



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Thursday, 19 January, 2023

1. The House met at 11.50 a.m. Mr Speaker read the Prayers.
2. The House recited the National Pledge
3. **Votes and Proceedings**
Mr Speaker announced that he had examined and approved the *Votes and Proceedings* of Wednesday, 18 January, 2023.

The Votes and Proceedings was adopted by unanimous consent.

4. **Presentation of Reports**

(i) **Committee on Basic Education and Services:**

Motion made and Question proposed, "That the House do receive the Report of the Committee on Basic Education and Services on a Bill for an Act to Amend the Teachers Registration Council of Nigeria Act, Cap. T3, Laws of Federation of Nigeria, 2004 to ensure that only Licensed or Registered and Qualified Persons who Exhibit thorough Professional Conduct Teach in Schools and provide for stiffer Penalties and Punishment for Unregistered and Unqualified Teachers; and for Related Matters (HB.308 and HB.550)" (Hon. Sylvester Ogbaga — Abakaliki/Izzi Federal Constituency).

Agreed to.

Report laid.

(ii) **Committees on Basic Education and Services and, Healthcare Services:**

Motion made and Question proposed, "That the House do receive the Report of the Committees on Basic Education and Services, and Healthcare Services on a Bill for an Act to Introduce Preventive Measures and Teachings of Breast and Cervical Cancers into the Curricula of a Compulsory Subject (Civic Education) for Senior Secondary Schools in Nigeria and for Related Matters (HB. 1932)" (Hon. Sylvester Ogbaga — Abakaliki/Izzi Federal Constituency).

Agreed to.

Report laid.

(iii) *Committee on Basic Education and Services:*

Motion made and Question proposed, "That the House do receive the Report of the Committee on Basic Education and Services on a Bill for an Act to Introduce Preventive Measures and Teachings of Sexual and Gender Based Violence into the Curriculum as a Compulsory Subject (Civic Education) for all Secondary Schools in Nigeria; and for Related Matters (HB. 1937)" (*Hon. Sylvester Ogbaga — Abakaliki/Izzi Federal Constituency*).

Agreed to.

Report laid.

(iv) *Committee on Human Rights:*

Motion made and Question proposed, "That the House do receive the Report of the Committee on Human Rights on a Bill for an Act to Amend the Trafficking in Persons (Prohibition) Enforcement and Administration Act, No. 4 of 2015 to include the Federal Ministry of Humanitarian Affairs and Disaster Management and Social Development in its Governing Board, review the mode of appointing the Director General of the Agency, to strengthen the Act by reviewing the offences and penalty Provisions; and for Related Matters (HB. 2102)" (*Hon. John Dyegh — Gboko/Tarka Federal Constituency*).

Agreed to.

Report laid.

5. **A Bill for an Act to Provide for Establishment of Projects Development Agency (PRODA) Enugu to conduct Scientific, Engineering and Technological Research aimed at facilitating the Domestication and industrialization of Appropriate Technology for Socio-Economic Advancement of Nigeria; and for Related Matters (HB. 2036) — Third Reading**
Motion made and Question proposed, "That a Bill for an Act to Provide for Establishment of Projects Development Agency (PRODA) Enugu to conduct Scientific, Engineering and Technological Research aimed at facilitating the Domestication and industrialization of Appropriate Technology for Socio-Economic Advancement of Nigeria; and for Related Matters (HB. 2036) be now read the Third Time" (*Hon. Mohammed Tahir Monguno — Chief Whip*).

Agreed to.

Bill read the Third Time and passed.

6. **A Bill for an Act to Amend the Legislative Houses (Powers and Privileges) Act, 2017; and for Related Matters (HB.2149) — Second Reading**
Motion made and Question proposed, "That a Bill for an Act to Amend the Legislative Houses (Powers and Privileges) Act, 2017; and for Related Matters (HB.2149) be read a Second Time" (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency and 1 other*).

Debate.

Question that the Bill be now read a Second Time — Agreed to.

Bill read the Second Time.

Bill referred to the Committee of the Whole.

7. **A Bill for an Act to Establish Gum Arabic Research Institute; and for Related Matters (HB.2168) — Second Reading**
Motion made and Question proposed, "That a Bill for an Act to Establish Gum Arabic Research Institute; and for Related Matters (HB.2168) be read a Second Time" (Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency).

Debate.

Question that the Bill be now read a Second Time — Agreed to.

Bill read the Second Time.

Bill referred to the Committee of the Whole.

8. **A Bill for an Act to Establish Rights for Victims of Crime to Provide for the Rights, Welfare and Compensation of Victims of Crime and Provide for the Strengthening of the Criminal Justice System; and for Related Matters (HB. 1861) — Second Reading**
Motion made and Question proposed, "That a Bill for an Act to Establish Rights for Victims of Crime to Provide for the Rights, Welfare and Compensation of Victims of Crime and Provide for the Strengthening of the Criminal Justice System; and for Related Matters (HB. 1861) be read a Second Time" (Hon. Henry Archibong Okon — Itu/Ibiono Ibom Federal Constituency).

Debate.

Question that the Bill be now read a Second Time — Agreed to.

Bill read the Second Time.

Bill referred to the Committee on Justice.

9. **A Bill for an Act to Establish Federal Medical Centre, Otun Ekiti, Ekiti State to Provide Legal Framework for its due Management and Administration; and for Related Matters (HB. 2164) — Second Reading**
Motion made and Question proposed, "That a Bill for an Act to Establish Federal Medical Centre, Otun Ekiti, Ekiti State to Provide Legal Framework for its due Management and Administration; and for Related Matters (HB. 2164) be read a Second Time" (Hon. Olarewaju Ibrahim Kunle — Moba/Ilejemeje/Ido Osi Federal Constituency).

Debate.

Question that the Bill be now read a Second Time — Agreed to.

Bill read the Second Time.

Bill referred to the Committee on Health Institutions.

10. **A Bill for an Act to Establish Federal Institute for Diving Technology, Anaku, Ayamelum, Anambra State Charged with Responsibility to Provide full-time Courses in Deep Sea (Ocean) Diving Studies; and for Related Matters (HB. 2099) — Second Reading**
Motion made and Question proposed, "That a Bill for an Act to Establish Federal Institute for Diving Technology, Anaku, Ayamelum, Anambra State Charged with Responsibility to Provide full-time Courses in Deep Sea (Ocean) Diving Studies; and for Related Matters (HB. 2099) be read a Second Time" (Hon. Vincent Ofumelu — Oyi/Ayamelum Federal Constituency).

Debate.

Question that the Bill be now read a Second Time — Agreed to.

Bill read the Second Time.

Bill referred to the Committee on Maritime Safety, Education and Administration.

11. Reconsideration of Outstanding Bill from the Preceding Assembly, Pursuant to Order Twelve, Rule 16 of the Standing Orders of the House of Representatives

Motion made and Question proposed:

The House:

Notes that pursuant to Order Twelve, Rule 16 of the Standing Orders of the House, Federal Institute for Industrial Research Bill, 2019 (HB.55) passed by the preceding Assembly and forwarded to the Senate for concurrence for which no concurrence was made or negatived or passed by the Senate and forwarded to the House for which no concurrence was made or negatived or which were passed by the National Assembly and forwarded to the President for assent but for which assent or withholding thereof was not communicated before the end of the tenure of the Assembly, the House may resolve that such Bill, upon being re-gazetted or clean copies circulated, be re-considered in the Committee of the Whole without being commenced de-novo;

Also notes that the aforementioned Bill was passed by the preceding Assembly and forwarded to the President for assent but for which assent or withholding thereof was not communicated before the end of the tenure of the last Assembly;

Aware that the Bill was re-gazetted as HB. 55 and read the First Time;

Resolves to:

Commit the Bill to the Committee of the Whole for consideration (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency*).

