



SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS (1)

Wednesday, 13th October, 2021

1. The Senate met at 10:37 a.m. The President of the Senate read prayers.

2. Votes and Proceedings:
The Senate examined the Votes and Proceedings of Tuesday, 12th October, 2021.

Question was put and the Votes and Proceedings were approved.

3. Petitions:

(a) Rising on Order 41, Senator Patrick A. Akinyelure (*Ondo Central*) drew the attention of the Senate to five (5) petitions received from the Office of the President of the Senate as follows:

(i) Timlok Fyenda Esq., against the Managing Director, Nigerian Airspace Management Agency, Director of Administration and two others over an alleged prevention from to write his promotion examination;

(ii) Peachtree Solicitors on behalf of Chief Waheed Muraini (Baale of Fowowawo) in Obadfermi Owode LGA of Ogun State against Sufi Taiwo Ogunleye and 2 others over an alleged forceful take over of his land and threats to lives;

(iii) Egbo A. Ekene against Mr. Attah Ikharo, Chairman, FCTA Ministerial Task Team over an alleged demolition of his property at Iddo Sarki, Abuja;

(iv) Festus Olu Bewaji against Mr. John Olatunde Ayeni of Ibadan Electricity Distribution Company PLC over an alleged corrupt practices and sabotage; and

(v) Liman, Liman and Co., on behalf of Messrs Hiuna Nigeria Limited against the Federal Ministry of Defence, the Nigerian Army and the Nigerian Defence Academy over the sum of ₦9,387,620,666.42 owed it for supply of accouterments and uniform embellishment.

He urged the Senate to look into the matters.

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

- (b) Rising on Order 41, Senator Ovie A. Omo-Agege (*Delta Central*) drew the attention of the Senate to a petition from U.K. Mariere & Co., on behalf of AIP Onovughe Dickson against the Nigerian Correctional Service over an alleged dismissal of his client from the Service.

He urged the Senate to look into the matter.

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

- (c) Rising on Order 41, Senator Matthew A. Urhoghide (*Edo South*) drew the attention of the Senate to a petition from Eghobamien & Eghobamien on behalf of Venerable Peter Elakhe Ayeni against Union Homes Savings and Loans Limited over an alleged breach of trust and inability of his client to access his fund deposited in the Company.

He urged the Senate to look into the matter.

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

4. **Personal Explanation:**

Rising on Order 43, Senator Emmanuel Bwacha (*Taraba South*) drew the attention of the Senate to the demise of Dr. Shekarau Angyu Masa-Ibi, Kuvyo II, the Aku Uka of Wukari and Chairman Taraba State Council of Traditional Rulers on Sunday, 10th October, 2021. He stated that the Late Aku Uka of Wukari was born into the royal family of the Jukun Kingdom and was enthroned as the 24th Aku Uka on the 24th November, 1976. The late Aku Uka served the nation in various capacities, and at different times served as Chancellor of University of Ilorin, Federal University of Technology Owerri and Federal University Lafia, Nasarawa State. He urged the Senate to observed a minute silence in honour of the deceased.

One minute silence accordingly observed in honour of the deceased.

5. **Presentation of Bills:**

- (i) Federal Medical Centre Hong, Adamawa State (Establishment) Bill, 2021 (HB. 1012) — *Read the First Time.*
- (ii) Federal Medical Centre Kabba, Kogi State (Establishment) Bill, 2021 (SB. 664) — *Read the First Time.*
- (iii) Federal University of Agriculture Ogoja, Cross River State (Establishment) Bill, 2021 (SB. 809) — *Read the First Time.*
- (iv) Nigerian Oil Research Development Board Bill, 2021 (SB. 831) — *Read the First Time.*
- (v) Weights and Measures Implementation Agency Bill, 2021 (SB. 833) — *Read the First Time.*

6. **Committee on Establishment and Public Service:**

Report on the Confirmation of the Nomination of Hon. Amaechi Nwoha for appointment as Commissioner representing South-East in the National Assembly Service Commission:

Motion made: That the Senate do receive and consider the Report of the Committee on Establishment and Public Service on the Confirmation of the nomination of Hon. Amaechi Nwoha for appointment as Commissioner representing South-East in the National Assembly Service

Commission (*Senator Smart Adeyemi — Kogi West*).

Question put and agreed to.

Report Laid and presented.

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

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF THE CONFIRMATION AND NOMINATION OF HONOURABLE AMAECHI NWOHA FOR APPOINTMENT AS COMMISSIONER REPRESENTING SOUTH-EAST IN THE NATIONAL ASSEMBLY SERVICE COMMISSION.

Nominee recommended for confirmation:

Hon. Amaechi Nwoha

— *Agreed to.*

Chairman to report progress.

(SENATE IN PLENARY)

The President of the Senate reported that the Senate in the Committee of the Whole considered the Report of the Committee on Establishment and Public Service on the Confirmation of the nomination of Hon. Amaechi Nwoha for appointment as Commissioner representing South-East in the National Assembly Service Commission and approved the nomination.

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

Confirmation of nomination:

Question:

“Will the Senate confirm the nomination of Hon. Amaechi Nwoha for appointment as Commissioner representing South-East in the National Assembly Service Commission?” — *Resolved in the Affirmative.*

Nomination of Hon. Amaechi Nwoha for appointment as Commissioner representing South-East in the National Assembly Service Commission accordingly confirmed.

7. Climate Change Bill, 2021 (HB. 357) - Concurrence:

Motion made: That a Bill for an Act to Provide for the Mainstreaming of Climate Change Actions, Establish the National Council on Climate Change; and for Other Related Matters, 2021 be read the Second Time (*Senate Leader*).

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committee of the Whole.

Motion made: Pursuant to Rule 81, that the Senate do resolve into the Committee of the Whole to Consider a Bill for an Act to Provide for the Mainstreaming of Climate Change Actions, Establish the National Council on Climate Change; and for Other Related Matters, 2021

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO PROVIDE FOR THE MAINSTREAMING OF CLIMATE CHANGE ACTIONS, ESTABLISH THE NATIONAL COUNCIL ON CLIMATE CHANGE; AND FOR OTHER RELATED MATTERS, 2021

PART I - OBJECTIVES AND APPLICATIONS

Clause 1: Objectives.

This Bill seeks to provide a framework for achieving low Green House Gas Emission (GHG), inclusive green growth and sustainable economic development by -

- (a) ensuring that Nigeria formulates programmes for achieving its long-term goals on climate change mitigation and adaptation;
- (b) facilitating the coordination of climate change action needed to achieve long-term climate objectives;
- (c) mainstreaming climate change actions in line with national development priorities;
- (d) facilitating the mobilization of finance, and other resources necessary to ensure effective action on climate change;
- (e) ensuring that climate change policies and actions are integrated with other related policies for promoting socio-economic development and environmental integrity;
- (f) by setting a target for the year 2050 - 2070 for the attainment of a net-zero GHG emission; in line with Nigeria's international climate change obligations;
- (g) identifying risks and vulnerabilities, building resilience and strengthening existing adaptive capacities to the impacts of climate change;
- (h) implementing mitigation measures that promote low carbon economy and sustainable livelihoods; and
- (i) ensuring that private and public entities comply with stated climate change strategies, targets and National Action

Committee's Recommendation:

That the provision in Clause 1 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 2: Application.

This Bill shall apply to the Ministries, Departments and Agencies of the Federal Government of Nigeria (MDAs), and to public and private entities within the territorial boundaries of Nigeria for the development and implementation of mechanisms geared towards fostering low carbon emission, environmentally sustainable and climate resilient society

PART II — ESTABLISHMENT OF THE
NATIONAL COUNCIL ON CLIMATE CHANGE

Committee's Recommendation:

That the provision in Clause 2 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 3: Establishment of the National Council on Climate Change.

- (1) There is established the National Council on Climate Change (in this Bill referred to as "The Council"), which shall be vested with the powers to make policies and decisions on all matters concerning climate change in Nigeria.
- (2) The Council shall be a body corporate with perpetual succession and a common seal, and may sue and be sued in its corporate name.
- (3) The affixing of the seal shall be authenticated by the Chairman of the Council.
- (4) The Council shall pay to its members such allowances, as may be determined by the Salaries and Wages Commission

Committee's Recommendation:

That the provision in Clause 3 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 4: Functions and Powers of the Council.

The Council shall —

- (a) coordinate the implementation of sectoral targets and guidelines for the regulation of GHG emissions and other anthropogenic causes of climate change;
- (b) approve and oversee the implementation of the National Climate Change Action Plan, (in this Bill referred to as "Action Plan");
- (c) administer the Climate Change Fund established under this Bill;
- (d) ensure the main streaming of climate change into the national development plans and programmes;
- (e) formulate policies and programmes on climate change to serve as the basis for climate change planning, research, monitoring, and development;

- (f) formulate guidelines for determining vulnerability to climate change impact and adaptation assessment, and facilitate the provision of technical assistance for their implementation and monitoring;
- (g) recommend legislative, policy, appropriation, and other measures for climate change adaptation, mitigation, and other related activities;
- (h) mobilize financial resources to support climate change actions;
- (i) collaborate with the Federal Inland Revenue Service to develop a mechanism for carbon tax in Nigeria;
- (j) collaborate with the Federal Ministry responsible for Environment and the Federal Ministry responsible for Trade to develop and implement a mechanism for carbon emission trading;
- (k) review international agreements related to climate change and make the necessary recommendation for ratification and compliance by the government on matters pertaining thereto;
- (l) disseminate information on climate change, local vulnerabilities and risk, relevant laws and protocols, and adaptation and mitigation measures;
- (m) advice and recommendations on technical, scientific, and legal matters relating to Climate Change, in accordance with the provisions of this Bill;
- (n) acquire, hold, or dispose of any property, whether movable or immovable, for the purposes of performing its functions;
- (o) supervise the activities of and recommendations by the Secretariat of the National Council on Climate Change with the aim of attaining the objectives of this Bill;
- (p) collaborate with the Nigeria Sovereign Green Bond in meeting Nigeria's NDCs; and
- (q) perform such other functions necessary for the fulfilment of the objectives of this Bill

Committee's Recommendation:

That the provision in Clause 4 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 5: Membership and of the Council.

