



SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Tuesday, 5th April, 2022

1. The Senate met at 10:53 a.m. The President of the Senate read prayers.
2. **Votes and Proceedings:**
The Senate examined the Votes and Proceedings of Wednesday, 30th March, 2022.
Question was put and the Votes and Proceedings were approved.
3. **Announcements:**
 - (i) **Interactive Meeting:**
The President of the Senate read two (2) letters from Senator Enyinnaya H. Abaribe (Abia South) as follows:



SENATOR ENYINNA YA HARCOURT ABARIBE
MINORITY LEADER

4th April, 2022

*The Senate President,
National Assembly,
Abuja.*

NOTICE OF INTERACTIVE MEETING

H.E. Aminu Tambuwal, Governor of Sokoto State, Former Speaker of House of Representatives and Presidential Aspirant will meet with the PDP Senate Caucus as follows:

Date: Tuesday, 5th April, 2022

Time: 9pm

Venue: No. 7 Gana Street, Maitama, Abuja (House 5A)

All caucus members are expected to be available and on time.

*(Signed)
Senator Enyi Abaribe
(Minority Leader)*

(ii) **Interactive Meeting:**



SENATOR ENYINMAYA HARCOURT ABARIBE
MINORITY LEADER

4th April, 2022

The Senate President,
 National Assembly,
 Abuja.

NOTICE OF INTERACTIVE MEETING

This is to invite all members of the PDP Senate Caucus to an interactive meeting with His Excellency, Mr. Peter Obi, Former Governor of Anambra State and Presidential Aspirant of our party.

Date: Tuesday, 5th April, 2022

Venue: No. 7 Gana Street, Maitama, Abuja (House 5A)

Time: 7pm

We request all caucus members to note and attend, please.

(Signed)
 Senator Enyi Abaribe
 (Minority Leader)

4.

Petitions:

(a) Rising on Order 40, Senator Barnada Mpiji (*Rivers South East*) drew the attention of the Senate to a petition from Ngekanya Benjamin and five (5) others, all of Indorama Elme Host Communities in Elme Local Government Area of Rivers State, against the Corporate Affairs Commission (CAC) over an alleged refusal to incorporate Okerewa and Aieto Community Trustees. He urged the Senate to look into the matter.

Petition laid and accordingly referred to the Committee on Ethics, Privileges and Public Petitions [Order 40(3)] to report within four (4) weeks.

(b) Rising on Order 40, Senator Biobaraku W. Degi-Eremienyo (*Bayelsa East*) drew the attention of the Senate to three (3) petitions as follows:

(i) Stanley Damabide and Partners on behalf of Okpotuwar Community Southern Ijaw LGA, Bayelsa State against Nigeria Agip Oil Company (NAOC) over an alleged environmental degradation/pollution of over 25 hectares of land as a result of oil spill;

(ii) Sr. Ap. Honnane Jackson on behalf of Aiyetoro Community, Ijaje LGA Ondo State against Aiteo Eastern Exploration and Production Company over an alleged environmental degradation and air pollution as a result of leakage of gas and heavy oil spillage; and

(iii) Eniola Ademola Adeolu on behalf of Ereke Larada and Ereke Larada Sea-side Community, Ijaje LGA, Ondo State against Aiteo Eastern Exploration and Production Company Limited over an alleged non-compensation of the community due to oil spillage from OML 29 Babara, Nembe, Bayelsa State.

He urged the Senate to look into the matters.

Petitions laid and accordingly referred to the Committee on Ethics, Privileges and Public Petitions [Order 40(3)] to report within four (4) weeks.

- (c) Rising on Order 40, 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) Olisa Machie on behalf of Mr. Amechi Odunze and four (4) others, against the Attorney-General of Anambra State over an alleged abuse of office;
 - (ii) Engr. Echebiri Chukwuma, against the Clerk to the National Assembly and the Chairman, Committee on Senate Services over an alleged failure to pay for contract awarded and executed by Erascom Engineers;
 - (iii) Dr. Babatunde Agbi, against the Vice chancellor of the National Open University of Nigeria (NOUN) over an alleged refusal to pay for services rendered;
 - (iv) Zebis Prince and Tony Omali, against the Management of the National Assembly over an alleged victimization of 9th Assembly Legislative Aides; and
 - (v) Rasheed Abudu Oduntan, against Royal Exchange General Insurance Company Limited over an alleged non-payment of car theft claim.

He urged the Senate to look into the matters.

Petitions laid and accordingly referred to the Committee on Ethics, Privileges and Public Petitions [Order 40(3)] to report within four (4) weeks.

5. Personal Explanation:

Rising on Order 42, Senator Mohammed S. Musa (*Niger East*) drew the attention of the Senate to the Boat Mishap which occurred in Guni-Zumba River where over twenty (20) persons including women and children were drown when their boat capsized while trying to escape from the bandits. He stated that the incident happened amid attacks by gunmen across communities in Niger State, which resulted in killings, abductions and displacement of scores of residents. He urged the Senate to observe a minute silence in honour of the departed souls, the Federal Government to declare a full-fledged war on bandits as they have been declared as terrorists and National Emergency Management Agency (NEMA) to provide relief materials to the victims.

One minute silence accordingly observed in honour of the deceased.

6. Presentation of Bills:

- (i) 2021 Appropriation Act (Amendment) Bill, 2022 (SB. 977) — *Read the First Time.*
- (ii) Federal Polytechnics Act (Amendment) Bill, 2022 (HB. 711) — *Read the First Time.*
- (iii) Examination Malpractice Act (Amendment) Bill, 2022 (SB. 373) — *Read the First Time.*
- (iv) Federal Colleges of Education Act (Amendment) Bill, 2022 (SB. 703) — *Read the First Time.*
- (v) National Economic Reconstruction Fund Act (Repeal) Bill, 2022 (SB. 861) — *Read the First Time.*
- (vi) Strengthening Career and Technical Education Bill, 2022 (SB. 891) — *Read the First Time.*

7. 2021 Appropriation Act (Amendment) Bill, 2022 (SB. 977):

Motion made: Pursuant to Order 78 (1), that a Bill for an Act to amend the 2021 Appropriation Act in order to extend the implementation year from 31st March to 31st May, 2022 and for Related Matters 2022 be read the Second Time (*Senate Leader*).

Debate:

Question put and agreed to.

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

Motion made: Pursuant to Order 80 (1), that the Senate do resolve into the Committee of the Supply to consider the Report on a Bill for an Act to Amend the Appropriation Act 2021 in Order to Extend the Implementation of the Capital Component from 31st March to 31st May, 2022 (Senate Leader).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF SUPPLY)

CONSIDERATION OF A BILL FOR AN ACT TO AMEND THE APPROPRIATION ACT 2021 IN ORDER TO EXTEND THE IMPLEMENTATION OF THE CAPITAL COMPONENT FROM 31ST MARCH, 2022 TO 31ST MAY, 2022 AND FOR RELATED MATTERS, 2022

Clause 1: Amendment of the Appropriation Act, 2021:

The Appropriation Act, 2021 is hereby amended as set out hereunder "The authorizing and operative clause in Section 12 is hereby amended by deleting from the last line thereof the words "31st March, 2022" and substituting therefore the words "31st May, 2022".

Committee Recommendation:

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

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

Clause 2:

Citation:

This Bill may be cited as the Appropriation Act, 2021 (Amendment) Bill, 2022.

Committee Recommendation:

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

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

Chairman to report Bill.

(SENATE IN PLENARY)

The President of the Senate reported that the Senate in the Committee of Supply considered a Bill for an Act to Amend the Appropriation Act 2021 in Order to Extend the Implementation of the Capital Component from 31st March, 2022 to 31st May, 2022 and for Related Matters, 2022 and approved as follows:

Clauses 1-2

— As Recommended.

Question that the Senate do approve the Report of the Committee of Supply — Resolved in the Affirmative.

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

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

8. National Industrial Park (Establishment) Bill, 2022 (SB. 850):

Motion made: That a Bill for an Act to Establish the National Industrial Park as a mechanism for clustering of knowledge & innovation based industrial parks formations in Nigeria; and for Related Matters, 2022 be read the Second Time (*Senator Ibikunle O. Amosun — Ogun Central*).

Debate:

Question put and agreed to.

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

9. Federal College of Agriculture Ise-Orun, Ekiti State (Establishment) Bill, 2022 (SB. 964):

Motion made: That a Bill for an Act to Establish the Federal College of Agriculture Ise-Orun, Ekiti State to provide full-time courses of agriculture teaching, instruction and training in the sciences, social sciences, commerce, arts, applied sciences, management and humanities; and carry out research, innovation, development and adaptation of teaching techniques, and for Other Related Matters, 2022 be read the Second Time (*Senator Biodun C. Olujimi — Ekiti South*).

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committees on Tertiary Institutions and TETFUND; and Agriculture and Rural Development to report within four (4) weeks.

10. Federal University of Agriculture Ogoja, Cross River State (Establishment) Bill, 2022 (SB. 809):

Motion made: That a Bill for an Act to Establish the Federal University of Agriculture Ogoja, Cross River State and to make comprehensive provisions for its due management and administration and for Related Matters, 2022 be read the Second Time (*Senator Jarigbe A. Jarigbe — Cross River North*).

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committees on Tertiary Institutions and TETFUND; and Agriculture and Rural Development to report within four (4) weeks.

11. Committee on Tertiary Institutions and TETFUND:

Report on the Federal Polytechnic Orozo, Abuja (Establishment) Bill, 2022 (SB. 911):

Motion made: That the Senate do receive and consider the Report of the Committee on Tertiary Institutions and TETFUND on a Bill for an Act to Provide for the Establishment of the Federal Polytechnic Orozo, Abuja to Provide for Full-time Courses in Technology, Applied Sciences, Management, Administration and for Other Matters Connected Therewith, 2022 (*Senator Nora L. Daduut — Plateau South*).

Question put and agreed to.

Report Laid and Presented.

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

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF THE REPORT OF THE COMMITTEE ON TERTIARY INSTITUTIONS AND TETFUND ON A BILL FOR AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE FEDERAL POLYTECHNIC OROZO, ABUJA TO PROVIDE FOR FULL-TIME COURSES IN TECHNOLOGY, APPLIED SCIENCES, MANAGEMENT, ADMINISTRATION AND FOR OTHER MATTERS CONNECTED THEREWITH, 2022

PART I - ESTABLISHMENT AND FUNCTIONS OF THE

FEDERAL POLYTECHNIC OROZO, ABUJA AND ITS CONSTITUENT BODIES, ETC.

Clause 1:

Establishment of The Federal Polytechnic Orozo, Abuja.

[1] There is established The Federal Polytechnic Orozo, Abuja [in This Bill referred to as "the Polytechnic"].

[2]

The Polytechnic- [a] shall be a body corporate with perpetual succession and a common seal; and [b] may sue or be sued in its corporate name

Committee's Recommendation:

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

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

Clause 2:

Objects of the Polytechnic

[1] The Objects of the polytechnic shall be- [a] to provide full-time or part-time courses of instruction and training- [i] in technology, applied science, commerce and management; and [ii] in such other fields of applied learning relevant to the needs of the development of Nigeria in the area of industrial and agricultural production and adaptation of and for research in the development and adaptation of techniques as the Council may from time to time determine;

[b]

to arrange conferences, seminars and study groups relative to the fields of learning specified in paragraph [a] of this subclause [1];

[c]

to perform such other functions as in the opinion of the Council may serve to promote the objectives of the polytechnic.

[2]

Nothing in this clause shall preclude the government of a State or any of its agencies from setting up a polytechnic similar to any polytechnic established under this Bill.

Committee's Recommendation:

That the provision in Clause 2 be retained (Senator Nora L. Daduwi — Plateau South) — Agreed to.

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

- Clause 3: Constitution and Principal Officers of the Polytechnic**
- [1] There shall be established a Council for the Polytechnic [in this Bill referred to as "the Council"] which shall be a body corporate with perpetual succession and 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] the Rector of the Polytechnic;
 - [b] one representative of the Academic Board of the Polytechnic elected by the Board.
 - [c] one representative of National Information Technology Development Agency;
 - [d] one representative of universities [to be submitted by NUC];
 - [e] one representative of Professional Bodies [to be coordinated by NBTE];
 - [f] one representative of a Federal Utility Statutory Corporation;
 - [g] one representative of the community where the Polytechnic is situated [to be coordinated by the Polytechnic];
 - [h] one representative of the Minister charged with responsibilities for matters relating to polytechnics;
 - [i] one representative of the Permanent Secretary, Federal Ministry of Education [to be coordinated by the FME];
 - [j] one representative of the Permanent Secretary, Federal Ministry of Industry, Trade and Investment [to be coordinated by the NBTE];
 - [k] one representative of the State Ministry of Education;
 - [l] five [5] other persons, at least one of whom must be a woman to be selected each on personal merit based on contributions to development of industry, technology or commerce or special interest in technical education;
 - [m] the Registrar [non-member] shall be Secretary to the Governing Council.
- [3] The Chairman and members for the Council other than ex-officio members shall be appointed by the President on the recommendation of the Minister of Education.
- [4] The provision of the Schedule to this Bill shall have effect with respect to the proceedings of the Council and the other matters mentioned therein.

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:

Visitation

- [1] The Minister of Education shall be the Visitor to the Polytechnic.
- [2] The Visitor shall, not less than once in every five years, conduct a visitation of the Polytechnic or appoint a Visitation Panel, consisting of not less than five experts. To conduct the visitation-
- [a] for the purpose of evaluating the academic and administrative performance of the polytechnic;
- [b] for such other purpose or in respect of any other affairs of the polytechnic as the Visitor may deem fit.

Committee's Recommendation:

That the provision in Clause 4 be retained (Senator Nora L. Dadu — Plateau South) —
Agreed to.

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

Clause 5:

Registrar of the Polytechnic

- [1] There shall be a Registrar to each polytechnic who shall be responsible to the Rector for the day-to-day administration of the polytechnic and shall perform such other duties as the Council or, as the case may be, the Rector may from time to time require him/her to do.
- [2] The Registrar shall be the secretary to the Council, the Academic Board and any committee of the Council and shall attend all the meetings of those bodies unless excused for good reason by the chairman of the Council.
- [3] In the absence of the Registrar, the Chairman of the Council may, after consultation with the Rector, appoint a suitable person to act as secretary for any particular meeting of the Council.
- [4] The secretary to the Council or a person appointed to act under subclause [3] of this clause, shall not vote on any question before the Council or count towards a quorum unless he/she is so entitled as a member of the Council.

Committee's Recommendation:

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

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

Clause 6:

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 Rector 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, and in his/her absence, the Council or any such committee may appoint some other persons to act as Secretary. The Rector 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 Polytechnic;
 - [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 Polytechnic.

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: General Functions of the Governing Council

- [1] Subject to the provisions of this Bill, the Council:
- [a] shall be responsible for the general management of the affairs of the Polytechnic and in particular, the control of the property and finances of the Polytechnic;
 - [b] shall have power to do anything which in its opinion is calculated to facilitate the carrying out of activities of the polytechnic and promote its best interest;
 - [c] shall set up committees for the purpose of working on specific matters and making recommendations to the Board for necessary action;
 - [d] shall provide pieces of advice as may be necessary, for the interest of the Polytechnic on any matter referred to it;
 - [e] may enter into such contracts as may be necessary or expedient for carrying into effect the provisions of the Federal Polytechnics Act.
 - [f] shall perform such other functions as in the opinion of the Council may serve to promote the objectives of the Polytechnic.

[2] The Minister may give to the Polytechnic directives of a general character or relating generally to matters of policy with regard to the exercise by the Polytechnic of its functions under this Bill and it shall be the duty of the Polytechnic to comply with such directives.

Committee's Recommendation:
That the provision in Clause 7 be retained (Senator Nora L. Daduat — Plateau South) —
Agreed to.

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

Clause 8:

Powers of the Polytechnic

The Polytechnic shall have power to:
[a] award certificates for courses provided by it under clause 4 [1] [a] of this Bill;

[b] enter into such contracts as may be necessary or expedient for carrying into effect the provisions of this Bill;

[c] acquire, hold, lease, sell, mortgage or otherwise alienate or dispose of any property, movable or immovable;

[d] invest its funds in such manner and to such extent as it may deem necessary or expedient;

[e] establish and maintain a library, comprising such books, journals, records, reports and other publications and information systems as may be required for the discharge of the functions conferred on the Polytechnic by this Bill;

[f] accept gifts of land, money or other property upon such terms and conditions, if any, as may be specified by the person or organization making the gift; provided that the Polytechnic shall not accept any gift if the terms and conditions attached thereto are inconsistent with its functions under this Bill.

Committee's Recommendation:

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

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

Clause 9:

Appointment of The Rector

[1] The President shall appoint for the Polytechnic a Rector who shall be the chief academic and administrative officer of the Polytechnic.

[a] Where a vacancy occurs in the position of Rector, the Council shall advertise and follow such procedure as provided in clauses 8 [2], [3], [4] and [5] of the Federal Polytechnics Act.

[b] The Rector shall be responsible for:
[i] the day-to-day administration of the Polytechnic;

[ii] the exercise of general authority over the employees of the Polytechnic;

[iii] the discipline of students in the Polytechnic.

- [c] The Rector shall hold office for a single term of five [5] years from the effective date of his/her appointment and on such terms and conditions as may be determined by the Minister as set out in his/her letter of appointment.

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: Appointment of the Deputy Rector

The Deputy Rector shall be appointed by the Council as specified in clause 9 of the Federal Polytechnics Act.

- [a] The Deputy Rector shall assist the Rector in the performance of his/her functions and shall act in the place of the Rector when the Rector is absent or unable to perform his/her functions or when the position of Rector is vacant.
- [b] The Deputy Rector shall perform such other functions as the Rector may from time-to-time assign.
- [c] The Deputy Rector shall hold office for the period of two [2] years from the effective date of his/her appointment and on such terms and conditions as may be specified in the letter of appointment. He/she may be re-appointed for a further period of two [2] years and no more.

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: Appointment of the Bursar

The Bursar shall be appointed by the Council on recommendation of the Selection Board constituted under clause 9 [3] of the Federal Polytechnics Act.

- [a] The Bursar shall be the Chief Financial Officer of the Polytechnic and shall be responsible to the Rector for the day-to-day administration and control of the financial affairs of the polytechnic.
- [b] The Bursar shall hold office for a single term of five [5] years.

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: Functions of the Bursar and Tenure

- [1] The Bursar shall be the Chief Financial Officer of the Polytechnic and be responsible to the Rector for the day-to-day administration and control of financial affairs of the Polytechnic.
- [2] A Bursar shall hold office for a single term of [5] 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.

[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 Polytechnic;

[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 Polytechnic.

Committee's Recommendation:

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

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

Clause 13: Functions of the Polytechnic Librarian and Tenure

[1] The Polytechnic Librarian shall be responsible to the Bursar for the administration of the Polytechnic Library and co-ordination of the library services in the teaching units of the Polytechnic.

[2] A Polytechnic 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 Polytechnic 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 Polytechnic 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 Polytechnic;

[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 Polytechnic Librarian to complete his/her second term and thereafter he/she shall relinquish his/her post and be assigned other duties in the Polytechnic.

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: Resignation of Appointment of Principal Officers

- [1] Any officer mentioned in this Schedule may resign his/her office in:
 - [a] The case of the Chairman of the Governing Council, by notice to the Visitor;
 - [b] In the case of the Rector, 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.

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: Other Employees of the Polytechnic

- [1] The Council may appoint such other persons to be employees of the polytechnic as the Council may determine to assist the Rector and the principal officers of the polytechnic in the performance of their functions under this Bill.
- [2] The power to appoint all other employees of the polytechnic shall be exercised-
 - [a] in the case of senior employees, by the Council on the recommendation of the Appointment and Promotions Committee set up under the provisions of paragraph 3 [2] [a] of the Schedule to this Bill;
 - [b] in the case of junior employees, by the Rector on the recommendation of the Junior Staff Appointments and Promotions Committee constituted under paragraph 3 [2] [b] of the schedule to this Bill.
- [3] 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 capital territory Civil Service Commission.

