



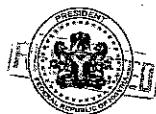
SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Tuesday, 12th April, 2022

1. The Senate met at 10:52 a.m. The President of the Senate read prayers.
2. **Votes and Proceedings:**
The Senate examined the Votes and Proceedings of Wednesday, 6th April, 2022.
Question was put and the Votes and Proceedings were approved.
3. **Message from Mr. President:**
The President of the Senate announced that he had received a letter from Mr. President, Commander-in-Chief of the Armed Forces of the Federation, which he read as follows:

Revised 2022 Fiscal Framework:



**PRESIDENT
FEDERAL REPUBLIC OF NIGERIA**

5th April, 2022

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

Dear Distinguished Senate President,

SUBMISSION OF THE REVISED 2022 FISCAL FRAMEWORK

As you are aware, there have been new developments both in the global economy as well as in the domestic economy which have necessitated the revision of the 2022 Fiscal Framework on which the 2022 Budget was based.

2. *These developments include spikes in the market price of crude oil, aggravated by the Russian-Ukraine war, significantly lower oil production volume due principally to production shut-ins as a result of massive theft of crude oil between the production platforms and the terminals. The decision to suspend the removal of Petroleum Motor Spirit (PMS) subsidy at a time when high crude oil prices have elevated the subsidy cost has significantly eroded government revenues. There is also the need to make adequate provisions for the recent enhancements of allowances for officers and men of the Nigeria Police Force to boost their morale as they grapple with heightened security challenges in the country.*

3. *Following these developments, it has become necessary to adjust the fiscal framework, and accordingly amend the 2022 Appropriation Act to ensure its successful implementation.*
4. *The adjustments to the 2022 Fiscal Framework include:*
- (a) An increase in the oil price benchmark by US\$11 per barrel, from US\$62 per barrel to US\$73 per barrel;*
 - (b) A reduction in the projected oil production volume by 283,000 barrels per day, from 1.883 million barrels per day to 1.600 million barrels per day;*
 - (c) An increase in the estimated provision for PMS subsidy for 2022 by ₦3.557 trillion, from ₦442.72 billion to ₦4.00 trillion;*
 - (d) A cut in the provision for Federally funded upstream projects being implemented by ₦200 billion, from ₦352.80 billion to ₦152.80 billion;*
 - (e) An increase in the projection for Federal Government Independent Revenue by ₦400 billion; and,*
 - (f) An additional provision of ₦182.45 billion to cater for the needs of the Nigerian Police Force.*
5. *Based on the above adjustments, the Federation Account (Main Pool) revenue for the three tiers of government is projected to decline by ₦2.418 trillion, while FGN's share from the Account (net of transfer to the Federal Capital Territory and other statutory deductions) is projected to reduce by ₦1.173 trillion. However, the amount available to fund the FGN Budget is projected to decline by ₦772.91 billion due to the increase in the projection for Independent Revenue (Operating Surplus Remittance) by ₦400 billion.*
6. *Aggregate expenditure is projected to increase by ₦192.52 billion, due to increase in personnel cost by ₦161.40 billion and other service wide votes by ₦21.05 billion (both for the Nigeria Police Force), additional domestic debt service provision of ₦76.13 billion, and net reductions in Statutory Transfers by ₦66.07 billion, as follows:*
- (a) NDDC, by ₦13.46 billion from ₦102.78 billion to ₦89.32 billion;*
 - (b) NEDC, by ₦6.30 billion from ₦48.08 billion to ₦41.78 billion;*
 - (c) UBEC, by ₦23.16 billion from ₦112.29 billion to ₦89.13 billion;*
 - (d) Basic Health Care Fund, by ₦11.58 billion from ₦56.14 billion to ₦44.56 billion; and*
 - (e) NASENI, by ₦11.58 billion from ₦56.14 billion to ₦44.56 billion.*
7. *Total budget deficit is projected to increase by ₦965.42 billion to ₦7.35 trillion, representing 3.99% of GDP. The incremental deficit will be financed by new borrowings from the domestic market.*
8. *Given the urgency of the request for revision of the 2022 Fiscal Framework and 2022 Budget amendments, I seek the cooperation of the National Assembly for expeditious legislative action on this request.*
9. *Please accept, Distinguished Senate President, the assurances of my highest consideration.*

Yours sincerely,
(Signed)
Muhammadu Buhari

4. **Announcements:**(a) **Conference Committee:**

The President of the Senate named the following Senators as Conferees on Arabic Village Bill, 2022:

(i)	Senator Aishatu A. Dahiru	—	Chairman
(ii)	Senator Hassan I. Hadejia	—	Member
(iii)	Senator Yusuf A. Yusuf	—	Member
(iv)	Senator Michael A. Nnachi	—	Member
(v)	Senator Surajudeen A. Bashiru	—	Member
(vi)	Senator Mohammed E. Bima	—	Member
(vii)	Senator Gershom H. Bassey	—	Member

(b) **Invitation to the Senate APC Caucus to IFTAR/Dinner:**

The President of the Senate read a letter from Senator Yahaya A. Abdullahi (*Kebbi North*) as follows:



SENATOR YAHAYA A. ABDULLAHI
SENATE LEADER

11th April, 2022

*The President of the Senate,
National Assembly,
Abuja.*

**INVITATION OF THE SENATE
APC CAUCUS TO IFTAR/DINNER**

The Vice President, Federal Republic of Nigeria has invited all Distinguished Senators of the All Progressive Congress (APC) Caucus to Iftar/Dinner.

VENUE: Aguda House
DATE: Tuesday April 12, 2022
TIME: 6:30pm

(Signed)
Senator Yahaya A. Abdullahi, Ph.D, OON
Senate Leader

(c) **Interactive Meeting:**

The President of the Senate read a letter from Senator Enyinnaya H. Abaribe (*Abia South*) as follows:



SENATOR ENYINNAYA HARCOURT ABARIBE
MINORITY LEADER

12th April, 2022

*The Senate President
National Assembly
Abuja*

NOTICE OF INTERACTIVE MEETING

The PDP Caucus of the Senate of the Federal Republic is herewith notified that the Governor of Akwa Ibom State, H.E. Udom Emmanuel will love to meet with the Caucus members as follows:

Date: Tuesday, 12th April, 2022

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

Time: 7: 30pm prompt

All members should note that we will break the fast with our Muslim brethren who normally break their fast between 7pm to 8pm. All inconveniences are highly regretted.

(Signed)

Senator Enyinnaya Abaribe

(Minority Leader)

(d) **Letter of Resignation:**

The President of the Senate read a letter from Senator Abdullahi Adamu (Nasarawa West) as follows:



SENATOR (DR.) ABDULLAHI ADAMU, CON

TURAKIN KEFFI

CHAIRMAN, SENATE COMMITTEE ON AGRICULTURE & RURAL DEVELOPMENT
NASARAWA WEST SENATORIAL DISTRICT

April 1, 2022

His Excellency

Senator Ahmad Ibrahim Lawan, Ph.D

Senate President

Federal Republic of Nigeria

National Assembly, Abuja

Letter of Resignation from the 9th Senate

I am with utmost respect and appreciation informing you that consequent upon my victory as National Chairman at the just concluded convention of our great Party, the All Progressives Congress (APC) on the 26th of March, 2022, I hereby formally resign as a Senator of the Federal Republic of Nigeria representing Nasarawa West Senatorial District with effect from 1st April, 2022.

I feel a sense of duty and obligation to convey through this letter my appreciation for the cooperation and guidance I received from you as the Chairman of the National Assembly throughout my official and private association with you.

As I leave the Senate, I cannot easily forget the change and style of leadership that you brought since becoming the Senate President of the 9th Senate. Your ability to forge the deep rooted bipartisan approach on all issues over which you chaired deliberations speaks volumes of your chemistry as a leader. Since your assumption of the Chairmanship of the National Assembly, you have worked so hard for the Assembly to be seen to work with Government and not against it. Indeed, you have roundly proved at every stage that the 3 arms of government are truly arms of the same national government. You have steered the National Assembly to do the bidding of our great Party without prejudice to the other parties, irrespective of the size of their representation. In so doing, you have been able, not only to carry your colleagues at the leadership level of the Senate, but endeavoured to be a family head in the real sense of the word to all members of the 9th Senate.

My resignation will leave me with fond memories of the solidarity and camaraderie that we have been able to forge over the 11 years I have been in the Senate. To say I will miss you and my colleagues in the 9th Senate will be an understatement, but I gain consolation in the fact that my call to a higher pedestal of service will keep us all within reach of one another.

Kindly convey my wishes to all my colleagues that they should kindly spare some time in joining hands with us at the headquarters of our great party, the APC, to do the needful in our efforts to deliver the 2023 presidential and general election to our party and its followers.

I also request that you convey my gratitude to all our colleagues and to our chamber staff.

I remain yours, most sincerely,

(Signed)

Senator (Dr.) Abdullahi Adamu
Turakin Keffi

(e) **Letter of Resignation:**

The President of the Senate read a letter from Senator Abubakar S. Kyari (Borno North) as follows:



Senator Abubakar Kyari

CHAIRMAN, SENATE COMMITTEE ON FEDERAL CAPITAL TERRITORY
BORNO NORTH SENATORIAL DISTRICT
FEDERAL REPUBLIC OF NIGERIA

1st April, 2022

His Excellency
Senator Dr. Ahmad I. Lawan Ph.D CON
President of the Senate
Federal Republic of Nigeria
National Assembly
Abuja

LETTER OF RESIGNATION

I am writing formally to inform Your Excellency of my resignation from the Senate of the Federal Republic of Nigeria as the Senator representing Borno North Senatorial District. This is as a result of my victory at the convention of our Party, the All Progressives Congress (APC), on the 26th of March 2022 where I emerged as the Deputy National Chairman - North.

I am humbled by the fact that my constituents have repeatedly reposed their trust in me to be their voice to advocate for their economic, social and political rights. I will never forget my Distinguished Colleagues and the staff of Senate Committees, Chamber and the National Assembly I have met, the relationships I have built and developed over the 7 years of my stay as a Senator.

Your Excellency, I am deeply appreciative of the Senate under your sound leadership and for the opportunity given to me to serve as the Chairman, Senate Committee on FCT.

To the Deputy Senate President, Principal Officers and all my Distinguished Colleagues, and to those that I have had the pleasure of working alongside, interacted with and learned from, I say thank you from a heart full of gratitude.

Yours Sincerely
 (Signed)
 Senator Abubakar Kyari

- (f) **LETTER OF APPRECIATION:**
 The President of the Senate read a letter from Senator Yahaya I. Oloriegbe (*Kwara Central*) as follows:



THE SENATE
 FEDERAL REPUBLIC OF NIGERIA
SEN. DR. IBRAHIM YAHAYA OLORIEGBE
 Chairman, Senate Committee on Health, Deputy Chairman Diaspora NGO and Civil Society
 KWARA CENTRAL SENATORIAL DISTRICT

12th April, 2022

Distinguished Senator Ahmad Ibrahim Lawan, Ph.D, CON
The President of the Senate
Federal Republic of Nigeria
National Assembly, Abuja

LETTER OF APPRECIATION

On behalf of my family and the people of Kwara Central Senatorial District, I would like to extend our sincerest thanks and gratitude to you and my Distinguished Colleagues for the time you took out of your busy schedules to come to Ilorin for the various programmes we held on Saturday, 9th April, 2022.

I specially thank you for your appreciation of our modest achievements on the 3 years we have been elected and for your kind words of encouragement.

Thank you for honouring me with your presence and support. I pray that Almighty Allah will bless you abundantly for being part of this epoch making event.

Yours sincerely,
 (Signed)
 Senator (Dr.) Ibrahim Yahaya Oloriegbe

- (g) **Appreciation:**
 The President of the Senate read a letter from Senator Oluremi S. Tinubu (*Lagos Central*) as follows:



SENATOR OLOREMI TINUBU, OON
 LAGOS CENTRAL SENATORIAL DISTRICT
 Chairman, Senate Committee on Communications

Wednesday 30th March, 2022

His Excellency,
Senator (Dr.) Ahmad Lawan, CON
President of the Senate,
National Assembly Complex,
Three Arms Zone,
Abuja.

Appreciation

I thank you and my Distinguished Colleagues for your support and well wishes on the occasion of the 70th Birthday Anniversary of my husband, Asiwaju Bola Ahmed Tinubu, on Tuesday 29th March, 2022.

In spite of the tragic terror attack and resulting cancellation of the Colloquium, we are indeed honoured that you still made out time to join us at the private prayer session.

While sending my condolences to those who lost loved ones, I pray that the perpetrators are brought to justice, and that God continues to honour you and keep you all in good health and prosperity.

Please accept as always, the assurance of my highest regards.

Sincerely,

(Signed)

Senator Oluremi Tinubu, OON

5. Petitions:

Rising on Order 40, Senator Patrick A. Akinyelure (*Ondo Central*) drew the attention of the Senate to three (3) petitions received from the Office of the President of the Senate as follows:

- (i) Prince Taiwo Aiyedatiwa on behalf of Abereke and Abereke Sea-side Communities in Ilaje Local Government Area of Ondo State against Chevron Nigeria Ltd., and Conoil Producing Ltd. over an alleged refusal for the execution of memorandum of understanding as directed by the Ministry of Petroleum Resources and the Department of Petroleum Resources (DPR);
- (ii) Chief Eric Morgan and Chief Abrahams Azubuike on behalf of Association of Famzhi Investors against the Managing Director of Famzhi Nigeria Ltd. over an alleged fraud of ₦5 billion invested with the firm; and
- (iii) King Gabriel & Co., on behalf of AIC Gabriel Royal against the Nigeria Customs Service over an alleged wrongful dismissal from service.

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.

6. Presentation of Bills:

- (i) 2022 Appropriation Act (Amendment) Bill, 2022 (SB. 994) — *Read the First Time.*
- (ii) National Energy Security Council Bill, 2022 (SB. 886) — *Read the First Time.*
- (iii) Social Welfare Service Bill, 2022 (SB. 984) — *Read the First Time.*
- (iv) Federal University of Health Sciences Azare, Bauchi State (Establishment) Bill, 2022 (SB. 990) — *Read the First Time.*
- (v) Federal College of Education Jama'are, Bauchi State (Establishment) Bill, 2022 (SB.991) — *Read the First Time.*
- (vi) Federal College of Fisheries, Aqua Culture and Environmental Studies Oluponna, Osun State (Establishment) Bill, 2022 (SB. 992) — *Read the First Time.*

7. **Motion:**

Re-Committal of the Federal University of Technology, Auchi, Edo State (Establishment) Bill, 2022 to the Committee of the Whole:

Motion made: That the Senate recalls that the Federal University of Technology, Auchi, Edo State (Establishment) Bill was passed by the National Assembly and transmitted to the President for assent;

observes that some fundamental issues which require fresh legislative action by both Chambers of the National Assembly emerged after a critical analysis of the Bill by Mr. President, Commander-in-Chief of the Armed Forces of the Federation;

aware that a Technical Committee of the Senate and House of Representatives and the Directorate of Legal Services met and worked on the Bill;

relying on order 1(b) and order 52(6) of Senate Standing Order, 2022 (As Amended).

The Senate accordingly resolves to:

Rescind its decision on the Bill as passed and re-commit same to the Committee of the Whole for re-consideration and passage (*Senate Leader*).

Debate:

Proposed Resolution:

Question: That the Senate do rescind its decision on the Bill as passed and re-commit same to the Committee of the Whole for re-consideration and passage — *Agreed to.*

Resolved:

That the Senate do rescind its decision on the Bill as passed and re-commit same to the Committee of the Whole for consideration and passage (*S/Res/088/03/22*).

Motion made: Pursuant to Resolution No. (*S/Res/088/03/22*) that the Senate do resolve into Committee of the Whole to consider the Bill (*Senate Leader*).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF FEDERAL UNIVERSITY OF TECHNOLOGY, AUCHI, EDO STATE AND FOR RELATED MATTERS, 2022.

PART I - ESTABLISHMENT, CONSTITUTION AND
FUNCTIONS OF THE FEDERAL UNIVERSITY OF TECHNOLOGY, AUCHI

Clause 1: Establishment and objectives of the Federal University of Technology, Auchi, Edo State.

- (1) There is hereby Federal Polytechnic, Auchi upgraded and established as the Federal University of Technology, Auchi, Edo State.
- (2) The University shall be a body corporate with perpetual succession and a common seal and may sue or be sued in its corporate name.
- (3) The University shall be a training institution for the development of Technologists in the country.
- (4) The University shall be supervised by the Federal Ministry of Education through the National Universities Commission (NUC) who shall be responsible for approving and regulating all academic

programmes run in the University, to ensure quality compliance and provide funds for academic and research programmes, infrastructures and remunerations of employees.

- (5) The objects of the University shall be:
- (a) to encourage the advancement of learning and to hold out to all persons without distinction of race, creed, sex or political conviction;
 - (b) to develop and offer academic and professional programmes leading to the award of certificates, first degrees, post-graduate research, diploma and higher degrees with emphasis on planning, developmental and adaptive skills in technology, applied science, social science, management and allied professional disciplines;
 - (c) to produce socially mature technologists with capabilities not to only understand the technology need of Nigeria as a nation, but also to exploit existing technological infrastructure and improve on it to develop new ones;
 - (d) to act as agents and catalysts for effective technology system, through post graduate training, research and innovation, for effective economic utilization and conservation of the country's human resources;
 - (e) to bring quality change in Technology Education by focusing on practical teaching and learning innovations;
 - (f) to collaborate with other national and international institutions involved in training, research and development of Technology with a view to promoting governance, leadership and management skills among Technologists;
 - (g) to identify Technology needs of the society with a view to finding solutions to them within the context of overall national development;
 - (h) to provide and promote sound basic technology training as a foundation for the development of Nigeria, taking into account indigenous culture and the need to enhance national unity;
 - (i) to provide higher Education and foster a systematic advancement of the science and Technology Education;
 - (j) to provide for instruction in such branches of Technological education as it may deem necessary to make provision for research advancement and dissemination of knowledge in such manner as it may determine;
 - (k) to provide students with operational competence for applying knowledge in the society as well as making technological changes in the society;
 - (l) to undertake any other activities that is appropriate for a University of Technology of the highest standard.

