



SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Tuesday, 7th December, 2021

1. The Senate met at 10:51 a.m. The President of the Senate read prayers.
2. **Votes and Proceedings:**
The Senate examined the Votes and Proceedings of Wednesday, 1st December, 2021.
Question was put and the Votes and Proceedings were approved.
3. **Message from Mr. President:**
The President of the Senate announced that he had received a letter from Mr. President, Commander-in-Chief of the Armed Forces of the Federation, which he read as follows:

Transmission of Finance Bill, 2021:



PRESIDENT
FEDERAL REPUBLIC OF NIGERIA

30th November, 2021

*Distinguished Senator Ahmad Ibrahim Lawan
President of the Senate,
Senate Chambers,
National Assembly Complex,
Three Arms Zone,
Abuja.*

Dear Distinguished Senate President,

**TRANSMISSION OF THE FINANCE BILL, 2021 TO THE NATIONAL
ASSEMBLY FOR CONSIDERATION AND PASSAGE INTO LAW IN
SUPPORT OF THE 2022 BUDGET**

Pursuant to Sections 58 and 59 of the Constitution of the Federal Republic of Nigeria, 1999 (as amended), I formally request that the Finance Bill, 2021 be considered by the Senate, for passage into law.

2. *The Finance Bill, 2021 seeks to support the implementation of the 2022 Federal Budget of Economic Growth and Sustainability by proposing key reforms to specific taxation, customs, excise, fiscal and other relevant laws. Specifically, this Bill provides for:*
 - a. *Enhance Domestic Revenue Mobilisation efforts to increase tax and non-tax revenues;*

- b. *Tax Administration and Legislative Drafting Reforms, particularly to support the ongoing automation reforms by the Federal Inland Revenue Service ('FIRS');*
 - c. *Accelerate International Taxation Reforms to enhance the taxation of non-resident individuals and companies that nevertheless derive profits from Nigeria;*
 - d. *Implement Financial Sector Reforms to support ongoing capital market reforms relating to Securities Lending Transactions, Real Estate Investment Trusts, Unit Trust Schemes and the recapitalisation of Insurance Companies; and*
 - e. *Prioritize Critical Public Financial Management Reforms regarding the FIRS vital role in coordinating tax administration as well as the enforcement of key fiscal rules under the 1999 Constitution, Finance (Control & Management) Act and other relevant laws.*
3. *I trust that this Bill will be favourably considered by the National Assembly, for passage into law so that it may provide fiscal support necessary for the implementation of the 2022 Federal Budget.*
4. *Please accept, Distinguished Senate President, the assurances of my highest consideration.*

*Yours sincerely,
(Signed)*

Muhammadu Buhari

4. **Petitions:**

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

- (i) Akpo Solomon Nyorere and Adewale O. Iziogba on behalf of Nigerian National Shipping Line Limited (NNSL) Pensioners Welfare Association against Pension Transitional Arrangement Directorate (PTAD) over an alleged non-payment of 33 percent pension increase to 90 retirees of the Company;
- (ii) Apostle Izuchukwu Ani against the Nigeria Police Force and Mr. Sunday Ossai over an alleged unfair/untreated kidnapping and drug case in Oyigbo Police Station, Port Harcourt, Rivers State;
- (iii) Moses Ekpo and Bright Ukpung on behalf of Oil and Gas Youth Development, Akwa Ibom State against Netco Jubob Pivot Consortium over an alleged marginalization of host communities in their area of oil operations;
- (iv) Vcrown Solicitors on behalf of Tunde Akinade and Alh. Nurudeen Olalekan of Petroleum Tanker Drivers, Mobil Unit Apapa, Lagos against Alh. Saheed Adigun of Gastab Haulage Limited over alleged corrupt practices, fraudulent conversion of Petroleum Tankers Drivers fund and threat to life; and
- (v) J.B. Alalade Chambers on behalf of His Royal Majesty, Oba Azeez Gbadabiu Ishola Asiwaju, Onikotun of Ikotun Land, against the Area Commander, Area 'M' Command; NSCDC; the Managing Director, Pentagon Securities Limited and others over an alleged pipelines vandalization in Ikotun and its environs.

He urged the Senate to look into the matters.

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

5. Personal Explanation:

Rising on Order 43, Senator Olubunmi A. Adetunmbi (*Ekiti North*) drew the attention of the Senate to the demise of Senator Gbenga Aluko on 20th November, 2021. He recalled Late Senator Aluko was born on 20th July, 1963 to the family of renowned Economist, Professor Sam Aluko. He attended the Federal Government College, Ilorin where he obtained his West Africa Secondary Certificate (WASC), proceeded to obtain degree in Geography and Regional Planning at the University of Benin in 1982 and a Post Graduate degree in International Oil Trading and Pricing from the College of Energy and Petroleum Studies, Oxford, England. Late Senator Aluko was elected into the 5th Senate (1999-2003) under the platform of the Peoples' Democratic Party (PDP) where he was appointed Deputy Chief Whip of the Senate. He urged the Senate to observe a minute silence in his honour.

One minute silence accordingly observed in honour of the deceased.

6. Matter of Urgent Public Importance:

Rising on Orders 42 and 52, Senator Biobaraku W. Degi-Eremienyo (*Bayelsa East*) drew the attention of the Senate to the urgent need to stop the continuous crude oil and gas blow out spill at Santa Barbara Well 1, OML 29 operated by AITEO Eastern Exploration and Production Company Limited in Opu Nembe, Nembe Local Government Area of Bayelsa State. He sought and obtained the leave of the Senate to present the matter forthwith:

The Senate:

notes with concern the continuous gushing and spewing of oil and gas into the waterways and mangrove vegetation of Opu Nembe area of Bayelsa State from a long-sealed, non-producing but unattended oil well 1, Santa Barbara OML 29 belonging to AITEO Eastern Exploration and Production Company Limited;

worried that even though the same oil well has witnessed several oil spills in previous years, the current incident borders on catastrophe due to a long period of accumulated oil and maximum pressure from piled up gas in the well. The magnitude of this incident is of an extremely high order, the first of its kind in this part of the world;

further worried that the entire mangrove forests and aquatic life have been adversely affected by this methane gas, as rainbow-like sheens are seen on the water body around the point of incident down to the shoreline;

disturbed that dead fishes are also seen floating within the impacted area and fishing activities totally crippled, with the direction of the wind blowing onshore towards the community from the point of the incident;

aware that during the just concluded global Climate Conference (COP26) held in Glasgow, Scotland, world leaders gathered to encourage nations to implement international best practices in cutting off such emissions into the entire ecosystem. The Nigerian Government was well represented by our dear President in our contribution to global climate action;

notes that while the policy on divestments by IOCs in exploration and production of oil and gas is a welcome development as it creates space for indigenous companies to invest and grow in the industry, such opportunities should be accorded to indigenous companies with proven requisite technical and financial competence;

worried that attempts to stop the continuous oil and gas spill by the operators had failed repeatedly for over one month running, wasting an estimated over 2 million barrels of hydrocarbon and gas, shows a disappointing appearance of technical incompetence in handling the incident on the part of AITEO Eastern Exploration and Production Company Limited;

notes that such degree of incompetence is sufficient to attract sanctions such as revocation of their operational license by the regulatory authorities to instill sanity in the oil and gas sector in response to the increased global call for protection of the environment; and

notes with deep concern the threat that this incident poses to the health of the people of the host communities as the air and water have been contaminated, and also the possibility of a fire outbreak from the oil well if this wanton release of oil and methane gas continues unstopped.

The Senate accordingly resolves to:

- (i) urge AITEO Eastern Exploration and Production Company Nigeria Limited to urgently seek, explore and deploy relevant highest level of expertise and technology to stop the spill and prevent the continuous damage to the environment and restore the life support system of the people;
- (ii) urge the Ministry of Petroleum Resources to revoke the operational license of AITEO Eastern Exploration And Production Company Limited, if the continuous crude oil spill cannot be stopped by the Company;
- (iii) That an Environmental Impact Assessment be conducted to ascertain the extent of damage; ensure internationally acceptable standard of remediation of the environment and payment of adequate compensations to the affected host communities; and
- (iv) That the National Emergency Management Agency (NEMA) should as a matter of urgency provide relief materials as this ugly incident has taken a negative toll on the health and wellbeing of the people of the host communities which can be declared as a disaster area.

Debate:

Proposed Resolution (i):

Question: That the Senate do urge AITEO Eastern Exploration and Production Company Nigeria Limited to urgently seek, explore and deploy relevant highest level of expertise and technology to stop the spill and prevent the continuous damage to the environment and restore the life support system of the people — *Agreed to.*

Proposed Resolution (ii):

Question: That the Senate do urge the Ministry of Petroleum Resources to revoke the operational license of AITEO Eastern Exploration And Production Company Limited, if the continuous crude oil spill cannot be stopped by the Company.

Amendment Proposed:

Leave out the provision in Proposed Resolution (ii) and *insert* the following instead thereof: “That the Senate do condemn in totality the oil spillage by AITEO and urge the relevant agencies to invoke the maximum penalties applicable under the laws for such infractions” (*Senator Aliyu S. Abdullahi — Niger North*).

Question that the amendment be made, put and agreed to.

Proposed Resolution (iii):

Question: That an Environmental Impact Assessment be conducted to ascertain the extent of damage; ensure internationally acceptable standard of remediation of the environment and payment of adequate compensations to the affected host communities.

Amendment Proposed:

Leave out the provision in Proposed Resolution (iii) and *insert* the following instead thereof: "That the Senate do urge the relevant agencies to undertake environmental impact assessment to determine the extent of the pollution with a view to undertake remediation in accordance with internationally accepted polluter pays principles within 90 days" (*Senator Yahaya A. Abdullahi — Kebbi North*).

Question that the amendment be made, put and agreed to.

Proposed Resolution (iv):

Question: That the National Emergency Management Agency (NEMA) should as a matter of urgency provide relief materials as this ugly incident has taken a negative toll on the health and wellbeing of the people of the host communities which can be declared as a disaster area — *Agreed to.*

Resolved:

That the Senate do:

- (i) urge AITEO Eastern Exploration and Production Company Nigeria Limited to urgently seek, explore and deploy relevant highest level of expertise and technology to stop the spill and prevent the continuous damage to the environment and restore the life support system of the people;
- (ii) condemn in totality the oil spillage by AITEO and the urge the relevant agencies to invoke the maximum penalties applicable under the laws for such infractions;
- (iii) urge the relevant agencies to undertake environmental impact assessment to determine the extent of the pollution with a view to undertake remediation in accordance with internationally accepted polluter pays principles within 90 days; and
- (iv) That the National Emergency Management Agency (NEMA) should as a matter of urgency provide relief materials as this ugly incident has taken a negative toll on the health and wellbeing of the people of the host communities which can be declared as a disaster area (*S/Res/046/03/21*).

7. Matter of Urgent Public Importance:

Rising on Orders 42 and 52, Senator Ike Ekweremadu (*Enugu West*) drew the attention of the Senate to the need for the Government of the United Kingdom (U.K.) to remove Nigeria from COVID-19 Red List. He sought and obtained the leave of the Senate to present the matter forthwith:

The Senate:

notes with satisfaction the efforts of the Government of Nigeria in the containment and treatment of COVID-19 cases;

further notes that Nigeria is among the countries with the lowest cases of COVID-19.

worried that the decision by the British Government to include Nigeria in their COVID-19 list, with its concomitant implications, will affect many citizens of Nigeria, who had planned to spend their Christmas and New Year holiday with their families;

also worried that Nigerians with genuine needs to visit the United Kingdom (UK) within this period will be denied visa and those with Visa will not be allowed to enter the U.K.;

notes that Nigerians have consistently complied with all the COVID-19 protocols required by the World Health Organisation (WHO) and U.K Government for travellers prior to this ban.

worried that targeting African countries, especially in the COVID-19 travel ban, amounts to profiling and discrimination as well as an attack on our cordial diplomatic relationship with the U. K.; and

aware of the global concerns over vaccines hoarding and inequity and the resulting consequences on low-income nations in the fight against COVID-19.