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: Transfer of Land to the Polytechnic

- [1] For the purpose of the Land Use Act [which provides for the compulsory acquisition of land for public purposes] any purpose of the Polytechnic 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 Polytechnic.

Committee's Recommendation: That the provision in Clause 16 be retained (Senator Nora L. Dadun — Plateau South) — Agreed to.

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

Clause 17: Application of the Pensions Act [1] The Federal Civil Service Commission may by order published in the Federal Gazette declare the office of the Rector or any other person employed by the Council to be a pensionable office for the purposes of the Pensions Act.

[2] Nothing in the provisions of subclause [1] of this clause shall prevent the appointment of any person to any office on terms which preclude the grant of a pension or gratuity in respect of service in that office.

Committee's Recommendation: That the provision in Clause 17 be retained (Senator Nora L. Dadun — Plateau South) — Agreed to.

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

PART II - SUPERVISION AND DISCIPLINE

Clause 18: Removal from office of Members of the Council and the Rector [1] If it appears to the Council that a member [other than Chairman of the Governing Council or the Rector] should be removed from office on grounds of misconduct or inability to perform the functions of his/her office, the Council shall make a recommendation to that effect through the Minister to the Federal Executive Council and if the Federal Executive Council, after making such enquiries [if any] as may be considered necessary, approves the recommendation, it may direct the removal of the member from office.

Committee's Recommendation: That the provision in Clause 18 be retained (Senator Nora L. Dadun — Plateau South) — Agreed to.

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

Clause 19: Removal from office of a staff of the Polytechnic [1] If there are reasons for believing that any person employed as a member of the academic, administrative or technical staff of the polytechnic, other than the Rector, should be removed from office on the ground of misconduct or inability to perform the functions of his/her office, the Council shall: [a] give notice to the person of the reasons in question;

[b] afford him/her an opportunity to make representations in person on the matter to the Council; and carry out such investigations and actions pursuant to clause 17 [1] [c] of the Federal Polytechnics Act.

- [2] The Rector may, in a case of misconduct by a member of the staff which in the opinion of the Rector is prejudicial to the interests of the polytechnic, suspend such member and any such suspension shall forthwith be reported to the Council.
- [3] For good cause, any member of staff may be suspended from office or his, appointment may be terminated by the Council by virtue of its power pursuant to clause 171 [3] of the Federal Polytechnics Act.

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: Removal of Examiner

If, on the recommendation of the Rector or, it appears to the Academic Board that a person appointed as an examiner for any examination of the Polytechnic ought to be removed from his/her office or appointment, then, the Academic Board may, after affording the examiner an opportunity of making representations in person on the matter, direct the Rector to remove the examiner by an instrument in writing signed by the Registrar.

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: Discipline of Students

- [1] Subject to the provisions of this clause, where it appears to the Rector that any student of the polytechnic has been guilty of misconduct, the Rector may, without prejudice to any other disciplinary powers conferred on him/her by this Act or regulations made hereunder direct-
- [a] that the student shall not during such period as may be specified in the direction, participate in such activities of the polytechnic, or make use of such facilities of the polytechnic, as he/she may specify; or
- [b] that the 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 be suspended for such period as may be specified in the directions; or
- [d] that the student be expelled from the polytechnic.
- [2] Where there is temporarily no Rector or where the Rector refuses to apply any disciplinary measures, the Council, either directly or through some other staff, may apply such disciplinary actions as are specified in subclause [1] of this clause to any student of the polytechnic who is guilty of misconduct.
- [3] Where a direction is given under subclause [1] [c] or [d] of this clause in respect of any student, the student may, within a period of 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.

[4] The fact that an appeal from a direction is brought in pursuance of subclause [3] of this clause shall not affect the operation of the direction while the appeal is pending.

[5] The Rector may delegate his/her power under this clause to a disciplinary committee consisting of such members of the polytechnic as he/she may nominate.

[6] Nothing in this clause shall be construed as preventing the restriction or termination of a student's activities at the polytechnic otherwise than on the ground of misconduct.

[7] It is hereby declared that a direction under subclause [1] [a] of this clause may be combined with a direction under subclause [1] [b] of this clause.

[8] In all cases under this clause, the decision of the Council shall be final

Committee's Recommendation:

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

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

Clause 22:

Discipline of Junior Staff

[1] If any junior staff is accused of misconduct or inefficiency, the Rector may suspend him/her for not more than three months and forthwith shall direct the Junior Staff Appointments and Promotions Committee— [a] to consider the case; and [b] to make recommendations as to the appropriate action to be taken by the Rector.

[2] In all cases under this clause, the officer shall be informed of the charge against him/her and shall be given reasonable opportunity to defend himself.

[3] The Rector may, after considering the recommendation made pursuant to subclause [1] [b] of this clause, dismiss, terminate, retire or down-grade the officer concerned.

[4] Any person aggrieved by the Rector's decision under subclause [3] of this clause, may within a period of 21 days from the date of the letter communicating the decision to him, address a petition to the Council to reconsider his/her case and the Council's decision thereon shall be final.

[5] In any case of gross misconduct on the part of a junior staff, the Rector shall forthwith suspend him/her and thereafter refer the matter to the Junior Staff Appointments and Promotions Committee to be dealt with according to the foregoing provision of this clause.

Committee's Recommendation:

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

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

PART III - ACADEMIC BOARD

Clause 23: Establishment of Academic Board of the Polytechnic

- [1] There is established as an integral part of the Polytechnic an Academic Board which shall consist of:
- [a] the Rector of the Polytechnic;
 - [b] the Deputy Rector;
 - [c] the Registrar as secretary;
 - [d] the Librarian;
 - [e] Deans / Directors of Schools;
 - [f] Heads of Academic Departments / Units;
 - [g] not more than two [2] members of the academic staff other than Heads of Departments/Units, to be appointed by the Academic Board.
- [2] The Academic Board shall:
- [a] give the direction and management of academic matters of the polytechnic including the regulation of admission of students, the award of certificates and diplomas, school prizes and other academic distinctions;
 - [b] formulate and continuously evaluate the academic programme of the Polytechnic;
 - [c] make periodic reports to the Council on such academic matters as the Board may deem fit or as the Council may from time to time direct;
 - [d] the discharge of any other functions which the Council may delegate to it.
- [3] The Rector shall be the Chairman at the meeting of the Academic Board and in his/her absence the Deputy Rector shall preside at such meeting, but in the absence of both, the members present at the meeting shall appoint one of their number to preside at the meeting.
- [4] Subject to subclause [3] of this clause, the Academic Board shall have the power to regulate its own procedure.

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.

PART IV - FINANCIAL PROVISIONS

Clause 24: Funds of the Polytechnic

- [1] The Polytechnic shall establish and maintain a fund from which shall be defrayed all expenditure incurred by the Polytechnic in the performance of its functions under this Bill.

[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 Polytechnic by this Bill;

[g] any other amounts, charges or dues recoverable by the Polytechnic;

[h] revenue, from time to time, accruing to the Polytechnic by way of subvention;

[i] interests on investments;

[j] donations and legacies accruing to the Polytechnic from any source for the general or special purposes of the Polytechnic; and

[2] The general fund shall be applied for the purposes of the Polytechnic.

Committee's Recommendation:

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

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

Clause 25: Audits of Accounts

[1] Each Council shall keep proper accounts and proper records in relation thereto and shall cause to be prepared, not later than 1st October in each financial year, an estimate of its revenue and expenditure for the ensuing financial year and when prepared, the estimate shall be submitted to the National Board for Technical Education for approval.

[2] At the end of each financial year but not later than 30 June the Council shall cause to be prepared a statement of its income and expenditure during the previous financial year.

[3] The statement of accounts referred to in subclause [2] of this clause shall, when certified by the Rector, be audited by a firm of auditors appointed from the list and in accordance with the guidelines supplied by the Auditor-General of the Federation and shall be published in the annual report of the polytechnic

Committee's Recommendation:

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

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

Clause 26: Payment into Bank

Payment of all sums of money accruable to the Polytechnic except donations and gifts shall be made through the Federal Government recognized Remita online platform.

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: Donations for Particular Purposes

[1] Donations of money to be applied to any particular purpose shall be placed to the credit of a special reserve account approved by the Council until such time as they may be expended in fulfilment of such purpose.

[2] No Council shall be obliged to accept a donation for a particular purpose unless it approves of the terms and conditions attached to such donation

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: Payment Into Bank

All sums of money received on account of the Council shall be paid into such bank for the credit of the Council as may be approved by the Council.

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: Annual Report

The Council shall on or before 31 December in each year prepare and submit to the President through the Minister, a report of the activities during the preceding financial year and shall include in the report, the audited accounts of the polytechnic in respect of that financial year and the auditors' comments on the account.

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.

PART V - MISCELLANEOUS AND SUPPLEMENTARY**Clause 30: Power to Make Bye-Laws**

[1] The Council may make bye-laws relating to any matter within its competence under this Bill other than matters for which provision is to be made by standing orders pursuant to paragraph 7 of the Schedule to this Bill.

[2] All such bye-laws shall be in writing and shall come into force when sealed with the seal of the Council unless some other date for their commencement is prescribed therein.

[3] Nothing in subclause [2] of this clause, shall make it obligatory for the Council to publish any of the said bye-laws in the Federal Gazette but the Council shall bring such bye-laws to the notice of all affected thereby.

Committee's Recommendation:
That the provision in Clause 30 be retained (Senator Nora L. Dadu — Plateau South) —
Agreed to.

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

Clause 31: Power of the Minister for Directives and Visitation
[1] The minister shall have the power to give to the Council, such directives which are not inconsistent with the provision of this Bill and it shall be the duty of the Council to comply with such directives;

[2] The minister responsible for education shall be the visitor of the Polytechnic;

[3] The visitor shall, not less than one in every five years, conduct a visitation to the Polytechnic or appoint a visitation panel consisting of not less than five experts to conduct the visitation.

[4] The purpose of the visitation shall be to—
[a] assess the academic and administrative performance of the Polytechnic; and

[b] for such other purposes the visitor may deem fit.

Committee's Recommendation:
That the provision in Clause 31 be retained (Senator Nora L. Dadu — Plateau South) —
Agreed to.

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

Clause 32: Regulations
The Council may, with the approval of the Minister, make regulations for giving effect to the provisions of this Bill and without prejudice to the foregoing regulations shall provide:
[a] the entry into and the type of courses approved for the Polytechnic;

[b] the duration of the courses and academic standards; and

[c] the certificates, diplomas or degrees which may be awarded by the Polytechnic.

Committee's Recommendation:
That the provision in Clause 32 be retained (Senator Nora L. Dadu — Plateau South) —
Agreed to.

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

Clause 33: Interpretation
In this Bill, unless the context otherwise requires—
"The Academic Board" means the board established under clause 10 of this Bill;

"The Appointments and Promotions Committee" means a body by that name established under paragraph 3 [2] [a] of the Schedule to this Bill;

"Polytechnic" means the respective polytechnics set up under clause 1 of this Bill;

"The Junior Staff Appointments and Promotion Committee" means a body by that name set up under paragraph 3 [2] [b] of the Schedule to this Bill;

"The Minister" means the Minister charged with responsibility for matters relating to technical education;

"The Registrar" means the Registrar of each polytechnic appointed under clause 4 [1] of this Bill.

"Council" means governing body of the Polytechnic established under clause 2 of this Bill;

"Visitor" means Minister of Education;

"Property" includes rights, liabilities and obligations;

"Polytechnic" means The Federal Polytechnic Orozo established under clause 1 of this Bill;

"Staff" means all persons employed by the Council to serve at the Institute

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: Short title

This Bill may be cited as the Federal Polytechnic Orozo, Abuja (Establishment) Bill, 2022.

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.

SCHEDULE

SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

1. Terms 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.
 - [2] Members of the Council holding office as specified in paragraph 1 [1] of this Schedule, shall be paid remuneration or allowance in accordance with rates specified from time to time by the National Council of Ministers.
 - [3] A member of the Council holding office as specified in paragraph 1 [1] of this Schedule may by notice in writing to the Minister resign his/her office.

2.

Appointment of Committees

[1] The Council may appoint one or more committees to which it may delegate any of its functions.

[2] Without prejudice to the generality to sub-paragraph [1] of this Schedule, the Council shall appoint the following committees, that is-
[a] the Appointments and Promotions Committee which shall without prejudice to clause 7 [4] of this Bill -
[i] consist of a chairman to be appointed by the Rector from members of the senior staff of the polytechnic and four other members who shall be appointed by the Council;

[ii] be charged with the responsibility for making recommendations to the Council on the appointment and promotion of the academic and senior staff of the polytechnic and have a quorum of three members;

[b] the Junior Staff Appointments and Promotions Committee which shall consist of a chairman and four other members to be appointed by the Council and shall have the powers set out in clauses 7 [5] and 14 of this Bill;

[c] the Committee on Students' Affairs which shall consist of the following members-
[i] a chairman who shall be appointed by the Rector from among the senior employees of the polytechnic;

[ii] one member of the Council;

[iii] two members of the academic staff of the polytechnic; and
[iv] four students of the polytechnic,

[a] considering any matter which relates to the welfare of students;
[b] any other matter referred to it by either the Council or students of the polytechnic;
[c] any matter which the students wish to refer to the Council shall be referred to the Committee on Students' Affairs in the first instance.

[3] No decision of a committee shall have effect unless it is confirmed by the Council.
[4] The Chairman of the Governing Council and the Rector 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 Rector shall be a member of every committee of which the members are wholly or partly appointed by the Academic Board

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 -
- [i] Every question put before the Council at a meeting shall be decided by a simple majority of the members present and voting.
- [ii] Seven members shall form a quorum at any meeting of the Council.
- [iii] 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.
- [5] 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.
- [6] 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 Any contract or instrument which if entered into by a person not being a body corporate would not be required to be under seal, may in like manner be entered into or executed on behalf of the Council by any person generally or specifically authorised by it for that purpose.
5. Composition and Functions of management Committee, School and Departmental Boards:
- [a] there shall be a Management committee made up of all the Principal Officers of the Polytechnic, all Deans and Directors in the Polytechnic;
- [i] the rector shall be the Chairman of the Management Committee; and
- [ii] the Management Committees shall meet at least once in a month to discuss and take decisions on matters of general interest to the Polytechnic.
- [b] there shall be a School Board for each school in the Polytechnic made up of all the Academic Staff;
- [i] the School Board deal with academic matters and any other matter of interest to the school or any matter assigned to it by the council, the rector or the Academic Board;
- [ii] the Dean shall be the chairman of the School Board; and
- [iii] the Dean shall be elected from among the Academic Staff not below the rank of Chief Lecturer in that School for a tenure of three years and not immediately renewable.
- [c] there shall be a Departmental Board for each Department in the Polytechnic made up of all the Academic Staff in that Department;
- [i] the Departmental Board shall deal with academic matters and any other matter of interest to the Department
- [ii] the Head of Department shall be chairman of the Departmental Board; and

[iii] the Head of Department shall be elected from among the Academic Staff not below the rank of Senior Lecturer in that department for a tenure of three years and not immediately renewable.

[d] where there is no qualified candidate for the position of dean or Head of Department, the Rector shall appoint an Acting Dean not below the rank of Senior Lecturer or Acting Head of Department not below the rank of Lecturer I for a period of one year in the first instance and renewable once and no more.

[e] Nothing in this Bill shall prevent the management Committee and Boards from making supplementary rules to guide their proceedings provided such rules are not inconsistent with the provisions of this Bill

6. Establishment of the Congregation
There shall be for the polytechnic, a Congregation made of both Academic and Senior Non-Teaching staff, who holds at least first degree or its equivalent; [a] the Rector shall be the Chairman of the Congregation; and [b] the Congregation shall meet at least once in a year.

7. Common Seal
[1] The common seal of the Council shall not be used or affixed to any document except in pursuance of a resolution duly passed at a properly constituted meeting of the Council and recorded in the minutes of such meeting.

[2] The fixing of the seal of the Council shall be authenticated by the signature of the Chairman of the Council and some other member authorised generally or specifically by the Council to act for that purpose.
[3] Any document purporting to be a document duly executed under the seal of the Council shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed.

8. Contract and Agreement
Any member of the Council or a committee thereof who has a personal interest in any contract or arrangement entered into or proposed to be considered by the council or a committee thereof, shall forthwith disclose his/her interest to the Council and shall not vote on any question relating to such contract or arrangement.

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

Chairman to report Bill.

(SENATE IN PLENARY)

The President of the Senate reported that the Senate, in the Committee of the Whole, considered the Report of the Committee on Tertiary Institutions and TETFUND on a Bill for an Act to Provide for the Establishment of the Federal Polytechnic Orosi, Abuja to Provide for Full-time Courses in Technology, Applied Sciences, Management, Administration and for Other Matters Connected Therewith, 2022 and approved as follows:

Clauses 1-34 — 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.

12. Committee on Tertiary Institutions and TETFUND:

Report on the National Commission for Colleges of Education Act, No.3 1989 (Repeal & Re-enactment) Bill, 2022 (SB. 934):

Motion made: That the Senate do receive and consider the Report of the Committee on Tertiary Institutions and TETFUND on a Bill for an Act to Repeal the National Commission for Colleges of Education, Act No. 3 of 1989 and Enact the National Commission for Colleges of Education and for Other Matters Connected Therewith, 2022 (*Senator Nora L. Daduut — Plateau South*).

Question put and agreed to.

Report Laid and Presented.

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

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF THE REPORT OF THE COMMITTEE ON TERTIARY INSTITUTIONS AND TETFUND ON A BILL FOR AN ACT TO REPEAL THE NATIONAL COMMISSION FOR COLLEGES OF EDUCATION, ACT NO. 3 OF 1989 AND TO ENACT THE NATIONAL COMMISSION FOR COLLEGES OF EDUCATION AND FOR OTHER MATTERS CONNECTED THEREWITH, 2022

**PART I - ESTABLISHMENT OF NATIONAL COMMISSION
FOR COLLEGES OF EDUCATION**

Clause 1: Establishment of National Commission for Colleges of Education

There is hereby established a body to be known as the National Commission for Colleges of Education [hereafter in this Bill referred to as "the Commission"] which shall be a body corporate with perpetual succession and a common seal and may be sue and be sued in its corporate name.

Committee's Recommendation:

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

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

Clause 2: Governing Board of the Commission

[1] There shall be established for the Commission a governing Board which shall consist of a Chairman and the following other members, that is-

[a] three members to represent the Committee of Provost and Principals of Colleges [whether known by such a name or by any other name] in such way that one shall be appointed to represent technical teacher education and one to represent special teacher education.

[b] on representative of Polytechnic and colleges of Technology offering teacher education courses.

[c] four members from the College of Education in Nigeria chosen in such a way that each of the disciplines of science, humanities, education and technology is represented.

[d] one representative of National organizations representing women's interest knowledgeable in teacher education.

[e] one representative each of the following Ministries and bodies that is-

[i] the Federal Ministry of Education

[ii] the Federal Ministry of Finance and Economic Development

[iii] the Federal Ministry of Science and Technology; and

[iv] the National Manpower Board

[f] four members appointed on individual merit on a nationwide basis having special knowledge and experience in teacher education;

[g] one representative of the Nigerian Union of Teachers

[h] two representatives of the Universities to which college of education are affiliated to be appointed in such a way that one will represent the States College of Education and the Federal College of Education;

[i] three representatives of the State Ministries of Education to represent the States in rotation for two years at a time, in such a way that at any given time there will be even geographical spread within the country;

[j] one representative of the National Board for Technical Education

[k] one representative of the Nigerian Academy of Education

[l] The Executive Secretary who shall be an ex-officio member of the Board but shall not have the right to vote at the meeting of the Board.

[2] The Chairman and other members of the Board other than the members under paragraphs [e], [i] and [j] of subclause [1] of this clause shall be appointed by the President, Commander-in-Chief of the Armed Forces.