Committee's Recommendation:

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

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

Clause 2: Constitution and principal officers of the University.

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

Committee's Recommendation:

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

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

Clause 3: Powers of Federal University of Technology, Auchi and its exercise.

- (1) For the carrying out of its objects as specified in section 1 of this Bill, Federal University of Technology, Auchi shall have power:
 - (a) to offer courses of instruction, training and research in Technology and allied areas for the production of quality and skilled technologists required at lower, middle and higher levels of manpower in Nigeria in particular and the world at large;
 - (b) to establish such colleges, campuses, institutes, schools, 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 National Universities Commission;

- (c) to institute professorships, readerships or associate professorships, lectureships, and other posts and offices and to make appointments thereto;
- (d) to institute and award fellowships, scholarships, exhibitions, bursaries, medals, prizes and other titles, distinctions, awards and forms of assistance;
- (e) to provide for the discipline and welfare of members of the University;
- (f) to hold examinations and grant degrees, diplomas, certificates and other distinctions to persons who have pursued a course of study approved by the University and have satisfied such other requirements as the University may lay down;
- (g) to grant honorary degrees, fellowships or academic titles;
- (h) to demand and receive from any student or any other person attending the University for the purposes of instruction, such fees as the University may from time to time determine subject to the overall directives of the Minister;
- (i) subject to section 20 of this Bill, to acquire, hold, grant, charge or otherwise deal with or dispose of movable and immovable property wherever it is situate;
- (j) to accept gifts, legacies and donations, but without obligation to accept the same for a particular purpose unless it approves the terms and conditions attached thereto;
- (k) to enter into contracts, establish trusts, act as trustee, solely or jointly with any other person, and employ and act through agents;
- (l) to erect, provide, equip and maintain libraries, laboratories, workshops, lecture halls, halls of residence, refectories, sports grounds, playing fields and other buildings or things necessary, suitable or convenient for any of the objects of the University;
- (m) to hold public lectures and to undertake printing, publishing and book selling;
- (n) subject to any limitations or conditions imposed by statute, to invest any moneys appertaining to the University by way of endowment it, 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 to deposit any moneys for the time being not invested with any bank on deposit or current account;
- (o) to borrow, whether on interest or not and if need be upon the security of any or all of the property, movable or immovable, of the University, such moneys as the Council may from time to time in its discretion find it necessary or expedient to borrow of to guarantee any loan, advances or credit facilities;

- (p) to make gifts for any charitable purpose;
 - (q) to do anything which it is authorized or required by this Bill or by statute to do; and
 - (r) to do all such acts or things, whether or not incidental to the foregoing powers, as may advance the objects of the University.
- (2) Subject to the provisions of this Bill and of the statutes 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 Council or by the Senate or in many other manner which may be authorized 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 3 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 4: Functions of the Chancellor and Pro-Chancellor.

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

Committee's Recommendation:

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

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

Clause 5: Composition, tenure and powers of the Council of the University.

- (1) The Council of the University shall consist of:
 - (a) the Pro-Chancellor who shall be appointed by the President on the recommendation of the Honourable Minister of Education;
 - (b) the Vice-Chancellor;
 - (c) the Deputy Vice-Chancellor(s);
 - (d) one person from the Ministry responsible for Education;
 - (e) four persons representing a variety of interests and broadly representative of the whole Federation to be appointed from:
 - (i) the Teacher's Registration Council;
 - (ii) Tertiary Education Trust Fund; and

- (iii) two other persons, one of whom shall be a representative of the University host community;
 - (f) four persons appointed by the Senate from among its members;
 - (g) two persons appointed by Congregation from among its members;
 - (h) one person appointed by Convocation from among its members;
 - (i) two persons representing the community appointed by the President.
- (2) Persons to be appointed to the Council shall be of proven integrity, knowledgeable and familiar with the affairs and tradition of the University.
- (3) The Council so constituted shall have a tenure of four years from the date of its inauguration provided that where a Council is found to be incompetent and corrupt, it shall be dissolved by the Visitor and a new Council shall be immediately constituted for the effective functioning of the University.
- (4) The powers of the Council shall be exercised, as in this Bill and to that extent establishment circulars that are inconsistent with this Bill shall not apply to the University.
- (5) The Council shall be free in the discharge of its functions and exercise of its responsibilities for the good management, growth and development of the University.
- (6) The Council in the discharge of its functions shall ensure that disbursement of funds of the University complies with the approved budgetary ratio for:
- (a) personnel cost;
 - (b) overhead cost;
 - (c) research and development;
 - (d) library developments; and
 - (e) the balance in expenditure between academic vis-a-vis non-academic activities.

Committee's Recommendation:

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

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

Clause 6: Functions of the Council and its finance and general purposes committee.

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

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

Committee's Recommendation:

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

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

Clause 7: Functions of the Senate of the University.

- (1) Subject to section 6 of this Bill and subsections (3) and (4) of this section and the provisions of this Bill relating to the Visitor, it shall be the general function of the Senate to organize and control the teaching by the University, the admission of student where no other enactment provides to the contrary and the discipline of students; and to promote research at the University.

- (2) Without prejudice to the generality of subsection (1) of this section and subject as therein mentioned, it shall in particular be the function of the Senate to make provision for:
- (a) the establishment, organization and control of campuses, colleges, schools, institutes and other teaching and research units of the University and the allocation of responsibility for different branches of learning;
 - (b) the organization and control of courses of study at the University and of the examinations held in conjunction with those courses, including the appointment of examiners, both internal and external;
 - (c) the award of degrees, and such other qualifications as may be prescribed in connection with examinations held as aforesaid;
 - (d) the making of recommendations to the Council with respect to the award to any person of an honorary fellowship or honorary degree or the title of professor emeritus;
 - (e) the establishment, organization and control of halls of residence and similar institutions at the University;
 - (f) the supervision of the welfare of students at the University and the regulation of their conduct;
 - (g) the granting of fellowships, scholarships, prizes and similar awards in so far as the awards are within the control of the University; and
 - (h) determining what descriptions of dress shall be academic dress for the purposes of the University, and regulating the use of academic dress.
- (3) The Senate shall not establish any new campus, college, school, department, institute or other teaching and research units of the University, or any hall of residence or similar institution at the University without the approval of the Council.
- (4) Subject to this Bill and the statutes, the Senate may make regulations for the purpose of exercising any function conferred on it either by the foregoing provisions of this section or otherwise or for the purpose of making provision for any matter for which provision by regulations is authorized or required by this Bill or by statute.
- (5) Regulations shall provide that at least one of the persons appointed as the examiners at each final or professional examination held in conjunction with any course of study at the University is not a teacher at the University but is a teacher of the branch of learning to which the course relates at some other University of high repute or a person engaged in practicing the profession in a reputable organization or institution.
- (6) Subject to right of appeal to the Council from a decision of the Senate under this sub-section, the Senate may deprive any person of any degree, diploma or other award of the University which has been conferred upon him if after due enquiry he is found to have been

guilty of dishonourable or scandalous conduct in gaining admission into the University or obtaining that award.

Committee's Recommendation:

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

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

Clause 8: Functions of the Vice-Chancellor.

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

Committee's Recommendation:

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

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

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

Clause 9: General Fund of the University.

- (1) There shall be a general fund of the University which shall consist of the following:
 - (a) grants-in-aid;
 - (b) fees;
 - (c) income derived from investments;
 - (d) gifts, legacies, endowments and donations not accepted for a particular purpose;
 - (e) income derived from the exercise of any functions conferred or imposed on the University by this Bill;
 - (f) any other amounts, charges or dues recoverable by the University;
 - (g) revenue, from time to time, accruing to the University by way of subvention;

- (h) interests on investments;
 - (i) donations and legacies accruing to the University from any source for the general or special purposes of the University; and
 - (j) regular TETFUND interventions.
- (2) The general fund shall be applied for the purposes of the University.

Committee's Recommendation:

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

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

Clause 10: Transfer of property, etc.

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

Committee's Recommendation:

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

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

PART III — STATUTES OF THE UNIVERSITY

Clause 11: Power of the University to make statutes.

- (1) Subject to this Bill, the University may make statutes for any of the following purposes, that is to say:
 - (a) making provision with respect to the composition and constitution of any authority of the University;
 - (b) specifying and regulating the powers and duties of any authority of the University, and regulating any other matter connected with the University or any of its authorities;
 - (c) regulating the admission of students (where no other enactment provides to the contrary), and their discipline and welfare;
 - (d) determining whether any particular matter is to be treated as an academic or non-academic matter for the purposes of this Bill and of any statute, regulation or other instrument made thereunder; or
 - (e) making provision for any other matter for which provision by statute is authorized or required by this Bill.
- (2) Subject to section 25 (6) of this Bill, the Interpretation Bill shall apply in relation to any statute made under this section as it applies to a subsidiary instrument within the meaning of section 28 (1) of that Bill.

Third Schedule.

- (3) The statute contained in the Third Schedule to this Bill shall be deemed to have come into force on the commencement of this Bill and shall be deemed to have been made under this section by the University.
- (4) The power to make statutes conferred by this section shall not be prejudiced or limited in any way by reason of the inclusion or omission of any matter in or from the statute contained in the Third Schedule to this Bill or any subsequent statute.

Committee's Recommendation:

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

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

Clause 12: Mode of exercising power to make statutes.

- (1) The power of the University to make statutes shall be exercised in accordance with the provisions of this section 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 or the other.
- (4) A statute which:
 - (a) makes provision for or alters the composition or constitution of the Council, the Senate or any other authority of the University; or
 - (b) provides for the establishment of a new campus or college or for the amendment or revocation of any statute.
- (5) For the purpose of section 2 (2) of the Interpretation Act, a statute shall be treated as being made on the date on which it is duly approved by the Council after having been duly approved by the Senate, or on the date on which it is duly approved by the Senate after having been duly approved by the Council, as the case may be or, in the case of a statute falling within 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 sub-section (6) of this section shall be binding upon the authorities, staff and students of the University and where any question as to the meaning of any provision of a statute has been decided by the Visitor under that sub-section, no question as to the meaning of that provision shall be entertained by any court of law in Nigeria.
- (8) Nothing in sub-section (7) of this section shall affect any power of a court of competent jurisdiction to determine whether any provision of a statute is wholly or partly void as being ultra vires or as being inconsistent with the Constitution of the Federal Republic of Nigeria, 1999.

Committee's Recommendation:

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

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

Clause 13: Proof of 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.

Committee's Recommendation:

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

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

PART IV — SUPERVISION AND DISCIPLINE

Clause 14. The Visitor.

- (1) The President shall be the Visitor of the University.
- (2) The Visitor shall cause a visitation to the University when necessary, at least every five years, or direct that such a visitation be conducted by such person or persons as the Visitor may deem fit and in respect of any of the affairs of the University.
- (3) It 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.
- (4) The Visitor shall make the report of such visitations and white paper thereon available to the Council which shall implement same.

Committee's Recommendation:

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

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

Clause 15: Removal of certain members of the 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 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 (*Senate Leader*) — *Agreed to.*

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

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

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

- (a) give notice of those reasons to the person in question;
- (b) afford him an opportunity of making representations in person on the matter by the Council; and
- (c) 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 interest of the University, suspend such member and any such suspension shall forthwith be reported to the Council.

- (3) For good cause, any member of the staff may be suspended from his 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;
- (b) any physical or mental incapacity which the Council, after obtaining medical advice, considers to be such as to render the person concerned unfit to continue to hold his office;
- (c) conduct of a scandalous or other disgraceful nature which the Council considers to be such as to render the person concerned unfit to continue to hold his office;

- (d) conduct which the Council considers to be such as to constitute failure or inability of the person concerned to discharge the functions of his office or to comply with the terms and conditions of his service;
 - (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:
- (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 (*Senate Leader*) — *Agreed to.*

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

Clause 17: Removal of examiners.

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

Committee's Recommendation:

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

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

Clause 18: Participation and discipline of students.

- (1) The Students shall be:—
 - (a) represented in the University's Students Welfare Board and other committees that deal with the affairs of students;
 - (b) participate in various aspects of curriculum development;
 - (c) participate in the process of assessing academic staff in respect of teaching; and
 - (d) be encouraged to be more self-assured as part of the national development process.
- (2) Subject to the provisions of this section, where it appears to the Vice-Chancellor that any student of the University has been guilty of misconduct, the Vice-Chancellor may, without prejudice to any other disciplinary powers conferred on him by statute or regulations, direct:—
 - (a) that the student shall not, during such period as may be specified in the directions, participate in such activities of the University, or make use of such facilities of the University, as may be so specified;
 - (b) that the activities of the student shall, during such period as may be specified in the direction, be restricted in such manner as may be so specified; or
 - (c) that the student be rusticated for such period as may be specified in the direction; or
 - (d) that the student be expelled from the University.

- (3) Where a direction is given under 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.
- (4) The fact that an appeal from a direction is brought in pursuance to subsection (2) of this section shall not affect the operation of the direction while the appeal is pending:—
- (a) the Vice-Chancellor may delegate his powers under this section to a disciplinary board consisting of such members of the University as he may nominate;
- (b) nothing in this section shall be construed as preventing the restriction or termination of students' activities at the University otherwise than on the ground of misconduct; and
- (c) a direction under subsection (2) (a) of this section may be combined with a direction under subsection (2) (b) of this section.

Committee's Recommendation:

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

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

PART V — MISCELLANEOUS AND GENERAL

Clause 19: Exclusion of discrimination on account of race, religion, etc.

- (1) No person shall be required to satisfy requirements as to any of the following matters, that is to say, race (including ethnic grouping), sex, account of race, place of birth or of family origin, or religious or political persuasion, as a condition of becoming or continuing to be a student at the University, the holder of any degree of the University or of any appointment or employment at the University, or a member of anybody established by virtue of this Bill; and no person shall be subject to any disadvantage or accorded any advantage relation to the University, by reference to any of those matters.
- (2) Nothing in 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 willfully refuses or fails on grounds of religious belief to undertake any duty generally and uniformly imposed on all such person or any group of them which duty, having regard to its nature and the special circumstances pertaining thereto, is in the opinion of the University reasonably justifiable in the national interest.

Committee's Recommendation:

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

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

Clause 20: Restriction on disposal of land by University.

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

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

Committee's Recommendation:

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

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

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

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

Committee's Recommendation:

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

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

Clause 22: Appointment of committees, etc.

(1) Anybody of persons established by this Bill shall, without prejudice to the Appointment of generality of the powers of that body, have power to appoint committees, which need not committees, etc. consist exclusively of members of that body, and to authorize a committee established by it: —

(a) to exercise, on its behalf, such of its functions as it may determine; and

(b) to co-opt members.

(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 subsection (1), (2) and (3) of this section shall be construed as:—

(a) enabling the statutes to be made otherwise than in accordance with section 1 of this Bill; or

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

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

Committee's Recommendation:

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

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

Clause 23: Special provisions relating to pensions of professors.

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

Committee's Recommendation:

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

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

Clause 24: Miscellaneous administrative provisions.

- (1) The seal of the University shall be such as may be determined by the Council and approved by the Chancellor, and the affixing of the seal shall be authenticated by any member of the Council and by the Vice-Chancellor, Secretary to the Council or any other person authorized by statute.
- (2) Any document purporting to be a document executed under the seal of the University shall be received in evidence and shall, unless the contrary is proved, be presumed to be so executed.
- (3) Any contract or instrument which if made or executed by a person not being a body corporate would not be required to be under seal, may be made or executed on behalf of the University by any person generally or specially authorized to do so by the Council.
- (4) The validity of any proceedings of anybody established in pursuance of this Bill shall not be affected by any vacancy in the membership of the body, or by any defect in the appointment of a member of the body or by reason that any person not entitled to do so took part in the preceding.
- (5) Any member of any such body who has a personal interest in any matter proposed to be considered by that body shall forthwith disclose his interest to the body and shall vote on any question relating to that matter.
- (6) Nothing in section 12 of the Interpretation Act (which provides for the application in relation to subordinate legislation of certain incidental provisions) shall apply to statutes or regulations made in pursuance to this Bill.
- (7) The power conferred by this Bill on anybody to make statutes or regulations shall include power to revoke or vary any statute (including the statute contained in the Third Schedule of this Bill) or

any regulation by a subsequent statute or as the case may be, by a subsequent regulation and statutes and regulations may make different provisions in relation to different circumstances.

- (8) No stamp or other duty shall be payable in respect of any transfer of property to the University by virtue of section 8 or section 18 of this Bill or the Second Schedule to this Bill.
- (9) Any notice or other instrument authorized to be served by virtue of this Bill may, without prejudice to any other mode of service, be served by post.

Committee's Recommendation:

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

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

Clause 25: Restriction of suits and execution

Pre-action notice.