- (1) The Council shall consist of —
 - (a) the President of the Federal Republic of Nigeria, who shall Head the Council, as Chairman;
 - (b) the Vice-President of the Federal Republic of Nigeria, who shall be the Vice Chairman;

- (c) the Minister responsible for Environment;
- (d) the Minister responsible for Petroleum Resources;
- (e) the Minister responsible for Budget and National Planning;
- (f) the Minister of Justice;
- (g) the Minister responsible for Mines and Steel Development;
- (h) the Minister of Finance;
- (i) the Minister responsible for Agriculture and Rural Development;
- (j) the Minister responsible for Power;
- (k) the Minister responsible for Women Affairs;
- (l) the Minister responsible for Transportation;
- (m) the Minister responsible for Water Resources;
- (n) the Governor of the Central Bank of Nigeria;
- (o) National Security Adviser;
- (p) the Chairman of the Nigerian Governors' Forum;
- (q) the President of Association of Local Government of Nigeria;
- (r) a representative of the private sector on climate change or environment related matters, nominated by the most representative registered national umbrella association;
- (s) a representative of —
 - (i) women,
 - (ii) youths, and
 - (iii) persons with disabilities, to each be nominated by the most representative registered national umbrella association;
- (t) a representative of environment related Civil Society Organizations (CSO), appointed by the President, on the recommendation of the Minister responsible for Environment; and
- (u) the Director-General of the National Council on Climate Change, who shall be the Secretary.

- (2) The Council shall meet, as and when necessary, for the performance of the functions under this Bill; and the proceedings of the Council shall be set out in the Schedule to this Bill.
- (3) Members of the Council except the Director-General shall serve on part time basis.
- (4) Members of the Council, referred to in Section 4 (r) - (t) of this section other than ex-officio members, shall hold office —
 - (a) for a term of 4 years, and shall not be eligible for reappointment; and
 - (b) on such terms and conditions, as may be specified in the letter of appointment

Committee's Recommendation:

That the provision in Clause 5 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 6: Cessation of Membership.

- (1) A member may cease to hold office, where the Member —
 - (a) resigns appointment by giving a one-month notice, addressed to the Council;
 - (b) is of unsound mind;
 - (c) becomes bankrupt;
 - (d) is convicted of a criminal offence or found guilty of sabotaging Nigeria's efforts to meet her climate change mitigation and adaptation obligations; or
 - (e) dies.
- (2) Where vacancy occurs in the membership of the Council, in respect of a member referred to in Section 4 (r) - (t) of this Bill, it shall be filled with the appointment of a successive representative to complete the remainder of the term of office of that predecessor

Committee's Recommendation:

That the provision in Clause 6 be retained (*Senate Leader*) — *Agreed to.*

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

PART III — ADMINISTRATION AND CONTROL OF THE
NATIONAL COUNCIL ON CLIMATE CHANGE

Clause 7: Establishment of the Secretariat of the National Council on Climate Change.

- (1) There is established for the Council, a Secretariat, which shall be the administrative, including secretarial and clerical, scientific and technical arm of the Council and exercise the functions and duties assigned to it in this Bill.

- (2) The Council shall have powers to establish for the Secretariat, offices, including zonal and state offices, committees, and such other administrative apparatus, as it may deem necessary to facilitate the proper implementation of this Bill

Committee's Recommendation:

That the provision in Clause 7 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 8: Functions of the Secretariat.

- (1) The Secretariat shall —
- (a) advise and assist the Council in the performance of the Council's functions and duties in accordance with the objectives set under this Bill;
 - (b) be responsible for the monitoring, verification and reporting on the extent to which the national emission profile is consistent with the carbon budget;
 - (c) be responsible for the monitoring, verification and reporting on the progress of the implementation of the Action Plan;
 - (d) periodically review the Action Plan;
 - (e) provide analytical and technical support for the drafting of climate change policies and action plans, and monitoring their implementation;
 - (f) collect data and projections, and disseminate information on climate risks, climate impact, and carbon budget;
 - (g) prepare and serve on MDAs, and private and public entities guidelines necessary for the actualization of climate change targets, set out in the Action Plan;
 - (h) provide copies of all climate change reports and related documents to enable a transparent assessment of the extent to which, MDAs, and private and public entities operating within the territory of Nigeria are in compliance with the provisions of this Bill, and such other subsidiary legislation and guidelines made pursuant to this Bill;
 - (i) collaborate with the Federal Ministry responsible for Environment to provide copies of all climate change reports and related documents to meet the Nation's international climate obligations on climate change;
 - (j) provide analytical, scientific and technical advice to the Council on climate science, including sources of emissions, climate risks and options for mitigation and adaptation; and

- (k) perform such other functions, as may be assigned to it by the Council

Committee's Recommendation:

That the provision in Clause 8 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 9: Powers of the Secretariat.

In carrying out its functions under this Bill, the Secretariat shall have powers, subject to the approval of the Council, to —

- (a) request reports, data, document or any information necessary to performing its function under this Bill;
- (b) establish and manage a national registry for capturing mitigation and adaptation actions by public and private entities;
- (c) mobilize financial resources to support climate change actions;
- (d) visit the premises of MDAs, and private and public entities for the purposes of monitoring, verifying and reporting of emission profile or the collection of any other data necessary to undertake the functions and duties prescribed in this Bill; and
- (e) do such other things, as may approved by the Council

Committee's Recommendation:

That the provision in Clause 9 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 10: Appointment, Qualifications, and Tenure of the Director-General.

- (1) There shall be for the Secretariat, a Director-General, who shall be appointed by the President, on the recommendation of the Council, and see to the day to day administration of the Council.
- (2) The Director-General shall —
 - (a) hold a minimum of a Master's Degree in any Environmental related field;
 - (b) have at least 10 years cognate experience in climate change policy development and implementation, and have an understanding of the international climate policy landscape; and
 - (c) have experience in developing, implementing and managing projects on climate change at national and international level.
- (3) The Director-General —
 - (a) shall hold office —
 - (i) for a term of four years, and may be re-appointed for another term, and no more, and

- (ii) on such terms and conditions, as may be specified in the letter of appointment; and
- (b) may resign from office by giving a one-month notice, addressed to the President.
- (4) The President shall, without notice, terminate the appointment of the Director-General, where the Director-General —
 - (a) fails to meet the functions stipulated in this Bill; or
 - (b) on other grounds specified under Section 6 (1) (b)-(d) of this Bill

Committee's Recommendation:

That the provision in Clause 10 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 11: Principal Officers of the Council.

- (1) The Council shall appoint —
 - (a) six Zonal Coordinators from the six geo-political zones of Nigeria;
 - (b) State Directors for each state of the Federal Republic of Nigeria; and
 - (c) such other persons, as may be required to pursue the objectives of this Bill.
- (2) Zonal Coordinators and State Directors appointed under this section shall—
 - (a) be appointed by the Council on the recommendation of the Minister responsible for Environment;
 - (b) hold a degree in any Environmental related field;
 - (c) have at least five years cognate experience in climate change policy design and implementation;
 - (d) hold office for a term of fours, without any option of renewal; and
 - (e) resign from office by giving a one-month notice, addressed to the Council.
- (3) The Council shall, without notice, terminate the appointment of a Zonal Coordinator or State Director, in the event of —
 - (a) failing to comply with duties prescribed by the Council or the provisions of this Bill; or
 - (b) on other grounds specified under Section 6 (1) (b)-(d) of this Bill.

- (4) Where vacancy occurs under subsection (2) (d) or (3) of this section or in the event of death, the Council shall, in respect of filling the office of -
- (a) a Zonal Coordinator, appoint a qualified person from the same state, as the predecessor, to complete the remainder of the term; or
 - (b) a State Director, appoint a qualified person from the same senatorial district, as the predecessor, to complete the remainder of the term.
- (5) The Council shall ensure that in respect of appointment made under Section 11 (1) of this Bill —
- (a) each state of a geographical zone shall produce a Zonal Coordinator; and
 - (b) each senatorial district shall produce a State Director, on rotational basis

Committee's Recommendation:

That the provision in Clause 11 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 12: Remuneration of the Director-General and Principal Officers.

Notwithstanding the provision of any Act, the Director-General and principal officers referred to in Section 11 of this Bill shall be paid such remuneration and allowances, as may be determined by the Salaries and Wages Commission

Committee's Recommendation:

That the provision in Clause 12 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 13: Staff of the Council.

- (1) The Secretariat may, with the approval of the Council, appoint such staff and employees, as it deems necessary and expedient.
- (2) Subject to the Pension Reform Act, the terms and conditions of service, including the remunerations, allowances, benefits, and pensions of staff and employees, shall be determined by the Secretariat on the approval of the Council.
- (3) Without prejudice to the provisions of subsection (2) of this section, nothing in this Bill shall prevent the appointment of a person to any office on conditions which preclude the grant of pension and other retirement benefits in respect of that office.
- (4) The Council shall make staff regulations relating generally to the conditions of service of the staff, and without prejudice to the generality of the foregoing, such regulations may provide for the appointment, promotion, transfer and disciplinary control of staff of the Council

Committee's Recommendation:

That the provision in Clause 13 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 14: Retirement from the Service.

The provisions of the Public Service Rules on retirement from service shall apply to staff of the Council

Committee's Recommendation:

That the provision in Clause 14 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 15: Climate Change Fund.

- (1) There is established a Climate Change Fund (in this Bill referred to as "the Fund"), to be maintained by the Council, into which shall be paid —
 - (a) sums appropriated by the National Assembly for the running of the Council;
 - (b) subventions, grants and donations, fees and charges for services rendered or publications made by the Council;
 - (c) funding from International Organizations and funds due to Nigeria for meeting her Nationally Determined Contributions (NDCs);
 - (d) fines and charges from private and public entities for flouting their Climate Change mitigation and adaptation obligations;
 - (e) carbon tax and emissions trading; and
 - (f) such other funds, as the Council may prescribe from time to time.
- (2) The Fund shall be applied towards the —
 - (a) cost of administration of the Council and offices established under the Council;
 - (b) the payment of emoluments, allowances and benefits of members of the Council, reimbursing members of the Council or any committees set up by the it, and for such expenses incurred while implementing activities expressly authorized by the Council;
 - (c) the payment of salaries, other remuneration or allowances, and other retirement benefits payable to the staff of the Council;
 - (d) the development and maintenance of any property vested in or owned by the Council;
 - (e) climate change advocacy and information dissemination;

- (f) funding innovative climate change mitigation and adaptation projects, subject to the approval of the Council;
 - (g) supporting climate change advocacy and information dissemination;
 - (h) defraying the fees of the auditors and other expenses incurred from auditing the Council;
 - (i) conducting assessment climate change impact on vulnerable communities and population;
 - (j) incentivizing private and public entities for their efforts towards transiting to clean energy and sustaining a reduction in GHG emissions; and
 - (k) any other expenditure in connection with any function of the Council under this Bill.
- (3) The Council shall, by Order, review the source of the Fund and its application

Committee's Recommendation:

That the provision in Clause 15 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 16: Accounts, Audit and Estimate.

