9TH NATIONAL ASSEMBLY
THIRD SESSION
NO. 30

SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Wednesday, 1st December, 2021

1. The Senate met at 10:56 a.m. The President of the Senate read prayers.

2. **Votes and Proceedings:**
The Senate examined the Votes and Proceedings of Tuesday, 30th November, 2021.

Question was put and the Votes and Proceedings were approved.

3. **Presentation of Bills.**
(*i*) Federal Medical Centre Mubi, Adamawa State (Establishment) Bill, 2021 (HB. 291) — *Read the First Time.*

(*ii*) Federal Medical Centre Igboora, Oyo State (Establishment) Bill, 2021 (HB. 347) — *Read the First Time.*

(*iii*) Chartered Institute of Forensic and Fraud Examiners of Nigeria (Establishment) Bill, 2021 (HB. 1220) — *Read the First Time.*

(*iv*) Energy Commission Act Cap E 10 LFN 2004 (Repeal) Bill, 2021 (SB. 864) — *Read the First Time.*

(*v*) Strategic Infrastructure Development (Government Loan) Bill, 2021 (SB. 867) — *Read the First Time.*

HR

4. **Motion:**
Re-Committal of some Clauses of the National Health Insurance Act (Repeal & Re-enactment) Bill, 2021 to the Committee of the Whole:
Motion made: That the Senate recalls that the National Health Insurance Act (Repeal & Re-enactment) Bill, 2021 was passed by the National Assembly and was transmitted to Mr. President Commander-in-Chief of the Armed Forces of the Federation for Assent on 23rd February, 2021;

observes that after critical examination of the Bill by the President Commander-in-Chief of the Armed Forces of the Federation, some fundamental issues which requires fresh legislative action on the following Clauses- 20, 24 (2), and 25(2)(c) were raised;

desirous of the need to address the President's observations and make necessary amendments; and

relying on order 1(b) and 53(6) of Senate Standing Order.

(2) For the purpose of subsection (1), the Authority shall implement the Basic Health Care Provision Fund as set out in the National Health Act 2014 and any guideline developed in that regard — (*Senate Deputy Leader*).

Amendment Propose:
Add "S" to the word "guideline" and "ed" to the word "develop" in line 3 (Senator Aliyu S. Abdullahi — Niger North).

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

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

Clause 25: Establishment and sources of Vulnerable Group Fund.

(1) There is established the Vulnerable Group Fund.

(2) The sources for the Vulnerable Group Fund includes:

(a) Basic Health Care Provision Fund to the Authority;

(b) health insurance levy;

(c) money that may be allocated to the Vulnerable Group Fund by the Government;

Amendment Proposed:
Leave out the provision in sub-clause 25 (2c) and insert the following instead thereof:
"Special Intervention Fund allocated by the Government and Appropriated to the Vulnerable Group Fund" *(Senator Yahaya I. Oloriegbe — Kwara Central).*

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

(d) money that accrues to the Vulnerable Group Fund from investments made by the Council; and

(e) grants, donations, gifts and any other voluntary contributions made to the Vulnerable Group Fund — (*Senate Deputy Leader*).

Question that Clause 25 as amended do stand part of the Bill, put and 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 National Health Insurance Act (Repeal & Re-enactment) Bill, 2021 and approved as follows:

Clause 20	—	As Recommended
Clauses 24 and 25	—	As Amended

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 Deputy Leader).*

Question put and agreed to.

vii. Mine laying; and
viii. Airborne or surface Search and Rescue.

knows that the capabilities of the Frigate ensured the Nigerian Navy continued to reach out to blue waters with the appropriate ships in terms of firepower, extended operational range and enhanced surveillance capability;

understands that since NNS ARADU entered Nigerian Navy service, she has taken part in major naval exercises, fleet reviews and diplomatic cruises. She played a prominent part in "Operation Seadog" in 1985 and Operation Odion in 1987. She has also undertaken extensive diplomatic visits to countries like Gabon, Congo, Zaire, Equatorial Guinea and many European countries;

aware that she participated in joint exercises with visiting ships of the German, Indian, French and the Brazilian navies;

regrets that in 1987, barely five years after her commissioning, NNS ARADU ran aground twice and was involved in a major collision and underwent a significant local refit in 1991 at the Nigerian Navy Dockyard, Wilmot Point, Lagos;

aware that, in 1997, She sailed to Monrovia, Liberia where she participated in ECOMOG Operation for over 6 months and steamed back to Lagos with her engines despite losing one generator;

recalls that NNS ARADU participated in the 200th anniversary celebrations of the Battle of Trafalgar in the UK in 2005 and embarked on the hazardous trans-Atlantic voyage in 2007 to participate in Brazil Bicentenary celebration;

regrets that in 1994 NNS ARADU experienced degradation of machinery and equipment post refit trials and was assessed as Beyond Economical Repair in 1995. In addition to the report, while berthed in Naval Dockyard, She experienced rough weather and severe turbulence between 31 May to 2 June, 2014 which caused the already weakened ship serious damage that resulted in flooding and near sinking;

regrets further that the once "a pride of the Nigerian Navy and the nation" is not operational, in deplorable condition, and would require life extension refit;

notes that the other seven ships of same category in the world built about the same time are still energetically sea worthy and in operation due to proper maintenance. The misfortune of ARADU was the transfer of the ship from the Presidency to the Nigerian Navy for maintenance which could not afford to keep it afloat properly due to the envelope budget system;

notes that NNS ARADU is the equivalent of Air Force One in the Presidential air fleets which has since been maintained and kept by the Presidency. When in its good shape, there was a Presidential cabinet in it and by convention cannot sail out without Presidential approval;

notes further that Nigeria has no flagship on her seas today and has lost her pride of her dreaded sea power among the African nations;

understands that NNS ARADU can be refitted either locally or internationally or both to give her 25 years extended life span or more;

understands further that refitting NNS ARADU may require over $200 million dollars (₦82 billion) at current exchange rate, while replacing same will require more than $700 million (₦287,000,000,000.00) only; and

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO ESTABLISH THE NATIONAL HYDROGRAPHIC AGENCY, TO CARRY OUT HYDROGRAPHIC AND OCEANOGRAPHIC SURVEYS, INCLUDING OCEAN METEOROLOGY FOR NATIONAL DEFENCE AND FOR RELATED MATTERS, 2021.

PART I - ESTABLISHMENT OF THE AGENCY

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

(1) There is established a body to be known as the National Hydrographic Agency (in this Bill referred to as "the Agency").

(2) The Agency:

(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 (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 2: **The objectives of the Agency.**

(1) The objectives of the Agency are to carry out:

(a) hydrographic and oceanographic surveys, including ocean meteorology for national defence;

(b) fulfill all international hydrographic treaties, conventions and protocols acceded to by Nigeria;

(c) carry out commercial hydrography, seismic and other marine surveys for economic diversification and revenue generation for the FGN;

(d) provide maritime safety information, notices to mariners and nautical publications for the safety of seafarers in line with Joint IHO/IMO/WMO manual on maritime safety information;

(e) represent Nigeria in all international hydrographic matters;

(f) provision of official nautical charts and publications, sailing directions, list of lights, notices to mariners, tide tables and other nautical publications, where applicable, satisfying the needs for safe navigation within Nigerian waters and the sub region in general;

(g) planning, acquisition and maintenance of survey platforms, including surface, sub-surface and air survey platforms that form part of the National Hydrographic Survey Fleet;

(h) planning acquisition and maintenance of survey and charting equipment, instruments, software and infrastructure for the NHA;

(i) conduct training and re-training in hydrographic surveying,

(b) be responsible for the discipline and welfare of personnel of the Agency;

(c) refer matters relating to the discipline of military personnel in the Agency according to the Armed Forces Act;

(d) conduct and sponsor studies and researches in hydrography and related fields of learning;

(e) engage top quality staff of international standards aimed at creating a centre of excellence in mandated fields of study;

(f) subject to the provisions of the Land Use Act, acquire, hold, grant, charge or otherwise deal with or dispose of moveable and immovable property wherever situate;

(g) accept gifts, legacies and donations, provided that the terms and conditions attached to such gifts, legacies or donations are not inconsistent with the objects and purpose for the establishment of the Agency;

(h) erect, provide, equip and maintain libraries, laboratories, lecture halls, and other buildings as are necessary for the carrying out of the objects of the Agency;

(i) subject to any limitations or conditions imposed by Statute, invest any moneys belonging to the Agency by way of endowment, whether for general or special purposes or such other money as may not be immediately required for current expenditure in any investments or securities 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 not invested with any approved bank on deposit or current account;

(j) borrow, whether on interest or not and if need be upon the security of any of the property, moveable or immovable of the Agency, such moneys as the council may from time to time require or expedient to borrow or to guarantee any loan, advances of credit facilities;

(k) do such other things as may be required for the effective and smooth running of the Agency; and

(l) do such acts or things that are incidental to the attainment of the powers listed in this section as are considered necessary to promote the objects of the Agency.

Committee's Recommendation:
That the provision in Clause 2 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

PART II - ESTABLISHMENT AND COMPOSITION OF THE GOVERNING COUNCIL

Clause 3: Establishment of the Governing Council.

(f) may delegate any of its powers or functions to any person or persons, authority or committee except for its powers to approve statues of the Agency;

(g) shall approve the creation of any office, department or committee as may be considered necessary or expedient for the smooth running of the Agency;

(h) shall recommend the nomination of Hydrographer of the Federation to the President and Commander-in-Chief of the Armed Forces for approval subject to the provisions of the Armed Forces Act;

(i) shall exercise control and supervise the policy, finances and property of the Agency;

(j) shall appoint the provost, professors and other academic and administrative staff, stipulate terms and conditions of their appointment, determine the remuneration of the principal officers and other staff of the Agency that are not military personnel and scope of their responsibilities; and

(k) shall do such other things as are necessary for the successful performance of the functions of the Agency;

(l) shall approve the organizational structure, committees and definition of duties established by the hydrographer of the Federation.

Committee's Recommendation:
That the provision in Clause 5 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 6: Tenure of office of members of the Council.

(1) The office of a member of the Council shall be deemed vacant if within 4 years from the date of first appointment:

(a) he dies;

(b) he resigns before the expiration of his tenure;

(c) he is adjudged to be medically unfit, a lunatic or of unsound mind;

(d) a case of gross misconduct is established against him;

(e) he is sentenced to death or imprisonment;

(f) he is adjudged or declared bankrupt;

(g) he is discovered to be a member of any secret society;

(h) he is indicted for fraud or embezzlement by a Judicial Commission of Inquiry or indicted for contravention of the Code of Conduct;

(2) For the Hydrographer of the Federation, whose removal from office shall be in accordance with military posting, on the recommendation of the CNS and Council to the President and Commander-in-Chief of

PART IV - PRINCIPAL OFFICERS AND OTHER STAFF OF THE AGENCY

Clause 8: **Appointment and Functions of the Hydrographer of the Federation.**

(1) There shall be appointed for the Agency, a Hydrographer of the Federation drawn from the Nigerian Navy, not below the rank of a serving Rear Admiral or its equivalent whose appointment and removal from office shall be in accordance with military posting, on the nomination of the Chief of Naval Staff (CNS) and Council recommendation to the President and Commander-in-Chief of the Armed Forces of Federal Republic of Nigeria for approval.

(2) He must have acquired in hydrographic survey experience in Hydrographic Survey Operations and management or Offshore Survey; and shall be responsible to the Council for:

(a) giving to the Council such information as to the activities of the Agency as the Chairman of the Council may require;

(b) authorizing programmes and plans for giving effect to policy approved by the Council or to any direction of the Council subject to all or any of the powers in this section as may be delegated to him by the Council;

(c) carrying out the day-to-day running of the Agency;

(d) preparation of programme of work and estimates of the Agency's income and expenditure annually;

(e) supervision of the activities of the Directors in the Agency;

(f) co-ordinating the activities of the Centres; and

(g) establishment of organizational structures, committees and definitions of duties.

(2) The fact that any power has been delegated to the Hydrographer pursuant to sub-section (1) of this section shall not preclude the Council itself from exercising them in any special case.

(3) For the Hydrographer of the Federation whose removal from office shall be in accordance with military posting, on the recommendation of the CNS and Council to the President and Commander-in-Chief of the Armed Forces of Federal Republic of Nigeria for approval, his tenure shall be for a minimum of 4 years.

Committee's Recommendation:
That the provision in Clause 8 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 9: **Appointment and Functions of the Deputy Hydrographer of the Federation.**

(1) There shall be appointed for the Agency, a Deputy Hydrographer, drawn from the Navy, not below the rank of a serving Major-General or its equivalent whose appointment and removal from office shall be in accordance with Military posting, on the recommendation of the

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

Clause 12: **Tour of duty duration.**
For continuation in projects, Personnel who are trained hydrographic specialists posted to the Agency should have a minimum of 3 years tour of duty to enable them acquire requisite training, experience transfer knowledge and in hydrographic survey operations.