Agreed to.

12. Need to Rehabilitate Ikot Akpa Nkuk - Nyak Iba - Usung Atiat - Ikot Akpa Idem - Ikot Udo Mbang Road in Ukanafun, Akwa Ibom State

Motion made and Question proposed:

The House:

Notes that the Ikot Akpa Nkuk - Nyak Iba - Usung Atiat - Ikot Akpa Idem - Ikot Udo Mbang road in Ukanafun, Akwa Ibom State plays a paramount role in the economic development of the Ukanafun communities, its environs and the neighbouring states;

Aware that the Federal Ministry of Works and Housing under its emergency intervention programme commenced the rehabilitation of about 2.8 Km Ikot Akpa Nkuk - Nyak Iba - Usung Atiat - Ikot Akpa Idem - Ikot Udo Mbang road but abandoned halfway in 2022;

Concerned that the abandoned road has caused lots of hardship to inhabitants of the Villages and adjoining communities as the uncompleted road has either become a death trap to the motorist or impassable for the farmers to transport their produce to town;

Worried that as a result of the road being abandoned, farmers in the adjoining communities have suffered wastages by reason of the inability to take their harvested goods to the market within time;

Also worried that the dilapidated condition of the road has not only aggravated the present sufferings of the people but the economic activities have also been put on hold as the movement of commuters, goods and services has led to the loss of earnings and resources;

Further worried that apart from the inaccessibility and neglect of the road, the people have been left to seek alternative means of evacuating farm produce from the hinterland to cities resulting in high cost of farm produce in the market;

Acknowledges that the people of the area had appealed to the Federal Government through the Federal Ministry of Works and Housing to intervene urgently to ameliorate their sufferings;

Resolves to:

- (i) urge the Federal Ministry of Works and Housing to urgently complete the Ikot Akpa Nkuk - Nvak Iba - Usung Atiat - Ikot Akpa Idem - Ikot Udo Mbang Road in Ukanafun Local Government Area, Akwa Ibom State;
- (ii) mandate the Committees on Works, and Legislative Compliance to ensure compliance (*Hon. Unyime Idem — Ukanafun/Oruk Anam Federal Constituency*).

Agreed to.

Motion referred to the Committees on Works, and Legislative Compliance, pursuant to Order Eight, Rule 9 (5) (HR.06/01/2023).

13. **Need to Investigate the Killing of Godsent Obhafuoso by Police Stray Bullet in Uromi, Edo State**
Motion made and Question proposed:

The House:

Notes that Section 14 (2) (b) of the Constitution of the Federal Republic of Nigeria, 1999 (as amended) provides that the security and welfare of the people of Nigeria shall be the primary purpose of government;

Aware that the National Assembly is empowered to make laws for the peace, order and good governance of the Federation or any part thereof as enshrined in Section 4 (2) of the Constitution of the Federal Republic of Nigeria, 1999 (as amended);

Disturbed by the rate of deaths of innocent and unsuspecting citizens occurring from stray bullets of Police personnel in different parts of the country;

Informed that on August 13, 2022, Godsent Obhafuoso was killed by a Police stray bullet, one month after he graduated from Ambrose Alli University, Ekpoma, Edo State at a social gathering at Uromi, Edo State;

Also informed that attempts to bring the erring Police officer to justice failed due to complacency on the part of the Police personnel at the office of the Assistant Inspector General of Police, Zone 5, Edo State;

Resolves to:

- (i) observe a minute silence in honour of the deceased, Mr Godsent Obhafuoso;
- (ii) urge the Inspector-General of Police to investigate the killing of Mr Godsent Obhafuoso by a Police stray bullet on 13 August 2022 at a social event at Uromi;

- (iii) mandate the Committee on Police Affairs to ensure compliance and report within four (4) weeks (*Hon. Sergius Oseasochie Ogun — Esan North East/South East Federal Constituency*).

Debate.

Agreed to.

The House:

Noted that Section 14 (2) (b) of the Constitution of the Federal Republic of Nigeria, 1999 (as amended) provides that the security and welfare of the people of Nigeria shall be the primary purpose of government;

Aware that the National Assembly is empowered to make laws for the peace, order and good governance of the Federation or any part thereof as enshrined in Section 4(2) of the Constitution of the Federal Republic of Nigeria, 1999 (as amended);

Disturbed by the rate of deaths of innocent and unsuspecting citizens occurring from stray bullets of Police personnel in different parts of the country;

Informed that on August 13, 2022, Godsent Obhafuoso was killed by a Police stray bullet, one month after he graduated from Ambrose Alli University, Ekpoma, Edo State at a social gathering at Uromi, Edo State;

Also informed that attempts to bring the erring Police officer to justice failed due to complacency on the part of the Police personnel at the office of the Assistant Inspector General of Police, Zone 5, Edo State;

Resolved to:

- (i) observe a minute silence in honour of the deceased, Mr Godsent Obhafuoso;
- (ii) urge the Inspector-General of Police to investigate the killing of Mr Godsent Obhafuoso by a Police stray bullet on 13 August 2022 at a social event at Uromi;
- (iii) mandate the Committee on Police Affairs to ensure compliance and report within four (4) weeks (**HR.07/01/2023**).

A minute silence was observed in honour of the deceased.

14. Consideration of Reports

- (i) *A Bill for an Act to Amend the Court of Appeal Act, 2013 to, Among Other Things, Increase the Number of Justices of the Court from Ninety to One Hundred and Ten, Provides for the Integration of Virtual Court Proceedings; and for Related Matters (HB. 299 and HB. 2115) (Committee of the Whole):*
Motion made and Question proposed, "That the House do consider the Report on a Bill for an Act to Amend the Court of Appeal Act, 2013 to, Among Other Things, Increase the Number of Justices of the Court from Ninety to One Hundred and Ten, Provides for the Integration of Virtual Court Proceedings; and for Related Matters (HB. 299 and HB. 2115)" (Hon. Alhassan Ado Garba — House Leader).

Agreed to.

Question that the House do resolve into the Committee of the Whole to consider the Report — Agreed to.

(HOUSE IN COMMITTEE)*(Mr Deputy Speaker in the Chair)*

A BILL FOR AN ACT TO AMEND THE COURT OF APPEAL ACT, 2013 TO, AMONG OTHER THINGS, INCREASE THE NUMBER OF JUSTICES OF THE COURT FROM NINETY TO ONE HUNDRED AND TEN, PROVIDES FOR THE INTEGRATION OF VIRTUAL COURT PROCEEDINGS; AND FOR RELATED MATTERS (HB. 299 AND HB. 2115)

*Consideration deferred.**Chairman to report progress.***(HOUSE IN PLENARY)**

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole deferred consideration of the Report on a Bill for an Act to Amend the Court of Appeal Act, 2013 to, among other things, increase the number of Justices of the Court from ninety to one hundred and ten, provides for the integration of Virtual Court Proceedings; and for Related Matters (HB. 299 and HB. 2115).

Question that the House do adopt the Report of the Committee of the Whole — Agreed to.