The Senate accordingly resolves to:

- (i) condemn in strong terms the U.K Government's inclusion of Nigeria in their COVID-19 red list without justification;
- (ii) urge the Federal Government to constructively engage the British authorities with a view to reverse this inclusion;
- (iii) urge the British authorities to consider removing Nigeria from the COVID-19 red list and to be sensitive to the diplomatic relationship between the two countries in taking decisions that affect Nigerian citizens;
- (iv) urge the Nigerian Government to remain firm in the enforcement of all necessary protocols in the containment of every COVID-19 variant in Nigeria; and
- (v) urge the major vaccine powers, namely, Britain, Canada, America, and the European Union, among others, to take urgent and bold steps to ensure vaccine equity in the best interest of the entire human race.

Debate:

Proposed Resolution (i):

Question: That the Senate do condemn in strong terms the U.K Government's inclusion of Nigeria in their COVID-19 red list without justification — *Agreed to.*

Proposed Resolution (ii):

Question: That the Senate do urge the Federal Government to constructively engage the British authorities with a view to reverse this inclusion — *Agreed to.*

Proposed Resolution (iii):

Question: That the Senate do urge the British authorities to consider removing Nigeria from the COVID-19 red list and to be sensitive to the diplomatic relationship between the two countries in taking decisions that affect Nigerian citizens — *Agreed to.*

Proposed Resolution (iv):

Question: That the Senate do urge the Nigerian Government to remain firm in the enforcement of all necessary protocols in the containment of every COVID-19 variant in Nigeria — *Agreed to.*

Proposed Resolution (v):

Question: That the Senate do urge the major vaccine powers, namely, Britain, Canada, America, and the European Union, among others, to take urgent and bold steps to ensure vaccine equity in the best interest of the entire human race — *Agreed to.*

Resolved:

That the Senate do:

- (i) condemn in strong terms the U.K Government's inclusion of Nigeria in their COVID-19 red list without justification;
- (ii) urge the Federal Government to constructively engage the British authorities with a view to reverse this inclusion;
- (iii) urge the British authorities to consider removing Nigeria from the COVID-19 red list and to be sensitive to the diplomatic relationship between the two countries in taking decisions that affect Nigerian citizens;
- (iv) urge the Nigerian Government to remain firm in the enforcement of all necessary protocols in the containment of every COVID-19 variant in Nigeria; and
- (v) urge the major vaccine powers, namely, Britain, Canada, America, and the European Union, among others, to take urgent and bold steps to ensure vaccine equity in the best interest of the entire human race (*S/Res/047/03/21*).

8. Presentation of Bills:

- (i) Federal Medical Centre Igboora, Oyo State (Establishment) Bill, 2021 (HB. 347) — *Read the First Time.*
- (ii) Nigerian Institute of Chartered Foresters Bill, 2021 (HB. 801) — *Read the First Time.*
- (iii) Community Disputes Resolution Bill, 2021 (SB. 848) — *Read the First Time.*
- (iv) Federal University of Technology Sabon Birni, Sokoto State (Establishment) Bill, 2021 (SB. 868) — *Read the First Time.*
- (v) Federal University Lokoja Teaching Hospital Bill, 2021 (SB. 871) — *Read the First Time.*

9. Nigerian Coast Guard (Establishment) Bill, 2021 (SB. 844):

Motion made: That a Bill for an Act to provide for the Establishment of the Nigerian Coast Guard for ensuring the security and protection of the lives and properties in the maritime zone, in collaboration with the Nigerian Navy and other relevant security agencies in intelligence gathering and for Related Matters, 2021 be read the Second Time (*Senator Akon E. Eyakenyi — Akwa-Ibom South*).

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committees on Navy; and Marine Transport to report within four (4) weeks.

10. Customs and Excise Management Act CAP C45 LFN 2004 (Repeal and Re-Enactment) Bill, 2021 (SB. 286):

Motion made: That a Bill for an Act to Repeal the Customs and Excise Management Act CAP C45 LFN 2004 and other customs and excise laws; to establish the Nigerian Customs Service Commission; reform the administration and management of customs and excise in Nigeria and for Other Related Matters, 2021 be read the Second Time (*Senator Francis A. Alimikhena — Edo North*).

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committee on Customs, Excise and Tariff to report within four (4) weeks.

11. African Union Convention on the Protection and Assistance of Internally Displaced Persons (Domestication and Enforcement) Bill, 2021 (SB. 763):

Motion made: That a Bill for an Act to Domesticate the African Union Convention on the Protection and Assistance of Internally Displaced Persons in Africa and for Other Matters Therein, 2021 be read the Second Time (*Senator Frank C. Ibezim — Imo North*).

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committee on Judiciary, Human Rights and Legal Matters to report within four (4) weeks.

12. Federal University of Science, Technology and Innovation Agulu, Anambra State (Establishment) Bill, 2021 (SB. 368):

Motion made: That a Bill for an Act to provide for the Establishment of the Federal University of Science, Technology and Innovation Agulu, Anambra State and for Other Related Matters Thereof, 2021 be read the Second Time (*Senator Uche L. Ekwunife — Anambra Central*).

Debate:

Question put and agreed to.

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

13. Committee on Sports and Youth Development:

Report on the Federal University of Sports Nkalagu, Ebonyi State (Establishment) Bill, 2021 (SB. 138)

Motion made: That the Senate do receive and consider the Report of the Committee on Sports and Youth Development on the Federal University of Sports Nkalagu, Ebonyi State (Establishment) Bill, 2021 (*Senator Obinna J. Ogba — Ebonyi Central*).

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.

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF THE REPORT OF THE COMMITTEE ON SPORTS AND YOUTH DEVELOPMENT ON A BILL FOR AN ACT TO ESTABLISH THE FEDERAL UNIVERSITY OF SPORTS NKALAGU, EBONYI TO MAKE COMPREHENSIVE PROVISIONS FOR ITS DUE MANAGEMENT AND ADMINISTRATION AND OTHER RELATED MATTERS, 2021

PART - I ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF
THE FEDERAL UNIVERSITY OF SPORTS, NKALAGU

- Clause 1: Establishment of the Federal University of Sports Nkalagu, Ebonyi State.**
- (1) There is hereby established the Federal University of Sports Nkalagu, Ebonyi State (in this Bill referred to as "the University")
 - (2) The University -
 - (a) shall be a body corporate with perpetual succession and a common seal; and
 - (b) may sue or be sued in its corporate name.

Committee's Recommendation:

That the provision in Clause 1 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) —
Agreed to.

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

- Clause 2: Functions of the University**
- The objects of the University shall be to -
- (a) encourage the advancement of learning and to hold out to all persons without distinction of race, creed, sex or political conviction the opportunity of acquiring higher education in Sports;
 - (b) to develop and offer academic and professional programmes leading to the award of first degrees, post-graduate research and higher degrees with emphasis on planning, adaptive, technical, maintenance, Sports Medicine, developmental and productive skills in the engineering, scientific, and allied professional disciplines relating to Sports resources with the aim of producing socially mature men and women with capability not only to understand, use and adapt existing technologies in the Sports , but also to improve on them and develop new ones;
 - (c) to act as agents and catalysts, through post-graduate training, research and innovation for the effective and economic utilization, exploitation and conservation of the country's Sports resources;
 - (d) to offer to the general population particularly in the area Sports as a form of public service, the results of training and research and to foster the practical applications of these results;
 - (e) to establish appropriate relationships with other national institutions involved in training, research and development of technologies in the Sports sector;
 - (f) to identify the problems and needs of Sports in Nigeria and to find solutions to them within the context of overall national development;
 - (g) to provide and promote sound basic scientific training as a foundation for the development of Sports in Nigeria, taking into account indigenous cultures and the need to enhance national unity;
 - (h) to encourage and promote scholarship and conduct research in restricted fields of learning and human endeavour;

- (i) to relate its activities to the technological, social, cultural and economic needs of the people of Nigeria; and
- (j) to undertake any other activities, appropriate for a Sports university of the highest standard.

Committee's Recommendation:

That the provision in Clause 2 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) —
Agreed to.

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

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

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

Committee's Recommendation:

That the provision in Clause 3 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) —
Agreed to.

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

Clause 4: Powers of the University

- (1) For the carrying out of its objects as specified in Section 2 of this Bill the University shall have power to -
 - (a) establish such campuses, colleges, faculties, institutes, schools, extra-mural departments and other teaching and research units within the University as may from time to time seem necessary or desirable, subject to the approval of the National Universities Commission;
 - (b) institute professorships, readerships and associate professorships, lectureships and other posts and offices and to make appointments thereto;
 - (c) institute and award fellowships, scholarships, exhibitions, bursaries, medals, prizes and other titles, distinctions, awards and forms of assistance;
 - (d) provide for the residence, discipline and welfare of members of the University;
 - (e) hold examinations and award degrees, , certificates and other distinctions to persons who have pursued a course of study approved by the University and have satisfied such other requirements as the University may lay down;
 - (f) award honorary degrees, fellowships or academic titles;
 - (g) demand and receive from any student or any other person attending the University for the purpose of instruction such fees as the University may from time to time determine, subject to the overall directives of the appropriate authority;
 - (h) subject to section 22 of this Bill, to acquire, hold, grant, charge or otherwise deal with or dispose of movable and immovable property wherever situate
 - (i) accept gifts, legacies and donations, but without obligation to accept the same for a particular purpose unless it approves the terms and conditions attaching thereto;
 - (j) enter into contracts, establish trusts, act as trustee, solely or jointly with any other person, and employ and act through agents;
 - (k) erect, provide, equip and maintain libraries, laboratories, lecture halls, halls of residence, refectories, sports grounds, playing fields and other buildings or things necessary, suitable or convenient for any of the objects of the University;

- (l) hold public lectures and undertake printing, publishing and book selling;
 - (m) subject to any limitations or conditions imposed by Statute, to invest any moneys appertaining to the University by law of endorsement, whether for general or special purposes, and such other moneys as may not be immediately required for current expenditure, in any investments or securities or in the purchase or improvement of land, with power from time to time to vary any such investments and to deposit any moneys for the time being un-invested with any bank on deposit or current account;
 - (n) borrow, whether on interest or not, and if need be, upon the security of any or all of the property movable or immovable of the University, such moneys as the Council may from time to time in its discretion find necessary or expedient to borrow or to guarantee any loan, advances or credit facilities;
 - (o) make gifts for any charitable purpose;
 - (p) do anything which it is authorized or required by this Act or by any other Statute to do; and
 - (q) do all such acts or things, whether or not incidental to the foregoing powers, as may advance the objects of the University.
- (2) Subject to the provisions of this Bill and of the Statutes made there under and without prejudice to Section 9 (2) of this Bill the powers conferred on the University by subsection (1) of this section shall be exercisable on behalf of the University by the Council or by the Senate or in any other manner which may be authorized by this Bill

Committee's Recommendation:

That the provision in Clause 4 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) —
Agreed to.

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

Clause 5: Functions of the Chancellor, Pro-Chancellor and Vice - Chancellor

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

- (3) The Vice-Chancellor shall, in relation to the University, take precedence before all other members of the University except the Chancellor and, subject to section 5 of this Bill, the Pro-Chancellor and any other person for the time being acting as Chairman of the Council.
- (4) Subject to the provisions of this Bill, the Vice-Chancellor shall have general function, in addition to any other functions conferred on him by this Bill or otherwise, of directing the activities of the University, and shall to the exclusion of any other person or authority be the chief executive and academic officer of the University and ex-officio Chairman of the Senate.

Committee's Recommendation:

That the provision in Clause 5 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) —
Agreed to.

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

Clause 6: Establishment and Composition of Council.

- (1) There shall be a Council for the University consisting of:
 - (a) the Pro-Chancellor;
 - (b) the Vice-Chancellor;
 - (c) the Deputy Vice-Chancellor;
 - (d) one person from the Ministry responsible for Education;
 - (e) One person from the Ministry responsible for Sports
 - (f) four persons appointed by the Senate from among its members;
 - (g) two persons appointed by the congregation from among its members; and
 - (h) one persons appointed by Convocation from among its members.
- (2) Persons to be appointed to the Council shall be persons of proven integrity, knowledgeable and familiar with the affairs and tradition of the University.