Committee's Recommendation:
That the provision in Clause 12 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

PART V - FINANCIAL PROVISIONS

Clause 13: **Establishment, etc. of the National Hydrographic Development Fund.**

(1) There is established a fund, which shall be known as the National Hydrographic Development Fund (in this Bill referred to as "the Fund").

(2) There shall be paid and credited into the Fund established under sub-section (1) of this section:

(a) grants-in-aid and assistance from bilateral and multilateral agencies;

(b) all other sums accruing to the Fund by way of gifts, endowments, bequest or other voluntary contributions by persons and organisations:

Provided that the terms and conditions attached to such gifts, endowments, bequest or contributions will not jeopardize the functions of the Agency;

(c) suchmonies as may be appropriated for the Fund by the National Assembly; and

(d) foreign aids and assistance from bilateral and multilateral agencies.

Committee's Recommendation:
That the provision in Clause 13 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 14: **Expenditures of the Agency.**
The Agency shall apply the funds to:

(a) the training of members of staff of the Agency and provision of scholarships and awards for specialized training of personnel;

(b) pay the civilian personnel, overhead allowances, benefits and other administrative costs of the Agency; and

(c) pay all personnel involved in hydrographic survey programmes a special allowance called Hazard Allowance (HA), Special Skill Allowance (SSA), Shift Allowance (SA) and Plain-Clothing Allowance (PCA).

Government policy.

Committee's Recommendation:
That the provision in Clause 19 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

PART VI - TRANSFER OF PROPERTY TO THE AGENCY

Clause 20: **Implementation of policies.**

(1) The Agency shall ensure the implementation of all policies in the attainment of its goals and objectives.

(2) The policies shall be in line with the National Hydrographic Policy and Program as well as Defence Policy of the nation.

(3) The implementation of such policies shall be under the direct responsibility of the Hydrographer of the Nation NHA.

Committee's Recommendation:
That the provision in Clause 20 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 21: **Restriction on the disposal of landed property.**
All landed property of the Agency shall not be disposed of or charged except with the resolution of the Council.

Committee's Recommendation:
That the provision in Clause 21 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

PART VII - MISCELLANEOUS

Clause 22: **Carriage of nautical publications.**
All Nigerian flagged ships shall carry nautical charts and publications produced by the Agency while navigating within Nigerian maritime zones and internal waters. Where such publications are not available at the Agency, a producer nation from where such publications can be obtained shall be designated by the Agency.

Committee's Recommendation:
That the provision in Clause 22 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 23: **Copyright.**

(1) Copyright shall exist in all official nautical charts, nautical publications or hydrographic data produced by the Agency.

(2) The Hydrographer of the Federation shall be the sole agent for the application and management of the copyright, under Nigeria's Copyright laws on nautical charts, nautical publications and hydrographic data.

Committee's Recommendation:

"Government institutions" means any:

(a) body or company established by or under any law; or

(b) other institution or body recognized by the Minister by notice in the Gazette;

"Launching" means the placing or attempted placing of any ship into a trajectory or into water, or the testing of a launch vehicle or ship in which it is foreseen that the launch ship will lift from the water surface;

"Launch vehicle" means any device manufactured or adapted to launch a ship;

"Licence" means a licence issued by the National Hydrographic Agency the regulatory hydrographic Agency or proprietary in Nigeria body;

"Licensee" means any person who is the holder of a licence;
"Member" means a member of the Council;

"Misconduct" means immoral, unethical or unprofessional behavior;

"MOD" means Ministry of Defence;

"Other Security Agencies" means the Nigeria Police Force, the Department of State Security Services, the National Intelligence Agency, Nigerian Customs Service, Nigerian Immigration Service, Nigeria Security and Civil Defence Corps;

"Prescribed" means prescribed by regulation;

"Regulation" means any regulation made under this Bill;

"Secretary" means the Secretary of the Council appointed under Section 10 (1) of this Bill;

"Technical officer" includes scientists, engineers and lawyers working in the Agency; and

"Technological assets" means any capital assets, patents, designs, data, equipment and computer software specifically related to hydrographic survey.

Committee's Recommendation:
That the provision in Clause 27 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 28: **Citation.**
This Bill may be cited as the National Hydrographic Agency (Establishment) Bill, 2021.

Committee's Recommendation:
That the provision in Clause 28 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Chairman to report Bill.

Clause 2: **Scope and duration.**

(1) The Trust Fund established under section 3 of this Bill covers all personnel of the Nigerian Navy, including its auxiliary staff in Nigeria and abroad for the overall improvement and efficiency in the discharge of their duties and responsibilities.

(2) The Trust Fund is to operate for six years from the commencement of this Bill and shall, at the expiration of that period, cease to exist unless it is extended for any further period by an Act of the National Assembly.

Committee's Recommendation:
That the provision in Clause 2 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

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

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

(1) There is established the Nigerian Maritime Security Trust Fund (in this Bill referred to as "the Trust Fund").

(2) The Trust Fund:—

(a) is a body corporate with perpetual succession and a common seal; and

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

Committee's Recommendation:
That the provision in Clause 3 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 4: **Sources of the Trust Fund.**

(1) The Sources of the Trust Fund shall consist of:—

(a) an amount constituting 1% of the total revenue accruing to the Federation Account;

(b) an amount constituting 1% of the total revenue accruing to revenue generating Federal Government Agencies operating in the Nigerian Maritime Environment, which include:—

(i) Nigeria Maritime Administration and Safety Agency (NIMASA);

(ii) Nigeria Ports Authority (NPA);

(iii) Nigeria National Petroleum Corporation (NNPC);

(iv) Nigeria Inland Waterways Agency (NIWA);

(v) Nigeria Liquefied Natural Gas (NLNG);

(vi) 30% of Proceeds from forfeited vessels/maritime assets to the Federal Government;

the objective of the Bill;

(g) for such other purposes incidental to, or connected with, the attainment of objective of this Bill.

Committee's Recommendation:
That the provision in Clause 5 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 6: Functions of the Trust Fund.

(1) The Trust Fund shall:—

(a) receive all money accruing to it under this Bill;

(b) utilise all money accruing to the Trust Fund under this Bill to meet the stated objective of this Bill; and

(c) carry out such other activities considered necessary for the attainment of the objective of this Bill.

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

(3) Members of the Board of Trustee shall be paid such allowances as may be determined by the Board of Trustee in consultation with the National Revenue, Mobilization, Allocation and Fiscal Commission.

Committee's Recommendation:
That the provision in Clause 6 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 7: Establishment, composition and remuneration of Nigerian Maritime Security

(1) There is established the Nigerian Maritime Security Trust Fund Board of Trustee (in this Bill referred to as "the Board of Trustee").

(2) The Board of Trustee shall consist of:—

(a) a Retired Chief of Naval Staff;

(b) Chief of Naval Staff or his representatives, as an Ex-officio member;

(c) a representative of the Federal Ministry responsible for:—

(i) Defence;

(ii) Transportation;

(iii) Petroleum Resources;

(iv) Justice; and

(v) Finance;

successor shall:—

(a) represent the same interest; and

(b) be appointed by the President.

Schedule.

(5) The provisions of the Schedule to this Bill shall have effect with respect to the meetings and proceedings of the Board of Trustee and other related matters.

Committee's Recommendation:
That the provision in Clause 9 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 10: **Removal from office of a member.**
Notwithstanding the provisions of sections 7 and 8 of this Bill, the President may remove a member from the Board of Trustee if any circumstance which borders on corruption and other activities that negates the interest and security of the nation would require the removal of the member from the Board of Trustee.

Committee's Recommendation:
That the provision in Clause 10 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 11: **Functions of the Board of Trustees**
The Board of Trustee is responsible for:—

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

(b) approving the disbursement of money from the Trust Fund to finance projects or activities of the Nigerian Navy and Navy Institutions which are beneficiaries of the proceeds of Trust Fund;

(c) scrutinising and approving projects which qualify for financing under the Bill;

(d) exercising control over the management of the Trust Fund with a view to ensuring accountability and proper utilisation of money in the Trust Fund for the purposes set out in this Bill;

(e) carrying out such other activities as are considered necessary for the attainment of the objective of this Bill;

(f) updating the Federal Government on its activities and progress through annual and audited reports;

(g) reviewing progress and suggesting improvement within the provisions of this Bill;

(h) making and issuing guidelines, to all beneficiaries on disbursement from the Trust Fund on the use of money received from the Trust

in the execution of the duties and responsibilities assigned to it by the Board of Trustee.

Committee's Recommendation:
That the provision in Clause 13 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

PART III — EXECUTIVE SECRETARY AND STAFF OF THE TRUST FUND

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

(1) The President shall, on the recommendation of the Minister, appoint the Executive Secretary for the Trust Fund.

(2) The Executive Secretary shall:—

(a) be a person of unquestionable character and integrity; and

(b) have qualifications and experience as are appropriate for a person required to perform the functions of that office under this Bill; and

(3) The Executive Secretary shall hold office:—

(a) for a time of three years in the first instance and may be eligible for re-appointment for another term of three years and no more; and

(b) on such other terms and conditions as may be specified in his letter of appointment.

Committee's Recommendation:
That the provision in Clause 14 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 15: **Functions of the Executive Secretary.**
The Executive Secretary:—

(a) shall be the Chief Executive and Accounting Officer of the Trust Fund;

(b) shall be responsible for the administration of the Trust Fund;

(c) shall be the Secretary to the Board of Trustees;

(d) shall keep proper records of the proceedings of the Board of Trustee;

(e) shall work closely with the Implementation Committee in discharging out such duties and responsibilities as may be assigned to him by the Board of Trustee;

(f) shall be in charge of the general direction and control of all other employees of the Trust Fund; and

(g) shall discharge such other duties as may be directed by the Board of Trustees.

to as "the Fund") for the administration of the Trust Fund.

(2) The Fund shall consist of:—

(a) annual budgetary allocation appropriated by National Assembly for the management of the Trust Fund;

(b) take -off grants and such other money as may be made available to the Trust Fund to meet the cost of administration; and

(c) all other money which may be made available for the running of the Trust Fund.

Committee's Recommendation:
That the provision in Clause 19 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 20: **Accounts of the Trust Fund.**

(1) There shall be maintained for the Trust Fund, an account into which shall be paid all money accruing to the Trust Fund under section 4 of this Bill.

(2) The Board of Trustees shall also open and maintain an account into which shall be paid money received for management of the Trust Fund under section 19 (2) of this Bill.

(3) The accounts referred to in subsections (1) and (2) shall be managed in accordance with the extant financial regulations.

(4) The Board of Trustees shall apply the proceeds of:—

(a) the Trust Fund for the purposes set out in section 5 of the Bill; and

(b) the money referred to in subsection (2) to meet the cost of administration, including payment of salaries, fees, other remunerations and allowances payable:—

(i) to members of the Board of Trustee and employees of the Trust Fund; and

(ii) for payment of experts, professionals and consultants engaged by the Board of Trustee for Trust Fund.

Committee's Recommendation:
That the provision in Clause 20 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 21: **Estimates of expenditure.**

The Board of Trustee shall, not later than 30th June of every year, submit to the Minister an estimate of its income and expenditure during the succeeding year.

Committee's Recommendation:

of the Trust Fund during the preceding year and shall include in such reports the auditor's report.

Committee's Recommendation:
That the provision in Clause 26 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 27: **Power of the President to issue directives.**
The President may give to the Board of Trustee directives of a general nature with regard to the performance by the Board of Trustee of its functions under this Bill for compliance by the Board of Trustee.

Committee's Recommendation:
That the provision in Clause 27 be retained (*Deputy Senate Leader*) — *Agreed to.*

Question that Clause271 do stand part of the Bill, put and agreed to.

Clause 28: **Regulations.**
The Board of Trustee may, with the prior approval of the President, make such regulations deemed necessary or expedient for giving full effect to the provisions of this Bill.

Committee's Recommendation:
That the provision in Clause 28 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 29: **Transitional provisions.**
Except as provided for under section 2 of this Bill, at the expiration of the six year duration of the Trust Fund referred to in that section, the Trust Fund shall have six months to wind up its activities, including the settlement of all liabilities and thereafter handover all outstanding assets of the Trust Fund to the Nigerian Navy.

Committee's Recommendation:
That the provision in Clause 29 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 30: **Interpretation.**
In this Bill:—
"Board" means the Maritime Security Trust Fund Management Board of Trustee, established under section 7 of this Bill;

"due process" means compliances with extant financial rules and regulations on public procurement of goods, works and services;

"Executive Secretary" means the Executive Secretary of the Trust Fund appointed under section 14 (1) of this Bill;

"Minister" means the Minister charged with responsibility for Defence, and Ministry shall be construed accordingly;

Committees

7. The Board of Trustee may set up such number of committees to perform, on behalf of the Board of Trustee such of its functions as the Board of Trustee may determine.

