



SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Wednesday, 8th December, 2021

1. The Senate met at 10:50 a.m. The President of the Senate read prayers.
2. **Votes and Proceedings:**
The Senate examined the Votes and Proceedings of Tuesday, 7th December, 2021.

Question was put and the Votes and Proceedings were approved.

3. **Announcements:**

- (a) **COVID-19 Vaccine Booster Shots:**

The President of the Senate read a letter from Senator Chukwuka G. Utazi (*Enugu North*) as follows:



SENATOR CHUKWUKA GABRIEL UTAZI
Enugu North Senatorial District

8th December, 2021

ANNOUNCEMENT

This is to inform Distinguished Senators that Pfizer Vaccine Booster Shots are now available in the National Assembly Clinic. Senators can now approach the Clinic to take their dose.

Thank you.

(Signed)

Distinguished Senator Chukwuka Utazi
Chairman, Committee on Primary Healthcare and Communicable Disease

- (b) **Appreciation:**

The President of the Senate read a letter from Senator Kabiru I. Gaya (*Kano South*) as follows:



SENATOR KABIRU IBRAHIM GAYA
Kano South Senatorial District

7th December, 2021

*His Excellency, Dr. Ahmad I. Lawan, Ph.D CON
President of the Senate,
Federal Republic of Nigeria,
National Assembly Complex,
Three Arms Zone,
FCT, Abuja.*

Your Excellency Sir,

OUR SINCERE APPRECIATION FOR YOUR DISTINGUISHED PRESENCE AT MY CHILDREN'S WEDDING.

I, on behalf of my entire family sincerely appreciate Your Excellency, the President of the Senate, Dr. Ahmad Lawan, Ph.D, for the high powered delegation of the Senate, led by the Senate Majority Leader, Senator Dr. Yahaya Abdullahi, Your Excellency, Deputy President of the Senate, Senator Ovie Omo-Agege, other Principal Officers of this Senate, my Distinguished Colleagues who are so numerous to mention here for sharing in our joy and happiness on our memorable day.

We felt lucky enough to be surrounded by your love and blessings and also for being such an integral part of this day and our lives.

You have amazingly supported us throughout the wedding preparation process, we look forward to sharing with you in any future special occasions.

Thank you for your abundant generosity and kindness with your gifts, we are beyond grateful. Thank you so much, May Allah bless you abundantly.

(Signed)

Senator Kabiru Ibrahim Gaya
Kano South Senatorial District

(c) Wedding Invitation:

The President of the Senate read a letter from Senator James E. Manager (*Delta South*) as follows:



SENATOR JAMES EBIOWOU MANAGER, CON
Delta South Senatorial District

7th December, 2021

*Your Excellency,
Dr. Ahmad I. Lawan,
The President of the Senate,
Federal Republic of Nigeria,
National Assembly, Complex,
Abuja.*

INVITATION TO THE WEDDING OF MY SON
ENGINEER FUN-OWEI MANAGER

It is my pleasure to invite the entire Senate of Federal Republic of Nigeria to the solemnization

of Holy Matrimony between my son, ENGINEER FUN-OWEI MANAGER and his heartthrob ENGINEER FAITH MARO OKOLOCHA, scheduled to hold at New Exodus Church of All Nations, Goodies Garden Hotel, along Orogun Road Abbi, Delta State on 28th December, 2021 at 11 a.m. prompt and reception follows immediately at Abbi Girls Secondary School, Abbi, Delta State.

While looking forward to your esteemed presence at this milestone event of my family, please accept the assurances of my warmest regards.

(Signed)

SENATOR JAMES E. MANAGER, CON.

4. Petitions:

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

- (i) Richard Oghenerhoro Martins against the Hon. Minister, Permanent Secretary and the Director of Human Resources of the Federal Ministry of Works over an alleged conspiracy, fraudulent activities, threat to life and false accusation that border on his career progression;
- (ii) Gideon Doba on behalf of University of Calabar Teaching Hospital Unpaid Interns 2020/2021 against the Chief Medical Director, University of Calabar Teaching Hospital over an alleged unpaid internship salary from September, 2020 to date;
- (iii) Nwite Jacobs Obinna on behalf of 2017-2020 recruited officers / unpaid teachers from the 110 Federal University Colleges against the Head of Service of the Federation and Federal Ministry of Education over non-payment of their salaries and entitlements from 2017-2020;
- (iv) Dr. Muiz Banire on behalf of Kazuma Shipping Company Limited against the Nigerian Army over an alleged trespass, hijacking and stealing of over 19 acres of land beside the Army Signal Barracks, Mile 2, Lagos which belongs to Kazuma Shipping Company Limited; and
- (v) Efoka Bernadine Ifeoma of Clarion Shipping West Africa Limited against the Nigeria Customs Service over an alleged shutdown of operations in four (4) terminals of Clarion Shipping West Africa Limited.

He urged the Senate to look into the matters.

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

5. Matter of Urgent Public Importance:

Rising on Orders 42 and 52, Senator Yahaya A. Abdullahi (*Kebbi North*) drew the attention of the Senate to the demise of Senator Joseph Wayas. He sought and obtained the leave of the Senate to present the matter forthwith:

The Senate:

notes with shock the demise of His Excellency, Senator Joseph Wayas, Former President of the Senate of Nigeria in the Second Republic who died on Tuesday, 30th November, 2021 at the age of 80;

notes that Late Senator Joseph Wayas was born in Basang, Obudu, Cross-River State on 21st May 1941 and attended Dennis Memorial Grammar School, Onitsha. He went to the United Kingdom where he studied at the Higher Tottenham Technical College, London, the West Bronwich College of Commerce, Science and Technology, Birmingham and Aston University. Returning to Nigeria, he worked as a Manager or Controller from 1960-1969 for several companies in Nigeria and the United Kingdom;

observes that he was a member of the Society of International Affairs at the Lincoln University, United States;

observes also that he joined the Federal Government in 1969-72 and he was Commissioner for Transport, South-Eastern State, now Akwa Ibom and Cross River States from 1972-74;

aware that with the transition to civil rule in 1979, Late Senator Joseph Wayas was elected to the Senate on the National Party of Nigeria (NPN) platform and appointed President of the Senate. He represented the Ogoja Senatorial District alongside Senator Joseph Oqua Ansa who represented Calabar Senatorial District;

recalls that in the lead-up to the 1983 elections, Late Senator Wayas was the leader of the NPN party's "Lagos Group" that supported a change of government in Cross River State, in opposition to the "Home Front" led by the incumbent Governor, Clement Isong. Late Senator Wayas left office along with other members of the Shagari's Administration following a coup on New Year's Eve 1983, and went into exile. He returned in 1987 and was held in political detention, 1987-1988;

aware that Late Senator Wayas was the Deputy Chairman of the 1994/1995 National Constitutional Conference Commission that organized and midwived the National Conference;

aware also that Late Senator Wayas was a founding member of the All People's Party. He later joined the People's Democratic Party in 2001. He was a strong believer in true Federalism as the only solution to Nigeria's democratic problems, which had been manifested in the Nigerian Civil War. In October 2003 he spoke out against the ongoing local council reforms by the Federal Government, describing them as "unconstitutional";

further aware that Late Senator Wayas was appointed Chairman of the Board of Trustees of the South-South Peoples Assembly (SSPA). In January 2009 he described post-election petitions to electoral tribunals as senseless, reckless and time wasting. In January 2010, Late Senator Wayas advocated that Vice President Goodluck Jonathan be authorized to act as President pending the return of President Umaru Yar'Adua, who had been incapacitated by illness for some time;

convinced that he was an eminent and committed leader, a perfect gentleman, a grassroots politician par excellence and a Nationalist. His contributions to democracy and good governance remains unparalleled and will make his foot prints indelible in the sands of time; and

regrets that his demise is a great loss to his family, the people of Cross River North, the Government of Cross River State and Nigeria in general.

The Senate accordingly resolves to:

- (i) observe a Minute Silence in honour of Late Senator Joseph Wayas;
- (ii) fully participate in the Burial of Late Senator Wayas; and
- (iii) send a condolence letter to commiserate with the family, the good people of his Constituency and the Government of Cross River State.

Debate:

Proposed Resolution (i):

Question: That the Senate do observe a Minute Silence in honour of Late Senator Joseph Wayas — *Agreed to.*

Proposed Resolution (ii):

Question: That the Senate do fully participate in the Burial of Late Senator Wayas — *Agreed to.*

Proposed Resolution (iii):

Question: That the Senate do send a condolence letter to commiserate with the family, the good people of his Constituency and the Government of Cross River State — *Agreed to.*

Resolved:

That the Senate do:

- (i) observe a Minute Silence in honour of Late Senator Joseph Wayas;
- (ii) fully participate in the Burial of Late Senator Wayas; and
- (iii) send a condolence letter to commiserate with the family, the good people of his Constituency and the Government of Cross River State (*S/Res/048/03/21*).

One minute silence accordingly observed in honour of the deceased.

6. Personal Explanation:

Rising on Order 43, Senator Ibrahim A. Gobir (*Sokoto East*) drew the attention of the Senate to the banditry attack that led to the death of forty-five (45) persons in Illelah. He urged the Federal Government to deploy more security personnel with mandate to decisively tackle the menace of the bandits. He urged the Senate to observe a minute silence in their honour.

One minute silence accordingly observed in honour of the deceased.

7. Presentation of Bills:

- (i) Finance Bill, 2021 (SB. 873) — *Read the First Time.*
- (ii) National Assembly Library Trust Fund (Establishment) Bill, 2021 (HB. 987) — *Read the First Time.*
- (iii) Teaching Hospitals (Reconstitution of Boards, etc) Act CAP U15 LFN 2004 (Amendment) Bill, 2021 (SB. 874) — *Read the First Time.*
- (iv) Nigerian Economic Diversification Bill, 2021 (SB. 875) — *Read the First Time.*
- (v) Immigration Act 2015 (Amendment) Bill, 2021 (SB. 877) — *Read the First Time.*

8. Committee on Aviation:**Reports on Six (6) Bills:**

Motion made: That the Senate do receive the Reports of the Committee on Aviation on the following Bills:

- a. Nigerian Metrological Agency Act 2003 (Repeal & Re-enactment) Bill, 2021 (SB. 192);
- b. Nigerian College of Aviation Technology Act CAP N96 LFN 2004 (Repeal & Re-enactment) Bill, 2021 (SB. 193);
- c. Nigerian Airspace Management Agency Act CAP N90 LFN 2004 (Repeal & Re-enactment) Bill, 2021 (SB. 194);
- d. Civil Aviation Act 2006 (Repeal & Re-enactment) Bill, 2021 (SB. 195);
- e. Federal Airport Authority of Nigeria Act CAP F5 LFN 2004 (Repeal & Re-enactment) Bill, 2021 (SB. 196); and

- f. Nigerian Safety Investigation Bureau (Establishment) Bill, 2021 (SB. 197) (Senator Smart Adeyemi — Kogi West):

Question put and agreed to.

Reports Laid.

9. **Joint Committee on National Security and Intelligence; Defence; Police Affairs; and Judiciary, Human Rights & Legal Matters:**

Report on the #ENDSARS PROTEST: The mayhem visited on the Ancient City of Calabar the first capital of Nigeria on 23rd and 24th October, 2020:

Motion made: That the Senate do receive the Report of Joint Committee on National Security and Intelligence; Defence; Police Affairs; and Judiciary, Human Rights & Legal Matters on the #ENDSARS PROTEST: The mayhem visited on the Ancient City of Calabar the first capital of Nigeria on 23rd and 24th October, 2020 (Senator Ibrahim A. Gobir — Sokoto East).

Question put and agreed to.

Report Laid.

10. **Finance Bill, 2021 (SB. 873):**

Motion made: Pursuant to Order 79, that a Bill for an Act to Amend relevant Tax, Excise and Duty Statutes in Line with Macroeconomic Policy Reforms of the Federal Government; to amend and make further provisions in specific laws in connection with the Public Financial Management of the Federation and for Other Matters Connected Therewith, 2021 to be read the Second Time (Senator Yahaya A. Abdullahi — Kebbi North).

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committees on Finance; Customs, Excise and Tariff; and Trade and Investment to report on Tuesday, 14th December, 2021.

11. **Criminal Justice Act 2015 (Amendment) Bill, 2021 (SB. 465):**

Motion made: That a Bill for an Act to Amend the Administration of Criminal Justice Act 2015 and for Other Related Matters, 2021 to be read the Second Time (Senator Orji U. Kalu — Abia North).

Debate:

Question put and agreed to.

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

12. **University of History, Archaeology and Education (Establishment) Bill, 2021 (SB. 328):**

Motion made: That a Bill for an Act to Establish University of History, Archaeology and Education, and for Related Matters, 2021 to be read the Second Time (Senator Oyelola Y. Ashiru — Kwara South).

Debate:

Question put and agreed to.