[3] The supplementary provisions contained in the Schedule to this Degree shall have effect with respect to the proceedings of the Board and the other matters mentioned therein.

Committee's Recommendation:

That the provision in Clause 2 be retained (Senator Nora L. Dadu — Plateau South) — Agreed to.

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

Clause 3: Tenure of Office

- [1] Subject to the provisions of this Bill, the Chairman and other members who are not public officers, shall serve for a period of three years from the date of their appointments and shall be eligible for re-appointment for another term of three years.
- [2] Any member, not being a public officer, may resign his appointment by a notice in writing under his hand addressed to the Minister.
- [3] Public officers shall be members of the Board at the pleasure of the Minister of the Ministry they represent.
- [4] Members of the Board, not being a public officer, shall be paid such remuneration and allowance as the Federal Government of Nigeria may from time to time determine.

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: Removal from Office of Member of the Board.

- [1] The Minister may at any time remove any member of the Board from office if the Minister is of the opinion that is not in the best interest of this Commission for the member to continue in office and shall inform the members in writing to that effect through the Chairman
- [2] Where the Board is satisfied that the continued presence on the Board of a member is not in the national interest or the interest of the Commission, the Board may recommend to the Minister that the member concerned be removed from his office.

Committee's Recommendation:

That the provision in Clause 4 be retained (*Senator Nora L. Daduut — Plateau South*) — Agreed to.

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

Clause 5: Functions of the Commission

The Functions of the Commission shall be to-

- [a] advise the Federal Government of Nigeria through the Minister and co-ordinate all aspects of Teacher Education falling outside the universities and polytechnics;
- [b] make recommendations on the national policy necessary for the full development of Teacher Education and the training of teachers;
- [c] lay down minimum standards for all programmes of Teacher Education and accredit their certificates and other academic awards after obtaining thereof prior approval of the Minister;
- [d] approve guidelines setting out criteria for accreditation of all Colleges of Education in Nigeria;

[e] determine, after consultation with the National Manpower Board and other bodies it considers appropriate, the qualified teachers need of the country for the purpose of planning training facilities and in particular prepare periodic master plans for the balanced and co-ordinated development of college of education and such plans shall include: -

[i] the general programmes to be pursued by Colleges of Education in order to maximize the use of available facilities and avoid unnecessary duplication while ensuring that they are adequate to manpower needs of the country;

[ii] recommendation to the Minister for the establishment and location of new colleagues of education as and when considered necessary;

[iii] recommendation to the Minister for up-grading of any college of education to or de-recognition of any college of education as a degree awarding institution.

[f] inquire into and advise the Federal Government of Nigeria on the financial needs, both recurrent and capital, of colleges of education to enable them meet the objectives of producing the trained qualified teacher of the country;

[g] receive block grants from the Federal Government of Nigeria and allocate them to colleges of education in accordance with such formula as may be laid down, from time to time by the Federal Executive Council.

[h] set as agency for channeling all external aids to college of education in Nigeria.

[i] advise on, and take steps to harmonize entry requirements and duration of courses at the colleges of education;

[j] lay down standards to be attained and continually review such standards.

[k] review methods of assessment of students and trainees and develop a scheme of national certification for the various products of college of education in collaboration with the Ministries of Education and Universities to which the college are affiliated;

[l] undertake periodic reviews of the terms and condition of service of personnel in colleges of education and make recommendations thereon through the Minister of the Federal Government of Nigeria;

[m] collate, analyze and publish any published information relating to teacher education in Nigeria;

[n] consider any matter pertaining to teacher education as may be referred to it, from time to time, by the Minister; and

[o] Carry out such other activities as are conducive to the discharge of its functions under this Bill.

Committee's Recommendation:

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

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

Clause 6: Supplementary Function of the Commission

In its role of advising on all aspects of teacher education, the Commission shall make recommendation as to how best to: -

- [a] stimulate and encourage pre-vocational technical, agricultural business and home economics education as such other additional subjects considered necessary by the authority, as the case may be, in the primary schools and in junior and senior secondary schools not only as a basis for creating early technological awareness, but also to provide suitable orientation for further education and training in technology and direct practical skills for earning a living
- [b] advise on and take measures to improve the immediate and long term prospects of technical and business education teachers with respect to status and remuneration
- [c] expand the facilities for the training of technical and business education teachers and ensure that these teachers are exposed, both during and after training to practical experience
- [d] involve experts both in government and industry in the design of courses relevant for technical and pre-vocational courses; and
- [e] Provide encouragement for women to enter a wide range of pre-vocational courses in technical teacher education.

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: Appointment of the Executive Secretary to the Commission

- [1] There shall be appointed by the President, Commander-in-Chief of the Armed Forces on the recommendation of the Minister, an Executive Secretary to the Commission who shall have appropriate qualification and experience in teacher education.
- [2] The Executive Secretary shall be the Chief Executive of the Commission and shall be responsible for the execution of the policy of the Commission and the day to day running of the affairs of the Commission.
- [3] The Executive Secretary shall hold office for a single term of five [5] years
- [4] Subject to this clause, the Executive Secretary shall hold office on such terms as to emolument and otherwise as may be specified in the letter of appointment as approved by the Federal Executive Council.

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:

Other Employees of the Commission

[1] The Commission may appoint other employee of the Commission to assist the Executive Secretary in the exercise of his functions under this Bill

[2] The remuneration and tenure of office of the other employees of the Commission shall be determined by the Commission after consultation with the Minister.

[3] Notwithstanding the provisions of subclause [1] of this clause, employees of the Commission may be appointed by the Commission by way of transfer or secondment from any of the public services in the Federation.

[4] Notwithstanding—
[a] Any other provision elsewhere, staff of the Commission shall retire from service on attaining the age of 65 years at birth.

[b] That staff of the Commission shall enjoy same emoluments and allowances as obtained by the staff of the Federal Colleges of Education.

[c] The Commission may appoint a Deputy Executive Secretary and such other persons to be officers and servants of the Commission, to assist the Executive Secretary in the exercise of his functions.

[d] The remuneration and tenure of office of the Deputy Executive Secretary and the other officers and servants of the Commission, shall be determined by the Commission after consultation with the Minister of Education or Minister responsible for establishments

[e] Notwithstanding the provisions of subclause [1] of this clause, the Deputy Executive Secretary or any of the other officers and servants of the Commission, may be appointed by the Commission by way of transfer or secondment from any of the public services in the Federation.

Committee's Recommendation:

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

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

Clause 9:

Application of Pensions Act, [1979 No 102]

[1] It is hereby declared that services in the Commission shall be questionable under the Pensions Act 1979, and accordingly, employees of the Commission shall, in respect of their services in the Commission be entitled to pensions, gratuities and other retirement benefits as are prescribed thereunder.

[2] Notwithstanding the provisions of subclause [1] of this clause, 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.

- [3] For the purpose of the application of the Pension Act 1979, any power exercisable thereunder by the Minister or authority of the Federal Government of Nigeria [not being the power to make regulations under clause 23 thereon] is hereby vested in and shall be exercised by the Commission and not by any other person or authority.
- [4] Subject to subclauses [2] of this clause the Pensions Act shall in its application by virtue of the subclause [3] of this clause to any office, have effect as if the office were in the civil service of the Federation within the meaning of the Constitution of the Federal Republic of Nigeria 1979.

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: National Commission for Colleges of Education Fund

- [1] There shall be established by the Commission a fund to be known as the National Commission for Colleges of Education Fund [hereafter in this clause referred to as "the fund"].
- [2] There shall be paid and credited to the fund established in pursuance of subclause [1] of this Clause: -
- [a] such sums as may be made available to the Commission for allocation of colleges of education in pursuance of Paragraph [g] of clause 5 of this Bill; and
- [b] such other sums as may from time to time be credited to the fund by way of payment of the principal and interest on and other charges in respect of nay loan made out of the fund and also any interest from investments made from the fund.
- [3] The fund shall be managed in accordance with guidelines given by the Minister of Finance; and without prejudice to the generality of the power to give guidelines under this subclause, the guidelines shall in particular contain provisions: -
- [a] specifying the manner in which the assets of the fund are to be held and regulating the making of payments into and out of the fund;
- [b] requiring the keeping of proper accounts and records for purpose of the fund in such form as may be specified in the guidelines;
- [c] requiring copies of the accounts to be audited periodically by the Auditor-General of the Federation; and
- [d] Requiring copies of accounts and of the auditor's report on them to be furnished to the Federal Executive Council through the Minister.

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:

Maintenance of Separate Fund by the Commission

[1] The Commission shall establish and maintain a separate fund from which shall be defrayed all expenditures and incurred by the Commission other than such expenditure as may be incurred pursuant to clause 10 of this Bill.

[2] There shall be paid and credited to the fund established in pursuance of subclause [1] of this clause such payments as may be made to the Commission by the Federal Ministry of Education for the running expense of the Commission and all other payments or moneys from time to time accruing to the Commission otherwise than pursuant to clause 10 of this Bill.

Committee's Recommendation:

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

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

Clause 12:

Expenditure of the Commission

The Commission may, from time to time, apply the proceeds of the fund established in pursuance of clause 11 [1] of this Bill: -

- [a] to the cost of administration of the Commission;
- [b] to the payment of the salaries, fees or other remuneration or allowances and pensions, superannuation, allowances and gratuities payable to members or employees of the Commission, so however that no payment of any kind under this paragraph shall be made to any person who is receipt of emoluments from the Government of the Federation or a State;
- [c] for the maintenance of any property vested in the Commission; and
- [d] for and in connection with any of its functions under this Bill.

Committee's Recommendation:

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

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

Clause 13:

Annual Estimates and Accounts

[1] The Board shall submit to the Minister not later than 30th September in each year an estimate of its expenditure and income during the next succeeding year.

[2] The Board shall keep proper accounts in respect of each year [and proper records in relation thereto] and shall cause the accounts to be audited by an auditor appointed from the list and in accordance with the guidelines supplied by the Auditor-General of the Federation.

Committee's Recommendation:

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

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

Clause 14: Reports

The Board shall prepare and submit to the Federal Executive Council through the Minister, not later than 30th June in each year, a report in such form as he may direct on the activities of the Commission on or during the immediate preceding year; and shall include in such report a copy of the audited accounts of the Commission for that year and the Auditor-General's report thereon.

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 to Obtain Information

[1] For the purpose of carrying out the functions conferred on the Commission under this Bill, the Executive Secretary or any other officer authorized in that behalf: -

[a] shall have a right of access to all the records of any institution to which this Bill applies; and

[b] may by notice in writing served on any person in charge of any such institution require that person to furnish information on such matters as may be specified in that notice.

[2] It shall be the duty of any person required to furnish information pursuant to subclause [1] of this clause to comply with the notice within a reasonable period of time.

[3] In this clause, the reference to an institution which this Bill applies a reference to any college of education or institution for the production of teachers.

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: Power of Minister to Give Directives to the Commission

Subject to the provisions of this Bill, the minister may give to the commission directives of a general character or relating generally to matter of policy with regards to the exercise by the Commission of its functions and it shall be the duty of the Commission to comply with such directives

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: Interpretation

"Chairman" means the chairman of the Commission;

"Commission" means the National Commission for Colleges of Education established by clause 1 of this Bill;

"Executive Secretary" means the person appointed as the executive Secretary to the commission in pursuance of clause 6 [1] of this Bill;

“Member” means a member of the Commission and includes the Chairman;
 “Minister” means the Minister charged with responsibility for education;

Committee's Recommendation:
 That the provision in Clause 17 be retained (Senator Nora L. Daudu — Plateau South) —
 Agreed to.

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

Clause 18: Repeal
 This Bill Repeals the National Commission for Colleges of Education Act,
 No. 3 of 1989.

Committee's Recommendation:
 That the provision in Clause 18 be retained (Senator Nora L. Daudu — Plateau South) —
 Agreed to.

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

Clause 19: Short Title
 This Bill may be cited as National Commission for Colleges of Education
 [Repeal and Re-enactment] Bill, 2022.

Committee's Recommendation:
 That the provision in Clause 19 be retained (Senator Nora L. Daudu — Plateau South) —
 Agreed to.

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

SCHEDULE

SUPPLEMENTARY PROVISIONS RELATING TO THE PROCEEDING OF THE BOARD

1. Supplementary Provisions Relating to the Proceeding of the Board
 [1] Subject to This Bill and clause 26 of the Interpretation Act 1964 [which
 provides for decisions of a statutory body to be taken by a majority of its
 members and for the Chairman to have a second or casting vote], the Board
 may make standing orders regulating the proceedings of the Board or any
 committee thereof.

[2] Every meeting of the Board shall be prescribed over by the Chairman of if the
 Chairman is unable to attend a particular meeting, the members present at the
 meeting shall elect one of their number to preside at the meeting.

[3] the quorum at a meeting of the Board shall consist of the Chairman [or on an
 appropriate case, the person presiding at the meeting pursuant to paragraph 2
 of this Schedule] and eight other members.

[4] Where upon any special occasion, the Board desires to obtain the advice of
 any person on any particular matter, the Board may co-opt that person to be
 member for as many meetings as may be necessary, and that person while
 co-opted shall have all the rights and privilege of a member, except that he
 shall not be entitled to vote or count towards a quorum.

[5] Subject to its standing orders:-
 [a] the Board may appoint such member of standing and ad-hoc
 committee as it thinks fit to consider and report on any matter with
 which the Board is concerned.

- [b] Every committee appointed under the provisions of sub-paragraph [1] of this paragraph shall be presided over by a member of the Board and shall be made up of such number of persons, not necessarily members of the board as the Board may determine in each case.
- [6] The Decision of a committee shall be of no effect until confirmed by the Board.
- [7] The Fixing of the seal of the Commission shall be authenticated by the signature of the Chairman or of the Executive Secretary of the Commission
- [8] Any contract or instalment which if made by a person not being a body corporate would not be required to be under seal may be or executed on behalf of the Commission by the Executive Secretary or by any other person generally or specifically authorised to act for that purpose by the commission.
- [9] any document purporting to be a contract instrument or other document signed or sealed on behalf of the Commission shall be received in evidence and unless the contrary is proved, be presented without further proof to have been no signed or sealed
- [10] the validity of any proceedings of the Board or a committee thereof shall not be adversely affected-
- [a] by any vacancy in the membership of the Board or Committee; or
- [b] by any defect in the appointment of a member of the Board or committee; or
- [c] by reason that a person not entitled to do so took part in the proceedings.
- [11] Any member of the Board or a committee thereof who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Board of Committee shall forthwith disclose his interest to the Board or committee and shall not vote on any question relating to the contract or arrangement

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

Chairman to report Bill.

(SENATE IN PLENARY)

The President of the Senate reported that the Senate, in the Committee of the Whole, considered the Report of the Committee on Tertiary Institutions and TETFUND on a Bill for an Act to Repeal the National Commission for Colleges of Education, Act No. 3 of 1989 and Enact the National Commission for Colleges of Education and for Other Matters Connected Therewith, 2022 and approved as follows:

Clauses 1-19 — As Recommended

Schedule — As Recommended

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

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

13.

Bill accordingly Read the Third Time and Passed.

Committee on Health (Secondary & Tertiary):
Report on the Federal University of Medical Sciences and Biomedical Technology Bill, 2022 (SB. 678):
Motion made: That the Senate do receive and consider the Report of the Committee on Health (Secondary & Tertiary) on a Bill for an Act to Provide for the Establishment of Federal University of Medical Sciences and Bio-medical Technology in Six Geo-political Zones and for Matters Connected Therewith, 2022 (Senator Yahaya I. Oloriegbe — Kwara Central).

Question put and agreed to.

Report Laid and Presented.

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

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF THE REPORT OF THE COMMITTEE ON HEALTH (SECONDARY AND TERTIARY) ON A BILL FOR AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF FEDERAL UNIVERSITY OF MEDICAL SCIENCES AND BIO-MEDICAL TECHNOLOGY IN SIX GEO-POLITICAL ZONES AND FOR MATTERS CONNECTED THEREWITH, 2022

PART I — ESTABLISHMENT OF THE FEDERAL UNIVERSITIES OF MEDICAL SCIENCES & BIO-MEDICAL TECHNOLOGY

Clause 1: Establishment of Federal Universities of Medical Sciences and Biomedical Technology.

(1) There is hereby established, a body to be known as the Federal Universities of Medical Sciences and Biomedical Technology (in this Bill referred to as "the Universities").

(2) There is hereby established as provided by this Bill 18 Federal Universities of Medical Sciences and Biomedical Technology at 3 per Geo-Political zone of the federation as follows —

a. NORTH-EAST
Federal University of Medical Sciences and Bio-Medical Technology, GASHUA, Yobe State.

Federal University of Medical Sciences and Bio-Medical Technology, AZARE, Bauchi State.

Federal University of Medical Sciences and Bio-Medical Technology, TAKUM, Taraba State.

b. NORTH-WEST
Federal University of Medical Sciences and Bio-Medical Technology, DANGE/Shuni LGA, Sokoto State.

Federal University of Medical Sciences and Bio-Medical Technology, KABO, Kano State.

Federal University of Medical Sciences and Bio-Medical Technology, MALUMFASHI, Katsina State.

- c. NORTH-CENTRAL
Federal University of Medical Sciences and Bio-Medical Technology, OTUKPO, Benue State.

Federal University of Medical Sciences and Bio-Medical Technology, SULEJA, Niger State.

Federal University of Medical Sciences and Bio-Medical Technology, OKUTA, Kwara State.

- d. SOUTH-EAST
Federal University of Medical Sciences and Bio-Medical Technology, UMUAWULU, Anambra State.

Federal University of Medical Sciences and Bio-Medical Technology, IGBERE, Bende LGA, Abia State.

Federal University of Medical Sciences and Bio-Medical Technology, NKALAGU, Ebonyi State.

- e. SOUTH-WEST
Federal University of Medical Sciences and Bio-Medical Technology, ITAOGBOLU, Ondo State.

Federal University of Medical Sciences and Bio-Medical Technology, IYIN EKITI, Ekiti State.

Federal University of Medical Sciences and Bio-Medical Technology, ABEOKUTA, Ogun State.

- f. SOUTH-SOUTH
Federal University of Medical Sciences and Bio-Medical Technology, ABUDU, Edo State.

Federal University of Medical Sciences and Bio-Medical Technology, BOMADI, Delta State.

Federal University of Medical Sciences and Bio-Medical Technology, ABUA, Rivers State.

- (2) Each University shall be a body corporate with perpetual succession and a common seal, and may sue or be sued in its corporate name.

- (3) Each University may acquire, hold and dispose of movable and immovable property for the purpose of its functions.

Committee's Recommendation:

That the provision in Clause 1 be retained (*Senator Yahaya I. Oloriegbe — Kwara Central*) — *Agreed to.*

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

Clause 2: Objects of the University.

The objects of each University shall be to —

(a) encourage the advancement of learning and to hold out to all persons without distinction of race, creed, sex or political conviction, the opportunity of acquiring a higher education in Medical Sciences and Biomedical Technology;

(b) develop and offer academic and professional programmes leading to the award of diplomas, first degrees, post-graduate research and higher degrees which emphasize planning, adaptive, technical, maintenance, developmental and productive skills in the field of Medicine, Medical Research and Biomedical Technology, and allied professional disciplines with the aim of producing socially mature men and women with capability not only to understand, use and adapt existing knowledge in Medical Sciences and Biomedical Technology but also to improve on it and develop new ones;

(c) act as agents and catalysts, through post-graduate training, research and innovation for the effective and economic utilization, exploitation and conservation of the country's natural, economic and human resources;

(d) offer to the general population, as a form of public service, the results of training and research and to foster the practical applications of these results;

(e) establish appropriate relationships with other national institutions involved in training, research and development in the field of Medical Sciences and Biomedical Technology;

(f) identify the technological problems and needs of the society and to find solutions to them within the context of overall national development;

(g) provide and promote sound basic Medical Scientific and Biomedical Technology Training as a foundation for the development of Medical Technology and applied sciences, taking into account indigenous culture and the need to enhance national unity; and

(h) undertake any other activities appropriate for a University of Medical Sciences of the highest standard.