8. A committee set up under paragraph 7 shall consist of such number of persons (not necessarily members of the Board of Trustee as may be determined by the Board of Trustee, and the person, other than a member of the Board of Trustee, shall hold office on the committee in accordance with the terms of his appointment.

9. A decision of a committee of the Board of Trustee is of no effect until it is confirmed or ratified by the Board of Trustee.

Miscellaneous

10. The fixing of the seal of the Trust Fund shall be authenticated by the signature of the Chairman or of any other person authorised generally or specially to act for that purpose by the Board of Trustee.

11. Any contract or instrument made or executed by a person not being a body corporate, that would not be required to be under seal may be made or executed on behalf of the Board of Trustee by the Chairman or any person generally or specifically authorised to act for that purpose by the Board of Trustee.

12. Any document purporting to be a document duly executed under the seal of the Trust Fund shall be received in evidence and is, unless the contrary is proved, presumed to be so executed.

13. The validity of any proceeding of the Board of Trustee or committee is not adversely affected by:—
    (a) any vacancy in the membership of the Board of Trustee or committee;
    (b) any defect in the appointment of a member of the Board of Trustee or of a committee; or reason that a person not entitled to do so took part in the proceedings of the Board of Trustee or committee.

Question that the Provision 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 a Bill for an Act to Establish the Nigerian Maritime Security Trust Fund for the Purpose of Training, Provision of Security Equipment, and Related Facilities, Enhance the Skills of the Personnel of the Nigerian Navy; and for Related Matters, 2021 and approved as follows:

Clauses 1-13 — As Recommended
14 — As Amended
~~Schedule~~ 15-31 — 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 *(Deputy Senate Leader).*

leading to the award of certificates, first degrees, post-graduate research, diploma and higher degrees with emphasis on planning, developmental and adaptive skills in Education, technology, applied science, agriculture, commerce, arts, social science, humanities, management and allied professional disciplines;

(c) to produce socially mature Educational men and women with capabilities not to only understand Educational need of Nigeria as a nation, but also to exploit existing Educational infrastructure and improve on it to develop new ones;

(d) to act as agents and catalysts for effective Educational system, through post graduate training , research and innovation, for effective economic utilization and conservation of the country's human resources;

(e) to bring quality change in Education by focusing on teacher Education through teaching and learning innovations;

(f) to collaborate with other national and international institutions involved in training, research and development of Education with a view to promoting governance, leadership and management skills among Educational managers;

(g) to identify Educational needs of the society with a view to finding solutions to them within the context of overall national development;

(h) to provide and promote sound basic Education training as a foundation for the development of Nigeria, taking into account indigenous culture and the need to enhance national unity;

(i) to provide higher Education and foster a systematic advancement of the science and act of teacher Education;

(j) to provide for instruction in such branches of teacher Education as it may deem necessary to make provision for research advancement and dissemination of knowledge in such manner as it may determine;

(k) to provide teachers with operational competence for teaching in pre-tertiary institutions, basic, senior secondary schools and non-formal Education institutions.

(m) to undertake any other activities that is appropriate for a College of Education of the highest standard.

Committee's Recommendation:
That the provision in Clause 1 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

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

(1) The College shall consist of:

(a) a Chancellor;

and forms of assistance;

(e) to provide for the discipline and welfare of members of the College;

(f) to hold examinations and grant degrees, diplomas, certificates and other distinctions to persons who have pursued a course of study approved by the College and have satisfied such other requirements as the College may lay down;

(g) to grant honorary degrees, fellowships or academic titles;

(h) to demand and receive from any student or any other person attending the College for the purposes of instruction, such fees as the College may from time to time determine subject to the overall directives of the Minister;

(i) subject to section 20 of this Bill, to acquire, hold, grant, Charge or otherwise deal with or dispose of movable and immovable property wherever it is situate;

(j) to accept gifts, legacies and donations, but without obligation to accept the same for a particular purpose unless it approves the terms and conditions attached thereto;

(k) to enter into contracts, establish trusts, act as trustee, solely or jointly with any other person, and employ and act through agents;

(l) to erect, provide, equip and maintain libraries, laboratories, workshops, lecture halls, halls of residence, refectories, sports grounds, playing fields and other buildings or things necessary, suitable or convenient for any of the objects of the College;

(m) to hold public lectures and to undertake printing, publishing and book selling;

(n) subject to any limitations or conditions imposed by statute, to invest any moneys appertaining to the College by way of endowment it, not being immediately required for current expenditure in any investments or securities or in the purchase or improvement of and, with power from time to time, to vary any such investments to deposit any moneys for the time being not invested with any bank on deposit or current account;

(o) to borrow, whether on interest or not and if need be upon the security of any or all of the property, movable or immovable, of the College, such moneys as the Council may from time to time in its discretion find it necessary or expedient to borrow of to guarantee any loan, advances or credit facilities;

(p) to make gifts for any charitable purpose;

(q) to do anything which it is authorized or required by this Bill or by statute to do; and

(g) two persons appointed by Congregation from among its members;

(h) one person appointed by Convocation from among its members;

(i) two persons representing the community appointed by the President.

(2) Persons to be appointed to the Council shall be of proven integrity, knowledgeable and familiar with the affairs and tradition of the College.

(3) The Council so constituted shall have a tenure of four years from the date of its inauguration provided that where a Council is found to be incompetent and corrupt, it shall be dissolved by the Visitor and a new Council shall be immediately constituted for the effective functioning of the College.

(4) The powers of the Council shall be exercised, as in this Bill and to that extent establishment circulars that are inconsistent with this Bill shall not apply to the College.

(5) The Council shall be free in the discharge of its functions and exercise of its responsibilities for the good management, growth and development of the College.

(6) The Council in the discharge of its functions shall ensure that disbursement of funds of the College complies with the approved budgetary ratio for:

(a) personnel cost;

(b) overhead cost;

(c) research and development;

(d) library developments; and

(e) the balance in expenditure between academic vis-a-vis non-academic activities.

Committee's Recommendation:
That the provision in Clause 5 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

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

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

(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 College and perform such other functions of the

(a) the establishment, organization and control of campuses, colleges, schools, institutes and other teaching and research units of the College and the allocation of responsibility for different branches of learning;

(b) the organization and control of courses of study at the College and of the examinations held in conjunction with those courses, including the appointment of examiners, both internal and external;

(c) the award of degrees, and such other qualifications as may be prescribed in connection -with examinations held as aforesaid;

(d) the making of recommendations to the Council with respect to the award to any person of an honorary fellowship or honorary degree or the title of professor emeritus;

(e) the establishment, organization and control of halls of residence and similar institutions at the College;

(f) the supervision of the welfare of students at the College and the regulation of their conduct;

(g) the granting of fellowships, scholarships, prizes and similar awards in so far as the awards are within the control of the College; and

(h) determining what descriptions of dress shall be academic dress for the purposes of the College, and regulating the use of academic dress.

(3) The Senate shall not establish any new campus, college, school, department, institute or other teaching and research units of the College, or any hall of residence or similar institution at the College without the approval of the Council.

(4) Subject to this Bill and the statutes, the Senate may make regulations for the purpose of exercising any function conferred on it either by the foregoing provisions of this section or otherwise or for the purpose of making provision for any matter for which provision by regulations is authorized or required by this Bill or by statute.

(5) Regulations shall provide that at least one of the persons appointed as the examiners at each final or professional examination held in conjunction with any course of study at the College is not a teacher at the College but is a teacher of the branch of learning to which the course relates at some other College of high repute or a person engaged in practicing the profession in a reputable organization or institution.

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

(h) interests on investments;

(i) donations and legacies accruing to the College from any source for the general or special purposes of the College; and

(j) regular TETFUND interventions;

(2) The general fund shall be applied for the purposes of the College.

Committee's Recommendation:
That the provision in Clause 9 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 10: Transfer of Property, etc.

(1) All property held by or on behalf of the Provisional Council of the College shall, by virtue of this sub-section and without further assurance, vest in the College and be held by it for the purpose of the College.

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

Committee's Recommendation:
That the provision in Clause 10 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

PART III - STATUTES OF THE COLLEGE

Clause 11: Power of the College to Make Statutes.

(1) Subject to this Bill, the College may make statutes for any of the following purposes, that is to say:

(a) making provision with respect to the composition and constitution of any authority of the College;

(b) specifying and regulating the powers and duties of any authority of the College, and regulating any other matter connected with the College or any of its authorities;

(c) regulating the admission of students (where no other enactment provides to the contrary), and their discipline and welfare;

(d) determining whether any particular matter is to be treated as an academic or non- academic matter for the purposes of this Bill and of any statute, regulation or other instrument made thereunder; or

(e) making provision for any other matter for which provision by statute is authorized or required by this Bill.

(2) Subject to section 25 (6) of this Bill, the Interpretation Act shall apply

(7) The decision of the Visitor on any matter referred to him under sub-section (6) of this section shall be binding upon the authorities, staff and students of the College and where any question as to the meaning of any provision of a statute has been decided by the Visitor under that sub-section, no question as to the meaning of that provision shall be entertained by any court of law in Nigeria.

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

Committee's Recommendation:
That the provision in Clause 12 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 13: **Proof of Statute.**
A statute may be proved in any court by the production of a copy thereof bearing or having affixed to it a certificate purporting to be signed by the Provost or the Secretary to the Council to the effect that the copy is a true copy of a statute of the College.

Committee's Recommendation:
That the provision in Clause 13 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

PART IV - SUPERVISION AND DISCIPLINE

Clause 14: **The Visitor.**

(1) The President shall be the Visitor of the College.

(2) The Visitor shall cause a visitation to the College when necessary, at least every five years, or direct that such a visitation be conducted by such person or persons as the Visitor may deem fit and in respect of any of the affairs of the College.

(3) It shall be the duty of the bodies and persons comprising the College to make available to the Visitor and to any other person conducting a visitation in pursuance of this section, such facilities and assistance as he or they may reasonably require for the purposes of a visitation.

(4) The Visitor shall make the report of such visitations and white paper thereon available to the Council which shall implement same.

Committee's Recommendation:
That the provision in Clause 14 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 15: Removal of certain Members of Council.

(1) If it appears to the Council that a member of the Council (other than the Pro-Chancellor or the Provost) should be removed from office on the ground of misconduct or inability to perform the functions of his office or employment, the Council shall make recommendation to that

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; or

(e) conduct which the Council considers to be generally of such nature as to render the continued appointment or service of the person concerned prejudicial or detrimental to the interest of the College.

(4) Any person suspended pursuant to subsection (2) or (3) of this section shall be on half pay and the Council shall before the expiration of a period of three months after the date of such suspension consider the case against that person and come to a decision as:

(a) whether to continue such person's suspension and if so on what terms (including the proportion of his emoluments to be paid to him);

(b) whether to reinstate such person, in which case the Council shall restore his full emoluments to him with effect from the date of suspension;

(c) whether to terminate the appointment of the person concerned, in which case such a person shall not be entitled to the proportion of his emoluments withheld during the period of suspension; or

(d) whether to take such lesser disciplinary action against such person (including the restoration of such proportion of his emoluments that might have been withheld) as the Council may determine.

(5) In any case where the Council, pursuant to this section, decides to continue a person's suspension or decides to take further disciplinary action against a person, the Council shall before the expiration of a period of three months from such decision cone to a final determination in respect of the case concerning any such person.

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

(7) Nothing in the foregoing provisions of this section shall:

(a) apply to any directive given by the Visitor in consequence of any visitation; or

(b) prevent the Council from making regulations for the discipline of other categories of workers of the College as may be prescribed.

Committee's Recommendation:
That the provision in Clause 16 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 17: Removal of Examiners.

(1) If, on the recommendation of the Senate, it appears to the Provost that

such inquiry to be made in the matter as the Council considers just either confirm or set aside the direction or modify it in such manner as the Council thinks fit.

(4) The fact that an appeal from a direction is brought in pursuance to subsection (2) of this section shall not affect the operation of the direction while the appeal is pending:

(a) the Provost may delegate his powers under this section to a disciplinary board consisting of such members of the College as he may nominate;

(b) nothing in this section shall be construed as preventing the restriction or termination of students' activities at the College otherwise than on the ground of misconduct;

(c) a direction under subsection (2) (a) of this section may be combined with a direction under subsection (2) (b) of this section.

Committee's Recommendation:
That the provision in Clause 18 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

PART V - MISCELLANEOUS AND GENERAL

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

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

(2) Nothing in subsection (1) of this section shall be construed as preventing the College from imposing any disability or restriction on any of the persons mentioned in that subsection where such person willfully refuses or fails on grounds of religious belief to undertake any duty generally and uniformly imposed on all such person or any group of them which duty, having regard to its nature and the special circumstances pertaining thereto, is in the opinion of the College reasonably justifiable in the national interest.

Committee's Recommendation:
That the provision in Clause 19 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 20: Restriction on Disposal of Land by College.