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

13. **Community Disputes Resolution Bill, 2021 (SB. 848):**

Motion made: That a Bill for an Act to provide for the settlement of certain civil disputes by conciliation, mediation and traditional dispute resolution mechanism; to set out the guiding principles applicable; and for Connected Purposes, 2021 to be read the Second Time (*Senator Mohammed S. Musa — Niger East*).

Debate:

Question put and agreed to.

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

14. **Committee on Tertiary Institutions and TETFUND:**

Report on the Federal College of Forestry, Wawa Zange Dukku, Combe State (Establishment) Bill, 2021 (SB. 308):

Motion made: That the Senate do resolve into the Committee of the Whole to resume consideration of the Report of the Committee on Tertiary Institutions and TETFUND on the Federal College of Forestry, Wawa Zange Dukku, Gombe State (Establishment) Bill, 2021 (Adjourned Consideration 23rd November, 2021) (*Senate Leader*).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

RESUMED CONSIDERATION ON THE REPORT OF THE COMMITTEE ON TERTIARY INSTITUTIONS AND TETFUND ON A BILL FOR AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF FEDERAL COLLEGE OF FORESTRY WAWA ZANGE DUKKU, GOMBE STATE, TO PROVIDE FULL-TIME COURSES IN FORESTRY, TECHNOLOGY AND DEVELOPMENT TO IMPROVE GENETIC RESOURCES OF FOREST TREES AND ECO-SYSTEM FOR ECONOMIC DEVELOPMENT AND APPLIED SCIENCE MANAGEMENT AND OTHER FIELDS OF STUDIES AND FOR OTHER MATTERS CONNECTED THEREWITH BILL, 2021

Clause 3: Establishment, Constitution and Composition of the Governing Council.

[1] There shall be established Governing Council [in this Bill referred to as "the Council"] which shall be a body corporate with perpetual succession and with a common seal and may sue and be sued in its corporate name.

[2] The Council shall consist of a Chairman and the following other members that is—

[a] one person to represent Universities;

[b] one person to represent department of forestry in the Federal Ministry of Environment;

[c] one person to represent professional bodies whose disciplines are taught in the College;

[d] two persons of standing in the community where the college is situate;

- [e] the Provost of the College;
- [f] one representative of the Honorable Minister charged with responsibilities of matters relating to the college;
- [g] one representative of the Permanent Secretary of the ministry charged with responsibilities on matters relating to Environment;
- [h] two representatives of the Academic Board of the College;
- [i] two representatives of Commissioner for Environment where the College is situate;
- [j] three persons of note in the area of forest management;
- [k] two representatives from the Federal Ministry of Environment; and
- [l] six other persons, at least two of whom shall be women to be selected on their personal merit based on their contribution the field of Environment.

- [3] The Chairman and Members of the Council other than ex-officio members shall be appointed by the President.

Committee's Recommendation:

That the provision in Clause 3 be retained (*Senator Nora L. Daduut — Plateau South*) — Agreed to.

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

Clause 4: Powers of the Governing Council

For carrying out the functions of the College, the Council shall have powers to —

- [a] hold examinations and grant certificates in Pre-N/D, National Diplomas, High National Diplomas, professional certificates and other distinctions to persons who have pursued a course of study approved and accredited by the National Board for Technical Education [NBTE].
- [b] demand and receive from any student or any other person attending the College for the purpose of instruction such fees as the Council may, with the prior approval of the Minister, from time to time determine;
- [c] hold public lectures and undertake seedlings and also sale nursery trees during exhibitions.
- [d] make gifts for any charitable purpose;
- [e] hold examinations in forestry for qualified vocational and staff for the forestry service in the region;
- [f] provide amenities for and make such other provisions for the welfare of the staff of the College;

- [g] invest the funds of the College in securities specified by law or in such other securities in Nigeria as may be approved by the Minister;
- [h] borrow money within Nigeria in such manner and upon such security as the Minister may from time to time authorize;
- [i] enter into such contracts as may be necessary or expedient for carrying into effect the objectives of the College;
- [j] recruit staff of the right caliber and determine the career structure of such staff;
- [k] establish and maintain such college and other units within the College and other extensions as the Council may, from time to time, decide;
- [l] institute and award fellowships, medals, prizes and other titles;
- [m] mount exhibitions and displays designed to foster an appreciation of trends in and the scope and requirements of forestry;
- [n] erect, provide, equip and maintain such forests, recreational and residential facilities as the College may require;
- [o] create lectureships and other forestry posts and offices and to make appointments thereto;
- [p] encourage and make provision for research in the College;
- [q] do such acts and things whether or not incidental to the foregoing;
- [r] advance the objects of the College; and
- [s] establish further schools within the College.

Committee's Recommendation:

That the provision in Clause 1 be retained (*Senator Nora L. Dadaut — Plateau South*) —
Agreed to.

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

Clause 5: Tenure of Members of the Council.

- [1] A Member of the Council [other than some ex-officio member] shall hold office for a term of three years and shall be eligible for reappointment for a further period of three years.
- [2] The office of a member appointed under clauses 5 [2] [a, b, c, e & h] of this Bill shall become vacant if—
 - [a] the member resigns his/her office by notice in writing under his/her hand, addressed to the Minister; or
 - [b] the Minister is satisfied that it is not in the interest of the College for the person appointed to continue in office and notifies the member in writing to that effect.

Committee's Recommendation:

That the provision in Clause 5 be retained (*Senator Nora L. Daduut — Plateau South*) — Agreed to.

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

Clause 6: Terms and conditions of service.

- [1] There shall be paid to the members of the Council or any committee, other than ex-officio members, such remuneration and allowances as may from time to time be determined by the President.
- [2] Where a vacancy occurs in respect of the membership as specified under clause 7[2] [a] and [b], it shall be filled by the appointment of a successor to hold office for the remainder of the term of office of his/her predecessor in office and such successor shall represent the same interest as his/her predecessor.
- [3] The Council may act notwithstanding any vacancy in its membership or any defect in the appointment of a member or the absence of a member

Committee's Recommendation:

That the provision in Clause 6 be retained (*Senator Nora L. Daduut — Plateau South*) — Agreed to.

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

Clause 7: Procedure of the Council.

- [1] The Council shall meet for the conduct of business at such times, places and on such days as the Chairman may appoint but shall meet not less than once every four months.
- [2] The Chairman may at any time and shall, at the request in writing of not less than six members, convene a meeting of the Council.
- [3] At any meeting of the Council the Chairman shall preside; but in his/her absence, members present shall elect one of their members to preside at the meeting.
- [4] Where the Council desires to obtain the advice of any person on any particular matter, the Council may co-opt persons who are not members of the Council but persons co-opted shall not be entitled to vote at a meeting of the Council.
- [5] The quorum of the Council shall be one half of the total members of the Council, at least one of whom shall be a member appointed by the President.
- [6] The decisions of the Council shall be made on approval by a simple majority of members.

Committee's Recommendation:

That the provision in Clause 7 be retained (*Senator Nora L. Daduut — Plateau South*) — Agreed to.

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

Clause 8: Committees of Council.

- [1] The Council may, for the exercise of the powers of the College, appoint committees of the Council comprising members of the Council or non-members or both and may assign to them such functions under this Bill as the Council may determine.
- [2] Any decision of a committee appointed by the Council under this clause shall have no effect until it is confirmed by the Council.

Committee's Recommendation:

That the provision in Clause 8 be retained (*Senator Nora L. Daduut — Plateau South*) — Agreed to.

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

Clause 9: Secretary of the Council

The Registrar shall, in addition to other duties conferred on him by or under this Bill, be the Secretary to the Council, the Academic Board and any committee of the Council and in his/her absence, the Council or any such committee may appoint some other person to act as secretary, and he/she shall not vote on any question before the Council or count towards a quorum.

Committee's Recommendation:

That the provision in Clause 9 be retained (*Senator Nora L. Daduut — Plateau South*) — Agreed to.

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

Clause 10: Selection Board for other Principal Officers.

- (1) There shall be, for the College, a Selection Board which shall consist of—
- [a] the Chairman of the Council;
 - [b] the Provost;
 - [c] four members of the Council not being members of the Academic Board; and
 - [d] two members of the Academic Board.
- [2] The functions, procedure and other matters relating to the Selection Board constituted under subclause [1] of this clause shall be as the Council may, from time to time, determine.

Committee's Recommendation:

That the provision in Clause 10 be retained (*Senator Nora L. Daduut — Plateau South*) — Agreed to.

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

Clause 11: The Academic Board.

- (1) There shall be established a College Academic Board [to be known as; "The Academic Board" which shall consist of the following members—
- [a] the Provost of the College who shall be the Chairman;

- [b] all Heads of Departments;
- [c] the College Librarian; and
- [d] not more than two members of the Academic Staff other than Heads of Departments to be appointed by the Council.
- [2] The Academic Board shall be responsible for—
 - [a] the direction and management of academic matters of the College including the regulation of admission of students, the award of certificates, scholarships, prizes and other academic distinctions;
 - [b] making periodic reports on such academic matters to the Council as the Council may from time to time direct.

Committee's Recommendation:

That the provision in Clause 11 be retained (*Senator Nora L. Daduut — Plateau South*) —
Agreed to.

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

Clause 12: Visitation

- [1] The Minister of Environment shall be the Visitor of the College.
- [2] The Visitor shall, not less than once in every five years, conduct a visitation of the College or appoint a visitation panel consisting of not less than five experts to conduct the visitation for—
 - [a] the purpose of evaluating the academic and administrative performance of the College; or
 - [b] such other purposes or in respect of other affairs of the College as the Visitor may deem fit.

Committee's Recommendation:

That the provision in Clause 12 be retained (*Senator Nora L. Daduut — Plateau South*) —
Agreed to.

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

Clause 13: Power of Minister.

Subject to the provisions of this Bill, the Minister may give to the Council directions of a general character or relating generally to matters of policy with regard to the exercise by the Council of its functions under this Bill and it shall be the duty of the Council to comply with such directions.

Committee's Recommendation:

That the provision in Clause 13 be retained (*Senator Nora L. Daduut — Plateau South*) —
Agreed to.

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

Clause 14: The Provost

- [1] There shall be a Provost of the College [in this Bill referred to as "the Provost"] who shall be appointed by the President, in accordance with the provisions of this clause.
- [2] Where a vacancy occurs in the post of 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 person who may apply for the post;
- [ii] the terms and conditions of service applicable to the post and thereafter draw up a short list of suitable candidates for consideration.
- [b] constitute a search team consisting of—
- [i] a member of the Council not being a member of the Academic Board, as Chairman;
- [ii] two members of the Academic Board not below the rank of Chief Lecturer;
- [iii] two members of the academic community of the College not below the rank of chief lecturer to be selected by the Council, to identify and draw up a short list of suitable persons who are not likely to apply for the post for any reason whatsoever.
- [3] A Joint Council and Academic Selection Board consisting of—
- [a] the Chairman of the Council;
- [b] two members of the Council not being member of the Academic Board.
- [c] two members of the Academic Board not below the rank of senior lecturer, who were not members of the search team, shall consider the candidates and persons on the short lists drawn up under subclause [2] of this clause through an examination of their curriculum vitae and interaction with them and recommend through the Council to the President, three candidates for his/her consideration.
- [4] The President shall appoint as Provost one of the candidates recommended to him under the provisions of subclause [3] of this clause.
- [5] Subject to this Bill and the general control of the Council, the Provost shall be the Chief Executive of the College and shall be charged with general responsibility for matters relating to the day-to-day management, and operations of the College.
- [6] The Provost—
- [a] shall hold office for a period of five years beginning with the effective date of his/her appointment and on such terms and conditions as may be specified in his/her letter of appointment; and

- [b] may be reappointed for one further period of five years and no more

Committee's Recommendation:

That the provision in Clause 14 be retained (*Senator Nora L. Daduut — Plateau South*) — Agreed to.

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

Clause 15: Deputy Provost

- [1] There shall be for the College a Deputy Provost.
- [2] The Council shall appoint the Deputy Provost from among the chief lecturers in the College in one of the following ways, that is—
- [a] from a list of three candidates in order of preference, submitted by the Provost; or
- [b] on the recommendation of a Selection Board constituted under this clause for that purpose; or
- [c] on the nomination of the Provost.
- [3] The Selection Board referred to in subclause [2] of this clause shall
- [a] consist of—
- [i] the Chairman of the Council;
- [ii] the Provost;
- [iii] two members of the Council not being members of the Academic Board;
- [iv] two members of the Academic Board.
- [b] make such inquiries as it deems fit before making the recommendation required under that subclause.
- [4] The Deputy Provost shall: —
- [a] assist the Provost in the performance of his/her functions;
- [b] act in the place of the Provost when the post of Provost is vacant or if the Provost is, for any reason, absent or unable to perform his/her functions as Provost; and
- [c] perform such other functions as the Provost or the Council may, from time to time, assign to him.
- [5] [a] shall hold office for a period of two years beginning from the effective date of his/her appointment and on such terms and conditions as may be specified in his/her letter of appointment; and
- [b] may be reappointed for one further period of two years and no more.