Committee's Recommendation:

That the provision in Clause 2 be retained (*Senator Kahaya I. Oloriegbe — Kwara Central* — Agreed to.

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

Clause 3:

Constitution and Principal Officers of each University.

(1) Each Federal University of Medical Sciences and Biomedical Technology shall consist of —
(a) a Chancellor;

(b) a Pro-Chancellor and a Council;

(c) a Vice-Chancellor and a Senate;

(d) a body to be called Congregation;

(e) the campuses and colleges of the University;

- (f) the schools, institutes Teaching Hospitals and other teaching and research units of the University;
 - (g) the persons holding the offices constituted by the First Schedule to this Bill other than those mentioned in paragraphs (a) to (c) of this subsection;
 - (h) all graduates and undergraduates of the University; and
 - (i) all other persons who are members of the university in accordance with provisions made by statute in that behalf.
- (2) The First Schedule to this Bill shall have effect with respect to the Principal officers of each University therein mentioned.

[First Schedule.]

- (3) Subject to section 6 of this Bill, provision shall be made by statute with respect to the constitution of the Council, the Senate, Congregation and Convocation.

Committee's Recommendation:

That the provision in Clause 3 be retained (*Senator Yahaya I. Oloriegbe — Kwara Central*)
— *Agreed to.*

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

Clause 4: Powers of each University and their excise.

- (1) For the carrying out of its objects as specified in section 2 of this Bill each University shall have power to —
- (a) establish such campuses, colleges, institutes, schools, extra-mural departments and other teaching and research units within the University as may from time to time be deemed necessary or desirable subject to the approval of the National Universities Commission;
 - (b) institute Professorships, Readerships or Associate Professorships, Lecture-ships, and other posts and offices and to make appointments thereto;
 - (c) institute and award fellowships, scholarships, exhibitions, bursaries, medals, prizes and other titles, distinctions, awards and forms of assistance;
 - (d) provide for the discipline and welfare of members of the University;
 - (e) hold examinations and grant degrees, diplomas, certificates and other distinctions to persons who have pursued a course of study approved by the University and have satisfied such other requirements as each University may lay down;
 - (f) grant honorary degrees, fellowships or academic titles;
 - (g) demand and receive from any student or any other person attending the University for the purpose of instruction, such fees as the University may from time to time determine subject to the overall directive of the Minister;

(h) subject to section 20 of this Bill, to acquire, hold, grant, charge or otherwise deal with or dispose of movable and immovable property wherever situated;

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

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

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

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

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

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

(o) make gifts for any charitable purpose;

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

(q) do all such Bills or things, whether or not incidental to the foregoing powers, as may advance the objects of the University.

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

(3) The power of the University to establish further campuses and colleges within the University shall be exercisable by statute and not otherwise.

Committee's Recommendation:

That the provision in Clause 4 be retained (Senator Yahaya I. Oloriegbe — Kwara Central) — Agreed to.

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

Clause 5: Functions of the Chancellor and Pro Chancellor.

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

Committee's Recommendation:

That the provision in Clause 5 be retained (*Senator Yahaya I. Oloriegbe — Kwara Central*)
— *Agreed to.*

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

Clause 6: Composition of the Council of each University.

- (1) The Council of each University shall consist of —
 - (a) the Pro-Chancellor;
 - (b) the Vice-Chancellor;
 - (c) the Deputy Vice-Chancellor;
 - (d) one person from the Ministry responsible for education not below the rank of a Director;
 - (e) nine persons representing a variety of interests and broadly representative of the whole Federation to be appointed by the President;
 - (f) four persons appointed by the Senate from among its members;
 - (g) two persons appointed by Congregation from among its members;
 - (h) one person appointed by Convocation from among its members; and
 - (i) one person from the Ministry of Health not below the rank of a Director.

Committee's Recommendation:

That the provision in Clause 6 be retained (*Senator Yahaya I. Oloriegbe — Kwara Central*)
— *Agreed to.*

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

Clause 7: Establishment and functions of the Council and its Finance and General Purposes Committee.

- (1) Subject to the provisions of this Bill relating to the Visitor, the Council shall be —
 - (a) the governing body of the University; and

(b) charged with the general control and superintendence of the policy, finance 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 subsection (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 directions 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 subsection (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 Yahaya I. Oloriegbe — Kwara Central*) — Agreed to.

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

Clause 8: Functions of the Senate.

- (1) Subject to section 7 of this Bill and subsections (3) and (4) of this section and to the provisions of this Bill relating to the Visitor, it shall be the general function of the Senate to organise and control the teaching by the University, the admission of students where no other enactment provides to the contrary and the discipline of students; and to promote research at the University.
- (2) Without prejudice to the generality of subsection (1) of this section and subject as there mentioned, it shall in particular be the function of the Senate to make provision for —
 - (a) the establishment, organisation and control of campuses, colleges schools, institutes and other teaching and research units of the University and the allocation of responsibility for different branches of learning;
 - (b) the organisation and control of courses of study at the University and of the examinations held in conjunction with those courses, including the appointment of examiners, both internal and external;
 - (c) the award of degrees, and such other qualifications as may be prescribed, in connection with examinations held 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, organisation and control of halls of residence and similar institutions at the University;
 - (f) the supervision of the welfare of students at the University and the regulation of their conduct;
 - (g) the granting of fellowships, scholarships, prizes and similar awards in so far as the awards are within the control of the University; and
 - (h) determining what descriptions of dress shall be academic dress for the purposes of the University, and regulating the use of academic dress.
- (3) The Senate shall not establish any new campus, college, school, department, institute or other teaching and research units of the University, 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 authorised or required by this Bill or by statute.
- (5) Regulations shall provide that at least one of the persons appointed as the examiners at each final or professional examination held in conjunction with any course of study at the University is not a teacher at the University but is a teacher of the branch of learning to which the course relates at some other university of high repute or a person engaged in practicalising the profession in a reputable organisation or institution.

(6) Subject to a right of appeal to the Council from a decision of the Senate under this subsection, the Senate may deprive any person of any degree, diploma or other award of the University which has been conferred upon him if after due enquiry he is shown 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 Yahaya I. Oloriegbe — Kwara Central) — Agreed to.
Question that Clause 8 do stand part of the Bill, put and agreed to.

Clause 9: Functions of the Vice-Chancellor.
(1) The Vice-Chancellor shall, in relation to each University, take precedence before all other members of the University, except the Chancellor, and any other person for the time being acting as chairman of the Council.
(2) Subject to sections 7, 8, and 15 of this Bill, the Vice-Chancellor shall have the general function, in addition to any other functions conferred on him by this Act or otherwise, of directing the activities of the University and shall be the Chief executive and academic officer of the University and ex-officio chairman of the Senate.

Committee's Recommendation:
That the provision in Clause 9 be retained (Senator Yahaya I. Oloriegbe — Kwara Central) — Agreed to.
Question that Clause 9 do stand part of the Bill, put and agreed to.

Clause 10: Transfer of property, etc., to each University.
(1) All property held by or on behalf of the provisional council of each University shall, by virtue of this subsection and without further assurance, vest in the University and be held by it for the purpose of the University.
(2) The provisions of the Second Schedule to this Bill shall have effect with respect to, and to matters arising from, the transfer of property by this section and with respect to the other matters mentioned in that Schedule.

[Second Schedule.]

Committee's Recommendation:
That the provision in Clause 10 be retained (Senator Yahaya I. Oloriegbe — Kwara Central) — Agreed to.
Question that Clause 10 do stand part of the Bill, put and agreed to.

PART II — STATUTES OF EACH UNIVERSITY

Clause 11: Power of each University to make statutes.
(1) Subject to this Bill, each University may make statutes for the purposes of —
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 a 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 authorised or required by this Bill.
- (2) Subject to section 25 (6) of this Bill, the Interpretation Bill shall apply in relation to any statute made under this section as it applies to a subsidiary instrument within the meaning of this Bill.
- (3) The Statute contained in the Third Schedule to this Bill shall be deemed to have come into force on the commencement of this Bill and shall be deemed to have been made under this section by each University.

[Third Schedule.]

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

Committee's Recommendation:

That the provision in Clause 11 be retained (*Senator Yahaya I. Oloriegbe — Kwara Central*)
— *Agreed to.*

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

Clause 12: Mode of exercising power to make statutes.

- (1) The power of each University to make statutes shall be exercised in accordance with the provisions of this section and not otherwise.
- (2) A proposed statute shall not become law unless it has been approved —
 - (a) at a meeting of the Senate, by the votes of not less than two thirds of the members present and voting; and
 - (b) at a meeting of the Council, by the votes of not less than two thirds of the members present and voting.
- (3) A proposed statute may originate either in the Senate or in the Council, and may be approved as required by subsection (2) of this section by either one of those bodies before 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 whereby a campus or college is established, shall not come into operation unless it has been approved by the President.

(5) For the purposes of section 3 (2) of the Interpretation Bill, a statute shall be treated as being made on the date on which it is duly approved by the Council after having been duly approved by the Senate, or on the date on which it is duly approved by the Senate after having been duly approved by the Council, as the case may be or, in the case of a statute falling within subsection (4) of this section, on the date on which it is approved by the President.

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

(a) as to the meaning of any provision of a statute; or

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

(7) The decision of the Visitor on any matter referred to him under subsection (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 subsection, no question as to the meaning of that provision shall be entertained by any court of law in Nigeria.

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

Committee's Recommendation:

That the provision in Clause 12 be retained (*Senator Yahaya I. Oloriegbe — Kwara Central*) — *Agreed to.*

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

Clause 13: Proof of statutes.

A statute may be proved in any court by the production of a copy thereof bearing or having affixed to it a certificate purporting to be signed by the Vice-Chancellor or the secretary to the Council to the effect that the copy is a true copy of a statute of the University. Supervision and discipline

Committee's Recommendation:

That the provision in Clause 13 be retained (*Senator Yahaya I. Oloriegbe — Kwara Central*) — *Agreed to.*

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

Clause 14: The Visitor.

(1) The President shall be the Visitor of each University.

- (2) The Visitor shall as often as the circumstances may require, not being less than once every five years, conduct a visitation of the University or direct that such a visitation be conducted by such person or persons as the Visitor may deem fit and in respect of any of the affairs of the University.
- (3) It shall be the duty of the bodies and persons comprising the University to make available to the Visitor, and to any other person conducting a visitation in pursuance of this section, such facilities and assistance as he or they may reasonably require for the purposes of a visitation

Committee's Recommendation:

That the provision in Clause 14 be retained (*Senator Yahaya I. Oloriegbe — Kwara Central*)
— *Agreed to.*

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

Clause 15: Removal of certain members of Council.

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

Committee's Recommendation:

That the provision in Clause 15 be retained (*Senator Yahaya I. Oloriegbe — Kwara Central*)
— *Agreed to.*

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

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

- (1) If it appears to the Council that there are reasons for believing that any person employed as a member of the academic, administrative or professional staff of the University, other than the Vice-Chancellor, should be removed from his office or employment on the ground of misconduct or of inability to perform the functions of his office or employment, the Council shall —
 - (a) give notice of those reasons to the person in question;
 - (b) afford him an opportunity of making representations in person on the matter to the Council; and
 - (c) if he so requests or any three members of the Council so request within the period of one month beginning with the date of the notice, make arrangements—
 - (i) for a joint committee of the Council and the Senate to investigate the matter and to report on it to the Council; and

(ii) For the person in question to be afforded an opportunity of appearing before and being heard by the investigating committee with respect to the matter, and if the Council, after considering the report of the investigating committee, is satisfied that the person in question should be removed as aforesaid, the Council may so remove him by an instrument in writing signed on the directions of the Council.

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

(3) For good cause, any member of the staff may be suspended from his duties or his appointment may be terminated by the Council; and for the purposes of this subsection: "Good cause" means —
(a) conviction for any offence which the Council considers to be such as to render the person concerned unfit for the discharge of the functions of his office; 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 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 office; or

(d) conduct which the Council considers to be such as to constitute failure or inability of the person concerned to discharge the functions of his office or to comply with the terms and conditions of his service; 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 subsection (2) or (3) of this section shall be on half pay and the Council shall before the expiration of a period of three months after the date of such suspension consider the case against that person and come to a decision as to —
(a) whether to continue such person's suspension and if so on what terms (including the proportion of his emoluments to be paid to him);

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

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

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

- (5) In any case where the Council, pursuant to this section, decides to continue a person's suspension or decides to take further disciplinary action against a person, the Council shall before the expiration of a period of three months from such decision come to a final determination in respect of the case concerning any such person.
- (6) It shall be the duty of the person by whom an instrument of removal is signed in pursuance of subsection (1) of this section to use his best endeavours to cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it relates.
- (7) Nothing in the foregoing provisions of this section shall —
 - (a) apply to any directive given by the Visitor in consequence of any visitation; or
 - (b) prevent the Council from making regulations for the discipline of other categories of workers of the University as may be prescribed.

Committee's Recommendation:

That the provision in Clause 16 be retained (*Senator Yahaya I. Oloriegbe — Kwara Central*)
— *Agreed to.*

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

Clause 17: Removal of examiners.

- (1) If, on the recommendation of the Senate, it appears to the Vice-Chancellor that a person appointed as an examiner for any examination of the University ought to be removed from his office or appointment, then, except in such cases as may be prescribed, 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 8 (5) of this Bill, the Vice-Chancellor may, on the recommendation of the Senate, appoint an appropriate person as examiner in the place of the examiner removed in pursuance of subsection (1) of this section.
- (3) It shall be the duty of the Vice-Chancellor, on signing an instrument of removal in pursuance of this section, to use his best endeavours to cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it relates

Committee's Recommendation:

That the provision in Clause 17 be retained (*Senator Yahaya I. Oloriegbe — Kwara Central*)
— *Agreed to.*

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

Clause 18: Discipline of students.

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

(a) that the student shall not, during such period as may be specified in the direction, 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.

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

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

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

(5) Nothing in this section shall be construed as preventing the restriction or termination of a student's activities at the University otherwise than on the ground of misconduct.

A direction under subsection (1) (a) of this section may be combined with a direction under subsection (1) (b) of this section.

Committee's Recommendation:

That the provision in Clause 18 be retained (*Senator Yahaya I. Oloriegbe — Kwara Central*) — Agreed to.

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

PART III — MISCELLANEOUS AND GENERAL

Clause 19:

Exclusion of discrimination on account of race, religion, etc.

(1) No person shall be required to satisfy requirements as to any of the following matters, that is to say, race (including ethnic grouping), sex, 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 subjected to any disadvantage or accorded any advantage in relation to the University, by reference to any of those matters.

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

Committee's Recommendation:

That the provision in Clause 19 be retained (*Senator Yahaya I. Oloriegbe — Kwara Central*)
— Agreed to.

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

Clause 20: Restriction on disposal of land by University.

Without prejudice to the provisions of the Land Use Act, a 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 President: Provided that such consent shall not be required in the case of any lease or tenancy at a rack-rent for a term not exceeding 21 years or any lease or tenancy to a member of the University for residential purpose

Committee's Recommendation:

That the provision in Clause 20 be retained (*Senator Yahaya I. Oloriegbe — Kwara Central*)
— Agreed to.

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

Clause 21: Quorum and procedure of bodies established by this Bill.

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

Committee's Recommendation:

That the provision in Clause 21 be retained (*Senator Yahaya I. Oloriegbe — Kwara Central*)
— Agreed to.

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

Clause 22: Appointment of committees, etc.

- (1) Anybody of persons established by this Bill shall, without prejudice to the generality of the powers of that body, have power to appoint committees, which need not consist exclusively of members of that body, and to authorise 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 may direct whether or not co-opted members (if any) shall be entitled to vote in that committee.
- (2) Any two or more such bodies may arrange for the holding of joint meetings of those bodies, or for the appointment of committees consisting of members of those bodies, for the purpose of considering any matter within the competence of those bodies or any of them, and either 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 subsections (1), (2) and (3) of this section shall be construed as —
 (a) enabling the statutes to be made otherwise than in accordance with section 11 of this Bill; or

(b) enabling the Senate to empower any other body to make regulations or to 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 22 be retained (*Senator Yahaya I. Oloriegbe — Kwara Central*) — Agreed to.

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

Clause 23: Retiring age of academic staff.

(1) Notwithstanding anything to the contrary in the Pensions Act, the compulsory retiring age of an academic staff of each University shall be 65 years and 70 years for Professors.

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

Committee's Recommendation:

That the provision in Clause 23 be retained (*Senator Yahaya I. Oloriegbe — Kwara Central*) — Agreed to.

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

Clause 24: Special provisions relating to pension of professors.

A person who retires as a Professor having served —
 (a) a minimum period of fifteen years as a professor in the University or continuously in the service of a university in Nigeria up to the retiring age; and

(b) who during the period of service was absent from the University only on approved national or University assignments, shall be entitled to pension at a rate equivalent to his last annual salary and such allowances as the Council may, from time to time, determine as qualifying for pension and gratuity, in addition to any other retirement benefits to which he may be entitled

Committee's Recommendation:

That the provision in Clause 24 be retained (*Senator Yahaya I. Oloriegbe — Kwara Central*) — Agreed to.

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

Clause 25: Miscellaneous administrative provisions.

- (1) The seal of each University shall be such as may be determined by the Council and approved by the Chancellor, and the affixing of the seal shall be authenticated by any member of the Council and by the Vice-Chancellor, secretary to the Council or any other person authorised by statute.
- (2) Any document purporting to be a document executed under the seal of the University shall be received in evidence and 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 authorised 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 proceedings.
- (5) Any member of any such body who has a personal interest in any matter proposed to be considered by that body shall forthwith disclose his interest to the body and shall not vote on any question relating to that matter.
- (6) Nothing in section 12 of the Interpretation Bill (which provides for the application in relation to subordinate legislation of certain incidental provisions) shall apply to statutes or regulations made in pursuance of this Bill.
- (7) The power conferred by this Bill on anybody to make statutes or regulations shall include power to revoke or vary any statute (including the statute contained in the Third Schedule of this Bill) or any regulation by a subsequent statute or, as the case may be, by a subsequent regulation and statutes and regulations may make different provisions in relation to different circumstances.
- (8) No stamp or other duty shall be payable in respect of any transfer of property to the University by virtue of section 8 or section 18 of this Bill or the Second Schedule to this Bill.
- (9) Any notice or other instrument authorised to be served by virtue of this Bill may, without prejudice to any other mode of service, be served by post

Committee's Recommendation:

That the provision in Clause 25 be retained (*Senator Yahaya I. Oloriegbe — Kwara Central*)
— Agreed to.

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

Clause 26: Interpretation.

- (1) In this Bill, unless the context otherwise requires —
"Campus" means any campus which may be established by each University;

"College" means any college which may be established by each University;

"Council" means the Council established pursuant to section 3 (1) (b) of this Bill for each University;

"Graduate" means a person on whom a degree, other than an honorary degree, has been conferred by each University;

"Minister" means the Minister charged with responsibility for matters relating to higher 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 each 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 each University by the President;

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

"Senate" means the Senate of each University established pursuant to section 3 (1) (c) of this Bill;

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

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

"the statutes" means all such statutes as are in force from time to time; "Teacher" means a person holding a full-time appointment as a member of the teaching or research staff of each University;

"Undergraduate" means a person in statu pupillari at each University other than —

(a) a graduate; and

(b) a person of such description as may be prescribed for the purpose of the definition;

"University" means any of the Federal Universities of Medical Sciences and Biomedical Technology established under section 1 of this Bill.

(2)

It is hereby declared that where in any provision of this Bill it is laid down that proposals are to be submitted or a recommendation is to be made by one authority to another through one or more intermediate authorities, it shall be the duty of every such intermediate authority to forward any proposals or recommendations received by it 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 26 be retained (*Senator Yahaya I. Oloriegbe — Kwara Central*)
— Agreed to.