- (1) (a) No legal proceeding shall be instituted and/or commenced against the University or any of its agents in the course of their official duties unless a 3 months' Pre-Action Notice of such intention is served on the University by an aggrieved party.
- (b) The Notice shall state the reason and the cause of action intended to be taken against the University, the particulars of the claim, the name and place of abode of the intending plaintiff and the relief which he claims.
- (c) For the avoidance of doubt, it is hereby declared that no suit shall be commenced against an officer or servant of the University, in any case where the University is vicariously liable for any alleged act, neglect or default of the officer or servant in the performance or intended performances of his duties, unless three months at least has elapsed after written notice of intention to commence the same shall have been served on the University by the intending plaintiff or his agent.
- (d) In any suit against this University, no execution or attachment or process in the nature thereof shall be issued against the University, but any sums of money which may be judgment of the court be awarded against the University shall, subject to any direction given by the court where notice of appeal has been given by the University in respect of the said judgment, be paid by the University from its general fund.

Service of Notices.

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

Committee's Recommendation:

That the provision in Clause 25 be retained (*Senate Leader*) — *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 the University;
- "College" means the College established pursuant to section 2 (1) (b) of this Bill for the University;
- "Council" means the Governing Council of the University established by section 5 of this Bill;
- "Functions" includes powers and duties;
- "Graduate" means a person on whom a degree, other than an honorary degree, has been conferred by the University and any other person as may be designated as a graduate by the Council, acting in accordance with the recommendation of the Senate;
- "Minister" means the Hon. Minister of Education;
- "Notice" means notice in writing;
- "Officer" does not include the Visitor;
- "Prescribed" means prescribed by statute or regulations;
- "Professor" means a person designated as a Professor of the University in accordance with provisions made in that behalf by statute or by regulations;
- "Property" includes rights, liabilities and obligations;
- "Provisional Council" means the provisional council appointed for the University;
- "Regulations" means regulations made by the Senate or the Council;
- "Senate" means the Senate of the University established pursuant to section 2 (1) (e) of this Bill;
- "School" means a unit of closely related academic programmes;
- "Statute" means a statute made by each University under section 10 of this Bill and in accordance with the provisions of section 11 of this Bill;
- "the statutes" means all such statutes as are in force from time to time;
- "Teacher" means a person holding a full-time appointment as a member of the teaching or research staff of the University;
- "Undergraduate" means a person registered as a student undergoing a course of study for a first degree of the University or such other course in the University as may be approved by the Senate as qualifying a student undergoing it for the status of an under-graduate;
- "University" means Federal University of Technology, Auchi established and incorporated by section 1 of this Bill;

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

Committee's Recommendation:

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

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

Clause 27: Repeal

Paragraph (q) of the Polytechnic Act, 2019 as amended is hereby repealed.

Committee's Recommendation:

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

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

Clause 28: Citation.

This Bill may be cited as the Federal University of Technology, Auchi (Establishment) Bill, 2022.

Committee's Recommendation:

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

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

SCHEDULES
FIRST SCHEDULE

[SECTION 2 (2)]

PRINCIPAL OFFICERS OF THE UNIVERSITY

The Chancellor

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

The Pro-Chancellor

2. (1) The Pro-Chancellor who shall be the Chairman of Council shall be appointed or removed from office by Mr. President upon recommendation by the Minister of Education.
- (2) Subject to the provisions of this Bill, the Pro-Chancellor shall hold office for a period of four years beginning with the date of his appointment.

The Vice-Chancellor

3. (1) There shall be a Vice-Chancellor of the University who shall be appointed by the Council in accordance with the provisions of this paragraph.
- (2) Where a vacancy occurs in the post of a Vice-Chancellor, the Council shall:—
- (a) advertise the vacancy in a reputable journal or a widely read newspaper in Nigeria, specifying:—
- (i) the qualities of the persons who may apply for the post; and

- (ii) the terms of conditions of service applicable to the post, and thereafter draw up a short list of suitable candidates for the post for consideration.
 - (b) constitute a Search Team consisting of:—
 - (i) a member of the Council, who is not a member of the Senate, as chairman;
 - (ii) two members of the Senate who are not members of the Council, one of whom shall be a Professor;
 - (iii) two members of Congregation who are not members of the Council, one of whom shall be a Professor, to identify and nominate for consideration, suitable persons who are not likely to apply for the post on their own volition because they felt that it is not proper to do so.
- (3) A Joint Council and Senate Selection Board consisting of:—
 - (a) the Pro-Chancellor, as chairman;
 - (b) two members of the Council, not being members of the Senate;
 - (c) two members of the Senate who are Professors, but who were not members of the Search Team, shall consider the candidates and persons in the shortlist drawn up under subsection (2) of this paragraph through an examination of their curriculum vitae and interaction with them, and recommend to the Council three candidates for further consideration.
- (4) The Council shall select and appoint as the Vice-Chancellor one candidate from among the three candidates recommended to it under subsection (3) of this section and thereafter inform the Visitor.
- (5) The Vice-Chancellor shall hold office for a single term of five years only on such terms and conditions as may be specified in his letter of appointment.
- (6) The Vice Chancellor may be removed from office by the Council on grounds of gross misconduct or inability to discharge the functions of his office as a result of infirmity of the body or mind, at the initiative of the Council, Senate or the Congregation after due process.
- (7) When the proposal for the removal of the Vice-Chancellor is made, the Council shall constitute a Joint Committee of Council and Senate consisting of:—
 - (i) three members of the Council, one of whom shall be the Chairman of the committee; and
 - (ii) two members of the Senate:—

Provided that where the ground for removal is infirmity of the body or mind, the Council shall seek appropriate medical opinion.
- (8) The committee shall conduct investigation into the allegations made against the Vice-Chancellor and shall report its findings to the Council.
- (9) The Council may where the allegations are proved remove the Vice-Chancellor or apply any other disciplinary action it may deem fit and notify the Visitor accordingly provided that a Vice-Chancellor who is removed shall have right of appeal to the Visitor.

- (10) There shall be no sole administrator in the University.
- (11) In any case of a vacancy in the office of the Vice-Chancellor, the Council shall appoint an acting Vice-Chancellor on recommendation of the Senate.
- (12) An acting Vice Chancellor in all circumstances shall not be in office for more than 6 months.

Deputy Vice-Chancellor

4. (1) There shall be for the University such number of Deputy Vice-Chancellors as Council may from time to time deem necessary for the proper administration of the University.
- (2) Where a vacancy occurs in the post of Deputy Vice-Chancellor, the Vice-Chancellor shall forward to the Senate a list of two candidates for each post of Deputy Vice-Chancellor that is vacant.
- (3) The Senate shall select for each vacant post one candidate from each list forwarded to it under subsection (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;
 - (b) may be reappointed for one further period of two years and no more; and
 - (c) may be removed from office for good cause by the Council acting on the recommendations of the Vice-Chancellor and Senate.
 - (d) "Good cause" for the purpose of this section means gross misconduct or inability to discharge the functions of his office arising from infirmity of the body or mind.

Office of the Registrar

5. (1) There shall be for the 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 the University the following principal officers, in addition to the Registrar, that is:—
- (a) the Bursar; and
 - (b) the University Librarian, who shall be appointed by the Council on the recommendation of the Selection Board constituted under paragraph 7 of this Schedule.
- (2) The Bursar shall be the Chief Financial Officer of the University and be responsible to the Vice-Chancellor for the day-to-day administration and control of the financial affairs of the University.
- (3) The University Librarian shall be responsible to the Vice-Chancellor for the administration of the University Library and the co-ordination of the library services in the University and its campuses, colleges, schools, departments, institutes and other teaching or research units.
- (4) Any question as to the scope of the responsibilities of the aforesaid officers shall be determined by the Vice-Chancellor

Selection Board for other Principal Officers

7. (1) There shall be, for the University, a Selection Board for the appointment of principal officers, other than the Vice-Chancellor or Deputy Vice-Chancellor, which shall consist of:—
- (a) the Pro-Chancellor, as chairman;
 - (b) the Vice-Chancellor;
 - (c) four members of the Council not being members of the Senate; and
 - (d) two members of the Senate.
- (2) The functions, procedure and other matters relating to the Selection Board constituted under subsection (1) of this paragraph shall be as the Council may, from time to time, determine.
- (3) The Registrar, Bursar and Librarian shall hold office for a single term of five years only beginning from the effective date of their appointments and on such terms and conditions as may be specified in their letters of appointment.
- (4) Notwithstanding subsection (3) of this section, the Council may, upon satisfactory performance, extend the tenure of the Registrar, Bursar or Librarian for a further period of one year only and thereafter such principal officer shall relinquish his post and be assigned to other duties in the University.

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

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

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

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

Transfer of Property to University

Without prejudice to the generality of section 9 (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

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

THIRD SCHEDULE

FEDERAL UNIVERSITY OF TECHNOLOGY, AUCHI STATUTE NO.1

[SECTION 9 (3)]

ARRANGEMENT OF ARTICLES

Articles:—

1. The Council.
2. The Finance and General Purposes Committee
3. The Senate
4. The Congregation
5. Convocation
6. Division of Colleges
7. College/School Boards
8. Dean of the College
9. Selection of certain Principal Officers
10. Creation of academic posts
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 5 of this Bill.
- (2) Any member of the Council holding office otherwise than in pursuance of section 5 (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 5 (a), (b), (c), or (d) of this Bill shall, unless he previously vacates it, vacate that office on the expiration of the period of four years beginning with effect from 1 August in the year which he was appointed.
- (4) Where a member of the Council holding office otherwise than in pursuance of section 5 (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 or four years.
- (6) The quorum of the Council shall be five, at least one of whom shall be a member appointed pursuant to section 5 (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 4 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 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 four members of the Council appointed by the Senate and one member appointed to the Council by Congregation;
 - (d) 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
 - (e) the Executive Secretary of the Petroleum Technology Development Fund, or in his absence, such member of the Fund as he may designate to represent him.

- (2) The quorum of the Committee shall be five.
- (3) Subject to any directions given by the Council, the Committee may regulate its own procedure.

Annual budget and estimates, etc.

- (4) (i) The estimates of income and expenditure for a financial year shall be presented by the Vice-Chancellor to the Council and may be approved by the Council before the beginning of that financial year:—
Provided that the Vice-Chancellor may during any financial year present and the Council may approve supplementary estimates of income or expenditure;
- (ii) The annual and supplementary estimates shall be prepared in such form and shall contain such information as the Council may direct.

Gifts, donations, etc.

- (5) (i) The Council may on behalf of the University accept by way of grants, gift, testamentary disposition or otherwise, property and money in aid of the finances of the University on such conditions as it may approve;
- (ii) Registers shall be kept of all donations to the University including the names of donors and any special conditions under which any donation may have been given:—
Provided that the University shall not be obliged to accept a donation for a particular purpose unless it approves of the terms and conditions attaching to such donation;
- (iii) All property, money or funds donated for any specific purposes shall be applied and administered in accordance with the purposes for which they are donated and shall be accounted for separately.

Payment into bank

- (6) All sums of money received on account of the University shall be paid into such bank as may be approved by the Council for the credit of the University's general, current or deposit account:—
Provided that the Council may invest, as it deems fit, any money not required for immediate use other than donations of money referred to in subsection (1) of this section.

Audit

- (7) (1) The Council shall cause the accounts of the University to be audited by auditors appointed by the Council as soon as may be after the end of each financial year or for any such other period as the Council may require.
- (2) The appointment and other matters relative to the auditors, their continuance in office and their functions, as the case may be, shall, subject to the provisions of this section, be prescribed by statute.

The Senate

3. (1) The Senate shall consist of:—
 - (i) the Vice-Chancellor;
 - (ii) Deputy Vice-Chancellors;
 - (iii) the Deans of respective Colleges;
 - (iv) the Professors in the University;

- (v) Heads of Academic Departments and Units;
 - (vi) the University Librarian;
 - (vii) one elected representative of each College;
 - (viii) two members of Academic Staff elected by the Congregation;
 - (ix) one elected representative of each department;
 - (x) 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;
 - (xi) Registrar-Secretary.
- (2) The procedure for election of members of Senate to the Council shall be prescribed by Regulations.
- (3) The Vice-Chancellor shall be the chairman at all meetings of the Senate when he is present, and in his absence any of the Deputy Vice-Chancellors present at the meeting as the Senate may appoint for that meeting shall be the chairman at the meeting.
- (4) The quorum of the Senate shall be one quarter or the nearest whole number less than one quarter; and subject to paragraph (3) of this Article, the Senate may regulate its own procedure.
- (5) An elected member may, by notice to the Senate, resign his office.
- (6) Subject to paragraph (8) of this article, there shall be elections for the selection of elected members which shall be held in the prescribed manner on such day in the month of May or June in each year as the Vice-Chancellor may from time to time determine.
- (7) An elected member shall hold office for the period of two years beginning with 1 August in the year of his election, and may be a candidate at any election held in pursuance to paragraph (6) 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.
- (8) No election shall be held in pursuance of this article in any year if the number specified in the certificate given in pursuance to paragraph (11) of this article does not exceed by more than one the figure which is thrice the number of those elected members holding office on the date of the certificate who do not vacate office during that year in pursuance of paragraph (7) of this article.
- (9) For the avoidance of doubt it is hereby declared that no person shall be precluded from continuing in or taking office as an elected member by reason only of reduction in the after 30 April in any year in which he is to continue in or take office as all elected member.
- (10) If so requested in writing by any fifteen members of the Senate, the Vice-Chancellor or in his absence any of the Deputy Vice-Chancellor duly appointed by him, shall convene a meeting of the Senate to be held not later than the tenth day following that on which the request was received.

- (11) In this article "total of non-elected members" means as respect any year, such number as may be certified by the 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.

Congregation

4. (1) Congregation shall consist of:—
- (i) Vice-Chancellor;
 - (ii) the Deputy Vice-Chancellors;
 - (iii) the full-time members of the academic staff;
 - (iv) the Registrar;
 - (v) the Librarian; and
 - (vi) every member of the administrative staff who holds a degree, other than honorary degree, of any University recognized for the purposes of this statute by the Vice-Chancellor.
- (2) Subject to section 4 of this Bill, the Vice-Chancellor shall be the chairman at all meetings of Congregation when he 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 of fifty, whichever is less.
- (4) A certificate signed by the Vice-Chancellor specifying:—
- (a) the total number of members of Congregation for the purpose of any particular meeting or meetings of Congregation; or
 - (b) the names of the persons who are members of Congregation during a particular period, shall be conclusive evidence of that number or, as the case may be, of the names of those persons.
- (5) The procedure for election of members of Congregation to the Council and the Senate shall be prescribed by Regulations.
- (6) Subject to the foregoing provisions of this article, Congregation may regulate its own procedure.
- (7) Congregation shall be entitled to express by resolutions or otherwise its opinion on all matters affecting the interest and welfare of the University and shall have such other functions, in addition to the function of electing a member of the Council, as may be provided by statute or regulations.

Convocation

5. (1) Convocation shall consist of:—
- (i) the officers of the University mentioned in the First Schedule to this Bill;
 - (ii) all teachers within the meaning of this Bill;
 - (iii) all other persons whose names are registered in accordance with paragraph (2) of this article.

- (2) A person shall be entitled to have his name registered as a member of convocation if:—
 - (a) he is either a graduate of a University or a person satisfying such requirements as may be prescribed for the purposes of this paragraph; and
 - (b) he applies for the registration of his name in the prescribed manner and pay the prescribed fees.
- (3) Regulations shall provide for the establishment and maintenance of a register for the purpose of this 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 times of the University at all reasonable times.
- (6) The register shall, unless the contrary is proved, be sufficient evidence that any person named therein is not, a member of Convocation; but for the purpose of ascertaining whether a particular person was such a member on a particular date, any entries in and deletions from the register made on or after that date shall be disregarded.
- (7) The quorum of Convocation shall be fifty or one third or the whole number nearest to one third or the whole number of members of Convocation whichever is less.
- (8) Subject to section 4 of the Act, the Chancellor shall be chairman at all meetings of Convocation when he is present, and in his absence the Vice-chancellor shall be the chairman at the meeting.
- (9) Convocation shall have such functions, in addition to the function of appointing a member of the Council, as may be provided by statute or regulations.

Division of Colleges

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

College Boards

7. (1) There shall be established in respect of each College, a Board of Studies which, subject to the provisions of this Statute, and subject to the directions of the Vice-Chancellor, shall:—
 - (a) regulate the teaching and study of, and the conduct of examinations connected with, the subjects assigned to the college;
 - (b) deal with any other matter assigned to it by statute 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 College Board of Studies shall consist of:—
 - (a) the Vice-Chancellor;
 - (b) the Dean;
 - (c) the persons severally in charge of the branches of the school;
 - (d) the College Examination Officer;
 - (e) such of the teachers assigned to the college and having the prescribed qualifications as the Board may determine; and
 - (f) such persons, whether or not members of the University, as the Board may determine with the general or special approval of the Senate.
- (3) The quorum of the Board shall be eight members or one quarter, whichever is greater, of the members for the time being of the board; and subject to the provisions of this statute and to any provision made by regulations in that behalf, the Board may regulate its own procedure.

Deans of the Colleges

8. (1) The Board of each College shall, at a meeting in the last term of any academic year which the term of office of the Dean expires, nominate one of its members, being one of the Professors assigned to that teaching unit, for appointment by the Senate as Dean of the College.
- (2) The person appointed under paragraph 1 of this Article shall act as Dean of the College and chairman of all meetings of the College Board when he is present and shall be a member of all committees and other boards appointed by the College.
- (3) The Dean shall hold office for two years and shall be eligible for re-appointment one further period of two years. Thereafter he shall not be eligible for re-appointment until two years have elapsed.
- (4) The Dean of a College shall exercise general superintendence over the academic and administrative affairs of the College.
- (5) It shall be the function of the Dean to present to Convocation for the conferment of degrees to persons who have qualified for the degrees of the University at examination held in the branches of learning for which responsibility is allocated to that College.
- (6) There shall be a committee to be known as the Committee of Deans consisting of all the Deans of the several Colleges and that Committee shall advise the Vice-Chancellor on all academic matters and on particular matters referred to the University by the Senate.
- (7) The Dean of a College may be removed from office for good cause by the College Board after a vote 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 College Board meeting an election shall be held for a new Dean.
- (8) In this article "good cause" has the same meaning as in section 15 3) of the Act.