Committee's Recommendation:

That the provision in Clause 15 be retained (*Senator Nora L. Daduut — Plateau South*) — Agreed to.

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

Clause 16: The Registrar and other Staff of the College

- [1] The Council of the College shall appoint a Registrar to such College [referred to as "the Registrar"] who shall keep the records and conduct the correspondence of the Council and shall perform such other duties as the Council and subject thereto as the Provost may from time to time direct.
- [2] The Registrar shall, in addition to other duties conferred on him by or under this Bill, be the Secretary to the Council, the Academic Board and any committee of the Council and in his/her absence, the Council or any such committee may appoint some other person to act as secretary, and he/she shall not vote on any question before the Council or count towards a quorum.
- [3] A Registrar—
- [a] shall hold office for a period of five years beginning from the effective date of his/her appointment and on such terms and conditions as may be specified in his/her letter of appointment; and
- [b] may be reappointed for one further period of five years and no more.
- [4] Where, on the commencement of this clause, a Registrar appointed before the commencement of this clause has held office for—
- [a] five years or less, he/she shall be deemed to be serving his/her first term of office and may be reappointed for a further term of five years;
- [b] more than five years but less than ten years, he/she shall complete the maximum period of ten years and thereafter relinquish his/her post and be assigned other duties in the College;
- [c] ten years or more, the Council may allow him to serve as Registrar for a further period of one year only and thereafter he/she shall relinquish his/her post and be assigned other duties in the College.

Committee's Recommendation:

That the provision in Clause 16 be retained (*Senator Nora L. Daduut — Plateau South*) —
Agreed to.

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

Clause 17: Other Principal Officers of the College

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 Clause 10 of this Bill.

Committee's Recommendation:

That the provision in Clause 17 be retained (*Senator Nora L. Daduut — Plateau South*) — Agreed to.

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

Clause 18: Functions of the registrar and Tenure

- [1] The Registrar shall keep the records and conduct the correspondence of the Council and shall perform such other duties as the Council subject thereto as the Provost may from time to time direct.
- [2] The Registrar shall, in addition to the other duties conferred on him by or under this Bill, be a Secretary to the Council, Secretary to Academic Board and any committee of the Council and in his/her absence, the Council or any such committee may appoint some other persons to act as Secretary. The Registrar shall not vote on any question before the Council or count towards a quorum.
- [3] [a] A Registrar shall hold office for a single term of five years only beginning from the effective date of his/her appointment and such terms and conditions as may be specified in his/her letter of appointment.
- [b] Where on the commencement of this Bill a Registrar appointed before the commencement of this Bill has held office:—
- [i] for less than five years, he/she shall be allowed to complete the five years specified in his/her appointment letter and shall not have right for the renewal of his/her appointment for a further term of five years;
- [ii] for more than five years and has more than 1 year to complete his/her second term, the council may allow him to serve as Registrar for a further period of one year only and thereafter he/she shall relinquish his/her post and be assigned other duties in the College;
- [iii] for more than five years and has less than 1 year to complete his/her second term, the council may allow him to serve as Registrar for a further period of one year only and thereafter he/she shall relinquish his/her post and be assigned other duties in the College.

Committee's Recommendation:

That the provision in Clause 18 be retained (*Senator Nora L. Daduut — Plateau South*) — Agreed to.

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

Clause 19: Functions of Bursar and Tenure

- [1] 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 financial affairs of the college.

- [2] [a] A Bursar shall hold office for a single term of five years only beginning from the effective date of his/her appointment and such terms and conditions as may be specified in his/her letter of appointment.
- [b] Where on the commencement of this Bill a Bursar appointed before the commencement of this Bill has held office—
- [i] for less than five years, he/she shall be allowed to complete the five years specified in his/her appointment letter and shall not have right for the renewal of his/her appointment for a further term of five years;
- [ii] for more than five years and has more than 1 year to complete his/her second term, The Council may allow him to serve as Bursar for a further period of one year only and thereafter he/she shall relinquish his/her post and be assigned other duties in the College;
- [iii] for more than five years and has less than 1 year to complete his/her second term, The Council may allow him to serve as Bursar for a further period of one year only and thereafter he/she shall relinquish his/her post and be assigned other duties in the College.

Committee's Recommendation:

That the provision in Clause 19 be retained. (*Senator Nora L. Daduut — Plateau South*) —
Agreed to.

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

Clause 20: Functions of College Librarian and Tenure

- [1] The College Librarian shall be responsible to the Provost for the administration of the College Library and co-ordination of the Library services in the teaching units of the College.
- [2] [a] A College Librarian shall hold office for a single term of five years only and upon such terms and conditions as may be specified in his/her letter of appointment.
- [b] Where on the commencement of this Bill a College Librarian appointed before the commencement of this Bill has held office—
- [i] for less than five years, he/she shall be allowed to complete the five years specified in his/her appointment letter and shall not have right for the renewal of his/her appointment for a further term of five years;
- [ii] for more than five years and has more than 1 year to complete his/her second term, the Council may allow him to serve as College Librarian for a further period of one year only and thereafter he/she shall relinquish his/her post and be assigned other duties in the College;

- [iii] for more than 5 years and has less than 1 year to complete his/her second term, the Council may allow him to serve as College Librarian to complete his/her second term and thereafter he/she shall relinquish his/her post and be assigned other duties in the College.

Committee's Recommendation:

That the provision in Clause 20 be retained (*Senator Nora L. Daduut — Plateau South*) — Agreed to.

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

Clause 21: Resignation of Appointment of Principal Officers

A principal officer may resign his/her appointment—

- [a] in the case of the Provost, by notice to the Visitor; and
- [b] in any other case, by notice to the Council.

Committee's Recommendation:

That the provision in Clause 21 be retained (*Senator Nora L. Daduut — Plateau South*) — Agreed to.

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

Clause 22: Other Employees of the College.

- [1] The Council may appoint such other persons to be employees of the College as the Council may determine to assist the Provost and the principal officers of the College in the performance of their functions under this Bill.
- [2] Subject to the provisions of this Bill, the remuneration, tenure of office and conditions of service of the employees of the Council shall be determined by the Council in consultation with the Federal Civil Service Commission.

Committee's Recommendation:

That the provision in Clause 22 be retained (*Senator Nora L. Daduut — Plateau South*) — Agreed to.

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

Clause 23: Pension

- [1] Service in College shall be approved service for the purposes of the Pensions Reform Act and, accordingly, officers and other persons employed in the College shall in respect of their service in the College be entitled to pensions, gratuities and other retirement benefits as are prescribed there under, so however that nothing in this Bill shall prevent the appointment of a person to any office on terms which preclude the grant of a pension and gratuity in respect of that office.
- [2] The Council shall not accept any gift if the conditions attached by the person making the gift are inconsistent with the functions of the Council.

Committee's Recommendation:

That the provision in Clause 23 be retained (*Senator Nora L. Daduut — Plateau South*) — Agreed to.

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

Clause 24: Accounts and Audit

The Council shall keep proper accounts of its receipts, payments, assets and liabilities and shall in respect of each year cause the accounts to be audited.

Committee's Recommendation:

That the provision in Clause 24 be retained (*Senator Nora L. Daduut — Plateau South*) — Agreed to.

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

Clause 25: Annual Reports

The Council shall as soon as after the expiration of each financial year, prepare and submit to the Minister a report of its activities during the immediately preceding financial year and shall include in the report a copy of the audited accounts of the College for that year and of the auditor's report on the accounts.

Committee's Recommendation:

That the provision in Clause 25 be retained (*Senator Nora L. Daduut — Plateau South*) — Agreed to.

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

Clause 26: Office Premises

- [1] For the purpose of providing offices and premises necessary for the performance of its functions, the Council may—
 - [a] purchase any interest in or take on lease any land; and
 - [b] build, equip and maintain offices and premises.
- [2] The Council may, with the approval of the Minister, sell any interest in or lease any land, offices or premises held by it and no longer required for the performance of its functions.

Committee's Recommendation:

That the provision in Clause 26 be retained (*Senator Nora L. Daduut — Plateau South*) — Agreed to.

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

Clause 27: Discipline of Students

- [1] The Council may make rules providing for the Provost to conduct enquiries into alleged breaches of discipline [including lack of diligence] by students and such rules may make different provisions for different circumstances.
- [2] The rules shall provide for the procedure and rules of evidence to be followed at enquiries under this clause.

- [3] Subject to the provisions of subclause [1] of this clause, where it is proved during the enquiry that any student of the College has been found guilty of misconduct, the Provost may, without prejudice to any other disciplinary powers conferred on him by this Bill or any regulations made there under, direct that the—
- [a] student shall not, during such period as may be specified in the direction, participate in such activities of the College, or make use of such facilities of the College, as he/she may specify; or
 - [b] activities of the student shall during such period as may be specified in the directions, be restricted in such manner as may be so specified; or
 - [c] That the student may be suspended for such period as may be specified in the direction; or
 - [d] that the student be expelled from the College.
- [4] Where there is temporarily no Provost or where the Provost refuses to apply any disciplinary measures, the Council may, either directly or through some other staff, apply such disciplinary actions as are specified in subclause [3] of this clause to any student of the College who is found guilty of misconduct.
- [5] Where a direction is given under subclause [3] [c] or [d] of this clause in respect of any student, the student may, within 21 days from the date of the letter communicating the decision to him, appeal from the direction to the Council, and where such an appeal is brought, the Council shall, after causing such inquiry to be made in the matter as the Council considers just, either confirm or set aside the direction or modify it in such manner as the Council may think fit.
- [6] The fact that an appeal from a direction is brought in pursuance of subclause [5] of this clause shall not affect the operation of the direction while the appeal is pending.
- [7] The Provost may delegate his/her powers under this clause to a Disciplinary Committee consisting of such members of the College as he/she may nominate.
- [8] Nothing in this clause shall be construed as preventing the restriction or termination of a student's activities at the College otherwise than on the ground of misconduct.
- [9] It is hereby declared that the direction under subclause [3] [a] of this clause may be combined with a direction under subclause [3] [b] of this clause.
- [10] In all cases under this clause, the decision of the Council shall be final unless reversed by the Minister on appeal by the student.

Committee's Recommendation:

That the provision in Clause 27 be retained (*Senator Nora L. Daduut — Plateau South*) — Agreed to.

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

Clause 28: Tenure of office of Members

- [1] A member of the Council other than an ex-officio member shall hold office for a period of three years beginning with the date on which he/she was appointed and shall be eligible for re-appointment for a further term of three years and thereafter he/she shall no longer be eligible for re-appointment as specified in the schedule to this Bill.
- [2] Members of the Council holding office as specified in clause 7 of this Bill shall be paid remuneration or allowance in accordance with rates specified from time to time by the National Council of Ministers

Committee's Recommendation:

That the provision in Clause 28 be retained (*Senator Nora L. Daduut — Plateau South*) — Agreed to.

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

Clause 29: Vacancy

- [1] Where a vacancy occurs in the membership of the Council, that vacancy shall be filled by the appointment of a successor to hold office for the remainder of the term of office of his/her predecessor; so however that the successor shall represent the same interest as his/her predecessor.
- [2] The Council may act notwithstanding any vacancy in its membership or the absence of any member or that a person not entitled to do so takes part in its proceedings

Committee's Recommendation:

That the provision in Clause 29 be retained (*Senator Nora L. Daduut — Plateau South*) — Agreed to.

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

Clause 30: Power of Council to hold Property and enter into contracts

- [1] The Council may, on behalf of the College, acquire and hold such movable and immovable property as may be necessary or expedient, for the same purposes, may sell, lease, mortgage or otherwise alienate or dispose of any property so acquired.
- [2] The Council shall have power to enter into contracts on behalf of the College.

Committee's Recommendation:

That the provision in Clause 30 be retained (*Senator Nora L. Daduut — Plateau South*) — Agreed to.

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

Clause 31: Power to Invest

The Council may with the approval of the Minister and on behalf of the College, invest the funds of the College in such manner and to such extent as may be necessary or expedient for carrying into effect the provisions this Bill.

Committee's Recommendation:

That the provision in Clause 31 be retained (*Senator Nora L. Daduut — Plateau South*) — Agreed to.

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

Clause 32: Funds of the College

- [1] The funds of the College shall include—
- [a] revenue as may from time to time accrue to the College from the Government by way of government grants, subvention or endowment or otherwise;
 - [b] fees charged by the College;
 - [c] donations, legacies or endowment from public or private bodies;
 - [d] payment for sells of woods or other services rendered by the College;
 - [e] any other monies due to or recoverable by the College from any other sources; and
 - [f] The Council shall submit to the Minister, not later than 3 months before the end of each financial year or at least at such other time as he/she may direct, an estimate of its revenue and expenditure for the succeeding financial year.