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

Committee's Recommendation:
That the provision in Clause 22 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 23: **Retiring Age of Academic Staff.**

(1) Notwithstanding anything to the contrary in the Pension Act, the compulsory retiring age of the following categories of staff shall be as follows:

(a) Academic staff of the College in the non-Professorial cadre shall be 65 years;

(b) Academic staff of the College in the Professorial Cadre shall be 70 years;

(c) Non-academic staff of the College shall be 65 years.

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

Committee's Recommendation:
That the provision in Clause 23 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 24: **Special Provisions Relating Pension of Professors**

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

Committee's Recommendation:
That the provision in Clause 20 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 25: **Miscellaneous Administrative Provisions.**

(1) The seal of the College shall be such as may be determined by the Council and approved by the Chancellor, and the affixing of the seal shall be authenticated by any member of the Council and by the Provost, Secretary to the Council or any other person authorized by statute.

(2) Any document purporting to be a document executed under the seal of the College shall be received in evidence and shall, unless the contrary is proved, be presumed to be so executed. (3) Any contract or instrument which if made or executed by a person not being a body corporate would not be required to be under seal, may be made or executed on behalf of the College by any person generally or specially authorized to do so by the Council.

(4) The validity of any proceedings of anybody established in pursuance of this Bill shall not be affected by any vacancy in the membership of the body, or by any defect in the appointment of a member of the body or by reason that any person not entitled to do so took part in the preceding.

by the College from its general fund.

(2) Service of Notices:

Service upon the College of any notice, order or other document may be effected by delivering the same or by sending it by registered post addressed to the Registrar and Secretary of the Council.

Committee's Recommendation:
That the provision in Clause 26 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 27: Interpretation.

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

"Campus" means any campus which may be established by the College;

"College" means the College established pursuant to section 2 (1) (b) of this Bill for the College;

"Council" means the Governing Council of the College established by section 5 of this Bill;

"Functions" includes powers and duties;

"Graduate" means a person on whom a degree, other than an honorary degree, has been conferred by the College and any other person as may be designated as a graduate by the Council, acting in accordance with the recommendation of the Senate;

"Minister" means the Hon. Minister of Education;

"Notice" means notice in writing;

"Officer" does not include the Visitor;

"Prescribed" means prescribed by statute or regulations;

"Professor" means a person designated as a Professor of the College in accordance with provisions made in that behalf by statute or by regulations;

"Property" includes rights, liabilities and obligations;

"Provisional Council" means the provisional council appointed for the College;

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

"Senate" means the Senate of the College established pursuant to section 2 (1) (e) of this Bill;

"School" means a unit of closely related academic programmes;

"Statute" means a statute made by each College under section 10 of

a period of four years beginning with the date of his appointment.

The Provost

3. (1) There shall be a Provost of the College who shall be appointed by the Council in accordance with the provisions of this paragraph.

(2) Where a vacancy occurs in the post of a Provost, the Council shall:

(a) advertise the vacancy in a reputable journal or a widely read newspaper in Nigeria, specifying:

(i) the qualities of the persons who may apply for the post, and

(ii) the terms of conditions of service applicable to the post, and thereafter draw up a short list of suitable candidates for the post for consideration;

(b) constitute a Search Team consisting of:

(i) a member of the Council, who is not a member of the Senate, as chairman;

(ii) two members of the Senate who are not members of the Council, one of whom shall be a Professor;

(iii) two members of Congregation who are not members of the Council, one of whom shall be a Professor, to identify and nominate for consideration, suitable persons who are not likely to apply for the post on their own volition because they felt that it is not proper to do so.

(3) A Joint Council and Senate Selection Board consisting of:

(a) the Pro-Chancellor, as chairman;

(b) two members of the Council, not being members of the Senate;

(c) two members of the Senate who are Professors, but who were not members of the Search Team, shall consider the candidates and persons in the shortlist drawn up under subsection (2) of this paragraph through an examination of their curriculum vitae and interaction with them, and recommend to the Council three candidates for further consideration.

(4) The Council shall select and appoint as the Provost one candidate from among the three candidates recommended to it under subsection (3) of this section and thereafter inform the Visitor.

(5) The Provost shall hold office for a single term of five years only on such terms and conditions as may be specified in his letter of appointment.

(6) The Provost may be removed from office by the Council on grounds of gross misconduct or inability to discharge the functions of his office as a result of infirmity of the body or mind, at the initiative of the Council, Senate or the Congregation after due process.

(7) When the proposal for the removal of the Provost is made, the Council shall constitute a Joint Committee of Council and Senate consisting of:

(i) three members of the Council, one of whom shall be the Chairman of the committee; and

or inability to discharge the functions of his office arising from infirmity of the body or mind.

Office of the Registrar

5. (1) There shall be for the College, a Registrar, who shall be the chief administrative officer of the College and shall be responsible to the Provost for the day-to-day administrative work of the College except as regards matters for which the Bursar is responsible in accordance with paragraph 6 (2) of this Schedule.

(2) The person holding the office of the Registrar shall by virtue of that office be Secretary to the Council, the Senate, Congregation and Convocation.

Other Principal Officers of the College

6. (1) There shall be for the College the following principal officers, in addition to the Registrar, that is:

(a) the Bursar; and

(b) the College Librarian, who shall be appointed by the Council on the recommendation of the Selection Board constituted under paragraph 7 of this Schedule.

(2) The Bursar shall be the Chief Financial Officer of the College and be responsible to the Provost for the day-to-day administration and control of the financial affairs of the College.

(3) The College Librarian shall be responsible to the Provost for the administration of the College Library and the co-ordination of the library services in the College and its campuses, colleges, schools, departments, institutes and other teaching or research units.

(4) Any question as to the scope of the responsibilities of the aforesaid officers shall be determined by the Provost

Selection Board for other Principal Officers

7. (1) There shall be, for the College, a Selection Board for the appointment of principal officers, other than the Provost or Deputy Provost, which shall consist of:

(a) the Pro-Chancellor, as chairman;

(b) the Provost;

(c) four members of the Council not being members of the Senate; and

(d) two members of the Senate.

(2) The functions, procedure and other matters relating to the Selection Board constituted under subsection (1) of this paragraph shall be as the Council may, from time to time, determine.

(3) The Registrar, Bursar and Librarian shall hold office for a single term of five years only beginning from the effective date of their appointments and on such terms and conditions as may be specified in their letters of appointment.

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

Transfer of Functions, etc.

4. (1) The first meeting of the Council shall be convened by the Pro-Chancellor and such date and in such manner as he may determine.

(2) The persons who were members of the Provisional Council shall be deemed to constitute the Council until the date when the Council as set up under the Third Schedule to this Bill shall have been duly constituted.

(3) The first meeting of the Senate as constituted by this Bill shall be convened by the Provost on such date and in such manner as he may determine.

(4) The persons who were members of the Academic Board immediately before the coming into force of this Bill shall be deemed to constitute the Senate of the College until the date when the Senate as set up under the Third Schedule to this Bill shall have been duly constituted.

(5) Subject to any regulations which may be made by the Senate after the date on which this Bill is made, the schools, school boards and students of the College immediately before the coming into force of this Bill shall on that day become schools, school boards and students of the College as constituted by this Bill.

(6) Persons who were Deans of schools and Heads of Academic Departments shall continue to be Deans or HODs of the corresponding School/Department, until new appointments are made in pursuance of the statutes.

(7) Any person who was a member of the staff of the College as established or was otherwise employed by the Provisional Council shall become the holder of an appointment at the College with the status, designation and functions which correspond as nearly as may be to those which appertained to him as member of that staff or as such an employee.

Question that the Provision in the Second Schedule stand part of the bill – Agreed to.

THIRD SCHEDULE

[Section 9 (3)]

FEDERAL COLLEGE OF EDUCATION (TECHNICAL), AKO, AGO-IWOYE, OGUN STATE, STATUTE NO. 1

ARRANGEMENT OF ARTICLES

Articles:

1. The Council.
2. The Finance and General Purposes Committee
3. The Senate
4. The Congregation
5. Convocation
6. Division of Colleges
7. College/School Boards
8. Dean of the College
9. Selection of certain Principal Officers
10. Creation of academic posts

(e) the Executive Secretary of the Petroleum Technology Development Fund, or in his absence, such member of the Fund as he may designate to represent him.

(2) The quorum of the Committee shall be five.

(3) Subject to any directions given by the Council, the Committee may regulate its own procedure.

Annual budget and estimates, etc.

(4) (i) The estimates of income and expenditure for a financial year shall be presented by the Provost to the Council and may be approved by the Council before the beginning of that financial year:

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

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

Gifts, donations, etc.

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

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

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

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

Payment into bank

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

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

Audit

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

(2) The appointment and other matters relative to the auditors, their continuance in office and their functions, as the case may be, shall, subject to the provisions of this section, be prescribed by statute

The Senate

4. (1) The Senate shall consist of:

(9) For the avoidance of doubt it is hereby declared that no person shall be precluded from continuing in or taking office as an elected member by reason only of reduction in the after 30 April in any year in which he is to continue in or take office as all elected member.

(10) If so requested in writing by any fifteen members of the Senate, the Provost or in his absence any of the Deputy Provost duly appointed by him, shall convene a meeting of the Senate to be held not later than the tenth day following that on which the request was received.

(11) In this article "total of non-elected members" means as respect any year, such number as may be certified by the Provost on 30 April of that year to be the number of persons holding office as members of the Senate on that day otherwise than as elected members.

Congregation

5. (1) Congregation shall consist of:

(i) Provost;

(ii) the Deputy Provosts;

(iii) the full-time members of the academic staff;

(iv) the Registrar;

(v) the Librarian;

(vi) every member of the administrative staff who holds a degree, other than honorary degree, of any College recognized for the purposes of this statute by the Provost.

(2) Subject to section 4 of this Bill, the Provost shall be the chairman at all meetings of Congregation when he is present; and in his absence any of the Deputy Provosts present at the meeting as Congregation may appoint for that meeting, shall be the chairman at the meeting.

(3) The quorum of Congregation shall be one third or the whole number nearest to one third of the total number of members of Congregation of fifty, whichever is less.

(4) A certificate signed by the Provost specifying:

(a) the total number of members of Congregation for the purpose of any particular meeting or meetings of Congregation; or

(b) the names of the persons who are members of Congregation during a particular period, shall be conclusive evidence of that number or, as the case may be, of the names of those persons.

(5) The procedure for election of members of Congregation to the Council and the Senate shall be prescribed by Regulations.

(6) Subject to the foregoing provisions of this article, Congregation may regulate its own procedure.

(7) Congregation shall be entitled to express by resolutions or otherwise its opinion on all matters affecting the interest and welfare of the College and

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

College Boards

8. (1) There shall be established in respect of each College, a Board of Studies which, subject to the provisions of this Statute, and subject to the directions of the Provost, shall:

(a) regulate the teaching and study of, and the conduct of examinations connected with, the subjects assigned to the college;

(b) deal with any other matter assigned to it by statute or by the Provost or by the Senate; and

(c) advise the Provost or the Senate on any matter referred to it by the Provost or the Senate.

(2) Each College Board of Studies shall consist of:

(a) the Provost;

(b) the Dean;

(c) the persons severally in charge of the branches of the school;

(d) the College Examination Officer;

(e) such of the teachers assigned to the college and having the prescribed qualifications as the Board may determine; and

(f) such persons, whether or not members of the College, as the Board may determine with the general or special approval of the Senate.

(3) The quorum of the Board shall be eight members or one quarter, whichever is greater, of the members for the time being of the board; and subject to the provisions of this statute and to any provision made by regulations in that behalf, the Board may regulate its own procedure.

Deans of the Colleges

9. (1) The Board of each College shall, at a meeting in the last term of any academic year which the term of office of the Dean expires, nominate one of its members, being one of the Professors assigned to that teaching unit, for appointment by the Senate as Dean of the College

(2) The person appointed under paragraph 1 of this Article shall act as Dean of the College and chairman of all meetings of the College Board when he is present and shall be a member of all committees and other boards appointed by the College.

(3) The Dean shall hold office for two years and shall be eligible for re-appointment one further period of two years. Thereafter he shall not be eligible for re-appointment until two years have elapsed.

(4) The Dean of a College shall exercise general superintendence over the academic and administrative affairs of the College.

(5) It shall be the function of the Dean to present to Convocation for the conferment of degrees to persons who have qualified for the degrees of the

Tenure of Directors

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

Creation of Academic Posts

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

Appointment of Academic Staff

14. (1) Subject to the Act and statutes, the filling of vacancies in academic posts (including newly created ones) shall be the responsibility of the Council through the Departments and Colleges.

(2) For the purpose of filling such vacancies, suitable selection boards to select and make appointments on behalf of the Council shall be set up.