Departmental Board of Studies

9. (1) There shall be a Departmental Board of Studies whose membership shall be made of all academic staff of the Department.
- (2) It shall be headed by a Professor who shall be appointed by the Vice Chancellor and in the absence of a Professor, a senior academic staff shall be appointed in acting capacity.
- (3) For a Professor the term is for 3 years while 1 year is for acting capacity. The Board shall superintend over all teachings and examinations in the Department.
- (4) The Board shall handle all disciplinary matters in the Department and make recommendations to the College where necessary.
- (5) Allocation of courses in the department shall be done by the Departmental Board on recommendation of the Head of Department.

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

10. (1) When a vacancy occurs in the office of the Directors of Physical Planning and Development, Works and Services and Health, a Selection Board shall be constituted by the Council which shall consist of:—
- (a) the Pro-Chancellor;
 - (b) the Vice-Chancellor;
 - (c) two members appointed by the Council, not being members of the Senate;
 - (d) two members appointed by the Senate.
- (2) The Selection Board after making such inquiries as it thinks fit, shall recommend a candidate to the Council for appointment to the vacant office; and after considering the recommendation of the board the Council may make an appointment to that office.

Tenure of Directors

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

Creation of Academic Posts

12. 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 Administrative and Professional Staff

13. (1) The administrative and professional staff of the University other than principal officers shall be appointed by the Council on its behalf by the Vice-Chancellor in accordance with delegation of powers made by the Council on its behalf.
- (2) A Selection Board, with power to appoint, shall consist of:—
- (i) Vice Chancellor;
 - (ii) Deputy Vice Chancellor;
 - (iii) Registrar;

- (iv) Bursar;
- (v) University Librarian;
- (vi) the Head of Department concerned; and
- (vii) Establishment and Human Resources Officer who shall serve as Secretary Quorum shall be three (3) including the Chairman.

Interpretation

14. In this Statute, the expression "the Act" means the Federal University of Technology, Auchi Act and any word or expression defined in the Act has the same meaning in this Statute.

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

Chairman to report Bill.

(SENATE IN PLENARY)

The President of the Senate reported that the Senate, in the Committee of the Whole, considered a Bill for an Act to Provide for the Establishment of the Federal University of Technology, Auchi, Edo State and for Related Matters, 2022 and approved as follows:

Clauses 1- 28 — 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.

8. Immigration and Prisons Service Board Act, Cap 12 LFN 2004 (Repeal and Re-Enactment) Bill, 2022 (SB. 967):

Motion made: That a Bill for an Act to Repeal the Immigration and Prisons Service Board Act, Cap 12 LFN 2004 and Enact the Civil Defence Corps, Correctional, Federal Fire and Immigration Services Board Act, to provide policy direction to the Corps and Services and appoint, promote and exercise disciplinary control over officers of the Nigerian Security and Civil Defence Corps, Federal Fire Service, Nigerian Correctional Service, Nigeria Immigration Service and for Other Related Matters, 2022 be read the Second Time (*Senator Yahaya A. Abdullahi — Kebbi North*).

Debate:

Question put and agreed to.

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

9. Immigration and Prisons Services Board Act (Repeal and Re-Enactment) Bill, 2022 (SB.909):

Consideration of Bill deferred to another Legislative Day.

10. Franchise Regulation Bill, 2022 (SB. 969):

Motion made: That a Bill for an Act to create a framework for the regulation of franchising and to guide the relationship between franchisors and franchisees and for Matters Connected Therewith, 2022 be read the Second Time (*Senator Mukhail A. Abiru — Lagos East*).

Debate:

Question put and agreed to.

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

11. Army Colour (Prohibition of Use) Act, 1977 (Amendment) Bill, 2022 (SB. 924):

Motion made: That a Bill for an Act to Amend the provisions of the Army Colour (Prohibition of Use) Act, 1977 to increase the penalties for a contravention of this Act and for Other Matters, 2022 be read the Second Time (*Senator Uche L. Ekwunife — Anambra Central*).

Debate:

Question put and agreed to.

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

12. Committee on Interior:

Report on the Nigerian Hunters Council (Establishment) Bill, 2022 (SB. 477):

Motion made: That the Senate do receive and consider the Report of the Committee on Interior on a Bill for an Act to Establish the Nigeria Hunters and Forest Security Service (NHFSS) to Prevent, Combat Forest Crimes and Enhance Security Within Nigerian Forests; and for Other Related Matters, 2022 (*Senator Sadiq S. Umar — Kwara North*).

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 INTERIOR ON A BILL FOR AN ACT TO ESTABLISH THE NIGERIA HUNTERS AND FOREST SECURITY SERVICE (NHFSS) TO PREVENT, COMBAT FOREST CRIMES AND ENHANCE SECURITY WITHIN NIGERIAN FORESTS; AND FOR OTHER RELATED MATTERS, 2022

PART 1 - ESTABLISHMENT AND GOVERNING BOARD OF THE SERVICE

- Clause 1: (1) There is established the Nigeria Hunters and Forest Security Service (NHFSS) (in this Bill referred to as "the Service)", which shall consist of such number of volunteers and regular members as may, from time to time, be recruited under the provisions of this Bill.
- (2) The Service-
- (a) shall be a body corporate with perpetual succession and a common seal;

- (b) may sue and be sued in its corporate name; and
- (c) Shall have its Headquarters in the Federal Capital Territory, Abuja.
- (d) Shall have offices in all the States of the Federation, Local Government Areas and Area councils.

Committee's Recommendation:

That the provision in Clause 1 be retained (*Senator Sadiq S. Umar — Kwara North*) — Agreed to.

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

Clause 2: Governing Board:

- (1) The Immigration and Prisons Services Board established under the Immigration and Prisons Services Board Act 1986, as amended, shall be the Governing Board of the Service and shall, subject to this Bill, have general control of the Service.

Schedule-

- (2) The supplementary provisions set out in the Schedule to this Bill shall, in addition to the provisions contained in the Immigration and Prisons Services Board Act 1986, have effect with respect to the proceedings of the Board under this Bill and the other matters contained therein.

Committee's Recommendation:

That the provision in Clause 2 be retained (*Senator Sadiq S. Umar — Kwara North*) — Agreed to.

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

PART II — FUNCTIONS OF THE SERVICE, ETC

Clause 3: Functions of the Service.

- (1) The Service shall
 - (a) Prevent and Combat Forest crimes;
 - (b) Prevention of Bush and Forest Fire;
 - (c) Investigate, Arrest and hand over to the police for further investigation and prosecution of any person who is suspected to be involve or involve in any criminal activities within the Forest; and
 - (d) any other matter as may be directed by the Minister.
- (2) For the Purpose of efficiently carrying out the functions set out in subsection (1) of this section, the Service shall maintain an Armed Squad which shall be entitled to bear fire arms and deployed by the office of the Commandant-General.

Committee's Recommendation:

That the provision in Clause 3 be retained (*Senator Sadiq S. Umar — Kwara North*) — Agreed to.

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

Clause 4: Powers of the Board.

- (1) The Board shall be responsible for-
 - (a) providing the general policies and guidelines relating to major expansion programmes of the Service;
 - (b) the overall management and general administration of the Service;
 - (c) recruiting volunteers and regular members of the Service;
 - (d) organizing basic development and refresher courses for members of the Service; and
 - (e) Fixing, with the approval of the Minister, the terms and conditions of service of members and employees of the service, including their remuneration.
- (2) The Board shall have power to do such other things which in the opinion of the Board are necessary to ensure the efficient performance of the functions of the Service.

Committee's Recommendation:

That the provision in Clause 4 be retained (*Senator Sadiq S. Umar — Kwara North*) — Agreed to.

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

PART III — MEMBERSHIP AND ZONAL COMMANDS OF THE SERVICE**Clause 5: Membership of the Service**

- (1) The Service shall consist of such number of volunteers and regular members as may, from time to time, be recruited by the Board to meet the requirements of the Service.
- (2) Members of the Service shall be made up of such officers and other ranks as the Board may, from time to time, determine.

Committee's Recommendation:

That the provision in Clause 5 be retained (*Senator Sadiq S. Umar — Kwara North*) — Agreed to.

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

PART IV — STAFF OF THE SERVICE**Clause 6: Commander- General of the Service.**

- (1) There shall be for the Service a Commander-General who shall be appointed by the President and subject to confirmation by the Senate.
- (2) The Commander-General shall hold office-
 - (a) for a term of four years in the first instance and may be re-appointed for a further term of four years and no more; and
 - (b) On such terms and conditions as may be specified in his letter of appointment.

Committee's Recommendation:

That the provision in Clause 6 be retained (*Senator Sadiq S. Umar — Kwara North*) — Agreed to.

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

Clause 7: Deputy Commanders-General, etc. and other employees of the Service.

- (1) The Board shall appoint for the Nigeria Hunters and Forest Security Service such number of Deputy Commanders-General, Assistant Commanders-General, Commanders and such officers and other ranks and employees as it may, from time to time, deem necessary for the purposes of the Service.
- (2) The terms and conditions of service (including remuneration, allowances, benefits and pensions) of regular members and employees of the Service shall be as determined by the Board using same criteria as Immigration and Prisons Services with the approval of the Minister.
- (3) The volunteers of the Nigeria Hunters and Forest Security Service (NHFSS) shall, for any period they are on duty for the Service, be paid such allowances and other benefits as may be approved by the Minister.

Committee's Recommendation:

That the provision in Clause 7 be retained (*Senator Sadiq S. Umar — Kwara North*) — Agreed to.

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

Clause 8: Pension Reform Act, 2014

- (1) The service in the Service shall be approved service for the purposes of the Pension Reform Act, 2014 accordingly, regular members and employees of the Nigeria Hunters and Forest Security Service (NHFSS) shall be entitled to pensions, gratuities and other retirement benefits as prescribed under the Pension Reformed Act, 2014.
- (2) Notwithstanding the provisions of subsection (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, gratuity or other retirement benefit in respect of that office.
- (3) For the purposes of the application of the provisions of the Pensions Act, any power exercisable by the Minister or other authority of the Federal Government, other than the power to make regulations under clause 23 of the Bill, is hereby vested in and shall be exercisable by the Service and not by any other person or authority.

Committee's Recommendation:

That the provision in Clause 8 be retained (*Senator Sadiq S. Umar — Kwara North*) — Agreed to.

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

PART V — FINANCIAL PROVISIONS

Clause 9: Funds of the Service.

The Service shall establish and maintain a fund into which shall be paid and credited-

- (a) all subventions and budgetary allocation from the Federal Government; and
- (b) all the sums accruing to the Service, from time to time.

Committee's Recommendation:

That the provision in Clause 9 be retained (*Senator Sadiq S. Umar — Kwara North*) — Agreed to.

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

Clause 10: Expenditure of the Service.

The Service may, from time to time, apply the proceeds of the Fund established in clause 11 of this Bill-

- (a) to the cost of administration of the Service;
- (b) to the payment of salaries, fees, or other remuneration or allowances, gratuities payable to the officers and other employees of the Service, so that no payment of any kind under this paragraph (except such as may be expressly authorized) shall be made to any person who is in receipt of emoluments from the Federal, State Government or Local Government;
- (c) for the maintenance of any property vested in the Service; and
- (d) for and in connection with all or any of its functions under this Bill.

Committee's Recommendation:

That the provision in Clause 10 be retained (*Senator Sadiq S. Umar — Kwara North*) — Agreed to.

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

Clause 11: Annual Estimates and Accounts.

- (1) The Service shall, not later than 31st October in each year, submit to the Minister an estimate of its income and expenditure (including payments to the Service Fund) during the next succeeding year.
- (2) The Service shall keep proper accounts in relation to those accounts and shall cause its accounts to be audited within six months after the end of each year 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 11 be retained (*Senator Sadiq S. Umar — Kwara North*) — Agreed to.

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

Clause 12: Annual Report.

The Service shall prepare and submit to the Federal Executive Council through the Minister, not later than six months after the end of each year, a report in such form as he may direct on the activities of the Service during the immediately preceding year, and ~~shall include in such~~ report a copy of the audited accounts of the Service for that year and the auditor's report on the accounts.

Committee's Recommendation:

That the provision in Clause 12 be retained (*Senator Sadiq S. Umar — Kwara North*) — Agreed to.

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

Clause 13: Power to accept gift.

- (1) The Service may accept any gift of land, money or other property on such terms and conditions, if any, as may be specified by the person or organization making the gift.
- (2) The Service shall not accept any gift if the conditions attached by the person or organization offering the gift are inconsistent with the functions of the Service.

Committee's Recommendation:

That the provision in Clause 13 be retained (*Senator Sadiq S. Umar — Kwara North*) — Agreed to.

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

Clause 14: Power to borrow.

- (1) The Service may, from time to time, borrow by overdraft or otherwise such sums as it may require for the performance of its functions under this Bill.
- (2) The Service shall not, without the approval of the Minister, borrow money which exceeds, at any time, the amount set by the Minister.
- (3) Notwithstanding sub (2) of this clause, where the sum to be borrowed is in foreign currency, the service shall not borrow the sum without the prior approval of the Minister.

Committee's Recommendation:

That the provision in Clause 14 be retained (*Senator Sadiq S. Umar — Kwara North*) — Agreed to.

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

Clause 15: Investment.

The Service may, subject to the provisions of this Bill and the conditions of any trust created in respect of any property, invest all or any of its funds in any security prescribed by the Trustee Investments Act or in such other securities as may, from time to time, be approved by the Minister.

Committee's Recommendation:

That the provision in Clause 15 be retained (*Senator Sadiq S. Umar — Kwara North*) — Agreed to.

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

Clause 16: Exemption From Tax.

- (1) The Service shall be exempted from the payment of any income tax on any income accruing from investments made by the Board for the Service.
- (2) The provisions of any enactment relating to the taxation of companies or trust funds shall not apply to the Service or the Board.

Committee's Recommendation:

That the provision in Clause 16 be retained (*Senator Sadiq S. Umar — Kwara North*) — *Agreed to.*

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

PART VI — DISCIPLINE

Clause 17: Discipline of a Service Member.

A Service member who-

- (a) performs his duties in contravention of the objects of the Service;
- (b) takes part in any subversive activities, including mutiny and disturbance of public peace;
- (c) abets, incites, conceals or condones the commission of any offence;
- (d) takes part in an illegal assembly of persons with intention to breach public peace, destroy property or assault any person or group of persons;
- (e) having knowledge that an offence or any illegal act is about to be committed, fails to inform his superior officer;
- (f) takes part in a strike or any unrest; and
- (g) offers violent assault on his superior officer;

Commits an offence and is liable on conviction to imprisonment for a term of not less than one year.

Committee's Recommendation:

That the provision in Clause 17 be retained (*Senator Sadiq S. Umar — Kwara North*) — *Agreed to.*

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

PART VII — LEGAL PROCEEDINGS

Clause 18: Limitation of Suits against the Service etc

- (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 officer or employee of the Service.
- (2) Notwithstanding anything contained in any other enactment, no suit against any member of the Board or the Commander-General or any other officer or employee of the Service for any act done in pursuance or execution of this Bill or any other enactment or law, or of any

public duty or authority or in respect of any alleged neglect or default in the execution of this Bill or any other enactment or law, duty or authority, shall lie or be instituted in any court unless it is commenced

- (a) within three months after the act, neglect or default complained of; or
 - (b) in the case of a continuation of damage or injury, within six months after the ceasing thereof.
- (3) No suit shall be commenced against a member or the Board or the Commander-General or any other officer or employee of the Service before the expiration of a period of one month after written notice of intention to commence the suit must have been served on the Service by the intending plaintiff or his agent.
- (4) The notice referred to in sub (3) of this clause shall clearly and explicitly 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 the plaintiff claims .

Committee's Recommendation:

That the provision in Clause 18 be retained (*Senator Sadiq S. Umar — Kwara North*) —
Agreed to.

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

Clause 19: Service of Documents

A notice, summons or other document required or authorized to be served on the Service under the provisions of this Bill or any other enactment or law may be served by delivering it to the Commander-General or by sending it by registered post and addressed to the Commander-General at the principal office of Service.

Committee's Recommendation:

That the provision in Clause 19 be retained (*Senator Sadiq S. Umar — Kwara North*) —
Agreed to.

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

Clause 20: Restriction on execution against property of the Service

In any action or suit against the Service, no attachment or process shall be issued against the Service except as provided under the Sheriffs and Civil Process Act.

Committee's Recommendation:

That the provision in Clause 20 be retained (*Senator Sadiq S. Umar — Kwara North*) —
Agreed to.

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

Clause 21: Indemnity of officers

A member of the Board or the Commander-General or any officer or employee of the Service shall be indemnified out of the assets of the Service against any liability incurred by him in defending any proceeding, whether civil or criminal, if the proceeding is brought against him in his capacity as a member, Commander-General, officer or other employee of the Service.

Committee's Recommendation:

That the provision in Clause 21 be retained (*Senator Sadiq S. Umar — Kwara North*) — Agreed to.