Committee's Recommendation:

That the provision in Clause 6 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) —
Agreed to.

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

Clause 7: Functions of the Council and its Finance and General-Purpose Committee

- (1) Subject to the provisions of this Bill relating to the Visitor, the Council shall be the Governing Body of the University and shall be charged with the general control and superintendence of the policy, finances and property of the University, including its public relations.

- (2) There shall be a committee of the Council to be known as the Finance and General Purposes Committee, which shall, subject to the directions of the Council, exercise control over the property and expenditure of the Council as the Council may from time to time delegate to it.
- (3) Provision shall be made by Statute with respect to the constitution of the Finance and General Purposes Committee.
- (4) The Council shall ensure proper accounts of the University are kept and that the accounts of the University are audited annually by auditors appointed by the Council from the list and in accordance with guidelines supplied by the Auditor-General of the Federation, and that an annual report is published by the University together with certified copies of the said accounts as audited.
- (5) Subject to this Bill and the Statutes, the Council and the Finance and General Purposes Committee may each make rules for the purpose of exercising any of their respective functions or of regulating their own procedure.
- (6) Rules made under subsection (5) of this section by the Finance and General Purposes Committee shall not come into force unless approved by the Council, and where any rule so made by the Committee conflict with any directions given by the Council (whether before or after the coming into force of the rules in question), the direction of the Council shall prevail.
- (7) There shall be paid to the members of the Council, the Finance and General Purposes Committee and of any other committee set up by the Council, allowances in respect of travelling and other reasonable expenses, at such rates as may from time to time be fixed by extant government circulars.
- (8) The Council shall meet as and when necessary for the performance of its functions under this Bill, and shall meet at least four times every year.
- (9) If required in writing by any five members of the Council, the Chairman shall within twenty-eight days after the receipt of such request call a meeting of the Council:

PROVIDED that if after 28 days of the receipt or delivering to him of such request, the chairman fails or neglects to call a meeting, the Registrar shall within 14 days thereof, cause a meeting of the Council to be convened for that purpose. The request shall specify the business to be considered at the meeting and no business not so specified shall be transacted

Committee's Recommendation:

That the provision in Clause 7 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) —
Agreed to.

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

Clause 8: Functions of the Senate.

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

- (b) The Senate shall, by regulation, provide that at least one of the persons appointed as examiners at each final or professional examination held in conjunction with any course of study in the University is not a teacher at the University but is a teacher at the branch of learning to which the course relates in some other university of high repute.
- (5) Subject to a right of appeal to the Council from a decision of the Senate under this subsection, the Senate may deprive any person of any degree, diploma or other award of the University which has been conferred on him if after due enquiry he is shown to have been guilty of any dishonourable or scandalous conduct in gaining admission into the University or obtaining that award.

Committee's Recommendation:

That the provision in Clause 8 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) — Agreed to.

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

Clause 9: Functions of the Vice-Chancellor

- (1) The Vice-Chancellor shall, in relation to the University, take precedence before all other members of the University except the Chancellor and, subject to section 5 of this Act, the Pro-Chancellor and any other person for the time being acting as Chairman of the Council.
- (2) Subject to the provisions of this Act, the Vice-Chancellor shall have general function, in addition to any other functions conferred on him by this Act or otherwise, of directing the activities of the University, and shall to the exclusion of any other person or authority be the chief executive and academic officer of the University and ex-officio Chairman of the Senate

Committee's Recommendation:

Leave out the provision in Clause 9 (*Senator Obinna J. Ogba — Ebonyi Central*) — Agreed to.

PART II - TRANSFER OF PROPERTY, ETC TO THE UNIVERSITY

Clause 10: Transfer of Property to the University.

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

Committee's Recommendation:

That the provision in Clause 10 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) — 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 any of the following purposes -
 - (a) making provision with respect to the composition and constitution of any authority of the University;
 - (b) specifying and regulating the powers and duties of any authority of the University, and regulating any other matter connected with the University or any of its authorities;
 - (c) regulating the admission of students where it is done by the University, and their discipline and welfare;
 - (d) determining whether any particular matter is to be treated as an academic or non-academic matter for the purposes of this Bill and of any Statute, regulation or other instrument made there-under; and
 - (e) making provision for other matters for which provision by Statute is authorized or required by this Bill.
- (2) Subject to section 25 (6) of this Bill, the Interpretation Bill shall apply in relation to any Statute made under this section as it applies to a subsidiary instrument within the meaning of section 27 (1) of that Bill
- (3) The Statute contained in the Third Schedule to this Bill shall be deemed to have come into force on the commencement of this Bill and shall be deemed to have been made under this section by the University.
- (4) The power to make Statute conferred by this section shall not be prejudiced or limited in any way by reason of the inclusion or omission of any matter in or from the Statute contained in the Third Schedule to this Bill or any subsequent Statute.

Committee's Recommendation:

That the provision in Clause 11 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) —
Agreed to.

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

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

- (1) The power of the University to make Statutes shall be exercised in accordance with the provisions of this section.
- (2) A proposed Statute shall not have the force of law until it has been approved at a meeting of the -
 - (a) Senate, by the votes of not less than two thirds of the members present and voting; and
 - (b) Council by the votes of not less than two thirds of the members present and voting.

- (3) A proposed Statute may originate either in the Senate or Council, and may be approved as required by subsection (2) of this section by both bodies in no particular order.
- (4) A Statute which -
 - (a) makes provision for or alters the composition or constitution of the Council, the Senate or any other authority of the University; or
 - (b) provides for the establishment of a new campus or college or for the amendment or revocation of any Statute whereby a campus or college is established; shall not come into operation unless it has been approved by the Visitor.
- (5) For the purpose of section 2 (2) of the Interpretation Act, a Statute shall be treated as being made on the date on which it is approved by the Council and the Senate in accordance with subsection (3) of this section or in the case of a Statute falling within subsection (4) of this section, on the date on which it is approved by the President.

Committee's Recommendation:

That the provision in Clause 12 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) —
Agreed to.

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

PART IV - SUPERVISION AND DISCIPLINE

Clause 13: Proof of Statute.

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

Committee's Recommendation:

That the provision in Clause 13 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) —
Agreed to.

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

Clause 14: Power to decide the meaning of Statute.

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

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

- (3) The foregoing provisions of this section shall apply in relation to any doubt or dispute as to whether any matter is, for the purposes of this Bill, academic or a non-academic matter as they apply in relation to any such doubt or dispute as is mentioned in subsection (1) of this section, and accordingly the reference in subsection (2) of this section to any question as to the meaning of any provision of a statute shall include references to any question as to whether any matter is for the said purposes an academic or non-academic matter

Committee's Recommendation:

That the provision in Clause 14 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) — Agreed to.

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

Clause 15: The Visitor.

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

Committee's Recommendation:

That the provision in Clause 15 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) — Agreed to.

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

Clause 16: Removal of certain Members of the Council

- (1) If it appears to the Council that a member (other than the Pro-Chancellor or the Vice-Chancellor) should be removed from office on grounds of misconduct or inability to perform the functions of his office, the Council shall make a recommendation to that effect through the Minister to the President and if the President, after making such enquiries (if any) as may be considered necessary, approves the recommendation he may direct the removal of the member from office.

- (2) It shall be the duty of the Minister to use his best endeavours to cause a copy of the instrument embodying a direction under subsection (1) of this section to be served as soon as reasonably practicable on the person to whom it relates.

Committee's Recommendation:

That the provision in Clause 16 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) —
Agreed to.

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

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

- (1) If it appears to the Council that there are reasons for believing that any person employed as a member of the academic, administrative or professional staff of the University, other than the Vice-Chancellor, should be removed from office or on grounds of misconduct or inability to perform the functions of his office Council shall -
- (a) give notice of those reasons to the person in question;
 - (b) afford such person an opportunity of making representation in person on the matter to the Council; and
 - (c) take a decision to terminate or not to terminate the appointment.
- (2) If the affected staff or any three members of the Council so request within a period of one month from the date of receipt of the notice of the Council's decision, the Council shall make arrangements for -
- (a) a joint committee of the Council and the Senate to review the matter and to report on it to the Council;
 - (b) the person in question to be afforded an opportunity to appear before and be heard by an investigating committee with respect to the matter;
- and 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 gross misconduct by a member of staff which in the opinion of the Vice-Chancellor is prejudicial to the interest of the University, suspend such member and any such suspension shall immediately be reported to the Council.
- (4) Any member of staff may be suspended from duty or his appointment may be terminated by Council for a good cause and for the purposes of this subsection "good cause" means -
- (a) conviction for any offence which the Council considers to be such as to render the person concerned unfit for the discharge of the functions of his office;

- (b) any physical or mental incapacity which the Council, after obtaining medical advice, considers to be such as to render the person concerned unfit to continue to hold office;
 - (c) conduct of a scandalous or disgraceful nature which the Council considers to be such as to render the person concerned unfit to continue to hold office; or
 - (d) conduct which the Council considers to be such as to constitute failure or inability of the person concerned to discharge the functions of his office or to comply with the terms and conditions of his service.
- (5) Any person suspended pursuant to subsection (3) of this section shall be on half pay and the Council shall before the expiration of a period of three months from the date of such suspension consider the case against that person and come to a decision as to whether to -
- (a) continue such person's suspension and if so on what terms (including the proportion of his emoluments to be paid to him);
 - (b) reinstate such person in which case the Council shall restore his full emoluments with effect from the date of suspension;
 - (c) terminate the appointment of the person concerned in which case such a person will not be entitled to the proportion of his emoluments withheld during the period of suspension; or
 - (d) take such lesser disciplinary action against such person (including the restoration of such proportion of his emoluments that might have been withheld) as the Council may determine.
- (6) Where the Council, pursuant to this section, decides to continue a person's suspension or decides to take further disciplinary action against the person, the Council shall, before the expiration of three months from such decision come to a final determination in respect of the case concerning such a person.
- (7) It shall be the duty of the person by whom an instrument of removal is signed in pursuance of subsection (1) above to use his best endeavors to cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it relates.
- (8) Nothing in the foregoing provisions of this section shall prevent the Council from making regulations for the discipline of staff and workers of the University as may be appropriate.

Committee's Recommendation:

That the provision in Clause 17 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) —
Agreed to.

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

PART V - MISCELLANEOUS AND GENERAL

Clause 18: Removal of Examiners

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

Committee's Recommendation:

That the provision in Clause 18 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) — *Agreed to.*

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

Clause 19: Discipline of Students.

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

- (4) The fact that an appeal from a direction is brought pursuant to subsection (2) of this section shall not affect the operation of the direction while the appeal is pending.
- (5) The Vice-Chancellor may delegate his powers under this section to a disciplinary board consisting of such members of the University as he may nominate.
- (6) Nothing in this section shall be construed as preventing the restriction or termination of a student's activities at the University for conduct which in the opinion of Senate is prejudicial to the interest of the University or to its corporate objective or image.
- (7) A direction under subsection (1) (a) of this section may be combined with a direction under subsection (1) (b) of this section.

Committee's Recommendation:

That the provision in Clause 19 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) —
Agreed to.

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

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

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

Committee's Recommendation:

That the provision in Clause 20 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) —
Agreed to.

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

Clause 21: Transfer of land to the University.

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

Committee's Recommendation:

That the provision in Clause 21 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) — Agreed to.

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

Clause 22: Restriction on disposal of land by University.

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

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

Committee's Recommendation:

That the provision in Clause 22 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) — Agreed to.

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

Clause 23: Quorum and procedure of bodies established by this Act.

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

Committee's Recommendation:

That the provision in Clause 23 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) — Agreed to.

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

Clause 24: Appointment of Committees, etc.