Committee's Recommendation:

That the provision in Clause 32 be retained (*Senator Nora L. Daduut — Plateau South*) — Agreed to.

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

Clause 33: Settlement of Disputes.

- [1] In the event of any doubt or dispute arising at any time regarding the meeting of any of the provisions of this Bill or the Statutes, the matter shall be referred to the Minister who shall advise thereon and give his/her decision accordingly and the decision shall be binding upon the authorities, the staff and the students of the College.
- [2] The provisions of sub-clause [1] of this clause shall not be deemed to exclude the jurisdiction of the Law Courts from determining any doubt or dispute.

Committee's Recommendation:

That the provision in Clause 33 be retained (*Senator Nora L. Daduut — Plateau South*) — Agreed to.

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

Clause 34: Annual Report

- [1] The Council shall, as soon as possible after the expiration of each financial year but within six months after the termination of that year, cause to be submitted to the Minister an Annual Report of the College dealing generally with the activities and operations of the College within that year which shall, without prejudice to the generality of the foregoing, include—
- [a] A copy of the audited accounts of the College together with the Auditor-General of the Federation report thereon [if any];
 - [b] a statement of all directions given to the College under clause 33 of this Bill;
 - [c] each report submitted by the External Auditor under clause 36 of this Bill in relation to that financial year; and
 - [d] such other information as the Minister may request
- [2] A copy of the Annual Report shall be forwarded by the Council to the Federal Minister responsible for Finance and Economic Planning.
- [3] The Minister shall, not later than three months after receiving the Annual Report, cause it to be laid before the National Executive Council.
- [4] The Council shall also submit to the Minister such other reports on the Colleges' financial affairs as the Minister may be by writing reasonably request from time to time.

Committee's Recommendation:

That the provision in Clause 34 be retained (*Senator Nora L. Daduut — Plateau South*) — Agreed to.

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

Clause 35: Bye-laws and Administrative Instructions

- [1] The Council may from time to time, issue bye-laws or administrative instructions in writing for regulating the internal operations of the College including but without prejudice to the general effect of the foregoing, the regulation of—
- [a] the disciplinary control of the students; and
 - [b] the conditions of service of the employees of the College and until such bye-law or administrative instructions are issued, the rules governing the conditions of services and disciplinary control in the federal civil service shall apply, with necessary modifications, to the staff of the College.
- [2] All such bye-laws or administrative instructions shall come into force, when signed by the Chairman or as may be determined by the Council.

Committee's Recommendation:

That the provision in Clause 35 be retained (*Senator Nora L. Daduut — Plateau South*) — Agreed to.

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

Clause 36: Interpretation

In this Bill, unless the context otherwise requires—
"Chairman" means the Chairman of the Council;

"College" means the Federal College of Forestry specified in the First Schedule to this Bill and "College" shall be construed accordingly;

"Council" means the Governing Council of the College established by or pursuant to clause 4 of this Bill;

"Provost" means the Provost of the College appointed under clause 15 of this Bill;

"Functions" includes powers and duties;

"Member" means a member of the Council including the Chairman;

"Minister" means the Minister charged with responsibility for matters relating to Environment.

Committee's Recommendation:

That the provision in Clause 36 be retained (*Senator Nora L. Daduut — Plateau South*) —
Agreed to.

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

Clause 37: Short Title

This Bill may be cited as the Federal College of Forestry, Wawa Zange, Dukku, Gombe State [Establishment etc] Bill, 2021

Committee's Recommendation:

That the provision in Clause 37 be retained (*Senator Nora L. Daduut — Plateau South*) —
Agreed to.

Question that Clause 37 do stand part of the Bill, put and agreed to.

SCHEDULE

SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

1. Remuneration of Council Members

- [1] There may be paid to the members of the council any committee, other than ex-officio members, such remunerations and allowances as may from time to time be determined by the Minister.
- [2] Where a vacancy occurs in respect of the membership specified in Clause 3 [1] [d], it shall be filled by the appointment of a successor to hold office for the remainder of the term of office of his/her predecessor in office and such successor shall represent the same interest as his/her predecessor.
- [3] The Council may act notwithstanding any vacancy in its membership or any defect in the appointment of a member or the absence of a member.

2. Vacancy of Council Seat

- [1] Where a vacancy occurs in the membership of the Council, that vacancy shall be filled by the appointment of a successor to hold office for the remainder of the term of office of his/her predecessor; so however that the successor shall represent the same interest as his/her predecessor.
- [2] The Council may act notwithstanding any vacancy in its membership or the absence of any member or that a person not entitled to do so took part in its proceedings.

3. Proceedings of the Council

- [1] The Council shall meet for the conduct of business at such times as the Chairman of the Council may appoint but shall meet not less than twice in a year.
- [2] The Chairman of the Council may at any time and shall at the request in writing of not less than five members of the Council summon a meeting of the Council.
- [3] Particulars of the business to be transacted shall be circulated to members with the notice of the meeting at least two weeks before the date of the meeting.
- [4] Where the Council desires to obtain the advice of any person on any particular matter, it may co-opt such person as a member for a meeting whether or not expressly convened for the purpose of considering the particular matter but no co-opted member shall be entitled to vote or shall count towards quorum.
- [5] Every question put before the Council at a meeting shall be decided by a simple majority of the members present and voting.
- [a] Seven members shall form a quorum at any meeting of the Council
- [b] The Chairman shall at any meeting of the Council, have a vote and, in the case of an equality of votes, may exercise a casting vote.
- [6] Subject as aforesaid, the Council may make standing orders with respect to the holding of meetings, the nature of notices to be given, the proceedings thereat, the keeping of minutes of such proceedings and the custody and production for inspection of such minutes.
- [7] If the Chairman of the Council is absent from a meeting of the Council, the members present shall elect one of their number to act as chairman for the purposes of that meeting.

4. Miscellaneous

- [1] The fixing of the seal of the College shall be authenticated by the signature of the Chairman, Provost and of some other members of the Council authorized generally or specially by the Council to act for that purpose.
- [2] Any contract or instrument which, if made or executed by a person other than 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 act for that purpose by the Council.

- [3] Any document purporting to be duly 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.

Question that the Provision of this Schedule Stands Part of the Bill — Agreed to.

Chairman to report Bill.

(SENATE IN PLENARY)

The President of the Senate reported that the Senate in the Committee of the Whole resumed consideration of the Report of the Committee on Tertiary Institutions and TETFUND on the Federal College of Forestry, Wawa Zange Dukku, Gombe State (Establishment) Bill, 2021 and approved as follows:

Clauses 3-37 — As Recommended

Schedule — As Recommended

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

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

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

15. Committee on Tertiary Institutions and TETFUND:

Report on the Federal University of Education Numan (Establishment) Bill, 2021 (SB. 522):

Motion made: That the Senate do resolve into the Committee of the Whole to resume consideration of the Report of the Committee on Tertiary Institutions and TETFUND on the Federal University of Education Numan (Establishment) Bill, 2021 (Adjourned Consideration 23rd November, 2021) (*Senate Leader*).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

RESUMED CONSIDERATION OF THE REPORT OF THE COMMITTEE ON TERTIARY INSTITUTION AND TETFUND ON A BILL FOR AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE FEDERAL UNIVERSITY OF EDUCATION NUMAN, ADAMAWA STATE AND FOR OTHER MATTERS CONNECTED THEREWITH BILL, 2021

Clause 6: Composition, Tenure and Powers of the Council of the University

- [1] The Council of the University shall consist of: -
- [a] the Pro-Chancellor who shall be appointed by the President on the recommendation of the Honourable Minister of Education;
 - [b] the Vice-Chancellor;
 - [c] the Deputy Vice-Chancellor[s];

- [d] The Permanent Secretary, Federal Ministry of Education or, in his/her absence, one Person from the Federal Ministry responsible for Education to represent him/her.
 - [e] Four persons representing a variety of interests and broadly representative of the whole Federation appointed by the Federal Executive Council; and in consonance with Universities Miscellaneous Provisions Act 1993 [As amended].
 - [f] four persons appointed by the Senate from among its members;
 - [g] two persons appointed by Congregation from among its members;
 - [h] one person appointed by Convocation from among its members.
 - [i] two persons representing the community appointed by the President.
- [2] Persons to be appointed to the Council shall be of proven integrity, knowledgeable and familiar with the affairs and tradition of the University.
- [3] The Council so constituted shall have a tenure of four years from the date of its inauguration provided that where a Council is found to be incompetent and corrupt, it shall be dissolved by the Visitor and a new Council shall be immediately constituted for the effective functioning of the University.
- [4] The powers of the Council shall be exercised, as in this Bill and to that extent establishment circulars that are inconsistent with this Bill shall not apply to the University.
- [5] The Council shall be free in the discharge of its functions and exercise of its responsibilities for the good management, growth and development of the University.
- [6] The Council in the discharge of its functions shall ensure that disbursement of funds of the University complies with the approved budgetary ratio for -
- [a] personnel cost;
 - [b] overhead cost;
 - [c] research and development;
 - [d] library developments; and
 - [e] the balance in expenditure between academic vis-a-vis non-academic activities.

Committee's Recommendation:

That the provision in Clause 6 be retained (*Senator Nora L. Daduut — Plateau South*) —
Agreed to.

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

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

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

Committee's Recommendation:

That the provision in Clause 7 be retained (*Senator Nora L. Daduut — Plateau South*) —
Agreed to.

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

Clause 8: Functions of the Senate of the University.

- [1] Subject to section 6 of this Bill and subclause [3] and [4] of this section and the provisions of this Bill relating to the Visitor, it shall be the general function of the Senate to organize and control the teaching by the University, the admission of student where no other enactment provides to the contrary and the discipline of students; and to promote research at the University.
- [2] Without prejudice to the generality of Subclause [1] of this section and subject as therein mentioned, it shall in particular be the function of the Senate to make provision for:
 - [a] the establishment, organization and control of campuses, colleges, schools, institutes and other teaching and research units of the University and the allocation of responsibility for different branches of learning;
 - [b] the organization and control of courses of study at the University and of the examinations held in conjunction with those courses, including the appointment of examiners, both internal and external;
 - [c] the award of degrees, and such other qualifications as may be prescribed in connection with examinations held as aforesaid;
 - [d] the making of recommendations to the Council with respect to the award to any person of an honorary fellowship or honorary degree or the title of professor emeritus;
 - [e] the establishment, organization and control of halls of residence and similar institutions at the University;
 - [f] the supervision of the welfare of students at the university and the regulation of their conduct;
 - [g] the granting of fellowships, scholarships, prizes and similar awards in so far as the awards are within the control of the University; and
 - [h] determining what descriptions of dress shall be academic dress for the purposes of the University, and regulating the use of academic dress.
- [3] The Senate shall not establish any new campus, college, school, department, institute or other teaching and research units of the university, or any hall of residence or similar institution at the University without the approval of the Council.

- [4] Subject to this Bill and the statutes, the Senate may make regulations for the purpose of exercising any function conferred on it either by the foregoing provisions of this section or otherwise or for the purpose of making provision for any matter for which provision by regulations is authorized or required by this Bill or by statute.
- [5] Regulations shall provide that at least one of the persons appointed as the examiners at each final or professional examination held in conjunction with any course of study at the University is not a teacher at the University but is a teacher of the branch of learning to which the course relates at some other University of high repute or a person engaged in practicing the profession in a reputable organization or institution.
- [6] Subject to right of appeal to the Council from a decision of the Senate under this sub-section, the Senate may deprive any person of any degree, diploma or other award of the University which has been conferred upon him/her if after due enquiry he/she is found to have been guilty of dishonourable or scandalous conduct in gaining admission into the University or obtaining that award.

Committee's Recommendation:

That the provision in Clause 8 be retained (*Senator Nora L. Daduut — Plateau South*) —
Agreed to.

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

Clause 9: Functions of the Vice-Chancellor.

- [1] The Vice-Chancellor shall, in relation to the University, take precedence before all other members of the University except the Chancellor and subject to section 4 of this Bill except the Pro-Chancellor and any other person for the time being acting as Chairman of the Council.
- [2] Subject to sections 6, 7 and 14 of this Bill, the Vice-Chancellor shall have the general function, in addition to any other functions conferred on him/her by this Bill or otherwise of directing the activities of the University and shall be the Chief Executive and Accounting Officer of the University and ex-officio Chairman of the Senate.
- [3] The Vice Chancellor shall be the Chairman of the University Tenders' Board, which is saddled with the responsibility of approving the conduct of public procurement of goods, works and services within the approved threshold from time to time.
- [4] It shall be the responsibility of the Vice Chancellor to establish and appoint members of the Tenders' Board in line with the extant Public Procurement Rules and Regulations.

Committee's Recommendation:

That the provision in Clause 9 be retained (*Senator Nora L. Daduut — Plateau South*) —
Agreed to.