- (1) The Secretariat shall —
- (a) keep proper accounts and records of the Council's income and expenditure;
 - (b) prepare and submit to the Council, a comprehensive report of all the activities of the Secretariat; and
 - (c) prepare a statement of account in respect of each financial year.
- (2) The Secretariat shall, as soon as directed by the Council or within six months after the end of the financial year to which the accounts relate, cause the accounts to be audited in accordance with the guidelines supplied by the Auditor-General of the Federation.
- (3) The Secretariat shall, not later than six months to the end of every financial year, prepare and submit through the Council to the National Assembly, the estimates of revenue and expenditure of the Council for the following financial

Committee's Recommendation:

That the provision in Clause 16 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 17: Power to borrow.

The Council may borrow money from financial organizations or other institutions for the purpose of executing its mandate under this Bill

Committee's Recommendation:

That the provision in Clause 17 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 18: Power to accept gifts.

The Council may accept gifts of land, money, or other property on such terms and conditions, as may be specified by the person or organization making the gift; provided that these conditions are not inconsistent with the functions of the Council under this Bill

Committee's Recommendation:

That the provision in Clause 18 be retained (*Senate Leader*) — *Agreed to.*

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

PART V — CARBON BUDGET AND NATIONAL
CLIMATE CHANGE ACTION PLAN, ETC.

Clause 19: Carbon Budget.

- (1) The Federal Ministry responsible for Environment shall on consultation with the Federal Ministry responsible for National Planning —
 - (a) set carbon budget for Nigeria, to keep average increases in global temperature within 2°C and pursue efforts to limit the temperature increase to 1.5°C above pre-industrial levels; and
 - (b) by an Order —
 - (i) set the carbon budget and budgetary period, and
 - (ii) periodically revise the carbon budget, in line with Nigeria's NDCs and with a view to complying with Nigeria's international obligations.
- (2) Prior to setting the pilot carbon budget pursuant to this section, the carbon budget shall be presented through the Council to the Federal Executive Council for approval not later than 12 months from the date that this Bill is assented to by the President.
- (3) Pursuant to subsection (1) of this section, the Federal Ministry responsible for Environment shall, not later than 12 months to the end of the carbon budget cycle, set and submit through the Council to the Federal Executive Council for approval, a new carbon budget for the next carbon budget cycle.
- (4) Where there is a need to review carbon budget within a carbon budget cycle, the Federal Ministry responsible for Environment shall, within three months of the revision of the carbon budget, submit through the Council to the Federal Executive Council for approval.

- (5) Federal Ministry of Environment —
- (a) shall publish detailed national, regional and sectoral climate vulnerability and risk assessments that will serve as the basis for the adaptation components of the Action Plan; and
 - (b) may by an Order publish Guidelines for Measurement, Reporting and Verification of national emissions that will serve as the basis for the setting and annual review of the carbon budget

Committee's Recommendation:

That the provision in Clause 19 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 20: National Climate Change Action Plan.

- (1) The Secretariat, in consultation with the Federal Ministries responsible for Environment, and Budget and National Planning, respectively, shall formulate an Action Plan in every five-year cycle.
- (2) The pilot Action Plan shall be produced, not later than 12 months from the commencement of this Bill.
- (3) Before the presentation of the Action Plan to the Council and Federal Executive Council, respectively for approval, it shall first be published to the general public for consultation for a period not less than eight weeks, ending 14 days before of its presentation to the Council.
- (4) The Action Plan shall —
 - (a) serve as a basis for —
 - (i) identifying the activities aimed at ensuring that the national emissions profile is consistent with the carbon budget goals, and
 - (ii) establishing national goals, objectives and priorities on climate adaptation;
 - (b) prescribe measures and mechanisms for —
 - (i) identifying and assessing risks, vulnerabilities and extremes of impact of climate change on vulnerable communities and population, and eco-systems;
 - (ii) setting out actions for main streaming climate change responses into sector functions,
 - (iii) identifying actions for adaptation and mitigation against climate change,
 - (iv) geared towards main streaming climate change disaster risk reduction actions in development programmes,
 - (v) setting out a structure for public awareness and engagement in climate change actions,

- (vi) identifying strategic areas of national infrastructure requiring climate proofing,
 - (vii) to enhance energy conservation, efficiency and use of renewable energy in industrial, commercial, transport, domestic and other uses,
 - (viii) for reviewing levels and trends of greenhouse gas emissions, and
 - (ix) for achieving Nigeria's climate change goals;
- (c) make provision for research, planning, and action on climate change mitigation and adaptation; and
- (d) contain a projection of fiscal and budgetary needs, for the execution of climate change projects and related activities.
- (5) The components of the Action Plan shall include —
- (a) an articulated carbon budget for the five-year cycle, consistent with the carbon budget;
 - (b) an articulated annual carbon budget for each of the years that make up the five-year cycle;
 - (c) past, current and projected GHG emission profile of GHG emission sectors of the economy;
 - (d) details of past, current and proposed climate mitigation and adaptation actions across the sectors of the economy including the rationale, costs, funding source and benefit of such action;
 - (e) details on the level of compliance with international climate commitments; and
 - (f) proposed incentives for private and public entities, which achieve GHG emission reduction.

Committee's Recommendation:

That the provision in Clause 20 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 21: Report to the National Assembly.

- (1) The Director-General shall, within one year of formulating the Action Plan for the first five-year cycle, and for subsequent other cycles, submit to the Council and National Assembly Committees on Climate Change, a detailed report on the state of the nation with regards to climate change.
- (2) The report shall include —
 - (a) progress on the implementation of the national action plan;

- (b) the extent to which GHG emission profile is consistent with annual carbon budget;
 - (c) identification of the vulnerable areas to the impacts of climate change;
 - (d) the identification of differential impacts of climate change on men, women and children;
 - (e) the assessment and management of risks and vulnerability;
 - (f) the identification of GHG mitigation and adaptation potential;
 - (g) the identification of options, prioritization of appropriate mitigation and adaptation measures for joint projects of national, State, and Local Governments as well as the private sector;
 - (h) identification of the efforts being made by public and private entities in attaining the carbon budget;
 - (i) incentives granted private and public entities for their efforts towards transiting to clean energy and sustaining a reduction in GHG emissions, and
 - (j) fines issued against private and public entities for non-compliance with the provisions of this Bill.
- (3) The Director-General shall, within three months after the end of every financial year, publish publicly and submit to the National Assembly, an evaluation report on performance of climate change duties by private and public entities

Committee's Recommendation:

That the provision in Clause 21 be retained (*Senate Leader*) — *Agreed to.*

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

PART VI — OBLIGATIONS RELATING TO CLIMATE CHANGE

Clause 22: Climate Change Obligations of Ministries, Departments and Agencies (MDAs).

- (1) MDAs shall establish a climate change desk to be supervised by an officer not below the Directorate cadre, who shall be responsible for ensuring integration of climate change activities into their core mandate.
- (2) The Desk Officer referred to in subsection (1) of this section shall ensure adequate planning and budgeting for all climate change programmes, projects and activities.
- (3) The Ministry responsible for Finance, Budget, and National planning shall ensure that all budget proposals submitted by MDAs have been properly vetted and costed for climate change considerations, and that adequate

allocation is provided for them under appropriate sub-heads in the annual budget.

- (4) MDAs shall adhere to the annual carbon emission reduction targets, in line with the Action Plan and carbon budget made pursuant to this Bill.
- (5) Any Ministry, Department, or Agency which fails to meet its carbon emission reduction target shall be subjected to a review and its principal officers upon being found liable sanctioned and where appropriate fined as determined by the Council.
- (6) Where an evaluation report from an MDA discloses unsatisfactory performance -
 - (a) the Secretariat shall undertake investigations and report its findings to the Council; and
 - (b) the Council acting on that report may recommend appropriate measures and sanctions

Committee's Recommendation:

That the provision in Clause 22 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 23: Climate Change Obligations of Public Entities.

The Council may by Regulations -

- (a) impose obligations relating to climate change on any public entity, from time to time, and
- (b) vary or revoke any such obligations, where necessary

Committee's Recommendation:

That the provision in Clause 23 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 24: Climate Change Obligations of Private Entities.

- (1) Any private entity with employees numbering 50 and above, shall -
 - (a) put in place measures to achieve the annual carbon emission reduction targets in line with the Action Plan; and
 - (b) designate a Climate Change Officer or an Environmental Sustainability Officer, who shall submit to the Secretariat, through the State Director, annual reports on the entity's efforts at meeting its carbon emission reduction and climate adaptation plan.
- (2) A private entity that fails to meet its target, as specified in Section 25 (1) of this Bill shall be liable to a fine to be determined by the Council, relying on a system of Environmental Economic Accounting with attention on the health impacts, impact on climate variation, and total damage to ecosystem services.

- (3) Notwithstanding the provisions in this Bill, the Council may by notice in the Gazette, require a private entity under this Bill -
- (a) to prepare reports on the status of its performance of its climate change obligations, and prescribe the period for reporting; or
 - (b) who fails to comply with its climate change obligations, to prepare a report within a specified time, on its past and current actions, and future actions to be taken to secure future performance with those obligations

Committee's Recommendation:

That the provision in Clause 24 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 25: Partnership with Civil Society Organizations (CSOs).

- (1) The Secretariat, with the approval of the Council, shall work in partnership with the Federal Ministry of Environment, CSOs, women, youths, and others, to monitor plans, programmes, projects, engage in climate advocacy and any related activities.
- (2) In pursuance of the partnership referred to in subsection (1) of this Section, the Secretariat shall, upon request and in line with the Freedom of Information Act, furnish the CSOs, youth, women, and others, data and such other information relevant to Nigeria's drive for climate change mitigation and adaptation

Committee's Recommendation:

That the provision in Clause 25 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 26: Climate Change Education.

- (1) The Secretariat shall, with the approval of the Council, advise the MDAs responsible for regulation of educational curriculum in Nigeria on the integration of climate change into the various disciplines and subjects across all educational levels.
- (2) The Secretariat shall, with the approval of the Council may -
 - (a) partner with MDAs referred to in subsection (1) of this section; or
 - (b) support scientific researches and other similar projects, relevant to the formulation and development of educational curricula and programmes geared towards adaptation and risk mitigation

Committee's Recommendation:

That the provision in Clause 26 be retained (*Senate Leader*) — *Agreed to.*

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

PART VII - NATURE-BASED SOLUTIONS

Clause 27: Nature-based solutions.

The Council shall promote and adopt nature-based solutions to reducing GHG emissions and mitigating climate change issues in Nigeria

Committee's Recommendation:

That the provision in Clause 27 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 28: Establishment of the REDD+ Registry.

- (1) The Federal Ministry responsible for Environment shall set up a registry with sub-national nodes, for capturing REDD+ activities in Nigeria, including updates on Forest Reference Emission Level (FREL).
- (2) In this section, "REDD+" means Reducing Emissions from Deforestation and Forest Degradation and the role of conservation, sustainable management of forests and the enhancement of forest carbon stocks.
- (3) The Council may in fulfilment of Nigeria's climate change obligations, provide fiscal support for REDD+ activities

Committee's Recommendation:

That the provision in Clause 28 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 29: Natural Capital Accounts and National Development Plans.