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

- (2) Any two or more such bodies may arrange for the holding of joint meetings of those bodies or for the appointment of committees consisting of members of those bodies, for the purpose of considering any matter within the competence of those bodies or any of them and either dealing with it or of reporting on it to those bodies or any of them.
- (3) Except as may be otherwise provided by Statute or Regulations, the quorum and procedure of a committee established or meeting held pursuant to this section shall be such as may be determined by the body or bodies which have decided to establish the committee or hold the meeting.
- (4) The Pro-Chancellor and the Vice-Chancellor shall be members of every committee of which the members are wholly or partly appointed by the Council, (other than a committee appointed to inquire into the conduct of the officer in question) and the Vice-Chancellor shall be a member of every committee of which the members are wholly or partly appointed by the Senate.
- (5) Nothing in the foregoing provisions of this section shall be construed as enabling—
 - (a) statutes to be made otherwise than in accordance with section 11 of this Bill; or
 - (b) the Senate to empower any other body to make Regulations or to award degrees or other qualifications.

Committee's Recommendation:

That the provision in Clause 24 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) —
Agreed to.

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

Clause 25: Miscellaneous Administrative provisions

- (1) The seal of the University shall be such as may be determined by the Council and approved by the Chancellor and the affixing of the seal shall —
 - (a) in the case of certificates issued by the University, be authenticated by the Vice-Chancellor and the Registrar; and
 - (b) in the case of any other document, be authenticated by any member of Council, the Vice-Chancellor and the Registrar or any other person authorized by Statute.
- (2) Any document purporting to be a document executed under the seal of the University shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed.
- (3) Any contract or instrument which, if made or executed by a person not being a body corporate, would not be required to be under seal, may be made or executed on behalf of the University by any person generally or specially authorized to do so by the Council without seal.
- (4) The validity of the proceedings of anybody established pursuant to this Act shall not be affected by-

- (5) Any member of any such body who has a personal interest in any matter proposed to be considered by that body shall disclose his interest to the body and shall not vote on any question relating to that matter.
- (6) Nothing in section 12 of the Interpretation Act (which provides for the application, in relation to subordinate legislation, of certain incidental provisions) shall apply to Statutes or Regulations made pursuant to this Bill.
- (7) The power conferred by this Bill on anybody to make Statute or Regulations shall include power to revoke or vary any—
- (a) Statute (including the Statute contained in the Third Schedule to this Bill; or
 - (b) regulation by a subsequent Statute or Regulation as the case may be;

PROVIDED that the Statutes and Regulations may have different provisions in relation to different circumstances.

- (8) No stamp or other duty shall be payable in respect of any transfer of property to the University by virtue of sections 10, 21 and the Second Schedule to this Bill.
- (9) Any notice or other instrument authorized to be served by virtue of this Bill may, without prejudice to any other mode of service, be served by post.

Committee's Recommendation:

That the provision in Clause 25 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) —
Agreed to.

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

Clause 26: Interpretation.

- (1) In this Bill—
- "appropriate authority" means any person, body or authority authorized by law to act in a specific or general capacity in relation to a subject matter;
- "campus" means any campus which may be established by the University;
- "college" means any college which may be established by the University;
- "graduate" means a person on whom a degree (other than an honorary degree) has been conferred by the University;
- "gross misconduct" means any act of misconduct and improper behavior that may be designated as gross misconduct by any Statute or Regulation made, pursuant to this Bill.
- "Minister" means the Minister charged with responsibility for education;

"misconduct" means any conduct which is prejudicial to the good name of the University and or discipline and the proper administration of the business of the University;

"notice" means notice in writing;

"officer" does not include the Visitor;

prescribed" means prescribed by Statute or Regulation made under this Bill;

"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;

"the provisional Council" means the provisional Council appointed for the University by the President;

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

"Senate" means the Senate of the University established by the Act;

Statute" means a Statute made by the University under section 11 of this Act and in accordance with the provisions of section 12 of this Bill;

"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;

"President" means the President of the Federal Republic of Nigeria;

"Constitution" means the Constitution of the Federal Republic of Nigeria;

"undergraduate" means a person in statupupilari in the University, other than—

(a) a graduate; and

(b) a person of such description as may be prescribed for the purposes of this definition.

"the University" the Federal University of Sports, Nkalagu incorporated and constituted by this Bill; and

"the Bill " means the Federal University of Sports, Nkalagu Bill

- (2) Where in any provision of this Bill, it is laid down that those proposals are to be submitted or a recommendation is to be made by one authority to another through one or more intermediate authorities, it shall be the duty of every such intermediate authority to forward any

proposals or recommendations received by it pursuant to that provision to the appropriate authority; but any such intermediate authority may, if it thinks fit, forward therewith its own comments thereon.

Committee's Recommendation:

That the provision in Clause 26 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) — *Agreed to.*

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

Clause 27: Short Title

This Bill may be cited as the Federal University of Sports Nkalagu, Ebonyi State (Establishment) Bill, 2021.

Committee's Recommendation:

That the provision in Clause 27 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) — *Agreed to.*

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

FIRST SCHEDULE
PRINCIPAL OFFICERS OF THE UNIVERSITY

The Chancellor.

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

The Pro-Chancellor.

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

The Vice-Chancellor.

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

Deputy Vice-Chancellor.

4. (1) There shall be for the University, two Deputy Vice-Chancellors or such number of Deputy Vice Chancellors as the Council may, from time to time, deem necessary for the proper administration of the University.
- (2) The procedure for the appointment and removal of the Deputy Vice Chancellor shall be in accordance with the provisions of the Universities {Miscellaneous Provisions} Act 1993 as amended.
- (3) A Deputy Vice-Chancellor shall—
 - (a) assist the Vice-Chancellor in the performance of his functions;
 - (b) act in place of the Vice-Chancellor when the post of the Vice-Chancellor is vacant or if the Vice-Chancellor is, for any reason, absent or unable to perform his functions as Vice-Chancellor; and

- (c) perform such other functions as the Vice-Chancellor or the Council may, from time to time, assign to him.

Office of the Registrar, Bursar and University Librarian.

5. (1) There shall be for the University, a Registrar, who shall be the Chief Administrative Officer of the University and shall be responsible to the Vice-Chancellor for the day-to-day administration of the University except as regards matters for which the Bursar is responsible in accordance with paragraph 6 (2) below.
- (2) The person holding the office of Registrar shall by virtue of that office be Secretary to the Council, the Senate, Congregation and Convocation.
- (3) The Registrar shall hold office in accordance with the provision of the University (Miscellaneous Provision) Act, 1993 as amended
6. (1) There shall be for the University, the following Principal Officers in addition to the Registrar, that is—
- (a) the Bursar; and
- (b) the University Librarian.
- (2) The Bursar shall be the Chief Financial Officer of the University and shall be responsible to the Vice-Chancellor for the day-to-day administration and control of the financial affairs of the University.
- (3) The University Librarian shall be responsible to the Vice-Chancellor for the administration of the University Library and the co-ordination of all library services in the University and its campuses, colleges, faculties, schools, departments and institutes and other teaching or research units.
- (4) The Bursar and the University Librarian—
The Bursar and University Librarian shall hold office in accordance with the provision of the University (Miscellaneous Provision) Act, 1993 as amended

Other Officers of the University.

7. There shall be for the University, a Director of Works, who shall be responsible to the Vice Chancellor for the administration of the Works Department. He shall be responsible for all works, services and maintenance of University facilities.
8. There shall be for the University, a Director of Health Services, who shall be responsible to the Vice Chancellor for the administration of the Health Centre. He shall be the Chief Medical Officer of the University and shall coordinate all matters relating to the health of all staff and students.

Resignation and re-appointment.

9. (1) Any officer mentioned in the foregoing provisions of this schedule may resign his office in—
- (a) the case of the Chancellor or Pro-Chancellor, by notice to the Visitor;
- (b) the case of the Vice-Chancellor by notice to the Council which shall immediately notify the Minister; and

- (2) A person who has ceased to hold an office so mentioned otherwise than by removal for misconduct shall be eligible for re-appointment to that office.

Question that the Provision in the First Schedules Stand Part of the Bill — Agreed to.

SECOND SCHEDULE

TRANSITIONAL PROVISIONS AS TO PROPERTY, FUNCTIONS, ETC.

TRANSFER OF PROPERTY TO THE UNIVERSITY

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

Registration of Transfers

3.
 - (1) If the law in force at the place where any property transferred by this Bill is situated provides for the registration of transfers of property of the kind in question (whether by reference to an instrument of transfer or otherwise), the law shall, so far as it provides for alterations of a register (but not for avoidance of transfers, the payment of fees of any other matter) applies, with the necessary modifications to the transfer of the property in question.
 - (2) It shall be the duty of the body to which any property is transferred by this Bill to furnish the necessary particulars of the transfer to the proper officer of the registration authority, and of that officer to register the transfer accordingly
4.
 - (1) The first meeting of the Council shall be convened by the Pro-Chancellor on such date and in such manner as he may determine.
 - (2) The persons who were members of the provisional Council shall be deemed to constitute the Council until the date when the Council set up under the Third Schedule to this Bill must have been duly constituted.
 - (3) The first meetings of the Senate as constituted by this Bill shall be convened by the Vice-Chancellor on such date and in such manner as he may determine.

- (4) The persons who were members of the Senate immediately before the coming into force of this Bill shall be deemed to constitute the Senate of the University until the date when the Senate as set up under the Third Schedule of this Bill must have been duly constituted.
 - (5) Subject to any regulations which may be made by the Senate after the date on which this Bill is made, the faculties, faculty boards and students of the University immediately before the coming into force of this Bill shall on that day become faculties, faculty boards and students of the University as established by this Bill
 - (6) Persons who were deans or associate deans of faculties or members of faculty boards shall continue to be deans or associate deans or become members of the corresponding faculty boards, until new appointment are made in pursuance of the Statutes under this Bill
5. Any person who was a member of the staff of the University as established or was otherwise employed by the provisional Council shall be employed at the University on such designation, status and functions which correspond as nearly as possible to those which pertained to him as a member of that staff or as such an employee.
 6. Questions as to the scope of the responsibilities of the aforesaid officers shall be determined by the Vice-Chancellor.

Question that the Provision in the Second Schedules Stand Part of the Bill — Agreed to.

THIRD SCHEDULE
SPORTS UNIVERSITY OF NIGERIA ABUJA UNIVERSITY STATUTE NO. 1

Articles:—

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

The Council

- (1) Any member of Council holding office pursuant to section 6 (e) (f) (g) or (h) of this Bill may, by notice to the Council resign his office.
- (2) A member of Council holding office pursuant to section 6 (e) (f) (g) or (h) of this Bill shall, unless he previously vacates it, vacate that office on the expiration of a period of four years starting from 1st August in the year in which he was appointed
- (3) Where a member of Council holding office pursuant to section 6 (e) (f) (g) or (h) of this Bill vacates office before the expiration of his tenure, the body that appointed him may appoint a successor to hold office for the residue of his unexpired term.

- (4) A person ceasing to hold office as a member of Council otherwise than by removal for misconduct shall be eligible for reappointment for only one further period of four years.
- (5) The quorum of the Council shall be five, at least one of whom shall be a member pursuant to Section 6 (d) and (e) of this Bill
- (6) If the Pro-Chancellor is not present at a meeting of the Council, the members present at the meeting may appoint one of them to be the Chairman at that meeting, and subject to section 5 of this Bill and the provisions of this paragraph the Council may regulate its own procedure.
- (7) Where the Council desires to obtain advice with respect to any particular matter, it may co-opt not more than two persons for that purpose; and the persons co-opted may take part in the deliberations of the Council at any meeting but shall not be entitled to vote.
- (8) The Council constituted by this Bill shall have a four-year tenure from the date of its inauguration, provided that where a Council is found to be incompetent and corrupt, it shall be dissolved by the visitor and a new Council shall be immediately constituted for the effective functioning of the University.
- (9) The powers of the Council shall be exercised in accordance with the laws and Statutes of the University, and to that extent, establishment circulars that are inconsistent with the laws and Statutes of the University shall not apply to the University.