- (ii) *A Bill for an Act to Establish Federal Teaching Hospital, Makurdi, Benue State and Provide for Composition, Administration and Functions of the Management Board; and for Related Matters (HB.1889) (Committee of the Whole):*
Motion made and Question proposed, "That the House do consider the Report on a Bill for an Act to Establish Federal Teaching Hospital, Makurdi, Benue State and Provide for Composition, Administration and Functions of the Management Board; and for Related Matters (HB.1889)" (Hon. Alhassan Ado Garba — House Leader).

*Agreed to.**Question that the House do resolve into the Committee of the Whole to consider the Report — Agreed to.***(HOUSE IN COMMITTEE)***(Mr Deputy Speaker in the Chair)*

A BILL FOR AN ACT TO ESTABLISH THE FEDERAL TEACHING HOSPITAL, MAKURDI, BENUE STATE AND TO PROVIDE FOR THE COMPOSITION, ADMINISTRATION AND FUNCTIONS OF THE MANAGEMENT BOARD AND FOR RELATED MATTERS (HB.1889)

PART I — ESTABLISHMENT OF FEDERAL TEACHING HOSPITAL, MAKURDI

- Clause 1: Establishment of the Federal Teaching Hospital, Makurdi, Benue State**
- (1) There is hereby established the Federal Teaching Hospital, Makurdi, Benue State (in this Bill referred to as "The Federal Teaching Hospital") to serve as Federal Teaching Hospital and have facilities for:
- (a) Tertiary health care to complement such as provided by the State Government; and

- (b) for the training of medical and other students as are provided by teaching hospitals of Nationally and international high repute subject to the provisions of this Bill.
- (2) The Federal Teaching Hospital:
 - (a) shall be a body corporate;
 - (b) may sue and be sued in its corporate name;
 - (c) shall have perpetual succession and a common seal;
 - (3) For the purpose of the provision of paragraph (b) of subsection (1) of this section, the Federal Teaching Hospital shall relate to Associate Universities whose medical students may receive aspects of their training from the Federal Teaching Hospital (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 1 stands part of the Bill — Agreed to.

Clause 2: Establishment of the Management Board of the Federal Teaching Hospital
 There is hereby established for the Management of the Federal Teaching Hospital a body to be known as the Management Board (in this Bill referred to as "the Board") which shall be constituted and have the functions and powers set out in this Bill (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 2 stands part of the Bill — Agreed to.

Clause 3: Membership of the Board

- (1) The Board shall consist of:
 - (a) a Chairman who shall be a person of proven integrity and considerable experience and outstanding ability in administration or in professional or technical education and shall be appointed by the President on the recommendation of the Minister;
 - (b) The Chief Medical Director of the Federal Teaching Hospital;
 - (c) The Chairman of the Medical Advisory Committee of the Federal Teaching Hospital;
 - (d) a representatives of the Dean of the Medical School or Provost, College of Medicine of the 2 Associate Universities (Explanatory Memoranda);
 - (e) a representative of the Vice-Chancellor of the 2 Associate Universities;
 - (f) a representative of the Senate of the 2 Associate Universities;
 - (g) one representative of the Federal Ministry of Health not lower than the rank of Assistant Director;
 - (h) a representative of the Ministry of Health of the State in which the Federal teaching Hospital is situated;
 - (i) a representative of the National Planning Commission;

- (j) a representatives of the Society of Gynaecology and Obstetrics of Nigeria;
 - (k) a representative of the Pharmaceutical Society of Nigeria;
 - (l) a representative of Paediatrics Association of Nigeria;
 - (m) a representative of National Association of Nigerian Nurses and Midwives;
 - (n) a representative of Medical and Dental Practitioners of Nigeria;
 - (o) a representative of one person to represent public interest.
- (2) The Chairman and members of the Board, other than ex-officio members, shall be:
- (a) appointed by the President; and
 - (b) persons of proven integrity and ability.
- (3) The supplementary provisions set out in the Schedule to this Bill shall have effect with respect to the proceedings of the Board and other matters contained therein (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 3 stands part of the Bill — Agreed to.

Clause 4: Tenure of office of Members

Subject to the provisions of section 5 of this Bill, the Chairman and any member of the Board, other than ex-officio members shall each hold office:

- (a) for a term of four years in the first instance and unless he previously vacates his office, be eligible for re-appointed for a further term of four years and no more; and
- (b) on such terms and conditions may be specified in his letter of appointment:

Provided that nothing in this paragraph shall be construed as entitling any person who has held office as Chairman for a term and who is being re-appointed under this section to be appointed again as Chairman (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 4 stands part of the Bill — Agreed to.

Clause 5: Cessation of Membership

- (1) Notwithstanding the provisions of section 4 of this Bill a person shall cease to hold office as a member of the Board if:
- (a) he becomes bankrupt, suspends payment of principal loan with his creditors;
 - (b) he is convicted of a felony or any offence involving dishonesty or fraud;
 - (c) he becomes of unsound mind or is incapable of carrying out his duties by reason of mental or bodily infirmity;

- (d) he is guilty of a serious misconduct in relation to his duties; or
 - (e) in the case of a person possessed of professional qualifications, he is disqualified or suspended, other than at his own request, from practicing his profession in any part of the world by an order of a competent authority made in respect of that member; or
 - (f) he resigns his appointment by a letter addressed to the President;
- (2) If a member of the Board ceases to hold office for any reason whatsoever before the expiration of the term for which he is appointed, another person representing the same interest as that member shall be appointed to the Board for the unexpired term.
- (3) A member of the Board may be removed by the President if he is satisfied that it is not in the interest of the Federal Teaching Hospital or the interest of the public that the member continues in office (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 5 stands part of the Bill — Agreed to.

Clause 6: Allowances of Members

There shall be paid to every member of the Board such allowances and expenses as the Revenue Mobilization Allocation and Fiscal Commission may, from time to time, direct (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 6 stands part of the Bill — Agreed to.

PART II — FUNCTIONS AND POWERS OF THE BOARD, ETC.

Clause 7: Functions of the Board

- (1) The Board shall:
- (a) equip, maintain and operates the Federal Teaching Hospital so as to provide facilities for diagnosis, creative, promotive and rehabilitative services in medical treatment;
 - (b) construct, equip, maintain and operate such training schools and similar institutions as the Board considers necessary for providing the Federal teaching Hospital at all times with a proper staff of the medical centre technicians and nurses;
 - (c) construct, equip, maintain and operate such clinics, out-patient departments, laboratories, research or experimental stations and other like instructions as the Board considers necessary for the efficient functioning of the Federal Teaching hospital.
- (2) The Board shall ensure that the standards of teaching provided at all establishments under its control and the standards of treatment and care provided for patients at the establishment do not fall below those usually provided by similar establishment of international repute.
- (3) Subject to this Bill, the Board shall perform such other functions which in its opinion are calculated to facilitate the carrying out of its functions under this Bill (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 7 stands part of the Bill — Agreed to.

Clause 8: Powers of the Board

The Board shall have power to:

- (a) provide the general policies and guidelines relating to major expansion programmes of the Federal teaching Hospital;
- (b) provide facilities for the training of medical students of associate universities;
- (c) manage and superintend the affairs of the Federal Teaching Hospital;
- (d) subject to the provisions of this Bill, make, alter and revoke rules and regulations for carrying on the functions of the Federal Teaching Hospital;
- (e) fix terms and conditions of service, including remuneration of the employees of the Federal Teaching Hospital subject to the approval of National Salaries Income and Wages Commission;
- (f) do such other things which in the opinion of the Board are necessary to ensure the efficient performance of the functions of the Federal Teaching Hospital (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 8 stands part of the Bill — Agreed to.