- (1) The Council shall collaborate with and equip the National Bureau of Statistics with developing Nigeria's Natural Capital Accounts.
- (2) The data from the Natural Capital Accounts shall be made available to MDAs, and used in policy formulation and development of Action Plan, in line with the carbon budget.
- (3) The Ministry responsible for Finance, Budget, and National Planning shall ensure that the data referred to in subsection (2) of this section is captured in the National Development Plan and expenditure framework, as a means of measuring the impact of climate change on sustainable development

Committee's Recommendation:

That the provision in Clause 29 be retained (*Senate Leader*) — *Agreed to.*

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

PART VIII - MISCELLANEOUS PROVISIONS

Clause 30: Public Engagement Strategy.

- (1) The Secretariat shall, not later than six months to the end of every year, prepare and publish its public engagement strategy for the following year.

- (2) The public engagement strategy sets out the modalities to be adopted towards achieving the objectives under this Bill, such as -
 - (a) informing the public about the National Climate Change Action Plan;
 - (b) identifying actions and encouraging the public to contribute to the achievement of the objectives of the Action Plan and this Bill.
- (3) The Council shall -
 - (a) when the need arises, review the public engagement strategy; and
 - (b) within one month of the review, publish the reviewed public engagement strategy in the Federal Gazette

Committee's Recommendation:

That the provision in Clause 30 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 31: Conflicts of Interest.

- (1) A member of the Council, or staff or employee of the Council, who has interest in any matter before the Council for consideration shall disclose in writing the nature of such interest.
- (2) The member, or staff or employee referred to in sub-paragraph (1) of this paragraph, shall be disqualified from participating in any deliberation in respect of the matter.
- (3) The disclosure of interest made in subsection (1) of this section shall be recorded in the minutes of the meeting.
- (4) A person, who contravenes subsection (1) of this section commits an offence and is liable on conviction to -
 - (a) a fine not exceeding ₦1,000,000 or to imprisonment for a term not exceeding one year; and
 - (b) forfeit any benefit that derives from the non-disclosure.
- (5) No member, staff or employee of the Council shall transact any business or trade with the Council

Committee's Recommendation:

That the provision in Clause 31 be retained (*Senate Leader*) — *Agreed to.*

Question that Clause 31 do stand part of the Bill, put and agreed to.

Clause 32: Regulations.

- The Council may make regulations -
- (a) requiring private and public entities, to report annually on GHG reductions and reduction measures, and have corporate climate change responsibilities;

- (b) sectoral and cross-sectoral GHG emission reductions;
- (c) to supervise market-based mechanisms and instruments relating to climate change;
- (d) to provide fiscal incentives for the -
 - (i) promotion of GHG emission reduction, and
 - (ii) encouragement of private sector participation in climate actions;
- (e) creating further offences, deriving from non-compliance with the provisions of any Regulation made pursuant to this Bill, and penalties for such offences; and
- (f) as is necessary for the carrying into effect the provisions of this Bill

Committee's Recommendation:

That the provision in Clause 32 be retained (*Senate Leader*) — *Agreed to.*

Question that Clause 32 do stand part of the Bill, put and agreed to.

Clause 33: Limitation of suits.

- (1) Subject to the provisions of this Bill, the provisions of the Public Officers Protection Act shall apply in relation to any suit instituted against any staff or employee of the Council.
- (2) Notwithstanding anything contained in any other law, no suit shall be instituted against the Council, member of the Council, or staff or employee of the Council for any act done in pursuance or execution of this Bill or any other law, provided the suit is commenced -
 - (a) within three months after the act, neglect, or default complained of; or
 - (b) in the case of a continuation of damage or injury, within six months after the ceasing of such damage or injury

Committee's Recommendation:

That the provision in Clause 33 be retained (*Senate Leader*) — *Agreed to.*

Question that Clause 33 do stand part of the Bill, put and agreed to.

Clause 34: Offences.

- (1) A person, or private or public entity that acts in a manner that negatively affects efforts towards mitigation and adaptation measures made pursuant to this Bill commits an offence and is liable to penalty to be determined by the Council.
- (2) A Court before which a suit regarding climate change or environmental matters is instituted may make an order -
 - (a) to prevent, stop or discontinue the performance of any act that is harmful to the environment;

- (b) compelling any public official to act in order to prevent or stop the performance of any act that is harmful to the environment;
- (c) of compensation to the victim directly affected by such acts that are harmful to the environment

Committee's Recommendation:

That the provision in Clause 34 be retained (*Senate Leader*) — *Agreed to.*

Question that Clause 34 do stand part of the Bill, put and agreed to.

Clause 35: Interpretation.

In this Bill, unless the context otherwise requires -

"Action Plan" means to the National Climate Change Action Plan

"adaptation" means the process of adjustment to actual or expected climate and its effects

"adaptation measure" means any action taken or intervention to help communities and ecosystems cope with changing climate conditions

"adaptive capacity" refers to the ability of systems, institutions, humans and other organisms to adjust to the consequences of climate change, taking into cognizance available opportunities

"Carbon Budget" means the approved quantity of Greenhouse Gases emission that is acceptable over a specified time

"Chairman" refers to the Chairman of the Council

"climate" is defined as the average weather condition, as the statistical description in terms of the mean and variability of relevant quantities over a period of time

"Climate Change" means a change of climate, which is attributed directly or indirectly to human activity or natural climate variability that alters the composition of the global atmosphere and which is in addition to natural climate variability observed over comparable time periods

"climate change duties" means the statutory obligations conferred on public and private entities to implement climate change actions consistent with the national goal of low carbon climate resilient development, including mitigation measures and adaptation measures

"climate change resilience" means the capability to maintain competent function and return to some normal range of function even when faced with adverse impact of climate change

"climate variability" means the variability in the average state and in other statistics of the climate on all temporal and spatial scales beyond that of individual weather events

"Council" means the National Council on Climate Change established under this Bill

"emissions", means the production and discharge of greenhouse gases into the atmosphere as a result of human activity

"Fund" means financial resources established pursuant to this Bill

"greenhouse effect" refers to the natural process by which heat from the sun's energy is trapped by a layer of gases surrounding the earth to keep it warm

"greenhouse gases" or "GHG" means the constituents of the atmosphere that contribute to the Greenhouse effect and includes but is not limited to:

- (a) carbon dioxide,
- (b) methane,
- (c) nitrous oxide,
- (d) hydro fluorocarbons,
- (e) per fluorocarbons,
- (f) sulphur hexafluoride, and
- (g) indirect greenhouse gases

"international climate change obligations" means those Nigeria's commitments under international Conventions on climate change and other environmental matters

"mainstreaming" means the integration of climate change actions into the policies and decisions of government

"MDA" refers Ministries, Departments and Agencies of the Federal Government of Nigeria

"mitigation" or "mitigation measures" in the context of climate change, means the efforts that seek to prevent or slow down the increase of atmospheric greenhouse gas concentrations by limiting current or future emissions and improving potential sinks for greenhouse gases

"Nationally Determined Contributions" or "NDCs" means national climate plans highlighting climate actions, including climate related targets, and policies and measures that government aims to implement in response to climate change, and as a contribution to global climate action

"National Policy" refers to the National Climate Change Policy and Response Strategy prepared by the Department of Climate Change and approved by the Federal Executive Council

"private entity" means a person or body with functions of a private nature and includes bodies registered under the Companies and Allied Matters

"public entity" means an organization or body providing services to the public on behalf of Nigerian government

"Secretariat" means administrative, including secretarial and clerical, scientific and technical arm of the Council

"Secretary" refers to the Secretary of the National Council on Climate Change, who is also the Director-General administering over the secretariat of the Council

"Sustainable Development Goals" or "SDGs" refers to national aspirations aimed at meeting the needs of the present without compromising the ability of future generations to meet their own needs, including ending poverty and hunger, improving health and education, making cities more sustainable, combating climate change, and protecting waterways and forests, among others

"State Director" means a Principal Officer appointed under Section 11 of this Bill; and

"Zonal Coordinator" refers to the six coordinators appointed under Section 11 of this Bill

Committee's Recommendation:

That the provision in Clause 35 be retained (*Senate Leader*) -- *Agreed to.*

Question that Clause 35 do stand part of the Bill, put and agreed to.

Clause 36: Short Title.

This Bill may be cited as the Climate Change Bill, 2021.

Committee's Recommendation:

That the provision in Clause 36 be retained (*Senate Leader*) — *Agreed to.*

Question that Clause 36 do stand part of the Bill, put and agreed to.

SCHEDULE

MEETINGS OF THE COUNCIL

1. (1) The Council shall meet at such time and place, as the Chairman may determine, at least twice in a year.
- (2) A special meeting of the Council shall be convened upon written request of the Chairman or by a majority decision of members addressed to the Secretary of the Council.
- (3) The Chairman shall preside at any meeting of the Council but in the absence of the Chairman, the Vice-Chairman shall preside at the meeting.
- (4) Decisions shall be determined by a simple majority of members present and voting, where there is equality of votes, the presiding officer shall have a casting vote.

- (5) The quorum at a meeting shall be one-third of the total members including the Chairman but excluding the Secretary.
- (6) Where the Council desires to obtain the advice of any person on a particular matter, the Council may co-opt the person to attend its meetings and the person shall not vote on any matter affecting the decision of the Council.
- (7) Except otherwise provided by this Bill, the Council shall regulate its own proceedings.

Validity of Proceedings

2. The validity of proceedings of the Council shall not be affected by-
 - (a) any vacancy in the membership of the Council; or
 - (b) the reason that any person not entitled to do so took part in the proceedings of the Council

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

Chairman to report Bill.

(SENATE IN PLENARY)

The President of the Senate reported that the Senate in the Committee of the Whole considered a Bill for an Act to Provide for the Mainstreaming of Climate Change Actions, Establish the National Council on Climate Change; and for Other Related Matters, 2021 and approved as follows:

Clauses 1- 36	—	As Recommended
Schedule	—	As Recommended

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

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

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

8. **Adeyemi Federal University of Education, Ondo (Establishment) Bill, 2021 (HB. 426) - Concurrence:**

Motion made: That a Bill for an Act to Repeal the Adeyemi College of Education, Paragraph (I) of the First Schedule to the Federal Colleges of Education Act, Cap. F8, Laws of the Federation of Nigeria, 2004 and Enact the Adeyemi Federal University of Education, Ondo for the Promotion and Development of Teacher Education in Nigeria; and for Related Matters, 2021 be read the Second Time (*Senate Leader*).

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committee of the Whole.