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

Clause 27: Citation

This Bill is cited as Federal Universities of Medical Sciences and Biomedical Technology, (Establishment) Bill, 2022.

Committee's Recommendation:

That the provision in Clause 27 be retained (*Senator Yahaya I. Oloriegbe — Kwara Central*)
— Agreed to.

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

FIRST SCHEDULE
PRINCIPAL OFFICERS OF THE UNIVERSITY

The Chancellor

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

The Pro-Chancellor

2. (1) The Pro-Chancellor shall be appointed or removed from office by the President.

(2) Subject to the provisions of this Bill, the Pro-Chancellor shall hold office for a period of four years beginning with the date of his appointment.

The Vice-Chancellor

3. (1) There shall be a Vice-Chancellor of each University who shall be appointed by the President in accordance with the provisions of this Bill.

(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 and 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 of their own volition because they feel 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 on the short list drawn up under subparagraph (2) of this paragraph through an examination of their curriculum vitae and interaction with them, and recommend to the Council suitable candidates for further consideration.
- (4) The Council shall select three candidates from among the candidates recommended to it under subparagraph (3) of this paragraph and may indicate its order of preference stating the reasons therefore and forward the names to the President.
- (5) The President may appoint as Vice-Chancellor anyone of the candidates recommended to him in accordance with the provisions of subparagraph (4) of this paragraph.
- (6) The Vice-Chancellor shall hold office for a single term of five years only on such terms and conditions as may be specified in his letter of appointment.
- (7) The Vice-Chancellor may be removed from office by the Visitor after due consultation with the Council and the Senate acting through the Minister of Education.
- Deputy Vice-Chancellors*
4. (1) There shall be for each University such number of Deputy Vice Chancellors as the Council may, from time to time, deem necessary for the proper administration of each University.
- (2) Where a vacancy occurs in the post of Deputy Vice-Chancellor, the Vice-Chancellor shall forward to the Senate a list of two candidates for each post of Deputy Vice-Chancellor that is vacant.
- (3) The Senate shall select for each vacant post one candidate from each list forwarded to it under subparagraph (2) of this paragraph and forward his name to the Council for confirmation.
- (4) A Deputy Vice-Chancellor shall —
 (a) assist the Vice-Chancellor in the performance of his functions;
 (b) act in the place of the Vice-Chancellor when the post of the Vice Chancellor is vacant or if the Vice-Chancellor is, for any reason, absent or unable to perform his functions as Vice-Chancellor; and
 (c) perform such other functions as the Vice-Chancellor or the Council may, from time to time, assign to him.
- (5) A Deputy Vice-Chancellor —
 (a) shall hold office for a period of two years beginning from the effective date of his appointment and on such terms and conditions as may be specified in his letter of appointment; and
 (b) may be re-appointed for one further period of two years and no more.

Office of the Registrar

5. (1) There shall be for each University, a Registrar, who shall be the Chief Administrative Officer of the University and shall be responsible to the Vice-Chancellor for the day-to-day administrative work of the University except as regards matters for which the Bursar is responsible in accordance with paragraph 6 (2) of this Schedule.
- (2) The person holding the office of the Registrar shall by virtue of that office be secretary to the Council, the Senate, Congregation and Convocation.

Other principal officers of the University

6. (1) There shall be for each 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 8 of this Schedule.
- (2) The Bursar shall be the chief financial officer of each 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 coordination of the library services in the University and its campuses, colleges, faculties, schools, departments, institutes and other teaching or research units.
- (4) Any question as to the scope of the responsibilities of the aforesaid officers shall be determined by the Vice Chancellor.

Selection Board for other principal officers

7. (1) There shall be, for each University, a Selection Board for the appointment of principal officers, other than the Vice-Chancellor or Deputy Vice-Chancellor, which shall consist of—
- (a) the Pro-Chancellor, as chairman;
- (b) the Vice-Chancellor;
- (c) four members of the Council not being members of the Senate; and
- (d) two members of the Senate.
- (2) The functions, procedure and other matters relating to the Selection Board constituted under subparagraph (1) of this paragraph shall be as the Council may, from time to time, determine.
- (3) The Registrar, Bursar and Librarian shall hold office for such period and on such terms as to the emoluments of their offices and otherwise as may be specified in their letters of appointment.

Resignation and re-appointment

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

(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.

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

SECOND SCHEDULE

TRANSITIONAL PROVISIONS AS TO PROPERTY, FUNCTIONS, ETC.

Transfer of property to University

1. Without prejudice to the generality of section 10 (1) of this Bill —
 (a) the reference in that subsection to property held by the provisional council shall include a reference to the right to receive and give a good discharge for any grants or contributions which may have been voted or promised to the provisional council;

(b) all debts and liabilities of the provisional council outstanding shall become debts or liabilities of the University.

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

(2) Documents not falling within sub-paragraph (1) of this paragraph, including enactments, which refer, whether specially or generally, to the provisional council, shall be construed in accordance with that sub-paragraph so far as applicable.

(3) Any legal proceedings or application to any authority pending by or against the provisional council may be continued by or against the University.

Registration of transfers

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

Transfer of functions, etc.

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

(2) The persons who 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 may determine.

(4) The persons who were members of the Senate immediately before the coming into force of this Bill shall be deemed to constitute the Senate of the University until the date when the Senate as set up under the Third Schedule 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 or associate Deans of schools or members of school boards shall continue to be Deans or associate Deans or become members of the corresponding school boards, until new appointments are made in pursuance of the statutes.
5. 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 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

FEDERAL UNIVERSITIES OF MEDICAL SCIENCES AND BIOMEDICAL TECHNOLOGY BILL

ARRANGEMENT OF ARTICLES

Articles

1. The Council.
2. The Finance and General Purposes Committee.
3. The Senate.
4. Congregation.
5. Convocation.
6. Division of schools.
7. School boards.
8. Dean of the school.
9. Selection of certain principal officers.
10. Creation of academic posts.
11. Appointment of academic staff.
12. Appointment of administrative and professional staff.
13. Interpretation.
14. Short title.

The Council

1. (1) The composition of the Council shall be as provided in section 6 of this Bill.
- (2) Any member of the Council holding office otherwise than in pursuance of section 6 (a), (b), (c) or (d) of this Bill may, by notice to the Council, resign his office.

- (3) A member of the Council holding office otherwise than in pursuance of section 6 (a), (b), (c) or (d) of this Bill shall, unless he previously vacates it, vacate that office on the expiration of the period of four years beginning with effect from when he was appointed.
- (4) Where a member of the Council holding office otherwise than in pursuance of section 6 (a), (b), (g) or (h) of this Bill vacates office before the expiration of the period aforesaid, the body or person by whom he was appointed may appoint a successor to hold office for the residue of the term of his predecessor.
- (5) A person ceasing to hold office as a member of the Council otherwise than by removal for misconduct shall be eligible for re-appointment for only one further period of four years.
- (6) The quorum of the Council shall be five, at least one of whom shall be a member appointed pursuant to section 6 (d) or (e) of this Bill.
- (7) If the Pro-Chancellor is not present at a meeting of the Council, such other member of the Council present at the meeting as the Council may appoint as respects that meeting, shall be the chairman at that meeting, and subject to section 5 of this Bill and the foregoing provisions of this paragraph, the Council may regulate its own procedure.
- (8) Where the Council desires to obtain advice with respect to any particular matter, 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.
- The Finance and General Purposes Committee*
2. (1) The Finance and General Purposes Committee of the Council shall consist of—
- (a) the Pro-Chancellor, who shall be the chairman of the Committee at any meeting at which he is present;
- (b) the Vice-Chancellor and Deputy Vice-Chancellors;
- (c) six other members of the Council appointed by the Council, two of whom shall be selected from among the three members of the Council appointed by the Senate and one member appointed to the Council by the Permanent Secretary of the Federal Ministry of Education, or, in his absence, such member of his Ministry as he may designate to represent him; and
- (d) the Permanent Secretary of the Federal Ministry of Science and Technology or, in his absence, such member of his Ministry as he may designate to represent him;
- (e) the Permanent Secretary of the Federal Ministry of Science and Technology or, in his absence, such member of his Ministry as he may designate to represent him.
- (2) The quorum of the Committee shall be five.
- (3) Subject to any directions given by the Council, the Committee may regulate its own procedure.
3. *The Senate*
- (1) The Senate shall consist of—
- (a) the Vice-Chancellor and Deputy Vice-Chancellors;

- (b) the Deans of the several schools;
 - (c) the Directors of the several institutes;
 - (d) the professors;
 - (e) the Provosts of the several colleges;
 - (f) the Librarian;
 - (g) the persons for the time being holding such appointment on the staff of the University as may be specified by the Vice-Chancellor;
 - (h) such teachers, not being more than one third of the total number of non-elected members, elected by Congregation and at least one of whom shall come from each school; and
 - (i) two members representing a variety of interests of the professional bodies outside the University appointed by the Senate on the recommendation of the Vice-Chancellor.
- (2) The Vice-Chancellor shall be the chairman at all meetings of the Senate when he is present; and in his absence any of the Deputy Vice-Chancellors present at the meeting as the Senate may appoint for that meeting shall be the chairman at the meeting.
- (3) The quorum for 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 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 Mayor 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 first day in the year of his election, and may be a candidate at any election held in pursuance of paragraph (5) of this article in the year in which his period of office expires, so however that no person shall be such a candidate if at the end of his current period of office he will have held office as an elected member for a continuous period of six years or would have so held office if he had not resigned it.
- (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 (10) 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.
- (8) For the avoidance of doubt it is hereby declared that no person shall be precluded from continuing in or taking office as an elected member by reason only of reduction in the total of non-elected members occurring on or after 30 April in any year in which he is to continue in or take office as an elected member.

4. *Congregation*

(1)

Congregation shall consist of —

- (a) the Vice-Chancellor and the Deputy Vice-Chancellors;
 - (b) the full-time members of the academic staff;
 - (c) the Registrar;
 - (d) the Bursar;
 - (e) the Librarian;
 - (f) the Director of Works;
 - (g) the Director of Health Services; and
 - (h) every member of the administrative staff who holds a degree, other than an honorary degree, of any University recognised for the purposes of this Statute by the Vice-Chancellor.
- (2) Subject to section 4 of this Bill, the Vice-Chancellor shall be the chairman at all meetings of Congregation when he is present; and in his absence any of the Deputy Vice-Chancellors present at the meeting as Congregation may appoint for that meeting, shall be the chairman at the meeting.
- (3) The quorum of Congregation shall be one third or the whole number nearest to one-third of the total number of members of Congregation or 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) Subject to the foregoing provisions of this article, Congregation may regulate its own procedure.
- (6) 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.
- (9) If so requested in writing by any fifteen members of the Senate, the Vice-Chancellor, or in his absence any of the Deputy Vice-Chancellors duly appointed by him, shall convene a meeting of the Senate to be held not later than the tenth day following that on which the request was received.
- (10) In this article "total of non-elected members" means as respects any year, such number as may be certified by the Vice-Chancellor on 30 April of that year to be the number of persons holding office as members of the Senate on that day otherwise than as elected members.

5. *The Convocation*

(1)

Convocation shall consist of —

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

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

Division of schools

6. Each school shall be divided into such number of branches as may be prescribed.
School boards
7. (1) There shall be established in respect of each school a board of studies which, subject to the provisions of this Statute, and subject to the directions of the Vice-Chancellor, shall —
- (a) regulate the teaching and study of, and the conduct of examinations connected with, the subjects assigned to the school;
 - (b) deal with any other matter assigned to it by statute or by the Vice Chancellor or by the Senate; and

(c) advise the Vice-Chancellor or the Senate on any matter referred to it by the Vice-Chancellor or the Senate.

(2) Each school board of studies shall consist of —

(a) the Vice-Chancellor;

(b) the Dean;

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

(d) such of the teachers assigned to the school and having the prescribed qualifications as the board may determine; and

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

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

Dean of the school

8.

(1)

The board of each school shall, at a meeting in the last term of any academic year in which the term of office of the Dean expires, nominate one of its members, being one of the professors assigned to that teaching unit, for appointment by the Senate as Dean of the school.

(2)

The person appointed under paragraph 1 of this article shall act as Dean of the school and chairman at all meetings of the school board when he is present and shall be a member of all committees and other boards appointed by the school.

(3)

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

(4)

The Dean of a school shall exercise general superintendence over the academic and administrative affairs of the school.

(5)

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 school.

(6)

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

(7)

The Dean of school may be removed from office for good cause by the school 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 school board meeting an election shall be held for a new Dean.

(8)

In this article "good cause" has the same meaning as in section 15 (3) of this Bill.

SELECTION OF CERTAIN PRINCIPAL AND OTHER KEY OFFICERS

Selection of Director of Works

9. (1) When a vacancy occurs in the office of the Director of Works, a selection board shall be constituted by the Council which shall consist of —
- (a) the Pro-Chancellor;
 - (b) the Vice-Chancellor;
 - (c) two members appointed by the Council, not being members of the Senate; and
 - (d) two members appointed by the Senate.
- (2) The selection board, after making 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.

Creation of Academic Posts

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

Appointment of academic staff

11. (1) Subject to the Bill and statutes, the filling of vacancies in academic posts (including newly created ones) shall be the responsibility of the Senate.
- (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 appointments to professorships, associate professorship or readerships or equivalent posts, a board of selection, with power to appoint, shall consist of —
- (a) the Vice-Chancellor;
 - (b) two members appointed by the Council;
 - (c) four members appointed by the Senate, at least two of whom shall be members of the Senate, while the other two members shall be professional peers in the professional area in which an appointment is to be considered;
 - (d) if the post is tenable at a college, the Provost of the college;
 - (e) if the post is within a school, institute or other teaching unit in the University, the Dean of the school or the teaching unit, or the director of the institute, as the case may be; and
 - (f) such other persons, not exceeding two in number, deemed capable of helping the board in assessing both the professional and academic suitability of a candidate under consideration, as the Senate may from time to time appoint.
- (4) For other academic posts, a selection board, with power to appoint, shall consist of —
- (a) the Vice-Chancellor;

(b) four members appointed by the Senate, at least two of whom shall be members of the Senate, while the other two members shall be professional peers in the professional area in which an appointment is to be considered;

(c) if the post is tenable at a college, the Provost of the college;

(d) if the post is within a school, institute or other teaching unit in the University, the Dean of the school or the teaching unit or the director of the institute, as the case may be; and

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

(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 specialists interviewing panels and shall in addition, in the case of professorships, associate professorships, readerships or equivalent posts, consider the reports of external assessors relevant to the area in which the appointment is being considered.

Appointment of Administrative and Professional Staff

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

(2) In the case of administrative or professional staff who have close and important contacts with the academic staff, there shall be Senate participation in the process of selection

Question that the provision in the Third Schedule Stand part of the Bill — Agreed to.

Chairman to report Bill.

(SENATE IN PLENARY)

The President of the Senate reported that the Senate, in the Committee of the Whole, considered the Report of the Committee on Health (Secondary and Tertiary) on a Bill for an Act to Provide for the Establishment of Federal University of Medical Sciences and Bio-medical Technology in Six Geo-political Zones and for Matters Connected Therewith, 2022 and approved as follows:

Clauses 1-27 — 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.

14. **Committee on Health (Secondary & Tertiary):**
Report on the Health Education Practitioners Board of Nigeria (Registration, etc) Bill, 2022 (SB. 299):

Motion made: That the Senate do receive and consider the Report of the Committee on Health (Secondary & Tertiary) on a Bill for an Act to Provide for the Establishment of the Health Education Practitioners Registration Board of Nigeria and for Matters Connected Therewith, 2022 (*Senator Yahaya I. Oloriegbe — Kwara Central*).

Question put and agreed to.

Report Laid and Presented.

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

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF THE REPORT OF THE COMMITTEE ON HEALTH (SECONDARY & TERTIARY) ON A BILL FOR AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE HEALTH EDUCATION PRACTITIONERS REGISTRATION BOARD OF NIGERIA AND FOR MATTERS CONNECTED THEREWITH, 2022

PART 1 — ESTABLISHMENT OF THE HEALTH EDUCATION PRACTITIONERS
REGISTRATION BOARD OF NIGERIA, ETC.

Clause 1: **Establishment of the Health Education Practitioners Registration Board of Nigeria.**

- (1) There is hereby established for Health Education Practitioners a body to be known as the Health Education Practitioners Registration Board of Nigeria (in this Act referred to as the 'Board').
- (2) The Board shall be charged with the duty of -
 - (a) determining what standards of knowledge and skill to be attained by persons seeking to become members of the profession of health education and improving those standards from time to time as circumstances may permit;
 - (b) securing in accordance with the provisions of this Bill the establishment and maintenance of a register of persons registered under this Bill as members of the profession and the publication from time to time of lists of those persons; and
 - (c) conducting examinations in the profession and awarding, certificates or diplomas to successful candidates as are appropriate and for such purpose the Board shall prescribe fees to be paid in respect thereof and performing the other functions conferred on the Board by this Bill.

Committee's Recommendation:

That the provision in Clause 1 be retained (*Senator Yahaya I. Oloriegbe — Kwara Central*) — *Agreed to.*

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

Clause 2:

Membership of the Board.

- (1) The Board shall comprise of -
- (a) a chairman who shall be a Health Education Practitioner and has been so qualified for not less than ten years, to be appointed by the President;
- (b) one health educator;
- (c) six health practitioners/educators to represent each zone in rotation for three years at a time;
- (d) one Medical Practitioner to be nominated by the Nigeria Medical Association;
- (e) one principal of a School/College of Health Technology to represent all schools involved in training members of the profession in rotation for three years at a time;
- (f) one person to represent public interest;
- (g) one person not below the rank of a Director to represent the Federal Ministry of Health; and
- (h) one person to represent a recognised University involved in the training of members of the profession in rotation of three years at a time.

- (2) All the appointments referred to in paragraphs (b) to (h) in subsection (1) of this section shall be made by the President.
- (3) The provisions of the First Schedule to this Bill shall have effect with respect to the membership of the Board and the other matters therein mentioned.

[First Schedule]

Committee's Recommendation:

That the provision in Clause 2 be retained (Senator Yahaya I. Oloriegbe — Kwara Central) — Agreed to.

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

Clause 3:

Powers of the Board.

- (1) Subject to subsection (2) of this section and to any directions of the Minister under this Act, the Board shall have power to do anything which in its opinion is calculated to facilitate the carrying of its activities under this Act.
- (2) The Board shall not have power to borrow or to dispose of any property except with the prior consent of the Minister and shall not have power to pay remuneration (including pensions), allowances or expenses to any employee of the Board or any other person except in accordance with scales approved by the Salaries and Wages Commission.

Committee's Recommendation:

That the provision in Clause 3 be retained (Senator Yahaya I. Oloriegbe — Kwara Central) — Agreed to.

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

Clause 4: Fund of the Board.

- (1) The fund of the Board shall consist of -
 - (a) all fees and other moneys payable to the Board in pursuance of this Bill;
 - (b) such moneys as may be payable to the Board, whether in the course of the discharge of its functions or otherwise; and
 - (c) gifts of land, money or other property upon such terms and conditions, if any, as may be specified by the person or organisation making the gift.

The Board shall not accept any gift if the conditions attached by the person making the gift are inconsistent with the functions of the Board under this Bill.

- (2) There shall be paid out of the fund of the Board -
 - (a) the remuneration and allowances of the Registrar and other employees of the Board: and
 - (b) such reasonable travelling and subsistence allowances of members of the Board in respect of the time spent on the business of the Board, as the Board may, with the approval of the Minister, determine; and
 - (c) any other expenses incurred by the Board in the discharge of its functions under this Act.

Committee's Recommendation:

That the provision in Clause 4 be retained (*Senator Yahaya I. Oloriegbe — Kwara Central*)
— Agreed to.

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

Clause 5: Financial Provisions.