PART III — STAFF OF THE FEDERAL TEACHING HOSPITAL

Clause 9: Chief Medical Director of the Hospital

- (1) There shall be appointed for the Federal Teaching Hospital a Chief Medical Director who shall be appointed by the President on the recommendation of the Board and on such terms and conditions as may be specified in his letter of appointment or as may be determined, from time to time, by the National Salaries Income and Wages Commission.
- (2) The Chief Medical Director shall:
 - (a) be the chief executive and accounting officer of the Federal Teaching Hospital;
 - (b) be responsible to the Board for the execution of the policies and matters affecting the day-to-day administration and management of the affairs of the Federal Teaching Hospital;
 - (c) be appointed for a term of four years in the first instance and may be reappointed for a further term of four years subject to satisfactory performance;
 - (d) be a person who is a medical practitioner and shall have been so qualified for a period of not less than 12 years;
 - (e) have considerable administrative experiences in the matters of health;

- (f) hold post-graduate specialist qualifications obtained not less than five years prior to the appointment as Chief Medical Director (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 9 stands part of the Bill — Agreed to.

Clause 10: Appointment of Directors and other staff of the Hospital

- (1) The Board shall appoint for the Federal Teaching Hospital:
- (a) a Director of Administration, who shall:
 - (i) be responsible to the Chief Medical Director for the effective functioning of all the administrative divisions of the Board and keep the records of the Federal teaching Hospital;
 - (ii) conduct the correspondence of the Board and keep the records of the Federal Teaching Hospital; and
 - (iii) perform such other functions as the Board or the Chief Medical Director, as the case may be, from time to time, assign to him;
 - (b) a Director of Clinical Services;
 - (c) a Director of Finance;
 - (d) a Director of Maintenance.
- (2) The Directors appointed under paragraph (b), (c) and (d) of subsection (1) of this section shall each be responsible to the Chief Medical Director for the effective running of the clinical services, the finance and accounts and the co-ordination of the maintenance of the Federal Teaching Hospital as the case may be.
- (3) The Board shall appoint for the Federal Teaching Hospital such number of employees as may in the opinion of the Board be expedient and necessary for the proper and efficient performance of the functions of the Federal Teaching Hospital.
- (4) Notwithstanding the provisions of subsections (1) and (2) of this section the Board shall have power to appoint for the Federal teaching Hospital either directly or on secondment from any public service in the Federation, such number of employees as may, in the opinion of the Board, be required to assist the Federal Teaching Hospital in the discharge of any of its functions under this Bill.
- (5) Nothing in subsection (4) of this section shall preclude the Board from appointing persons from outside the public service of the Federation of the State whenever it deems it necessary so to do.
- (6) The terms and conditions of service (including remuneration, allowances, benefits and pensions) of employees of the Federal teaching Hospital shall be as determined by the National Salaries Income and Wages Commission (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 10 stands part of the Bill — Agreed to.

Clause 11: Service in the Federal Teaching Hospital to be pensionable

- (1) Service in the Federal Teaching Hospital shall be approved service for the purposes of the Pensions Reforms Act.
- (2) The officers and other persons employed in the Federal teaching Hospital shall be entitled to pensions, gratuities and other retirement benefits as are enjoyed by persons holding equivalent grades in the civil service of the Federation.
- (3) Nothing in Subsection (1) and (2) of this section shall prevent the appointment of a person to any office of terms which preclude the grant of pension and gratuity in respect of that office (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 11 stands part of the Bill — Agreed to.

Clause 12: Establishment of the Medical Advisory Committee etc

- (1) There shall be for the Federal Teaching Hospital a Medical Advisory Committee which shall:
 - (a) consist of a Chairman who shall be the Director, Clinical Services and such numbers as may be determined from time to time;
 - (b) be responsible to the Chief Medical Director for all the clinical and training activities of the Federal Teaching Hospital; and
 - (c) be appointed by the Board.
- (2) Subject to this Bill, the Board shall have power to appoint either directly or on secondment and discipline consultants holding or acting in any office in the hospital; and any such appointments shall be made having due regard to the approved personnel establishment of the Federal Teaching Hospital.
- (3) Notwithstanding anything to the contrary, the Board, may from time to time appoint consultants outside the hospital to perform such medical duties as the Board or the Chief Medical Director may assign to such consultants (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 12 stands part of the Bill — Agreed to.

PART IV — FINANCIAL PROVISION

Clause 13: Fund of the Federal Teaching Hospital

There shall be established and maintained for the Federal Teaching Hospital a fund into which shall be paid and credited:

- (a) all subventions and budgetary allocations from government of the Federation;
- (b) all fees and funds accruing from the sale of drugs and other services;
- (c) all sums accruing to the Federal Teaching Hospital by way of gifts, endowments, bequests, grants or other contributions by persons and organisations;

- (d) foreign aid and assistance from bilateral agencies; and
- (e) all of the sums which may, from time to time, accrue to the Federal Teaching Hospital (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 13 stands part of the Bill — Agreed to.

Clause 14: Expenditure of the Federal Teaching Hospital

The hospital shall, from time to time, apply the funds at its disposal to:

- (a) the cost of administration and maintenance of the Federal Teaching Hospital;
- (b) publicise and promote activities of the Federal teaching Hospital;
- (c) pay allowances, expenses and other benefits of members of the Board and committees of the Board;
- (d) pay the salaries, allowances and benefits of employees of the Federal Teaching Hospital;
- (e) pay other overhead allowance, benefits and other administrative cost of the Federal teaching Hospital; and
- (f) undertake such other activities as are connected with all or any of the functions of the Federal Teaching Hospital under this Bill (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 14 stands part of the Bill — Agreed to.

Clause 15: Power to accept gifts

- (1) The Federal Teaching Hospital may accept gifts of land, money or other property on such terms and conditions, if any, as may be specified by the person or organisation making the gifts.
- (2) The Federal Teaching Hospital shall not accept any gift if the conditions attached by the person or organisation making the gift are inconsistent with the functions of the Federal teaching Hospital under this Bill (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 15 stands part of the Bill — Agreed to.

Clause 16: Annual Estimates and Expenditure

- (1) The Board shall, not later than 30 September in each year submit to the President through the Secretary to the Government of the Federation an estimate of the expenditure and income of the Federal teaching Hospital during the next succeeding year.
- (2) The Board shall cause to be kept proper accounts of the Federal Teaching Hospital in respect of each year and proper records in relation thereto and shall cause the accounts to be audited not later than 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 (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 16 stands part of the Bill — Agreed to.

Clause 17: Annual Report

The Board shall prepare and submit to the President not later than 30 June in each year, a report in such form as the president may direct on the activities of the Federal Teaching Hospital during the immediately preceding year, and shall include in the report a copy of the audited accounts of the Federal Teaching Hospital for that year and the auditor's report thereon (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 17 stands part of the Bill — Agreed to.

Clause 18: Power to Borrow

- (1) The Federal Teaching hospital 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 Federal Teaching Hospital shall not, without the approval of the President, borrow money which exceeds, at any time, the limit set by the president.
- (3) Notwithstanding subsection (1) of this section, where the sum to be borrowed is in foreign currency, the Federal Teaching Hospital shall not borrow the sum without the prior approval of the President (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 18 stands part of the Bill — Agreed to.