Motion made: Pursuant to Rule 81, that the Senate do resolve into the Committee of the Whole to Consider a Bill for an Act to Repeal the Adeyemi College of Education, Paragraph (I) of the First Schedule to the Federal Colleges of Education Act, Cap. F8, Laws of the Federation of Nigeria, 2004 and Enact the Adeyemi Federal University of Education, Ondo for the Promotion and Development of Teacher Education in Nigeria; and for Related Matters, 2021

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO REPEAL THE ADEYEMI COLLEGE OF EDUCATION, PARAGRAPH (I) OF THE FIRST SCHEDULE TO THE FEDERAL COLLEGES OF EDUCATION ACT, CAP. F8, LAWS OF THE FEDERATION OF NIGERIA, 2004 AND ENACT THE ADEYEMI FEDERAL UNIVERSITY OF EDUCATION, ONDO FOR THE PROMOTION AND DEVELOPMENT OF TEACHER EDUCATION IN NIGERIA; AND FOR RELATED MATTERS, 2021.

PART I - ESTABLISHMENT, COMPOSITION AND FUNCTIONS OF THE ADEYEMI FEDERAL UNIVERSITY OF EDUCATION, ONDO

Clause 1: Establishment and objectives of Adeyemi Federal University of Education, Ondo.

- (1) There is established the Adeyemi Federal University of Education, Ondo (in this Bill referred to as "the University").
- (2) The University:
 - (a) is a body corporate with perpetual succession, and a common seal; and
 - (b) may sue or be sued in its corporate name.
- (3) The University is a training institution for the development of teacher education in the country.
- (4) The University shall be supervised by the Federal Ministry of Education through the National Universities Commission (NUC) who is 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 objectives of the University are to:
 - (a) encourage the advancement of learning and to hold out to all persons without distinction of race, creed, sex or political conviction;
 - (b) develop and offer academic and professional programmes leading to the award of certificates, first degrees, post-graduate, diploma and higher degrees with emphasis on planning, developmental and adaptive skills in education, technology, applied science, agriculture, commerce, arts, social science, humanities,

- management and allied professional disciplines;
- (c) produce socially mature experts in education with capabilities not to only understand educational need of Nigeria as a nation, but also to exploit existing educational infrastructure and improve on it to develop new ones;
 - (d) act as agents and catalysts for effective educational system, through post graduate training , research and innovation, for effective economic utilisation and conservation of the country's human resources;
 - (e) bring quality change in education by focusing on teacher education through teaching and learning innovations;
 - (f) collaborate with other national and international institutions involved in training, research and development of education with a view to promoting governance, leadership and management skills among educational managers;
 - (g) identify educational needs of the society with a view to finding solutions to them within the context of overall national development;
 - (h) provide and promote sound basic education training as a foundation for the development of Nigeria, taking into account indigenous culture and the need to enhance national unity;
 - (i) provide higher education and foster a systematic advancement of the science and art of teacher education;
 - (j) provide for instruction in such branches of teacher education as it may deem necessary to make provision for research advancement and dissemination of knowledge in such manner as it may determine;
 - (k) provide teachers with operational competence for teaching in pre-tertiary institutions, basic, senior secondary schools and non-formal educational institutions; and
 - (l) undertake any other activity that is appropriate for a university of education of the highest standard.

Committee's Recommendation:

That the provision in Clause 1 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 2: Composition 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 Congregation;
- (e) a Convocation;
- (f) the campuses and colleges of the University;
- (g) the colleges, institutes and other teaching and research units of the University;

First Schedule.

- (h) the persons holding the offices constituted by the First Schedule to this Bill other than those mentioned in paragraphs (a) - (c);
- (i) all graduates and undergraduates of the University; and
- (j) all other persons who are members of the University in accordance with provisions made by Statute in that behalf.

First Schedule.

- (2) The First Schedule to this Bill shall have effect with respect to the principal officers of the University.
- (3) Subject to section 5, provisions shall be made by Statute with respect to the constitution of the Council, the Senate, Congregation and Convocation.

Committee's Recommendation:

That the provision in Clause 2 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 3: Powers of the University.

- (1) For the attainment of its objectives as specified in section 1 (5), the University has powers to:
 - (a) offer courses of instruction, training and research in education and allied areas for the production of quality and skilled teachers required to teach at lower, middle and higher levels of education in Nigeria in particular and the world at large;
 - (b) establish such colleges, campuses, institutes, schools, departments and other teaching and research units within the University as may be deemed necessary or desirable subject to the approval of National Universities Commission;
 - (c) institute professorships, readerships, associate professorships, lectureships, and other posts and offices and to make appointments to those post and offices;

- (d) institute and award fellowships, scholarships, exhibitions, bursaries, medals, prizes and other titles, distinctions, awards and forms of assistance;
- (e) provide for the discipline and welfare of members of the University;
- (f) 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) grant honorary degrees, fellowships or academic titles;
- (h) demand and receive from any student or any other person attending the University for the purposes of instruction, such fees as the University may determine subject to the overall directives of the Minister;
- (i) subject to section 20, acquire, hold, grant, charge or otherwise deal with or dispose of movable and immovable property wherever it is situate;
- (j) accept gifts, legacies and donations, but without obligation to accept the same for a particular purpose unless it approves the terms and conditions attached;
- (k) enter into contracts, establish trusts, act as trustee, solely or jointly with any other person, and employ or act through agents;
- (l) 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) hold public lectures and to undertake printing, publishing and book selling;
- (n) subject to any limitation or condition imposed by the Statute, to invest money appertaining to the University by way of endowment, not being immediately required for current expenditure in any investment or security or in the purchase or improvement of land, with power, from time to time, to vary such investments and deposit any money for the time being not invested with any bank in a deposit or current account;
- (o) 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 money as the Council may find necessary or expedient to borrow or to guarantee any loan, advances or credit facilities;

- (p) make gifts for any charitable purpose;
 - (q) do anything which it is authorised or required by this Bill or any Statute to do; and
 - (r) do all such acts or things, whether or not incidental to these 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), the powers conferred on the University under subsection (1) is exercisable on behalf of the University by the Council, Senate or in any other manner which may be authorised by the Statute.
- (3) The power of the University to establish additional campuses and colleges within the University shall be exercised in accordance with the Statute.

Committee's Recommendation:

That the provision in Clause 3 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 4: Functions of 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 Vice-Chancellor when acting as Chairman of Congregation or Convocation, and the Pro-Chancellor shall, when he is present, be the Chairman at all meetings of the Council.

Committee's Recommendation:

That the provision in Clause 4 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 5: Establishment, composition, tenure and powers of the Council.

- (1) There is established for the university a Governing Council (in this Bill referred to as "the Council").
- (2) The Council shall consist of:
 - (a) the Pro-Chancellor who is appointed by the President on the recommendation of the Minister;
 - (b) the Vice-Chancellor;
 - (c) the Deputy Vice-Chancellors;
 - (d) one person from the Federal 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; and
 - (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 shall have a tenure of four years from the date of its inauguration but where the 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 specified 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 performance of its functions and discharge of its responsibilities for the good management, growth and development of the University.
- (6) The Council, in the performance 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 and non-academic activities.

Committee's Recommendation:

That the provision in Clause 5 be retained (*Senate Leader*) — *Agreed to.*

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

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

- (1) Subject to the provisions of this Bill relating to the Visitor, the Council is:
 - (a) the governing body of the University; and
 - (b) responsible for the general control and superintendence of the policy, finances and property of the University.
- (2) There shall be the Finance and General Purposes Committee which shall, subject to the directions of the Council:
 - (a) exercise control over the property and expenditure of the University; and
 - (b) perform such other functions of the Council as the Council may delegate to it.
- (3) Provisions shall be made by the 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 Statute, the Council and Finance and General Purposes Committee may each make rules for the purpose of performing their respective functions or of regulating their own procedure.
- (6) Rules made under subsection (5) by the Finance and General Purposes Committee shall not come into effect unless they are approved by the Council, and where the rules made by that Committee conflict with any direction given by the Council, whether before or after the coming into effect of the rules in question, the directions of the Council prevails.
- (7) There shall be paid to the members respectively of the Council, Finance and General Purposes Committee and any other committee set up by the Council allowances in respect of travelling and other reasonable expenses at such rates as may 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 five members of the Council, the Chairman shall, within 28 days after the receipt of such request, call a meeting of the Council.

- (10) Any request made under subsection (9) shall specify the business to be considered at the meeting, and no business which is not so specified shall be transacted at that meeting.

Committee's Recommendation:

That the provision in Clause 6 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 7: Functions of the Senate of the University.

- (1) Subject to subsections (3) and (4) and the provisions of this Bill relating to the Visitor, it shall be the general function of the Senate to organise 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 promote research at the University.
- (2) Without prejudice to the generality of subsection (1), it shall in particular be the function of the Senate to make provision for:
- (a) the establishment, organisation 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 organisation 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;
 - (d) the making of recommendations to the Council with respect to the award to any person of an honorary fellowship, honorary degree or the title of professor emeritus;
 - (e) the establishment, organisation 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, 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 performing any function conferred on it either by this section or for the purpose of making provision for any matter covered by regulations and is authorised or required by this Bill or by Statute.
- (5) Regulations shall provide that at least one of the persons appointed as the examiners at each final or professional examination held in conjunction with any course of study at the University is not a teacher at the University but is a teacher of the branch of learning to which the course relates at some other University of high repute or a person engaged in practicing the profession in a reputable organisation or institution.
- (6) Subject to right of appeal to the Council from a decision of the Senate under this subsection, the Senate may deprive any person of any degree, diploma or other award of the University which has been conferred upon him if after due enquiry the person is found to have been guilty of dishonourable or scandalous conduct in gaining admission into the University or obtaining that award.

Committee's Recommendation:

That the provision in Clause 7 be retained (*Senate Leader*) — *Agreed to.*

Question that Clause 7 do stand part of the Bill, put and 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 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, the Vice-Chancellor shall:
 - (a) have the general function, in addition to any other function conferred on him by this Bill of directing the activities of the University; and
 - (b) 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.
- (4) It is 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.

Committee's Recommendation:

That the provision in Clause 8 be retained (*Senate Leader*) — *Agreed to.*

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

PART II - GENERAL FUND, TRANSFER OF PROPERTY TO THE
UNIVERSITY AND CONDITIONS OF SERVICE OF EMPLOYEES

Clause 9: General Fund of the University.

- (1) There shall be a general fund of the University (in this Bill referred to as "the General Fund") which shall consist of:
 - (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 performance of any functions conferred or imposed on the University by this Bill;
 - (f) any other amount, charges or dues recoverable by the University;
 - (g) revenue 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) Tertiary Trust Fund (TETFUND) interventions;
- (2) The General Fund shall be applied for the purposes of the University.

