama-Ogbia, Otuanaganu-Otuekpen-Okodi - Epebu and Emadike towns serves as an alternative route for residents of Ogbia Federal Constituency who engage predominantly in fishing, rice, plantain, yam and groundnuts cultivation and also harness crude oil to the nation;

Also noted that the rate of infrastructural deficiency and level of road dilapidation in Bayelsa State is alarming such that economic activities of rural dwellers are adversely affected, usually coming to a halt during rainy seasons, thus leading to loss of revenues, man-hours and destruction of perishable goods;

Concerned that the dilapidated state of the road has made it a target for hoodlums in the perpetration of their criminal activities and has increased the rate of unproductivity, poverty and crime such that most residents are being displaced;

Cognizant that if remedial action is not taken to reconstruct the road, the situation will continue to jeopardize economic activities and development of the communities;

Resolved to:

- (i) urge the Niger-Delta Development Commission (NDDC) to accommodate the Ogu-Okodi road under its emergency jobs, considering its importance and location;
- (ii) mandate the Committee on Niger-Delta Development Commission (NDDC) to make provision for the construction of the road in the 2022 Budget;
- (iii) also mandate the Committees on Niger Delta Development Commission (NDDC) and Legislative Compliance to ensure compliance (HR. 71/09/2021).

12. Need to Complete the Construction of Ningi-Yalagungume-Fuskar Mata Road in Bauchi State:
Motion made and Question proposed:

The House:

Notes that the contract for the construction of the 39 kilometers Ningi-Yalagungume Fuskar Mata Road in Bauchi State was awarded to Triacta Nigeria Limited on January 14, 2015 and the project, which commenced on February 17, 2015, was estimated to be completed on August 16, 2016;

Cognizant that the road, when completed, will serve as a major link connecting Bauchi State to Jigawa, Plateau, Gombe and Yobe States and also boost economic activities in the area;

Concerned that up till date, the project which was awarded at the cost of about N7.129 billion, has barely reached 50% completion;

Aware that road infrastructure plays a crucial role in economic development by ensuring the efficient movement of people and goods, as well as providing accessibility to a wide variety of commercial and social activities;

Resolves to:

- (i) urge the Federal Ministry of Works and Housing to expedite action on the construction of the Ningi-Yalagungume-Fuskar Mata road in Bauchi State and ensure its completion within a reasonable time frame;
- (ii) mandate the Committee on Works to determine the cause of delay in completing the construction of the road with a view to ensuring that all factors militating against its completion are resolved and the project is completed in due time (*Hon. Abdullahi Sa'ad Abdulkadir — Ningi/Warji Federal Constituency*).

Agreed to.

(HR. 72/09/2021).

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

13. Need to Ascertain the Number of Nigerian Citizens Being Detained in Foreign Prisons
Motion made and Question proposed:

The House:

Notes that Nigerian citizens are in almost all countries of the world, making exploits in sports, technology, business, education and politics and have been ranked as one of the highest educated immigrants in foreign countries;

Also notes that due to the large population of the Nigerian diaspora community, the Nigerians in Diaspora Commission (NIDCOM) was established to provide for the engagement and participation of Nigerians in the Diaspora in the development of Nigeria;

Aware that International Conventions and Treaties prescribe that anyone charged with a criminal offence is entitled to a fair hearing within a reasonable time by an independent and impartial tribunal established by law;

Also aware that the World Bank estimated remittances of around 24.3 billion per year and 6% of the country's GDP, thereby making Nigeria one of the highest-ranking countries of the world in remittances inflows;

Cognizant that the remittance of Nigerians living abroad have been of significant impact in the development and economic growth of the country;

Concerned about reports that many Nigerians are languishing in foreign prisons, some of whom are being illegally detained, while some are exposed to labour exploitation, poor living conditions, discrimination, sex exploitation and other forms of dehumanizing treatments;

Worried that from a 2019 survey report by the Legal Defence and Assistance Project (LEPAD), about 16,500 Nigerians who are in prisons outside the country were convicted without legal representation and not knowing why they are in jail;

Believes that the Federal Government needs to employ diplomatic means to assist Nigerians who were wrongly convicted and are being detained in various prisons abroad;

Resolves to:

- (i) urge the Executive Arm of Government to intervene and secure the release of Nigerians being detained illegally in prisons abroad;
- (ii) mandate the Committees on Foreign Affairs, Justice, and Inter-Parliamentary Relations to ensure compliance (*Hon. Dennis Idahosa — Ovia North East/South West Federal Constituency*).

Debate.

Amendment Proposed:

In Prayer (ii), immediately after the word "Justice", insert the word "Diaspora" (*Hon. Abiante Awaji Imombek Dagombe — Andoni-Opobo/Nkoro Federal Constituency*).

Question that the amendment be made — Agreed to.

Question on the Motion as amended — Agreed to.

The House:

Noted that Nigerian citizens are in almost all countries of the world, making exploits in sports, technology, business, education and politics and have been ranked as one of the highest educated immigrants in foreign countries;

Also noted that due to the large population of the Nigerian diaspora community, the Nigerians in Diaspora Commission (NIDCOM) was established to provide for the engagement and participation of Nigerians in the Diaspora in the development of Nigeria;

Aware that International Conventions and Treaties prescribe that anyone charged with a criminal offence is entitled to a fair hearing within a reasonable time by an independent and impartial tribunal established by law;

Also aware that the World Bank estimated remittances of around 24.3 billion per year and 6% of the country's GDP, thereby making Nigeria one of the highest-ranking countries of the world in remittances inflow;

Cognizant that the remittances of Nigerians living abroad have been of significant impact in the development and economic growth of the country;

Concerned about reports that many Nigerians are languishing in foreign prisons, some of whom are being illegally detained, while some are exposed to labour exploitation, poor living conditions, discrimination, sex exploitation and other forms of dehumanizing treatments;

Worried that from a 2019 survey report by the Legal Defence and Assistance Project (LEPAD), about 16,500 Nigerians who are in prisons outside the country were convicted without legal representation and not knowing why they are in jail;

Believes that the Federal Government needs to employ diplomatic means to assist Nigerians who were wrongly convicted and are being detained in various prisons abroad;

Resolved to:

- (i) urge the Federal Government to intervene and secure the release of Nigerians who are being detained illegally in prisons abroad;
- (ii) mandate the Committees on Foreign Affairs, Justice, Diaspora and Inter-Parliamentary Relations to ensure compliance (HR. 73/09/2021).

14. Need to Immediately Commence Payment to Constables Recently Recruited into the Nigeria Police Force

Order read; deferred by leave of the House.

15. Need to Address Leakage of Classified Security Documents to the Public

Motion made and Question proposed:

The House:

Notes the recurring incidents of leakage of classified security documents to the public through various social media platforms, online print media and other sources, which are jeopardizing the fight against insurgency, banditry, kidnapping and other crimes in the country;

Also notes that the Federal Government has made concerted efforts through provision of human, material and financial resources in the fight against insecurity;

Concerned that the leakage of classified security documents and other acts of sabotage is causing failure of intelligence gathering, misunderstanding and lack of cohesion among operatives involved in different operations against insurgency and other acts of terrorism in Nigeria;

Disturbed that the unfortunate situation is enabling other acts of crimes and criminalities such as jailbreaks, mass abductions, invasion of farms and animal rustling;

Worried that if such acts of sabotage are left unchecked, they may pose great risks to the lives of security personnel and ultimately imperil the country;

Resolves to:

Mandate the Committee on National Security and Intelligence to carry out a detailed investigation on the matter and report back within two (2) weeks (*Hon. Samuel Babatunde Adejare — Agege Federal Constituency*).

Debate.

Agreed to.

The House:

Noted the recurring incidents of leakage of classified security documents to the public through various social media platforms, online print media and other sources, which are jeopardizing the fight against insurgency, banditry, kidnapping and other crimes in the country;

Also noted that the Federal Government has made concerted efforts through provision of human, material and financial resources in the fight against insecurity;

Concerned that the leakage of classified security documents and other acts of sabotage is causing failure of intelligence gathering, misunderstanding and lack of cohesion among operatives involved in different operations against insurgency and other acts of terrorism in Nigeria;

Disturbed that the unfortunate situation is enabling other acts of crimes and criminalities such as jailbreaks, mass abductions, invasion of farms and animal rustling;

Worried that if such acts of sabotage are left unchecked, they may pose great risks to the lives of security personnel and ultimately imperil the country;

Resolved to:

Mandate the Committee on National Security and Intelligence to carry out a detailed investigation on the matter and report back within two (2) weeks (**HR. 74/09/2021**).

16. Need to Revert to Status Quo Policy in Order to Save the Naira

Order read; deferred by leave of the House.

17. Consideration of Reports

- (i) *A Bill for an Act to Establish Nigerian Council for Social Work to Regulate the Practice of Professional Social Work in Nigeria; and for Related Matters (HB. 655) (Committee of the Whole):*

Motion made and Question proposed, "That the House do consider the Report on a Bill for an Act to Establish Nigerian Council for Social Work to Regulate the Practice of Professional Social Work in Nigeria; and for Related Matters (HB. 655) and approve the recommendations therein" (*Hon.s Ossai Nicholas Ossai — Ndokwa East/Ndokwa West/Ukwuani 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 SOCIAL WORK TO REGULATE THE PRACTICE OF PROFESSIONAL SOCIAL WORK IN NIGERIA, AND FOR RELATED MATTERS (HB. 655)

PART I — ESTABLISHMENT OF THE NIGERIAN COUNCIL FOR SOCIAL WORK AND ITS GOVERNING BOARD

Clause 1: Establishment of the Nigeria Council for Social Work.

There is established the Nigerian Council for social Work (in this Bill referred to as "the Council" which:

- (a) shall be a body corporate with perpetual succession and a common seal;
- (b) may sue and be sued in its corporate name (*Hon. Ossai Nicholas Ossai — Ndokwa East/West/Ukwuani Federal Constituency*).

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

Clause 2: Functions of the Council.

The Council shall:

- (a) promote professional practice and uphold social work ethics and values;
- (b) determine the standards of knowledge and skills to be attained by a persons seeking to become a member of the profession of social work (in this Bill referred 'the profession') and reviewing those standards from time to time as circumstances may require;
- (c) promote research and ensure high standard and quality of training of social workers;
- (d) regulate and control the practice of the profession in all ramifications (*Hon. Ossai Nicholas Ossai — Ndokwa East/West/Ukwuani Federal Constituency*).

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

Clause 3: Establishment and composition of the Governing Board.

- (1) There is established for the Council a Governing Board (in this Bill referred to as "the Board") charged with the administration and general management of the social work profession
- (2) The Board shall consist of:
 - (a) a Chairman;
 - (b) two social workers to represent the Nigeria Association of Social Workers (NASoW);

- (c) one social worker each to represent affiliates of social work umbrella Organizations, Association of Medical Social Workers of Nigeria (AMSOWN), Association of Social Work Educators of Nigeria (ASWEN), Institute of Social Work of Nigeria (ISOWN) one other incorporated organization;
- (d) one social worker to represent:
 - (i) Indigenous non-governmental organizations, and
 - (ii) institutions offering social work on rotation;
- (e) one person each to represent:
 - (i) Civil Society Organisations,
 - (ii) Federal Government establishment responsible for social investment, employment, labour and productivity;
- (f) three social workers to represent component departments at Federal Ministries responsible for social work services on rotation;
- (g) one person to represent component departments at State Ministries responsible for social work service delivery on rotation; and
- (h) the Registrar, who shall be the Secretary and chief executive of of the Board (*Hon. Ossai Nicholas Ossai — Ndokwa East/West/Ukwuani Federal Constituency*).