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

Clause 22: Secrecy

(1) A member of the Board or the Commander-General or any other officer or employee of the Service shall —

(a) not, for his personal gain, make use of any information which has come to his knowledge in the exercise of his powers or is obtained by him in the ordinary course of his duty as a member of the Board, as the Commander-General, officer or employee of the Service;

(b) treat as confidential any information which has come to his knowledge in the exercise of his powers or is obtained by him in the performance of his duties under this Bill; or

(c) not disclose any information referred to under paragraph (b) of this clause except when required to do so by any court or in such other circumstances as may be prescribed by the Board, from time to time.

(2) A person who contravenes the provisions of sub(1) of this clause commits an offence and is liable on conviction to a fine of not less than ₦200,000 or imprisonment for a term not exceeding two years.

Committee's Recommendation:

That the provision in Clause 22 be retained (*Senator Sadiq S. Umar — Kwara North*) — Agreed to.

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

Clause 23: Power to obtain information

(1) For the purpose of carrying out the functions conferred on the Service under this Bill, the Commander-General or any other officer or employee of the Service authorized in that behalf —

(a) shall have a right of access to all the records of any person or authority affected by this Bill for the specific purpose of discharging his duties under this Bill; and

(b) may by notice in writing served on any person or premises, require that person or authority to furnish information on such matters as may be specified in notice.

(2) The person or authority served with the notice under sub (1) shall furnish information as required under sub (1) of this clause and comply with the notice within a reasonable time.

Committee's Recommendation:

That the provision in Clause 23 be retained (*Senator Sadiq S. Umar — Kwara North*) —
Agreed to.

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

Clause 24: Dissolution of Existing Hunters Group and Savings

- (1) The body known as the Nigerian Hunters Group (in this clause referred to as the "Dissolved Group") existing before the commencement of this Bill is dissolved.
- (2) Accordingly, there shall be vested in the Service immediately at the commencement of this Bill and without further assurance, all assets, funds, resources and other movable or immovable property which immediately before the commencement of this Bill were in the Dissolved Group.
- (3) As from the commencement of this Bill —
 - (a) all rights, interests, obligations and liabilities of the Dissolved Group existing immediately before the commencement of this Bill under any contract or instrument, or at law or in equity, shall by virtue of this Bill be assigned to and vested in the Service;
 - (b) Any contract or instrument as mentioned in paragraph (a) of this clause shall be of the same force and effect against or in favour of the Service and shall be enforceable as fully and effectively as if, instead of the Dissolved Group, Service had been named therein or had been a party thereto; and
 - (c) the Service shall be subject to all obligations and liabilities to which the Dissolved Group was subject immediately before the commencement of this Bill, and all other persons shall, as from the commencement of this Bill have the same rights, power and remedies against the Service as they had against the Dissolved Nigeria Hunters group immediately before the commencement of this Bill.
- (4) A proceeding or cause of action pending or existing immediately before the commencement of this Bill by or against the Dissolved Group in respect of any right, interest, obligations or liability of the Dissolved Group may be commenced, continued or enforced by or against the Service as if this Bill has not been made.
- (5) Notwithstanding the provisions of this Bill, but subject to such directions as may be issued by the Service, a person who immediately before the commencement of this Bill was a volunteer or regular member of or held office in the Dissolved Group shall be deemed to have been transferred to the Service on terms and conditions not less favourable than those obtain immediately before the commencement of this Bill, and service in the Dissolved Group shall be deemed to be service in the Service for the purposes of pension.
- (6) All regular officers of the Group before dissolution shall retain their ranks and positions immediately this Bill takes effect.

Committee's Recommendation:

That the provision in Clause 24 be retained (*Senator Sadiq S. Umar — Kwara North*) —
Agreed to.

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

Clause 25: Directives by the Minister etc

- (1) The Minister may give to the Service or the Commander- General such directives —
 - (a) of a general nature or relating generally to matters of policy with regard to the exercise of its functions; or
 - (b) With respect to the maintenance and securing of public safety and order, as he may consider necessary, and the Service or the Commander-General shall comply with the directives or cause them to be complied with.
- (2) Subject to the provisions of sub (1) of this clause, a Governor of a state may give to a state commander such directives with respect to the maintenance and securing of public safety and order in the Forests within the state as he may consider necessary and it shall be the duty of the state commander to comply with the directives or cause them to be complied with.

Committee's Recommendation:

That the provision in Clause 25 be retained (*Senator Sadiq S. Umar — Kwara North*) —
Agreed to.

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

Clause 26: Regulations.

The Service may, with the approval of the Minister, make such regulations as in its opinion are necessary or expedient for giving full effects to the provisions of this Bill and for the due administration of its provisions.

Committee's Recommendation:

That the provision in Clause 26 be retained (*Senator Sadiq S. Umar — Kwara North*) —
Agreed to.

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

Clause 27: Interpretation

In this Bill —

"Board" means the Immigration and Prisons Service Board 1986 No.14 established under the Immigration and Prison Services Board Act 1986;

"Minister" means the Minister charged with responsibility for matters relating to interior;

"Service" means the Nigeria Hunters and Forest Security Service (NHFSS) established under clause 1 of this Bill.

Committee's Recommendation:

That the provision in Clause 27 be retained (*Senator Sadiq S. Umar — Kwara North*) —
Agreed to.

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

Clause 28: Citation

This Bill may be cited as the Nigeria Hunters and Forest Security Service Bill, 2022

Committee's Recommendation:

That the provision in Clause 28 be retained (*Senator Sadiq S. Umar — Kwara North*) — Agreed to.

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

SCHEDULE

Clause 2(2)

ADDITIONAL SUPPLEMENTARY PROVISIONS
RELATING TO THE BOARD, ETC.

Proceedings

1. (1) The Board shall, for the purpose of this Bill, meet not less than three times in each year.
- (2) The board shall meet whenever it is summoned by the Chairman and if the Chairman is required to do so by a notice given to him by not less than five other members, he shall summon a meeting of the Board to be held within fourteen days from the date on which the notice is given.
- (3) Where the Board desires to obtain the advice of any person on a particular matter, the Board may co-opt him to the board 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.

Committees

2. (1) The Board may appoint one or more committees to carry out, on behalf of the Board, its functions under this Bill as the Board may determine.
- (2) A committee appointed under this paragraph shall consist of such number of persons (not necessarily members of the Board as may be determined by the Board) and a person other than a member of the Board shall hold office in the committee in accordance with the terms of his appointment.
- (3) A decision of a committee of the Board shall be of no effect until it is confirmed by the Board.

Miscellaneous

3. (1) The fixing of the seal of the Service shall be authenticated by the signature of the Chairman or any other person authorized generally or specifically to act for that purpose by the Board and the Commander-General.
- (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 the Commander-General or any person generally or specially authorized to act for the purpose by the Board.
- (3) Any document purporting to be a document duly executed under the seal of the Board shall be received in evidence and shall, unless and until the contrary is proved, be presumed to be so executed.

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 Interior on a Bill for an Act to Establish the Nigeria Hunters and Forest Security Service (NHFSS) to Prevent, Combat Forest Crimes and Enhance Security Within Nigerian Forests; and for Other Related Matters, 2022 and approved as follows:

Clauses 1-28 — 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.

13. **Committee on Interior:**

Report on the Nigerian Peace Corps (Establishment) Bill, 2022 (SBs. 271 & 375):

Motion made: That the Senate do receive and consider the Report of the Committee on Interior on a Bill for an Act to Establish the Nigerian Peace Corps to Facilitate Peace, Volunteerism, Community Services, Neighbourhood Watch, and Nation-building; and for Related Matters, 2022 (*Senator Sadiq S. Umar — Kwara North*).

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 INTERIOR ON A BILL FOR AN ACT TO ESTABLISH THE NIGERIAN PEACE CORPS TO FACILITATE PEACE, VOLUNTEERISM, COMMUNITY SERVICES, NEIGHBOURHOOD WATCH, AND NATION-BUILDING; AND FOR RELATED MATTERS, 2022

PART I — ESTABLISHMENT AND FUNCTIONS OF
THE NIGERIAN PEACE CORPS

Clause 1: Establishment and Functions of the Nigerian Peace Corps

- (1) There is established the Nigerian Peace Corps (in this Bill referred to as "the Corps")
- (2) The Corps —
 - (a) shall be a body corporate with perpetual succession and a common seal; and
 - (b) may sue and be sued in its corporate name.

- (3) The Common seal of the Corps shall be kept in the custody of the National Corps Secretary.
- (4) The Headquarters of the Corps shall be located in the Federal Capital Territory (FCT), and the Corps shall have offices in all the States, Local Governments and Area Councils.

Committee's Recommendation:

That the provision in Clause 1 be retained (*Senator Sadiq S. Umar — Kwara North*) — Agreed to.

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

Clause 2: Functions of the Corps

The functions of the Corps shall include —

- (a) Enlist, mobilise, train and orientate the youths in order to develop them as supporting agents of social order by providing a second line of public safety;
- (b) serve as a think-tank and educate residents of every community on security and safety measures peculiar to their neighbourhood;
- (c) uphold a bottom-up surveillance through monitoring, observation, evaluation and to detect, collate and analyse intelligence data on matters that may likely cause breach of peace and security within the neighbourhood and transmit same to the appropriate Security Agency for pre-emptive measures and actions;
- (d) engage in Peace Advocacy, Mediation and Conflict Resolution in order to advance the course of Peace-Building, Reconciliation and Conflict Transformation in all communities in Nigeria;
- (e) secure Educational Institutions from intruders and to combat all forms of social decadence and vices, including cultism and examination malpractices with a view to creating peaceful and conducive atmosphere for learning;
- (f) serve as a Reservoir and Spring-board of skilled man-power as adhoc staff for providing Social and Community Services such as Crowd Control, Emergency Relief Services, Rehabilitation of Internally Displaced Persons, Voters' Registration, Election Duties, Census, Immunization and First Aid;
- (g) set-up a Centre saddled with the responsibility of training and building the capacity of the youths in the areas of Critical Thinking, Creativity, Innovation, Entrepreneurial and Skill Acquisition;
- (h) set-up well organized and structured farm settlement across the various Senatorial Districts in order to redirect the untapped and productive energy of the youths into large-scale and mechanized farming for increased food production, and planting of economic trees, to mitigate desertification and the effect of climate change in Nigeria; and
- (i) set-up desk at the various entry points into the country in order to register tourists and other visitors, after clearance by the Nigerian Immigration Service and other relevant Security Agencies, and to serve as Tour Guards and Guides to their respective destinations upon the payment of charges; and

- (j) Any other functions as may be assigned by the Minister.

Committee's Recommendation:

That the provision in Clause 2 be retained (*Senator Sadiq S. Umar — Kwara North*) — Agreed to.

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

PART II -- GOVERNING BOARD, COMPOSITION AND POWERS

Clause 3: Governing Board of the Corps

There is established for the management of the Corps a Governing Board (in this Bill referred to as "the Board").

Committee's Recommendation:

That the provision in Clause 3 be retained (*Senator Sadiq S. Umar — Kwara North*) — Agreed to.

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

Clause 4: Composition of the Board

The Board shall consist of —

- (a) Chairman to be appointed by the President;
- (b) two nominees each appointed by the President as members representing the six (6) Geo-Political Zones of the Country; and
- (c) The Chairman and members of the Board shall be appointed subject to confirmation by the Senate.

Committee's Recommendation:

That the provision in Clause 4 be retained (*Senator Sadiq S. Umar — Kwara North*) — Agreed to.

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

Clause 5: Qualifications of the Chairman and other members of the Corps

No person shall be appointed as chairman or member of the Board, if —

- (a) he is not qualified or if he is disqualified for election as a member of the House of Representatives;
- (b) Within the preceding 10 years, he has been removed as a member of the bodies established by section 153 of the Constitution of the Federal Republic of Nigeria 1999(as altered), or as a holder of any other office on grounds of misconduct.

Committee's Recommendation:

That the provision in Clause 5 be retained (*Senator Sadiq S. Umar — Kwara North*) — Agreed to.

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

Clause 6: Appointment of the Chairman and Members of the Board

- (1) The President shall appoint the Chairman and Members of the Board on the recommendation of the Minister.

- (2) Without prejudice to the provisions of this Bill, the Minister shall perform the functions of the Board where the Board has —
 - (a) not been constituted; and
 - (b) been dissolved.
- (3) The provisions of the Schedule to this Bill shall have effect with respect to the proceedings of the Board and other matters contained in the Schedule.

Committee's Recommendation:

That the provision in Clause 6 be retained (*Senator Sadiq S. Umar — Kwara North*) — *Agreed to.*

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

Clause 7: Tenure of office

Schedule

The Chairman and other members of the Board, other than ex-officio members—

- (a) shall hold office for a term of 4 years on such terms and conditions as may be specified in their letters of appointments; and
- (b) may be re-appointed for another term of 4 years and no more.

Committee's Recommendation:

That the provision in Clause 7 be retained (*Senator Sadiq S. Umar — Kwara North*) — *Agreed to.*

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

Clause 8: Removal from office

- (1) Notwithstanding the provisions of section 7 of this Bill, a member may at any time be removed from office by the President if he —
 - (a) is unable to discharge the functions of his office whether arising from infirmity of the body or mind;
 - (b) is convicted by a court of law of a felony, fraud or any serious act of misconduct; and
 - (c) without permission of the Board, is absent for more than 3 consecutive meetings of the Board or without such permission is absent from the country for a period exceeding 1 year.
- (2) The Chairman or a member may resign by a notice addressed through the Minister to the President and such notice of resignation becomes effective from the date of acceptance of the resignation by the President.

Committee's Recommendation:

That the provision in Clause 8 be retained (*Senator Sadiq S. Umar — Kwara North*) — *Agreed to.*

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

Clause 9: Allowances

A member shall be paid such allowances as may be determined by the National Salaries, Income and Wages Commission.

Committee's Recommendation:

That the provision in Clause 9 be retained (*Senator Sadiq S. Umar — Kwara North*) — Agreed to.

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

Clause 10: Powers of the Board

The Board shall be responsible for —

- (a) providing the general policies and guidelines relating to major expansion programmes of the Corps;
- (b) the supervision of management and general administration of the Corps;
- (c) recruiting regular members of the Corps;
- (d) organising basic development and refresher courses for members of the Corps;
- (e) fixing, with the approval of the Minister, the terms and conditions of service of members and employees of the Corps, including their remuneration; and
- (f) doing such other things, which, in the opinion of the Board, are necessary to ensure the efficient performance of the functions of the Corps.

Committee's Recommendation:

That the provision in Clause 10 be retained (*Senator Sadiq S. Umar — Kwara North*) — Agreed to.

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

PART III — STAFF AND MEMBERSHIP OF THE CORPS**Clause 11: National Commandant of the Corps**

- (1) There shall be for the Corps a National Commandant who shall be appointed by the President and Commander-in-Chief subject to confirmation by the Senate of the Federal Republic of Nigeria —
 - (a) Notwithstanding any provision in this Bill, the position of the National Commandant shall be appointed from among the very Senior Officers cadre of the Corps; and
 - (b) The appointee must have occupied an office in the Corps not below the position of Assistant National Commandant and would have served in the Peace Corps meritoriously for a period not less than Ten (10) years and must possess a minimum qualification of First Degree or its equivalent.
- (2) The National Commandant shall hold office —
 - (a) in the first instance for a term of 4 years and may be eligible for reappointment for another term of 4 years and no more; and
 - (b) on such terms and conditions as may be specified in his letter of appointment.

- (3) The National Commandant shall be the Chief Executive and Accounting Officer of the Corps.
- (4) The National Commandant shall, in the performance of his functions, be directly responsible to the President.
- (5) The National Commandant shall be responsible for the execution of the policies of the Corps and its day-to-day administration.
- (6) The National Commandant Shall be the Secretary of the Board.

Committee's Recommendation:

That the provision in Clause 11 be retained (*Senator Sadiq S. Umar — Kwara North*) — Agreed to.

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

Clause 12: Deputy National Commandants, Corps Secretary, Assistant National Commandants and other employees of the Corps

- (1) The National Commandant shall recommend for appointment by the Board such number of Deputy National Commandants, Corps Secretary, Assistant National Commandants, Commandants and such officers from Level 8 and above as it may deem necessary for the purposes of the effective administration of the Corps.
- (2) The terms and conditions of service (including remuneration, allowances, benefits and pensions) of regular members and employees of the Corps shall be determined by the National Salaries, Incomes and Wages Commission.
- (3) The Volunteers of the Corps shall, for any period they are on duty for the Corps, be paid such allowances and other benefits as may be approved by the National Commandant.
- (4) The National Commandant, after due consultation with the Board, shall appoint for the Corps such number of officers, other ranks and employees below Level 8 as it may deem necessary for the purposes of effective administration of the Corps.

Committee's Recommendation:

That the provision in Clause 12 be retained (*Senator Sadiq S. Umar — Kwara North*) — Agreed to.

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

Clause 13: Membership of the Corps

- (1) The Personnel of the Corps shall consist of —
 - (a) regular members and volunteers; and
 - (b) officers and other ranks.
- (2) Members of the Corps shall be Nigerians within the age of 18-35 years at the time of enlistment.
- (3) Regular members and other staff shall be recruited by the Board periodically to meet the personnel requirements of the Corps, while the recruitment of the volunteers shall be handled by the National Commandant as the need arises.

Committee's Recommendation:

That the provision in Clause 13 be retained (*Senator Sadiq S. Umar — Kwara North*) — Agreed to.