- (1) The Board shall prepare and submit to the Minister not later than the 30th day of September of the Year in which this Act comes into force (so however that the Minister may, if he considers it necessary, extend the period) and of each subsequent year, an estimate of its income and expenditure during the next succeeding year.
- (2) The Board shall keep proper accounts in respect of each year and proper records in relation to those accounts and shall cause its accounts to be audited within 6 months after the end of each year to which the accounts relate by auditors appointed from the list and in accordance with the guidelines supplied by the Auditor-General of the Federation.

Committee's Recommendation:

That the provision in Clause 5 be retained (*Senator Yahaya I. Oloriegbe — Kwara Central*)
— Agreed to.

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

Clause 6: Control of the Board by the Minister.

The Minister may give to the Board directions of a general character or relating generally to particular matters (but not to any individual person or case) with regard to the exercise by the Board of its functions and it shall be the duty of the Board to comply with the directives.

Committee's Recommendation:

That the provision in Clause 6 be retained (Senator Yahaya I. Oloriegbe — Kwara Central)

— Agreed to.

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

Clause 7: Registrar and other employees of the Board.

(1) The Minister shall appoint a fit and proper person to be the Registrar for the purposes of this Bill.

(2) The Registrar shall, in addition to other functions under this Bill, be the Secretary to the Board and shall on the instructions of the Chairman of the Board or any Committee of the Board, convene and keep minutes of the proceedings at all meetings of the Board and Committees thereof, as the case may be.

(3) The Minister may appoint such other persons to be employees of the Board as the Board may determine to assist the Registrar in the exercise of his functions under this Bill.

(4) The Minister may, whenever the Registrar is absent or for any other reasons unable to discharge the functions of the office, appoint an acting Registrar to discharge the functions.

(5) The Registrar and other employees of the Board shall hold office for a renewable term of four years only.

Committee's Recommendation:

That the provision in Clause 7 be retained (Senator Yahaya I. Oloriegbe — Kwara Central)

— Agreed to.

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

PART II — REGISTRATION**Clause 8:****Preparation and maintenance of register.**

(1) It shall be the duty of the Registrar to prepare and maintain, in accordance with rules made by the Board under this section a register of names, addresses, approved qualifications and of such other particulars, as may be specified of all persons who are entitled in accordance with the provisions of this Act to be registered as members of the profession and who apply in the specified manner to be so registered.

(2) Subject to the provisions of this section, the Board shall make rules with respect to keeping the register and making of entries therein and in particular —

(a) regulating the making of applications for registration, and providing for the evidence to be produced in support of such applications;

- (b) providing for the notification to the Registrar, the person to whom any registered particulars relate, of any changes in those particulars;
- (c) authorizing a registered person to have any qualification which is, in relation to the profession, whether an approved qualification or an accepted qualification under section 10 (1) of this Bill, registered in relation to his name in addition to or as he may elect, in substitution for any other qualifications so registered;
- (d) specifying the fees to be paid to the Board in respect of the entry of names on the register, and authorizing the Registrar to refuse to enter a name on the register until any fee specified for the entry has been paid; and
- (e) specifying anything falling to be specified under the foregoing provisions of this section.

For the purposes of paragraph (d) of this subsection, Rules made shall come into force subject to the confirmation of the Minister.

- (3) It shall be the duty of the Registrar to -
 - (a) correct, in accordance with the directions of the Board, any entry in the register which the Board directs him to correct as being in the opinion of the Board an entry which was incorrectly made;
 - (b) make, from time to time, any necessary alteration(s) to the particulars of registered persons; and
 - (c) remove from the register the name of any registered person who has died or has become insane, or for any other reason has ceased to be a member of the profession.
- (4) If the Registrar -
 - (a) sends by post to any registered person a registered letter addressed to him at his address on the register enquiring whether the registered particulars relating to him are correct and receives no reply to that letter within the three months from the date of posting it; and
 - (b) upon the expiration of that period, sends in like manner to the person in question a second letter and receives no reply to that letter within three months from the date of posting it, the Registrar may remove the particulars relating to the person in question from the register but the Board may direct the Registrar to restore to the register any particulars removed therefrom under this subsection.

Committee's Recommendation:

That the provision in Clause 8 be retained (*Senator Yahaya I. Oloriegbe — Kwara Central*)
— Agreed to.

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

Clause 9: Publication of register and lists of corrections.

- (1) It shall be the duty of the Registrar-

(a) to cause the register to be printed, published and put on sale to members of the public not later than two years from the beginning of the year in which this Act comes into force;

(b) in each year, after that in which a register is first published under paragraph (a) of this subsection, to cause to be printed, published and put on sale as afore-said, either a corrected edition of the register or a list of alterations made to the register since it was last printed; and

(c) to cause a print of each edition of the register and of each list of corrections to be deposited at the principal office of the Board, and it shall be the duty of the Board to keep the register and lists so deposited at all reasonable times for inspection by members of the public.

(2) A document purporting to be a print of an edition of a register published under this section by authority of the Registrar in the current year or documents purporting to be prints of an edition of a register so published in the current year, shall (without prejudice to any other mode of proof) be admissible in any proceedings as evidence that any person specified in the document, or documents read together, as being registered and that any person not so specified was not so registered.

Committee's Recommendation:

That the provision in Clause 9 be retained (*Senator Yahaya I. Oloriegbe — Kwara Central*) — Agreed to.

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

Clause 10: Registration.

(1) Subject to section 27 of this Act and to rules made under section 8 (2) thereof a person shall be entitled to be registered under this Act and being so registered, to receive a registration certificate if -

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

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

(c) he holds one or more qualifications prescribed in the Second Schedule to this Act for the purpose of registration on the register and has complied with the other requirements prescribed under section 8 (2) of this Act;

[Second Schedule]

(d) he is of good character; and

(e) he thereafter pays any prescribed fee.

(2)

Subject to subsection (1) of this section, a registered person shall be required to pay an annual prescribed retention fee to retain his registration with the Board and any failure to pay the retention fee shall result in temporary withdrawal of the certificate of practice/license.

- (3) The Board shall, from the time to time, publish in the Gazette particulars of the qualifications for the time being accepted as aforesaid.
- (4) The qualifications specified in the Second Schedule to this Act are those accepted for the time being by the Board as the minimum qualification for the purpose of registration on the register established under section 8 of this Act.

[Second Schedule]

- (5) Subject as aforesaid, a person shall be entitled to be temporarily registered under this Act in the cases specified in section 11 of this Act.

Committee's Recommendation:

That the provision in Clause 10 be retained (*Senator Yahaya I. Oloriegbe — Kwara Central*) — Agreed to.

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

Clause 11: Temporary registration.

- (1) Where a person satisfies the Board -
 - (a) that he has been selected for employment for a specified period in a capacity in which a registered person under this Act would normally be employed and that he is or intends to be in Nigeria temporarily for the purpose of serving for that period in the employment in question;
 - (b) that he holds or has passed examinations necessary for obtaining some qualification granted outside Nigeria which is, for the time being, accepted by the Board for the purpose of this section as respects the capacity in which, if employed, he is to serve; and
 - (c) he pays any fee prescribed for registration, the Board may, if it thinks fit, give a direction that he shall be temporarily registered.
- (2) The temporary registration of a person shall continue only while he is in such employment as is mentioned in subsection (1) (a) of this section and shall cease (a) on the termination of the period of employment specified to the Board under that subsection; or (b) on the termination of the said employment before the end of the period, whichever first occurs, but nothing in this subsection shall preclude the Board from giving a further direction under subsection (1) of this section in respect of a specified period whose commencement coincides with the termination of another such period.
- (3) A person who is temporarily registered shall in relation to the employment mentioned under subsection (1) (a) of this section, and to things done or omitted to be done in the course of that employment, be deemed to be fully registered, but in respect of other matters he shall be treated as not so registered.
- (4) Where there is doubt as to whether a person's employment has been terminated, the decision of the Board shall be conclusive for purposes of subsection (2) of this section.

- (5) The Registrar, as directed from time to time by the Board, shall remove from the register the name of any person ceasing to be entitled to the benefit of this section.

Committee's Recommendation:

That the provision in Clause 11 be retained (Senator Yahaya I. Olorogbe — Kwara Central) — Agreed to.

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

PART III — TRAINING

Clause 12:

Approval of Courses.

- (1) Subject to subsection (2) of this section, the Board may approve for the purposes of section 10 of this Act —
- (a) any course of training which is intended for persons seeking to become members of the profession under this Act and which the Board considers is designed to confer on persons completing it sufficient knowledge and skill for the practice of the profession;

- (b) any institution either in Nigeria or elsewhere, which the Board considers is properly organised and equipped for conducting the whole or any part of the course of training approved by the Board under this section; or

- (c) any qualification which, as a result of examination taken in conjunction with the course of training approved by the Board under this section, is granted to candidates reaching a standard at the examination indicating, in the opinion of the Board, that they have sufficient knowledge and skill to practice the profession.

- (2) The Board shall, from time to time, publish in the Gazette a list of qualifications relating to the profession approved by it for the purposes of subsection (1) of this section.

- (3) The Board may, if it thinks fit, withdraw any approval given under this section in respect of any course, qualification or institution but before withdrawing such an approval the Board shall—
- (a) give notice that it proposes to do so to persons by whom the course is conducted or the qualification is granted or the institution is controlled, as the case may be;

- (b) afford each such person an opportunity of making to the Board representations with regard to the proposal; and take into consideration all representations made as respects the proposal in pursuance of paragraph (b) of this sub-section.

- (4) With respect to any period during which the approval of the Board under this section for a course, institution or qualification is withdrawn, the course, institution or qualification shall not be treated as approved under this section; but the withdrawal of such an approval shall not prejudice the registration or eligibility for registration of any person who by virtue of the approval was registered or eligible for registration immediately before the approval was withdrawn.

- (5) The giving or withdrawal of an approval under this section shall have effect from such date, after the execution of the instrument signifying the giving or withdrawal of the approval, as the Board may specify in the instrument, and the Board shall -
- (a) as soon as may be, publish a copy of every instrument in the Gazette; and
 - (b) not later than seven days before its publication as aforesaid, send a copy of the instrument to the Minister.

Committee's Recommendation:

That the provision in Clause 12 be retained (*Senator Yahaya I. Oloriegbe — Kwara Central*) — Agreed to.

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

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

- (1) It shall be the duty of the Board to keep itself informed of the nature of-
- (a) the instructions given at approved institutions to persons attending approved courses of training; and
 - (b) the examinations as a result of which approved qualifications are granted. and for the purposes of performing that duty the Council may appoint, either from among its own members or otherwise, persons to visit approved institutions or attend such examinations.
- (2) It shall be the duty of the person appointed under this section to report to the Board on-
- (a) the adequacy of the instruction given to persons attending approved courses of training at institutions visited by him;
 - (b) the adequacy of the examinations attended by him; and any other matter relating to the institutions or examinations on which the Board may, either generally or in a particular case, request him to report, but no person shall interfere with the giving of any instruction or the holding of any examination.
- (3) On receiving a report made in pursuance of this section, the Board shall as soon as may be possible send a copy of the report to the person appearing to the Board to be in charge of the institution or responsible for the examinations to which the report relates; requesting that person to make representations to the Board within such time as may be specified in the request, not being more than one month beginning with the date of the request.

Committee's Recommendation:

That the provision in Clause 13 be retained (*Senator Yahaya I. Oloriegbe — Kwara Central*) — Agreed to.

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

Clause 14: Power of the Board to consider matters relating to training.

- (1) The Board may, if it thinks fit, consider and report to the Minister all matters relating to the professional and technical training and other qualifications required for admission to the profession under this Bill and the conditions of any examination.

(2) The Minister may require the Board to advise him on any matter referred to in subsection (1) of this section.

Committee's Recommendation:

That the provision in Clause 14 be retained (*Senator Yahaya I. Oloriegbe — Kwara Central*) — Agreed to.

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

PART IV — PRIVILEGES OF REGISTERED PERSONS AND OFFENCES BY UNREGISTERED PERSONS, ETC.

Clause 15: Certificate invalid if given by unregistered person.

A Certificate required by any written law from any class of persons for whom a register is maintained under this Act shall not be valid unless the person signing it is registered in accordance with this Act.

Committee's Recommendation:

That the provision in Clause 15 be retained (*Senator Yahaya I. Oloriegbe — Kwara Central*) — Agreed to.

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

Clause 16:

Appointment not to be held by unregistered person.

(1) Subject to the provisions of this Bill, no person, not being registered in accordance with this Bill shall be entitled to hold any appointment in the public service of the Federation or of a State or in any public or private establishment, body or institution, if the holding of such appointment involves the performance by him in Nigeria of any act pertaining to the profession for gain.

(2)

Nothing in this section or any other provisions of this Part of this Bill shall prevent a person from holding any appointment referred to in sub-section (1) of this section while he is undergoing training for the purpose of becoming qualified for registration under this Bill under the supervision of persons who are registered in accordance with this Bill.

Committee's Recommendation:

That the provision in Clause 16 be retained (*Senator Yahaya I. Oloriegbe — Kwara Central*) — Agreed to.

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

Clause 17:

Prohibition of falsely professing to be a registered person.

Any person, not being registered in accordance with this Bill, who holds himself out to be so registered or uses any name, title, description or symbol calculated to lead any person to infer that he is so registered, shall be guilty of an offence and liable on conviction for a first offence to a fine of not less than, two thousand naira or to imprisonment for a term of six months or to both such fine and imprisonment, and on conviction for a second or any subsequent offence to imprisonment for a term of not less than one year or fine of One Million Naira.

Committee's Recommendation:

That the provision in Clause 17 be retained (*Senator Yahaya I. Oloriegbe — Kwara Central*) — Agreed to.

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

Clause 18: Recovery of fees.

No remuneration shall be recoverable by legal proceedings in respect of any act pertaining to the profession of a registered person when performed by a person who is prohibited from performing such act for gain.

Committee's Recommendation:

That the provision in Clause 18 be retained (*Senator Yahaya I. Oloriegbe — Kwara Central*)
— Agreed to.

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

Clause 19: Offences.

- (1) If a person for the purpose of procuring the registration of any name, qualification or other matter -
 - (a) makes a statement which he believes to be false in a material particular; or
 - (b) recklessly makes a statement which is false in a material particular, he shall be guilty of an offence.
- (2) If the Registrar or any other person employed by the Board wilfully makes any falsification in any matter relating to any register maintained under this Bill, he shall be guilty of an offence.
- (3) A person guilty of an offence under this section shall be liable - on conviction in a High court, to a fine not exceeding Five Hundred Thousand Naira or to a term of imprisonment not exceeding two years, or to both such fine and imprisonment.
- (4) Where an offence under this Bill which has been committed by a body corporate is proved to have been committed with the connivance of or to be attributable to any neglect on the part of any Director, Manager, Secretary or other similar officer of the body corporate or any person purporting to act in any such capacity, he, as well as the body corporate, shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Committee's Recommendation:

That the provision in Clause 19 be retained (*Senator Yahaya I. Oloriegbe — Kwara Central*)
— Agreed to.

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

Clause 20: Burden of Proof

In any criminal proceedings against any person upon a charge of having performed an act that constitutes an offence if performed by an unregistered person, the person charged shall be deemed to be unregistered unless the contrary is proven.

Committee's Recommendation:

That the provision in Clause 20 be retained (*Senator Yahaya I. Oloriegbe — Kwara Central*)
— Agreed to.

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

Clause 21: Establishment of the Disciplinary Committee and the Investigating Panel

(1) There shall be established a Disciplinary Committee to be known as the Health Education Practitioners Disciplinary Committee (hereinafter referred to as "the Disciplinary Committee") which shall be charged with the duty of considering and determining any case referred to it by the Investigating Panel established by the following provisions of this Bill.

(2) The Disciplinary Committee shall consist of -

(a) the Chairman of the Board; and

(b) four other members of the Board to include members holding offices by virtue of sub-sections (c), (d) and (h) of section 2 of this Bill.

(3) There shall be established a body to be known as the Health Education Practitioners Investigating Panel ("the Investigating Panel") which shall be charged with the duty of -

(a) conducting preliminary investigation into any case where it is alleged that a registered person has misbehaved in his capacity as such, or should for any other reason be the subject of proceedings before the Disciplinary Committee; and

(b) deciding whether the case should be referred to the Disciplinary Committee.

(4) The Investigation Panel shall be appointed by the Board and shall consist of five members of the Board one whom shall be named as the Chairman.

(5) The provisions of the Third Schedule to this Bill shall, in so far as is applicable to the Disciplinary Committee and the Investigating Panel respectively, have effect with respect to those bodies.

[Third Schedule]

Committee's Recommendation:

That the provision in Clause 21 be retained (*Senator Yahaya I. Olorogbe — Kwara Central*) — Agreed to.

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

Clause 22: Proceedings of the Disciplinary Committee.

(1) At any meeting of the Disciplinary Committee three members shall form a quorum -

(2) The Chairman shall preside at any meeting of the Disciplinary Committee,

(3) Any question proposed for decision by the Disciplinary Committee shall be determined by the majority of the members present and voting at a meeting of the Disciplinary Committee at which a quorum is present.

(4) At all meetings of the Disciplinary Committee each member present shall have one vote on a question proposed for decision by the Disciplinary Committee and in the event of an equality of votes, the Chairman shall have in addition to a deliberative vote, a casting vote.

Committee's Recommendation:

That the provision in Clause 22 be retained (*Senator Yahaya I. Oloriegbe — Kwara Central*)
— Agreed to.

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

Clause 23: Penalties for unprofessional conduct

(1) Where-

- (a) a person registered under this Act is convicted by any court or tribunal in Nigeria or elsewhere having power to award punishment for an offence (whether or not an offence punishable with imprisonment) which in the opinion of the Disciplinary Committee is incompatible with the professional status of such person; or
- (b) a registered person is adjudged by the Disciplinary Committee to be guilty of infamous conduct in a professional respect: or
- (c) the Disciplinary Committee is satisfied that the name of any person has been fraudulently registered, the Disciplinary Committee may give any of the directions mentioned in subsection (2) of this section.

(2) The Disciplinary Committee may give a direction under sub-section (1) of this section -

- (a) Ordering the Registrar to strike the person's name off the relevant part of the register;
- (b) Suspending the person from practice for such period as may be specified in the direction;
- (c) Reprimanding the person;
- (d) Ordering the person to pay to the Board any costs of and incidental to the proceedings incurred by the Board: or
- (e) cautioning the person and postponing for a period not exceeding one year any further action against him on one or more conditions as to his conduct during that period, and any such direction may, where appropriate, include provisions requiring the refund of moneys paid.

(3) In any inquiry under this Section, any findings of fact which is shown to have been made in -

- (a) any criminal proceedings in a court in Nigeria: or
- (b) any civil proceedings in a court in Nigeria, shall be conclusive evidence of the fact found.

(4) If, after due inquiry the Disciplinary Committee is satisfied that during the period of any postponement under paragraph (6) of subsection (2) of this Section a person has not complied with the conditions imposed thereunder, the Disciplinary Committee may, if it thinks fit, impose any one or more of the penalties mentioned in paragraphs (a), (b), (c) or (d) of that Sub-section.

(5) A certificate under the hand of the Chairman that any costs have been ordered to be paid by a person under this Section shall be conclusive evidence thereof.

Committee's Recommendation:

That the provision in Clause 23 be retained (Senator Yahaya I. Oloriegbe — Kwara Central)

— Agreed to.

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

Clause 24:**Restoration of registration.**

(1) Where the name, of a person has been struck off from the register in pursuance of a direction given under section 23 of this Act, the Disciplinary Committee may, if it thinks fit, at any time direct the restoration of the person's name to the register.

(2) An application for the restoration of a name to a register under subsection (1) of this section shall not be made to the Disciplinary Committee before the expiration of such period from the date of the striking off (and where he has made such an application, from the date of his last application) as may be specified in the direction.

(3) There shall be payable to the Board by any person on the restoration of his name to a register in pursuance of a direction given under this section the like fees as would be payable by that person on first becoming registered on that register.