Clause 19: Exemption from Tax

- (1) The Federal Teaching Hospital shall not pay income tax on any income derived from the Federal Teaching Hospital under this Bill or accruing to it from any of its investments.
- (2) Accordingly, the provision of any enactment relating to the taxation of companies or trust funds shall not apply to the Board of the Federal teaching Hospital (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 19 stands part of the Bill — Agreed to.

Clause 20: Exemption from Customs Duties, etc

The Federal Teaching Hospital shall not pay customs duty on or be restricted or prohibited from importing any equipment, material, supply and any other thing required by the Federal Teaching Hospital for the purpose of this Bill (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 20 stands part of the Bill — Agreed to.

PART V — GENERAL**Clause 21: Discipline of Students**

- (1) Notwithstanding anything to the contrary contained in any other enactment, where it appears to the Board that any student of the Federal Teaching Hospital has been guilty of misconduct, the Board may, without prejudice to any other disciplinary powers conferred on it by regulations, direct:
 - (a) that the students shall not, during such period as may be specified in the direction, participate in such activities of the Federal Teaching Hospital, or make use of such facilities of the Federal Teaching Hospital as the case 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;
 - (c) that the students be rusticated for such period as may be specified in the direction; or
 - (d) That the student be expelled from the Federal Teaching Hospital.
- (2) The fact that an appeal from a direction is brought in pursuance of subsection (1) of this section shall not affect the operation of the direction while the appeal is pending.
 - (3) The Board may delegate its powers under this section to a disciplinary committee consisting of such members of the Federal Teaching Hospital as the Board may nominate.
 - (4) Nothing in this section shall be construed as preventing the restriction or termination of student's activities at the Federal Teaching Hospital otherwise than on the ground of misconduct.
 - (5) A direction issued under subsection (1) (a) of this section may be combined with a direction issued under subsection (1) (b) of this section.
 - (6) Nothing in this Bill shall affect the provisions of any enactment relating to the discipline of medical practitioners, pharmacists, midwives, nurses or members of any other profession or calling (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 21 stands part of the Bill — Agreed to.

Clause 22: Removal and Discipline of Clinical, Administrative and Technical Staff

- (1) If it appears to the Board that there are reasons for believing that any person employed as a member of the clinical, administrative or technical staff of the Federal Teaching Hospital other than the Chief Medical Director, should be removed from his office or employment, the Board shall require the Director of Administration to:
 - (a) give notice of those reasons to the person in question;
 - (b) afford him an opportunity of making representations in person on the matter to the Board; and
 - (c) if the person in question so request within a period of 1 month beginning with the date of notice, make arrangements for:
 - (i) a committee to investigate the matter and report on it to the Board; and
 - (ii) the person in question to be afforded an opportunity of appearing before and being heard by an investigating committee set up with respect to the matter, and if the Board, after considering the report of the investigating committee, is satisfied that the person in question should be removed as aforesaid, the Board may so remove him by a letter signed on the direction of the Board.

- (2) The Chief Medical Director may, in any case of misconduct by a member of the staff which is the opinion of the Chief Medical Director is prejudicial to the interest of the Federal Teaching Hospital, suspend any such member and any such suspension shall forthwith be reported to the Board.
- (3) For good cause, any member of staff may be suspended from his duties or his appointment may be terminated or he may be dismissed by the Board and for the purpose of this section, "good cause" means:
 - (a) a conviction for any offence which the Board considers to be such as to tender the person concerned unfit for the discharge of the functions of his office;
 - (b) any physical or mental incapacity which the Board after obtaining medical advice, considers to be such as to tender the person concerned unfit to continue to hold his office;
 - (c) conduct of a scandalous or other disgraceful nature which the Board considers to be such as to render the person concerned unfit to continue to hold his office; or
 - (d) conduct which the Board considers to be such as to constitute a failure or inability of the person concerned to discharge the functions of his office to comply with the terms and conditions of his service.
- (4) Any person suspended shall, subject to subsections (2) and (3) of this section be on half pay and the Board shall before expiration of a period of three months after the date of such suspension consider the case against that person and come to a decision as to:
 - (a) whether to continue the person's suspension and if so, on what terms (including the proportion of his emoluments to be paid to him);
 - (b) whether to reinstate the person, in which case the Board 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 he 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 the person (including the restoration of his emoluments that might have been withheld), as the Board may determine, and in any case where the Board, Pursuant to this section, decides to continue a person's suspension or decides to take further disciplinary action against a person, the Board shall before the expiration of a period of three months from such decision come to a final determination in respect of the case concerning any such person.
- (5) It shall be the duty of the person by whom a letter of removal is signed in pursuance of subsection (1) of this section to use his best endeavours to cause a copy of the letter to be served as soon as reasonably practicable on the person whom it relates.
- (6) Nothing in the foregoing provisions of this section shall preclude the Board from making such regulations not inconsistent with the provision of this act

for the discipline of students and all other categories of employees of the hospital as the Board may prescribe.

- (7) Regulations made under subsections (6) of this section need not be published in the Gazette but the Board shall cause them to be brought to the notice of all affected persons in such manner as it may, from time to time, determine (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 22 stands part of the Bill — Agreed to.

Clause 23: Discipline of Junior Staff

- (1) If any junior staff accused of misconduct or inefficiency, the Chief Medical Director may suspend him for not more than a period of 3 months and shall direct committee to:
- (a) consider the case; and
- (b) make recommendations as to the appropriate action to be taken by the Chief Medical Director.
- (2) In all cases under this section of this Bill, the officer shall be informed of the charge against him and given a reasonable opportunity to defend himself.
- (3) The Chief Medical Director may after considering the recommendation made pursuant to subsection (1) (b) of this section, dismiss, or take such other disciplinary action against the officer concerned.
- (4) Any person aggrieved by a decision of the Chief Medical Director made under subsection (3) of this section may, within a period of 21 days from the date of the letter communicating the decision to him, address a petition to the Board to reconsider his case (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 23 stands part of the Bill — Agreed to.

Clause 24: Regulations

- (1) The Board may, with the approval of the President, make regulations:
- (a) as to the members of the public either generally or of a particular class, to premises under the control of the Board and as to the orderly conduct of members of the public on those premises; and
- (b) for safeguarding any property belonging to or controlled by the Board from damage by members of the public.
- (2) Bye-laws under this section shall not come into force until they are confirmed (with or without modification) by the National Assembly and published in such manner as he may direct (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 24 stands part of the Bill — Agreed to.

Clause 25: Power to Give Directives

The President may give to the Board direction of a general character or relating generally to particular matters (but not to any individual person or case) with regard to the exercise by the Board of its functions under this Bill, and it shall be the duty of the Board to comply with the duties of the Board under this Bill (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 25 stands part of the Bill — Agreed to.

Clause 26: Transition and Savings Provision

- (1) On the commencement of this Bill, any person employed or serving in the Federal Medical Centre Makurdi is deemed to be an employee of the Federal Teaching Hospital, Makurdi.
- (2) All assets or liabilities belonging to the Federal Medical Centre, Makurdi shall be deemed to belong the Federal Teaching Hospital established under this Bill (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 26 stands part of the Bill — Agreed to.

Clause 27: Interpretation

In this Bill, unless the context otherwise requires:

"associate universities" means the universities whose medical students receive aspects of their training from the Federal Teaching Hospital (i.e. Joseph SarwuanTarka University, Makurdi and Federal University of Health Sciences, Otukpo) (*Hon. Alhassan Ado Garba — House Leader*).