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

Clause 14: Pensions Act No. 4, 2014

- (1) The service in the Corps shall be approved service for the purposes of the Pension Reform Act and, regular members and employees of the Corps are entitled to pensions, gratuities and other retirement benefits as prescribed under the Pension Reform Act.
- (2) Notwithstanding the provisions of subsection (1) of this section, nothing in this Bill prevents the appointment of a person to any office on such terms which preclude the grant of pension, gratuity or other retirement benefits in respect of that office.
- (3) For the purposes of the application of the provisions of the Pension Reform Act, any power exercisable by the Minister or other authority of the Federal Government, other than the power to make regulations under section 40 of the Bill is vested in, and shall be exercisable by the Corps and not by any other person or authority.

Committee's Recommendation:

That the provision in Clause 14 be retained (*Senator Sadiq S. Umar — Kwara North*) — Agreed to.

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

PART IV — APPOINTMENT, PROMOTION, OFFENCES AND
DISCIPLINE OF STAFF

Clause 15: Appointment of staff of the Corps

- (1) The Senior Staff of the rank of Commandant and above shall be appointed by the President upon nomination by the Board and on the recommendation of the National Commandant
- (2) The appointment of State Commandants shall be by the Board on the recommendation of the National Commandant.
- (3) The post of the Deputy National Commandant shall be a terminal post on which the holder shall retire from the Corps as may be determined by the President.
- (4) The National Commandant shall, in consultation with the Board, establish such number of offices or units in the Headquarters and recruit officers to discharge responsibilities.
- (5) If for any reason, the National Commandant is unable to perform his functions and there exists a vacancy in the office of the National Commandant, the officer who is next in rank to the National Commandant is to act for the period of his inability or vacancy, until a National Commandant is appointed in accordance with the provisions of this Bill, and the officer shall, while so acting, have all the powers to perform the functions of the National Commandant.

Committee's Recommendation:

That the provision in Clause 15 be retained (*Senator Sadiq S. Umar — Kwara North*) —
Agreed to.

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

Clause 16: Condition of Service of other staff of the Corps

- (1) The Board may, subject to the provisions of this Bill, make staff regulations relating generally to the conditions of service of the staff of the Corps.
- (2) The staff of Corps shall be Public Officers as defined in the Constitution of the Federal Republic of the Nigeria.

Committee's Recommendation:

That the provision in Clause 16 be retained (*Senator Sadiq S. Umar — Kwara North*) —
Agreed to.

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

Clause 17: Discipline of staff of the Corps

- (1) The power of appointment, promotion and discipline of the junior staff of the Corps is vested in the National Commandant.
- (2) The National Commandant may delegate his powers in respect of discipline of junior staff to Deputy or Assistant National Commandant in the Headquarters and State Command who shall discipline such staff in their Departments and Commands respectively in accordance with existing Corps regulations.
- (3) Appeal against all decisions concerning the discipline of such staff shall be to the National Commandant.
- (4) There is established the Senior Staff Disciplinary Committee vested with the power to discipline the senior staff of the Corps.
- (5) The Senior Staff Disciplinary Committee shall consist of —
 - (a) a Deputy National Commandant and Assistant National Commandant with the Deputy National Commandant serving as Chairman, while in the absence of a Deputy National Commandant, the most Senior Assistant National Commandant shall serve as Chairman;
 - (b) the Provost Marshal;
 - (c) the Head of Legal Matters; and
 - (d) Corps Secretary.
- (6) There is established the Junior Staff Disciplinary Committee vested with the power to discipline the junior staff of the Corps.
- (7) In addition to functions specified in subsection (3) of this section, the Senior Staff Disciplinary Committee shall consider and determine appeals emanating from decisions of the Junior Staff Disciplinary Committee of the Corps and decisions on such appeals shall be final.
- (8) Appeal against the decisions of the Senior Staff Disciplinary Committee shall lie with the Board.

- (9) The National Commandant shall, in relation to the staff of the Corps, ensure —
 - (a) probity and accountability;
 - (b) maintain a system of screening and vetting at the recruitment stages which shall be a continuous exercise throughout the career of personnel in the Corps; and
 - (c) maintain a policy of continuous staff assessment.
- (10) The National Commandant shall promulgate and distribute a code of conduct to staff of the Corps, the breach of which shall attract the appropriate penalty stipulated in the code.
- (11) For the purpose of proper legal guidance and accountability, the heads of the legal and audit unit shall report directly to the National Commandant.

Committee's Recommendation:

That the provision in Clause 16 be retained (*Senator Sadiq S. Umar — Kwara North*) —
Agreed to.

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

PART V — ADMINISTRATIVE STRUCTURES AND ZONAL
COMMANDS OF THE CORPS

Clause 18: Administrative structures of the Corps.

- (1) There shall be established in the National Headquarters of the Corps the Departments of —
 - (a) Administration;
 - (b) Finance and Accounts;
 - (c) Intelligence and General Duties;
 - (d) Policy and Plans;
 - (e) Training and Operations;
 - (f) Logistics and Supply; and
 - (g) Corps Secretariat.
- (2) The Departments shall be headed by an officer not below the rank of a Deputy National Commandant.
- (3) Each of these Departments shall be established at the various Command structures of the Corps as provided in subsection (2) and shall be headed by an officer not below the rank of Assistant Commandant.

Committee's Recommendation:

That the provision in Clause 18 be retained (*Senator Sadiq S. Umar — Kwara North*) —
Agreed to.

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

Clause 19: Zones and Zonal Commands of the Corps

- (1) The Board shall —
 - (a) create such number of Zones as it deems fit for the effective operations of the Corps; and
 - (b) Establish, in each zone, a Zonal Command, which shall be headed by an officer not below the rank of Assistant National Commandant.
- (2) The Zonal Command shall, subject to the direction and overall command of the Corps, be responsible for coordinating the activities of the Corps in the zone.

Committee's Recommendation:

That the provision in Clause 19 be retained (*Senator Sadiq S. Umar — Kwara North*) —
Agreed to.

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

Clause 20: State Command

- (1) The Corps shall have a State Command in each State of the Federation and the Federal Capital Territory, Abuja.
- (2) The State Command shall, subject to the directive and overall command of the Corps Headquarters and Zonal Command, be responsible for carrying out the functions of the Corps in the State and the Federal Capital Territory, Abuja.

Committee's Recommendation:

That the provision in Clause 20 be retained (*Senator Sadiq S. Umar — Kwara North*) —
Agreed to.

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

Clause 21: Local Government Command

- (1) The Corps shall have a Command in each Local Government Area of the Federation and Area Council of the Federal Capital Territory, Abuja.
- (2) The Local Government and Area Council Commands shall, subject to the directive and overall command of the Corps and State Command, be responsible for carrying out the functions of the Corps in each of the Local Government Areas or Area Councils of the Federal Capital Territory, Abuja.

Committee's Recommendation:

That the provision in Clause 21 be retained (*Senator Sadiq S. Umar — Kwara North*) —
Agreed to.

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

Clause 22: Squadron Command

- (1) The Corps shall establish a Squadron Command in each educational institution in the Federation, which shall be headed by a Squadron Commander.
- (2) The Squadron Command shall, subject to the direction and overall Command of the Corps, State Command, be responsible for carrying out the functions of the Corps in the educational institutions.

Committee's Recommendation:

That the provision in Clause 22 be retained (*Senator Sadiq S. Umar — Kwara North*) — Agreed to.

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

PART VI — FINANCIAL PROVISIONS

Clause 23: Funds of the Corps

The Corps shall establish and maintain a fund into which shall be paid —

- (a) Statutory and budgetary allocations from the National Assembly;
- (b) all sums accruing to the Corps from donations made by local or international donor agencies;
- (c) gifts from the three tiers of government, ministries or agencies and private corporations;
- (d) loans, grants and aid; and
- (e) bequests.

Committee's Recommendation:

That the provision in Clause 23 be retained (*Senator Sadiq S. Umar — Kwara North*) — Agreed to.

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

Clause 24: Expenditure of the Corps

The Corps may apply the proceeds of the Fund established under section 23 of this Bill —

- (a) to the cost of administration of the Corps; and
- (b) to the payment of salaries, fees or other remuneration or allowances, gratuities payable to the officers and other employees of the Corps.
- (c) for the maintenance of any property vested in the Corps; and
- (d) for and in connection with all or any of its functions under this Bill.

Committee's Recommendation:

That the provision in Clause 24 be retained (*Senator Sadiq S. Umar — Kwara North*) — Agreed to.

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

Clause 25: Annual estimates, accounts and audit

- (1) The Corps shall, not later than 30th September in each year, submit to the Minister an estimate of its expenditure and income (including payments to the Corps Fund) during the next succeeding year, after approval by the Board.
- (2) The Corps shall keep proper records in relation to those accounts and shall cause its accounts to be audited within six months after the end of each year by auditors appointed from the list, and in accordance with the guidelines, supplied by the Auditor-General for the Federation.

Committee's Recommendation:

That the provision in Clause 25 be retained (*Senator Sadiq S. Umar — Kwara North*) — Agreed to.

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

Clause 26: Annual report

The Corps shall prepare and submit to the Federal Executive Council, through the Minister after approval by the Governing Board, not later than six months after the end of each year, a report in such form as the Minister may direct on the activities of the Corps during the immediate preceding year, and shall include in such report a copy of the audited accounts of the Corps for that year and the auditor's report on the accounts.

Committee's Recommendation:

That the provision in Clause 26 be retained (*Senator Sadiq S. Umar — Kwara North*) — Agreed to.

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

Clause 27: Power to accept donations

- (1) The Corps may accept gifts of land, money or other property on such terms and conditions, if any, as may be specified by the person or organization making the donations.
- (2) The Corps shall not accept any gift if the conditions attached by the person or organization offering the gift are inconsistent with the functions of the Corps.

Committee's Recommendation:

That the provision in Clause 27 be retained (*Senator Sadiq S. Umar — Kwara North*) — Agreed to.

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

Clause 28: Power to borrow

- (1) The Corps may borrow, by overdraft or otherwise, such sums as it may require for the performance of its functions under this Bill
- (2) The Corps shall not, without the approval of the Board, borrow money which exceeds, at any time, the amount set by the Board.

Committee's Recommendation:

That the provision in Clause 28 be retained (*Senator Sadiq S. Umar — Kwara North*) — Agreed to.

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

Clause 29: Investment

Cap. T22 LFN, 2004

The Corps may, subject to the provisions of this Bill and the conditions of any trust created in respect of any property, invest all or any of its funds in any security prescribed by the Trustee Investments Bill, in such other securities as may be approved by the Minister.

Committee's Recommendation:

That the provision in Clause 29 be retained (*Senator Sadiq S. Umar — Kwara North*) — Agreed to.

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

Clause 30: Provision of library facilities

The Board shall provide and maintain a library at the Headquarters and State Commands of the Corps comprising such books and publications as may be provided for the advancement of the knowledge and skills of members of the Corps, for research purposes, and for other purposes connected with the objects and functions of the Corps.

Committee's Recommendation:

That the provision in Clause 30 be retained (*Senator Sadiq S. Umar — Kwara North*) — Agreed to.

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

Clause 31: Exemption from tax

- (1) The Corps is exempted from payment of any income tax on any income accruing from investments made by the Board for the Corps.
- (2) The provisions of any enactment relating to the taxation of company or trust funds does not apply to the Corps or the Board.

Committee's Recommendation:

That the provision in Clause 31 be retained (*Senator Sadiq S. Umar — Kwara North*) — Agreed to.

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

PART VII — LEGAL PROCEEDINGS

Clause 32: Limitation of suits against the Corps

- (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 officer or employee of the Corps.

Cap. P41 LFN, 2004

- (2) Notwithstanding anything contained in any other enactment, no suit against any member of the Board or the National Commandant or any other officer or employee of the Corps, for any act done in pursuance or execution or in respect of any alleged enactment or law, or of any public duty or authority or in respect of any alleged neglect or default in the execution of this Bill or any other enactment or law, duty or authority, shall lie or be instituted in any court unless it is commenced —
 - (a) within three months after the Bill, neglect or default complained of or;
 - (b) in the case of a continuation of damage or injury, within six months after the ceasing of the damage or injury.
- (3) No suit shall be commenced against a member of the Board or the National Commandant or any other officer or employee of the Corps before the expiration of one month after a written notice of intention to commence the suit shall have been served on Corps by the intending plaintiff or his agent.
- (4) The notice referred to in subsection (3) 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 the plaintiff claims.

Committee's Recommendation:

That the provision in Clause 32 be retained (*Senator Sadiq S. Umar — Kwara North*) —
Agreed to.

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

Clause 33: Service of documents

A notice, summons or other document required or authorized to be served on the Corps under the provisions of this Bill or any other enactment or law may be served by delivering it to the National Commandant or by sending it by registered post and addressed to the National Commandant at the Headquarters of the Corps.

Committee's Recommendation:

That the provision in Clause 33 be retained (*Senator Sadiq S. Umar — Kwara North*) —
Agreed to.

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

Clause 34: Restriction on execution against property of the Corps

In any action or suit against the Corps, no attachment or process shall be issued against the Corps except as provided under the Sheriffs and Civil Process Act.

Committee's Recommendation:

That the provision in Clause 34 be retained (*Senator Sadiq S. Umar — Kwara North*) —
Agreed to.

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

Clause 35: Indemnity of officers

A member of the Board or the National Commandant or any officer or employee of the Corps shall be indemnified out of the assets of the Corps against any liability incurred by him in defending any proceeding, whether civil or criminal, if the proceeding is brought against him in his capacity as a member, National Commandant, officer or other employee of the Corps.

Committee's Recommendation:

That the provision in Clause 35 be retained (*Senator Sadiq S. Umar — Kwara North*) —
Agreed to.

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

Clause 36: Secrecy

- (1) A member of the Board, the National Commandant or any other officer or the employee of the Corps shall —
 - (a) not, for his personal gain, make use of any information, which has come to his knowledge in the exercise of his powers or is obtained by him in the ordinary course of his duty as a member of the Board, the National Commandant or officer or employee of the Corps;

- (b) treat as confidential any information which has come to his knowledge in the exercise of his powers or is obtained by him in the discharge of his duties under this Bill; and
 - (c) not disclose any information referred to under paragraph (b) of this subsection except when required to do so by any court or in such other circumstances as may be prescribed by the Board.
- (2) A person who contravenes the provisions of section 36 (1) (a) commits an offence and is liable on conviction to a fine of at least ₦100,000 or imprisonment for a term not exceeding two years.

Committee's Recommendation:

That the provision in Clause 36 be retained (*Senator Sadiq S. Umar — Kwara North*) —
Agreed to.

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

Clause 37: Power to obtain information

- (1) For the purpose of performing the functions conferred on the Corps under this Bill, the National Commandant or any other officer or employee of the Corps authorized in that behalf —
 - (a) shall have a right of access to all the records of any person or authority affected by this Bill for the specific purpose of discharging his duties under this Bill; and
 - (b) may, by notice in writing served on any person or premises require that person or authority to furnish information on such matters as may be specified by the notice.
- (2) The person or authority served with the notice under section 33 shall furnish information as required under section 37 (1) (a) and comply with the notice within a reasonable time.

**PART VIII — DISSOLUTION OF THE EXISTING PEACE
CORPS OF NIGERIA AND NATIONAL UNITY
AND PEACE CORPS AND SAVINGS**

Clause 38: Dissolution of the existing Peace Corps of Nigeria and National Unity and Peace Corps

- (1) The Peace Corps of Nigeria and, National Unity and Peace Corps (in this section referred to as the "Corps") existing before the commencement of this Bill is dissolved.
- (2) There shall be vested in the Corps, immediately at the commencement of this Bill, all assets, funds, resources and other movable or immovable property which immediately before the commencement of this Bill, were vested in the dissolved Corps.
- (3) As from the commencement of this Bill —
 - (a) all rights, interest, obligations and liabilities of the dissolved Corps existing immediately before the commencement of this Bill under any contract or instrument, at law or in equity, shall by virtue of this Bill, be assigned to and vested in the Corps;

- (b) any contract or instrument as mentioned in paragraph (c) of this subsection shall have the same force and effect against or in favour of the Corps and shall be enforceable as fully and effectively as if, the Corps had been a party to the contract; and
- (c) the Corps shall be subject to all obligations and liabilities to which the dissolved Corps was subject to immediately before the commencement of this Bill, and all other persons shall, as from the commencement of this Bill, have the same rights, powers and remedies against the Corps as they had against the dissolved Corps immediately before the commencement of this Bill.
- (4) Any action pending or existing immediately before the commencement of this Bill by or against the dissolved Corps respect of any right, interest, obligation or liability of the dissolved Peace Corps of Nigeria and National Unity and Peace Corps, an action may be commenced, continued or enforced by or against the Corps.
- (5) Notwithstanding the provision of this Bill, but subject to such directions as may be issued by the Corps, a person who, immediately before the commencement of this Bill, was either a regular member or a volunteer of or held office in the dissolved Corps shall be deemed to have been transferred to the Corps on such terms and conditions not less favourable than those obtained immediately before commencement of this Bill.
- (6) The service in the dissolved Corps shall be deemed to be service in the Corps for purpose of pension.
- (7) Notwithstanding the provision of this Bill or any other existing law in force, apart from all officers, regular and volunteer members of the dissolved Corps, any individual, Group, Association or body that may be absorbed as a member of the Corps either by transfer, enlistment or by whatsoever legal means shall not, as at the time of commencement of this Bill be less than 18 years of age and not above the age of 45 years.
- (8) Individuals, Groups, Associations or bodies that have shown or demonstrated interest to be absorbed as members of the Corps shall be absorbed subject to the mandatory basic training and orientation programme of the Corps as prescribed from time to time upon the commencement of this Bill.
- (9) Notwithstanding the provision of subsection (8) the Basic training and orientation programme of the Corps may be subject to periodic review after the commencement of this Bill as the Board may deem fit.
- (10) Notwithstanding any provision in this Bill, an individual who has served in any capacity in the public service at any level (Federal, State, Local Government or Area Councils) and is entitled to gratuity and pension benefit is not eligible for consideration as a staff of the Corps.