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

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

Clause 10: General fund of the University

- [1] There shall be a general fund of the university which shall consist of the following:
- [a] Annual budgetary allocation by the Federal Government through Appropriation by the National Assembly;
 - [b] grants-in-aid;
 - [c] fees;
 - [d] income derived from investments;
 - [e] gifts, legacies, endowments and donations not accepted for a particular purpose;
 - [f] income derived from the exercise of any functions conferred or imposed on the University by this Bill;
 - [g] any other amounts, charges or dues recoverable by the University;
 - [h] revenue, from time to time, accruing to the University by way of subvention;
 - [i] interests on investments;
 - [j] donations and legacies accruing to the University from any source for the general or special purposes of the University; and
 - [k] Regular TETFund interventions;
- [2] The general fund shall be applied for the purposes of the University.

Committee's Recommendation:

That the provision in Clause 10 be retained (*Senator Nora L. Daduut — Plateau South*) —
Agreed to.

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

Clause 11: Transfer of Property.

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

Committee's Recommendation:

That the provision in Clause 11 be retained (*Senator Nora L. Daduut — Plateau South*) — Agreed to.

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

PART III - STATUTES OF THE UNIVERSITY

Clause 12: Statutes of the University.

- [1] Subject to this Bill, the University may make statutes for any of the following purposes, that is to say: -
- [a] Making provision with respect to the composition and constitution of any authority of the University;
 - [b] Specifying and regulating the powers and duties of any authority of the University, and regulating any other matter connected with the University or any of its authorities;
 - [c] Regulating the admission of students [where no other enactment provides to the contrary], and their discipline and welfare;
 - [d] Determining whether any particular matter is to be treated as an academic or non-academic matter for the purposes of this Bill and of any statute, regulation or other instrument made thereunder; or
 - [e] Making provision for any other matter for which provision by statute is authorized or required by this Bill.
- [2] Subject to section 25[6] of this Bill, the Interpretation Act shall apply in relation to any statute made under this section as it applies to a subsidiary instrument within the meaning of section 28[1] of that Act.
- [3] The statute contained in the Third Schedule to this Bill shall be deemed to have come into force on the commencement of this Bill and shall be deemed to have been made under this section by the University.
- [4] The power to make statutes conferred by this section shall not be prejudiced or limited in any way by reason of the inclusion or omission of any matter in or from the statute contained in the Third Schedule to this Bill or any subsequent statute

Committee's Recommendation:

That the provision in Clause 12 be retained (*Senator Nora L. Daduut — Plateau South*) — Agreed to.

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

Clause 13: Power of the University to make Statutes.

- [1] The power of the University to make statutes shall be exercised in accordance with the provisions of this section and not otherwise.

- [2] A proposed statute shall not become law unless it has been approved:
- [a] at a meeting of the Senate, by the votes of not less than two thirds of the members present and voting; and
 - [b] at a meeting of the Council, by the votes of not less than two thirds of the members present and voting.
- [3] A proposed statute may originate either in the Senate or in the Council, and may be approved as required by Subclause [2] of this section by either one of those bodies or the other.
- [4] A statute which:
- [a] makes provision for or alters the composition or constitution of the Council, the Senate or any other authority of the University; or
 - [b] provides for the establishment of a new campus or college or for the amendment or revocation of any statute.
- [5] For the purpose of section 2[2] of the Interpretation Act, a statute shall be treated as being made on the date on which it is duly approved by the Council after having been duly approved by the Senate, or on the date on which it is duly approved by the Senate after having been duly approved by the Council, as the case may be or, in the case of a statute falling within Subclause [4] of this section, on the date on which it is approved by the President.
- [6] In the event of any doubt or dispute arising at any time:
- [a] as to the meaning of any provision of a statute; or
 - [b] as to whether any matter is for the purposes of this Bill an academic or non-academic matter as they relate to such doubt or dispute, the matter may be referred to the Visitor, who shall take such advice and make such decision thereon as he/she shall think fit.
- [7] The decision of the Visitor on any matter referred to him/her under sub-section [6] of this section shall be binding upon the authorities, staff and students of the University and where any question as to the meaning of any provision of a statute has been decided by the Visitor under that sub-section, no question as to the meaning of that provision shall be entertained by any court of law in Nigeria.
- [8] Nothing in sub-section [7] of this section shall affect any power of a court of competent jurisdiction to determine whether any provision of a statute is wholly or partly void as being ultra vires or as being inconsistent with the Constitution of the Federal Republic of Nigeria, 1999.

Committee's Recommendation:

That the provision in Clause 13 be retained (*Senator Nora L. Daduut — Plateau South*) —
Agreed to.

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

Clause 14: 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 Vice-Chancellor or the Secretary to the Council to the effect that the copy is a true copy of a statute of the University

Committee's Recommendation:

That the provision in Clause 14 be retained (*Senator Nora L. Daduut — Plateau South*) —
Agreed to.

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

Clause 15: Power of Visitor to Decide Meaning of Statutes:

[1] In the event of any doubt or dispute arising at any time as to the meaning of any provision of a statute, the matter may be referred to the visitor, who shall take such advice and make such decision thereon as he/she shall think fit.

[2] The decision of the visitor on any matter referred to him/her under this clause shall be binding upon the authorities, staff and students of the University, and where any question as to the meaning of any provision of a statute has been decided by the visitor under this clause, no question as to the meaning of that provision shall be entertained by any court of law in Nigeria:

Provided that nothing in this subclause 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.

[3] The foregoing provisions of this clause shall apply in relation to any doubt or dispute as to whether any matter is for the purposes of This Bill an academic or a non-academic matter as they apply in relation to any such doubt or dispute as is mentioned in subclause [1] of this clause; and accordingly the references in subclause [2] of this clause to any question as to the meaning of any provision of a statute shall include references to any question as to whether any matter is for the said purposes an academic or a non-academic matter.

Committee's Recommendation:

That the provision in Clause 15 be retained (*Senator Nora L. Daduut — Plateau South*) —
Agreed to.

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

PART IV - SUPERVISION AND DISCIPLINE**Clause 16: The Visitor.**

[1] The President shall be the Visitor of the University.

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

- [3] It shall be the duty of the bodies and persons comprising the University to make available to the Visitor and to any other person conducting a visitation in pursuance of this section, such facilities and assistance as he/she 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 16 be retained (*Senator Nora L. Daduut — Plateau South*) — Agreed to.

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

Clause 17: Removal of certain Members of Council.

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

Committee's Recommendation:

That the provision in Clause 17 be retained (*Senator Nora L. Daduut — Plateau South*) — Agreed to.

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

Clause 18: 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/her office or employment on the ground of misconduct or of professional inability to perform the functions of his/her office or employment, the Council shall: -
- [a] give notice of those reasons to the person in question;
- [b] afford him/her an opportunity of making representations in person on the matter by the Council; and
- [c] for the person in question to be afforded an opportunity of appearing before and being heard by the investigating committee with respect to the matter, and if the Council, after considering the report of the investigating committee, is satisfied that the person in question should be removed as aforesaid, the Council may so remove him/her by an instrument in writing signed on the directions of the Council.

- [2] The Vice-Chancellor may, in a case of misconduct by a member of the staff which in the opinion of the Vice-Chancellor is prejudicial to the interest of the University, suspend such member and any such suspension shall forthwith be reported to the Council.
- [3] For good cause, any member of the staff may be suspended from his/her duties or his/her appointment may be terminated by the Council; and for the purposes of this Subclause "good cause" means:
- [a] conviction for any offence which the Council considers to be such as to render the person concerned unfit for the discharge of the functions of his/her office; or
 - [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/her office; or
 - [c] conduct of a scandalous or other disgraceful nature which the Council considers to be such as to render the person concerned unfit to continue to hold his/her office; or
 - [d] conduct which the Council considers to be such as to constitute failure or inability of the person concerned to discharge the functions of his/her office or to comply with the terms and conditions of his/her service; or
 - [e] conduct which the Council considers to be generally of such nature as to render the continued appointment or service of the person concerned prejudicial or detrimental to the interest of the University.
- [4] Any person suspended pursuant to Subclause [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/her emoluments to be paid to him];
 - [b] whether to reinstate such person, in which case the Council shall restore his/her full emoluments to him/her 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/her 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/her emoluments that might have been withheld] as the Council may determine.
- [5] In any case where the Council, pursuant to this section, decides to continue a person's suspension or decides to take further disciplinary action against a person, the Council shall before the expiration of a period of three months from such decision come to a final

- determination in respect of the case concerning any such person.
- [6] It shall be the duty of the person by whom an instrument of removal is signed in pursuance of Subclause [1] of this section to use his/her best endeavours to cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it relates.
- [7] Nothing in the foregoing provisions of this section shall:
- [a] apply to any directive given by the Visitor in consequence of any visitation; or
- [b] prevent the Council from making regulations for the discipline of other categories of workers of the University as may be prescribed.

Committee's Recommendation:

That the provision in Clause 18 be retained (*Senator Nora L. Daduut — Plateau South*) —
Agreed to.

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

Clause 19: Removal of Examiners.

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

Committee's Recommendation:

That the provision in Clause 19 be retained (*Senator Nora L. Daduut — Plateau South*) —
Agreed to.

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

Clause 20: Participation and Discipline of Students.

- [1] The Students shall be:
- [a] represented in the University's Students Welfare Board and other committees that deal with the affairs of students;
- [b] Participate in various aspects of curriculum development;
- [c] Participate in the process of assessing academic staff in respect of teaching; and

- [d] Be encouraged to be more self-assured as part of the national development process.
- [2] Subject to the provisions of this section, where it appears to the Vice-Chancellor that any student of the University has been guilty of misconduct, the Vice-Chancellor may, without prejudice to any other disciplinary powers conferred on him/her by statute or regulations, direct:
- [a] that the student shall not, during such period as may be specified in the directions, participate in such activities of the University, or make use of such facilities of the University, as may be so specified, or
- [b] that the activities of the student shall, during such period as may be specified in the direction, be restricted in such manner as may be so specified, or
- [c] that the student be rusticated for such period as may be specified in the direction; or
- [d] that the student be expelled from the University.
- [3] Where a direction is given under Subclause [1][c] or [d] of this section in respect of any student, that student may, within the prescribed period and in the prescribed manner, appeal to the Council; and where such an appeal is brought, the Council shall, after causing such inquiry to be made in the matter as the Council considers just either confirm or set aside the direction or modify it in such manner as the Council thinks fit.
- [4] The fact that an appeal from a direction is brought in pursuance to Subclause [2] of this section shall not affect the operation of the direction while the appeal is pending:
- [a] The Vice-Chancellor may delegate his/her powers under this section to a disciplinary board consisting of such members of the University as he/she may nominate.
- [b] Nothing in this section shall be construed as preventing the restriction or termination of students' activities at the University otherwise than on the ground of misconduct.
- [c] A direction under Subclause [2] [a] of this section may be combined with a direction under Subclause [2] [b] of this section.

Committee's Recommendation:

That the provision in Clause 20 be retained (*Senator Nora L. Daduut — Plateau South*) — Agreed to.

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

PART V - MISCELLANEOUS AND GENERAL

Clause 21: Exclusion of Discrimination on Account of Race, Religion, Etc.

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

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

Committee's Recommendation:

That the provision in Clause 21 be retained (*Senator Nora L. Daduut — Plateau South*) — Agreed to.

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

Clause 22: Restriction on Disposal of Land by University.

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

— Provided that such consent shall not be required in the case of any lease or tenancy at a rack-rent for a term not exceeding 21 years or any lease or tenancy to a member of the University for residential purpose.

Committee's Recommendation:

That the provision in Clause 22 be retained (*Senator Nora L. Daduut — Plateau South*) — Agreed to.

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

Clause 23: Quorum and procedure of bodies established by this Bill:

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

Committee's Recommendation:

That the provision in Clause 23 be retained (*Senator Nora L. Daduut — Plateau South*) — Agreed to.

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

Clause 24: Transfer of Land to the University.

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

Committee's Recommendation:

That the provision in Clause 24 be retained (*Senator Nora L. Daduut — Plateau South*) —
Agreed to.

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

Clause 25: Appointment of committee, etc.

- [1] Anybody of persons established by this Bill shall, without prejudice to the generality of the powers of that body, have power to appoint committees, which need not consist exclusively of members of that body, and to authorize a committee established by it:
 - [a] to exercise, on its behalf, such of its functions as it may determine;
 - [b] to co-opt members, and
- [2] Any two or more such bodies may arrange for the holding of joint meetings of those bodies, or for the appointment of committees consisting of members of those bodies, for the purpose of considering any matter within the competence of those bodies or any of them, and either of dealing with it or of reporting on it to those bodies or any of them.
- [3] Except as may be otherwise provided by statute or by regulations, the quorum and procedure of a committee established or meeting held in pursuance of this section, shall be such as may be determined by the body or bodies which have decided to establish the committee or hold the meeting.
- [4] Nothing in the provisions of Subclause [1], [2] and [3] of this section shall be construed as:
 - [a] enabling the statutes to be made otherwise than in accordance with section 1 of this Bill; or
 - [b] enabling the Senate to empower any other body to make regulations of the award degrees or other qualifications.
- [5] The Pro-Chancellor and the Vice-Chancellor shall be members of every committee of which the members are wholly or partly appointed by the Council [other than a committee appointed to inquire into the conduct of the officer in question]; and the Vice-Chancellor shall be a member of every committee of which the members are wholly or partly appointed by the Senate.