Committee's Recommendation:

That the provision in Clause 24 be retained (Senator Yahaya I. Oloriegbe — Kwara Central)

— Agreed to.

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

Clause 25:**Striking off entries from the register on grounds of fraud or error.**

(1) If it is proved to the satisfaction of the Disciplinary Committee that any entry made in a register has been fraudulently or incorrectly made, the Disciplinary Committee may direct that the entry shall be struck off from the register.

(2) A person may be registered in pursuance of any provisions of this Act notwithstanding that his name had been struck off in pursuance of a direction given under subsection (1) of this section, but if it was so struck off on the ground of fraud he shall not be registered except when an application in that behalf is made to the handing over of documents or any other thing as the case may require.

The Disciplinary Committee, on any such application may, if it thinks fit, direct that he shall not be registered, or shall not be registered until the expiration of such period as may be specified in the direction.

(3) Any reference in this Act to the striking off from or the restoration to a register of the name of a person, shall be construed as including a reference to the striking off from or the restoration to the register of any other registrable particulars relating to that person.

Committee's Recommendation:

That the provision in Clause 25 be retained (Senator Yahaya I. Oloriegbe — Kwara Central)

— Agreed to.

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

Clause 26: Appeal to the Federal High Court.

- (1) Where the Disciplinary Committee -
 - (a) makes a finding and imposes a penalty on a registered person under section 23 of this Act; or
 - (b) rejects an application for restoration of a name to a register under section 24 (2) of this Act; or
 - (c) directs the striking off of an entry from a register under section 25 (1) of this Act, the Registrar shall give the person to whom the proceedings relate notice in writing thereof and such person may within 28 days from the date of service on him of the notice, appeal to the Federal High Court.
- (2) On any appeal under this section the Board shall be the respondent.
- (3) No direction for the striking off of the name of a registered person from a register under section 23 or 25 (1) of this Bill shall take effect notwithstanding appeal, and should be restored after successful appeal.
- (4) The Federal High Court on any appeal under the section -
 - (a) confirm, vary or set aside any finding of fact, penalty imposed or direction given by the Disciplinary Committee;
 - (b) confirm the rejection of the Disciplinary Committee of the application for restoration or direct the restoration of the name to the register;
 - (c) remit the matter to the Disciplinary Committee for further consideration; or
 - (d) make such other order as to costs or otherwise as may to it seem just, but no proceedings before the Disciplinary Committee shall be set aside by reason only of informality in those proceedings which did not embarrass or prejudice the appellant.

Committee's Recommendation:

That the provision in Clause 26 be retained (*Senator Yahaya I. Oloriegbe — Kwara Central*)
— Agreed to.

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

PART VI — SUPPLEMENTARY

Clause 27: Regulations, etc.

Any power to make regulations rules or orders conferred under this Act shall include the power to make provisions for such incidental and supplementary matters as the authority making the instrument considers expedient for the purposes of the instrument; and the power to make different provisions for different circumstances.

Committee's Recommendation:

That the provision in Clause 27 be retained (*Senator Yahaya I. Oloriegbe — Kwara Central*)
— Agreed to.

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

Clause 28:

Interpretation.

In this Bill -

"accepted qualification" means a diploma or other certificate specified in the Second Schedule to this Bill;

"Board" means the Health Education Practitioners Registration Board of Nigeria established under section 1 of this Bill;

"member" means a member of the Board and includes the chairman;

"profession" means health education profession;

"register" means a register maintained under this Bill and "registered" shall be construed accordingly;

"Registrar" means the Registrar appointed under section 7 of this Bill;

"registration certificate" means a registration certificate issued under section 10 of this Bill;

"Student" means a person receiving basic training in the profession covered by this Bill in an approved training school.

Committee's Recommendation:

That the provision in Clause 28 be retained (*Senator Yahaya I. Oloriegbe — Kwara Central*) — Agreed to.

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

Clause 29:

Short title.

This Bill may be cited as the Health Education Practitioners Board (Registration, etc.) Bill, 2022.

Committee's Recommendation:

That the provision in Clause 29 be retained (*Senator Yahaya I. Oloriegbe — Kwara Central*) — Agreed to.

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

SCHEDULES

FIRST SCHEDULE

[Section 2 (3)]

Qualification and tenure of office of members

1. (1)

A person other than a person appointed under section 2(1)(d), (f) and (g) of this Act shall not be a member of the board unless he is a citizen of Nigeria and is fully registered or in the case the first member of the profession.

Where a member of the Board ceases to hold office before the date when his term of office would have expired by the effluxion of time the body or persons by whom he was appointed or elected shall, as soon as may be, appoint, or, as the case may be, elect a person to fill the vacancy for the residue of the term aforesaid, so however that the foregoing provisions of this sub-paragraph shall not apply where a person holding office as a member of the board ceases to hold office as at the time when the residue of this term does not exceed one year.

2. (1) Subject to the provisions of this paragraph, a member of the board other than a public officer shall hold office for a period of three years from the date of his appointment and shall be eligible for re-appointment for one further period of three years only.
- (2) A member of the Board other than a public officer may resign his appointment by a letter addressed to the Minister and the resignation shall take effect from the date of the receipt letter by the Minister.
- (3) The Minister may appoint any person who is a registered member of the profession to be a temporary member during a long absence or the incapacity from illness of any member and that person may while the appointment subsist exercise the function of a member under this Act.
- (4) The foregoing provisions of this section shall be without prejudice to the provisions of section f 1 of the Interpretation Act which relates to appointments.

[Cap 123.]

Proceedings of the Board

3. Subject to the provision of this Act and of section 26 of the Interpretation Act, the Board may make standing orders regulation the proceedings of the Board or any committee thereof or elect a vice-chairman in the absence of the chairman for the conduct of affairs of the Board.

[Cap 123.]

4. The quorum of the Board shall be seven and the quorum of any committee of the Board shall be as determined by the Board.
5. At any time while the office of the Chairman is vacant, or the Chairman is in the opinion of the Board temporarily or permanently unable to perform the function of his office, a nominee from among the members of the Board present shall be appointed to perform the function; and reference in this Schedule to the Chairman shall be construed accordingly.
6. (1) Subject to the provision of any applicable standing order, the Board shall meet whenever summoned by the chairman and if the Chairman is required so to do by notice given to him by not less than six other members, he shall: summon a meeting of the Board to be held within twenty-one days from the date on which the notice is given.
- (2) At any meeting of the Board, the Chairman, or in his absence, the members present at the meeting shall appoint one of their members to preside at the meeting.
- (3) Where the Board wishes to obtain the advice of any person on a particular matter, the Board may co-opt him as a member for such period as it thinks fit. But a person who is a member by virtue of this sub-paragraph shall not be entitled to vote at any meeting of the Board and shall not count towards a quorum.
- (4) Notwithstanding anything to the contrary, the first meeting of the Board shall be summoned by the Minister who may give such directions as to the procedure to be followed at that meeting as he may deem fit.

Committees

7. (1) The Board may appoint one or more committees to carry out, on behalf of the Board, such of its functions as the Board may determine.

(2) A committee appointed under this paragraph shall consist of the number of persons determined by the Board and not more than one-third of these persons may be persons who are not members of the Board.

(3) A person other than a member of the Board shall hold office on a committee in accordance with the terms of the instrument by which he is appointed.

(4) A decision of a committee of the Board shall be of no effect until it is confirmed by the Board.

Miscellaneous

8. (1) The fixing of the seal of the Board shall be authenticated by the signature of the Chairman or of some other member authorised generally or specially by the Board to act for that purpose.

(2) Any contract or instrument which if made or executed by a person not being a body corporate, would not be required to be under seal, may be made or executed on behalf of the Board by any generally or specially authorised by the Board for the purpose.

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

SECOND SCHEDULE

[Section 10 (1) and (4).]

ACCEPTED MINIMUM QUALIFICATION FOR THE PURPOSE OF REGISTRATION ON THE REGISTER ESTABLISHED UNDER THIS BILL.

Certificate or any equivalent diploma or qualification.

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

THIRD SCHEDULE

[Section 21 (5)]

SUPPLEMENTARY PROVISIONS RELATING TO THE DISCIPLINARY COMMITTEE AND THE INVESTIGATING PANEL

The Disciplinary Committee

1. (1) The Attorney-General of the Federation shall make rules as to the procedure to be followed and the rules of evidence to be observed in proceedings before the Disciplinary Committee.

(2) The rules shall in particular provide —
(a) for securing that notice of the proceedings shall be given at such time and in such manner as may be specified by the rules, to the person who is subject of the proceedings;

(b) for determining that any party to the proceedings shall, if he so requires be entitled to be heard by the Disciplinary Committee;

(c) for enabling any party to the proceedings to be represented by a legal practitioner;

(d) subject to the provisions of section 23 (2)

(d) of this Bill, as to the cost of proceedings before the Disciplinary Committee;

- (e) for requiring in a case where it is alleged that the person who is the subject of the proceedings is guilty of infamous conduct in any professional respect, that where the Disciplinary Committee adjudges that the allegation has not been proved it shall record a finding that the person is not guilty of such conduct in respect of the matter to which the allegation relates; and
 - (f) for publication in the Gazette notice of any direction of the disciplinary Committee which has taken effect providing that a person's name shall be struck off a register.
2. (1) For the purpose of advising the Disciplinary Committee on any question of law arising in proceedings before it, there shall in such proceedings be an assessor to the Disciplinary Committee who shall be appointed by the Board on the recommendation of the Attorney-General of the Federation and shall be a Legal Practitioner of not less than ten years standing.
- (2) The Attorney-General of the Federation shall make rules as to the functions of assessors appointed under this paragraph and in particular such rules shall contain provisions for securing —
- (a) that where an assessor advises the Disciplinary Committee on any question of law as to evidence procedure or any other matter specified by the rules, he shall do so in the presence of every party or person representing a party to the proceedings who appears there or if the advice is tendered while the Disciplinary Committee is deliberating in private, that every such party or person as aforesaid shall be informed as to what advice the assessor has tendered; and
 - (b) that every party or person as aforesaid shall be informed if in any case the Disciplinary Committee does not accept the advice of the assessor on such a question as aforesaid.
- (3) An assessor may be appointed under this paragraph either generally or for any particular proceedings or class of proceedings, and shall hold and vacate office in accordance with the terms of the instrument by which he is appointed.

The Investigating Panel

3. The quorum of the Investigating Panel shall be three.
4. (1) The Investigating Panel may, at any of its meetings attended by not less than five members of the Investigating Panel, make standing orders with respect to the Investigating Panel.
- (2) Subject to the provisions of any such standing orders, the Investigating Panel may regulate its own procedure.

Miscellaneous

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

6. The Disciplinary Committee or Investigating Panel may act notwithstanding any vacancy in its membership and the proceedings of either body shall not be invalidated by any irregularity in the appointment of a member of that body or (subject to sub-paragraph (2) of paragraph 5 of this Schedule) by reason of the fact that any person who was not entitled to do so took part in the proceedings of that body.

7. The Disciplinary Committee and the Investigating Panel may each sit in two or more places.

8. Any document authorized or required by virtue of this Act to be served on the Disciplinary Committee or the Investigating Panel shall be served on the Registrar.

9. Any expenses of the disciplinary Committee or the Investigating Panel shall be defrayed by the Board.

Question that the provision in the Third Schedule Stand part of the Bill — Agreed to.

Chairman to report Bill.

(SENATE IN PLENARY)

The President of the Senate reported that the Senate, in the Committee of the Whole, considered a Bill for an Act to Provide for the Establishment of a Board to be Responsible for the Regulation of Health Education Practitioners and for Matters Connected Therewith, 2022 and approved as follows:

Clauses 1-29 — As Recommended

Schedules 1-3 — As Recommended

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

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

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

15.

Committee on Judiciary, Human Rights & Legal Matters:

Report on the National Human Rights Commission Act, CAP N46 2004 (Repeal & Enactment) Bill, 2022 (SB. 586):

Motion made: That the Senate do receive and consider the Report of the Committee on Judiciary, Human Rights & Legal Matters on A Bill for an Act to Repeal the National Human Rights Commission Act, Cap. N46, Laws of the Federation of Nigeria 2004 (As Amended); and Enact the National Human Rights Commission in Order to Further Strengthen and Reposition the Commission for the Effective and Efficient Performance of its Statutory Functions; and for Related Matters, 2022 (Senator Micheal O. Bamidele — Ekiti Central).

Question put and agreed to.

Report Laid and Presented.

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

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF THE REPORT OF THE COMMITTEE ON JUDICIARY, HUMAN RIGHTS AND LEGAL MATTERS ON A BILL FOR AN ACT TO REPEAL THE NATIONAL HUMAN RIGHTS COMMISSION ACT, CAP. N46, LAWS OF THE FEDERATION OF NIGERIA 2004 (AS AMENDED); AND ENACT THE NATIONAL HUMAN RIGHTS COMMISSION IN ORDER TO FURTHER STRENGTHEN AND REPOSITION THE COMMISSION FOR THE EFFECTIVE AND EFFICIENT PERFORMANCE OF ITS STATUTORY FUNCTIONS; AND FOR RELATED MATTERS, 2022.

PART I — ESTABLISHMENT OF THE NATIONAL
HUMAN RIGHTS COMMISSION ETC.

Clause 1: Establishment of the National Human Rights Commission

- (1) There is hereby established a body to be known as the National Human Rights Commission (in this Bill referred to as "the Commission").
- (2) The Commission shall be a body corporate with perpetual succession and a common seal and may sue and be sued in its corporate name.

Committee's Recommendation:

That the provision in Clause 1 be retained (*Senator Michael B. Opeyemi — Ekiti Central*) — Agreed to.

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

Clause 2: Governing Council

- (1) There shall be for the Commission a Governing Council (in this Bill referred to as "the Council") which shall be responsible for the discharge of the functions of the Commission.
- (2) The Council shall consist of —
 - (a) a Chairperson who shall be a retired Justice of the Supreme Court, or Court of Appeal, or a retired Judge of the Federal High Court or High Court of the Federal Capital Territory, Abuja or High of a State or a Legal Practitioner with 20 years post qualification experience and requisite experience in human rights;
 - (b) a representative each of the Federal Ministry of —
 - (i) Justice, who shall not be below the rank of a Director;
 - (ii) Foreign Affairs, who shall not be below the rank of a Director;
 - (iii) Interior, who shall not be below the rank of a Deputy Controller of Prisons:

Provided that ex-officio members shall not have voting powers in the Council;
 - (c) 3 representatives of registered human rights organizations in Nigeria;
 - (d) 2 legal practitioners who shall not have less than 10 years post-qualification experience to be appointed on the recommendation of the National Executive Committee of the Nigerian Bar Association;

(e) 3 representatives of the print and electronic media, one to represent the public and two to represent the private media;

(f) a representative of the organized labour;

(g) 2 other persons who shall be women with sufficient experience in human rights issues; and

(h) the Executive Secretary of the Commission.

(3) The Chairperson and members of the Council shall each be —
(a) persons of proven integrity; and

(b) appointed by the President, subject to confirmation by the Senate.

(4) Every member of the Council shall, before starting his duties, make and subscribe to an oath that he shall faithfully and impartially and to the best of his ability, discharge the duties devolving upon him under the Bill, that he shall not divulge the proceedings, votes or opinions of the members of the Council or any other matter relevant to the functions of the Commission.

(5) Such oath shall be in accordance with the Oaths Act.

(6) The supplementary provisions set out in the Schedule to this Bill shall have effect with respect to the proceedings of the Council and the other matters contained therein".

Committee's Recommendation:

That the provision in Clause 2 be retained (Senator Michael B. Opeyemi — Ekiti Central) —
Agreed to.

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

Clause 3:

Tenure of office, etc.

(1) A member of the Council, other than the Executive Secretary, shall hold office for a term of 4 years and may be re-appointed for one further term of four years and no more.

(2) A member of the Council may at any time resign his office in writing addressed to the President, and which resignation shall become effective on acceptance by the President.

(3) Members of the Council shall be paid such allowances as may be determined by the President, on the recommendation of the Revenue Mobilization, Allocation and Fiscal Commission".

Committee's Recommendation:

That the provision in Clause 3 be retained (Senator Michael B. Opeyemi — Ekiti Central) —
Agreed to.

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

Clause 4:

Cessation of membership

(1) A Member of the Council shall be removed from office by the President and Commander-in-Chief of the Armed Forces of the Federal Republic of Nigeria, subject to confirmation by simple majority of the Senate, if he —

- (a) becomes of unsound mind;
 - (b) becomes bankrupt or makes a compromise with his creditors;
 - (c) is convicted of a felony of any offence involving dishonesty; or
 - (d) is guilty of serious misconduct in relation to his duties".
- (2) Where a vacancy occurs in the membership of the Council, it shall be filled by the appointment of a successor to hold office for the remainder of the term of office of his predecessor, so however that the successor shall represent the same interest and shall be appointed by the President.

Committee's Recommendation:

That the provision in Clause 4 be retained (*Senator Michael B. Opeyemi — Ekiti Central*) — Agreed to.

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

PART II — FUNCTIONS AND POWERS

Clause 5: Functions of the Commission

The Commission shall —

- (a) deal with all matters relating to the promotion and protection of human rights guaranteed by the Constitution of the Federal Republic of Nigeria, the United Nations Charter and the Universal Declaration on Human Rights, the International Convention on Civil and Political Rights, the International Convention on the Elimination of all forms of Racial Discrimination, the International Convention on Economic, Social and Cultural Rights, the Convention on the Elimination of all forms of Discrimination Against Women, the Convention on the Rights of the Child, the African Charter on Human and Peoples' Rights and other International and Regional Instruments on human rights to which Nigeria is a party;
- (b) monitor and investigate all alleged cases of human rights violation in Nigeria and make appropriate recommendations to the President for the prosecution and such other actions as it may deem expedient in each circumstance;
- (c) assist victims of human rights abuses and seek appropriate redress and remedies on their behalf;
- (d) undertake studies on all matters pertaining to human rights and assist the Federal, State and Local Governments where it considers it appropriate to do so in the formulation of appropriate policies on the guarantee of human rights;
- (e) publish and submit, from time to time, to the President, National Assembly, Judiciary, State and Local Governments, reports on the state of human rights promotion and protection-in Nigeria;
- (f) organize local and International seminars, workshops and conferences on human rights issues for public enlightenment;

(g) liaise and cooperate, in such manner as it considers appropriate, with local and International Organisations on human rights with the purpose of advancing the promotion and protection of human rights;

(h) participate in such manner as it considers appropriate in all international activities relating to the promotion and protection of human rights;

(i) maintain a library, collect data and disseminate information and materials on human rights;

(j) receive and investigate complaints concerning violations of human rights and make appropriate determination and recommendation as may be deemed necessary in each circumstance;

(k) examine any existing legislative, administrative provisions and proposed bills or bye laws for the purpose of ascertaining whether such enactments or proposed bills or bye-laws are consistent with human rights norms;

(l) prepare and publish, in such manner as the Commission considers appropriate, guidelines for the avoidance of acts or practices with respect to the functions and powers of the Commission under this Bill;

(m) promote an understanding of public discussions of human rights issues in Nigeria;

(n) undertake research and educational programmes and such other programmes for promoting and protecting human rights and co-ordinate any such programme on behalf of the Federal, State or Local Governments on its own initiative when so requested by the Federal, State or Local Government and report concerning the enactment of legislation on matters relating to human rights;

(o) on its own initiative or when requested by the Federal, State or Local Government, report on actions that should be taken by the Federal, State or Local Government to comply with the provisions of any relevant international human rights instruments;

(p) refer, any matter of human rights violation requiring prosecution to the Attorney-General of the Federation or of a State, as the case may be;

(q) where it considers it appropriate to do so act as a conciliator between parties to a complaint;

(r) where it considers it appropriate, with the leave of the court, hearing the proceedings and subject to any condition imposed by the court, intervene in any proceeding that involves human rights issues; and

(s) carry out all other functions as are necessary and expedient for the performance of its functions under the Bill.