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

Clause 4: Powers of the Minister.

- (1) The Minister may give to the Council directions or relating generally to particular matters but not to any individual person or case with regard to the exercise by the Council of its functions.
- (2) The Minister shall play a supervisory role over the Council (*Hon. Ossai Nicholas Ossai — Ndokwa East/West/Ukwuani Federal Constituency*).

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

Clause 5: Qualifications of the Chairman and Members of the Board.

- (1) A person shall be qualified for appointment to the office of the Chairman or member of the Council, if the person:
 - (a) is a citizen of Nigeria;
 - (b) has attained the age of 35 years;
 - (c) possess the qualification stated in section 14 (1) (c) of this Bill;
 - (d) has not been adjudged to be mentally on unfit; and
 - (e) has not been declared bankrupt.

- (2) The Chairman of the Board shall be appointed by the President on the recommendation of the Minister responsible for social + work service delivery ministry, and shall hold office for a term of three years and may be eligible for re-appointment for another term of three years and no more
- (3) The Chairman shall preside at the meetings of the Board, but in the event of death, resignation, incapacity or inability to perform the functions of the office for any reason, the Board shall elect a fit and proper member of the Board to act in his stead for the unexpired portion of the term of office.

First Schedule.

- (4) 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 Board and other matters mentioned in the first Schedule (*Hon. Ossai Nicholas Ossai — Ndokwa East/West/Ukwuani Federal Constituency*).

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

PART II — FINANCIAL PROVISIONS

Clause 6: Fund of the Council.

- (1) The Council shall establish and maintain a fund (in this Bill referred to as "the Fund") the management and control of which shall be vested in the Council and into which shall be paid:
 - (a) money received by the Council under this Bill;
 - (b) all fees and other monies payable to the Council by licensed social workers, individuals and corporate bodies; and
 - (c) such money as the Minister may, out of money provided by the Federal Government, individuals or corporate bodies, (national or international) to the Council by way of grant, subvention, loan or otherwise
- (2) There shall be paid out of the Fund:
 - (a) all expenditure incurred by the Council in the discharge of its functions under this Bill;
 - (b) the remunerations and allowances of the Registrar and other staff of the Council; and
 - (c) such reasonable travelling and subsistence allowances of members of the Board in respect of the time spent on the duties of the Council as the Board may determine.
- (3) Subject to guidelines issued by the Board from time to time, the Council's funds and assets may be invested in any bond, bill or other security issued or guaranteed by the Federal Government or the Central Bank of Nigeria (*Hon. Ossai Nicholas Ossai — Ndokwa East/West/Ukwuani Federal Constituency*).

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

Clause 7: Borrowing powers.

The Council may borrow money for the purposes of the Council and any interest payable on monies so borrowed shall be paid out of the Fund (*Hon. Ossai Nicholas Ossai — Ndokwa East/West/Ukwuani Federal Constituency*).

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

Clause 8: Estimate report, account and audit.

- (1) The Council shall prepare and inform the Minister, not later than 31st October of the year in which this Bill comes into force (so however that for that year the Minister may, if he considers it necessary, extend the period and in each subsequent year an estimate of its expenditure and income during the next succeeding financial year.
- (2) The Council shall keep proper accounts in respect of each financial year and proper records in relation to those accounts, and shall cause the accounts to be audited after the end of each financial year to which the accounts relate by a firm of auditors appointed, as respects that year, from the list and in accordance with guidelines supplied by the Auditor-General for the Federation.
- (3) The Council shall prepare and inform the Minister not later than twelve months after its establishment and once in each year thereafter a report on the activities of the Council during the last preceding financial year and shall include in the report a copy of the audited accounts of the Council for that year and of the auditors' report on the accounts (*Hon. Ossai Nicholas Ossai — Ndokwa East/West/Ukwuani Federal Constituency*).

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

PART III — REGISTRAR AND THE REGISTER

Clause 9: Appointment of Registrar and other staff of the Council.

- (1) The Council shall appoint a fit and competent social worker to be the Registrar and Chief Executive of the Council and such other persons as the Council may deem necessary to assist the Registrar in the performance of his functions under this Bill.
- (2) The Registrar shall in addition to his other functions under this Bill, be the Secretary to the Council and shall keep minutes of the proceedings of all meetings of the Board and committee.
- (3) The Registrar shall report to the Board.
- (4) The Registrar shall keep the records and conduct the correspondence of the Council and perform such other functions as the Board may direct.
- (5) The Council may appoint:
 - (a) Deputy Registrars to assist the Registrar on —
 - (i) finance and administration, and
 - (ii) professional matters; and

- (b) other persons as employees of the Council as the Board may determine.
- (6) The Council shall have the power to advance, confirm, promote, transfer, discipline and terminate appointments of employees of the Council in line with the Public Service Rules.
- (7) Service in the Council to be pensionable —
- (i) Service in the Council shall be approved service for purpose of the Pensions Act.
- (ii) Employees of the Council shall be entitled to pension, gratuities and any other retirement benefits as are enjoyed by persons holding equivalent grades in the civil service of the Federation.
- (8) **Remuneration of staff:** The terms and conditions of service including terms and conditions as to remuneration, allowance, retirement and other benefits of the staff and other employees of the Council shall be as may be determined by the Council with the approval of the Minister.
- (9) **Power of the Council:** In carrying out the functions for which the Council is established under this Bill, the Council shall be autonomous and shall not be subject to the direction or control of any other authority or person except as provided in this Bill (*Hon. Ossi Nicholas Ossi — Ndokwa East/West/Ukwuani Federal Constituency*).

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

Clause 10: Register and registration of members.

- (1) Subject to the provisions of this Bill, the Board shall make rules with respect to the form and keeping of registers and the making of entries thereon, and in particular:
- (a) regulate the making of applications for enrolment or registration, as the case may be and provide for the evidence to be produced in support of the applications;
- (b) provide for the notification to the Registrar by the person to whom any registered particular relates or any change in those particulars;
- (c) authorize an enrolled or registered person to have any qualification which is in relation to the relevant of the profession, either an approved qualification or an accepted qualification, for the purposes of this Bill, registered in relation to his name in addition to or as he may elect, in substitution for any other qualifications 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 authorize the Registrar to refuse to enter a name on the Register until such fees specified for the entry have been paid;
- (e) specify the standards of conduct required of a member of the Council and actions or omissions that amount to a misconduct; and

- (f) specify anything failing to be specified under this section; but rules made for the purpose of paragraph (d) shall not come into force until they are confirmed by the Council.
- (2) The Registrar shall:
- (a) correct, in accordance with the Board's directions, any entry in the register which the Board directs him to correct as being in the Board's opinion an entry which was incorrectly made;
- (b) make, from time to time, any necessary alteration in the registered particulars of registered persons;
- (c) remove from the register, the name of a deceased person or persons whose names he is directed to strike off as a result of disciplinary action; and
- (d) record the names of registered persons of the Council who are in the default for more than one year in the payment of license renewal, and to take such action in relation thereto (including removal of the names of defaulters from the register).

(3) A person whose name is removed from the register for being in default of payment of any year may be re-registered subject to payment of outstanding fees as may be approved by the Council and all actions are subject to the approval of the Council.

- (4) The rules made under subsection (1) of shall provide for a procedure for updating particulars of registered persons in the register, and conditions under which the registrar may remove the name of the person from the list for failing to update his particulars and the manner which provides for restoration of such a person in the list (*Hon. Ossai Nicholas Ossai — Ndokwa East/West/Ukwuani Federal Constituency*).

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

Clause 11: Publication of register and list of corrections.

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 list of corrections made to the register since it was last printed;
- (c) cause a print of each edition of the register and of each list of the corrections to be deposited at the principal office of the Council; and
- (d) keep the register and list so deposited and make the register and such lists available at all reasonable times for inspection by members of the public, either physically or virtually through an internet portal (*Hon. Ossai Nicholas Ossai — Ndokwa East/West/Ukwuani Federal Constituency*).

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

PART IV — REGISTRATION OF SOCIAL WORKERS

Clause 12: Approval of qualification.

(1) The Council shall approve:

- (a) Social Work course of training at an approved institution which is intended for persons who are seeking to become or are already professional social workers and which the Council considers relevant to be registered and certified as professional ; and
- (b) Social Work qualification which as a result of examinations taken in conjunction with a course of training approved by the Council under this section, is granted to candidates reaching a standard at the examination indicating, in the opinion of the members of the Council, that the candidates have sufficient knowledge and skill to practice the profession.

(2) The Council may, if it deems fit, withdraw any approval given under this Section in respect of any social work course or qualification but before withdrawing the approval, the Council shall —

- (a) give notice that it proposes to withdraw such approval to such person in Nigeria appearing to the Council to be a person or institution by whom the course is conducted or its qualification is granted or the institution is controlled, as the case may be;
- (b) give the person an opportunity of making representation to the Council with regard to the proposal; and
- (c) take into consideration any representation made in respect of the proposal.

(3) 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 that instrument, and the Council shall —

- (a) publish as soon as possible a copy of every such instrument in its website and the print media; and
- (b) not later than seven (7) days before its publication, send a copy of the instrument to the Minister and a copy each to the Federal and State Ministries, Agencies and Departments responsible for social development component (*Hon. Ossai Nicholas Ossai — Ndakwa East/West/Ukwuani Federal Constituency*).

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

Clause 13: Supervision of instructions and examinations leading to the approved qualifications.

(1) The Council shall keep itself informed of the nature of:

- (a) the instructions given at approved institutions to persons attending approved courses of training; and

(b) the examinations as a result of which approved qualifications are granted and, for the purposes of performing that duty, the council may appoint, either from among its own members or otherwise, persons to visit approved institutions, or to attend such examinations.

(2) On receiving a report made under this Section, the Board may, if it deem fit and if so required by the Council, send a copy of the report to the person appearing to the council to be in charge of the Institution or responsible for the examination to which the report relates requesting that person to make observation on the report to the council within such period specified in the request, not being less than 1 month beginning with the date (*Hon. Ossai Nicholas Ossai — Ndokwa East/West/Ukwuani Federal Constituency*).

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

Clause 14: Registration as social worker.

(1) A person is entitled to be registered under this Bill and to receive a registration certificate if —

(a) he has attended a course of training approved by the Council under section (12) of this Bill;

(b) the course was conducted at an institution so approved, or partly at one of such institutions and partly at another;

(c) he holds a minimum Certificate in Social Work awarded by any institution recognized by the Council;

(d) he holds a certificate of experience issued on completion of one year internship in an approved institution or agency;

(e) he is of good character; and

(f) he pays all prescribed fees.

(2) The Council shall determine the nomenclature for the different levels of licensure applicable to the qualifications (*Hon. Ossai Nicholas Ossai — Ndokwa East/West/Ukwuani Federal Constituency*).

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

Clause 15: Special provisions as to Social Workers trained outside Nigeria.