Committee's Recommendation:

That the provision in Clause 25 be retained (*Senator Nora L. Daduut — Plateau South*) — Agreed to.

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

Clause 26: Retiring age of academic staff.

- [1] Notwithstanding anything to the contrary in the Pension Act, the compulsory retiring age of the following categories of staff shall be as follows:
 - [a] Academic staff of the University in the non-Professorial cadre shall be 65 years;
 - [b] Academic staff of the University in the Professorial Cadre shall be 70 years;
 - [c] Non-academic staff of the University shall be 65 years.
- [2] A law or rule requiring a person to retire from the public service after serving for 35 years and other academic staff 60 years

Committee's Recommendation:

That the provision in Clause 26 be retained (*Senator Nora L. Daduut — Plateau South*) — Agreed to.

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

Clause 27: Transitional and Saving Provision.

- [1] On the commencement of this Bill, any person employed by or serving in, Federal University of Science and Technology, Lau, Taraba State shall be deemed to have been employed or serving in the University established under this Bill.
- [2] All Assets or liabilities belonging to Federal University of Science and Technology, Lau, Taraba State shall be deemed to belong to the University established under this Bill.

Committee's Recommendation:

That the provision in Clause 27 be retained (*Senator Nora L. Daduut — Plateau South*) — Agreed to.

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

Clause 28: Special Provisions relating to Pension of Professors.

- [1] An academic staff of the University who retires as a Professor in the University shall be entitled to pension at a rate equivalent to his/her annual salary provided that the Professor has served continuously in the University up to the retirement age.
- [2] Notwithstanding subsection [1] where the professors have not served up to retirement age he/she shall be entitled to the rate of pension mentioned under subsection [1] provided that he/she has served a minimum of 20 years as a professor in a recognized university; and
- [3] Where an academic joins a Nigerian University as a professor, such a professor shall have served continuously for at least [20] years in a recognized university.

Committee's Recommendation:

That the provision in Clause 28 be retained (*Senator Nora L. Daduut — Plateau South*) — Agreed to.

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

Clause 29: Miscellaneous and Administrative Provisions.

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

Committee's Recommendation:

That the provision in Clause 29 be retained (*Senator Nora L. Daduut — Plateau South*) — Agreed to.

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

Clause 30: Restriction of suits and execution.

[1] Pre-Action Notice:

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

[b] The Notice shall state the reason and the cause of action intended to be taken against the University, the particulars of the claim, the name and place of abode of the intending plaintiff and the relief which he/she claims.

[c] For the avoidance of doubt, it is hereby declared that no suit shall be commenced against an officer or servant of the University, in any case where the University is vicariously liable for any alleged act, neglect or default of the officer or servant in the performance or intended performances of his/her 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/her agent.

[d] In any suit against this University, no execution or attachment or process in the nature thereof shall be issued against the University, but any sums of money which may be judgment of the court be awarded against the University shall, subject to any direction given by the court where notice of appeal has been given by the University in respect of the said judgment, be paid by the University from its general fund.

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

Committee's Recommendation:

That the provision in Clause 30 be retained (*Senator Nora L. Daduut — Plateau South*) — *Agreed to.*

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

Clause 31: Interpretation.

[1] In this Bill, unless the context otherwise requires: -

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

"College" means the College established pursuant to section 2 [1] [b] of this Bill for the University;

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

"Functions" includes powers and duties

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

"Minister" means the 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 University in accordance with provisions made in that behalf by statute or by regulations;

"Property" includes rights, liabilities and obligations;

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

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

"Senate" means the Senate of the University established 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 University under section 10 of this Bill and in accordance with the provisions of section 11 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 undergraduate;

"University" means Federal University of Education, Numan Adamawa State established and incorporated by section I of this Bill.

[2] It is hereby declared that where in any provision of this Bill it is laid down that the proposals are to be submitted or a recommendation is to be made by one authority or another through one or more intermediate authorities, it shall be the duty of every such intermediate authority to forward any proposals of that or recommendations received by it in pursuance of that provision to the appropriate authority; but any such intermediate authority may, if it thinks fit, forward therewith its own comments thereon.

Committee's Recommendation:

That the provision in Clause 31 be retained (*Senator Nora L. Daduut — Plateau South*) —
Agreed to.

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

Clause 32: Short Title.

This Bill may be cited as the Federal University of Education Numan,
Adamawa State Bill, 2021.

Committee's Recommendation:

That the provision in Clause 32 be retained (*Senator Nora L. Daduut — Plateau South*) —
Agreed to.

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

FIRST SCHEDULE
PRINCIPAL OFFICERS OF THE UNIVERSITY

1. The Chancellor
The Chancellor shall be appointed by and hold office at the pleasure of the President
2. The Pro-Chancellor
 - [1] The Pro-Chancellor who shall be the Chairman of Council shall be appointed or removed from office by Mr. President upon recommendation by the Minister of Education.
 - [2] Subject to the provisions of this Bill, the Pro-Chancellor shall hold office for a period of four years beginning with the date of his/her appointment
3. The Vice-Chancellor
 - [1] There shall be a Vice-Chancellor of the University who shall be appointed by the Council in accordance with the provisions of this paragraph.
 - [2] Where a vacancy occurs in the post of a Vice-Chancellor, the Council shall:
 - [a] advertise the vacancy in a reputable journal or a widely read newspaper in Nigeria, specifying: -
 - [i] the qualities of the persons who may apply for the post; and
 - [ii] the terms of conditions of service applicable to the post, and thereafter draw up a short list of suitable candidates for the post for consideration:
 - [b] constitute a Search Team consisting of:
 - [i] a member of the Council, who is not a member of the Senate, as chairman;
 - [ii] two members of the Senate who are not members of the Council, one of whom shall be a Professor;
 - [iii] two members of Congregation who are not members of the Council, one of whom shall be a Professor, to identify and nominate for consideration, suitable persons who are not likely to apply for the post on their own volition because they felt that it is not proper to do so.

- [3] A Joint Council and Senate Selection Board consisting of:-
- [a] the Pro-Chancellor, as chairman;
 - [b] two members of the Council, not being members of the Senate;
 - [c] two members of the Senate who are Professors, but who were not members of the Search Team, shall consider the candidates and persons in the shortlist drawn up under Subclause [2] of this paragraph through an examination of their curriculum vitae and interaction with them, and recommend to the Council three candidates for further consideration.
- [4] The Council shall select and appoint as the Vice-Chancellor one candidate from among the three candidates recommended to it under Subclause [3] of this section and thereafter inform the Visitor.
- [5] The Vice-Chancellor shall hold office for a single term of five years only on such terms and conditions as may be specified in his/her letter of appointment.
- [6] The Vice Chancellor may be removed from office by the Council on grounds of gross misconduct or inability to discharge the functions of his/her office as a result of infirmity of the body or mind, at the initiative of the Council, Senate or the Congregation after due process.
- [7] When the proposal for the removal of the Vice-Chancellor is made, the Council shall constitute a Joint Committee of Council and Senate consisting of:
- [i] three members of the Council, one of whom shall be the Chairman of the committee; and
 - [ii] two members of the Senate,

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

- [8]- The committee shall conduct investigation into the allegations made against the Vice-Chancellor and shall report its findings to the Council.
- [9] The Council may where the allegations are proved remove the Vice-Chancellor or apply any other disciplinary action it may deem fit and notify the Visitor accordingly provided that a Vice-Chancellor who is removed shall have right of appeal to the Visitor.
- [10] There shall be no sole administrator in the University.
- [11] In any case of a vacancy in the office of the Vice-Chancellor, the Council shall appoint an acting Vice-Chancellor on recommendation of the Senate.
- [12] An acting Vice Chancellor in all circumstances shall not be in office for more than 6 months.

4. Deputy Vice-Chancellor

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

- [2] Where a vacancy occurs in the post of Deputy Vice-Chancellor, the Vice-Chancellor shall forward to the Senate a list of two candidates for each post of Deputy Vice-Chancellor that is vacant.
- [3] The Senate shall select for each vacant post one candidate from each list forwarded to it under Subclause [2] of this paragraph and forward his/her name to the Council for confirmation.
- [4] A Deputy Vice-Chancellor shall: -
- [a] assist the Vice-Chancellor in the performance of his/her 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/her functions as Vice-Chancellor; and
 - [c] perform such other functions as the Vice-Chancellor or the Council may, from time to time, assign to him.
- [5] A Deputy Vice-Chancellor:
- [a] shall hold office for a period of two years beginning from the effective date of his/her appointment and on such terms and conditions as may be specified in his/her letter of appointment; and
 - [b] may be reappointed for one further period of two years and no more.
 - [c] may be removed from office for good cause by the Council acting on the recommendations of the Vice-Chancellor and Senate.
 - [d] "Good cause" for the purpose of this section means gross misconduct or inability to discharge the functions of his/her office arising from infirmity of the body or mind.
5. Office of the Registrar
- [1] There shall be for the University, a Registrar, who shall be the chief administrative officer of the University and shall be responsible to the Vice-Chancellor for the day-to-day administrative work of the University except as regards matters for which the Bursar is responsible in accordance with paragraph 6[2] of this Schedule.
- [2] The person holding the office of the Registrar shall by virtue of that office be Secretary to the Council, the Senate, Congregation and Convocation.
6. Other Principal Officers of the University
- [1] There shall be for the University the following principal officers, in addition to the Registrar, that is:
- [a] the Bursar; and
 - [b] the University Librarian,
- who shall be appointed by the Council on the recommendation of the Selection Board constituted under paragraph 7 of this Schedule.
- [2] The Bursar shall be the Chief Financial Officer of the University and be responsible to the Vice-Chancellor for the day-to-day administration and control of the financial affairs of the University.

[3] The University Librarian shall be responsible to the Vice-Chancellor for the administration of the University Library and the co-ordination of the library services in the University and its campuses, colleges, schools, departments, institutes and other teaching or research units.

[4] Any question as to the scope of the responsibilities of the aforesaid officers shall be determined by the Vice-Chancellor

7. Functions of Registrar and Tenure.

[1] The Registrar shall keep the records and conduct the correspondence of the Council and shall perform such other duties as the Council subject thereto as the Provost may from time to time direct.

[2] The Registrar shall, in addition to the other duties conferred on him/her by or under this Bill, be a Secretary to the Council, Secretary to Academic Board and any committee of the Council and in his/her absence, the Council or any such committee may appoint some other persons to Bill as Secretary. The Registrar shall not vote on any question before the Council or count towards a quorum.

[3] A Registrar shall

[a] hold office for a single term of five years only beginning from the effective date of his/her appointment and such terms and conditions as may be specified in his/her letter of appointment.

[b] Where on the commencement of this Bill a Registrar appointed before the commencement of this Bill has held office:

[i] for less than five years, he/she shall be allowed to complete the five years specified in his/her appointment letter and shall not have right for the renewal of his/her appointment for a further term of five years;

[ii] for more than five years and has more than 1 year to complete his/her second term, the council may allow him/her to serve as Registrar for a further period of one year only and thereafter he/she shall relinquish his/her post and be assigned other duties in the School;

[iii] for more than five years and has less than 1 year to complete his/her second term, the council may allow him/her to serve as Registrar for a further period of one year only and thereafter he/she shall relinquish his/her post and be assigned other duties in the School.

8. Functions of the Bursar and Tenure.

[1] The Bursar shall be the Chief Financial Officer of the University and be responsible to the Provost for the day-to-day administration and control of financial affairs of the University.

[2] [a] A Bursar shall hold office for a single term of five years only beginning from the effective date of his/her appointment and such terms and conditions as may be specified in his/her letter of appointment.