The Finance and General-Purpose Committee

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

The Senate

3. (1) There shall be a Senate for the University consisting of:—
 - (a) the Vice-Chancellor;
 - (b) the Deputy Vice-Chancellor;
 - (c) all Professors of the University;

- (d) all Deans, Provosts and Directors of Academic units of the University;
 - (e) all Heads of Academic Departments, Units and Research Institutes of the University;
 - (f) the University Librarian; and
 - (g) academic members of the congregation who are not Professors as specified in the Laws of the University.
- (2) The Vice-Chancellor shall be the chairman at all meetings of the Senate when he is present and in his absence, one of the Deputy Vice-Chancellors appointed by him shall be the chairman at the meeting.
 - (3) The quorum of the Senate shall be one-quarter (or the nearest whole number less than one quarter), and subject to paragraph (2) above the Senate may regulate its own procedure.
 - (4) If so requested in writing by any ten members of the Senate, the Vice-Chancellor, or in his absence a person duly appointed by him, shall convene a meeting of the Senate to be held not later than the tenth day following that on which the request was received.

Congregation

- 4. (1) Congregation shall consist of—
 - (a) the Vice-Chancellor and the Deputy Vice-Chancellor;
 - (b) the full-time members of the academic staff;
 - (c) the Registrar;
 - (d) the Bursar; and
 - (e) every member of the administrative and technical staff who holds a degree of any University recognized for the purpose of this Statute by the Vice-Chancellor, not being an honorary degree.
- (2) Subject to section 5 of this Bill, the Vice-Chancellor shall be the Chairman at all meetings of congregation when he is present, and in his absence one of the Deputy Vice Chancellors appointed by him shall be the chairman at the meeting.
- (3) The quorum of congregation shall be one-third (or the nearest whole number to one-third) of the total number of members of congregation or fifty, whichever is less.
- (4) A certificate signed by the Vice-Chancellor specifying—
 - (a) the total number of members of Congregation for the purposes of any particular meeting or meetings of Congregation; or
 - (b) the names of the persons who are members of Congregation during a particular period; shall be conclusive evidence of that number or as the case may be of the names of those persons.

- (5) Subject to the provisions of this schedule, congregation may regulate its own procedure.
- (6) Congregation shall be entitled to express by resolution or otherwise its opinion on all matters affecting the interest and welfare of the University and shall have such other functions in addition to the function of electing a member of the Council, as may be provided by Statute or Regulations.

Convocation

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

- (9) Convocation shall have such functions, in addition to the function of appointing a member of the Council, as may be provided by statute.

Organization of Faculties and Branches thereof

6. Each Faculty shall be divided into such number of branches as may be prescribed.
7. (1) There shall be established in respect of each Faculty, a Faculty Board, which, subject to the provisions of this Bill, and subject to the directions of the Vice-Chancellor, shall
- (a) regulate the teaching and study of, and the conduct of examinations connected with the subjects assigned to the faculty;
 - (b) deal with other matters assigned to it by Statute, by the Vice-Chancellor or by the Senate; and
 - (c) advise the Vice-Chancellor or Senate on any matter referred to it by the Vice-Chancellor or Senate.
- (2) Each Faculty Board shall consist of —
- (a) the Vice-Chancellor;
 - (b) the persons severally in charge of the branches of the faculty;
 - (c) such number of the teachers assigned to the faculty and having the prescribed qualifications as the Board may determine; and
 - (d) such persons whether or not members of the University as the Board may determine with the general or special approval of Senate.
- (3) The quorum of the Board shall be eight members or one-quarter of the members of the Board for the time being whichever is greater.
- (4) Subject to the provisions of this statute and to any provision made by regulations in that behalf, the Board may regulate its own procedure.

The Dean of the Faculty

8. (1) The Dean of a faculty shall be a professor elected by the Faculty Board and such Dean shall hold office for a term of two years. He will be eligible for re-election for another term of two years after which he may not be elected again until two years have elapsed.
- (2) If there is no professor in a faculty, the Vice-Chancellor shall appoint an Acting Dean who shall not be below the rank of Senior Lecturer for the faculty, who will act for a period of one year in the first instance, renewable for another one year only.
- (3) In the absence of the Vice-Chancellor, the Dean shall be the chairman at all meetings of the Faculty Board when he is present and he shall be a member of all committees and other boards appointed by the faculty.
- (4) The Dean of a faculty shall exercise general superintendence over the academic and administrative affairs of the faculty and it shall be the function of the Dean to present to the convocation for the conferment of Degrees, persons who have qualified for the Degrees of the University at examinations held in the branches of learning for which responsibility is allocated to that faculty.

- (5) There shall be a committee to be known as the Committee of Deans which shall consist of all the Deans of the several faculties and that committee shall advise the Vice-Chancellor on all academic matters and on particular matters referred to the Committee by the Senate.
- (6) The Dean of a faculty may be removed from office for a good cause by the Faculty Board after a vote would have been taken at a meeting of the Board, and in the event of a vacancy occurring following the removal of the Dean, an Acting Dean may be appointed by the Vice-Chancellor provided that at the next faculty board meeting an election shall be held for a new Dean.
- (7) In this article, "good cause" has the same meaning as in section 17 (4) of this Bill

Selection of Certain Principal and other key Officers

9. (1) When a vacancy occurs in the Office of the Registrar, Bursar, the University Librarian, Director of Works or Director of Health Services, a Selection Board shall be constituted by the Council and shall consist of—
 - (i) the Pro-Chancellor;
 - (ii) the Vice-chancellor;
 - (iii) two members appointed by the Council, not being members of Senate; and
 - (iv) two members appointed by the Senate not being members of Council.
- (2) The Selection Board, after making such inquiries as it thinks fit, shall recommend a candidate to the Council for appointment to the vacant office, and after considering the recommendation of the Board the Council may make an appointment to that office.
- (3) A person appointed to the office of Director of Works or Director of Health Services shall hold office for such period and on such terms and conditions as may be specified in his letter of appointment.

Creation of Academic Post

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

Appointment of Academic Staff

11. Subject to this Bill and the Statutes derived from it, the filling of vacancies in academic posts (including newly created ones) shall be as prescribed from time to time by Statutes.

Appointment of Administrative and Technical Staff

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

Question that the Provision in the Third Schedules 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 the Report of the Committee on Sports and Youth Development on the Federal University of Sports Nkalagu, Ebonyi State (Establishment) Bill, 2021 and approved as follows:

Clauses 1-27 — As Recommended

Schedule 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.

14. Committee on Sports and Youth Development:

Report on the National Sports Commission (Establishment) Bill, 2021 (SB. 202):

Motion made: That the Senate do receive and consider the Report of the Committee on Sports and Youth Development on the National Sports Commission (Establishment) Bill, 2021 (*Senator Obinna J. Ogba — Ebonyi Central*).

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.

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF THE REPORT OF THE COMMITTEE ON SPORTS AND YOUTH DEVELOPMENT ON A BILL FOR AN ACT TO ESTABLISH THE NATIONAL SPORTS COMMISSION TO BE CHARGED WITH THE RESPONSIBILITY OF ADMINISTERING, ENCOURAGING AND DEVELOPING SPORTS AND GAMES THROUGHOUT NIGERIA AND OTHER MATTERS INCIDENTAL THERETO, 2021.

Clause 1: Establishment of the National Sports Commission.

(1) There is established a body to be known as the National Sports Commission (in this Bill referred to as "the Commission")

(2) The Commission-

(i) shall be a body corporate with perpetual succession,

(ii) a common seal, and

(iii) may sue and be sued in its corporate name.

Committee's Recommendation:

That the provision in Clause 1 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) —
Agreed to.

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

Clause 2: Membership of the Commission.

(1) The Commission shall consist of the following members—

- (i) The Chairman of the Commission;
- (ii) The Director- General of the Commission;
- (iii) The Head of Schools of Sports in the Federal Ministry of Education;
- (iv) The Permanent Secretary, Federal Ministry of Sports or his Representative;
- (v) Representative of NAPER-SD;
- (vi) Chairman of State Directors of Sports Forum
- (vii) Two Representatives from Organised Private Sector;
- (viii) The Director/CEO of National Institute of Sports;
- (ix) Representative of Military/ Para Military Agencies;
- (x) Representative of Institutional Sports (NUGA, NIPOGA, NICEGA);
- (xi) Association of Retired Sports men and women;
- (xii) A Representative of Nigerian Medical Association who shall be a Sports Medicine Expert;
- (xiii) A Representative of Persons living with disability in Sports;
- (xiv) Nigeria Football Federation;
- (xv) A Representative of Professional Footballers Association of Nigeria;
- (xvi) Sports Writers Association of Nigeria; and
- (xvii) Six chairmen of States Sports Councils representing the sports zones to serve on rotational basis of 2 years per State:—
 - (i) Zone 1 Ibadan;
 - (ii) Zone 2 Benin;
 - (iii) Zone 3 Enugu;
 - (iv) Zone 4 Bauchi;

- (v) Zone 5 Jos; and
 - (vi) Zone 6 Kaduna.
- (2) The Chairman and members of the Commission shall be appointed by the President.
 - (3) A member of the Commission shall hold office for a period of four (4) years beginning with the date on which he was appointed and may be re-appointment for another period of four (4) years subject to satisfactory performance.
 - (4) A member of the Commission other than the Chairman may by notice in writing addressed to the President through the Chairman, resign his office and that member shall, on the day of the receipt of the notice by the President, cease to be a member.
 - (5) The Chairman may resign his membership by notice in writing addressed to the President and unless the President rejects the notice, the Chairman shall, on the day of the receipt of the notice by the President, cease to be a member.
 - (6) Members of the Commission except the chairman shall receive no remuneration but may be paid such travelling and other allowances as may " from time to time be approved by the President.
 - (7) The provisions of the Schedule to this Bill shall have effect with respect to the constitution and procedure of the Commission and other matters mentioned therein.

Committee's Recommendation:

That the provision in Clause 2 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) —
Agreed to.

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

Clause 3: Functions of the Commission

- (1) The functions of the Commission shall be—
 - (a) to encourage the development and organisation of and participation in sports in Nigeria;
 - (b) to co-ordinate and integrate efforts to raise the standard of performance in sports throughout Nigeria;
 - (c) to maintain every stadium owned or controlled by the Federal Government and to direct all activities relative thereto but Concession shall be with the approval of the Ministry
- (2) The Commission shall, in all international relations affecting sports, have the sole right to make, on behalf of the States Sports Councils, any necessary arrangements for competitions, technical assistance, recruitment of coaches and for any such other matters as the Commission may think fit.
- (3) Without prejudice to the generality of subsection (1) of this section, it shall be the duty of the Commission—

- (a) to promote, in co-operation with other sports bodies or sports groups, the physical fitness and general well-being of all persons in Nigeria;
- (b) to organise, or assist financially or otherwise, the participation in sports at inter-State, national and international levels;
- (c) to train Nigerians to become sportsmen and instructors in sports;
- (d) to conduct and encourage research into all matters relating to sports;
- (e) to provide and maintain sports centres and facilities for the training of Nigerians as instructors and organizer's of sports;
- (f) to ensure the participation of all sportsmen where required in inter-State, national, or international competitions.

Committee's Recommendation:

That the provision in Clause 3 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) —
Agreed to.

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

Clause 4: Powers of the Commission to enter into contracts, to hold property and to invest.

- (1) The Commission may enter into such contracts as may be necessary or expedient for giving effect to the provisions of this Bill.
- (2) Subject to the approval of the President, the Commission may acquire and hold such movable or immovable property as may be necessary or expedient for giving effect to the provisions of this Bill and may, for the same purpose, sell, lease, mortgage; or otherwise alienate or dispose of any property so acquired and held with the approval of the Ministry
- (3) The Commission may invest its funds in such manner and to such extent as it thinks necessary or expedient.

Committee's Recommendation:

That the provision in Clause 4 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) —
Agreed to.

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

Clause 5: Powers of the Commission to Borrow.