(1) Where any person has completed a course of training outside Nigeria, as a social worker which is not acceptable to the Council, without further proof of competency, the Council may require that person to undergo additional training in a social work in an approved institution or under any scheme of training in Nigeria approved by the Council and upon completion of the prescribed further training to the satisfaction of the Council, the person may apply for registration for licensing examination in the prescribed level and be registered accordingly in the appropriate register.

(2) Where a person who is a non-Nigeria or an expatriate satisfies the Council that he:

- (a) has been selected for employment for period at least 6 months in a capacity in which a registered person under this Bill would normally be employed and that he is or intends to be in Nigeria temporarily for the purpose of serving for that period in the employment in question;
- (b) holds or has passed examinations necessary for obtaining some qualifications granted outside Nigeria which is for the time being accepted by the Council for the purpose of this Bill as regards the capacity in which, if employed he is to serve; and
- (c) pays the fees prescribed for registration,

the Council may, if it deem fit, directs that he shall be temporarily registered and subject to annual renewal, maintain a license for the period of the employment.

- (3) The temporary registration of a person shall continue only while he is in such employment as is mentioned in subsection (1) (a) and shall cease on the termination of the:
 - (a) period of employment specified to the Council under that subsection; or
 - (b) employment before the end of that period, whichever first occurs.
- (4) Nothing in subsection (2) shall preclude the Council from giving a further direction under subsection (1) in respect of a specific period, the commencement of which coincides with the termination of another period (*Hon. Ossai Nicholas Ossai — Ndokwa East/West/Ukwuani Federal Constituency*).

Amendment Proposed:

In Subclause (2), immediately after the word "non-", *leave out* the word "Nigeria", and *insert* the word "Nigerian" (*Hon. Muriana Saubana Ajibola — Ibarapa Central/Ibarapa North Federal Constituency*).

Question that the amendment be made — Agreed to.

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

Code of Professional and Ethical Conduct

Clause 16: Code of Conduct.

- (1) The Council shall provide a Code of Professional and Ethical Conduct to guide the social workers in the performance of their duties.
- (2) The Council shall cause a revision of such Code of Professional and Ethical Conduct as may be deemed appropriate from time to time to conform with social work practices.
- (3) The Council shall cause to be published in the Council's Journal, the Code of Professional and Ethical Conduct as approved by the Council which shall be binding on every social workers in Nigeria (*Hon. Ossai Nicholas Ossai — Ndokwa East/West/Ukwuani Federal Constituency*).

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

PART V — PROFESSIONAL DISCIPLINE

Clause 17: Establishment of Disciplinary Committee and Investigating Panel.

- (1) There is established the Nigerian Council for social Work investigating Panel (in this Bill referred to as "the Investigating Panel") which shall:
 - (a) conduct a preliminary investigation into any case where it is alleged that a member of the Council is involved in misconduct in his capacity as a member or is for any other reason, the subject of proceeding before the Disciplinary Committee; and
 - (b) decide whether the case should be referred to the Disciplinary Committee or not.
- (2) The Investigating Panel shall be appointed by the Board and shall consist of 5 members:
 - (a) two members of the Board, one of whom shall be a chairman; and
 - (b) three members of the Council who are not members of the Board.
- (3) The tenure of any member of the Investigating Panel shall be two years and may be renewable for a further term of two years.
- (4) The Investigating Panel shall act independently in receiving and investigating allegations under Subsection (1) (a) and shall have power to receive complaints directly from any individual or organization.
- (5) There is established the Nigerian Council for Social Work Disciplinary Committee (in this Bill referred to as "the Disciplinary Committee") charged with the duty of considering and determining any case referred to it by the Investigating Panel established under subsection (3) of this section.
- (6) The Disciplinary committee shall be appointed by the Board and shall consist of:
 - (a) two members of the Board, one of whom shall be the Chairman ; and
 - (b) three other members of the Council who are not member of the Board.
- (7) The Council may make rules, not inconsistent with this Bill, regarding acts which constitute professional misconduct.

Second Schedule.

- (8) The provisions of Second Schedule to this Bill shall, so far as applicable to the Investigating Panel and Disciplinary Committee respectively, has effect with respect to those bodies (*Hon. Ossai Nicholas Ossai — Ndokwa East/West/Ukwuani Federal Constituency*).

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

Clause 18: Penalties for professional misconduct.

- (1) Where:
- (a) a member is adjudged by the Disciplinary Committee to be guilty of professional misconduct in any professional respect;
 - (b) a member is convicted by any Court of law having power to award imprisonment for an offence (whether or not punishable with imprisonment) which in the opinion of the Disciplinary Committee, is incompatible with the conduct required of a Certified social worker, or
 - (c) the Disciplinary Committee is satisfied that the name of any person has been fraudulently registered, the Disciplinary Committee shall order the Registrar to strike his name off the relevant part of the Register.
- (2) For the purpose of subsection(1), a person shall not be treated as guilty unless the guilty stands at a time when no appeal or further appeal is pending or may, (without any extension of time) be brought in connection with the direction.
- (3) Where the Disciplinary Committee gives a direction under subsection (1), the Disciplinary Committee shall cause notice of the direction to be served on the person to whom it relates.
- (4) The person to whom such a direction relates may, at any time within 28 days from the date of service on him of the notice of direction, appeal against the direction to a competent court.
- (5) An order of the Disciplinary Committee under subsection (1) of this section shall take effect where —
- (a) no appeal under this section is brought against the direction within the time limit for such an appeal or at the expiration of that time;
 - (b) such an appeal is brought, withdrawn or struck out for want of prosecution or dismissed for lack of merit; and
 - (c) an appeal is brought, withdrawn or struck out, if and when the appeal is dismissed, shall not take effect in accordance with the provisions of this subsection.
- (6) A person whose name struck off the register, pursuant to an order of the Disciplinary Committee under this section, is not entitled to be enrolled or registered again except in pursuance of an order in that behalf, and under this section for 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 order (and where he has duly made such an application, from the date of his last application), as may be specified in the order (*Hon. Ossai Nicholas Ossai — Ndokwa East/West/Ukwuani Federal Constituency*).

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

PART VI — MISCELLANEOUS PROVISIONS

Clause 19: Prohibition of Practice by non-registered person, and scope of practice.

- (1) No person shall be allowed to practice or to continue in practice or carry out any activity construed to mean social work practice on commencement of this Bill without due registration and license.
- (2) Person in a Social work service sector, without minimum qualification recognized by the Council before the commencement of this Bill, shall be registered in a category of registration and be required to acquire the minimum professional social work certificate recognized by the Council.
- (3) **Scope of Social Work:**
 - (a) The Council shall regulate on the scope of practice for social work to include:
 - (i) interacting with individuals, social groups, and communities for the purposes of interview, assessment, diagnosis, treatment and evaluation of the social problem(s) affecting them and the provision of social services;
 - (ii) provision of social support to individuals, social groups and communities for the purposes of prevention, remediation, and resolution of social problems affecting them;
 - (iii) development, promotion, provision/delivery, management and evaluation of human service programmes for the prevention, remediation, and resolution of social problems affecting individuals, social groups, and communities;
 - (iv) development of social policies aimed at the resolution of social problems and improving the social conditions of living of individuals, social groups, and communities;
 - (v) provision of supervision and/or consultation for and in the administration and evaluation of social services to clients;
 - (vi) conducting of researches on social problems affecting individuals, social groups, and communities.
 - (b) The Council shall approve any other activities for the profession.
- (4) (a) Agencies to which Social Work practice in Nigeria may apply include:
 - (i) Social Welfare offices;
 - (ii) Community mobilization offices;
 - (iii) Youth mobilization and empowerment centres;
 - (iv) Child Welfare/Orphanage/Day Care Centres;
 - (v) Hospitals (Medical Social Welfare);
 - (vi) Court Assessors/Probations Services;

- (vii) Correctional services;
- (viii) Occupational/Industrial Social Welfare;
- (ix) Pilgrims Welfare;
- (x) Rehabilitation (for persons with disabilities, drug addicts, victim of human trafficking, destitute);
- (xi) Refugees and Internally Displaced Persons;
- (xii) Geriatric services;
- (xiii) Conflict Resolution and management;
- (xiv) School Social Work;
- (xv) Educational Institutions offering Social Work Programme;
- (xvi) Institutions for Health Insurance, Social Insurance, pension and Gratuity Administration and Staff Welfare;
- (xvii) Women Development centres;
- (xviii) Gender Development;
- (xix) Citizens and leadership Training Centres;
- (xx) Senior Citizens Centres;
- (xxi) Police, Military and Paramilitary Welfare (*Hon. Ossai Nicholas Ossai — Ndokwa East/West/Ukwuani Federal Constituency*).

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

Guiding Rules

Clause 20: Rules as to practice.

(1) The Board shall make rules:

- (a) to guide the social work practice and training;
- (b) prescribing the amount and due date for the payment of the annual subscription and, for such purposes, different amounts may be prescribed by the rules according to the category of membership;
- (c) prescribing the form of license to practice to be issued annually or, if the Council deems fit, by endorsement on an existing license;
- (d) restricting the right to practice as a member of the:
 - (i) Council in default of the amount of the annual subscription where the default continue for longer than such period as may be prescribed by the rules, or

- (ii) Profession if the qualification granted outside Nigeria does not entitle the holder to practice as a member of the profession; and
 - (e) prescribing the period of practical training in the office of a member of the profession to be completed before a person qualifies for a license to practice as a member of the profession;
 - (f) prescribing the annual subscription/practicing fee.
- (2) The rules made under this section shall be published in the official newsletter, website and magazine of the Council (*Hon. Ossai Nicholas Ossai — Ndokwa East/West/Ukwuani Federal Constituency*).

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

Clause 21: Provision of library facilities.

The Council shall:

- (a) provide and maintain a library comprising of books and publications for the advancement of the knowledge of social work and such other books, publications, website and internet communication technology media as may be considered necessary; and
- (b) encourage research into social work and allied subjects to the extent that the Council may consider necessary including but not limited to the collation, editing and publication of a professional journal of social work (*Hon. Ossai Nicholas Ossai — Ndokwa East/West/Ukwuani Federal Constituency*).

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

Clause 22: Regulations.

- (1) Any regulation made under this Bill shall be published in the Council's Journal.
- (2) Regulations made for the purpose of this Bill shall be made at a duly convened board meeting subject to confirmation by the Council at its next Board meeting and shall not have effect until so confirmed
- (3) Any regulation made under this Bill shall be published in the Council's Journal (*Hon. Ossai Nicholas Ossai — Ndokwa East/West/Ukwuani Federal Constituency*).

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

Clause 23: Offence and penalties.

- (1) A person who, for the purpose of procuring the registration of any name qualification or other matter:
 - (a) makes a statement which he believes to be false in any material particular; or
 - (b) recklessly makes statement which is false in any material particular, commits an offence.