Question that the meaning of the word "associate universities" be as defined in the interpretation in this Bill — Agreed to.

"Board" means the Board of Management of the Federal Teaching Hospital, Makurdi (*Hon. Alhassan Ado Garba — House Leader*).

Question that the meaning of the word "Board" be as defined in the interpretation in this Bill — Agreed to.

"Chairman" means the Chairman of the Board (*Hon. Alhassan Ado Garba — House Leader*).

Question that the meaning of the word "Chairman" be as defined in the interpretation in this Bill — Agreed to.

"Functions" include powers and duties (*Hon. Alhassan Ado Garba — House Leader*).

Question that the meaning of the word "Functions" be as defined in the interpretation in this Bill — Agreed to.

"Federal Teaching Hospital" means the Federal Teaching Hospital, Makurdi Benue State (*Hon. Alhassan Ado Garba — House Leader*).

Question that the meaning of the word "Federal Teaching Hospital" be as defined in the interpretation in this Bill — Agreed to.

"Junior Staff" means staff of such grade as may be determined, from time to time, by the Board (*Hon. Alhassan Ado Garba — House Leader*).

Question that the meaning of the word "Junior Staff" be as defined in the interpretation in this Bill — Agreed to.

"medical students" means a student whose course of instruction is:

- (a) designed (either alone or in conjunction with other courses) to enable him to qualify as a medical practitioner; or
- (b) designed for further training of medical practitioners (*Hon. Alhassan Ado Garba — House Leader*).

Question that the meaning of the word "medical students" be as defined in the interpretation in this Bill — Agreed to.

"Minister" means the Minister charged with responsibility for matters relating to health and "Ministry" shall be construed accordingly (*Hon. Alhassan Ado Garba — House Leader*).

Question that the meaning of the word "Minister" be as defined in the interpretation in this Bill — Agreed to.

"Student" means a person enrolled at an institution controlled by the Board for the purpose of pursuing a course of instruction at the institution (*Hon. Alhassan Ado Garba — House Leader*).

Question that the meaning of the word "Student" be as defined in the interpretation in this Bill — Agreed to.

Question that Clause 27 stands part of the Bill — Agreed to.

Clause 28: Short Title

This Bill may be cited as the Federal Teaching Hospital Makurdi, Benue State (Establishment) Bill, 2023 (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 28 stands part of the Bill — Agreed to.

SCHEDULE

[Section 3 (3)]

SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD, ETC.

Proceedings of the Board

1. (1) Subject to this Bill and section 27 of the Interpretation Act, any of its committees.
- (2) The quorum of the Board shall be the Chairman or the person presiding at the meeting and 5 other members of the Board, 2 of whom shall be ex-officio members and the quorum of any committee of the Board shall be as determined by the Board.
2. (1) The Board shall meet whenever it is summoned by the chairman and if the chairman is required to do so by notice given to him by not less than 8 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.
- (2) At any meeting of the Board, the Chairman shall preside but if he is absent, the members present at the meeting shall appoint one of their number to preside at the meeting.
- (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 deems fit, but a person

who is in attendance by virtue of this sub-paragraph shall not be entitled to vote at any meeting of the Board and shall not count towards a quorum.

Committees

3. (1) The Board may appoint one or more committees to carry out on behalf of the Board such functions as the Board may determine.
- (2) A committee appointed under this paragraph shall consist of such number of persons as may be determined by the Board and a person shall hold office on 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

4. (1) The fixing of the seal of the Federal Teaching Hospital shall be authenticated by the signatures of the Chairman, the Chief Medical Director or any person generally or specifically authorised by the Board to act for that purpose.
 - (2) Any contract or instrument which, if made or executed by a person not being a body corporate, would not be required to be under seal may be made or executed on behalf of the Federal Teaching Hospital by the Chief Medical Director or any person generally or specifically authorised by the Board to act for that purpose.
 - (3) A document purporting to be a document duly executed under the seal of the Federal Teaching Hospital shall be received in evidence and shall, unless and until the contrary is proved, be presumed to be so executed.
5. The validity of any proceedings of the Board or of a committee shall not be adversely affected by:
 - (a) a vacancy in the membership of the Board or committee;
 - (b) a defect in the appointment of a member of the Board or committee; or
 - (c) reason that a person not entitled to do so took part in the proceedings of the Board or Committee (*Hon. Alhassan Ado Garba — House Leader*).

Question that Schedule stands part of the Bill — Agreed to.

Explanatory Note:

This Bill seeks to take over the assets and liabilities of Federal Medical Centre, Makurdi and establish the Federal Teaching Hospital, Makurdi, Benue State and to equip, maintain and operate the Federal Teaching Hospital so as to provide facilities for diagnosis, curative, promotive and rehabilitative services in medical treatment to service Joseph Sarwuan Tarka University, Makurdi and Federal University of Health Sciences, Otukpo (*Hon. Alhassan Ado Garba — House Leader*).

Agreed to.

Long Title:

A Bill for an Act to Establish the Federal Teaching Hospital, Makurdi, Benue State and to Provide for the Composition, Administration and Functions of the Management Board and for Related Matters. (HB.1889) (*Hon. Alhassan Ado Garba — House Leader*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Establish Federal Teaching Hospital, Makurdi, Benue State and Provide for Composition, Administration and Functions of the Management Board; and for Related Matters (HB.1889) and approved Clauses 1- 23, the Schedule, the Explanatory Memorandum, and the Long Title of the Bill.

Question that the House do adopt the Report of the Committee of the Whole — Agreed to.

(iii) *A Bill for an Act to Establish Federal Institute of Industrial Research for Development of Micro, Small, Medium and Large Industries aimed at Rapid Industrialization and Socio-Economic Development of Nigeria; and for Related Matters (HB. 55) (Committee of the Whole):*

Motion made and Question proposed, "That the House do consider the Report on a Bill for an Act to Establish Federal Institute of Industrial Research for Development of Micro, Small, Medium and Large Industries aimed at Rapid Industrialization and Socio-Economic Development of Nigeria; and for Related Matters (HB. 55)" (Hon. Alhassan Ado Garba — House Leader).

Agreed to.

Question that the House do resolve into the Committee of the Whole to consider the Report — Agreed to.

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

A BILL FOR AN ACT TO ESTABLISH THE FEDERAL INSTITUTE OF INDUSTRIAL RESEARCH FOR THE DEVELOPMENT OF MICRO, SMALL, MEDIUM AND LARGE INDUSTRIES; AIMED AT RAPID INDUSTRIALIZATION AND SOCIO-ECONOMIC DEVELOPMENT OF NIGERIA; AND FOR RELATED MATTERS (HB.55)

Clause 1: Establishment of the Federal Institute of Industrial Research

- (1) There is established the Federal Institute of Industrial Research (in this Bill referred to as "the Institute").
- (2) The Institute:
 - (a) shall be a corporate body with perpetual succession and a common seal;
 - (b) may sue or be sued in its corporate name; and
 - (c) may for the purposes of performance of its functions under this Bill, acquire, hold movable or immovable property and enter into contract or any other transaction for the purposes of carrying out any of its functions (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 1 stands part of the Bill — Agreed to.