Committee's Recommendation:

That the provision in Clause 38 be retained (*Senator Sadiq S. Umar — Kwara North*) —
Agreed to.

Question that Clause 38 do stand part of the Bill, put and agreed to.

PART IX — MISCELLANEOUS

Clause 39: Directives by the Minister

- (1) The Minister may give to the Corps, the Board or National Commandant such directives —
- (a) of a general nature or relating generally to matters of policy with regards to the exercise of its functions; and
 - (b) with respect to the maintenance and securing of public safety and order, as he may consider necessary and the Corps, the Board or the National Commandant shall comply with the directives or cause them to be complied with.
- (2) Subject to the provisions of subsection (1) of this section, a Governor of a State may give to a State Commandant such directives with respect to the maintenance and securing of public safety and order in the State as he may consider necessary and the State Commandant shall comply with the directives or cause them to be complied with.

Committee's Recommendation:

That the provision in Clause 39 be retained (*Senator Sadiq S. Umar — Kwara North*) — Agreed to.

Question that Clause 39 do stand part of the Bill, put and agreed to.

Clause 40: Regulations

The Corps or the Board may, with the approval of the Minister, make such regulations as in its opinion are necessary or expedient for giving full effects to the provisions of this Bill and the regulations shall be laid before the National Assembly and published in the Federal Government Gazette.

Committee's Recommendation:

That the provision in Clause 40 be retained (*Senator Sadiq S. Umar — Kwara North*) — Agreed to.

Question that Clause 40 do stand part of the Bill, put and agreed to.

Clause 41: Interpretation

In this Bill —

"Board" means the Governing Board of the Nigerian Peace Corps established under section 3 of this Bill;

"Corps" means the Nigerian Peace Corps, established under section 1 of this Bill;

"Minister" means the Minister charged with responsibility for matters relating to Ministry of Special Duties and Intergovernmental Affairs ;

"Peace Corps Volunteers" means accredited youth within the age range of 18-35 years not on full remuneration but are on monthly stipend to be determined by the Board and are to serve as reservoirs for the Corps and other security agencies;

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

"Regular Staff officers" means main core staff of the Corps on full remuneration.

"Senate" means the Senate of the Federal Republic of Nigeria.

Committee's Recommendation:

That the provision in Clause 41 be retained (*Senator Sadiq S. Umar — Kwara North*) — Agreed to.

Question that Clause 41 do stand part of the Bill, put and agreed to.

Clause 42: Citation

This Bill may be cited as the Nigerian Peace Corps (Establishment) Bill, 2022.

Committee's Recommendation:

That the provision in Clause 42 be retained (*Senator Sadiq S. Umar — Kwara North*) — Agreed to.

Question that Clause 42 do stand part of the Bill, put and agreed to.

SCHEDULE

Section 6 (3)

SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD

Proceedings

1. (1) The Board shall, for the purpose of this Bill meet at least four times in each year.
- (2) The Board shall meet whenever it is summoned by the Chairman, and if the Chairman is required to do so by a notice given to him by at least five other members, he shall summon a meeting of the Board to be held within 14 days from the date on which the notice is given.
- (3) Where the Board desires to obtain the advice of any person on a particular matter, the Board may co-opt the person to the Board for such period as it deems fit but a person who is a member by virtue of this subparagraph is not entitled to vote at any meeting of the Board and is not counted towards a quorum.

"Peace Corps Volunteers" means accredited youth within the age range of 18-35 years not on full remuneration but are on monthly stipend to be determined by the Governing Board and are to serve as reservoirs for the Corps and other security agencies;

Committees:

2. (1) The Board may set up one or more Committees to carry out, on behalf of the Board, its functions under this Bill as the Board may deem fit.
- (2) A Committee set up under this paragraph shall consist of such number of persons (not necessarily members of the Board as may be determined by the Board) and a person other than a member of the Board shall hold office in the Committee in accordance with the terms of his appointment.
- (3) A decision of the Committee of the Board shall be of no effect until it is confirmed by the Board.

Seal

3. (1) The fixing of the Seal of the Peace Corps shall be authenticated by the signature of the Chairman or any other person authorized generally or specifically to act for that purpose by the Board and the National Commandant.
- (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 the National Commandant or any person generally or specially authorized to act for that purpose by the Board.
- (3) Any document purporting to be a document duly executed under the seal of the Board shall be received in evidence and shall, unless the contrary is proved, be presumed to be executed.

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 Interior on a Bill for an Act to Establish the Nigerian Peace Corps to Facilitate Peace, Volunteerism, Community Services, Neighbourhood Watch, and Nation-building; and for Related Matters, 2022 and approved as follows:

Clauses 1-42 — As Recommended

Schedule — As Recommended

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

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

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

**14. Committee on Tertiary Institutions and TETFUND:
Report on the Federal College of Education (Special) Afon, Kwara State (Establishment) Bill, 2022 (SB. 226):**

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 College of Education [Special] Afon, Kwara State; and for Other Matters Connected Therewith, 2022 (*Senator Tolulope A. Odebiyi — Ogun West*).

Question put and agreed to.

Report Laid and Presented.

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

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION ON THE REPORT OF THE COMMITTEE ON TERTIARY INSTITUTIONS AND TETFUND ON A BILL FOR AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE FEDERAL COLLEGE OF EDUCATION [SPECIAL] AFON, KWARA STATE; AND FOR OTHER MATTERS CONNECTED THEREWITH, 2022.

**PART I - ESTABLISHMENT OF FEDERAL COLLEGE OF EDUCATION
[SPECIAL] AFON, KWARA STATE**

Clause 1: Establishment of Federal College of Education [Special] Afon, Kwara State

- [1] There is hereby established the Federal College of Education [Special] Afon, Kwara State.
- [2] The College shall be a body corporate with perpetual succession and a common seal and may sue or be sued in its corporate name.
- [3] The College shall be a Special training institution for the development of teacher Education in the country and to offer special courses physically and mentally challenged and disabled persons.
- [4] The College shall be supervised by the Federal Ministry of Education through the National Commission for Colleges of Education [NCCE] who shall be responsible for approving and regulating all academic programmes run in the College, to ensure quality compliance and provide funds for academic and research programmes, infrastructures and remunerations of employees

Committee's Recommendation:

That the provision in Clause 1 be retained (*Senator Tolulope A. Odebiyi — Ogun West*) — Agreed to.

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

Clause 2: Objectives of the Federal College of Education [Special] Afon, Kwara State

The objects of the College shall be-

- [a] to encourage the advancement of learning and to hold out to all persons without distinction of race, creed, sex or political conviction.
- [b] to develop and offer academic and professional programmes leading to the award of NCE and other certifications for physically and mentally challenged persons i.e deaf, dumb and blind, with emphasis on planning, developmental and adaptive skills in Education, technology, applied science, agriculture, commerce, arts, social science, humanities, management and allied professional disciplines.
- [c] to produce socially mature educational men and women with capabilities not to only understand educational need of Nigeria as a nation, but also to exploit existing educational infrastructure and improve on it to develop new ones.
- [d] to act as agents and catalysts for effective educational system, through training, research and innovation, for effective economic utilization and conservation of the country's human resources.

- [e] to bring quality change in Education by focusing on teacher Education through teaching and learning innovations.
- [f] to collaborate with other national and international institutions involved in training, research and development of Education with a view to promoting governance, leadership and management skills among educational managers.
- [g] to identify educational needs of the society with a view to finding solutions to them within the context of overall national development.
- [h] to provide and promote sound basic Education training as a foundation for the development of Nigeria, taking into account indigenous culture and the need to enhance national unity.
- [i] to provide higher Education and foster a systematic advancement of the science and act of teacher Education.
- [j] to provide for instruction in such branches of teacher Education as it may deem necessary to make provision for research advancement and dissemination of knowledge in such manner as it may determine.
- [k] to provide teachers with operational competence for teaching in pre-tertiary institutions, basic, senior secondary schools and non-formal Education institutions.
- [l] to undertake any other activities that is appropriate for a College of Education of the highest standard.

Committee's Recommendation:

That the provision in Clause 2 be retained (*Senator Senator Tolulope A. Odebiyi — Ogun West*)
— Agreed to.

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

Clause 3: Constitution and Principal Officers of the College

- [1] The College shall consist of: -
 - [a] a Provost;
 - [b] the campuses and colleges of the College;
 - [c] the colleges, institutes and other teaching and research units of the College;
 - [d] the persons holding the offices constituted by the First Schedule to this Bill other than those mentioned in paragraphs [a] to [c] of this subclause;
 - [e] all graduates and undergraduates of the College; and
 - [f] all other persons who are members of the College in accordance with provisions made by statute in that behalf.
- [2] The First Schedule to this Bill shall have effect with respect to the principal officers of the College.

- [3] Subject to clause 5 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 Senator Tolulope A. Odebiyi — Ogun West*) — Agreed to.

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

Clause 4: Powers of the Federal College of Education [Special] Afon, Kwara State and its exercise

- [1] For the carrying out of its objects as specified in section 2 of this Bill, Federal College of Education [Special] Afon, Kwara State shall have power:
- [a] to offer courses of instruction, Special training and to offer special courses for physically and mentally challenged and disabled persons and research in Education and allied areas for the production of quality and skilled teachers required to teach at lower, middle and higher levels of Education in Nigeria in particular and the world at large.
 - [b] to establish such colleges, campuses, institutes, schools, departments and other teaching and research units within the College as may from time to time be deemed necessary or desirable subject to the approval of the National Commission for Colleges of Education [NCCE]
 - [c] to institute and award fellowships, scholarships, exhibitions, bursaries, medals, prizes and other titles, distinctions, awards and forms of assistance;
 - [d] to provide for the discipline and welfare of members of the College;
 - [e] to hold examinations and grant diplomas, certificates and other distinctions to persons who have pursued a course of study approved by the College and have satisfied such other requirements as the College may lay down;
 - [f] to grant honorary degrees, fellowships or academic titles;
 - [g] to demand and receive from any student or any other person attending the College for the purposes of instruction, such fees as the College may from time to time determine subject to the overall directives of the Minister;
 - [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 it is situate;
 - [i] to accept gifts, legacies and donations, but without obligation to accept the same for a particular purpose unless it approves the terms and conditions attached thereto;
 - [j] to enter into contracts, establish trusts, act as trustee, solely or jointly with any other person, and employ and act through agents;

- [k] to erect, provide, equip and maintain libraries, laboratories, workshops, lecture halls, halls of residence, refectories, sports grounds, playing fields and other buildings or things necessary, suitable or convenient for any of the objects of the College;
 - [l] to hold public lectures and to undertake printing, publishing and book selling;
 - [m] subject to any limitations or conditions imposed by statute, to invest any moneys appertaining to the College by way of endowment it, not being immediately required for current expenditure in any investments or securities or in the purchase or improvement of land, with power from time to time, to vary any such investments to deposit any moneys for the time being not invested with any bank on deposit or current account;
 - [n] to borrow, whether on interest or not and if need be upon the security of any or all of the property, movable or immovable, of the College, such moneys as the Council may from time to time in its discretion find it necessary or expedient to borrow of to guarantee any loan, advances or credit facilities;
 - [o] to make gifts for any charitable purpose;
 - [p] to do anything which it is authorized or required by this Bill or by statute to do; and
 - [q] to do all such acts or things, whether or not incidental to the foregoing powers, as may advance the objects of the College.
- [2] Subject to the provisions of this Bill and of the statutes and without prejudice to section 7[2] of this Bill, the powers conferred on the College by subsection [1] of this section shall be exercisable on behalf of the College by the Council or by the Senate or in many other manners which may be authorized by the statute.
- [3] The power of the College to establish further campuses and colleges within the College shall be exercisable by statute and not otherwise.
- [4] the special College of education Afon shall offer the following courses;
- [i] Primary Education Studies
 - [ii] Education and Mathematics
 - [iii] Special Education/Agricultural Science
 - [iv] Special Education/Economics
 - [v] Special Education/Social Studies
 - [vi] Special Education/Christian Religion Studies
 - [vii] Special Education/Islamic Studies

[viii] Special Education/Geography

[ix] Special Education/Biology

[x] Special Education/English

[5] The college shall also attach students to workplaces for gaining practical experience through the SIWES programme.

Committee's Recommendation:

That the provision in Clause 4 be retained (*Senator Senator Tolulope A. Odebiyi — Ogun West*)
— *Agreed to.*

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

Clause 5: Composition, Tenure and Powers of the Council of the College

[1] The Council of the College shall consist of: -

[a] the Deputy Provost[s];

[b] one person from the Ministry responsible for Education;

[c] A Representative of the College Alumni

[d] two persons representing the community appointed by the President.

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

[3] The Council so constituted shall have a tenure of four [4] years from the date of its inauguration.

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

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

[6] The Council in the discharge of its functions shall ensure that disbursement of funds of the College complies with the approved budgetary ratio for -

[a] personnel cost;

[b] overhead cost;

[c] research and development;

[d] library developments; and

[e] the balance in expenditure between academic vis-à-vis non-academic activities.

Committee's Recommendation:

That the provision in Clause 5 be retained (*Senator Senator Tolulope A. Odebiyi — Ogun West*)
— *Agreed to.*

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

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

Committee's Recommendation:

That the provision in Clause 6 be retained (*Senator Senator Tolulope A. Odebiyi — Ogun West*)
— *Agreed to.*

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

Clause 7: Functions of the Academic Board of the College

- [1] It shall be the general function of the Academic Board to organize and control the teaching by the College, the admission of student where no other enactment provides to the contrary and the discipline of students; and to promote research at the College.
- [2] Without prejudice to the generality of sub clause [1] of this Clause and subject as therein mentioned, it shall in particular be the function of the Academic Board to make provision for:
- [a] the establishment, organization and control of campuses, colleges, schools, institutes and other teaching and research units of the College and the allocation of responsibility for different branches of learning;
 - [b] the organization and control of courses of study at the College and of the examinations held in conjunction with those courses, including the appointment of examiners, both internal and external;
 - [c] the award such other qualifications as may be prescribed in connection with examinations held as aforesaid;
 - [d] the establishment, organization and control of halls of residence and similar institutions at the College;
 - [e] the supervision of the welfare of students at the College and the regulation of their conduct;
 - [f] determining what descriptions of dress shall be academic dress for the purposes of the College, and regulating the use of academic dress.
- [3] The Academic Board shall not establish any new campus, college, school, department, institute or other teaching and research units of the College, or any hall of residence or similar institution at the College without the approval of the Council.
- [4] Subject to this Bill and the Regulations, the Academic Board may make regulations for the purpose of exercising any function conferred on it either by the foregoing provisions of this Clause or otherwise or for the purpose of making provision for any matter for which provision by regulations is authorized or required by this Bill or by Regulation.
- [5] Regulations shall provide that at least one of the persons appointed as the examiners at each final or professional examination held in conjunction with any course of study at the College is not a teacher at the College but is a teacher of the branch of learning to which the course relates at some other College of high repute or a person engaged in practicing the profession in a reputable organization or institution.
- [6] Subject to right of appeal to the Council from a decision of the Academic Board under this sub-Clause, the Academic Board may deprive any person of any diploma or other award of the College which has been conferred upon him/her if after due enquiry he/she is found to have been guilty of dishonourable or scandalous conduct in gaining admission into the College or obtaining that award

Committee's Recommendation:

That the provision in Clause 7 be retained (*Senator Senator Tolulope A. Odebiyi — Ogun West*) — Agreed to.

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

Clause 8: Visitation

- [1] The Minister of Education shall be the Visitor of the College.
- [2] The Visitor shall, not less than one in every five years, conduct a visitation to the college or appoint a visitation panel consisting of not less than five experts to conduct the visitation

Committee's Recommendation:

That the provision in Clause 8 be retained (*Senator Senator Tolulope A. Odebiyi — Ogun West*) — Agreed to.

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

Clause 9: Office of the Provost

- [1] There shall be a Provost of the College [in this Bill referred to as "the Provost] who shall be appointed by the President, Commander-in-Chief of the Armed Forces in accordance with the provisions of this clause.
- [2] Where vacancy occurs in the post of Provost, the Council shall-
 - [a] advertise the vacancy in a reputable journal or a widely read newspaper in Nigeria specifying-
 - [i] the qualifications of the person 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 consideration.
 - [b] constitute a Search Team consisting of-
 - [i] a member of Council, not being a member of the Academic Board, as Chairman;
 - [ii] two members of the Academic Board not below the rank of Chief Lecturer;
 - [iii] two members of the academic community of the College not below the rank of Principal Lecturer and not members of Academic Board to be selected by the Academic Staff Association to identify and draw up a short list of suitable persons who are not likely to apply for the post for any reason whatsoever.
- [3] A Joint Council and Academic Board Selection Committee shall consist of-
 - [a] the Chairman of the Council;
 - [b] two members of the Council, not being members of the Academic Board; and

- [c] two members of the Academic Board not below the rank of Chief Lecturer who were not members of the Search Team, shall consider the candidates and persons on the shortlists drawn up under subclause [2] of this clause through an examination of their curriculum vitae and interfere with them and recommend, through the Council, to the President, Commander-in-Chief of the Armed Forces, three candidates for his/her consideration.
- [4] The President, Commander-in-Chief of the Armed Forces shall appoint as Provost one of the candidates recommended to him/her under the provisions of subclause [3] of this clause.
- [5] Subject to this Bill and the general control of the Council, the Provost shall be the Chief Executive of the College and shall be charged with general responsibility for matters relating to the day-to-day management operations of the College.