(3) For appointment to Professorships, Associate Professorship or Readerships or equivalent posts, a Board of Selection, with power to appoint, shall consist of:

(a) the Provost - Chairman;

(b) Deputy Provost - Member;

(c) the Dean of the College - Member;

(d) Head of Department - Member;

(e) such other person(s), not exceeding two in number, deemed capable of helping the Board in assessing both the professional and academic suitability of a candidate under consideration, as the Senate may from time to time appoint;

(f) Registrar - Secretary.

(4) For other academic posts, a Selection Board, with power to appoint, shall consist of:

(a) the Provost or his representative - Chairman:

(b) the Dean of the College - Member

(c) Head of the Department concerned - Member

(d) an internal member of Council (not below the Rank of Senior Lecturer from the sister college in the Candidate's subject-area) - Member

(e) Registrar or his representative - Secretary

(5) All appointments to senior library posts shall be made in the same way as equivalent appointments in the academic cadre; and for all such posts other than that of the Librarian, the Librarian shall be a member of the Selection Board.

(6) Boards of Selection may interview candidates directly or consider the reports of specialist interviewing panels and shall in addition, in the case of

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

12. **Federal University of Education, Pankshin, Plateau State (Establishment) Bill, 2021 (HB.686)** – Concurrence

Motion made: That a Bill for an Act to Establish the Federal University of Education, Pankshin, Plateau State Bill, 2021be read the Second Time (*Deputy Senate Leader*).

Debate:

Question put and agreed to.

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

Debate:

Question put and agreed to.

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

Motion made: Pursuant to Rule 81, that the Senate do resolve into the Committee of the Whole to consider a Bill for an Act to Provide for the Establishment of the Federal University of Education, Pankshin, Plateau State for the Promotion and Development of Teacher Education in Nigeria; and for Related Matters, 2021 (*Concurrence*) (*Deputy Senate Leader*).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE FEDERAL UNIVERSITY OF EDUCATION, PANKSHIN, PLATEAU STATE FOR THE PROMOTION AND DEVELOPMENT OF TEACHER EDUCATION IN NIGERIA; AND FOR RELATED MATTERS, 2021.

PART I - ESTABLISHMENT, COMPOSITION AND FUNCTIONS OF THE FEDERAL UNIVERSITY OF EDUCATION, PANKSHIN, PLATEAU STATE

Clause 1: **Establishment and objectives of Federal University of Education Pankshin, Plateau State.**

(1) Federal College of Education, Pankshin is upgraded and established as the Federal University of Education Pankshin, Plateau State (in this Bill referred to as "the University").

(2) The University:

(a) is a body corporate with perpetual succession, and a common seal; and

(b) may sue or be sued in its corporate name.

(3) The University is a training institution for the development of teacher education in the country.

(4) The University shall be supervised by the Federal Ministry of Education through the National Universities Commission (NUC) who is responsible for approving and regulating all academic programmes run in the University, to ensure quality compliance and provide funds for academic and research programmes, infrastructures and

Committee's Recommendation:
That the provision of Clause 1 be retained *(Deputy Senate Leader) — Agreed to.*

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

Clause 2: **Composition of the University.**

(1) The University shall consist of:—

(a) a Chancellor;

(b) a Pro-Chancellor and a Council;

(c) a Vice-Chancellor and a Senate;

(d) a Congregation;

(e) a Convocation;

(f) the campuses and colleges of the University;

(g) the colleges, institutes and other teaching and research units of the University;

(h) the persons holding the offices constituted by the First Schedule to this Bill other than those mentioned in paragraphs (a) - (c);

(i) all graduates and undergraduates of the University; and

(j) all other persons who are members of the University in accordance with provisions made by Statute in that behalf.

(2) The First Schedule to this Bill shall have effect with respect to the principal officers of the University.

(3) Subject to section 5, provisions shall be made by Statute with respect to the constitution of the Council, the Senate, Congregation and Convocation.

Committee's Recommendation:
That the provision of Clause 2 be retained *(Deputy Senate Leader) — Agreed to.*

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

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

(1) For the attainment of its objectives as specified in section 1 (5), the University has powers to:—

(a) offer courses of instruction, training and research in education and allied areas for the production of quality and skilled teachers required to teach at lower, middle and higher levels of education in Nigeria in particular and the world at large;

(b) establish such colleges, campuses, institutes, schools, departments and other teaching and research units within the University as may be deemed necessary or desirable subject to the approval of National Universities Commission;

(c) Institute professorships, readerships, associate professorships,

(p) make gifts for any charitable purpose;

(q) do anything which it is authorised or required by this Bill or any Statute to do; and

(r) do all such acts or things, whether or not incidental to these powers, as may advance the objects of the University.

(2) Subject to the provisions of this Bill and of the Statutes and without prejudice to section 7 (2), the powers conferred on the University under subsection (1) is exercisable on behalf of the University by the Council, Senate or in any other manner which may be authorised by the Statute.

(3) The power of the University to establish additional campuses and colleges within the University shall be exercised in accordance with the Statute.

Committee's Recommendation:
That the provision of Clause 3 be retained *(Deputy Senate Leader) — Agreed to.*

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

Clause 4: Functions of Chancellor and Pro-Chancellor.

(1) The Chancellor shall, in relation to the University, take precedence before all other members of the University and, when he is present, shall preside at all meetings of Convocation held for conferring degrees.

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

Committee's Recommendation:
That the provision of Clause 4 be retained *(Deputy Senate Leader) — Agreed to.*

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

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

(1) There is established for the university a Governing Council (in this Bill referred to as "the Council").

(2) The Council shall consist of:—

(a) the Pro-Chancellor who is appointed by the President on the recommendation of the Minister;

(b) the Vice-Chancellor;

(c) the Deputy Vice-Chancellors;

(d) one person from the Federal Ministry responsible for education;

(e) four persons representing a variety of interests and broadly

shall, subject to the directions of the Council:—

(a) exercise control over the property and expenditure of the University; and

(b) perform such other functions of the Council as the Council may delegate to it.

(3) Provisions shall be made by the Statute with respect to the constitution of the Finance and General Purposes Committee.

(4) The Council shall ensure that proper accounts of the University are kept and that the accounts of the University are audited annually by an independent firm of auditors approved by the Council and that an annual report is published by the University together with certified copies of the said accounts as audited.

(5) Subject to this Bill and the Statute, the Council and Finance and General Purposes Committee may each make rules for the purpose of performing their respective functions or of regulating their own procedure.

(6) Rules made under subsection (5) by the Finance and General Purposes Committee shall not come into effect unless they are approved by the Council, and where the rules made by that Committee conflict with any direction given by the Council, whether before or after the coming into effect of the rules in question, the directions of the Council prevails.

(7) There shall be paid to the members respectively of the Council, Finance and General Purposes Committee and any other committee set up by the Council allowances in respect of travelling and other reasonable expenses at such rates as may be fixed by the Minister.

(8) The Council shall meet as and when necessary for the performance of its functions under this Bill and shall meet at least three times in every year.

(9) If requested in writing by five members of the Council, the Chairman shall, within 28 days after the receipt of such request, call a meeting of the Council.

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

Committee's Recommendation:
That the provision of Clause 6 be retained *(Deputy Senate Leader) — Agreed to.*

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

Clause 7: Functions of the Senate of the University.

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

admission into the University or obtaining that award.

Committee's Recommendation:
That the provision of Clause 7 be retained *(Deputy Senate Leader) — Agreed to.*

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

Clause 8: Functions of the Vice-Chancellor.

(1) The Vice-Chancellor shall, in relation to the University, take precedence before all other members of the University except the Chancellor, and subject to section 4 except the Pro-Chancellor and any other person for the time being acting as Chairman of the Council.

(2) Subject to sections 6, 7 and 14, the Vice-Chancellor shall:—

(a) have the general function, in addition to any other function conferred on him by this Bill of directing the activities of the University; and

?

(b) be the Chief Executive and Accounting Officer of the University and ex-officio Chairman of the Senate.

(3) The Vice-Chancellor shall be the Chairman of the University Tenders' Board, which is saddled with the responsibility of approving the conduct of public procurement of goods, works and services within the approved threshold.

(4) It is the responsibility of the Vice-Chancellor to establish and appoint members of the Tenders' Board in line with the extant Public Procurement Rules and Regulations.

Committee's Recommendation:
That the provision of Clause 8 be retained *(Deputy Senate Leader) — Agreed to.*

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

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

Clause 9: General Fund of the University.

(1) There shall be a general fund of the University (in this Bill referred to as "the General Fund") which shall consist of:—

(a) grants-in-aid;

(b) fees;

(c) income derived from investments;

(d) gifts, legacies, endowments and donations not accepted for a particular purpose;

(e) income derived from the performance of any functions conferred or imposed on the University by this Bill;

(f) any other amount, charges or dues recoverable by the University;

have come into effect on the commencement of this Bill and is deemed to have been made under this section by the University.

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

Committee's Recommendation:
That the provision of Clause 11 be retained *(Deputy Senate Leader) — Agreed to.*

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

Clause 12: Mode of exercising power to make statutes.

(1) The power of the University to make Statutes shall be exercised in accordance with the provisions of this section.

(2) A proposed Statute shall not become law unless it has been approved at the meeting of the:—

(a) Senate, by the votes of at least two-thirds of the members present and voting; and

(b) Council, by the votes of at least two-thirds of the members present and voting.

(3) A proposed Statute may originate either in the Senate or Council, and may be approved as required by subsection (2).

(4) A Statute which:—

(a) makes a provision for or alters the composition or constitution of the Council, the Senate or any other authority of the University; or

(b) provides for the establishment of a new campus or college or for the amendment or revocation of any statute, shall not come into effect unless it has been approved by the Visitor.

(5) For the purpose of section 2 (2) of the Interpretation Act, a Statute shall be treated as being made on the date on which it is duly approved by the Council or Senate, in accordance with subsection (2) or in the case of a Statute falling within subsection (4), on the date on which it is approved by the President.

(6) In the event of any doubt or dispute arising at any time as to:—

(a) the meaning of any provision of a Statute; or

(b) whether any matter is, for the purposes of this Bill, an academic or non-academic matter as it relates to such doubt or dispute, the matter may be referred to the Visitor, who shall take such advice and make such decision as he may think fit.

(7) The decision of the Visitor on any matter referred to him under subsection (6) is binding upon the authorities, staff, and students of the University, and where any question as to the meaning of any provision of a Statute has been decided by the Visitor under that subsection, no question as to the meaning of that provision shall be

(2) The Minister shall cause a copy of the instrument embodying a direction under subsection (1) to be served, as soon as reasonably practicable, on the person to whom it relates.

Committee's Recommendation:
That the provision of Clause 15 be retained *(Deputy Senate Leader) — Agreed to.*

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

Clause 16: **Removal and discipline of academic, administrative and professional staff.**

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

(a) give notice of those reasons to the person in question;

(b) afford him an opportunity of making representations in person on the matter by the Council; and

(c) afford the person in question, an opportunity of appearing before and being heard by the investigating committee with respect to the matter.

(2) If the Council, after considering the report of the investigating committee, is satisfied that the person in question should be removed, the Council may so remove him by an instrument in writing signed on the directions of the Council.

(3) The Vice-Chancellor may, in a case of misconduct by a member of staff which, in the opinion of the Vice-Chancellor is prejudicial to the interest of the University, suspend such member and the suspension shall immediately be reported to the Council.

(4) For good cause, any member of staff may be suspended from his duties, or his appointment may be terminated by the Council, and for the purposes of this subsection, "good cause" means:—

(a) conviction for any offence which the Council considers to be such as to render the person concerned unfit for the discharge of the duties of his office;

(b) any physical or mental incapacity which the Council, after obtaining medical advice, considers to be such as to render the person concerned unfit to continue to hold his office;

(c) conduct of a scandalous or disgraceful nature which the Council considers to be such as to render the person concerned unfit to continue to hold his office;

(d) conduct which the Council considers to be such as to constitute failure or inability of the person concerned to discharge the duties of his office or comply with the terms and conditions of his service; and

(e) conduct which the Council considers to be generally of such nature as to render the continued appointment or service of

Vice-Chancellor may, on the recommendation of the Senate, appoint an appropriate person as examiner in the place of the examiner removed under subsection (1).

(3) The Vice-Chancellor on signing an instrument of removal under this section, shall cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it is related.

Committee's Recommendation:
That the provision of Clause 17be retained *(Deputy Senate Leader) — Agreed to.*

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

Clause 18: Participation and discipline of students.

(1) The Students shall:—

(a) be represented in the University's Students Welfare Board and other committees that deal with the affairs of students;

(b) participate in various aspects of curriculum development;

(c) participate in the process of assessing academic staff in respect of teaching; and

(d) be encouraged to be more self-assured as part of the national development process.