- (2) If, on or after the coming into force of this Bill, a person who is not a member the Council:
- (a) practices or holds himself out as a member of the Council for, or in expectation of reward, or
 - (b) takes or uses any name, title, addition or description, implying that he is in practice as a member of the Council, commits an offence.
- (3) In the case of a person failing within section (19) of this Bill:
- (a) the provision of Sub-section (2) does not apply in respect of anything done by him during the period of three months; and
 - (b) if within that period he duly applies membership of the Council then, unless within that period he is notified that his application has not been approved, the provision of Sub-section (2) shall not apply in respect of anything done by him between the end of that period and the date on which he is enrolled, registered or notified.
- (4) The Registrar or any other person employed by or on behalf of the Council who willfully makes any falsification in any matter relating to register, commits an offence.
- (5) A person who commits an offence under this section is liable on conviction to a minimum fine of ₦100,000.00, or imprisonment for a maximum term of two years, or to both fine and imprisonment.
- (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 is 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, as well as the body corporate shall be deemed to have committed the offence and shall be liable on conviction by court of competent jurisdiction in the case of:
- (a) an individual, to the punishment prescribed in Sub-section (5); and
 - (b) a body corporate:
 - (i) to a fine of not less than ₦500,000.00,
 - (ii) a ban on practice for a specific period of time not less than one year; or
 - (iii) both fine and ban on practice (*Hon. Ossai Nicholas Ossai — Ndokwa East/West/Ukwuani Federal Constituency*).

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

Clause 24: Training and continuous capacity development.

The Council shall empower the incorporated Institute of Social Work to offer refresher courses and continuous capacity development activities and professional manpower development for social work practice and may mandate others incorporated one for the same purpose (*Hon. Ossai Nicholas Ossai — Ndokwa East/West/Ukwuani Federal Constituency*).

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

Clause 25: National and international relations.

The Council may synergize with the social work umbrella organisation and its affiliates to strengthen collaboration with the world global social work regulatory bodies (*Hon. Ossai Nicholas Ossai — Ndokwa East/West/Ukwuani Federal Constituency*).

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

Clause 26: Interpretations.

In this Bill —

"affiliates" means:

- (a) Association of Medical Social Workers of Nigeria (AMSOWN),
- (b) Association of Social Work Educators of Nigeria (ASWEN),
- (c) Institute of Social Work of Nigeria (ISOWN), and
- (d) any other body that may be incorporated thereafter (*Hon. Ossai Nicholas Ossai — Ndokwa East/West/Ukwuani Federal Constituency*).

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

"Board" means the Governing Board established under section 2 (1) of this Bill (*Hon. Ossai Nicholas Ossai — Ndokwa East/West/Ukwuani Federal Constituency*).

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

"components" means youth development, social welfare, child development, rehabilitation of persons with disabilities, women development and gender affairs, community development, and care of the aged (*Hon. Ossai Nicholas Ossai — Ndokwa East/West/Ukwuani Federal Constituency*).

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

"Council" means the Nigerian Council for Social Work established under section 1 of this Bill (*Hon. Ossai Nicholas Ossai — Ndokwa East/West/Ukwuani Federal Constituency*).

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

"fees" include registration fees, cost of registration for examination, inspection, accreditation, indenting and licensing (*Hon. Ossai Nicholas Ossai — Ndokwa East/West/Ukwuani Federal Constituency*).

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

"fine" including amount prescribed for payment in default under the provisions of this Bill and rules of the Council (*Hon. Ossai Nicholas Ossai — Ndokwa East/West/Ukwuani Federal Constituency*).

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

"gazette" means the Gazette of the Federal Republic of Nigeria (*Hon. Ossai Nicholas Ossai — Ndokwa East/West/Ukwuani Federal Constituency*).

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

"government" means government of the Federal Republic of Nigeria (*Hon. Ossai Nicholas Ossai — Ndokwa East/West/Ukwuani Federal Constituency*).

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

"the list" means the list of recommended auditors to be approved by the Council (*Hon. Ossai Nicholas Ossai — Ndokwa East/West/Ukwuani Federal Constituency*).

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

"Member" means a member of the Board (*Hon. Ossai Nicholas Ossai — Ndokwa East/West/Ukwuani Federal Constituency*).

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

"Minister" means Minister responsible for matters relating to Social Work Services (*Hon. Ossai Nicholas Ossai — Ndokwa East/West/Ukwuani Federal Constituency*).

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

"NASoW" means the Nigeria Association of Social Workers, an umbrella social work organization in Nigeria (*Hon. Ossai Nicholas Ossai — Ndokwa East/West/Ukwuani Federal Constituency*).

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

"person" means qualified social worker seeking for license to practice (*Hon. Ossai Nicholas Ossai — Ndokwa East/West/Ukwuani Federal Constituency*).

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

"register" means a Register maintained under this Bill and "registered" shall be construed accordingly (*Hon. Ossai Nicholas Ossai — Ndokwa East/West/Ukwuani Federal Constituency*).

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

"registrar" means the Registrar appointed as the Secretary of the Council (*Hon. Ossai Nicholas Ossai — Ndokwa East/West/Ukwuani Federal Constituency*).

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

"regulations" means regulations made by the Council (*Hon. Ossai Nicholas Ossai — Ndokwa East/West/Ukwuani Federal Constituency*).

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

"Scope of Practice" means the assessment, the diagnosis, treatment and evaluation of individual, interpersonal and societal problems through the use of social work knowledge, skills, intervention and strategies, to assist individuals, families, groups, organizations and communities to achieve optimum psycho-social and social function (*Hon. Ossai Nicholas Ossai — Ndokwa East/West/Ukwuani Federal Constituency*).

Question that the meaning of the words "Scope of Practice" be as defined in the interpretation to this Bill — Agreed to.

"Social Workers" means a registered person who is trained in understanding human behaviour relationship; identification of community resources; offering help to family in dispute, juvenile delinquent, destitute, person with disability, orphan, the sick, mentally retarded and disorder person, person in conflict with the law and other vulnerable and disadvantaged group (*Hon. Ossai Nicholas Ossai — Ndokwa East/West/Ukwuani Federal Constituency*).

Question that the meaning of the words "Social Workers" 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.

The Act may be cited as the Nigerian Council for Social Work (Establishment) Bill, 2021 (*Hon. Ossai Nicholas Ossai — Ndokwa East/West/Ukwuani Federal Constituency*).

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

SCHEDULES

FIRST SCHEDULE

Section 5 (4)

SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

Tenure of office of Members of the Council

- I. (1) Subject to the provision of this Bill, a member of the Board shall hold office for a period of three years, beginning with the date of his appointment.
- (2) Appointments to the Board shall have effect subject to the provisions of this Schedule.

- (3) Persons who are appointed shall continue to be members of the Board while they are employed in any of the public services of Nigeria, the universities, polytechnics or monotechnics or in the service of the armed forces, as the case may be.
- (4) A nominated person appointed pursuant to section 2 (2) of this Bill may resign his membership by notice in writing to the Board, and any person whether or not so appointed, who ceases to be a member of the Board shall, in a proper case be eligible again to become a member of the Board for a further term only.
- (5) It is not necessary to fill any vacancy on the Board where the unexpired residue of the term of office of a member (other than by effluxion of time) does not exceed one year and the member has not been appointed on rotation.
- (6) Notwithstanding that his term of office may not have expired, a nominated member may vacate his office if he gives notice in writing of his resignation addressed to the Board and a nominated member shall vacate his office if:
 - (a) the Board is satisfied that, by reason of mental or physical infirmity, he is incapable of discharging the duties of his office; or
 - (b) he absents himself for two consecutive ordinary meetings of the Board without the leave of the Board.
- (7) A person who is a member by virtue of occupation of a particular office shall cease to be a member if he ceases to occupy the particular office outside the Board.

Proceedings of the Board

2. (1) Subject to the provisions of this Bill, the Board may, in the name of the Council, make standing orders regulating its proceedings or proceedings of its committees.
- (2) The standing orders shall provide for decision to be taken by a majority of the members and, in the event of equality of votes, the Chairman shall have a second or casting vote.
- (3) The standing orders made for a committee of the Board shall provide for the committee to report to the Board on any matter referred to it by the Council.
- (4) The quorum of any meeting of the Board shall be two-thirds and the quorum of the committee shall be determined by the Board.

Meeting of the Board

3. (1) Subject to the provisions of any standing order of the Board, the Board shall convene every three months or 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 10 others, he shall convene 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 the Chairman is absent and the quorum is formed, the members present shall elect a member among them to preside.

- (3) Where the Board desires to obtain the advice of any person on a particular matter, the Board may co-opt him as a member for such period as the Board may deem fit, but a person who is a member by virtue of this sub-paragraph is not be entitled to vote at any meeting of the Board, and shall not count towards a quorum.

Notwithstanding anything in the provisions of this paragraph, the first meeting of the Board shall be summoned by the Minister.

Committee

4. (1) The Board may set up one or more committee to carry out, on behalf of the Board, such functions as the Board may determine.
- (2) A committee set up under this paragraph shall consist of the number of persons determined by the Board and not more than one-third may be persons who are not members of the Board and a person other than a member shall be in the committee in accordance with the terms of his letter of appointment.
- (3) A decision of a committee of the Board shall be of no effect until it is confirmed by the Board.

Meeting of Members with respective Constituencies

5. The Board members are required to meet at least once in a year with members of the social work constituency they represent and failure to meet minimum of once in a year may warrant a recall and replacement.

Miscellaneous

6. (1) The fixing of the seal of the Council shall be authenticated by the signature of the Chairman or another member of the Board authorized generally or specifically by the Board to act for that purpose.
6. (2) A 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 the Board or Council, as the case be, by any person generally or specifically authorized to act for the purpose of the Council.

Proceedings

7. The validity of any proceeding of the Board or Committee shall not be affected by:
- (a) any vacancy in the membership of the Board or Committee; or
- (b) any 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.

Disclosure of interest

8. A member of the Board and any person holding office on a Committee of the Board, who has a personal interest in any contract or arrangement entered into, or on behalf of the Board or a Committee shall disclose his interest to the Chairman or Board, as the case may be, and shall not vote on any question relating to that contract or arrangement (*Hon. Ossai Nicholas Ossai — Ndokwa East/West/Ukwuani Federal Constituency*).

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

SECOND SCHEDULE

Section 17(8)

PROCEEDINGS OF THE DISCIPLINARY COMMITTEE

1. The quorum of the Disciplinary Committee shall be three members.
2. (1) The Board shall make rules as to the selection of members of the Disciplinary Committee for the purposes of any proceeding, the procedure to be followed and the rules of evidence to be observed in the proceedings before the Disciplinary Committee.
- (2) The rules shall, in particular, provide for:
 - (a) securing that any party to the proceedings is entitled to be heard and given fair opportunity to defend the allegations against him by the Disciplinary Committee;
 - (b) determining who, in addition to the person paragraph (a), shall be party to the proceedings;
 - (c) securing that any party to the proceedings shall, if he so requires, be entitled to be heard by the Disciplinary Committee;
 - (d) securing that any party to the proceedings may be represented by a legal practitioner;
 - (e) the costs of proceedings before the Disciplinary Committee subject to the provision of Section 18 (1) of this Bill;
 - (f) requiring, in a case where it is alleged that the person who is the subject of the proceedings is guilty of misconduct in any professional respect, that where the Disciplinary Committee adjudges that the allegation has been proved, it shall record a finding of that person's guilty of such misconduct in respect of the matters to which the allegation relates; and
 - (g) publishing in the website, newsletter and magazine of the Council, a notice of any direction of the Disciplinary Committee which has taken effect providing that a person's name shall be struck off the register.