Committee's Recommendation:

That the provision in Clause 9 be retained (*Senator Senator Tolulope A. Odebiyi — Ogun West*)
— *Agreed to.*

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

Clause 10: Tenure and Procedure for the Removal of Provost.

- [1] The Provost shall hold office for a period of 5 years only beginning with the effective date of his/her appointment and on such terms and conditions as may be specified in his/her letter of appointment.
- [2] Where on the commencement of this Bill a Provost appointed before the commencement of this Bill has held office-
- [a] for less than five years, he/she shall be deemed to be serving his/her 5 years' single tenure and shall not have right for the renewal of his/her appointment for a further term of four years;
- [b] 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 Provost for a further period of one year only and thereafter he/she shall relinquish his/her post and be assigned other duties in the College;
- [c] 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 Provost to complete his/her second term and thereafter he/she shall relinquish his/her post and be assigned other duties in the College.
- [3] [a] The Provost may be removed from office by the Visitor on grounds of gross misconduct or inability to discharge the functions of his/her office as a result of infirmity of the body or mind after due consultation with the Council and the Academic Board Billing through the Minister of Education.
- [b] When the proposal for the removal of the Provost is made, the Council shall constitute a Joint Committee of Council and Academic Board consisting of-

- [i] three members of the Council one of whom shall be the chairman of the Committee; and
- [ii] two members of Academic Board, provided that where the ground for the removal is infirmity of the body or mind, the Council shall seek appropriate medical opinion.
- [c] The Committee shall conduct investigation into the allegations made against the Provost and shall report its findings to the Council.
- [d] The Council shall where the allegations are proved inform the Visitor who shall remove the Provost.
- [e] There shall be no sole administrator in any Nigerian College of Education.
- [f] In any case of a vacancy in the office of the Provost, the Council shall appoint a Billing Provost on the recommendation of the Academic Board.
- [g] A Billing Provost in all circumstances shall not be in office for more than 6 months.

Committee's Recommendation:

That the provision in Clause 10 be retained (*Senator Senator Tolulope A. Odebiyi — Ogun West*) — *Agreed to.*

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

Clause 11: Office of the Deputy Provost, Functions, Tenure and Procedure of Removal.

- [1] There shall be for the College Deputy Provost.
- [2] The Council shall appoint the Deputy Provost from among the Chief Lecturers in the college in one of the following ways that is-
 - [a] from a list of three candidates, in order of preference, submitted by the Provost; or
 - [b] on the nomination of one candidate by the Academic Board through election.
- [3] The Deputy Provost shall-
 - [a] assist the Provost in the performance of his/her functions;
 - [b] Bill in the place of the Provost when the post of the Provost is vacant or if the Provost is, for any reason, absent or unable to perform his/her functions as Provost; and
 - [c] perform such other functions as the Provost or the Council may, from time to time, assign to him/her.
- [4] The Deputy Provost-
 - [a] shall hold office for a period of two years beginning from the effective date of his/her appointment and on such terms and conditions as may be specified in his/her letter of appointment; and

[b] may be re-appointed for a further period of two years and no more.

[5] A Deputy Provost may be removed from office for good cause by the Council Billing on the recommendation of the Provost and Academic board.

[6] "Good cause" for the purpose of this clause means gross misconduct or inability to discharge the functions of his/her office arising from infirmity of body or mind.

Committee's Recommendation:

That the provision in Clause 11 be retained (*Senator Senator Tolulope A. Odebiyi — Ogun West*) — *Agreed to.*

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

Clause 12: Other Principal Officers of the College

There shall be for the College, the following principal officers, in addition to the Provost and Deputy Provost, that is-

[a] the Registrar;

[b] the Bursar; and

[c] the College Librarian, who shall be appointed by the Council on the recommendation of the Selection Board constituted under clause 12 [3].

Committee's Recommendation:

That the provision in Clause 12 be retained (*Senator Senator Tolulope A. Odebiyi — Ogun West*) — *Agreed to.*

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

Clause 13: Functions of the Registrar and Tenure

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

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

[3] A Registrar shall

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

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

- [i] for less than five years, he/she shall be allowed to complete the five years specified in his/her appointment letter and shall not have right for the renewal of his/her appointment for a further term of five years;
- [ii] for more than five years and has more than 1 year to complete his/her second term, the council may allow him/her to serve as Registrar for a further period of one year only and thereafter he/she shall relinquish his/her post and be assigned other duties in the College;
- [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 College.

Committee's Recommendation:

That the provision in Clause 13 be retained (*Senator Senator Tolulope A. Odebiyi — Ogun West*) — *Agreed to.*

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

Clause 14: Functions of the Bursar and Tenure.

- [1] The Bursar shall be the Chief Financial Officer of the College and be responsible to the Provost for the day-to-day administration and control of financial affairs of the college.
- [2] [a] A Bursar shall hold office for a single term of five years only beginning from the effective date of his/her appointment and such terms and conditions as may be specified in his/her letter of appointment.
- [b] Where on the commencement of this Bill a Bursar appointed before the commencement of this Bill has held office-
 - [i] for less than five years, he/she shall be allowed to complete the five years specified in his/her appointment letter and shall not have right for the renewal of his/her appointment for a further term of five years;
 - [ii] for more than five years and has more than 1 year to complete his/her second term, The Council may allow him/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 College;
 - [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 College.

Committee's Recommendation:

That the provision in Clause 14 be retained (*Senator Senator Tolulope A. Odebiyi — Ogun West*) — *Agreed to.*

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

Clause 15: Functions of the College Librarian and Tenure

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

Committee's Recommendation:

That the provision in Clause 15 be retained (*Senator Senator Tolulope A. Odebiyi — Ogun West*) — *Agreed to.*

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

Clause 16: Resignation

- A Principal Officer may resign his/her appointment-
- [a] in the case of the Provost, by notice to the Visitor;
- [b] in any other case, by notice to the Council.

Committee's Recommendation:

That the provision in Clause 16 be retained (*Senator Senator Tolulope A. Odebiyi — Ogun West*) — *Agreed to.*

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

Clause 17: Appointment of Registrar, College Librarian and Bursar

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

Committee's Recommendation:

That the provision in Clause 17 be retained (*Senator Senator Tolulope A. Odebiyi — Ogun West*) — *Agreed to.*

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

Clause 18: Appointment of other Staff of the College

- [1] The Council may appoint such other persons to be employees of the College as the Council may determine to assist the Provost and the Principal Officers of the College in the performance of their functions under this Bill.
- [2] Subject to the provisions of this Bill, the remuneration, tenure of office and conditions of service of the employees of the Council shall be determined by the Council in consultation with appropriate authorities.
- [3] The Council may appoint such other persons to be employees of the College as the Council may determine to assist the Provost in the exercise of his/her functions under this Bill

Committee's Recommendation:

That the provision in Clause 18 be retained (*Senator Senator Tolulope A. Odebiyi — Ogun West*) — *Agreed to.*

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

Clause 19: Remuneration of Provost and other employees

The remuneration, tenure of office and conditions of service of the Provost and other employees of the Council shall be determined by the Council, in consultation with the Head of the Civil Service of the Federation/Revenue Mobilization, Allocation and Fiscal Commission, National Salaries, Income and Wages Commission.

Committee's Recommendation:

That the provision in Clause 19 be retained (*Senator Senator Tolulope A. Odebiyi — Ogun West*) — *Agreed to.*

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

Clause 20: Pension Bill Provision

- [1] It is hereby declared that service in the College shall be approved service for the purposes of the Pensions Reform Bill and accordingly, officers and other persons employed in the College, except Principal Officers shall, in respect of their service in the College, be entitled to pensions, gratuities and other retirement benefits as are prescribed thereunder, so however that nothing in this Bill shall prevent the appointment of a person to any office on terms which preclude the grant of a pension and gratuity in respect of that office.
- [2] For the purposes of the application of the provisions of the Pensions Reform Bill, any power exercisable thereunder by a Minister or other authority of the Government of the Federation [other than the power to make regulations under clause 23 thereof] shall be exercisable by the College and not by any other person or authority.

Committee's Recommendation:

That the provision in Clause 20 be retained (*Senator Senator Tolulope A. Odebiyi — Ogun West*) — *Agreed to.*

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

**PART II - GENERAL FUND, TRANSFER OF PROPERTY, ETC, TO THE COLLEGE AND
CONDITION OF SERVICE OF EMPLOYEES****Clause 21: General Fund of the College.**

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

Committee's Recommendation:

That the provision in Clause 21 be retained (*Senator Senator Tolulope A. Odebiyi — Ogun West*) — *Agreed to.*

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

Clause 22: Accounts and Audits

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

Committee's Recommendation:

That the provision in Clause 22 be retained (*Senator Senator Tolulope A. Odebiyi — Ogun West*) — *Agreed to.*

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

Clause 23: Annual reports of Operations, Finance and Audit

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

Committee's Recommendation:

That the provision in Clause 23 be retained (*Senator Senator Tolulope A. Odebiyi — Ogun West*) — *Agreed to.*

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

Clause 24: Transfer of Property

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

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

Committee's Recommendation:

That the provision in Clause 24 be retained (*Senator Senator Tolulope A. Odebiyi — Ogun West*) — *Agreed to.*

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

PART V - MISCELLANEOUS AND GENERAL**Clause 25: Office and Premises**

- [1] For the purpose of providing offices and premises necessary for the performance of its functions, the Council may-
- [a] purchase any interest in or take on lease any land; and
 - [b] build, equip and maintain offices and premises.

- [2] The Council may, with the approval of the Minister, sell any interest in or lease any land, offices or premises held by it and no longer required for the performance of its functions

Committee's Recommendation:

That the provision in Clause 25 be retained. (*Senator Senator Tolulope A. Odebiyi — Ogun West*) — *Agreed to.*

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

Clause 26: Discipline of Students

- [1] The Council may make rules providing for the Provost to conduct enquiries into alleged breaches of discipline [including lack of diligence] by students and such rules may make different provisions for different circumstances.
- [2] The rules shall provide for the procedure and rules of evidence to be followed at enquiries under this clause.
- [3] Subject to the provisions of subclause [1] of this clause, where it is proved during the enquiry that any student of the College has been found guilty of misconduct, the Provost may, without prejudice to any other disciplinary powers conferred on him/her by this Bill or any regulations made thereunder, direct-
- [a] that the student shall not, during such period as may be specified in the direction, participate in such activities of the College, or make use of such facilities of the College, as he/she may specify; or
- [b] 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 direction; or
- [d] that the student shall be expelled from the College.
- [4] Where there is temporarily no Provost or where the Provost refuses to apply any disciplinary measures, the Council may, either directly or through some other staff, apply such disciplinary Billions as are specified in subclause [3] of this clause to any student of the College who is guilty of misconduct. 1
- [5] Where a direction is given under subclause [3] [c] or [d] of this clause in respect of any student, the student may, within 21 days from the date of the letter communicating the decision to him/her appeal against the decision of 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 decision or modify it in such manner as the Council may think fit.
- [6] The fact that an appeal from a decision is brought in pursuance of the last foregoing subclause shall not affect the operation of the decision while the appeal is pending, except the Council direct otherwise.

- [7] The Provost may delegate his/her powers under this clause to a disciplinary committee, consisting of such members of the College as he/she may nominate.
- [8] Nothing in this clause shall be construed as prevention or restriction or termination of a student's Activities at the College otherwise than on the ground of misconduct.
- [9] It is hereby declared that a direction under subclause [3] [a] of this clause may be combined with a direction under subclause [3] [b] of this clause.
- [10] In all cases under this clause, the decision of the Council shall be final unless reversed by the Minister on appeal by the student.

Committee's Recommendation:

That the provision in Clause 26 be retained (*Senator Senator Tolulope A. Odebiyi — Ogun West*) — *Agreed to.*

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

Clause 27: Retiring Age of Academic Staff

- [1] Notwithstanding anything to the contrary in the Pension Act, the compulsory retiring age of the following categories of staff shall be as follows:
- [a] Academic staff of the College in the non-Professorial cadre shall be 65 years;
- [b] Academic staff of the College in the Professorial Cadre shall be 70 years;
- [c] Non-academic staff of the College shall be 65 years.
- [2] A law or rule requiring a person to retire from the public service after serving for 35 years shall not apply to an academic staff of the College

Committee's Recommendation:

That the provision in Clause 27 be retained (*Senator Senator Tolulope A. Odebiyi — Ogun West*) — *Agreed to.*

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

Clause 28: Special Provisions Relating to Pension of Professors

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

Committee's Recommendation:

That the provision in Clause 28 be retained (*Senator Senator Tolulope A. Odebiyi — Ogun West*) — *Agreed to.*

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

Clause 29: Interpretation

- [1] In this Bill, unless the context otherwise requires: -
- "Campus" means any campus which may be established by the College;
- "College" means the College established pursuant to section 2 [1] [b] of this Bill for the College;
- "Council" means the Governing Council of the College established by section 5 of this Bill.
- "Functions" includes powers and duties
- "Graduate" means a person on whom a degree, other than an honorary degree, has been conferred by the College and any other person as may be designated as a graduate by the Council, acting in accordance with the recommendation of the Senate; [Erroneously omitted]
- "Minister" means the Hon. Minister of Education;
- "Notice" means notice in writing;
- "Officer" does not include the Visitor
- "Prescribed" means prescribed by statute or regulations;
- "Professor" means a person designated as a Professor of the College in accordance with provisions made in that behalf by statute or by regulations;
- "Property" includes rights, liabilities and obligations;
- "Provisional Council" means the provisional council appointed for the College.
- "Regulations" means regulations made by the Senate or the Council;
- "Senate" means the Senate of the College established pursuant to section 2[1][e] of this Bill;
- "School" means a unit of closely related academic programmes;
- "Statute" means a statute made by each College under section 10 of this Bill and in accordance with the provisions of section 11 of this Bill, and
- "The statutes" means all such statutes as are in force from time to time;
- "Teacher" means a person holding a full-time appointment as a member of the teaching or research staff of the College;

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

"College" means the Federal College of Education [Special] Afon, Kwara State established and incorporated by section 1 of this Bill.

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

Committee's Recommendation:

That the provision in Clause 29 be retained (*Senator Senator Tolulope A. Odebiyi — Ogun West*) — *Agreed to.*

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

Clause 30: Short Title

This Bill may be cited as the Federal College of Education [Special] Afon, Kwara State Bill, 2022.

Committee's Recommendation:

That the provision in Clause 30 be retained (*Senator Senator Tolulope A. Odebiyi — Ogun West*) — *Agreed to.*

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

SCHEDULE

1. Remuneration of Council Members
 - [1] There may be paid to the members of the Council or any Committee, such remuneration and allowances as may, from time to time be determined by the President, Commander-in-Chief of the Armed Forces.
 - [2] Where a vacancy occurs in respect of the membership specified in clause 5, subclauses [1] [a-i], [2] [a-i], and [3], of this Bill, it shall be filled by the appointment of a successor, through the same process, to hold offices for the remainder of the term of office of his/her predecessor.
 - [3] The Council may act, notwithstanding any vacancy in its membership or any defect in the appointment of a member or the absence of a member
2. Proceedings
 - [a] The Council shall meet for the conduct of business in the college at such times that it may appoint once in every three months;
 - [b] The Chairman may, at any time, and shall, at the request in writing of not less than 8 members, convene a meeting of the Council;

- [c] At any meeting of the Council, the Chairman shall preside; but in his/her absence, members present shall elect one of their members to preside at the meeting;
 - [d] Where the Council desires to obtain the advice of any person on any particular matter, the Council may co-opt persons who are not members of the Council, but persons co-opted shall not be entitled to vote at a meeting of the Council;
 - [e] The quorum of the Council shall be simple majority of the total members of the Council, at least one of whom shall be a member appointed by the President, Commander-in-Chief of the Armed Forces;
 - [f] Decisions of the Council shall be made on approval by a simple majority of members present at the meeting.
3. Miscellaneous
- [a] The fixing of the seal of the College shall be authenticated by the signature of the Chairman, Provost and some other members of the Council, authorized generally or specially by the Council to act for that purpose;
 - [b] Any contract or instrument which, if made executed by a person other than a body corporate, would not be required to be under seal, may be made and executed on behalf of the College by any person, generally or specially authorized to act for that purpose, by the Council;
 - [c] Any document purporting to be duly executed under the seal of the College, shall be received in evidence and shall, unless the contrary is proved, be presumed to be so executed;

Question that the Provision 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 Tertiary Institutions and TETFUND on a Bill for an Act to Provide for the Establishment of the Federal College of Education [Special] Afon, Kwara State; and for Other Matters Connected Therewith, 2022 and approved as follows:

Clauses 1-30 — As Recommended

Schedule — As Recommended

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

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

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

15. **Federal Medical Centre Ogoja, Cross River State (Establishment) Bill, 2022 (HB. 276) — Concurrence:**

Consideration of Bill deferred to another Legislative Day.

16. **Public Enterprises (Privatization & Commercialization) Act 2004 (Repeal & Enactment) Bill, 2022 (HB. 1470) — Concurrence:**

Consideration of Bill deferred to another Legislative Day.

17. **Advertising Regulatory Council of Nigeria Bill, 2022 (HBs.137 & 518) — Concurrence:**

Consideration of Bill deferred to another Legislative Day.

18. **Arbitration and Mediation Bill, 2022 (HB. 91) — Concurrence:**

Consideration of Bill deferred to another Legislative Day.

19. **Adjournment:**

Motion made: That the Senate do now adjourn till Wednesday, 13th April, 2022 at 10:00 a.m. (Senate Leader).

Question put and agreed to.

Adjourned accordingly at 1:23 p.m.

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