- [b] Where on the commencement of this Bill a Bursar appointed before the commencement of this Bill has held office-
 - [i] for less than five years, he/she shall be allowed to complete the five years specified in his/her appointment letter and shall not have right for the renewal of his/her appointment for a further term of five years;
 - [ii] for more than five years and has more than 1 year to complete his/her second term, The Council may allow him/her to serve as Bursar for a further period of one year only and thereafter he/she shall relinquish his/her post and be assigned other duties in the University;
 - [iii] for more than five years and has less than 1 year to complete his/her second term, The Council may allow him/her to serve as Bursar for a further period of one year only and thereafter he/she shall relinquish his/her post and be assigned other duties in the University.
9. Functions of the College Librarian and Tenure
- [1] The College Librarian shall be responsible to the Provost for the administration of the College Library and co-ordination of the Library services in the teaching units of the College.
 - [2] A College Librarian shall;
 - [a] hold office for a single term of five years only and upon such terms and conditions as may be specified in his/her letter of appointment.
 - [b] Where on the commencement of this Bill a College Librarian appointed before the commencement of this Bill has held office-
 - [i] for less than five years, he/she shall be allowed to complete the five years specified in his/her appointment letter and shall not have right for the renewal of his/her appointment for a further term of five years;
 - [ii] for more than five years and has more than 1 year to complete his/her second term, the Council may allow him/her to serve as College Librarian for a further period of one year only and thereafter he/she shall relinquish his/her post and be assigned other duties in the College;
 - [iii] for more than 5 years and has less than 1 year to complete his/her second term, the Council may allow him/her to serve as College Librarian to complete his/her second term and thereafter he/she shall relinquish his/her post and be assigned other duties in the College.
10. Director of Works
- There shall be for the University, a Director of Works, who shall be responsible to the Vice Chancellor for the administration of the Works Department. He/she shall be responsible for all works, services and maintenance of University facilities

11. Director of Health Services
There shall be for the University, a Director of Health Services who shall be responsible to the Vice Chancellor for the administration of the Health Centre and he/she shall be the Chief Medical Officer of the University and shall coordinate all matters relating to the health of all staff and students.
- [1] Any officer mentioned in this Schedule may resign his/her office in:
- [a] The case of the Chancellors or Pro-Chancellor, by notice to the Visitor;
- [b] in the case of the Vice Chancellor, by notice to the Council which shall immediately notify the Minister.
- [2] A person who has ceased to hold an office so mentioned otherwise than by removal for misconduct shall be eligible for re-appointment to that office.
12. Selection Board for other Principal Officers
- [1] There shall be, for the University, a Selection Board for the appointment of principal officers, other than the Vice-Chancellor or Deputy Vice-Chancellor, which shall consist of:
- [a] the Pro-Chancellor, as chairman;
- [b] the Vice-Chancellor;
- [c] four members of the Council not being members of the Senate; and
- [d] two members of the Senate.
- [2] The functions, procedure and other matters relating to the Selection Board constituted under Subclause [1] of this paragraph shall be as the Council may, from time to time, determine.
- [3] The Registrar, Bursar and Librarian shall hold office for a single term of five years only beginning from the effective date of their appointments and on such terms and conditions as may be specified in their letters of appointment.
- [4] Notwithstanding Subclause [3] of this section, the Council may, upon satisfactory performance, extend the tenure of the Registrar, Bursar or Librarian for a further period of one year only and thereafter such principal officer shall relinquish his/her post and be assigned to other duties in the University.
13. Resignation and Re-appointment
- [1] Any officer mentioned in the foregoing provisions of this Schedule may resign his/her office: -
- [a] in the case of the Chancellor or Pro-Chancellor, by notice to the Visitor;
- [b] in any other case, by notice to the Council and the Council shall, in the case of the Vice-Chancellor, immediately notify the Visitor.
- [2] Without prejudice to paragraph 4 of this Schedule, a person who has ceased to hold an office so mentioned otherwise than by removal for misconduct shall be eligible for re-appointment to that office.

SECOND SCHEDULE
TRANSITIONAL PROVISIONS AS TO PROPERTY, FUNCTIONS, ETC.

1. Registration of transfers
 - [1] If the law in force at the place where any property transferred by this Bill is situate provides for the registration of transfers of property of the kind in question [whether by reference to an instrument of transfer or otherwise], the law shall, so far as it provides for alterations of a register [but not for avoidance of transfers, the payment of fees or any other matter] apply, with necessary modifications, to the property aforesaid.
 - [2] It shall be the duty of the body to which any property is transferred by this Bill to furnish the necessary particulars of the transfer to the proper officer of the registration authority, and of that officer to register the transfer accordingly.
2. Transfer of Functions, etc
 - [1] The first meeting of the Council shall be convened by the Pro-Chancellor on such date and in such manner as he/she may determine.
 - [2] The persons who were members of the Provisional Council shall be deemed to constitute the Council until the date when the Council as set up under the Third Schedule to this Bill shall have been duly constituted.
 - [3] The first meeting of the Senate as constituted by this Bill shall be convened by the Vice-Chancellor on such date and in such manner as he/she may determine.
 - [4] The persons who were members of the Academic Board immediately before the coming into force of this Bill shall be deemed to constitute the Senate of the University until the date when the Senate as set up under the Third Schedule to this Bill shall have been duly constituted.
 - [5] Subject to any regulations which may be made by the Senate after the date on which this Bill is made, the schools, school boards and students of the University immediately before the coming into force of this Bill shall on that day become schools, school boards and students of the University as constituted by this Bill.
 - [6] Persons who were Deans of schools and Heads of Academic Departments shall continue to be Deans or HODs of the corresponding School/Department, until new appointments are made in pursuance of the statutes.
 - [7] Any person who was a member of the staff of the University as established or was otherwise employed by the Provisional Council shall become the holder of an appointment at the University with the status, designation and functions which correspond as nearly as may be to those which appertained to him/her 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

1. The Council
 - [1] The Council shall consist of-
 - [a] the Pro-Chancellor;
 - [b] the Vice-Chancellor and the deputy Vice-Chancellor;

- [c] Four persons representing a variety of interests and broadly representative of the whole Federation appointed by the National Council of Ministers; by virtue of clause 2[e] of the Universities [Miscellaneous Provisions] Act 1993 [As amended].
 - [d] Two person appointed by congregation from amongst the members of that body; clause 2 [g] of the Universities [Miscellaneous Provisions] Act 1993 [As amended].
 - [e] The Permanent Secretary, Federal Ministry of Education or, in his/her absence, one Person from the Federal Ministry responsible for Education to represent him/her.
 - [f] one person to represent the armed forces of the Federation and the Police Force.
- [2] Any member of the Council holding office otherwise than in pursuance of paragraph [1] [a], [b], [g] or [h] of this article may, by notice to the Council, resign his/her office.
- [3] A member of the Council holding office otherwise than in pursuance of paragraph [1] [a], [b], [g] or [h] of this article shall, unless he/she previously vacates it, vacate that office on the expiration of the period of four years beginning with effect from the 1st of August in the year in which he/she was appointed.
- [4] Where a member of the Council holding office otherwise than in pursuance of paragraph [1] [a], [b], [g] or [h] of this article vacates office before the expiration of the period aforesaid, the body or person by whom he//she was appointed may appoint a successor to hold office for the residue of the term of his/her predecessor.
- [5] A person ceasing to hold office as a member of the Council otherwise than by the removal for misconduct shall be eligible for re-appointment for only one further period of four years.
- [6] The quorum of the Council shall be five at least one of whom shall be a member appointed pursuant to paragraph [1] [c], [f], [g] and [h] of this article.
- [7] If the Pro-Chancellor is not present at a meeting of the Council such other member of the Council present at the meeting as the Council may appoint as respects that meeting shall be the chairman at that meeting, and subject to clause 4 of the Bill and the foregoing provisions of this paragraph, the Council may regulate its own procedure.
- [8] Where the Council desires to obtain advice to with respect to any particular matter, it may co-opt, not more than two persons for that purpose; and the persons co-opted may take part in the deliberations of the Council at any meeting but shall not be entitled to vote.
2. The Finance and General Purposes Committee
- [1] The Finance and General Purposes Committee of the Council shall consist of-
- [a] the Pro-Chancellor, who shall be the chairman of the Committee at any meeting at which he/she is present;

- [b] the Vice-Chancellor and Deputy Vice-Chancellors;
- [c] six other members of the Council appointed by the Council, two of whom shall be selected from among the four members of the Council appointed by the Senate and one member appointed to the Council by Congregation

- [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.

3. The Senate

- [1] The Senate shall consist of-
 - [a] the Vice-Chancellor and the deputy Vice-Chancellor;
 - [b] the deans of the several faculties;
 - [c] the directors of the several institutes;
 - [d] the professors;
 - [e] the librarian;
 - [f] the persons for the time being holding such appointments on the staff of the University as may be specified by the Vice-Chancellor; and
 - [g] such teachers [of senior's lecturer rank and above and not being more than two in respect of each faculty] as may be elected from among the members of each faculty, the total number thereto to be determined from time to time by the Senate; and
 - [h] such persons, not exceeding two in number, whether or not members of the University, as may be appointed by the Senate to be members of the Senate.
- [2] The Vice-Chancellor shall be the chairman at all meetings of the Senate when he/she is present; and in his/her absence such other member of the Senate present at the meeting as the Senate may appoint for that meeting, shall be the chairman at the meeting.
- [3] The quorum of the Senate shall be one-quarter [or the nearest whole number less than one-quarter]; and subject to paragraph [2] of this article, the Senate may regulate its own procedure.
- [4] An elected member may, by notice to the Senate, resign his/her office.
- [5] Subject to paragraph [7] of this article, there shall be elections for the selection of elected members which shall be held in the prescribed manner on such day in the month of May or June in each year as the Vice-Chancellor may from time to time determine.
- [6] An elected member shall hold office for the period of two years beginning with 1st August in the year of his/her election, and may be a candidate at any election held in pursuance of paragraph [5] above in the year in which his/her period of office expires, so however that no person shall be such a candidate

if at the end of his/her current period of office he/she would have held office as an elected member for a continuous period of six years or would have so held office if he/she had not resigned it.

- [7] No election shall be held in pursuance of this article in any year if the number specified in the certificate given in pursuance of paragraph [9] of this article does not exceed by more than one the figure which is thrice the number of those elected members holding office on the date of the certificate who do not vacate office during that year in pursuance of paragraph [6] of this article; but for the avoidance of doubt it is hereby declared that no person shall be precluded from continuing in or taking office as an elected member by reason only of a reduction in the total of non-elected members occurring on or after 30th April in any year in which he/she is to continue in or take office as an elected member.
- [8] If so requested in writing by any ten members of the Senate, the vice-chancellor, or in his/her absence a person duly appointed by him/her, shall convene a meeting of the Senate to be held not later than the tenth day following that on which the request was received.
- [9] In this article, "total of non-elected members" means, as respects any year, such number as may be certified by the Vice-Chancellor on the 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.

4. Congregation

- [1] Congregation shall consist of:
- [i] Vice-Chancellor
 - [ii] the Deputy Vice-Chancellors;
 - [iii] the full-time members of the academic staff
 - [iv] The Registrar;
 - [v] The Librarian
 - [vi] Every member of the administrative staff who holds a degree, other than honorary degree, of any University recognized for the purposes of this statute by the Vice-Chancellor.
- [2] Subject to section 4 of this Bill, the Vice-Chancellor shall be the chairman at all meetings of Congregation when he/she is present; and in his/her absence any of the Deputy Vice Chancellors present at the meeting as Congregation may appoint for that meeting, shall be the chairman at the meeting.
- [3] The quorum of Congregation shall be one third or the whole number nearest to one third of the total number of members of Congregation of fifty, whichever is less.
- [4] A certificate signed by the Vice-Chancellor specifying:
- [a] the total number of members of Congregation for the purpose of any particular meeting or meetings of Congregation; or

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

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

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

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

5. Convocation

[1] Convocation shall consist of: -

[i] the officers of the University mentioned in the First Schedule to this Bill;

[ii] All teachers within the meaning of this Bill;

[iii] All other persons whose names are registered in accordance with paragraph [2] of this article.

[2] A person shall be entitled to have his/her name registered as a member of convocation if-

[a] he/she is either a graduate of a University or a person satisfying such requirements as may be prescribed for the purposes of this paragraph; and

[b] he/she applies for the registration of his/her name in the prescribed manner and pay the prescribed fees.

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

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

[5] A person who reasonably claims that he/she is entitled to have his/her name on the register shall be entitled on demand to inspect the register or a copy of the register at the principal times of the University at all reasonable times.

[6] The register shall, unless the contrary is proved, be sufficient evidence that any person named therein is not, a member of Convocation; but for the purpose of ascertaining whether a particular person was such a member on a particular date, any entries in and deletions from the register made on or after that date shall be disregarded.