Clause 2: Functions of the Institute

- (1) The functions of the Institute shall be to:
- (a) conduct industrial research up to pilot plants for the development of the micro, small, medium and large scale industries in Nigeria; conduct research and development into Foods and Agro-Allied processing technology;
 - (b) conduct research and development into Pulp and Paper technology;
 - (c) conduct research and development into product design and packaging;
 - (d) conduct research and development in design and fabrication of processing equipment;
 - (e) render consultancy services to evaluate the technical and economic viability of technology-based enterprises;
 - (f) provide technical assistance services for the growth of indigenous services;
 - (g) assist in accelerating the industrialization of the Nigeria economy through research programmes and technology development;
 - (h) promote the establishment and growth of intermediate product industries;
 - (i) identify indigenous technologies in the areas of foods, non-foods processing and develop them into modern technology;
 - (j) assists in the transfer, adaptation and utilization of technologies by industries through organized technology transfer and techno-entrepreneurship development programmes and other means that will ensure the end results of research carried out get to the relevant end users for rapid industrialization and socio-economic growth of Nigeria;
 - (k) carry out appropriate research to ensure compliance with standards and specifications designated by the Institute and approved by other regulatory authorities in Nigeria for effective control of quality of foods and other Industrial products;
 - (l) establish and equip research and development laboratories with relevant standard facilities the institute;
 - (m) conduct, review and supervise research and development program and projects in local foods and agro-allied processing; pulp and paper processing; product design and packaging technologies; design and fabrication of prototype processing equipment;
 - (n) liaise with relevant establishments within and outside Nigeria in pursuance of the functions of the Institute;

- (o) establish and operate world class laboratories and workshops as centres of excellence for cutting edge research in all aspects industrial research;
- (p) establish demonstration factories, Spin-off companies and industrial parks to ensure rapid commercialization of its research and development output as well as providing necessary avenues for training and re-training of skilled labour and manpower, including students of tertiary institutions on Industrial Attachment;
- (q) encourage and promote the commercialization of research and development innovation results through patents in conjunction with National Office for Technology Acquisition and Promotion (NOTAP);
- (r) establish and operate Zonal, State and Regional Offices for effective delivery and deployment of its services in Nigeria, Africa and other continents of the world;
- (s) provide technical consultancy services and industrial troubleshooting to industries for revenue generation and for quality control;
- (t) conduct techno-economic evaluation study on its developed technologies with a view to provide justifications for investments and attract entrepreneurs to invest in such technologies;
- (u) collaborate with relevant bodies especially tertiary institutions to develop curricula or modules for appropriate technology transfer and techno-entrepreneurship training programmes with a view of diploma awards;
- (v) achieve a high research and development output and revenue;
- (w) make the desired impact on national economic and social development;
- (x) a member of any relevant International Scientific bodies;
- (y) publish research results of its activities and collaborate with educational institutions and other relevant government institutes, organizations, agencies, councils and industries in research and development ; and
- (z) carry out such other activities as are necessary or expedient for the performance of its functions under this Bill (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 2 stands part of the Bill — Agreed to.

Clause 3: Establishment of the Governing Board of the Institute

There is established for the Institute a Governing Board (hereinafter in this Bill referred to as "the Board"), which shall formulate policy for the Institute (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 3 stands part of the Bill — Agreed to.

Clause 4: Composition of the Governing Board of the Institute

- (1) The Institute shall consist of:
- (a) a chairman, appointed by the President with requisite knowledge and experience in matters relating to global industrial research and development;
 - (b) the Minister charged with the responsibility of Science and Technology or his representative;
 - (c) a representative of the Manufacturers Association of Nigeria (MAN);
 - (d) a representative of the Nigerian Association of Small Scale Industrialists (NASSI);
 - (e) a representative of the Nigerian Association of Small and Medium Enterprises (NASME);
 - (f) the Minister charged with the responsibility of Trade and Investment or his representative;
 - (g) a representative of the Nigerian Society of Engineers (NSE);
 - (h) a representative of the Academy of Science;
 - (i) a representative of Nigerian Institute of Foods, Science and Technology (NIFST);
 - (j) a representative of the Nutrition Society of Nigeria (NSN);
 - (k) the Minister charged with the responsibility of Agriculture & Rural Development or his representative;
 - (l) a person appointed by the President on the recommendation of the Minister to represent the civil society organizations; and
 - (m) the Director-General of the Institute, who shall be the Board's Secretary.
- (2) The supplementary provision set out in the First Schedule to this Bill shall have effect with regard to the proceedings of the Board and other matters contained in the Schedule (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 4 stands part of the Bill — Agreed to.

Clause 5: Tenure of the members of the governing board of the Institute

- (1) The Chairman of the Board shall hold office for a term of four years and may be eligible for re-appointment for another term of four years and no more.
- (2) A member of the Board, who is not an ex-officio member, shall hold office for a term of four years and may be eligible for re-appointment for another term of four years and no more (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 5 stands part of the Bill — Agreed to.

Clause 6: Remuneration of Members of the Governing Board of the Institute

The Chairman and other members of the Board shall be paid such allowances and expenses in accordance with such rates as may be approved by the Federal Government of Nigeria, from time to time (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 6 stands part of the Bill — Agreed to.

Clause 7: Removal of the Chairman or any Member of the Board of the Institute

- (1) Where it appears that the Chairman or any member of the Board, other than an *ex-officio* member, should be removed from office on the grounds of misconduct or inability to perform the functions of his office, the Board shall make a recommendation through the Minister to the President for approval.
- (2) Where the President, after making such inquiries as he considers necessary, approves the recommendation made through the Minister by the Board, the Secretary to the Government of the Federation shall, in writing declare the position of such member vacant.
- (3) Notwithstanding the provision of subsection (1) of this Section, the President may remove any member of the governing board, where he is satisfied that it is in the interest of the Institute and the public to do so (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 7 stands part of the Bill — Agreed to.

Clause 8: Resignation by Member of the Board

A member of the Governing Board other than an *ex-officio* member may, at any time by a notice in writing addressed to the President through the Minister, resign from being a member of the Governing Board of the Institute (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 8 stands part of the Bill — Agreed to.

Clause 9: Cessation of Members of the Board from office

Notwithstanding the provisions of Section 4 of this Bill, a member of the Board ceases to hold office as a member, where:

- (a) he resigns his appointment as a member of the Board by notice under his hand addressed to the President of the Federal Republic of Nigeria;
- (b) he becomes of unsound mind;
- (c) he becomes bankrupt;
- (d) he is convicted of a felony or any other offence involving dishonesty or corruption;
- (e) he becomes incapable of performing on the functions of his office either arising from an infirmity of mind or body;
- (f) the President of the Federal Republic of Nigeria is satisfied that it is not in the interest of the Institute or in the interest of the public for the person to continue in office;

- (g) he has been found guilty under the Code of Conduct or serious misconduct in relation to his duties; or
- (h) in the case of a person who becomes a member by virtue of the office he occupies cease to hold such office (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 9 stands part of the Bill — Agreed to.

Clause 10: Filling of Vacancies

In the event of death or resignation by a member of the Governing Board or where the office of a member of the board becomes vacant under Section (3), a replacement shall be by appointment by the President of the Federal Republic of Nigeria (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 10 stands part of the Bill — Agreed to.