Subject to the approval of the President, the Commission may, for the purpose of giving effect to this Bill, borrow such sums of money as it may require in the exercise of its functions under this Bill with the approval of the Ministry

Committee's Recommendation:

That the provision in Clause 5 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) —
Agreed to.

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

Clause 6: Office of the Director-General and Secretary to the Commission.

- (1) There shall be a Director-General who shall also be the Secretary to the Commission.
- (2) Notwithstanding subsection (1) of this section, the Director-General may designate any other member of the staff of the Commission to act as the secretary to the Commission either generally or in any special case.
- (3) The Director or any person appointed pursuant to subsection (2) of this section, to act 'as secretary shall not be entitled to vote on any question before the Commission unless he is so entitled as a member thereof.

Committee's Recommendation:

That the provision in Clause 6 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) — *Agreed to.*

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

Clause 7: Appointment of Director and other staff.

- (1) The Director-General who shall be the chief Administrative officer of the Commission, shall be appointed by the President, and shall be responsible for the day to day administration of the Commission.
- (2) Subject to the approval of the President, the Commission may appoint such staff and agents as it may deem necessary for the efficient performance of the Commission's duties under this Bill.
- (3) The Director - General shall be a person with minimum of First Degree with cognate experience in Sports

Committee's Recommendation:

That the provision in Clause 7 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) — *Agreed to.*

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

Clause 8: Application of Pension Reform Act 2004

- (1) It hereby declared that the service in the Commission shall be Pensionable under the Pensions Act subject to the provisions of Pensions Reforms Act, and accordingly, employers of the Commission shall, in respect of their services in the Commission be entitled to pensions, gratuities and other retirement benefits as prescribed there under.
- (2) Nothing in the foregoing provisions shall prevent the appointment of a person to any office on terms which preclude the grant of a pension or gratuity in respect of service in that office.

Committee's Recommendation:

That the provision in Clause 8 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) — *Agreed to.*

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

Clause 9: Removal from office of Members of the Commission.

- (1) If it appears to the Commission that a member of the Commission should be removed from office on the ground of misconduct or inability to perform the functions of his office, the Commission shall after consultation with the interests, if any, represented by that member make a recommendation to that effect to the President, and if the President approves the recommendation he may declare, in writing, the office of that member vacant.
- (2) Without prejudice to subsection (1) of this section—
 - (a) any member who is absent from two consecutive ordinary meetings of the Commission shall file his explanation in writing with the secretary for consideration by the Commission and if the explanation is not accepted by the Commission, the Commission shall recommend to the President that the member be removed from office and the President may declare, in writing, the office of that member vacant;
 - (b) where the Commission is satisfied that the continued presence on the Commission of any member is not in the interest of Nigeria or of sports or of the Commission, the Commission may recommend to the President that member be removed, and the President may declare, in writing; "the office of "that member vacant.

Committee's Recommendation:

That the provision in Clause 9 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) —
Agreed to.

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

Clause 10: Annual reports and estimates.

- (1) The Commission shall on or before 1st October each year prepare and present to the President a report of its proceedings and operations during the period of twelve months ending on 31st December in that year, and the report shall be accompanied by a certified copy of the audited accounts of the Commission for that period.
- (2) A copy of every such report together with the audited accounts shall be laid before the National Council of Ministers as soon as may be after the presentation thereof to the President;
- (3) The Commission shall not later than 1st August in each year or as soon thereafter as the President may in a proper case allow, submit to the President for approval its estimates of revenue and expenditure in respect of the year beginning with 1st January in the following year.
- (4) There shall be a liaison office for the National Sports Commission at the National Stadium Lagos. The Lagos liaison office should be maintained for coordination of passage of Athletes and officials going outside or coming into the Country for the purpose of Sports

Committee's Recommendation:

That the provision in Clause 10 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) —
Agreed to.

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

Clause 11: Accounts and audit.

The Commission shall keep proper accounts, in a form which conforms with accepted commercial standards, of its receipts, payments, assets and liabilities and shall submit the same from time to time but not less frequently than annually for auditing by auditors appointed from the list of auditors and in accordance with the guidelines supplied by the Auditor-General of the Federation.

Committee's Recommendation:

That the provision in Clause 11 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) —
Agreed to.

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

Clause 12: Funds and resources of the Commission.

- (1) The funds and resources of the Commission shall consist of—
 - (a) such funds as may from time to time be provided by the Federal Government;
 - (b) such funds as may be collected or received by the Commission from other sources either in the execution of its functions or in respect of any property vested in the Commission; and
 - (c) such interests as may accrue to the Commission from investments made by virtue of this Bill
- (2) No funds shall be raised internationally by the Commission without the approval of the Minister.
- (3) Establishment of National Sports Development Fund.
Funding sources to include:—
 - (i) Levy at the rate of two (2) percent to be charged on assessable revenue of any Sports Lottery Company carrying on business in Nigeria;
 - (ii) Investments and any other payments required by the Bill.

Committee's Recommendation:

That the provision in Clause 12 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) —
Agreed to.

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

Clause 13: Non-liability of Members.

No member of the Commission shall be personally liable for any act or omission done or made in good faith while engaged on the business of the Commission.

Committee's Recommendation:

That the provision in Clause 13 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) — Agreed to.

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

Clause 14: Powers to make standing orders.

- (1) The Commission may, within the scope of its authority under this Bill, make standing orders relating to any internal and domestic matters placed by this Bill under its control and particularly to the matters mentioned in paragraph 9 of the Schedule to this Bill.
- (2) All such standing orders shall be in writing and shall come into force when sealed with the seal of the Commission, unless some other date for commencement be therein prescribed.
- (3) Nothing in subsection (2) of this section shall make it obligatory for the Commission to publish any or all of the said standing orders in the Federal Gazette.

Committee's Recommendation:

That the provision in Clause 14 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) — Agreed to.

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

Clause 15: Powers of President to give directives etc.

- (1) Commission and the Commission shall comply with and give effect to any such directives.
- (2) The Commission shall give to the President such information and returns relating to its activities actual or proposed as the President may from, time to time require.

Committee's Recommendation:

That the provision in Clause 15 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) — Agreed to.

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

Clause 16: Commission relationship with National Sports Association

- (1) Subject to the provisions of this section, the Commission may set up National Sports Federation for each kind of Sport and may appoint President and other members thereof; accordingly all matters relating to the constitution, affiliation, recognition, of international competitions and to officers of National Sports Federations shall be submitted for approval to the Commission.
- (2) No Government financial assistance shall be given to National Sports Federations except through the Commission which shall determine the amount and the terms of the grant; and no new grants shall be made in any case until the audited accounts of the previous year, if any, have been submitted and accepted by the Commission.

- (3) For the purposes of this section, "National Sports Federation" means the body responsible for the administration and organisation of a particular sport on a national basis in Nigeria and recognised as such by the Commission.

Committee's Recommendation:

That the provision in Clause 16 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) —
Agreed to.

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

Clause 17: Quorum and procedure of bodies established by this Act.

Subject to the provisions of this Bill and any standing orders made there under, the quorum and procedure of any body of persons established by this Bill shall be as may be determined by that body.

Committee's Recommendation:

That the provision in Clause 17 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) —
Agreed to.

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

Clause 18: Interpretation.

In this Bill, unless the context otherwise requires—

"Commission" means the National Sports Commission established by virtue of section 1 (1) of this Bill;

"Chairman" means the Chairman of the Commission appointed in accordance with section 2(1) of this Bill;

"the Director-General" means the Director-General appointed pursuant to section 7(1) of this Bill;

"functions" includes powers and duties;

"member" means a member of the Commission;

"Minister" means the Minister responsible for sports;

"National Sports Federation" has the meaning assigned to it by section 16(5) of this Bill;

"sports" includes any game or recreational activity approved by the Commission for the purposes of this Bill;

"secretary" means secretary to the Commission appointed in accordance with section 7(1) of the Bill;

"Zonal Sports Offices" means bodies established in each of the six geopolitical zones of the federation charged with responsibility for sports within each zone and recognised as such by the Commission;

"Universities Games Association" means the Games Association of the universities functioning in Nigeria and recognized as such by the Commission.

Committee's Recommendation:

That the provision in Clause 18 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) —
Agreed to.

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

Clause 19: Citation

This Bill may be cited as the National Sports Commission Bill, 2021

Committee's Recommendation:

That the provision in Clause 19 be retained (*Senator Obinna J. Ogba — Ebonyi Central*) —
Agreed to.

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

SCHEDULE**SUPPLEMENTARY PROVISIONS RELATING TO THE COMMISSION, ETC.**

Tenure of office of members, etc.

- 1 (1) Where a vacancy occurs in the membership of the Commission, that vacancy shall be filled by the appointment of a J successor to hold office for the remainder of the term of office of his predecessor, so however that the successor shall represent the same interest and shall be appointed by the same authority as his predecessor.
- (2) The Commission may act notwithstanding any vacancy in its membership or any defect in the appointment of a member or the absence of a member.

Committees

- 2 (1) The Commission shall appoint three standing committees which shall carry out such functions as the Commission may delegate to them and which shall be designated as follows—
- (a) the Finance and Establishments Committee;
- (b) the Facilities (Structures and Equipment) Committee; and
- (c) the Sports Development Committee; and, subject to the foregoing, the Commission may appoint such other committees to advise it on the exercise and performance of its functions under this Act as it may from time to time consider necessary.
- (2) Every such committee shall consist of—
- (a) a Chairman who shall be appointed by the Commission from among the members of the Commission;
- (b) not more than five other persons (whether or not they are members of the Commission), so however that any non-member of the Commission co-opted to serve on any committee shall enjoy all the rights and privileges of a member except the right to vote and to count towards a quorum.
- (3) In this paragraph "Chairman" means Chairman of a committee.
 Proceedings of the Commission

3. (1) The Commission shall meet for that conduct of business at such times, places and on such days as the Chairman may appoint but shall meet not less than twice a year.
- (2) The Chairman may at any time, and shall at the request in writing of the President or of not less than four members one each from a different zone, summon a meeting to be held within fourteen days from the date the notice is given.
- (3) Particulars of the business to be transacted at any meeting shall be circulated to members with the notice of the meeting.
4. (1) Where the Commission or a committee of the Commission desires to obtain the advice of any person on any particular matter, it may co-opt that person as a member for a meeting whether or not expressly convened for the purpose of considering that matter.
- (2) A person so co-opted shall not be entitled to vote nor shall he count towards a quorum.
5. (1) Every question put before the Commission at a meeting shall be decided by a majority of votes of the members present and voting.
- (2) Ten members, six of whom shall be chairman of Sports Councils representing the six zonal offices, shall form a quorum at any meeting of the Commission.
- (3) The Chairman shall, at any meeting, have a vote and, in the case of an equality of votes, may exercise a casting vote.
6. The Chairman shall preside at all meetings of the Commission, but if he is absent from any meeting of the Commission, the members present shall elect one of their members to preside at that meeting.

Subject to the provisions of this Bill, the Commission may make standing orders with respect to the holding of meetings, the nature of notice to be given, the proceedings thereat, the keeping of minutes of such proceedings and the custody and production for inspection of such minutes.

Miscellaneous

8. (1) Any contract or instrument which if entered into or executed by a person not being a body corporate would not be required to be under seal may be entered into or executed on behalf of the Commission by any person generally or specifically authorised by it for that purpose.
- (2) Any member of the Commission or of a committee thereof, who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Commission or the committee, shall forthwith disclose his interest to the Commission or the committee and shall not vote on any question relating to such contract or arrangement.
9. (1) The common seal of the Commission shall not be used or affixed to any document except in pursuance of a resolution duly passed at a properly constituted meeting of the Commission and recorded in the minutes of the meeting.