Administering Oaths

3. For the purposes of any proceeding before the Disciplinary Committee, a member of the Disciplinary Committee may administer oaths and any party to the proceedings may sue out of the Registry of the Federal High court by writs of subpoena and testificandum and dues and dues tecum but no person appearing before the Disciplinary Committee shall be compelled to:
 - (a) make any statement before the Disciplinary Committee tending to incriminate himself; or
 - (b) produce any document under which a writ which he could not be compelled to produce at the trial of an action.

Proceedings of the Disciplinary Committee

4. (1) On any question of law arising in the proceedings before it, there shall, in all such proceedings, be an assessor to the Disciplinary Committee and who shall be:
 - (a) appointed by the Board; and
 - (b) a legal practitioner of at least seven years standing
- (2) The Board shall make rules as to the functions of the assessors appointed under this paragraph and in particular rules shall contain provisions for securing that:
 - (a) where an assessor advises the Disciplinary Committee on any question of law as to evidence, procedure or any other matter specified by the rules, he shall do so in the presence of every party or a person representing a party to the proceedings, who appears to be a threat or, if the advice is tendered while the Disciplinary Committee is deliberating in private, that every such party or person shall be informed of what advice the assessor has tendered; and
 - (b) every party or person shall be informed if in any case the Disciplinary Committee does not accept the advice of the assessor on such a question.
- (3) An assessor may be appointed under this paragraph either generally or for any particular proceeding or class of proceedings, and shall hold and vacate office in accordance with the terms of the letters by which he is appointed.

The Investigating Panel

5. (1) The quorum of the Investigating Panel shall be three.
- (2) The Board may, at any of its meetings attended by all members, make standing orders with respect to the Investigation Panel.
- (3) Subject to the provision of any standing order, the Investigation Panel may regulate its own proceedings.

Appointment of a Person as a Member of the Investigation Panel, etc.

6. (1) A person who ceases to be a member of the Investigating Panel is eligible for re-appointment as a member of the Investigation Panel.
- (2) A person may, if otherwise eligible, be a member of both the Disciplinary Committee and Investigation Panel, but no person who acted as a member of the Investigation Panel with respect to any case shall act as a member of the Disciplinary Committee with respect to that case.

Non-Validation on the Basis of Vacancy

7. The Disciplinary Committee or the Investigation 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 6 (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.

Service of a Document

8. Any document authorized or required by virtue of this Bill to be served on the Disciplinary Committee or the Investigation Panel shall be served on the Registrar (*Hon. Ossai Nicholas Ossai — Ndokwa East/West/Ukwuani Federal Constituency*).

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

Explanatory Memorandum:

The Act establishes the Nigeria Council for Social Work to regulate the practice of professional social work in Nigeria (*Hon. Ossai Nicholas Ossai — Ndokwa East/West/Ukwuani Federal Constituency*).

Agreed to.

Long Title:

A Bill for an Act to Establish the Nigerian Council for Social Work to Regulate the Practice of Professional Social Work in Nigeria, and for Related Matters (HB. 655) (*Hon. Ossai Nicholas Ossai — Ndokwa East/West/Ukwuani 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 Nigerian Council for Social Work to Regulate the Practice of Professional Social Work in Nigeria; and for Related Matters (HB. 655) and approved Clauses 1 - 14, approved Clause 15 as amended, approved Clauses 16 - 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) **Report of the Conference Committee on Federal University of Technology, Auchi, Edo State:**

Motion made and Question proposed, "That the House do consider the Report of the Conference Committee on a Bill for an Act to Provide for Establishment of Federal University of Technology, Auchi, Edo State; and for Related Matters (HB. 527)" (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)

CONFERENCE COMMITTEE REPORT ON A BILL FOR AN ACT TO
PROVIDE FOR ESTABLISHMENT OF FEDERAL UNIVERSITY OF
TECHNOLOGY, AUCHI, EDO STATE AND FOR RELATED MATTERS

PART I — ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF
THE FEDERAL UNIVERSITY OF TECHNOLOGY, AUCHI

Clause 1: Establishment and Objectives of the Federal University of Technology, Auchi, Edo State.

- (1) There is hereby Federal Polytechnic, Auchi upgraded and established as the Federal University of Technology, Auchi, Edo State.
- (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 Technologists 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 objects 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 research, diploma and higher degrees with emphasis on planning, developmental and adaptive skills in technology, applied science, social science, management and allied professional disciplines;
 - (c) to produce socially mature technologists with capabilities not to only understand the technology need of Nigeria as a nation, but also to exploit existing technological infrastructure and improve on it to develop new ones;
 - (d) to act as agents and catalysts for effective technology system, through post graduate training, research and innovation, for effective economic utilization and conservation of the country's human resources;
 - (e) to bring quality change in Technology Education by focusing on practical teaching and learning innovations;
 - (f) to collaborate with other national and international institutions involved in training, research and development of Technology with a view to promoting governance, leadership and management skills among Technologists;
 - (g) to identify Technology needs of the society with a view to finding solutions to them within the context of overall national development;
 - (h) to provide and promote sound basic technology training as a foundation for the development of Nigeria, taking into account indigenous culture and the need to enhance national unity;
 - (i) to provide higher Education and foster a systematic advancement of the science and Technology Education;

- (j) to provide for instruction in such branches of Technological education as it may deem necessary to make provision for research advancement and dissemination of knowledge in such manner as it may determine;
- (k) to provide students with operational competence for applying knowledge in the society as well as making technological changes in the society;
- (m) to undertake any other activities that is appropriate for a University of Technology of the highest standard (*Hon. Abubakar Hassan Tulata — Brniwa/Guri/Kiri-Kasamma Federal Constituency*).

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 faculties, schools, institutes and other teaching and research units of the University;
 - (h) the persons holding the offices constituted by the First Schedule to this Act other than those mentioned in paragraphs (a) to (c) of this subsection;
 - (i) all graduates and undergraduates; and
 - (j) all other persons who are members of the University in accordance with provision made by statute in that behalf.
- (2) The First Schedule to this Act shall have effect with respect to the principal officers of the University therein mentioned.
- (3) Provision shall be made by Statute with respect to the constitution of the following bodies, namely the Council, the Senate, Congregation and Convocation (*Hon. Abubakar Hassan Tulata — Brniwa/Guri/Kiri-Kasamma Federal Constituency*).

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

Clause 3: Powers of Federal University of Technology, Auchu and its exercise.

- (1) For the carrying out of its objects as specified in section 1 of this Bill, Federal University of Technology, Auchu shall have power:

- (a) to offer courses of instruction, training and research in Technology and allied areas for the production of quality and skilled technologists required at lower, middle and higher levels of manpower 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. Abubakar Hassan Tulata — Brniwa/Guri/Kiri-Kasamma Federal Constituency*).

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 the Pro-Chancellor shall, when he is present, be the chairman at all meetings of the Council (*Hon. Abubakar Hassan Tulata — Brniwa/Guri/Kiri-Kasamma Federal Constituency*).

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 Ministry responsible for Education;

- (e) four persons representing a variety of interests and broadly representative of the whole Federation to be appointed from:
- (i) the Teacher's Registration Council;
 - (ii) Tertiary Education Trust Fund; and
 - (iii) two other persons, one of whom shall be a representative of the University host community;
- (f) four persons appointed by the Senate from among its members;
- (g) two persons appointed by Congregation from among its members;
- (h) one person appointed by Convocation from among its members;
- (i) two persons representing the community appointed by the President.
- (2) Persons to be appointed to the Council shall be of proven integrity, knowledgeable and familiar with the affairs and tradition of the University.
- (3) The Council so constituted shall have a tenure of four years from the date of its inauguration provided that where a Council is found to be incompetent and corrupt, it shall be dissolved by the Visitor and a new Council shall be immediately constituted for the effective functioning of the University.
- (4) The powers of the Council shall be exercised, as in this Bill and to that extent establishment circulars that are inconsistent with this Bill shall not apply to the University.
- (5) The Council shall be free in the discharge of its functions and exercise of its responsibilities for the good management, growth and development of the University.
- (6) The Council in the discharge of its functions shall ensure that disbursement of funds of the University complies with the approved budgetary ratio for:
- (a) personnel cost;
 - (b) overhead cost;
 - (c) research and development;
 - (d) library developments; and
 - (e) the balance in expenditure between academic vis-a-vis non-academic activities (*Hon. Abubakar Hassan Tulata — Brniwa/Guri/Kiri-Kasamma Federal Constituency*).

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

Clause 6: Functions of the Council and its finance and general purposes committee.

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

- (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. Abubakar Hassan Tulata — Brniwa/Guri/Kiri-Kasamma Federal Constituency*).

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. Abubakar Hassan Tulata — Brniwa/Guri/Kiri-Kasamma Federal Constituency*).

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. Abubakar Hassan Tulata — Brniwa/Guri/Kiri-Kasamma Federal Constituency*).

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. Abubakar Hassan Tulata — Brniwa/Guri/Kiri-Kasamma Federal Constituency*).

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

Clause 10: Transfer of property, etc.

- (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. Abubakar Hassan Tulata — Brniwa/Guri/Kiri-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 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 Bill 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 Bill.

Third Scheduled.

- (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. Abubakar Hassan Tulata — Brniwa/Guri/Kiri-Kasamma Federal Constituency*).

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. Abubakar Hassan Tulata — Brniwa/Guri/Kiri-Kasamma Federal Constituency*).

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

Clause 13: Proof of statutes.

A statute may be proved in any court by the production of a copy thereof bearing or having affixed to it a certificate purporting to be signed by the Vice-Chancellor or the Secretary to the Council to the effect that the copy is a true copy of a statute of the University (*Hon. Abubakar Hassan Tulata — Brniwa/Guri/Kiri-Kasamma Federal Constituency*).

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

PART IV — SUPERVISION AND DISCIPLINE

Clause 14: 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. Abubakar Hassan Tulata — Brniwa/Guri/Kiri-Kasamma Federal Constituency*).

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

Clause 15: Removal of certain members of the 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. Abubakar Hassan Tulata — Brniwa/Guri/Kiri-Kasamma Federal Constituency*).

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

Clause 16: 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. Abubakar Hassan Tulata — Brniwa/Guri/Kiri-Kasamma Federal Constituency*).

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

Clause 17: 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. Abubakar Hassan Tulata — Brniwa/Guri/Kiri-Kasamma Federal Constituency*).

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

Clause 18: 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;
 - (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; and
 - (c) a direction under subsection (2) (a) of this section may be combined with a direction under subsection (2) (b) of this section (*Hon. Abubakar Hassan Tulata — Brniwa/Guri/Kiri-Kasamma Federal Constituency*).

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

PART V — MISCELLANEOUS AND GENERAL

Clause 19: 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 willfully refuses or fails on grounds of religious belief to undertake any duty generally and uniformly imposed on all such person or any group of them which duty, having regard to its nature and the special circumstances pertaining thereto, is in the opinion of the University reasonably justifiable in the national interest (*Hon. Abubakar Hassan Tulata — Brniwa/Guri/Kiri-Kasamma Federal Constituency*).

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

Clause 20: 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, by 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. Abubakar Hassan Tulata — Brniwa/Guri/Kiri-Kasamma Federal Constituency*).

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

Clause 21: 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 anybody of persons established by this Bill shall be as determined by that body (*Hon. Abubakar Hassan Tulata — Brniwa/Guri/Kiri-Kasamma Federal Constituency*).

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

Clause 22: Appointment of committees, etc.