Committee's Recommendation:

That the provision in Clause 9 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 10: Transfer of property.

- (1) All property held by, or on behalf of the Provisional Council of the University shall, by virtue of this subsection, vest in the University and be held by it for the purpose of the University.

Second Schedule.

- (2) The provisions of the Second Schedule to this Bill shall have effect with respect to, and to matters arising from:
 - (a) the transfer of property by this section; and
 - (b) other matters mentioned in that Schedule.

Committee's Recommendation:

That the provision in Clause 10 be retained (*Senate Leader*) — *Agreed to.*

Question that Clause 10 do stand part of the Bill, put and 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:
- (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 any Statute, regulation or other instrument made under this Bill; or
 - (e) making provision for any other matter which is authorised or required by this Bill.

Cap. I23, LFN, 2004.

- (2) Subject to section 25 (6), the Interpretation Act applies in relation to any Statute made under this section as it applies to a subsidiary instrument within the meaning of section 28 (1).

Third Schedule.

- (3) The Statute contained in the Third Schedule to this Bill is deemed to have come into effect on the commencement of this Bill and is deemed to have been made under this section by the University.

Third Schedule.

- (4) The power to make Statutes conferred by this section shall not be prejudiced or limited in any way by reason of the inclusion or omission of any matter in or from the Statute contained in the Third Schedule to this Bill or any subsequent Statute.

Committee's Recommendation:

That the provision in Clause 11 be retained (*Senate Leader*) — *Agreed to.*

Question that Clause 11 do stand part of the Bill, put and 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.
- (2) A proposed Statute shall not become law unless it has been approved at the meeting of the:

- (a) Senate, by the votes of at least two-thirds of the members present and voting; and
 - (b) Council, by the votes of at least two-thirds of the members present and voting.
- (3) A proposed Statute may originate either in the Senate or Council, and may be approved as required by subsection (2).
- (4) A Statute which:
- (a) makes a 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, shall not come into effect unless it has been approved by the Visitor.
- (5) For the purpose of section 2 (2) of the Interpretation Act, a Statute shall be treated as being made on the date on which it is duly approved by the Council or Senate, in accordance with subsection (2) or in the case of a Statute falling within subsection (4), on the date on which it is approved by the President.
- (6) In the event of any doubt or dispute arising at any time as to:
- (a) the meaning of any provision of a Statute, or
 - (b) whether any matter is, for the purposes of this Bill, an academic or non-academic matter as it relates to such doubt or dispute, the matter may be referred to the Visitor, who shall take such advice and make such decision as he may think fit.
- (7) The decision of the Visitor on any matter referred to him under subsection (6) is binding upon the authorities, staff, and students of the University, and where any question as to the meaning of any provision of a Statute has been decided by the Visitor under that subsection, no question as to the meaning of that provision shall be entertained by any court of law in Nigeria.
- (8) Nothing in subsection (7) affects 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

Committee's Recommendation:

That the provision in Clause 12 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 13: Proof of Statute.

A Statute may be proved in any court by the production of a copy 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.

Committee's Recommendation:

That the provision in Clause 13 be retained (*Senate Leader*) — *Agreed to.*

Question that Clause 13 do stand part of the Bill, put and 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 is the duty of the bodies and persons comprising the University to make available to the Visitor and any other person conducting a visitation under this section, such facilities and assistance as the visitor or that person may reasonably require for the purposes of a visitation.
- (4) The Visitor shall make the report of such visitations and issue a white paper to that effect and make it available to the Council for implementation.

Committee's Recommendation:

That the provision in Clause 14 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 15: Removal of Certain Members of Council.

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

Committee's Recommendation:

That the provision in Clause 15 be retained (*Senate Leader*) — *Agreed to.*

Question that Clause 15 do stand part of the Bill, put and 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 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) afford the person in question, an opportunity of appearing before and being heard by the investigating committee with respect to the matter.
- (2) If the Council, after considering the report of the investigating committee, is satisfied that the person in question should be removed, the Council may so remove him by an instrument in writing signed on the directions of the Council.
- (3) The Vice-Chancellor may, in a case of misconduct by a member of staff which, in the opinion of the Vice-Chancellor is prejudicial to the interest of the University, suspend such member and the suspension shall immediately be reported to the Council.
- (4) For good cause, any member of staff may be suspended from his duties, or his appointment may be terminated by the Council, and for the purposes of this subsection, "good cause" means:
 - (a) conviction for any offence which the Council considers to be such as to render the person concerned unfit for the discharge of the duties 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 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 duties of his office or comply with the terms and conditions of his service; and
 - (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.

- (5) A person suspended under subsection (3) or (4) shall be on half pay and the Council shall, before the expiration of three months after the date of such suspension, consider the case against that person and come to a decision as whether to:
- (a) continue such person's suspension and, if so, on what terms, including the proportion of his emoluments to be paid to him;
 - (b) reinstate such person, in which case the Council shall restore his full emoluments to him with effect from the date of suspension;
 - (c) 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) take such lesser disciplinary action against such person, including the restoration of such proportion of his emoluments that might have been withheld, as the Council may determine.
- (6) Where the Council, under 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 three months from such decision come to a final determination in respect of the case concerning the person.
-
- (7) The person by whom an instrument of removal is signed under subsection (1) shall 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.
- (8) Nothing in this section:
- (a) applies to any directive given by the Visitor in consequence of any visitation; or
 - (b) prevents the Council from making regulations for the discipline of other categories of workers of the University as may be prescribed.

Committee's Recommendation:

That the provision in Clause 16 be retained (*Senate Leader*) — *Agreed to.*

Question that Clause 16 do stand part of the Bill, put and 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, the Senate 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 regulations made under section 7 (5), the Vice-Chancellor may, on the recommendation of the Senate, appoint an appropriate person as examiner in the place of the examiner removed under subsection (1).
- (3) The Vice-Chancellor on signing an instrument of removal under this section, shall cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it is related.

Committee's Recommendation:

That the provision in Clause 17 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 18: Participation and discipline of students.

- (1) The Students shall:
 - (a) be 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 power conferred on him by Statute or regulations, direct that the:
 - (a) 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) activities of the student shall, during such period as may be specified in the direction, be restricted in such manner as may be so specified;
 - (c) student be rusticated for such period as may be specified in the direction; or
 - (d) student be expelled from the University.
- (3) Where a direction is given under subsection (1) (c) or (d) 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, set aside or modify the direction in such manner as the Council deems fit.

- (4) An appeal brought under subsection (3) does not affect the operation of the direction while the appeal is pending.
- (5) The Vice-Chancellor may delegate his powers under this section to a disciplinary board consisting of such members of the University as he may nominate.
- (6) Nothing in this section is construed as preventing the restriction or termination of students' activities at the University than on the ground of misconduct.
- (7) A direction under subsection (2) (a) may be combined with a direction under subsection (2) (b)

Committee's Recommendation:

That the provision in Clause 18 be retained (*Senate Leader*) — *Agreed to.*

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

PART V - MISCELLANEOUS AND GENERAL PROVISIONS

Clause 19: Exclusion of Discrimination on Account of Race, Religion, Etc.

- (1) No person shall be required to satisfy requirements as to race (including ethnic grouping), sex, place of birth or of family origin, or religious or political persuasion, as a condition of becoming or continuing to be:
 - (a) a student at the university;
 - (b) the holder of any degree of the University, appointment or employment at the University; or
 - (c) a member of anybody established under this Bill.
- (2) No person shall be subject to any disadvantage or accorded any advantage in relation to the University, by reference to any of the matters in subsection (1).
- (3) Nothing in subsection (1) is 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 such persons or any group of them which duty, having regard to its nature and the special circumstances pertaining thereto, is in the opinion of the University, reasonably justifiable in the national interest.

Committee's Recommendation:

That the provision in Clause 19 be retained (*Senate Leader*) — *Agreed to.*

Question that Clause 19 do stand part of the Bill, put and 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, of the Governor:

Cap. L5, LFN, 2004.

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.

Committee's Recommendation:

That the provision in Clause 20 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 21: Quorum and Procedure of Bodies Established under this Bill.

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

Committee's Recommendation:

That the provision in Clause 21 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 22: Appointment of Committee.

- (1) Any body of persons established under this Bill shall, without prejudice to the generality of the powers of that body, have power to set up committees, which need not consist exclusively of members of that body, and to authorise a committee set up by it to:
 - (a) perform, on its behalf, its functions as it may determine; and
 - (b) co-opt members, and direct whether or not co-opted members are entitled to vote in that committee.
- (2) Any two or more such bodies may arrange for the holding of joint meetings of those bodies, or for setting up 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 reporting on it to those bodies or any of them.
- (3) Except as may be otherwise provided by Statute or regulations, the quorum and procedure of a committee established or meeting held in pursuance of this section, shall be such as may be determined by the body or bodies which have decided to set up the committee or hold the meeting.
- (4) Nothing in the provisions of subsection (1), (2) and (3) is construed as enabling the:
 - (a) Statutes to be made otherwise than in accordance with section 11; or
 - (b) Senate to empower any other body to make regulations or award degrees or other qualifications.

- (5) The Pro-Chancellor and Vice-Chancellor shall be members of every committee of which the members are wholly or partly appointed by the Council (other than a committee appointed to inquire into the conduct of the officer in question), and the Vice-Chancellor shall be a member of every committee of which the members are wholly or partly appointed by the Senate.

Committee's Recommendation:

That the provision in Clause 22 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 23: Retiring Age of Academic Staff.

- (1) Notwithstanding anything to the contrary in the Pension Reform Act, the compulsory retiring age of the:

Act No. 4, 2014.

- (a) academic staff of the University in the non-professorial cadre is 65 years;
- (b) academic staff of the University in the professorial cadre is 70 years;
- (c) non-academic staff of the University is 65 years.

- (2) A law or rule requiring a person to retire from the public service after serving for 35 years does not apply to an academic staff of the University.

Committee's Recommendation:

That the provision in Clause 23 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 24: Special provisions relating to pension of professors.

An academic staff of the University who retires as a Professor in the University is entitled to pension at a rate equivalent to his annual salary provided that the Professor has served continuously in the University up to the retirement age.

Committee's Recommendation:

That the provision in Clause 20 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 25: Miscellaneous Administrative Provisions.

- (1) The seal of the University shall be such as may be determined by the Council and approved by the Chancellor, and the affixing of the seal shall be authenticated by any member of the Council and by the Vice-Chancellor, Secretary to the Council or any other person authorised by Statute.