- [7] The quorum of Convocation shall be fifty or one third or the whole number nearest to one third or the whole number of members of Convocation whichever is less.
- [8] Subject to section 4 of the Act, the Chancellor shall be chairman at all meetings of Convocation when he/she is present, and in his/her absence the Vice-chancellor shall be the chairman at the meeting.
- [9] Convocation shall have such functions, in addition to the function of appointing a member of the Council, as may be provided by statute or regulations.
6. Annual budget and estimates, etc.
- [1] The estimates of income and expenditure for a financial year shall be presented by the Vice-Chancellor to the Council and may be approved by the Council before the beginning of that financial year;
- Provided that the Vice-Chancellor may during any financial year present and the Council may approve supplementary estimates of income or expenditure.
- [2] The annual and supplementary estimates shall be prepared in such form and shall contain such information as the Council may direct.
7. Gifts, donations, etc.
- [i] The Council may on behalf of the University accept by way of grants, gift, testamentary disposition or otherwise, property and money in aid of the finances of the University on such conditions as it may approve.
- [ii] Registers shall be kept of all donations to the University including the names of donors and any special conditions under which any donation may have been given.
- Provided that the University shall not be obliged to accept a donation for a particular purpose unless it approves of the terms and conditions attaching to such donation.
- [iii] All property, money or funds donated for any specific purposes shall be applied and administered in accordance with the purposes for which they are donated and shall be accounted for separately.
8. Payment into bank:
All sums of money received on account of the University shall be paid into such bank as may be approved by the Council for the credit of the University's general, current or deposit account: Provided that the Council may invest, as it deems fit, any money not required for immediate use other than donations of money referred to in Subclause [1] of this section.
9. Audit
- [1] The Council shall cause the accounts of the University to be audited by auditors appointed by the Council as soon as may be after the end of each financial year or for any such other period as the Council may require.
- [2] The appointment and other matters relative to the auditors, their continuance in office and their functions, as the case may be, shall, subject to the provisions of this section, be prescribed by statute.

10. Organisation of Faculties and Branches Thereof
Each faculty shall be divided into such number of branches as may be prescribed.
- [1] There shall be established in respect of each faculty a faculty board, which, subject to the provisions of this Statute, and subject to the directions of the Vice-Chancellor, shall-
- [a] regulate the teaching and study of, and the conduct of examinations connected with, the subjects assigned to the faculty;
 - [b] deal with any other matter assigned to it by the statute or by the Vice-Chancellor or by the Senate; and
 - [c] advise the Vice-Chancellor or the Senate on any matter referred to it by the Vice-Chancellor or the Senate.
- [2] Each faculty board shall consist of-
- [a] the Vice-Chancellor;
 - [b] the persons severally in charge of the branches of the faculty;
 - [c] such of the teachers assigned to the faculty and having the prescribed qualifications as the board may determine; and
 - [d] such persons whether or not members of the University as the board may determine with the general or special approval of 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 provisions made by regulations in that behalf, the board may regulate its own procedure.
11. The Dean of the Faculty
- [1] The dean of a faculty shall be a professor elected by the faculty board and each dean shall hold office for years. He/she will be eligible for re-election for another term of two years after which he/she may not be elected again until two years have elapsed.
- [2] If there is no professor in a faculty, the office of the dean of the faculty shall be held in rotation by members of the faculty holding the ranks of reader or senior lecturer on the basis of seniority as determined by the statute.
- [3] The dean shall be the chairman at all meetings of the faculty board when he/she is present and he/she shall be a member of all committees and other boards appointed by the faculty.
- [4] The dean of a faculty shall exercise general superintendence over the academic and administrative affairs of the faculty. It shall be the function of the dean to present to convocation for the conferment of degrees' persons who have qualified for the degrees of the University at examinations held in the branches of learning for which responsibility is allocated to that faculty.
- [5] There shall be a committee to be known as the committee of deans consisting of all the deans of the several faculties and that committee shall advise the Vice-Chancellor on all academic matters and on particular matters referred to the University Council by Senate.

- [6] The dean of a faculty may be removed from office for good cause by the faculty board after a vote would have been taken at a meeting of the board, and in the event of a vacancy occurring following the removal of a dean, an acting dean may be appointed by the Vice-Chancellor provided that at the next faculty board meeting an election shall hold for a new dean.
- [7] In this article, "good cause" has the same meaning as in clause 15 [3] of the Bill.
12. Departmental Board of Studies
- [1] There shall be a Departmental Board of Studies whose membership shall be made of all academic staff of the Department;
- [2] It shall be headed by a Professor who shall be appointed by the Vice Chancellor and in the absence of a Professor, a senior academic staff shall be appointed in acting capacity;
- [3] For a Professor the term is for 3 years while 1 year is for acting capacity.
- [4] The Board shall superintend over all teachings and examinations in the Department;
- [5] The Board shall handle all disciplinary matters in the Department and make recommendations to the College where necessary;
- [6] Allocation of courses in the department shall be done by the Departmental Board on recommendation of the Head of Department.
13. Selection of Directors of Physical Planning and Development, Works and Services and Health
- [1] When a vacancy occurs in the office of the Directors of Physical Planning and Development, Works and Services and Health, a Selection Board shall be constituted by the Council which shall consist of: -
- [a] the Pro-Chancellor;
- [b] the Vice-Chancellor;
- [c] two members appointed by the Council, not being members of the Senate;
- [d] Two members appointed by the Senate.
- [2] The Selection Board after making such inquiries as it thinks fit, shall recommend a candidate to the Council for appointment to the vacant office; and after considering the recommendation of the board the Council may make an appointment to that office.
14. Tenure of Directors
A Director shall hold office on such terms and conditions as may be specified in his/her letter of appointment subject to the extant Regulations.
15. Creation of Academic Posts
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.

16. Appointment of Academic Staff
- [1] Subject to the Bill and statutes, the filling of vacancies in academic posts [including newly created ones] shall be the responsibility of the Council through the Departments and Colleges.
 - [2] For the purpose of filling such vacancies, suitable selection boards to select and make appointments on behalf of the Council shall be set up.
 - [3] For appointment to Professorships, Associate Professorship or Readerships or equivalent posts, a Board of Selection, with power to appoint, shall consist of:
 - [a] the Vice-Chancellor - Chairman
 - [b] Deputy Vice-Chancellor - Member
 - [c] The Dean of the College - Member
 - [d] Head of Department - Member
 - [e] 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 Vice-Chancellor or his/her 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/her representative - Secretary
 - [5] All appointments to senior library posts shall be made in the same way as equivalent appointments in the academic cadre; and for all such posts other than that of the Librarian, the Librarian shall be a member of the Selection Board.
 - [6] Boards of Selection may interview candidates directly or consider the reports of specialist interviewing panels and shall in addition, in the case of Professorships, Associate Professorship, Readerships or equivalent Posts, consider the reports of External Assessors relevant to the area in which the appointment is being considered. Quorum shall be three [3] including the Chairman.
17. Appointment of Administrative and Professional Staff
- [1] The administrative and professional staff of the University other than principal officers shall be appointed by the Council or on its behalf by the Vice-Chancellor in accordance with delegation of powers made by the Council on its behalf.

- [2] A Selection Board, with power to appoint, shall consist of:
- [i] Vice Chancellor;
 - [ii] Deputy Vice Chancellor;
 - [iii] Registrar
 - [iv] Bursar
 - [v] University Librarian
 - [vi] The Head of Department concerned
 - [vii] Establishment and Human Resources Officer who shall serve as Secretary Quorum shall be three [3] including the Chairman.

18. Interpretation

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

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 resumed consideration of the Report of the Committee on Tertiary Institutions and TETFUND on the Federal University of Education Numan (Establishment) Bill, 2021 and approved as follows:

Clauses 6-32 — As Recommended

Schedules 1-3 — As Recommended

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

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

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

16. **Motion:**

Approval for Promissory Notes & Debt Issuance Programme of the Federal Government:

Motion made: The Senate notes that in order to address, in a systemic way, the burning issue of mounting obligations of the Federal Government inherited by the present Administration of President Muhammadu Buhari, the Federal Executive Council in July 2017 approved a Promissory Note and Bond issuance programme to clear the arrears of outstanding obligations;

also notes that the Federal Government set up a Verification committee chaired by the then Minister of Power, Works & Housing to verify all claims submitted by the Ministry of Finance under the Promissory Notes and Bond Issuance Programme;

further notes that the report of the verification was again subjected to Audit by the Presidential Committee on Continuous Audit (PICA) before a final amount was arrived at after rounds of negotiations and discount schemes agreed with proposed beneficiaries;

aware that in March 2018 the President of the Federal Republic of Nigeria sent a request to the Senate for approval by the National Assembly to commence a ₦2,697,820,794,305.91 Promissory note and Bond issuance Programme to clear outstanding obligations inherited by this Administration as follows:

- Unpaid obligations to pensioners, salaries and promotional arrears to civil servants in the sum of ₦740,752,291,351.91;
- Obligation to Petroleum marketers on Subsidy in the sum of ₦429,054,203,228;
- Federal Government Major Contractors and Supplier debts & outsourced liabilities of ₦654,536,409,687.60;
- Unpaid power bills and obligations from tariff reversal in 2014 to DISCO's and GENCO's ₦496,775,452,038.61;
- Export Expansion Grant (EEG) Scheme debts ₦350,383,295,143.23;
- Judgement debts ₦112,958,703,764.45; and
- Refunds to State Governments for projects undertaken on behalf of the Federal Government ₦584,983,966,973.18;

further notes that the 8th National Assembly approved some of the promissory notes and Bond issuance in the following amounts:

- ₦573,494,697,133.63 as payment of refunds to 25 State Governments for Federal Highway Projects executed on behalf of the Federal Government;
- ₦206,065,107,252.69 as payment to various major contractors;
- ₦348,003,054,975 as payment to Petroleum Marketers for arrears of subsidy; and
- ₦195,089,234,808.63 as payment to exporters as Export Expansion Grant;

concerned that in spite of the above approvals in the sum of ₦1,322,652,094,169.95, a considerable number of these outstanding obligations which accrued from periods ranging from year 2000 to year 2017 (and now till date) still remain unpaid;

disturbed that from the last figures published by the Debt Management office on its official Website in February 2020, only the sum of ₦914,212,563,852 (Nine Hundred and Fourteen Billion, Two Hundred and Twelve Million, Five Hundred and Sixty-Three Thousand, Eight Hundred and Fifty-Two Naira) has been issued under the Federal Government of Nigeria Promissory notes programme as at December 31, 2019;

worried that after the approval of the ₦1.3 Trillion Naira from the total sum of ₦2.6 Trillion by the 8th National Assembly, nothing has been done in respect of approvals of the outstanding balance of ₦1.3 Trillion by the Senate;

troubled that the long term debt effect on the various corporate entities whose monies still remains unpaid after several years, with the attendant financial consequences including interest accruals, Loss of Jobs and often failed Companies;

further troubled that various Companies have legitimate claims for interest and or penalty payments due to them as contained in the various contract agreements signed with the Federal Government, an issue which will require serious consideration, dialogue and negotiations between Federal Government, the contractors and the financial institutions involved;

observes also that for example, the outstanding claims in respect of the incentive and result based Export Expansion Grant Scheme covers a period from 2007 - 2016, clearly showing that some of the accruals are at least 14 years past due;

worried that job losses, failed banks and companies going under which is a daily occurrence in Nigeria are occasioned by failure of Government Ministries, Departments and Agencies to meet financial obligations as contained in contractual agreements; and

concerned that the amount of outstanding liabilities of the Federal Government ordinarily would have soared from the March 2018 figures and would require an update of figure from the Federal Ministry of Finance, Budget & National Planning.

The Senate accordingly resolves to:

mandate the Committee on Local & Foreign Debts, to resume the update and conclude consideration of the outstanding balance of ₦1.3 Trillion being the long-standing obligations of the Federal Government of Nigeria and make appropriate recommendations to the Senate for consideration on the Issuance of the Promissory Note and Bond Issuance Programme.

Debate:

Proposed Resolution:

Question: That the Senate mandate its Committee on Local & Foreign Debts, to resume the update and conclude consideration of the outstanding balance of ₦1.3 Trillion being the long-standing obligations of the Federal Government of Nigeria and make appropriate recommendations to the Senate for consideration on the Issuance of the Promissory Note and Bond Issuance Programme.

Amendment Proposed:

Leave the Proposed Resolution and insert the following instead thereof:

“That the Senate do urge the Executive Arm of Government to review the outstanding payments under this programme and prepare a fresh submission to the National Assembly for consideration” (*Senator Yahaya A. Abdullahi — Kebbi North*).

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

Resolved: —

That the Senate do urge the Executive Arm of Government to review the outstanding payments under this programme and prepare a fresh submission to the National Assembly for consideration (*S/Res/049/03/21*).

17. **Chartered Institute of Forensic and Fraud Examiners of Nigeria (Establishment) Bill, 2021 (HB. 1220) — Concurrence:**

Consideration of Bill deferred to another Legislative Day.

18. **Raw Materials Research and Development Council Act Cap R3 LFN 2004 (Repeal & Re-enactment) Bill, 2021 (HB. 47) — Concurrence:**

Consideration of Bill deferred to another Legislative Day.

19. **National Orientation Agency Act (Amendment) Bill, 2021 (HB. 12) — Concurrence:**

Consideration of Bill deferred to another Legislative Day.

20. **Adjournment:**

Motion made: That the Senate do adjourn till Tuesday, 14th December, 2021 at 10:00 a.m.
(*Senate Leader*).

Question put and agreed to.

Senate adjourned accordingly at 1:30 p.m.

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