- (1) Anybody of persons established by this Bill shall, without prejudice to the Appointment of generality of the powers of that body, have power to appoint committees, which need not committees, etc. 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. Abubakar Hassan Tulata — Brniwa/Guri/Kiri-Kasamma Federal Constituency*).

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

Clause 23: 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. Abubakar Hassan Tulata — Brniwa/Guri/Kiri-Kasamma Federal Constituency*).

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

Clause 24: Special provisions relating to pensions 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. Abubakar Hassan Tulata — Brniwa/Guri/Kiri-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 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 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 so took part in the proceeding.
- (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 of 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. Abubakar Hassan Tulata — Brniwa/Guri/Kiri-Kasamma Federal Constituency*).

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

*Restriction of suits and execution***Clause 26: Pre-Action Notice.**

- (1) (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.

Service of Notices.

- (2) 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. Abubakar Hassan Tulata — Brniwa/Guri/Kiri-Kasamma Federal Constituency*).

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

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 Tulata — Brniwa/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 the College established pursuant to section 2 (1) (b) of this Bill for the University (*Hon. Abubakar Hassan Tulata — Brniwa/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 Governing Council of the University established by section 5 of this Bill (*Hon. Abubakar Hassan Tulata — Brniwa/Guri/Kiri-Kasamma Federal Constituency*).

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. Abubakar Hassan Tulata — Brniwa/Guri/Kiri-Kasamma Federal Constituency*).

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. Abubakar Hassan Tulata — Brniwa/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 Hon. Minister of Education (*Hon. Abubakar Hassan Tulata — Brniwa/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 Tulata — Brniwa/Guri/Kiri-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 Tulata — Brniwa/Guri/Kiri-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 regulations (*Hon. Abubakar Hassan Tulata — Brniwa/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 by regulations (*Hon. Abubakar Hassan Tulata — Brniwa/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 Tulata — Brniwa/Guri/Kiri-Kasamma Federal Constituency*).

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

"Provisional Council" means the provisional council appointed for the University (*Hon. Abubakar Hassan Tulata — Brniwa/Guri/Kiri-Kasamma Federal Constituency*).

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

"Regulations" means regulations made by the Senate or the Council (*Hon. Abubakar Hassan Tulata — Brniwa/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 2 (1) (e) of this Bill (*Hon. Abubakar Hassan Tulata — Brniwa/Guri/Kiri-Kasamma Federal Constituency*).

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. Abubakar Hassan Tulata — Brniwa/Guri/Kiri-Kasamma Federal Constituency*).

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 (*Hon. Abubakar Hassan Tulata — Brniwa/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 Tulata — Brniwa/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 Tulata — Brniwa/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 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. Abubakar Hassan Tulata — Brniwa/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 Federal University of Technology, Auchi established and incorporated by section 1 of this Bill (*Hon. Abubakar Hassan Tulata — Brniwa/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 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. Abubakar Hassan Tulata — Brniwa/Guri/Kiri-Kasamma Federal Constituency*).

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

Clause 28: Citation.

This Bill may be cited as the Federal University of Technology, Auchi Bill, 2020 (*Hon. Abubakar Hassan Tulata — Brniwa/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. The Chancellor shall be appointed by and hold office at the pleasure of the President.

The Pro-Chancellor

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

The Vice-Chancellor

3. (1) There shall be a Vice-Chancellor of the University who 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 of 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 felt 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 in the shortlist drawn up under subsection (2) of this paragraph through an examination of their curriculum vitae and interaction with them, and recommend to the Council three candidates for further consideration.
- (4) The Council shall select and appoint as the Vice-Chancellor one candidate from among the three candidates recommended to it under subsection (3) of this section 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 Council on grounds of gross misconduct or inability to discharge the functions of his office as a result of infirmity of the body or mind, at the initiative of the Council, Senate or the Congregation after due process.
- (7) When the proposal for the removal of the Vice-Chancellor is made, the Council shall constitute a Joint Committee of Council and Senate consisting of:

- (i) three members of the Council, one of whom shall be the Chairman of the committee; and
- (ii) two members of the 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 into the allegations 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 right of appeal to the Visitor.
- (10) There shall be no sole administrator in the University.
- (11) In any case of a vacancy in the office of the Vice-Chancellor, the Council shall appoint an acting Vice-Chancellor on recommendation of the Senate.
- (12) An acting Vice Chancellor in all circumstances shall not be in office for more than 6 months.

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 subsection (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;
 - (b) may be reappointed for one further period of two years and no more; and

- (c) may be removed from office for good cause by the Council acting on the recommendations of the Vice-Chancellor and Senate.
- (d) "Good cause" for the purpose of this section means gross misconduct or inability to discharge the functions of his office arising from infirmity of 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, 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

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 subsection (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 a single term of five years only beginning from the effective date of their appointments and on such terms and conditions as may be specified in their letters of appointment.
- (4) Notwithstanding subsection (3) of this section, the Council may, upon satisfactory performance, extend the tenure of the Registrar, Bursar or Librarian for a further period of one year only and thereafter such principal officer shall relinquish his post and be assigned to other duties in the University.

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 Visitor;
 - (b) in any other case, by notice to the Council and the Council shall, in the case of the Vice-Chancellor, immediately notify the Visitor.
- (2) Without prejudice to paragraph 4 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 Tulata — Brniwa/Guri/Kiri-Kasamma Federal Constituency*).

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

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 (*Hon. Abubakar Hassan Tulata — Brniwa/Guri/Kiri-Kasamma Federal Constituency*).

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

THIRD SCHEDULE

[Section 9 (3)]

FEDERAL UNIVERSITY OF TECHNOLOGY, AUCHI 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 or 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

- (7) (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

3. (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

4. (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; and
 - (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

5. (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

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 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

8. (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

- (9) (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. The Board shall superintend over all teachings and examinations in the Department.
- (4) The Board shall handle all disciplinary matters in the Department and make recommendations to the College where necessary.
- (5) 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

9. (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

10. 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

11. 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 Administrative and Professional Staff

12. (1) The administrative and professional staff of the University other than principal officers shall be appointed by the Council 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; and
 - (vii) Establishment and Human Resources Officer who shall serve as Secretary
- Quorum shall be three (3) including the Chairman.

Interpretation

13. In this Statute, the expression "the Act" means the Federal University of Technology, Auchi Act and any word or expression defined in the Act has the same meaning in this Statute (*Hon. Abubakar Hassan Tulata — Brniwa/Guri/Kiri-Kasamma Federal Constituency*).

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

Explanatory Memorandum:

This Bill seeks to upgrade the Federal Polytechnic, Auchi to the Federal University of Technology, Auchi, Edo State (*Hon. Abubakar Hassan Tulata — Brniwa/Guri/Kiri-Kasamma Federal Constituency*).

Agreed to.

Long Title:

A Bill for an Act to Provide for Establishment of Federal University of Technology, Auchi, Edo State and for Related Matters (HB. 527) (*Hon. Abubakar Hassan Tulata — Brniwa/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 Conference Committee on a Bill for an Act to Provide for Establishment of Federal University of Technology, Auchi, Edo State; and for Related Matters (HB. 527) and adopted the Conference Committee Report.

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

(iii) Committee on Navy:

Motion made and Question proposed, "That the House do consider the Report of the Committee on Navy on a Bill for an Act to Establish Nigerian Maritime Trust Fund for the Purpose of Training, Provision of Security Equipment, and Related Facilities, enhance the Skills of the Personnel of the Nigerian Navy; and for Related Matters (HB. 1243)" (*Hon. Yusuf Adamu Gagdi — Kanke/Paskshin/Kanam 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 MARITIME SECURITY TRUST FUND FOR THE PURPOSE OF TRAINING, PROVISION OF SECURITY EQUIPMENT, AND RELATED FACILITIES, ENHANCE THE SKILLS OF THE PERSONNEL OF THE NIGERIAN NAVY, AND FOR RELATED MATTERS (HB. 1243)

PART I — OBJECTIVE, SCOPE AND DURATION

Committee's Recommendation:

Clause 1: Objective.

The objective of this Bill is to provide a legal framework for management and control of the special intervention fund established under section 3 of this Bill for platform acquisition, provision of state of the art security equipment and other related facilities for the Nigerian Navy and for the training and retraining of personnel for the enhancement of the institutional capacities of the Nigerian Navy in the provision of maritime security (*Hon. Adamu Gagdi Yusuf — Kanke/Paskshin/Kanam Federal Constituency*).

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

Committee's Recommendation:

Clause 2: Scope and duration.

- (1) The Trust Fund established under section 3 of this Bill covers all personnel of the Nigerian Navy, including its auxiliary staff in Nigeria and abroad for the overall improvement and efficiency in the discharge of their duties and responsibilities.
- (2) The Trust Fund is to operate for six years from the commencement of this Bill and shall, at the expiration of that period, cease to exist unless it is extended for any further period by an Act of the National Assembly (*Hon. Adamu Gagdi Yusuf — Kanke/Paskshin/Kanam Federal Constituency*).

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

PART II — ESTABLISHMENT AND MANAGEMENT OF THE NIGERIAN MARITIME SECURITY TRUST FUND

Committee's Recommendation:

Clause 3: Establishment of the Nigerian Maritime Security Trust Fund.

- (1) There is established the Nigerian Maritime Security Trust Fund (in this Bill referred to as "the Trust Fund").
- (2) The Trust Fund:
 - (a) is a body corporate with perpetual succession and a common seal; and
 - (b) may sue and be sued in its corporate name (*Hon. Adamu Gagdi Yusuf — Kanke/Paskshin/Kanam Federal Constituency*).

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

Committee's Recommendation:

Clause 4: Sources of the Trust Fund.

- (1) The Sources of the Trust Fund shall consist of:
- (a) an amount constituting 1% of the total revenue accruing to the Federation Account;
 - (b) an amount constituting 1% of the total revenue accruing to revenue generating Federal Government agencies operating in the Nigerian Maritime Environment, which include:
 - (i) Nigeria Maritime Administration and Safety Agency (NIMASA),
 - (ii) Nigeria Ports Authority (NPA);
 - (iii) Nigeria National Petroleum Corporation (NNPC),
 - (iv) Nigeria Inland Waterways Agency (NIWA),
 - (v) Nigeria Liquefied Natural Gas (NLNG),
 - (vi) 30% of Proceeds from forfeited vessels/maritime assets to the Federal Government,
 - (vii) 30% of Charges for Illegal Unregulated Unreported Fishing,
 - (viii) 30% of operating revenue of Private Maritime Logistics Support Companies,
 - (ix) 30% of Fines on arrested and convicted vessels and persons in the Nigerian Maritime Environment;
 - (c) any take-off grant and special intervention fund as may be provided by the Federal, State and Local Government of the Federation;
 - (d) such money as may be appropriated to meet the objective of this Bill by the National Assembly in the budget;
 - (e) aids, grants and assistance from international bilateral and multilateral agencies, non-governmental organisations and the private sector;
 - (f) grants, donations, endowments, bequests and gifts, whether of money, land or any other property from any source;
 - (g) money derived from investment made by the Trust Fund.
- (2) Subsection (1) (d) and (e) shall be acceptable to the Trust Fund except where the terms and conditions attached to an aid, grant, donation or gift are inconsistent with the objective of the Trust Fund and the provisions of this Bill.