- (2) Any document purporting to be a document executed under the seal of the University shall be received in evidence and is, unless the contrary is proved, 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 authorised to do so by the Council.
- (4) The validity of any proceeding of any body established under this Bill is not affected by any vacancy in the membership of the body, any defect in the appointment of a member of the body or by reason that any person not entitled to do so took part in the preceding.
- (5) A member of any such body who has a personal interest in any matter proposed to be considered by that body shall disclose his interest to the body and shall not vote on any question relating to that matter.
Cap. I23, LFN, 2004.
- (6) Nothing in section 12 of the Interpretation Act (which provides for the application in relation to subordinate legislation of certain incidental provisions) applies to Statutes or regulations made under this Bill.
- (7) The power conferred by this Bill on anybody to make Statutes or regulations includes power to revoke or vary any:

Third Schedule.

- (a) statute (including the Statute contained in the Third Schedule to this Bill); or
- (b) regulation by a subsequent statute or subsequent regulation as the case may be: Provided that the subsequent regulation or Statutes may make different provisions in relation to different circumstances.

Second Schedule.

- (8) No stamp duty or other duty shall be payable in respect of any transfer of property to the University by virtue of sections 10 or 20 or the Second Schedule to this Bill.
- (9) Any notice or other instrument authorised to be served by virtue of this Bill may, without prejudice to any other mode of service, be served by post.

Committee's Recommendation:

That the provision in Clause 25 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 26: Restriction of Suits and Execution.

- (1) No legal proceeding shall be instituted or commenced against the University or any of its agents in the course of their official duties unless a three months pre-action notice of such intention is served on the University by an aggrieved party;
- (2) 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.
- (3) 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.
- (4) In any suit against the University, no execution or attachment or process in the nature thereof shall be issued against the University, but any sum of money which may 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 funds.
- (5) 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.

Committee's Recommendation:

That the provision in Clause 26 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 27: Repeal, Savings and Transitional Provisions.

- (1) This Bill repeals paragraph (i) of the First Schedule to the Federal College of Education Act, Cap. F8, Laws of Federation of Nigeria, 2004.
- (2) Anything done or purported to have been done under the repealed Act, remains valid, except provided under this Bill.
- (3) Subsidiary legislation made or deemed to have been made under the repealed Act, immediately before the commencement of this Bill, shall continue in force with necessary modification and may be amended or revoked as if it had been made under this Bill.
- (4) The rights, assets, obligations and liabilities under the repealed Act shall, at the commencement of this Bill, rest in and devolve on the Adeyemi Federal University of Education, Ondo.

Committee's Recommendation:

That the provision in Clause 27 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 28: Interpretation.

(1) In this Bill:

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

"College" means the College established under section 2 (1) (g) of this Bill for the University

"Council" means the Governing Council of the University established by section 5 of this Bill.

"functions" includes powers and duties

"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

"Minister" means the Honourable Minister of Education.

"notice" means notice in writing

"officer" does not include the Visitor

"prescribed" means prescribed by Statute or regulations

"Professor" means a person designated as a Professor of the University in accordance with provisions made in that behalf by Statute or by Regulations

"property" includes rights, liabilities and obligations.

"Provisional Council" means the provisional council appointed for the University

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

"Senate" means the Senate of the University established under section 2 (1) (c) of this Bill.

"school" means a unit of closely related academic programmes.

"Statute" means a statute made by each University under section 11 and 12 of this Bill; and.

"the statutes" means all such statutes as are in force from time to time.

"teacher" means a person holding a full-time appointment as a member of the teaching or research staff of the University

"undergraduate" means a person 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

"University" means Adeyemi Federal University of Education, Ondo established under section 1 (1) of this Bill.

- (2) 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 intermediate authority to forward any proposal of that or recommendation received by it in pursuance of that provision to the appropriate authority, but such intermediate authority may, if it deems fit, forward its own comments thereon.

Committee's Recommendation:

That the provision in Clause 28 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 29: Citation.

This Bill may be cited as the Adeyemi Federal University of Education, Ondo (Establishment) Bill, 2021.

Committee's Recommendation:

That the provision in Clause 29 be retained (*Senate Leader*) — *Agreed to.*

Question that Clause 29 do stand part of the Bill, put and 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 the President upon recommendation by the Minister.
- (2) Subject to the provisions of this Bill, the Pro-Chancellor shall hold office for a term 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 is 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; and
- (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 subparagraph (2) (a) (ii) 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 subparagraph (3) of this paragraph 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 perform 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:
 - (a) three members of the Council, one of whom shall be the Chairman of the Committee, and
 - (b) 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 but 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 six months.

Deputy Vice-Chancellor

4. (1) There shall be for the University such number of Deputy Vice-Chancellors as Council may deem necessary for the proper administration of the University.
- (2) Where a vacancy occurs in the post of Deputy Vice-Chancellor, the Vice-Chancellor shall forward to the Senate a list of two candidates for each post of Deputy Vice-Chancellor that is vacant.
- (3) The Senate shall select for each vacant post one candidate from each list forwarded to it under subparagraph (2) of this paragraph and forward his name to the Council for confirmation.
- (4) A Deputy Vice-Chancellor shall:
 - (a) assist the Vice-Chancellor in the performance of his functions;
 - (b) act in the place of the Vice-Chancellor when the post of the Vice-Chancellor is vacant or if the Vice-Chancellor is, for any reason, absent or unable to perform his functions as Vice-Chancellor; and
 - (c) perform such other functions as the Vice-Chancellor or the Council may assign to him.
- (5) A Deputy Vice-Chancellor:
 - (a) shall hold office for a term of two years beginning from the date of his appointment and on such terms and conditions as may be specified in his letter of appointment;
 - (b) may be reappointed for a further term 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.
- (6) "Good cause" for the purpose of subparagraph (5) (c) means gross misconduct or inability to perform the functions of his office arising from infirmity of the body or mind.

5. (1) There shall be, for the University, a Registrar who is the Chief Administrative Officer of the University and is responsible to the Vice-Chancellor for the 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, other principal officers in addition to the Registrar:
- (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 is the Chief Financial Officer of the University and responsible to the Vice-Chancellor for the administration and control of the financial affairs of the University.
- (3) The University Librarian is 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 officers in this paragraph 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 subparagraph (1) of this paragraph shall be as the Council may determine.
- (3) The Registrar, Bursar and Librarian shall hold office for a single term of five years only beginning from the date of their appointments and on such terms and conditions as may be specified in their letters of appointment.

- (4) Notwithstanding subparagraph (3) of this paragraph, the Council may, upon satisfactory performance, extend the tenure of the Registrar, Bursar or Librarian for a further term 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 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 than by removal for misconduct shall be eligible for re-appointment to that office.

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

SECOND SCHEDULE

Section 10 (2) and 25 (8)

TRANSITIONAL PROVISIONS AS TO PROPERTY, FUNCTIONS, ETC.

Transfer of Property to University

1. Without prejudice to section 10 (1) of this Bill:
- (a) the reference to property held by the Provisional Council includes a reference to the right to receive and give a good discharge for any grant or contribution which may have been voted or promised to the Provisional Council; and
 - (b) all debts and liabilities of the Provisional Council outstanding shall become debts or liabilities of the University.
2. (1) All agreements, contracts, deeds and other instruments to which the Provisional Council was a party shall, so far as possible and subject to any necessary modification, have effect as if the University had been a party thereto in place of the Provisional Council.
- (2) Documents not falling within subparagraph (1) of this paragraph, including enactment which refer, whether specially or generally, to the Provisional Council, shall be construed in accordance with that subparagraph so far as applicable.
- (3) Any legal proceedings or application to any authority pending by or against the Provisional Council may be continued by or against the University.

Registration of transfers

3. (1) If the law in force at the place where any property transferred by this Bill is situate provides for the registration of transfers of property of the kind in question (whether by reference to an instrument of transfer or otherwise), the law shall, so far as it provides for alterations of a register (but not for avoidance of transfers, the payment of fees or any other matter) apply, with necessary modifications, to the property.

- (2) The body to which any property is transferred by this Bill shall furnish the necessary particulars of the transfer to the proper officer of the registration authority, and of that officer to register the transfer accordingly.

Transfer of Functions, etc.

4. (1) The first meeting of the Council shall be convened by the Pro-Chancellor on such date and in such manner as he may determine.
- (2) The persons who are members of the Provisional Council are deemed to constitute the Council until the date when the Council as set up under the Third Schedule to this Bill shall have been duly constituted.
- (3) The first meeting of the Senate as constituted by this Bill shall be convened by the Vice-Chancellor on such date and in such manner as he may determine.
- (4) The persons who are members of the Academic Board immediately before the coming into effect of this Bill are deemed to constitute the Senate of the University until the date when the Senate as set up under the Third Schedule to this Bill shall have been duly constituted.
- (5) Subject to any regulation which may be made by the Senate after the date on which this Bill is made, the schools, school boards and students of the University immediately before the coming into effect of this Bill shall on that day become schools, school boards and students of the University as constituted by this Bill.
- (6) Persons who are Deans of Schools and Heads of Academic Departments shall continue to be Deans or Heads of Department of the corresponding School and Department, until new appointments are made under the Statutes.
- (7) Any person who was a member of the staff of the University as established or was employed by the Provisional Council becomes the holder of an appointment at the University with the status, designation and functions which correspond as nearly as may be to those which appertained to him as member of that staff or as such an employee.

Question that the Provision in the Second Schedule stand part of the Bill — Agreed to

THIRD SCHEDULE

Section 11 (3)

ADEYEMI FEDERAL UNIVERSITY OF EDUCATION, ONDO STATUTE NO. 1

ARRANGEMENT OF ARTICLES

Article:

1. The Council.
2. The Finance and General Purposes Committee.
3. Annual budget and estimates, etc.
4. Gifts, donations, payment into bank and audit.
5. The Senate.
6. Congregation.
7. Convocation.

8. Division of Colleges.
9. College Boards.
10. Dean of Colleges.
11. Departmental Board of Studies.
12. Selection of Directors of physical planning and development, works, services and health.
13. Tenure of Directors.
14. Creation of academic posts.
15. Appointment of Academic staff.
16. Appointment of Administrative and professional staff.
17. Interpretation.
18. Citation.

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 other than under section 5 (2) (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 other than under section 5 (2) (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 of the year which he was appointed.
- (4) Where a member of the Council holding office other than under section 5 (2) (a), (b), (g), or (h) of this Bill vacates office before the expiration of the period mentioned, 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 other than by removal for misconduct shall be eligible for re-appointment for only one further period of four years.
- (6) The quorum of the Council is five, at least one of whom shall be a member appointed under section 5 (2) (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 for that meeting shall be the Chairman, and subject to section 4 of this Bill and this paragraph, the Council may regulate its own procedure.
- (8) Where the Council desires to obtain advice with respect to any particular matter, it may co-opt not more than two persons for that purpose, and the persons co-opted may take part in the deliberations of the Council at the 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; and
 - (d) the Permanent Secretary of the Federal Ministry of Education, or his representative.
- (2) The quorum of the Committee is five.
 - (3) Subject to a directions given by the Council, the Committee may regulate its own procedure.