- (2) The fixing of the seal of the Commission shall be authenticated by the signature of the Chairman or some other member authorised generally or specifically by the Commission to act for that purpose.
- (3) Any document purporting to be a document duly executed under the seal of the Commission shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed.
10. The Six Zonal Sports offices are:—
- (1) Zone 1 - Ibadan comprising: Oyo, Ogun, Ondo, Osun, Lagos and Ekiti States;
- (2) Zone 2 - Benin comprising: Edo, Delta, Rivers, Cross River, Bayelsa and Akwa Ibom States;
- (3) Zone 3 - Enugu comprising: Abia, Imo, Ebonyi, and Anambra States;
- (4) Zone 4 - Bauchi comprising: Adamawa, Gombe, Borno and Taraba States;
- (5) Zone 5 - Jos comprising: Plateau, Nasarawa, Benue, Kwara, Niger, Federal Capital Territory, Kogi States;
- (6) Zone 6 - Kaduna comprising: Kaduna, Kano; Katsina, Jigawa, Kebbi, Sokoto, and Zamfara States.

Question that the Provision in this Schedule Stands 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 the Report of the Committee on Sports and Youth Development on the National Sports Commission (Establishment) Bill, 2021 and approved as follows:

Clauses 1-19 — 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.

**15. Committee on Health (Secondary & Tertiary):
Report on the National Burns and Rehabilitation Centre Ilaro, Ogun State (Establishment) Bill, 2021 (SB. 676):**

Motion made: That the Senate do receive and consider the Report of the Committee on Health (Secondary & Tertiary) on the National Burns and Rehabilitation Centre Ilaro, Ogun State (Establishment) Bill, 2021 (*Senator Betty J. Apiafi — Rivers 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.

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF THE REPORT OF THE COMMITTEE ON HEALTH (SECONDARY AND TERTIARY) ON A BILL FOR AN ACT TO ESTABLISH THE NATIONAL BURNS AND REHABILITATION CENTRE ILARO, OGUN STATE, TO PROVIDE INTENSIVE TREATMENT AND REHABILITATIVE NEEDS OF BURNS VICTIMS AND TO TRAIN CAPABLE HANDS IN THE TREATMENT OF BURNS RELATED INJURIES AND FOR OTHER RELATED MATTERS, 2021.

**PART 1 — ESTABLISHMENT, FUNCTIONS, MANAGEMENT AND
POWERS OF THE BOARD OF THE NATIONAL BURNS AND
REHABILITATION CENTRE.**

Clause 1: Establishment of the National Burns and Rehabilitation Centre.

- (1) There is hereby established the National Burns and Rehabilitation Centre, Ilaro (in this Bill referred to as "the Centre").
- (2) The Centre shall -
 - (a) be a body corporate with perpetual succession and a common seal;
 - (b) may sue and be sued in its corporate name; and
 - (c) be a hospital, specialising in the treatment of all degrees of Burns, cosmetic and plastic surgeries with facilities for the training of personnel in the treatment of burns at all levels.

Committee's Recommendation:

That the provision in Clause 1 be retained (*Senator Betty J. Apiafi — Rivers West*) — Agreed to.

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

Clause 2: Powers of the Centre.

- (1) The Centre shall have power to —
 - a. provide diagnostic, curative, promotive and rehabilitative Physiotherapy services;
 - b. provide ambulatory and domiciliary treatment for burn related infections, skin graftings, physiotherapy, and employing the services of medical practitioners and other health professionals;
 - c. provide facilities for the training of Plastic & Reconstructive surgeons and other health professionals of burns injuries;
 - d. create facilities for research into all aspects of burns, including - visual, clinical and experimental researches; and

- e. develop new diagnostic and therapeutic burns treatment instruments and appliances better suited to the practice of Burns treatment in Nigeria.
- (2) For the purposes of the discharge of its functions under the foregoing provisions of this section, the Centre may —
- a. arrange periodic conferences, seminars, study groups and like activities on the study of Burns and medically related topics; and
 - b. advise the Government of the Federation or of a State on all matters relating to Burns, Infection and the rehabilitation of victims.

Committee's Recommendation:

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

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

Clause 3: Constituent parts of the Centre.

The Centre shall be constituted of the following —

- (a) a Management Board;
- (b) an Education/Training Committee;
- (c) the clinical and other departments of the Centre;
- (d) all members of the administrative, clinical and technical staff; and
- (e) all students of the Centre.

Committee's Recommendation:

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

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

Clause 4: The Management Board and its functions.

- (1) There is hereby established for the Centre, a Board to be known as the National Burns and Rehabilitation Centre Management Board (in this Bill referred to as "the Board").
- (2) The Board shall be responsible for governing of the Centre and shall consist of—
 - (a) a Chairman;
 - (b) the Medical Director of the Medical Centre;
 - (c) the Head of Clinical Services;
 - (d) the Director of Administration; who shall be the Secretary of the Board;

- (e) three persons nominated by the Minister to represent a wide variety of community interests in health matters;
 - (f) one representative of the Federal Ministry of Health;
 - (g) one representative of the medical profession not being a person who is a member of Centre;
 - (h) one representative from allied health professionals; not being a staff of Centre;
 - (i) One representative of Ogun State Ministry of Health;
- (3) The Chairman and members of the Board, other than ex-officio members, shall be:—
- (a) appointed by the President; and
 - (b) be persons of proven integrity and ability.
- (4) The supplementary provisions set out in the First Schedule to this Bill shall have effect with respect to the proceedings of the Board and the other matters contained therein.

Committee's Recommendation:

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

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

Clause 5: Tenure of Office of the Chairman and Members of the Board.

- (1) The Chairman and any other member of the Board (not being an ex officio member), shall hold office for a period of four years and shall be eligible for re-appointment for a further period of four years,
- (a) Unless provided otherwise, members of the Board appointed under paragraph (d) of section 4 (1) of this Act, shall hold office for two years and shall not be eligible for re-appointment.
 - (b) A member of the Board, other than an ex-officio member, shall be paid out of monies at the disposal of the Board such remuneration and allowances in accordance with scales approved from time to time by the Salaries and Wages Commission.
- (2) In the event of the death or incapacity of the Chairman of the Board, or if for any reason other than effluxion of time, the office of the Chairman becomes vacant, the President shall, on the recommendation of the Minister, appoint another person as chairman for the residue of the term of the Chairman of the Board.
- (3) The office of a member of the Board shall become vacant if—
- (a) he previously resigns his office by notice in writing given to the Minister;
 - (b) the period of his appointment has expired; or

- (c) there is passed by the Board, a resolution declaring—
 - (i) that he has become unfit for membership of the Board, by reason of the fact that he has become incapable by reason of mental or bodily infirmity of discharging his duties; or
 - (ii) that he has been absent from three consecutive meetings of the Board without leave of the Board; or
 - (iii) he has been convicted of an offence which involves moral turpitude.
- (4) Soon after the office of a member becomes vacant, the authority by which he was appointed shall appoint another person in his place in accordance with the provisions of this Act.
- (5) Any member of the Board other than an ex-officio member may, by notice to the Board, resign his appointment.

Committee's Recommendation:

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

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

Clause 6: Duties of the Board.

- (1) The Board shall be the governing body of the Centre and shall be charged with the general control and superintendence of the policy, finances and property of the Centre, including its public relations.
- (2) Without prejudice to the generality of the foregoing, it shall be the duty of the Board—
 - (a) to construct, equip, maintain and operate the hospital, which is to provide comprehensive services, teaching and clinical research in the treatment of all degrees of Burns and related matters;
 - (b) to construct, equip, maintain and operate such training schools and similar institutions as the Board considers necessary, for providing the Centre at all times with adequate and sufficiently qualified staff, including plastic surgeons, physiotherapists, cosmetic and reconstructive surgeons, nurses and members of other allied professions and calling relevant to the treatment of Burns;
 - (c) to construct, equip, maintain and operate such clinics, units, outpatient departments, laboratories, research or experimental stations and other like institutions, as the Board may consider necessary for the efficient functioning of the Centre.
- (3) The duty of running the Centre imposed by the foregoing subsection shall include, without prejudice to the extent of that duty apart from this subsection, the duty of providing proper courses of instruction for students; but the Board shall not have power to award degrees, so

however that the Board shall not be prevented from arranging for students to attend courses at or take higher qualifications awarded by other institutions not controlled by the Board.

- (4) The Board shall ensure that the standards of treatment and care for patients provided at all establishments controlled by the Board and the standards of training at those establishments, do not fall below those usually provided by similar establishments of internationally high repute.
- (5) Subject to this Act, the Board shall have power to do anything, which in its opinion, is calculated to facilitate the carrying out of its functions under this Act.

Committee's Recommendation:

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

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

Clause 7: Responsibilities of the Board.

The Board shall be responsible for laying down general policies and guidelines relating to the management of the affairs of the Centre, including the management of the hospital and the provision of facilities relating to the training of all categories of personnel and it shall be the duty of the Director to execute such policies and to keep within such guidelines staff.

Committee's Recommendation:

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

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

Clause 8: The Medical Director.

- (1) Subject to the provisions of this section, the Medical Director shall be appointed or removed from his office by the President.
- (2) The Medical Director shall hold office for four years in the first instance and shall be eligible for reappointment for a term not exceeding four years, on each occasion.
- (3) Subject to this section, the Medical Director shall hold office on such terms as to emoluments and otherwise as may be specified in his letter of appointment.
- (4) The Medical Director shall, in relation to the Board, take precedence before all other members of the Centre, except the Chairman of the Board and any person for the time being acting as Chairman of the Board.
- (5) Subject to this section, the Medical Director shall be the Chief Executive Officer of the Centre and in addition to any other function conferred on him by this Act, have the general function of directing the day-to-day activities of the Centre.

Committee's Recommendation:

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

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

PART II— APPOINTMENT OF STAFF AND THE POWER OF THE MINISTER TO GIVE DIRECTIONS**Clause 9: Appointment of staff and the power of the Minister to give directions.**

- (1) The senior members of the clinical, administrative and technical staff of the Centre shall be appointed by the Board on the recommendation of a committee, to be known as the Appointments and Promotions Committee, set up under the provisions of paragraph 4 (3) of the Schedule to this Bill.
- (2) The Board shall from among the officers appointed pursuant to subsection (1) of this section select, on the recommendation of the Medical Director, a person to act both as the secretary to the Board and to the education committee.
- (3) The power to appoint all other categories of staff to hold or act in offices in the Centre (including power to make appointments on promotion and transfer and to confirm, dismiss or exercise other disciplinary control over persons holding or acting in offices), shall be exercised by the Chief Medical Director acting on the recommendation of the Junior Staff Appointments and Promotions Committee, constituted under paragraph 4(4) of the Schedule to this Bill.

Committee's Recommendation:

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

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

Clause 10: Composition of the Education Committee.

The education committee shall consist of—

- (a) the Head of clinical service, who shall be the chairman;
- (b) the heads of the departments of the Centre, responsible for training; and
- (c) the persons for the time being holding such offices in the Centre, as the medical Director may specify.

Committee's Recommendation:

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

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

Clause 11: Functions of the Education/Training Committee.

The Education/Training committee shall be responsible for the running of the academic affairs of the Centre including—

- (a) organising and controlling of courses of study at the Centre and of the examinations held in connection with those courses;
- (b) determining the requisite qualifications for admission into any of the courses offered by the Centre;
- (c) determining the duration of the training period; and
- (d) effecting the affiliation of the Centre with universities and institutions, for the award of certificates, diplomas and fellowship to students, on the successful completion of the relevant courses.

Committee's Recommendation:

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

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

Clause 12: Candidacy for Admission.

Where a candidate offers himself for admission as a postgraduate medical student under this Act, he shall satisfy the Board that he is a registered medical practitioner or that he is on the temporary or provisional register of medical practitioners of the Nigeria Medical Council of Nigeria.

Committee's Recommendation:

Leave out the provision in Clause 12 (*Senator Betty J. Apiafi — Rivers West*) — Agreed to.

Clause 13: Power of the Minister to Give Directions.

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

Committee's Recommendation:

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

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

PART III—FINANCE AND DISCIPLINE

Committee's Recommendation:

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

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

Clause 14: Financial Provisions.