- (3) The collection of these revenues shall be in accordance with extant financial regulations (*Hon. Adamu Gagdi Yusuf — Kanke/Paskshin/Kanam Federal Constituency*).

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

Committee's Recommendation:

Clause 5: Purposes of the Trust Fund.

The Trust Fund shall be utilised:

- (a) acquisition and development of Operational Platforms for the Nigerian Navy;
- (b) acquisition of Modern Equipment, Machineries and Systems for Machineries and Systems for Maritime Domain Awareness and Maritime Security Operations;
- (c) provision of critical infrastructure of the Nigerian Navy for ship construction and maintenance as well as maritime operations;
- (d) provision of maritime logistics for sustenance of Nigerian Navy fleet in furtherance of maritime security;
- (e) development of bespoke human and allied capacities of the Nigerian Navy to provide effective and efficient maritime security;
- (f) develop institutional capacity of the Nigerian Navy in furtherance of the objective of the Act;
- (g) for such other purposes incidental to, or connected with, the attainment of objective of this Bill (*Hon. Adamu Gagdi Yusuf — Kanke/Paskshin/Kanam Federal Constituency*).

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

Committee's Recommendation:

Clause 6: Functions of the Trust Fund.

(1) The Trust Fund shall:

- (a) receive all money accruing to it under this Bill;
- (b) utilise all money accruing to the Trust Fund under this Bill to meet the stated objective of this Bill; and
- (c) carry out such other activities considered necessary for the attainment of the objective of this Bill.

(2) A member of the Board of Trustee, other than an *ex-officio* member, shall hold office for a term of three years in the first instance and may be reappointed for a another term of three years and no more.

(3) Members of the Board of Trustee shall be paid such allowances as may be determined by the Board of Trustee in consultation with the National Revenue, Mobilisation, Allocation and Fiscal Commission (*Hon. Adamu Gagdi Yusuf — Kanke/Paskshin/Kanam Federal Constituency*).

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

Committee's Recommendation:

Clause 7: Establishment, Composition and Remuneration of Nigerian Maritime Security Trust Fund Board of Trustees.

- (1) There is established the Nigerian Maritime Security Trust Fund Board of Trustee (in this Bill referred to as "the Board of Trustee").
- (2) The Board of Trustee shall consist of:
 - (a) a Retired Chief of Naval Staff;
 - (b) Chief of Naval Staff or his representatives, as an Ex-officio member;
 - (c) a representative of the Federal Ministry responsible for:
 - (i) Defence,
 - (ii) Transportation
 - (iii) Petroleum Resources,
 - (iv) Justice, and
 - (v) Finance;
 - (d) a representative of:
 - (i) the civil society group,
 - (ii) the organised private sector; and
 - (e) Secretary to the Board of Trustee.
- (3) A member of the Board of Trustee, other than an *ex-officio* member:
 - (a) shall be appointed by the President;
 - (b) shall hold office for three years in the first instance; and
 - (c) may be reappointed for a another three years and no more.
- (4) A member, other than *ex-officio* member, may resign his appointment by a notice in writing under his hand addressed to the President (*Hon. Adamu Gagdi Yusuf — Kanke/Paskshin/Kanam Federal Constituency*).

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

Committee's Recommendation:

Clause 8: Resignation by a Member.

A member, other than *ex-officio* member, may resign his appointment by a notice in writing under his hand addressed to the President (*Hon. Adamu Gagdi Yusuf — Kanke/Paskshin/Kanam Federal Constituency*).

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

Committee's Recommendation:**Clause 9: Cessation of office.**

- (1) A member of the Board of Trustee ceases to hold office if he:
- (a) becomes of unsound mind;
 - (b) becomes bankrupt or makes compromises with his creditors;
 - (c) is convicted of a felony or any offence involving fraud dishonesty; or
 - (d) is guilty of corrupt practices or misconduct in relation to his duties.
- (2) A member of the Board of Trustees may be removed from office by the President if he is satisfied that it is not in the interest of the Trust Fund or Public that the member should continue in that office.
- (3) A member of the Board of Trustees, other than an ex-officio members, may resign his appointment by a notice in writing under his hand addressed to the President.
- (4) Where a vacancy occurs in the membership of the Board of Trustees, it shall be filled by the appointment of a successor to hold office for the remainder of the term of office of his predecessor and the successor shall:
- (a) represent the same interest; and
 - (b) be appointed by the President.

Schedule.

- (5) The provisions of the Schedule to this Bill shall have effect with respect to the meetings and proceedings of the Board of Trustee and other related matters (*Hon. Adamu Gagdi Yusuf — Kanke/Paskshin/Kanam Federal Constituency*).

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

Committee's Recommendation:**Clause 10: Removal from office of a member.**

Notwithstanding the provisions of sections 7 and 8 of this Bill, the President may remove a member from the Board of Trustee if any circumstance which borders on corruption and other activities that negates the interest and security of the nation would require the removal of the member from the Board of Trustee (*Hon. Adamu Gagdi Yusuf — Kanke/Paskshin/Kanam Federal Constituency*).

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

Committee's Recommendation:**Clause 11: Functions of the Board of Trustee.**

The Board of Trustee is responsible for:

- (a) setting out the policies and programmes in furtherance of the objectives of the Trust Fund under this Bill;

- (b) approving the disbursement of money from the Trust Fund to finance projects or activities of the Nigerian Navy and Navy Institutions which are beneficiaries of the proceeds of Trust Fund;
- (c) scrutinising and approving projects which qualify for financing under the Act;
- (d) exercising control over the management of the Trust Fund with a view to ensuring accountability and proper utilisation of money in the Trust Fund for the purposes set out in this Bill;
- (e) carrying out such other activities as are considered necessary for the attainment of the objective of this Bill;
- (f) updating the Federal Government on its activities and progress through annual and audited reports;
- (g) reviewing progress and suggesting improvement within the provisions of this Bill;
- (h) making and issuing guidelines, to all beneficiaries on disbursement from the Trust Fund on the use of money received from the Trust Fund; and
- (i) generally regulating the administration, application and disbursement of money from the Trust Fund under this Bill (*Hon. Adamu Gagdi Yusuf — Kanke/Paskshin/Kanam Federal Constituency*).

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

Committee's Recommendation:

Clause 12: Powers of the Board of Trustee.

- (1) The Board of Trustee has powers to:
 - (a) award contracts of any kind or description for any amount, whether in local or foreign currency in conformity with the due process requirements as provided under relevant laws, rules, guidelines or regulations; and
 - (b) invest money accruing to the Trust Fund and approve the utilisation of the returns on investment in the same way as money accruing to the Trust Fund.
- (2) In the discharge of its duty under this Bill, the Board of Trustee shall:
 - (a) through the Navy Board; identify the funding needs of the Nigerian Navy Institutions for the enhancement of its maritime security roles;
 - (b) enter into contractual arrangements for the purpose of executing approved projects on behalf of the Trust Fund;
 - (c) oversee the implementation of projects financed through money accruing to the Trust Fund; and

- (d) enter into public-private partnership and private finance initiative arrangements and agreements necessary for the projects execution (*Hon. Adamu Gagdi Yusuf — Kanke/Paskshin/Kanam Federal Constituency*).

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

Committee's Recommendation:

Clause 13: Establishment of Maritime Trust Fund Project Implementation Committee.

- (1) For the purpose of implementing any project approved by the Board of Trustee under this Bill, there is established the Maritime Trust Fund Project Implementation Committee (in this Bill referred to as "the Implementation Committee").
- (2) The Implementation Committee shall consist of:
- (a) an appointee of the Minister as Chairman; and
- (b) such other members, not exceeding six in number with proven integrity, appointed by the Board of Trustee.
- (3) The Implementation Committee is responsible to the Board of Trustee in the execution of the duties and responsibilities assigned to it by the Board of Trustee (*Hon. Adamu Gagdi Yusuf — Kanke/Paskshin/Kanam Federal Constituency*).

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

PART III — EXECUTIVE SECRETARY AND STAFF OF THE TRUST FUND

Committee's Recommendation:

Clause 14: Appointment of the Executive Secretary and other staff of the Trust Fund.

- (1) The President shall, on the recommendation of the Minister, appoint the Executive Secretary for the Trust Fund.
- (2) The Executive Secretary shall:
- (a) be a person of unquestionable character and integrity; and
- (b) have qualifications and experience as are appropriate for a person required to perform the functions of that office under this Bill; and
- (3) The Executive Secretary shall hold office:
- (a) for a time of three years in the first instance and may be eligible for re-appointment for another term of three years and no more; and
- (b) on such other terms and conditions as may be specified in his letter of appointment (*Hon. Adamu Gagdi Yusuf — Kanke/Paskshin/Kanam Federal Constituency*).

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

Committee's Recommendation:**Clause 15: Functions of the Executive Secretary.**

The Executive Secretary:

- (a) shall be the Chief Executive and Accounting Officer of the Trust Fund;
- (b) shall be responsible for the administration of the Trust Fund;
- (c) shall be the Secretary to the Board of Trustee;
- (d) shall keep proper records of the proceedings of the Board of Trustee;
- (e) shall work closely with the Implementation Committee in discharging out such duties and responsibilities as may be assigned to him by the Board of Trustee;
- (f) shall be in charge of the general direction and control of all other employees of the Trust Fund; and
- (g) shall discharge such other duties as may be directed by the Board of Trustees (*Hon. Adamu Gagdi Yusuf — Kanke/Paskshin/Kanam Federal Constituency*).

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

Committee's Recommendation:**Clause 16: Removal of the Executive Secretary.**

- (1) The Executive Secretary may be removed from office by the President where any circumstances arise which in the opinion of the President makes the Executive Secretary no longer capable of discharging the duties and responsibilities of the office.
- (2) A person appointed as the Executive Secretary to replace the former Executive Secretary shall serve the unexpired term of his predecessor in office or the remainder of the term of the Trust Fund, whichever is shorter (*Hon. Adamu Gagdi Yusuf — Kanke/Paskshin/Kanam Federal Constituency*).

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

Committee's Recommendation:**Clause 17: Staff of the Board of Trustee.**

- (1) The Board of Trustee may appoint such other staff as may, in the opinion of the Board of Trustee, be necessary to assist the Trust Fund in performing its functions under this Bill.
- (2) The terms and conditions of service (including terms and conditions as to the remuneration, payment of allowances and other benefits) of person employed by the Board for the Trust Fund shall be in line with the general conditions of service as obtainable in the Public Service of the Federation.
- (3) The Board of Trustee may appoint, either on transfer or secondment from any Public Service of the Federation, such number of employees required for the effective discharge of the duties of Trust Fund under this Bill (*Hon. Adamu Gagdi Yusuf — Kanke/Paskshin/Kanam Federal Constituency*).

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

Committee's Recommendation:**Clause 18: Severance allowance.**

Service in the Trust Fund shall be for the duration of the Trust Fund and employees of the Trust Fund, in respect of their services, are entitled to other retirement benefits and severance allowances as may be approved by the Board of Trustee (Hon. Adamu Gagdi Yusuf — Kanke/Paskshin/Kanam Federal Constituency).