(2) Subject to the provisions of this section, where it appears to the Vice-Chancellor that any student of the University has been guilty of misconduct, the Vice-Chancellor may, without prejudice to any other disciplinary power conferred on him by Statute or regulations, direct that the:—

(a) student shall not, during such period as may be specified in the directions, participate in such activities of the University or make use of such facilities of the University, as may be so specified;

(b) activities of the student shall, during such period as may be specified in the direction, be restricted in such manner as may be so specified;

(c) student be rusticated for such period as may be specified in the direction; or

(d) student be expelled from the University.

(3) Where a direction is given under subsection (1) (c) or (d) in respect of any student, that student may, within the prescribed period and in the prescribed manner, appeal to the Council, and where such an appeal is brought, the Council shall, after causing such inquiry to be made in the matter as the Council considers just, either confirm, set aside or modify the direction in such manner as the Council deems fit.

(4) An appeal brought under subsection (3) does not affect the operation of the direction while the appeal is pending.

(5) The Vice-Chancellor may delegate his powers under this section to a disciplinary board consisting of such members of the University as he

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

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

Clause 21: **Quorum and procedure of bodies established under this Bill.**
Except as may be otherwise provided by Statute or regulations, the quorum and procedure of any body of persons established under this Bill shall be as determined by that body.

Committee's Recommendation:
That the provision of Clause 21 be retained *(Deputy Senate Leader) — Agreed to.*

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

Clause 22: **Appointment of committee.**

(1) Anybody of persons established under this Bill shall, without prejudice to the generality of the powers of that body, have power to set up committees, which need not consist exclusively of members of that body, and to authorise a committee set up by it to:—

(a) perform, on its behalf, its functions as it may determine; and

(b) co-opt members, and direct whether or not co-opted members are entitled to vote in that committee.

(2) Any two or more such bodies may arrange for the holding of joint meetings of those bodies, or for setting up of committees consisting of members of those bodies, for the purpose of considering any matter within the competence of those bodies or any of them, and either of dealing with it or reporting on it to those bodies or any of them.

(3) Except as may be otherwise provided by Statute or regulations, the quorum and procedure of a committee established or meeting held in pursuance of this section, shall be such as may be determined by the body or bodies which have decided to set up the committee or hold the meeting.

(4) Nothing in the provisions of subsection (1), (2) and (3) is construed as enabling the:—

(a) Statutes to be made otherwise than in accordance with section 11; or

(b) Senate to empower any other body to make regulations or award degrees or other qualifications.

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

Committee's Recommendation:
That the provision of Clause 22 be retained *(Deputy Senate Leader) — Agreed to.*

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

Clause 23: **Retiring age of academic staff.**

provisions) applies to Statutes or regulations made under this Bill.

(7) The power conferred by this Bill on anybody to make Statutes or regulations includes power to revoke or vary any:—

(a) statute (including the Statute contained in the Third Schedule to this Bill); or

(b) regulation by a subsequent statute or subsequent regulation as the case may be: —

Provided that the subsequent regulation or Statutes may make different provisions in relation to different circumstances.

(8) No stamp duty or other duty shall be payable in respect of any transfer of property to the University by virtue of sections 10 or 20 or the Second Schedule to this Bill.

(9) Any notice or other instrument authorised to be served by virtue of this Bill may, without prejudice to any other mode of service, be served by post.

Committee's Recommendation:
That the provision of Clause 25 be retained *(Deputy Senate Leader) — Agreed to.*

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

Clause 26: Restriction of suits and execution.

(1) No legal proceeding shall be instituted or commenced against the University or any of its agents in the course of their official duties unless a three months pre-action notice of such intention is served on the University by an aggrieved party;

(2) The notice shall state the reason and the cause of action intended to be taken against the University; the particulars of the claim, the name and place of abode of the intending plaintiff and the relief which he claims.

(3) No suit shall be commenced against an officer or servant of the University, in any case where the University is vicariously liable for any alleged act, neglect or default of the officer or servant in the performance or intended performances of his duties, unless three months at least has elapsed after written notice of intention to commence the same shall have been served on the University by the intending plaintiff or his agent.

(4) In any suit against the University, no execution or attachment or process in the nature thereof shall be issued against the University, but any sum of money which may by the judgment of the court be awarded against the University shall, subject to any direction given by the court where notice of appeal has been given by the University in respect of the said judgment, be paid by the University from its general funds.

(5) Service upon the University of any notice, order or other document, may be effected by delivering the same or by sending it by registered post addressed to the Registrar and Secretary of the Council.

Committee's Recommendation:

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

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

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

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

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

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

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

"undergraduate" means a person registered as a student undergoing a course of study for a first degree of the University or such other course in the University as may be approved by the Senate as qualifying a student undergoing it for the status of an under-graduate;

"University" means Federal University of Education Pankshin, Plateau State established under section 1 (1) of this Bill.

(2) Where in any provision of this Bill it is laid down that the proposals are to be submitted or a recommendation is to be made by one authority or another through one or more intermediate authorities, it shall be the duty of every intermediate authority to forward any proposal of that or recommendation received by it in pursuance of that provision to the appropriate authority, but such intermediate authority may, if it deems fit, forward its own comments thereon.

Committee's Recommendation:
That the provision of Clause 28 be retained *(Deputy Senate Leader) — Agreed to.*

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

Clause 29: **Citation.**
This Bill may be cited as the Federal University of Education, Pankshin, Plateau State (Establishment) Bill, 2021.

Committee's Recommendation:
That the provision of Clause 29 be retained *(Deputy Senate Leader) — Agreed to.*

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

SCHEDULES

FIRST SCHEDULE

SECTION 2 (2)

PRINCIPAL OFFICERS OF THE UNIVERSITY

The Chancellor

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

appointment.

(6) The Vice-Chancellor may be removed from office by the Council on grounds of gross misconduct or inability to perform the functions of his office as a result of infirmity of the body or mind, at the initiative of the Council, Senate or the Congregation after due process.

(7) When the proposal for the removal of the Vice-Chancellor is made, the Council shall constitute a Joint Committee of Council and Senate consisting of:—

(a) three members of the Council, one of whom shall be the Chairman of the Committee; and

(b) two members of the Senate:—

Provided that where the ground for removal is infirmity of the body or mind, the Council shall seek appropriate medical opinion.

(8) The Committee shall conduct investigation into the allegations made against the Vice-Chancellor and shall report its findings to the Council.

(9) The Council may, where the allegations are proved, remove the Vice-Chancellor or apply any other disciplinary action it may deem fit and notify the Visitor accordingly but a Vice-Chancellor who is removed shall have right of appeal to the Visitor.

(10) There shall be no sole administrator in the University.

(11) In any case of a vacancy in the office of the Vice-Chancellor, the Council shall appoint an acting Vice-Chancellor on recommendation of the Senate.

(12) An acting Vice-Chancellor in all circumstances shall not be in office for more than six months.

Deputy Vice-Chancellor

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

(2) Where a vacancy occurs in the post of Deputy Vice-Chancellor, the Vice-Chancellor shall forward to the Senate a list of two candidates for each post of Deputy Vice-Chancellor that is vacant.

(3) The Senate shall select for each vacant post one candidate from each list forwarded to it under subparagraph (2) of this paragraph and forward his name to the Council for confirmation.

(4) A Deputy Vice-Chancellor shall:—

(a) assist the Vice-Chancellor in the performance of his functions;

(b) act in the place of the Vice-Chancellor when the post of the Vice-Chancellor is vacant or if the Vice-Chancellor is, for any reason, absent or unable to perform his functions as Vice-Chancellor; and

(c) perform such other functions as the Vice-Chancellor or the Council

(b) the Vice-Chancellor;

(c) four members of the Council not being members of the Senate; and

(d) two members of the Senate.

(2) The functions, procedure and other matters relating to the Selection Board constituted under subparagraph (1) of this paragraph shall be as the Council may determine.

(3) The Registrar, Bursar and Librarian shall hold office for a single term of five years only beginning from the date of their appointments and on such terms and conditions as may be specified in their letters of appointment.

(4) Notwithstanding subparagraph (3) of this paragraph, the Council may, upon satisfactory performance, extend the tenure of the Registrar, Bursar or Librarian for a further term of one year only and thereafter such principal officer shall relinquish his post and be assigned to other duties in the University.

Resignation and Re-appointment

8. (1) Any officer mentioned in this Schedule may resign his office:—

(a) in the case of the Chancellor or Pro-Chancellor, by notice to the Visitor;

(b) in any other case, by notice to the Council, and the Council shall, in the case of the Vice-Chancellor, immediately notify the Visitor.

(2) Without prejudice to paragraph 4 of this Schedule, a person who has ceased to hold an office than by removal for misconduct shall be eligible for re-appointment to that office.

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

SECOND SCHEDULE

SECTION 10 (2) AND 25 (8)

TRANSITIONAL PROVISIONS AS TO PROPERTY, FUNCTIONS, ETC.

Transfer of Property to University

1. Without prejudice to section 10 (1) of this Bill: —

(a) the reference to property held by the Provisional Council includes a reference to the right to receive and give a good discharge for any grant or contribution which may have been voted or promised to the Provisional Council; and

(b) all debts and liabilities of the Provisional Council outstanding shall become debts or liabilities of the University.

2. (1) All agreements, contracts, deeds and other instruments to which the Provisional Council was a party shall, so far as possible and subject to any necessary modification, have effect as if the University had been a party thereto in place of the Provisional Council.

(2) Documents not falling within subparagraph (1) of this paragraph, including enactment which refer, whether specially or generally, to the Provisional

PLATEAU STATE, STATUTE NO. 1

ARRANGEMENT OF ARTICLES

Article:

1. The Council.
2. The Finance and General Purposes Committee.
3. Annual budget and estimates, etc.
4. Gifts, donations, payment into bank and audit.
5. The Senate.
6. Congregation.
7. Convocation.
8. Division of Colleges.
9. College Boards.
10. Dean of Colleges.
11. Departmental Board of Studies.
12. Selection of Directors of physical planning and development, works, services and health.
13. Tenure of Directors.
14. Creation of academic posts.
15. Appointment of Academic staff.
16. Appointment of Administrative and professional staff.
17. Interpretation.
18. Citation.

The Council

1. (1) The composition of the Council shall be as provided in section 5 of this Bill.

(2) Any member of the Council holding office other than under section 5 (2) (a), (b), (c), or (d) of this Bill may, by notice to the Council, resign his office.

(3) A member of the Council holding office other than under section 5 (2) (a), (b), (c), or (d) of this Bill shall, unless he previously vacates it, vacate that office on the expiration of the period of four years beginning with effect from I August of the year which he was appointed.

(4) Where a member of the Council holding office other than under section 5 (2) (a), (b), (g), or (h) of this Bill vacates office before the expiration of the period mentioned, the body or person by whom he was appointed may appoint a successor to hold office for the residue of the term of his predecessor.

(5) A person ceasing to hold office as a member of the Council other than by removal for misconduct shall be eligible for re-appointment for only one further period of four years.

(6) The quorum of the Council is five, at least one of whom shall be a member appointed under section 5 (2) (d) or (e) of this Bill.

(7) If the Pro-Chancellor is not present at a meeting of the Council, such other member of the Council present at the meeting as the Council may appoint for that meeting shall be the Chairman, and subject to section 4 of this Bill and this paragraph, the Council may regulate its own procedure.

(8) Where the Council desires to obtain advice with respect to any particular matter, it may co-opt not more than two persons for that purpose, and the persons co-opted may take part in the deliberations of the Council at the

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

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

(6) The appointment and other matters relative to the auditors, their continuance in office and their functions, as the case may be, shall, subject to the provisions of this section, be prescribed by Statute.

The Senate

5. (1) The Senate shall consist of:

(a) the Vice-Chancellor;

(b) the Deputy Vice-Chancellors;

(c) the Deans of respective Colleges;

(d) the Professors in the University;

(e) Heads of Academic Departments and Units;

(f) the University Librarian;

(g) one elected representative of each College;

(h) two members of Academic Staff elected by the Congregation;

(i) one elected representative of each department;

(j) two members representing a variety of interests of the professional bodies outside the University appointed by the Senate on the recommendation of the Vice-Chancellor; and

(k) Registrar who shall be the Secretary.

(2) The procedure for election of members of Senate to the Council shall be prescribed by regulations.

(3) The Vice-Chancellor shall be the chairman at all meetings of the Senate when he is present, and, in his absence any of the Deputy Vice-Chancellors present at the meeting as the Senate may appoint for that meeting shall be the chairman at the meeting.

(4) The quorum of the Senate shall be one quarter or the nearest whole number less than one quarter; and subject to sub-article (3) of this article, the Senate may regulate its own procedure.

(5) An elected member may, by notice to the Senate, resign his office.

(6) Subject to sub-article (8) of this article, there shall be elections for the selection of elected members, which shall be held in the prescribed manner on such day in the month of May or June in each year as the Vice-Chancellor may determine.

(b) names of the persons who are members of Congregation during a particular period,

shall be conclusive evidence of that number or, as the case may be, of the names of those persons.

(5) The procedure for election of members of Congregation to the Council and the Senate shall be prescribed by regulations.