Committee's Recommendation:

That the provision in Clause 5 be retained (Senator Michael B. Opeyemi — Ekiti Central) — Agreed to.

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

Clause 6: Powers of the Commission

- (1) The Commission, shall have power to —
 - (a) conduct its investigations and inquiries in such manner as it considers appropriate;
 - (b) institute any civil action on any matter it deems fit in relation to the exercise of its functions under this Bill;
 - (c) appoint any person, whether or not such person is "in the public service, to act as an interpreter in any matter brought before it and to translate any such book, paper or writing produced to it;
 - (d) visit prisons, police cells and other places of detention in order to ascertain the conditions thereof and make recommendations to the appropriate authorities;
 - (e) make determination and recommendation as to the damages or compensation payable in relation to any violation of human rights where it deems this necessary in the circumstances of the case;
 - (f) co-operate and consult with other agencies and organisations, governmental and non-governmental, as it may deem appropriate; and
 - (g) do such other things as are incidental, necessary, conducive or expedient for the performance of its functions under this Bill.
- (2) Whenever it appears to the Executive Secretary upon information and after such inquiry as he shall think necessary, that there is reasonable cause to suspect that in any place there is evidence of the Commission of any offence under this Bill, he may by written order, direct an officer of the Commission to —
 - (a) enter upon any land or premises or by any agent or agents duly authorised in writing for any purpose which, in the opinion of the Commission is material to the functions of the Commission, and in particular, for the purpose of obtaining evidence or information or of inspecting or taking copies of any document required by, or which may be of assistance to the Commission and for safeguarding any such document or property which in the opinion of the Commission ought to be safeguarded for any purpose of its investigations or proceedings; provided a court order is obtained in this respect;
 - (b) summon and interrogate any person, body or authority to appear before it for the purpose of a public inquiry aimed at the resolution of a complaint of human rights violation;
 - (c) issue a warrant to compel the attendance of any person who, after having been summoned to attend, fails, refuses or neglects to do so and does not excuse such failure, refusal or neglect to the satisfaction of the Commission;

- (d) compel any person, body or authority who, in its opinion, has any information relating to any matter under its investigation to furnish it with any information or produce any document or other evidence which is in his or her custody and which relates to any matter being investigated; and
- (e) compel the attendance of witnesses to produce evidence before it.

(3) In exercising its functions and powers under this Bill, the Commission shall not be subject to the direction or control of any other authority or person.

(4) It is an offence for any person, body or authority to —
 (a) refuse to provide evidence, including documentary evidence to the Commission in response to a written request to do so, except where such disclosure is not permitted by law or court order;

(b) obstruct or do anything to prevent any member of the Council or an employee of the Commission from the lawful exercise of any of the functions conferred on the Commission by this Bill;

(c) punish, intimidate, harass or discriminate against any person for co-operating with the Commission in the exercise of its functions under this Bill; or

(d) refuse to comply with lawful directives, determination, decision or finding of the Commission.

(5) A person who commits an offence under subsection (4) of this section is liable on conviction to imprisonment for a term of 6 months or to a fine of ₦100,000.00 or to both such imprisonment and fine.

Committee's Recommendation:

That the provision in Clause 6 be retained (Senator Michael B. Opeyemi — *Ekiti Central*) —
 Agreed to.

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

PART III — STAFF

Executive Secretary of the Commission

(1) There shall be for the Commission an Executive Secretary who shall be —
 (a) a legal practitioner with not less than 20 years post qualification experience and requisite experience in human rights issues; and
 (b) a person of proven integrity and be the Chief Executive and Accounting Officer of the Commission; and
 (c) appointed by the President subject to confirmation by the Senate.

(2) The Executive Secretary shall hold office for a term of five years in the first instance on such terms and conditions as the President, may determine, and may be reappointed for one further term of five years and no more.

- (3) Subject to such general directions as the Council may give, the Executive Secretary shall be responsible for the day-to-day administration of the Commission and the implementation of the decisions of the Council.
- (4) The Executive Secretary shall perform the functions of keeping the record of proceedings and decisions of the Council and such other functions as the Council may, from time to time, direct.

Committee's Recommendation:

That the provision in Clause 7 be retained (*Senator Michael B. Opeyemi — Ekiti Central*) —
Agreed to.

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

Clause 8: Other staff of the Commission, etc.

- (1) The Council shall have power to appoint directly, and either on transfer or on secondment from any public service in the Federation, such number of employees as may, in the opinion of the Council, be required to assist the Commission in the discharge of any of its functions under this Bill, and shall have power to pay to persons so employed such remuneration (including allowances) as the Council may, determine.
- (2) The terms and conditions of service (including remuneration, allowances, pensions, gratuities and other benefits) of the persons employed by the Commission shall be as determined by the Council from time to time, after consultation with the Salaries, Income and Wages Commission.
- (3) The Council may engage such consultants and advisers as it may require for the proper and efficient discharge of the functions of the Commission.

Committee's Recommendation:

That the provision in Clause 8 be retained (*Senator Michael B. Opeyemi — Ekiti Central*) —
Agreed to.

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

Clause 9: Staff regulations

The Commission may, subject to the provisions of this Act, make staff regulations relating generally to the conditions of service of the employees of the Commission and without prejudice to the generality of the foregoing, such regulations may provide for —

- (a) the appointment, promotion and disciplinary control (including dismissal) of employees of the Commission; and
- (b) appeals by such employees against dismissal or other disciplinary measures.

Committee's Recommendation:

That the provision in Clause 9 be retained (*Senator Michael B. Opeyemi — Ekiti Central*) —
Agreed to.

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

Clause 10:

Service in the Commission to be Pensionable, Etc.

(1) Subject to subsection (2) of this section, persons employed in the Commission shall in respect of their service in the Commission be entitled to pensions, gratuities and other retirement benefits as prescribed under the Pensions Reform Act in respect of persons holding equivalent posts; and accordingly, notwithstanding the provisions of the Pensions Reform Act, it is hereby declared that service in the Commission shall be approved service for the purposes of that Bill.

(2)

Nothing in this section shall prevent the appointment of a person to any office in the Commission on terms and conditions which preclude the grant of a pension or gratuity in respect of service in that office.

Committee's Recommendation:

That the provision in Clause 10 be retained (Senator Michael B. Opeyemi — Ekiti Central) — Agreed to.

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

PART IV — FINANCIAL PROVISIONS

Clause 11:

Fund of the Commission

(1) The Commission shall establish and maintain a fund which shall be applied towards the discharge of its functions under this Bill.

(2)

The Fund of the Commission shall be a charge on the Consolidated Revenue Fund of the Federation.

(3)

There shall be paid and credited to the fund established pursuant to subsection (1) of this section —

(a)

such sums as may be provided by the Government of the Federation for the Commission; and

(b)

all other sums accruing to the Commission by way of gifts, testamentary dispositions, endowments and contributions from philanthropic persons and organisations or otherwise however.

Committee's Recommendation:

That the provision in Clause 11 be retained (Senator Michael B. Opeyemi — Ekiti Central) — Agreed to.

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

Clause 12:

Power to Accept Gifts

(1) The Commission may accept gifts of land, money or other property on such terms and conditions, if any, as may be specified by the person or organisation making the gift.

(2)

The Commission shall not accept any gift if the conditions attached by the person or organisation making the gift are inconsistent with the functions of the Commission.

Committee's Recommendation:

That the provision in Clause 12 be retained (Senator Michael B. Opeyemi — Ekiti Central) — Agreed to.

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

Clause 13: Borrowing Powers, etc.

- (1) The Commission may borrow by way of loan or overdrafts from any source such specific amount as may be required by the Commission for meeting its obligations and discharging its functions under this Bill.
- (2) The Commission may subject to this Bill and the conditions of any trust created in respect of any property, invest all or any of its funds.
- (3) The Commission may, from time to time, invest any surplus funds of the Commission in securities prescribed by the Trustee Investments Act or such other securities.
- (4) Subject to the provisions of the Land Use Act, the Commission may acquire or lease any land required for its purpose under this Bill.

Committee's Recommendation:

That the provision in Clause 13 be retained (*Senator Michael B. Opeyemi — Ekiti Central*) —
Agreed to.

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

Clause 14: Human Rights Fund

- (1) There is established the Human Rights Fund (in this Bill referred to as "the Fund") which shall be applied by the Commission towards -
 - (a) the conduct of research and training on human rights issues; and other projects of the Commission;
 - (b) the facilitation of human rights activities of the Commission in Collaboration with other human rights non-governmental organisations, Civil Society organisations and other stakeholders; and
 - (c) compensation of human rights violations.
- (2) There shall be paid and credited to the Fund established pursuant to subsection (1) of this section —
 - (a) such sums as may be provided by the Federal, State or Local Government for purposes of the Fund as maybe agreed with the Commission;
 - (b) such contributions from national and multi-national institutions, public and private companies and institutions carrying on business in Nigeria.

Committee's Recommendation:

That the provision in Clause 14 be retained (*Senator Michael B. Opeyemi — Ekiti Central*) —
Agreed to.

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

Clause 15: Annual estimates, accounts and audit

- (1) The Commission shall cause to be prepared, not later than 30th September in each year, an estimate of the expenditure and income of the Commission during the next succeeding year and when prepared they shall be submitted, to the National Assembly for approval.

(2) The Commission shall cause to be kept proper accounts and proper records in relation thereto and when certified by the Commission such accounts shall be audited as provided in subsection (3) of this section.

(3) The accounts of the Commission shall be audited by auditors appointed from the list of auditors and in accordance with the guidelines issued by the Auditor-General for the Federation and the fees of the auditors and the expenses for the audit generally shall be paid from the funds of the Commission.

Committee's Recommendation:

That the provision in Clause 15 be retained (Senator Michael B. Opeyemi — Ekiti Central) — Agreed to.

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

Clause 16: Annual Report

The Commission shall, not later than 6 months after the end of report each year; submit to the President and the National Assembly, a report on the activities of the Commission and its administration during the immediate preceding year and shall include in the report the audited account of the Commission and the auditor's comments thereon."

Committee's Recommendation:

That the provision in Clause 16 be retained (Senator Michael B. Opeyemi — Ekiti Central) — Agreed to.

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

Clause 17: Regulation, limitation of suit against the Commission

(1) Subject to the provisions of this Bill, the provisions of the Public Officers Protection Act shall apply in relation to any suit instituted against any member of the Council, the Executive Secretary, or any officer or employee of the Commission.

(2) No suit shall lie or be instituted in any court against the Commission, any member of the Council, the Executive Secretary or any officer or employee of the Commission for an act done in pursuance or execution of this Bill or any other law or enactment, or of any public duty or authority or in respect of any alleged neglect or default in the execution of this Bill or such law or enactment, duty or authority unless —
(a) it is commenced within 3-months next after the act, neglect or default complained of; or
(b) in the case of a continuation of damage or injury, within 6 months next after the ceasing thereof.

(3) No suit shall be commenced against the Commission, any member of the Council, the Executive Secretary, officer or employee of the Commission before the expiration of a period of one month after a written notice of intention to commence the suit shall have been served upon the Commission by the intending plaintiff or his agent.

(4) The notice referred to in subsection (3) of this section shall clearly state —
(a) the cause of action;

- (b) the particulars of claim;
- (c) the name and place of abode of the intending plaintiff; and
- (d) the relief which he claims

Committee's Recommendation:

That the provision in Clause 17 be retained (*Senator Michael B. Opeyemi — Ekiti Central*) —
Agreed to.

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

Clause 18: Service of Document

A notice, summons or other document required or authorized to be served upon the Commission under the provisions of this Bill or any other law or enactment may be served by delivering it to the Executive Secretary or by sending it by registered post and addressed to the Executive Secretary at the principal office of the Commission".

Committee's Recommendation:

That the provision in Clause 18 be retained (*Senator Michael B. Opeyemi — Ekiti Central*) —
Agreed to.

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

Clause 19: Restriction of execution against property of the Commission

Any sum of money which may by the judgment of any court be awarded against the Commission shall be paid from the general reserve fund of the Commission subject to any direction given by the Court.

Committee's Recommendation:

That the provision in Clause 19 be retained (*Senator Michael B. Opeyemi — Ekiti Central*) —
Agreed to.

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

Clause 20: Indemnity

A member of the Council, the Executive Secretary, any officer or employee of the Commission, shall be indemnified out of the assets of the Commission against any proceedings, whether civil or criminal, in which judgment is given in favour of another or in which he is acquitted, if any such proceeding is brought, against him in his capacity as a member of the Council, the Executive Secretary, officer or employee of the Commission—provided that he acted in good faith.

Committee's Recommendation:

That the provision in Clause 20 be retained (*Senator Michael B. Opeyemi — Ekiti Central*) —
Agreed to.

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

Clause 21: Recognition and enforcement of awards and recommendations

- (1) An award or recommendation, made by the Commission shall be recognised as binding and subject to this section and this Act shall, upon application in writing to the court, be enforced by the Court.

(2) In this section, "court" means the Federal High Court or the High Court Of the Federal Capital Territory, Abuja or High Court of a State".

Committee's Recommendation: That the provision in Clause 21 be retained (Senator Michael B. Opeyemi — Ekiti Central) — Agreed to.

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

Clause 22: Regulations
The Commission may make such regulations as it deems necessary or expedient to give effect to the provisions of this Bill.

Committee's Recommendation: That the provision in Clause 22 be retained (Senator Michael B. Opeyemi — Ekiti Central) — Agreed to.

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

Clause 23: Repeal
The National Human Rights Commission Act 1995; and the National Human Rights Commission Act (Amendment) Bill, 2010 are hereby repealed.

Committee's Recommendation: That the provision in Clause 23 be retained (Senator Michael B. Opeyemi — Ekiti Central) — Agreed to.

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

Clause 24: Savings and transitional provisions.
(1) All assets, rights, liabilities, interests, and obligations vested in National Human Rights Commission Act Cap. N46 Laws of the Federation of Nigeria 2004 (as amended), before the commencement of this Bill, shall after commencement of this Bill be vested in the National Human Rights Commission Act, established pursuant to this Bill.
(2) All staff of National Human Rights Commission existing before the commencement of this Bill shall after commencement of this Bill continue to be staff of National Human Rights Commission in accordance with the terms of appointment.

Committee's Recommendation: That the provision in Clause 24 be retained (Senator Michael B. Opeyemi — Ekiti Central) — Agreed to.

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

Clause 25: Interpretation
In this Bill —
"Chairperson" means the Chairman of the Council appointed in accordance with the provision of section 2 (2) of this Bill who is also the Chairman of the Governing Council;
"Commission" means the National Human Rights Commission, established pursuant to section 1 of this Bill;

"Constitution" means the Constitution of the Federal Republic of Nigeria, 1999, as amended;

"Council" means the Governing Council of the Commission, established pursuant to section 2 of this Bill;

"Court" means the Federal High Court or the High Court of the Federal Capital Territory, Abuja, or the High Court of a State;

"Executive Secretary" refers to the official designation of the Chief Executive who is responsible for the day-to-day running of the functions and activities of the Commission;

"Member" means of the Governing Council appointed according to section 2 (2) and (3) of this Bill;

"Oath" includes affirmation and declaration.

"Treaties/Conventions" includes but not limited to, the Universal Declaration on Human Rights; the International Convention for Economic, Social and Cultural Rights; the International Convention on the Elimination of all forms of Racial Discrimination; the Convention on the Elimination of all forms of Discrimination Against Women, the Convention on the Rights of the Child; the African Charter on Human and Peoples' Rights; and other International and Regional Instruments on human rights to which Nigeria is a party;

"Paris Principles" refers to the status and functionality of national institutions for the protection and promotion of human rights, generally, adopted by the United Nations Resolution of 1992/54 and the United Nations General Assembly Resolution 48/134 of 20 December, 1993.

Committee's Recommendation:

That the provision in Clause 25 be retained (*Senator Michael B. Opeyemi — Ekiti Central*) — Agreed to.

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

Clause 26: Citation

This Bill may be cited as the National Human Rights Commission Act (Repeal and Enactment) Bill, 2022.

Committee's Recommendation:

That the provision in Clause 26 be retained (*Senator Michael B. Opeyemi — Ekiti Central*) — Agreed to.

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

SCHEDULE

[Section 2(6)]

SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL, ETC.

Proceeding of the Council

1. (1) Subject to this Bill and Section 27 of Interpretation Act, the Council may make standing orders regulating its proceedings or those of any of its committees.
- (2) The quorum of the Council shall be 6 members, excluding the ex-officio members but including the Chairman or, in his absence, the person elected under Paragraph 2(2) of this Schedule to preside and 5 other members, and the quorum of any Committee of the Council shall be determined by the Council.

2. (1) The Council shall meet at least once a month in each calendar year and subject thereto, the Council shall meet whenever it is summoned by the Chairman, and if the Chairman is required to do so, by notice given to him by not less than four other members, he shall summon a meeting of the Council to be held within fourteen days from the date on which the notice is given.

(2) At any meeting of the Council, the Chairman shall preside but if he is absent, the members present at the meeting shall elect one of their members to preside at the meeting.

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

(4) The decision of the Council shall be by simple majority.

Committees

3. (1) The Council may appoint one or more committees to carry out, on behalf of the Council, such of its functions as the Council may determine.

(2) A committee appointed under sub-paragraph (1) of this paragraph shall consist of such number of persons (not necessarily members of the Council) as may be determined by the Council, and a person other than a member of the Council, shall hold office on the committee in accordance with the terms of the appointment.

(3) A decision of a committee of the Council shall be of no effect until it is confirmed by the Council.

Miscellaneous

4. (1) The fixing of the seal of the Commission shall be authenticated by the signature of the Executive Secretary or any person specifically authorized to act for that purpose by the Council.

(2) Any contract or instruments 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 Commission by the Executive Secretary or any person specifically authorised to act for that purpose by the Council.

(3) Any document purporting to be a document duly executed under the seal of the Commission shall be received in evidence and shall, unless and until the contrary is proved, be presumed to be so executed.

5. The validity of any proceedings of the Council or of a committee thereof shall not be adversely affected by any vacancy in the membership of the Council or committee, or by any defect in the appointment of a member of the Council or a committee, or by reason that a person not entitled to do so took part in the proceedings of the Council or committee.

6. Any member of the Council or of a committee of the Council who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Council or committee shall disclose his interest to the Council or committee and shall not vote on any question relating to the contract or arrangement.

Question that the provision in this Schedule Stand part of the Bill — Agreed to.

Chairman to report Bill.

(SENATE IN PLENARY)

The President of the Senate reported that the Senate, in the Committee of the Whole, considered the Report of the Committee on Judiciary, Human Rights and Legal Matters on a Bill for an Act to Repeal the National Human Rights Commission Act, Cap. N46, Laws of the Federation of Nigeria 2004 (As Amended); and Enact the National Human Rights Commission in Order to Further Strengthen and Re-position the Commission for the Effective and Efficient Performance of its Statutory Functions; and for Related Matters, 2022 and approved as follows:

Clauses 1-26 — 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.

16. **Federal Medical Centre Ogoja, Cross River State (Establishment) Bill, 2022 (HB. 276) — Concurrence:**

Consideration of Bill deferred to another Legislative Day.

17. **Public Enterprises (Privatization & Commercialization) Act, 2004 (Repeal & Enactment) Bill, 2022 (HB. 1470) — Concurrence:**

Consideration of Bill deferred to another Legislative Day.

18. **Advertising Regulatory Council of Nigeria Bill, 2022 (HBs.137 & 518) — Concurrence:**

Consideration of Bill deferred to another Legislative Day.

19. **Arbitration and Mediation Bill, 2022 (HB. 91) — Concurrence:**

Consideration of Bill deferred to another Legislative Day.

20. **Adjournment:**

Motion made: That the Senate do now adjourn till Wednesday, 6th April, 2022 at 10:00 a.m. (*Senate Leader*).

Question put and agreed to.

Adjourned accordingly at 1:44 p.m.