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

PART IV — FINANCIAL PROVISIONS

Committee's Recommendation:**Clause 19: Fund of the Trust Fund.**

- (1) There is established under this Bill a general fund (in this Bill referred to as "the Fund") for the administration of the Trust Fund.
- (2) The Fund shall consist of:
 - (a) annual budgetary allocation appropriated by National Assembly for the management of the Trust Fund;
 - (b) take-off grants and such other money as may be made available to the Trust Fund to meet the cost of administration; and
 - (c) all other money which may be made available for the running of the Trust Fund (Hon. Adamu Gagdi Yusuf — Kanke/Paskshin/Kanam Federal Constituency).

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

Committee's Recommendation:**Clause 20: Accounts of the Trust Fund.**

- (1) There shall be maintained for the Trust Fund, an account into which shall be paid all money accruing to the Trust Fund under section 4 of this Bill.
- (2) The Board of Trustee shall also open and maintain an account into which shall be paid money received for management of the Trust Fund under section 19 (2) of this Bill.
- (3) The accounts referred to in subsections (1) and (2) shall be managed in accordance with the extant financial regulations.
- (4) The Board of Trustee shall apply the proceeds of:
 - (a) the Trust Fund for the purposes set out in section 5 of the Act; and
 - (b) the money referred to in subsection (2) to meet the cost of administration, including payment of salaries, fees, other remunerations and allowances payable:
 - (i) to members of the Board of Trustee and employees of the Trust Fund, and

- (ii) for payment of experts, professionals and consultants engaged by the Board of Trustee for Trust Fund (*Hon. Adamu Gagdi Yusuf — Kanke/Paskshin/Kanam Federal Constituency*).

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

Committee's Recommendation:

Clause 21: Estimates of expenditure.

The Board of Trustee shall, not later than 30th June of every year, submit to the Minister an estimate of its income and expenditure during the succeeding year (*Hon. Adamu Gagdi Yusuf — Kanke/Paskshin/Kanam Federal Constituency*).

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

Committee's Recommendation:

Clause 22: Borrowing Powers.

- (1) The Trust Fund shall have powers to borrow/seek loans in line with extant rules.
- (2) Borrowing needs to be established by the Navy Board (*Hon. Adamu Gagdi Yusuf — Kanke/Paskshin/Kanam Federal Constituency*).

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

Committee's Recommendation:

Clause 23: Account and audit.

The Board of Trustees shall cause to be kept for the Trust Fund proper accounts and records and when certified by the Board of Trustee, these accounts shall be audited by auditors appointed from the list and in accordance with the guidelines supplied by the Auditor-General for the Federation (*Hon. Adamu Gagdi Yusuf — Kanke/Paskshin/Kanam Federal Constituency*).

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

Committee's Recommendation:

Clause 24: Exemption from tax.

- (1) The Trust Fund is exempted from the payment of income tax on any income accruing from investments made by the Trust Fund or otherwise.
- (2) The provisions of any enactment relating to the taxation of companies or trust funds do not apply to the Trust Fund (*Hon. Adamu Gagdi Yusuf — Kanke/Paskshin/Kanam Federal Constituency*).

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

PART V — SUBMISSION OF REPORTS AND SUPPLEMENTARY PROVISIONS

Committee's Recommendation:

Clause 25: Quarterly report.

The Board of Trustee shall, at the end of every three months, submit to the President a report on its activities and the administration of the Trust Fund (*Hon. Adamu Gagdi Yusuf — Kanke/Paskshin/Kanam Federal Constituency*).

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

Committee's Recommendation:**Clause 26: Annual report.**

The Board of Trustee shall, not later than three months before end of each year, submit to the President a report on the activities and the administration of the Trust Fund during the preceding year and shall include in such reports the auditor's report (Hon. Adamu Gagdi Yusuf — Kanke/Paskshin/Kanam Federal Constituency).

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

Committee's Recommendation:**Clause 27: Power of the President to issue directives.**

The President may give to the Board of Trustee directives of a general nature with regard to the performance by the Board of Trustee of its functions under this Bill for compliance by the Board of Trustee (Hon. Adamu Gagdi Yusuf — Kanke/Paskshin/Kanam Federal Constituency).

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

Committee's Recommendation:**Clause 28: Regulations.**

The Board of Trustee may, with the prior approval of the President, make such regulations deemed necessary or expedient for giving full effect to the provisions of this Bill (Hon. Adamu Gagdi Yusuf — Kanke/Paskshin/Kanam Federal Constituency).

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

Committee's Recommendation:**Clause 29: Transitional provisions.**

Except as provided for under section 2 of this Bill, at the expiration of the six year duration of the Trust Fund referred to in that section, the Trust Fund shall have six months to wind up its activities, including the settlement of all liabilities and thereafter handover all outstanding assets of the Trust Fund to the Nigerian Navy (Hon. Adamu Gagdi Yusuf — Kanke/Paskshin/Kanam Federal Constituency).

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

Committee's Recommendation:**Clause 30: Interpretation.**

In this Bill:

"Board" means the Maritime Security Trust Fund Management Board of Trustee, established under section 7 of this Bill (Hon. Adamu Gagdi Yusuf — Kanke/Paskshin/Kanam Federal Constituency);

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

"due process" means compliances with extant financial rules and regulations on public procurement of goods, works and services (Hon. Adamu Gagdi Yusuf — Kanke/Paskshin/Kanam Federal Constituency).

Question that the meaning of the words "due process" be as defined in the interpretation to this Bill — Agreed to.

"Executive Secretary" means the Executive Secretary of the Trust Fund appointed under section 14 (1) of this Bill (*Hon. Adamu Gagdi Yusuf — Kanke/Paskshin/Kanam Federal Constituency*).

Question that the meaning of the words "Executive Secretary" be as defined in the interpretation to this Bill — Agreed to.

"Minister" means the Minister charged with responsibility for Defence, and Ministry shall be construed accordingly (*Hon. Adamu Gagdi Yusuf — Kanke/Paskshin/Kanam Federal Constituency*).

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

"personnel" means officers and men of the Nigerian Navy, its auxiliary staff and all of its staff, employees or officers within and outside Nigeria (*Hon. Adamu Gagdi Yusuf — Kanke/Paskshin/Kanam Federal Constituency*).

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

"Navy Institutions" includes the Naval Headquarters, Naval Commands, and Naval establishments and facilities (*Hon. Adamu Gagdi Yusuf — Kanke/Paskshin/Kanam Federal Constituency*).

Question that the meaning of the words "Navy Institutions" be as defined in the interpretation to this Bill — Agreed to.

"President" mean President of the Federal Republic of Nigeria; and (*Hon. Adamu Gagdi Yusuf — Kanke/Paskshin/Kanam Federal Constituency*).

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

"Trust Fund" means the Nigerian Maritime Security Trust Fund established under section 3 (1) of this Bill (*Hon. Adamu Gagdi Yusuf — Kanke/Paskshin/Kanam Federal Constituency*).

Question that the meaning of the words "Trust Fund" be as defined in the interpretation to this Bill — Agreed to.

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

Committee's Recommendation:

Clause 31: Citation.

This Bill may be cited as the Nigerian Maritime Security Trust Fund (Establishment) Bill, 2021 (*Hon. Adamu Gagdi Yusuf — Kanke/Paskshin/Kanam Federal Constituency*).

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

SCHEDULE

Section 10 (5)

~~SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD PROCEEDINGS~~

1. Subject to the provisions of this Bill and section 27 of the Interpretation Act, the Board of Trustee may make standing orders regulating its proceedings or those of its committee.
2. The quorum of the Board of Trustee shall be the Chairman and 10 other members, three of whom shall be from the private sector, and the determine the quorum of any committee.
3. The Board of Trusteeshall meet at least four times in each year, and the Board of Trusteeshall meet whenever it is summoned by the Chairman, or if the Chairman is required to do so by notice given to him by at least 10 members of the Board of Trustee, he shall summon a meeting of the Board of Trusteeto be held within 14 days from the date on which the notice was given.
4. At any meeting of the Board of Trustee, the Chairman shall preside but, in his absence, the members present at the meeting shall appoint one of them to preside at the meeting.
5. Where the Board of Trusteedesires to obtain the advice of any person on a particular matter, the Board of Trusteemay co-opt the person to the Board of Trusteefor such period as it deem fit, but a person who is in attendance by virtue of this subparagraph is not entitled to vote at any meeting of the Board of Trusteeand does not count towards a quorum.
6. All members of the Board of Trusteeshall have equal rights and privileges, and where there is equality in vote, the Chairman shall have a casting vote.

Committees

7. The Board of Trusteemay set up such number of committees to perform, on behalf of the Board of Trusteesuch of its functions as the Board of Trustee may determine.
8. A committee set up under paragraph 7 shall consist of such number of persons (not necessarily members of the Board of Trustee) as may be determined by the Board of Trustee, and the person, other than a member of the Board of Trustee, shall hold office on the committee in accordance with the terms of his appointment.
9. A decision of a committee of the Board of Trusteeis of no effect until it is confirmed or ratified by the Board of Trustee.

Miscellaneous

10. The fixing of the seal of the Trust Fund shall be authenticated by the signature of the Chairman or of any other person authorised generally or specially to act for that purpose by the Board of Trustee.
11. ~~Any contract or instrument made or executed by a person not being a body corporate, that would not be required to be under seal may be made or executed on behalf of the Board of Trusteeby the Chairman or any person generally or specifically authorised to act for that purpose by the Board of Trustee.~~
12. Any document purporting to be a document duly executed under the seal of the Trust Fund shall be received in evidence and is, unless the contrary is proved, presumed to be so executed.

13. The validity of any proceeding of the Board of Trusteeor committee is not adversely affected by:
- (a) any vacancy in the membership of the Board of Trusteeor committee;
 - (b) any defect in the appointment of a member of the Board of Trusteeor of a committee;

or
reason that a person not entitled to do so took part in the proceedings of the Board of Trusteeor committee (*Hon. Adamu Gagdi Yusuf — Kanke/Paskshin/Kanam Federal Constituency*).

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

Explanatory Memorandum:

This Bill seeks to establish the Nigerian Maritime Security Trust Fund to among other things, provide funds for platform acquisition, provision of state of the art security equipment and other related facilities for the Nigerian Navy and for the training and retraining of personnel for the enhancement of the institutional capacities of the Nigerian Navy as well as its preparedness to effectively discharge its constitutional duties (*Hon. Adamu Gagdi Yusuf — Kanke/Paskshin/Kanam Federal Constituency*).

Agreed to.

Long Title:

A Bill for an Act to Establish the Nigerian Maritime Security Trust Fund for the Purpose of Training, Provision of Security Equipment, and Related Facilities, Enhance the Skills of the Personnel of the Nigerian Navy; and for Related Matters (HB. 1243) (*Hon. Adamu Gagdi Yusuf — Kanke/Paskshin/Kanam 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 Navy on a Bill for an Act to Establish Nigerian Maritime Trust Fund for the Purpose of Training, Provision of Security Equipment, and Related Facilities, enhance the Skills of the Personnel of the Nigerian Navy; and for Related Matters (HB. 1243) and approved Clauses 1 - 31, the Schedule, the Explanatory Memorandum, and the Long Title of the Bill.

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

18. Adjournment

That the House do adjourn till Tuesday, 28 September, 2021 at 11.00 a.m. (Hon. Peter Akpatason — Deputy House Leader).

The House adjourned accordingly at 1.18 p.m.

Ahmed Idris
Deputy Speaker