- (1) The Board shall establish a fund into which shall be paid—
 - (a) such sums as may be provided, from time to time, by the Government of the Federation or of a State for the Centre; and

- (b) all sums accruing to the Centre by way of fees, gifts, testamentary disposition, contributions from philanthropic persons or organisations or otherwise however.
- (2) Except with the approval of the Minister, the Centre shall not have power to borrow money.
- (3) The Board shall prepare and submit to the Minister, not later than 30th June in each financial year, an estimate of the income and expenditure of the Centre during the next succeeding financial year.
- (4) The Centre shall keep proper accounts in respect of each financial year and proper records in relation to those accounts and shall cause its accounts to be audited, after the end of the financial year to which the accounts relate by a firm of auditors appointed by the Board from the list and in accordance with the guidelines supplied by the Auditor-General of the Federation.

Committee's Recommendation:

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

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

Clause 15: Fees for Services.

The Board may, with the approval of the Minister, prescribe the scale of fees chargeable for hospital services provided by the Centre.

Committee's Recommendation:

Leave out the provision in Clause 15 (*Senator Betty J. Apiafi — Rivers West*) — Agreed to.

Clause 16: Power to Accept Gifts.

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

Committee's Recommendation:

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

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

Clause 17: Discipline of Students.

- (1) Subject to the provisions of this section, where it appears to the Medical Director that any student of the Centre has been guilty of misconduct, the Medical Director may, without prejudice to any other disciplinary powers conferred on him by regulations, direct—

- (a) that, the student shall not, during such period as may be specified in the direction, participate in such activities of the Centre or make use of such facilities of the Centre as may be so specified; or
 - (b) that the activities of the student shall, during such period as may be specified in the direction, be restricted in such manner as may be so specified; or
 - (c) that the student be rusticated for such period as may be specified in the direction; or
 - (d) that the student be expelled from the Centre.
- (2) Where a direction is given under subsection (1) (c) or (d) of this section in respect of any student, the student may, within the prescribed period and in the prescribed manner, appeal from the directive to the Board; and where such an appeal is brought, the Board shall, after causing inquiry to be made in the matter as the Board considers appropriate, either confirm or set aside the direction or modify it in such manner as the Board thinks fit.
- (3) The fact that an appeal from a direction is brought in pursuance of the last foregoing subsection, shall not affect the operation of the direction while the appeal is pending.
- (4) The Medical Director may delegate his powers under this section to a disciplinary committee consisting of such members of the Centre as he may nominate.
- (5) Nothing in this section shall be construed as preventing the restriction or termination of a student's activities at the Centre otherwise than on the ground of misconduct.
- (6) It is hereby declared that a direction under subsection (1) (a) of this section may be combined with a direction under subsection (1) (b) of this section.
- (7) Nothing in this section shall affect the provisions of any enactment relating to the discipline of medical practitioners, pharmacists, nurses or members of any other profession or calling.

Committee's Recommendation:

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

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

Clause 18: Removal and Discipline of Clinical, Administrative and Technical Staff.

- (1) If it appears to the Board that there are reasons for believing that any person employed as a member of the clinical, administrative or technical staff of the Centre, other than the Medical Director, should be removed from his office or employment, the Board shall require the Medical Director to —
 - (a) give notice of those reasons to the person in question;

- (b) afford him an opportunity of making representations in person on the matter to the Board; and
 - (c) if the person in question so requests within the period of one month beginning with the date of the notice, make arrangements —
 - (i) for a committee to investigate the matter and to report on it to the Board; and
 - (ii) for the person in question to be afforded an opportunity of appearing before and being heard by the investigating committee with respect to the matter, and if the Board, after considering the report of the investigating committee, is satisfied that the person in question should be removed as aforesaid, the Board may so remove him by a letter signed on the direction of the Board.
- (2) The Medical Director may, in a case of misconduct by a member of staff, which in the opinion of the Medical Director is prejudicial to the interest of the Centre, suspend any such member and any such suspension shall forthwith be reported to the Board.
- (3) For good cause, any member of the staff may be suspended from his duties or his appointment may be terminated by the Board; and for the purposes of this section,
- "Good cause" means—
- (a) a conviction for any offence which the Board considers to be such as to render the person concerned unfit for the discharge of the functions of his office; or
 - (b) any physical or mental incapacity which the Board, after obtaining medical advice, considers to be such as to render the person concerned unfit to continue to hold his office; or
 - (c) conduct of a scandalous or other disgraceful nature which the Board considers to be such as to render the person concerned unfit to continue to hold his office; or
 - (d) conduct which the Board considers to be such as to constitute failure or inability of the person concerned to discharge the functions of his office or to comply with the terms and conditions of his service.
- (4) Any person suspended shall, subject to subsections (2) and (3) of this section, be on half pay and the Board shall before the expiration of a period of three months after the date of such suspension, consider the case against that person and come to a decision as to—
- (a) whether to continue such person's suspension and if so, on what terms (including the proportion of his emoluments to be paid to him); or
 - (b) whether to reinstate such person, in which case the Board shall restore his full emoluments to him with effect from the date of suspension; or

- (c) whether to terminate the appointment of the person concerned, in which case such person will not be entitled to the proportion of his emoluments withheld during the period of suspension; or
 - (d) whether to take such lesser disciplinary action against such person (including the restoration of his emoluments that might have been withheld), as the Board may determine, and in any case where the Board, pursuant to this section, decides to continue a person's suspension or decides to take further disciplinary action against a person, the Board shall, before the expiration of a period of three months from such decision, come to a final determination in respect of the case concerning any such person.
- (5) It shall be the duty of the person by whom a letter of removal is signed in pursuance of subsection (1) of this section, to use his best endeavours to cause a copy of the letter to be served as soon as reasonably practicable on the person to whom it relates.
- (6) Nothing in the foregoing provisions of this section shall prevent the Board from making regulations for the discipline of students and all other categories of employees of the Centre, as the Board may prescribe.
- (7) Regulations made under subsection (6) of this section need not be published in the Federal Gazette, but the Board shall bring them to the notice of all affected persons in such manner as it may, from time to time, determine.

Committee's Recommendation:

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

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

Clause 19: Discipline of Junior Staff.

- (1) If any junior staff is accused of misconduct or inefficiency, the Medical Director may suspend him for not more than three months and forthwith shall direct the Junior Staff Appointments and Promotion Committee appointed under the provisions of paragraph 3(b) of the Schedule to this Act—
- (a) to consider the case; and
 - (b) to make recommendations as to the appropriate action to be taken by the Medical Director.
- (2) In all cases under this section the officer shall be informed of the charge against him and shall be given reasonable opportunity to defend himself.
- (3) The Medical Director may, after considering the recommendation made pursuant to subsection (1) (b) of this section, dismiss, terminate, retire or down-grade the officer concerned.

- (4) Any person aggrieved by the Medical Director's decision under subsection (3) of this section may, within a period of 21 days from the date of the letter communicating the decision to him, address a petition to the Board to reconsider his case, and the Board's decision thereon shall be final.

Committee's Recommendation:

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

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

PART IV— MISCELLANEOUS AND SUPPLEMENTARY

Clause 20: Exclusion of Discrimination on Account of Religion, Race, etc.

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

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

Committee's Recommendation:

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

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

Clause 21: Annual Reports.

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

Committee's Recommendation:

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

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

Clause 22: Interpretation.

In this Bill —

"Board" means the governing Board for the Centre, appointed under section 4 (1) of this Bill;

"Centre" means the National Burns and Rehabilitation Centre, established under section 1 of this Bill;

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

"Student" means a person enrolled at the Institution for the purpose of pursuing a course of instruction at the Institution.

Committee's Recommendation:

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

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

Clause 23: Short Title.

This Bill may be cited as the National Burns and Rehabilitation Centre Bill, 2021.

Committee's Recommendation:

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

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

SCHEDULE

SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD, THE EDUCATION COMMITTEE, ETC.

[Section 4 (5)]

Proceedings of the Board

1. Subject to the provisions of this Act and section 27 of the Interpretation Act (which provides for the decisions of a statutory body to be taken by a majority of the members of the body and for the person presiding to have a second or casting vote), the Board may make standing orders regulating the proceedings of the Board or any Committee thereof.
2. The quorum of the Board shall be five, which shall include the Chairman and at least one other member, who is not an ex-officio member; and the quorum of any Committee of the Board shall be determined by the Board.
3.
 - (1) Subject to the provisions of any standing orders of the Board, the Board shall meet whenever it is summoned by the Chairman; and if the Chairman is required so to do by notice given to him by not less than five other members, he shall summon a meeting of the Board to be held within fourteen days of the date of the receipt by him of the notice.
 - (2) At any meeting of the Board, the Chairman of the Board shall preside and if the Chairman is absent, the members present shall elect one of their number to preside at the meeting.
 - (3) Where the Board desires to obtain the advice of any person on any particular matter, the Board may co-opt him as a member for such period as it thinks fit; but a person who is a member by virtue of this sub-paragraph, shall not be entitled to vote and shall not count towards a quorum.

- (4) Notwithstanding anything in the foregoing provisions of this paragraph, the first meeting of the Board shall be summoned by the Minister, who may give such directions as he thinks fit as to the procedure which shall be followed at that meeting. Committees of the Board and Education Committee.
4. (1) The Board may appoint one or more Committees to carry out on behalf of the Board such functions as the Board may determine, but a decision of a committee shall be of no effect until it is confirmed by the Board.
- (2) The Education/Training Committee may appoint one or more committees to carry out on behalf of the education Committee such of its functions as the education Committee may determine, but a decision of a committee shall be of no effect until it is confirmed by the Education/Training Committee.
- (3) Without prejudice to the generality of sub-paragraphs (1) and (2) of this Schedule, the Board shall appoint the following Committees, that is—
- (a) the Appointments and Promotions Committee, which shall—
- (i) consist of not less than five members, including the Director, who shall be the Chairman of the Committee;
- (ii) be charged with the responsibility for making recommendations to the Board on the appointment and promotion of the clinical, administrative and technical staff of the Centre and have a quorum of three members; and
- (b) the Junior Staff Appointments and Promotions Committee, which shall have the powers set out in section 19 of this Bill. Employees of the Centre.
5. Subject to this Bill, the Board shall have power—
- (a) to pay the employees of the Centre such remuneration and allowances as the Salaries and Wages Commission may approve;
- (b) to pay any person appointed to a Committee of the Board such remuneration (whether by way of fees or otherwise), in respect of the performance of his functions under this Act and such travelling and subsistence allowances while on the business of the Board, as the Board may determine;
- (c) to establish for the employees of the Centre such superannuation scheme (whether contributory or not), as the Board may determine; and
- (d) to give loans to its employees for purposes approved by the Board.

Miscellaneous

6. (1) The fixing of the seal of the Board shall be authenticated by the signature of the Chairman or of some other member, authorised generally or specially by the Board for that purpose.
- (2) Any contract or instrument which, if made or executed by a person not being a body corporate would not be required to be under seal, may be made or executed on behalf of the Centre by any person generally or specially authorised to act for that purpose by the Board or a committee of the Board.
- (3) Any document purporting to be a document duly executed under the seal of the Centre shall be received in evidence and shall, unless the contrary is proved, be presumed to be so executed.

7. The validity of any proceedings of the Board or a Committee thereof, shall not be affected by any vacancy in the membership of the Board or committee, or by any defect in the appointment of a member of the Board or of any other person on the Committee.
8. Any member, and any person holding office on a Committee of the Board, who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Board, shall forthwith disclose his interest to the Board and shall not vote on any question relating to the contract or arrangement.
9. The provisions of this Schedule shall apply mutatis mutandis to the Education/Training Committee; so however that in relation to the quorum thereof, it shall be as may be determined by the Education/Training Committee.

Question that the Provisions in this 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 the Report of the Committee on Health (Secondary & Tertiary) on the National Burns and Rehabilitation Centre Ilaro, Ogun State (Establishment) Bill, 2021 and approved as follows:

Clauses 1-23 — 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.

14. Adjournment:

Motion made: That the Senate do adjourn till Wednesday, 8th December, 2021 at 10:00 a.m. (*Senate Leader*).

Question put and agreed to.

Senate adjourned accordingly at 1:33 p.m.

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