Annual budget and estimates, etc.

- 3. (1) 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.

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

Gifts, donations, etc.

- 4. (1) 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.
- (2) Registers shall be kept of all donations to the University, including the names of donors and any special conditions under which the 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.

- (3) 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.
- (4) All sums of money received on account of the University shall be paid into bank account 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 subarticle (1) of this article.

- (5) The Council shall cause the accounts of the University to be audited by auditors appointed by the Council as soon as may be practicable after the end of each financial year or for any such other period as the Council may require.

- (6) 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

5. (1) The Senate shall consist of:
- (a) the Vice-Chancellor;
 - (b) Deputy Vice-Chancellors;
 - (c) the Deans of respective Colleges;
 - (d) the Professors in the University;
 - (e) Heads of Academic Departments and Units;
 - (f) the University Librarian;
 - (g) one elected representative of each College;
 - (h) two members of Academic Staff elected by the Congregation;
 - (i) one elected representative of each department;
 - ~~(j) 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; and~~
 - (k) Registrar who shall be the 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 subarticle (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 subarticle (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 determine.
- (7) An elected member shall hold office for the term of two years beginning with 1 August in the year of his election, and may be a candidate at any election held under subarticle (6) of this article in the year in which his term of office expires, and no person shall be a candidate if at the end of his current term of office the

person will have held office as an elected member for a continuous term of six years or may have so held office if he had not resigned it.

- (8) No election shall be held under this article in any year if the number specified in the certificate given under subarticle (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 under subarticle (7) of this article.
- (9) A person shall not 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 15 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 10th day following date 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 other than elected members.

Congregation

6. (1) The Congregation shall consist of:
 - (a) Vice-Chancellor;
 - (b) the Deputy Vice-Chancellors;
 - (c) the full-time members of the academic staff;
 - (d) the Registrar;
 - (e) the Librarian; and
 - (f) every member of the administrative staff who holds a degree, other than honorary degree, of any University recognised 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 the 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 is one-third or the whole number nearest to one-third of the total number of members of Congregation of 50, whichever is less.
- (4) A certificate signed by the Vice-Chancellor specifying the:
 - (a) total number of members of Congregation for the purpose of any particular meeting or meetings of Congregation, or

(b) 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 this article, Congregation may regulate its own procedure.
- (7) Congregation is entitled to express by resolutions 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

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

- (2) A person shall be entitled to have his name registered as a member of Convocation if he:
- (a) 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) 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 article and subject to subarticle (4) of this article may provide for the payment 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 subarticle (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 is entitled on demand to inspect the register or a copy of the register at the principal office of the University at all reasonable times.
- (6) The register is, unless the contrary is proved, be sufficient evidence that any person named therein is, 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 is 50 or one-third or the whole number nearest to one-third of the total number of members of Convocation whichever is less.
- (8) Subject to section 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

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

College Boards

9. (1) There shall be established in respect of each College, a Board of Studies which, subject to the provisions of this Statute, and 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, Vice-Chancellor or Senate; and
 - (c) advise the Vice-Chancellor or Senate on any matter referred to it by the Vice-Chancellor or 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 number of 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

10. (1) The Board of each College shall, at a last meeting 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 subarticle (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 term of two years, and 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) The Dean shall 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 have been taken at a meeting of the Board, and in the event of ~~a vacancy occurring due to 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 16 (4) of the Act.

Departmental Board of Studies

11. (1) There shall be a Departmental Board of Studies whose membership shall be made of all academic staff of the Department.
- (2) The Departmental Board of Studies 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) The tenure of office for a Professor heading the Department of Board of Studies is three years and one year for the person appointed in acting capacity.
- (4) The Departmental Board of Studies shall:
 - (a) superintend over all teachings and examinations in the department;
 - (b) handle all disciplinary matters in the department and make recommendations to the College where necessary; and
 - (c) allocate courses in the department on the recommendation of the Head of Department.

Selection of Directors of Physical Planning and Development Works, Services and Health

12. (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; and
 - (d) two members appointed by the Senate.
- (2) The Selection Board after making inquiries as it deems fit, shall recommend a candidate to the Council for appointment to the vacant office, and after considering the recommendation of the Selection Board the Council may make an appointment to that office.

Tenure of Directors

13. 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

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

Appointment of Academic Staff

15. (1) Subject to this Bill and Statutes, the filling of vacancies in academic posts (including newly created ones) shall be the responsibility of the Council through the Departments and Colleges.
- (2) For the purpose of filling such vacancies, suitable Selection Boards to select and make appointments on behalf of the Council shall be set up.
- (3) For appointment to Professorships, Associate Professorship, Readerships or equivalent posts, a Selection Board, with power to appoint, shall consist of:
- (a) the Vice-Chancellor who shall be the Chairman;
 - (b) Deputy Vice-Chancellor;
 - (c) the Dean of the College;
 - (d) Head of Department;
 - (e) Registrar who shall be the Secretary; and
 - (f) such other persons, not exceeding two in number, deemed capable of helping the Board in assessing both the professional and academic suitability of a candidate under consideration, as the Senate may appoint.

- (4) For other academic posts, a Selection Board, with power to appoint, shall consist of:
 - (a) the Vice-Chancellor or his representative who shall be the Chairman;
 - (b) The Dean of the College;
 - (c) Head of the Department concerned;
 - (d) An internal member of Council (not below the Rank of Senior Lecturer from the sister college in the candidate's subject-area); and
 - (e) Registrar or his representative who shall be the Secretary.
- (5) All appointments to senior library posts shall be made in the same way as equivalent appointments in the academic cadre, and for all such posts other than that of the Librarian, the Librarian shall be a member of the Selection Board.
- (6) Selection Boards may interview candidates directly or consider the reports of specialist interviewing panels and shall in addition, in the case of Professorships, Associate Professorship, Readerships or equivalent Posts, consider the reports of external assessors relevant to the area in which the appointment is being considered and the Quorum is three members including the Chairman.

Appointment of Administrative and Professional Staff

- ~~16.~~ (1) ~~The administrative and professional staff of the University other than principal officers shall be appointed by the Council or on its behalf by the Vice-Chancellor in accordance with delegation of powers made by the Council on its behalf.~~
- (2) A Selection Board, with power to appoint, shall consist of:
 - (a) Vice-Chancellor who shall be the Chairman;
 - (b) Deputy Vice-Chancellor;
 - (c) Registrar;
 - (d) Bursar;
 - (e) University Librarian;
 - (f) The Head of Department concerned; and
 - (g) Establishment and Human Resources Officer who shall serve as Secretary, and the Quorum is three including the Chairman.

Interpretation

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

Citation

18. This Statute may be cited as the Adeyemi Federal University of Education, Ondo Statute No.1, 2021

Question that the Provision in the Third Schedule stand part of the Bill — Agreed to

Chairman to report Bill.

(SENATE IN PLENARY)

The President of the Senate reported that the Senate in the Committee of the Whole considered a Bill for an Act to Repeal the Adeyemi College of Education, Paragraph (I) of the First Schedule to the Federal Colleges of Education Act, Cap. F8, Laws of the Federation of Nigeria, 2004 and Enact the Adeyemi Federal University of Education, Ondo for the Promotion and Development of Teacher Education in Nigeria; and for Related Matters, 2021 and approved as follows:

Clauses 1-29 — As Recommended

Schedules 1-3 — As Recommended

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

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

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

9. **2022 Appropriation Bill, 2021 (SB. 829):**

Motion made: That a Bill for an Act to authorize the issuance from the Consolidated Revenue Fund of the Federation the total sum of ₦16,391,023,917,692 (Sixteen Trillion, Three Hundred and Ninety-One Billion, Twenty Three Million, Nine Hundred and Seventeen Thousand, Six Hundred and Ninety-Two Naira) only, of which ₦768,276,616,043 (Seven Hundred and Sixty-Eight Billion, Two Hundred and Seventy-Six Million, Six Hundred and Sixteen Thousand, Forty-Three Naira) only is for Statutory Transfers, ₦3,901,952,981,550 (Three Trillion, Nine Hundred and One Billion, Nine Hundred and Fifty Two Million, Nine Hundred and Eighty-One Thousand, Five Hundred and Fifty Naira) only is for Debt Service, ₦6,829,015,483,446 (Six Trillion, Eight Hundred and Twenty-Nine Billion, Fifteen Million, Four Hundred and Eighty-Three Thousand, Four Hundred and Forty-Six Naira) only is for Recurrent (Non-Debt) Expenditure while the sum of ₦4,891,778,836,654 (Four Trillion, Eight Hundred and Ninety-One Billion, Seven Hundred and Seventy-Eight Million, Eight Hundred and Thirty-Six Thousand, Six Hundred and Fifty-Four Naira) only for contribution to the Development Fund for Capital Expenditure for the year ending on the 31st day of December, 2022 and for other matters connected thereto, 2021 be read the Second Time (*Adjourned Debate Tuesday, 12th October, 2021*) (*Senate Leader*).

Debate:

The following Senators made contributions:

- (i) Senator Aliyu S. Abdullahi
- (ii) Senator Adeleri A. Oriolowo
- (iii) Senator Patrick A. Akinyelure
- (iv) Senator Ibrahim A. Gobir
- (v) Senator Smart Adeyemi
- (vi) Senator Ibrahim D. Abdullahi
- (vii) Senator George T. Sekibo

- (viii) Senator Christopher S. Ekpenyong
- (ix) Senator Betty J. Apiafi
- (x) Senator Mohammed S. Musa
- (xi) Senator Michael O. Bamidele
- (xii) Senator Michael A. Nnachi
- (xiii) Senator Yahaya I. Oloriegbe
- (xiv) Senator Matthew A. Urhoghide
- (xv) Senator Francis A. Fadahunsi
- (xvi) Senator Mukhail A. Abiru
- (xvii) Senator Anayo R. Okorochoa
- (xviii) Senator Oyelola Y. Ashiru
- (xix) Senator Jarigbe A. Jarigbe
- (xx) Senator Hezekiah A. Dimka
- (xxi) Senator Binos D. Yaroe
- (xxii) Senator Chukwuma F. Ibezim
- (xxiii) Senator Olalekan R. Mustapha
- (xxiv) Senator Chukwuka G. Utazi
- (xxv) Senator Abba P. Moro
- (xxvi) Senator Danladi A. Sankara
- (xxvii) Senator Isah Jibrin

Question put and agreed to.

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

10. Adjournment:

Motion made: That the Senate do now adjourn till Wednesday, 13th October, 2021 at 2:00 p.m.
(Senate Leader).

Question put and agreed to.

Adjourned accordingly at 1:40 p.m.

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