(6) Subject to this article, Congregation may regulate its own procedure.

(7) Congregation is entitled to express by resolutions its opinion on all matters affecting the interest and welfare of the University and shall have such other functions, in addition to the function of electing a member of the Council, as may be provided by Statute or regulations.

Convocation

7. (1) Convocation shall consist of:

(a) the officers of the University mentioned in the First Schedule to this Bill;

(b) all teachers within the meaning of this Bill; and

(c) all other persons whose names are registered in accordance with sub-article (2) of this article.

(2) A person shall be entitled to have his name registered as a member of Convocation if he:

(a) is either a graduate of a University or a person satisfying such requirements as may be prescribed for the purposes of this paragraph; and

(b) applies for the registration of his name in the prescribed manner and pay the prescribed fees.

(3) Regulations shall provide for the establishment and maintenance of a register for the purpose of this article and subject to sub-article (4) of this article may provide for the payment of further fees by persons whose names are on the register and for the removal from the register of the name of any person who fails to pay those fees.

(4) The person responsible for maintaining the register shall, without the payment of any fees, ensure that the names of all persons who are for the time being members of the Convocation by virtue of sub-article (1) (a) or (b) of this article are entered and retained on the register.

(5) A person who reasonably claims that he is entitled to have his name on the register is entitled on demand to inspect the register or a copy of the register at the principal office of the University at all reasonable times.

(6) The register is, unless the contrary is proved, be sufficient evidence that any person named therein is, a member of Convocation, but for the purpose of ascertaining whether a particular person was such a member on a particular date, any entries in and deletions from the register made on or after that date shall be disregarded.

(7) The quorum of Convocation is 50 or one-third or the whole number nearest

(3) The Dean shall hold office for two years and shall be eligible for re-appointment one further term of two years, and shall not be eligible for re-appointment until two years have elapsed.

(4) The Dean of a College shall exercise general superintendence over the academic and administrative affairs of the College.

(5) The Dean shall present to Convocation for the conferment of degrees to persons who have qualified for the degrees of the University at examination held in the branches of learning for which responsibility is allocated to that College.

(6) There shall be a committee to be known as the Committee of Deans consisting of all the Deans of the several Colleges and that Committee shall advise the Vice-Chancellor on all academic matters and on particular matters referred to the University by the Senate.

(7) The Dean of a College may be removed from office for good cause by the College Board after a vote have been taken at a meeting of the Board, and in the event of a vacancy occurring due to the removal of a Dean, an acting Dean may be appointed by the Vice-Chancellor:

Provided that at the next College Board meeting, an election shall be held for a new Dean.

(8) In this article "good cause" has the same meaning, as in section 16 (4) of the Act.

Departmental Board of Studies

11. (1) There shall be a Departmental Board of Studies whose membership shall be made of all academic staff of the Department.

(2) The Departmental Board of Studies shall be headed by a Professor who shall be appointed by the Vice Chancellor and in the absence of a Professor, a senior academic staff shall be appointed in acting capacity.

(3) The tenure of office for a Professor heading the Department of Board of Studies is three years and one year for the person appointed in acting capacity.

(4) The Departmental Board of Studies shall:

(a) superintend over all teachings and examinations in the department;

(b) handle all disciplinary matters in the department and make recommendations to the College where necessary; and

(c) allocate courses in the department on the recommendation of the Head of Department.

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

12. (1) When a vacancy occurs in the office of the Directors of Physical Planning and Development, Works and Services and Health, a Selection Board shall be constituted by the Council which shall consist of:

(a) the Pro-Chancellor;

(b) the Vice-Chancellor;

(5) All appointments to senior library posts shall be made in the same way as equivalent appointments in the academic cadre, and for all such posts other than that of the Librarian, the Librarian shall be a member of the Selection Board.

(6) Selection Boards may interview candidates directly or consider the reports of specialist interviewing panels and shall in addition, in the case of Professorships, Associate Professorship, Readerships or equivalent Posts, consider the reports of external assessors relevant to the area in which the appointment is being considered and the Quorum is three members including the Chairman.

Appointment of Administrative and Professional Staff

16. (1) The administrative and professional staff of the University other than principal officers shall be appointed by the Council or on its behalf by the Vice-Chancellor in accordance with delegation of powers made by the Council on its behalf.

(2) A Selection Board, with power to appoint, shall consist of:

(a) Vice-Chancellor who shall be the Chairman;

(b) Deputy Vice-Chancellor;

(c) Registrar;

(d) Bursar;

(e) University Librarian;

(f) the Head of Department concerned; and

(g) Establishment and Human Resources Officer who shall serve as Secretary, and the Quorum is three including the Chairman.

Interpretation

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

Citation

18. This Statute may be cited as the Federal University of Education, Pankshin, Plateau State Statute No.1, 2021

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 a Bill for an Act to Provide for the Establishment of the Federal University of Education, Pankshin, Plateau State for the Promotion and Development of Teacher Education in Nigeria; and for Related Matters, 2021 and approved as follows:

Clauses 1-29 — As Recommended

Schedules 1-3 — As Recommended

(4) Subject to the provisions of this Bill, members admitted to the Institute shall be:

(a) enrolled as Chartered Statisticians in the category of:

(i) fellows;

(ii) associates;

(b) registered as registered Statisticians, and shall have such status in the Institute accordingly; and

(c) persons accorded by the Council under this Bill with the status of Chartered Statisticians and shall be entitled to the use of that name.

(5) A person shall be registered as a fellow if the person satisfies the Council that for the next 5 years preceding the date of application in that behalf, he has been fit and proper person and has, in addition to being:

(a) a holder of an approved academic qualification, been in continuous practice as a Statistician or in partnership with other Statisticians;

(b) for the period of not less than 10 years immediately preceding the date of application for such enrolment (the period of membership of the association, in the discretion of the Council, counting in that behalf) he has been enrolled as associate, or qualified to be so enrolled whether in practice as a Statistician or not and is otherwise a fit and proper person.

(6) A person shall be registered as an associate if the person satisfies the Council that he has passed examinations prescribed or accepted by the Institute and is otherwise a fit and proper person to be enrolled in the register.

(7) Where a person is registered, as the case may be in the Institute, he shall be entitled to the use of such letters after his name as may be authorized by the Council as:

(a) a fellow;

(b) an associate; or

(c) a registered Statistician, and shall, when enrolled or registered, receive a certificate in such form as the Council may approve.

Committee's Recommendation:
That the provision in Clause 1 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 2: Functions of President and Vice President of the Institute

(1) There shall be a President and a Vice-President of the Institute who, subject to the provisions of section 3 and the First Schedule to this Bill, shall be elected by the members of the Institute and hold office each for a term of 2 years from the date of election.

(2) The President shall be the Chairman at all meetings of the Institute

(6) The remuneration, allowances, and benefits of the President, Vice President, and Council members shall be approved by the General Meeting of the Institute.

Committee's Recommendation:
That the provision in Clause 3 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 4: **Fund of the Institute. Cap. C20 LFN, 2004.**

(1) The Council shall establish and maintain a fund, (in this Bill referred to as "the Fund") the management and control of which shall be by the Council, and into which shall be paid all moneys received by the Council including moneys held by the Nigerian Statistical Association incorporated under the Companies and Allied Matters Act (in this Bill, referred to as "the Association") on its ceasing to exist as provided in section 5 of this Bill.

(2) There shall be defrayed from the Fund:

(a) liabilities incurred by or on behalf of the Institute; and

(b) remuneration, allowances, and benefits of employees of the Institute.

(3) The Council may invest moneys in the Fund in any security created or issued by or on behalf of the Government of the Federation or in any other securities in Nigeria approved by the Council.

(4) The Council may borrow money for the purposes of the Institute if the need arises, and any interest payable on such moneys so borrowed, shall be paid out of the Fund.

(5) The Council shall keep proper accounts on behalf of the Institute in respect of each financial year and proper records in relation to those accounts and the Council shall cause the accounts to be audited by an auditor appointed from the list and in accordance with the guidelines supplied by the Auditor-General of the Federation.

(6) When audited, the accounts shall be submitted to the members of the Institute for approval at the next Annual General Meeting.

(7) The Auditor, appointed for the purposes of this section shall not be a member of the Council.

Committee's Recommendation:
That the provision in Clause 4 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 5: **Transfer to the Institute of certain assets and liabilities.**

(1) On the commencement of this Bill:

(a) all property held immediately before that day by or on behalf of the Association shall, by virtue of this subsection, vest in the Institute and be held by it for the purpose of the Institute;

(b) the Association shall cease to exist; and

register until any fee specified for the entry has been paid; and

(e) specify any requirement provided for in this section.

(5) Rules made for the purposes of subsection 4 (d) of this section shall not come into force until they are confirmed at a special meeting of the Institute convened for the purpose thereafter, or at the next annual general meeting, as the case may be.

Committee's Recommendation:
That the provision in Clause 6 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 7: Duties of the Registrar.

(1) The Registrar shall:

(a) correct, in accordance with the Council's directions any entry in the register which the Council directs him to correct as being in the Council's opinion, an entry which was incorrectly made;

(b) make from time to time any necessary alterations in the registered particulars of registered persons;

(c) remove from the register the name of any registered person who has died; and

(d) record the names of members of the Institute who are in default in payment of annual subscriptions and where such members continuer to default in payment for more than 6 months:

(i) such defaulting members shall be advised in writing to fulfil their obligations within 3 months; and

(ii) upon the expiration of the 3 months period in question, and of a second similar three months and receive no payment or response, to take such action in relation thereto (including removal of the names of defaulters from the register) as the Council may direct or require.

(2) Where the Registrar:

(a) sends by post to any registered person, a registered letter addressed to him at his address on the register enquiring whether the registered particulars relating to him are correct and receives no reply to the letter within the period of 6 months from the date of posting it; and

(b) upon the expiration of the period sends in the like manner to the person in question a second similar letter and receives no reply to that letter within 3 months from the date of posting it, the Registrar may remove the particulars relating to the person in question from the register, and the Council may direct the Registrar to restore to the appropriate part of the register any particulars removed there from under this subsection.

experience as a Statistician.

(2) An applicant for registration shall, in addition to evidence of qualification, satisfy the Council that he:

(a) is of good character and high integrity;

(b) has attained the age of 21 years; and

(c) has not been convicted in Nigeria or elsewhere of an offence involving fraud, dishonesty or gross misconduct.

(3) The Council may in its sole direction provisionally accept a qualification produced in respect of an application for registration under this section or, direct that the application be renewed within such period as may be specified in the direction.

(4) An entry directed to be made in the register under subsection (3) of this section shall show that registration is provisional, and no entry so made shall be converted to full registration without the consent of the Council signified In writing in that behalf.

(5) The Council shall from time to time publish in the Federal Gazette particulars of qualifications for the time being acceptable for enrolment or registration by the Institute.

Committee's Recommendation:
That the provision in Clause 9 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 10: Approval of qualifications. Etc.

(1) The Council may approve any relevant qualification for the purposes of this Bill, and may, for those purposes, approve a:

(a) course of training at any approved institution which is intended for persons who are seeking to become or are already Chartered Statisticians and which the Council considers is designed to confer on persons completing it sufficient knowledge and skill for admission to the Institute; and

(b) relevant qualification which, as a result of an examination taken in conjunction with a course of training approved by the Council under this section, is granted to candidates reaching a standard at the examination indicating in the opinion of the members of the Council that the candidates have sufficient knowledge and skill to practice Statistics.

(2) The Council may, if it deems fit, withdraw any approval given under this section in respect of any course, qualification or institution but, before withdrawing such an approval, the Council shall:

(a) give notice that it proposes to do so to reach each person in Nigeria appearing to the Council to be a person by whom the course is conducted or the qualification is granted or the institution is controlled, as the case may be;

(b) afford each such person an opportunity of making to the Council, representations with regard to the proposal; and

institution or responsible for the examinations to which the report relates requesting that person to make observation on the report to the Council within such period as may be specified in the request, not being less than 1 month beginning with the date of the request.

Committee's Recommendation:
That the provision in Clause 11 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

PART III - PROFESSIONAL DISCIPLINE

Clause 12: **Establishment of disciplinary tribunal and investigating panel.**

(1) There is established the Statisticians Disciplinary Tribunal (in this Bill referred to as "the Tribunal"), which shall be charged with the duty of considering and determining any case referred to it by the Panel established under subsection (3) of this section.

(2) The Tribunal shall consist of the Chairman of the Council and 6 other members of the Council appointed by the Council.

(3) There is established the Statisticians Investigating Panel (in this Bill referred to as "the Panel"), which shall:

(a) conduct a preliminary investigation into any case where it is alleged that a member has misbehaved in his capacity as a Statistician, or should for any other reason be the subject of proceedings before the Tribunal; and

(b) decides whether the case should be referred to the Tribunal.

(4) The Panel shall be appointed by the Council and shall consist of 5 members, 3 of which shall be members of the Council and 2 Chartered Statisticians who are not members of the Council.

(5) The provisions of the Third Schedule to this Bill shall, so far as they are applicable to the Tribunal and Panel respectively, have effect with respect to those bodies.

(6) The Council may make rules not inconsistent with this Bill as to acts, which constitute professional misconduct.

Committee's Recommendation:
That the provision in Clause 12 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 13: **Penalties for unprofessional conduct, etc.**

(1) Where:

(a) a member is judged by the Tribunal to be guilty of infamous conduct in any professional respect;

(b) a member is convicted, by any court of competent jurisdiction in Nigeria or elsewhere of an offence (whether or not punishable with imprisonment) which in the opinion of the Tribunal is incompatible with the status of a Statistician; or

(c) the Tribunal is satisfied that the name of any person has been

from the date of his last application) or as may be specified in the direction.

Committee's Recommendation:
That the provision in Clause 13 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

PART IV - GENERAL AND MISCELLANEOUS

Clause 14: **Application of Act unregistered persons.**
A person, not being a member of the Association, who, but for this Bill, would have been qualified to apply for and obtain membership of the Association, may within, the period of 3 months beginning with the commencement day, apply for membership of the Institute in such manner as may be prescribed by rules made by the Council and if approved, he shall be registered, as the case may be, according to his qualification.

Committee's Recommendation:
That the provision in Clause 14 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 15: **When a person is deemed to practice a Statistician.**

(1) Subject to the provisions of subsection (3) of this section, a person shall be deemed to practise as a Statistician if, in consideration of remuneration received or to be received, and whether by himself or in partnership with any other person, he:

(a) engages himself in the practice of Statistics or holds himself out to the public as a Statistician;

(b) offers to perform or performs any service involving statistical consultancy; or

(c) renders any other service, which may, by regulations made by the Council, be designated as service constituting practice as a Statistician.

(2) All Members in practice shall register their firms with the Institute.

(3) Nothing in this section shall be construed to apply to persons who, while in the employment of any government or person, are required under the terms or in the course of such employment, to perform the duties of a Statistician or any of them.

Committee's Recommendation:
That the provision in Clause 15 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 16: **Rules as to articles, practicing fees, etc.**

(1) The Council may make rules for:

(a) training with Chartered Statisticians of suitable persons in statistical methods and practice;

(b) supervision and regulation of the engagement, training and transfer of such persons;

shall cease to have effect on the day after the date of annulment, but without prejudice to anything done in pursuance or intended pursuance of any such rules.

Committee's Recommendation:
That the provision in Clause 18 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 19: Offences and penalties.

(1) Where a person, for the purpose of procuring the registration of any name, qualification or other matters:

(a) makes a statement which he believes to be false in a material particular; or

(b) recklessly makes a statement which is false in a material particular, he commits and offence.

(2) Where, on or after the relevant date, a person, not being a member of the Institute, practises as a Statistician for, or in expectation of reward, takes or uses any name, title, addition or description implying that he is in practice as a Statistician, he commits an offence:

Provided that, in the case of a person falling within section 13 of this Bill:

(a) this subsection does not apply in respect of anything done by him during the period of 3 months mentioned in that section; and

(b) if within that period he duly applies for membership of the Institute, then, unless within that period he is notified that his application has not been approved, this subsection does not apply in respect of anything done by him between the end of that period and the date on which he is enrolled or registered or is notified.

(3) Where, on or after the relevant date, a registered Statistician holds himself out as a Chartered Statistician or takes or uses any name, title, addition or description implying that he is a Chartered Statistician, he commits an offence.

(4) Where the Registrar or any other person employed by or on behalf of the Institute wilfully makes any falsification in any matter relating to the register, he commits an offence.

(5) A person who commits an offence under this section is liable on:

(a) summary conviction, to a fine not exceeding ₦100,000 or to imprisonment for a term not exceeding 5 years, or to both; and

(b) conviction, to a fine not exceeding ₦50,000 or to imprisonment for a term not exceeding 2 years, or both.

(6) Where an offence under this section which has been committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of any director, manager, secretary or other similar officer of the body

"register" means the register maintained in pursuance of section 6 of this Bill;

"registered Statistician" means a member of the Institute who is not a fellow or an associate member;

"Tribunal" means the Disciplinary Tribunal established under section 12 (1) of this Bill.

Committee's Recommendation:
That the provision in Clause 20 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 21: **Citation.**
This Bill may be cited as the Chartered Institute of Statisticians of Nigeria (Establishment) Bill, 2021.

Committee's Recommendation:
That the provision in Clause 21 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

SCHEDULES

FIRST SCHEDULE

Section 2 (1) and 3 (4)

SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

Qualification and Tenure of Office of Members

1. (1) The President and Vice President of the Institute shall hold office for a period of 2 years.

~~(2)~~ Subject to the provisions of this paragraph, a member of the Council shall hold office for a period of 3 years, provided that at the first election of Council members 4 of which score the least votes, shall be elected for a term of 2 years beginning with the date of their election but in the event of ties, a second voting shall be held.

(3) A member of the Institute who ceases to be a member shall, if he is also a member of the Council, cease to hold office on the Council.

(4) A member may, by notice in writing under his hand addressed to the President, resign his office.

(5) Elections to the Council shall be held in such manner as may be prescribed by rules made by the Council and, until so prescribed, they shall be decided by a show of hands.

(6) Where, for any reason, an elected member vacates office, a new member shall be elected at the next general meeting of the Institute who shall serve for a term of 3 years.

Powers of Council

2. (1) The Council shall have power to take certain actions which in its opinion is

persons who are not members of the Council, and a person other than a member of the Council shall hold office on the Committee in accordance with the terms of the instrument by which he is appointed.

(3) A decision of a Committee of the Council shall be of no effect until it is confirmed by the Council.

Miscellaneous

6. (1) The fixing of the seal of the Institute shall be authenticated by the signature of the President or of some other member of the Council authorized generally or specially by the Institute to act for that purpose.

(2) A contract or instrument which, if made or executed by a person not being a body corporate, would not be required to be under seal, may be made or executed on behalf of the Institute or of the Council as the case may require, by any person generally or specially authorized to act for that purpose by the Council.

(3) A document purporting to be a document duly executed under the seal of the Institute shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed.

(4) The validity of any proceeding of the Institute, Councilor a Committee of the Council shall not be affected by:

(a) any vacancy in membership;

(b) any defect in the appointment of a member of the Institute, or Councilor a person to serve on the Committee; or

(c) reason that a person not entitled to do so took part in the proceedings.

(5) Any member of the Institute, or Council, and any person holding office on a Committee of the Council who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Council on behalf of the Institute or, on behalf of the Councilor a Committee thereof, shall forthwith disclose his interest to the President or to the Council, as the case may be, and shall not vote on any question relating to the contract or arrangement.

(6) A person shall not, by reason only of his membership of the Institute, be required to disclose any interest relating solely to the audit of the accounts of the Institute.

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

SECOND SCHEDULE

Section 5 (2)

TRANSITIONAL PROVISIONS AS TO ASSETS AND LIABILITIES

Transfer of Assets and Liabilities

1. (1) Every agreement to which the Association was a party immediately before the appointed day, whether in writing or not and whether or not of such a nature that the rights, liabilities and obligations there under could be assigned by the Association, shall, unless its terms or subject matter make it impossible that it should have effect as modified in the manner provided by this subparagraph,

articles of the Association shall on that day become the President or, as the case may be, the Vice- President of the Institute, and shall be deemed to have been an appointed:

(a) to that office under this Bill corresponding to the relevant provision in the said articles of the Association; and

(b) on the date on which he took office, or last resumed office, under of the relevant provision of these articles.

(4) The members of the Association shall, from the appointed day, be registered as members of the Institute, and, without prejudice to the generality of the provisions of this Schedule relating to the transfer of property, any person who, immediately before the appointed day, was a member of the staff of the Association, shall on that day become the holder of an appointment with the institute with the status, designation and functions which correspond as nearly as may be to those which pertained to him in his capacity as a member of that staff.

(5) A person being an office-holder on, or member of, the Council of the Association immediately before the appointed day and deemed under this paragraph to have been appointed to any like position in the Institute, or on the Council, and thereafter ceasing to hold office otherwise than by reason of his misconduct, is eligible for appointment to office in the Institute or to membership of the Council, as the case may be.

(6) All regulations, rules and similar instruments made for the purposes of the Association and in force immediately before the appointed day shall, except in so far as they are subsequently revoked or amended by any authority having power in that behalf, shall take effect, with any necessary modification, as if duly made for the corresponding purposes of the Institute.

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

THIRD SCHEDULE

Section 12 (5)

SUPPLEMENTARY PROVISIONS RELATING TO THE DISCIPLINARY TRIBUNAL AND INVESTIGATING PANEL OF THE TRIBUNAL

The Tribunal

1. The quorum of the Tribunal shall be 6 persons of whom at least 3 shall be Statisticians.

2. (1) The Attorney-General of the Federation may make rules as to the selection of the members of the Tribunal for the purposes of any proceeding and as to the procedure to be followed and the rules of evidence to be observed in proceedings before the Tribunal.

(2) The rules shall, in particular provide:

(a) for securing that notice of the proceedings shall be given, at such time and in such manner as may be specified by the rules, to the person who is the subject of the proceedings;

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

6. (1) The Panel may, at any meeting of the Panel attended by all the members of the Panel, make standing orders with respect to the Panel.

(2) Subject to the provisions of any standing order, the Panel may regulate its own procedure.

Miscellaneous

7. (1) A person ceasing to be a member of the Tribunal or Panel is eligible for reappointment as a member of that body.

(2) A person may, if otherwise eligible, be a member of both the Tribunal and Panel, but no person who acted as a member of the Panel with respect to any case shall act as a member of the Tribunal with respect to such case.

8. The Tribunal or Panel may act notwithstanding any vacancy in its membership and the proceedings of either body shall not be invalidated by any irregularity in the appointment of a member of that body, or (subject to paragraph 7 (2); this Schedule) by reason of the fact that any person who was not entitled to do so took part in the proceedings of that body.

9. Any document authorized or required by virtue of this Bill to be served on the Tribunal or Panel shall be served on the Registrar appointed under section 6 of this Bill.

10. Any expenses of the Tribunal or Panel shall be defrayed by the Institute.

SUBSIDIARY LEGISLATION

List of Subsidiary Legislation

1. Chartered Statisticians (Disciplinary Tribunal and Assessors Rules)

2. A party to the proceedings before a Tribunal who fails to appear or be represented ~~may~~ apply within 1 month after the date when the pronouncement of the findings and directions of the Tribunal were given, for a rehearing on the ground of want of notice or other good and sufficient reason, and the Tribunal, in appropriate cases, may grant the application upon such terms as to costs or otherwise as it deems fit.

3. The Tribunal may, in the course of its proceedings, hear witnesses and receive documentary evidence necessary in its opinion to assist it in arriving at a conclusion as to the truth or otherwise of the allegation of misconduct in the complaint referred to it by the Panel, and in the application of this rule, the provisions of the Evidence Act or Law in force in the State where the Tribunal is sitting shall apply to such proceedings.

4. If in the course of the proceedings it appears to the Tribunal that the complaint before it requires to be amended in any respect, the Tribunal may, on such terms as it deems fit, allow the amendment to be made and the complaint as so amended shall subsequently, be dealt with accordingly.

5. Proceedings, a findings and directions of the Tribunal shall be held, and delivered public, unless otherwise directed by the Tribunal.

6. The Tribunal may, of its own motion or upon the application of any party, adjourn the hearing on such terms as to costs or otherwise as the Tribunal may deem fit.

Assessor to advise on, in relation to evidence and procedure and matters specified by these rules; and

(b) confer with the Assessor on the advisability of hearing proceedings in private, unless already so advised in writing by the Attorney- General of the Federation.

(4) Where advice is rendered by an Assessor to the Tribunal otherwise than in the presence of all parties entering an appearance or as may be of their Counsel, the Assessor shall, as soon as may be thereafter, inform all parties to the proceedings entering an appearance as to the nature of the advice given and the reaction thereto of the Tribunal.

General

14. (1) Expression used in these rules have the same meaning as in the Bill.

(2) Where used in these rules:

"complainant" means a person or body alleging before the Tribunal professional misconduct against a member of the Institute; and

"respondent" means the person required to answer to any charge of professional misconduct.

15. These rules may be cited as the Chartered Statisticians (Disciplinary Tribunal and Assessors) Rules.

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

Chairman to report Bill.

(SENATE IN PLENARY)

The President of the Senate reported that the Senate in the Committee of the Whole considered a Bill for an Act to Provide for the Establishment of the Federal College of Education (Technical). Ako, Ago-iwoye, Ogun State; and for Other Related Matters,.2021 and approved as follows:

Clauses 1-21	—	As Recommended
Schedules 1-3	—	As Recommended

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

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

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.