PART III — POWERS AND FUNCTIONS OF THE BOARD OF THE INSTITUTE

Clause 11: Powers of the Board

The Board shall have powers to:

- (a) formulate policies and ratify short and long-term plan of the Institute;
- (b) ratify the annual budget and estimates of the Institute in line with approval granted by National Assembly in the Appropriation Act;
- (c) approve research and academic programmes of the Institute;
- (d) approve investment plan of the Institute;
- (e) consider and approve the capital development plans of the Institute;
- (f) receive and consider proposals, recommendations and suggestions of the Director-General or any Committee of the Governing Board on matters relating to the functions of the Institute under this Bill;
- (g) constitute any committee that may be necessary to discharge any of the function assigned to it under this Bill;
- (h) attract funds by way of donations and contributions to the Institute and put in place mechanisms for collection and utilization of such funds;
- (i) invest surplus funds of the Institute in profit-yielding ventures; and
- (j) carry out or exercise any other powers that may be necessary for the attainment of the objects of this Bill (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 11 stands part of the Bill — Agreed to.

Clause 12: The structure of the Institute

(1) The Institute shall have:

- (a) its Corporate headquarters in Abuja;

- (b) Liaison office or Directorate in Abuja; and
- (c) Zonal office in each of the six geopolitical zones of Nigeria which include:
 - (i) North-West;
 - (ii) North-East;
 - (iii) North-Central;
 - (iv) South-East;
 - (v) South-West; and
 - (vi) South-South.
- (2) The Institute shall operate a departmental structure with directorate or any other structure as may be considered necessary for the performance of its functions and delivery of its services under this Bill.
- (3) The head of Research Directorate shall be designated as head of Department and Headed by the Director General/CEO.
- (4) The head of Research Department shall hold office for 3 years at the first instance and renewable for another 3 years and no more.
- (5) Notwithstanding the provision of subsection (3) of his section, in the absence of a Director or head of Research Directorate, the most senior research officers may be appointed in acting capacity on the recommendation of the Director-General of the Institute to the Board.
- (6) A department shall have not more than five divisions, with each division headed by Deputy Director and Division may consists of sections, headed by Chief Research or Scientific Officer and section may also be composed of Units for effectiveness.
- (7) Zonal Offices shall be headed by a Zonal Coordinator (*Hon. Ahassan Ado Garba — House Leader*).

Question that Clause 12 stands part of the Bill — Agreed to.

PART IV — APPOINTMENT OF THE DIRECTOR-GENERAL
AND OTHER STAFF OF THE INSTITUTE

Clause 13: Appointment of the Director-General of the Institute

- (1) There shall be appointed for the Institute a Director-General, who shall be the Chief Executive Officer and Accounting Officer of the Institute.
- (2) The Director-General shall be:
 - (a) appointed by the President on the recommendation of the Minister;
 - (b) responsible to the Board for the management of the affairs of the Institute;

- (c) responsible for the execution of the policy and the day-to-day administration of the affairs of the Institute;
- (d) entitled to earn a remuneration and allowances as may be specified in his letter of appointment;
- (e) a person with cognate experience and skills of not less than 15 years post-doctoral qualification and qualification as a professional in all fields of sciences and engineering that relate to the operation of the Institute or other criteria as may be stipulated;
- (f) hold office for a term of five years at the first instance and eligible for re-appointment for another term of five years on such terms and conditions as may be specified in his letter of appointment and no more; and
- (g) shall be the Head of the Institute Management Committee and the Secretary to the Governing Board, but not a member of the Board (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 13 stands part of the Bill — Agreed to.

Clause 14: The Duties of the Director-General of the Institute
The Director-General shall:

- (a) prepare the minutes of meetings of the Governing Board and any of its committees;
- (b) keep and secure all records of the Governing Board;
- (c) issue notice of meetings of the Governing Board as may be directed by the Chairman;
- (d) be responsible for the implementation of the resolutions of the Governing Board;
- (e) coordinates the preparation of income and expenditure estimates and development plans for the Governing Board consideration;
- (f) have custody of the seal of the Institute;
- (g) perform such other functions as may be assigned by the Board from time to time;
- (h) perform such other functions as may be assigned by the Board (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 14 stands part of the Bill — Agreed to.

Clause 15: Principal Officers of the Institute

- (1) The Principal Officers of the Institute shall include:
 - (a) Directors;
 - (b) Head of Departments;

- (c) Zonal Coordinators;
 - (d) Head of SERVICOM Office;
 - (e) Chief Internal Auditor;
 - (f) Head of Pension Office;
 - (g) Head of Legal; and
 - (h) Head of Procurement.
- (2) The Directors, Heads of Departments or Zonal Coordinators shall assist the Director-General in the day-to-day management of the Institute.
- (3) Directors or Zonal Coordinator shall:
- (a) head each of the Directorate of the Institute;
 - (b) implement the policies of the Institute as they apply to the directorate;
 - (c) prepare draft expenditure estimate and development plans of his directorate;
 - (d) serve on Scientific or Technical Advisory Committee of the Institute; and
 - (e) perform such other functions as may be determined by the Director-General (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 15 stands part of the Bill — Agreed to.

Clause 16: Other Staff of the Institute

The Board may from time to time, appoint or employ such other persons as members of staff of the Institute on the recommendation of the Director-General as may be necessary, subject to the Extant Rules and Conditions of Service of the Institute (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 16 stands part of the Bill — Agreed to.

Clause 17: Remuneration of Employees of the Institute

Salaries and benefits of the staff of the Institute shall be in accordance with the conditions and scheme of service in Research Institutes in Nigeria or as may be approved by the Board of the Institute (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 17 stands part of the Bill — Agreed to.

Clause 18: Staff Regulations

- (1) The Board may make staff Regulations or adopt staff Conditions of Service that is independent of the Civil Service of the Federation that may provide for:
- (a) the remuneration and tenure of office of members of staff of the Institute;

- (b) appointment, promotion, fringe benefits and incentive, for members of staff of the Institute; and
 - (c) appeal procedure for members of staff of the Institute against dismissal or other disciplinary measures.
- (2) The Board shall have power to amend Regulations made under this Bill, provided that the proposal for is passed by two-thirds majority of the Board Members.
 - (3) All Regulations made by the Board subject to the provisions of this Bill, may be published in the Official Gazette of the Federal Government of Nigeria (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 18 stands part of the Bill — Agreed to.

Clause 19: Removal and Discipline of Staff in the Institute

- (1) The Principal Officers of the Institute may be removed from office by the Board with the approval of the Minister.
- (2) Any other senior member of staff of the Institute may be removed from office by the Director-General with the approval of the Board.
- (3) The removal from office of any junior staff shall be with the approval of the Director-General (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 19 stands part of the Bill — Agreed to.

Clause 20: Application of the Pensions Reform Act

- (1) Service in the employment of the Institute shall be as approved service under the Pensions Reform Act, accordingly, employees of the Institute shall, in respect of their services be entitled to pension and other retirement benefits as are prescribed in the Bill.
- (2) Notwithstanding the provisions of subsection (1) of this Section, nothing in this Bill, shall prevent the appointment of a person to any office on terms, which preclude the grant of a pension and gratuity in respect of that office.
- (3) For the purpose of the application of the Pensions Reform Act, any power exercisable thereunder by the President or authority other than the Federal Government (not being the power to make Regulations under section 34 of this Bill), shall be vested in and exercisable by the Institute.
- (4) Subject to subsection (2) of this Section, the Pensions Reform Act, shall in its application of subsection (3) of this section, have effect as if, the office were in the public service of the Federation within the meaning of the Constitution of the Federal Republic of Nigeria, 1999 (as Amended) (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 20 stands part of the Bill — Agreed to.

PART III — STRUCTURE AND CONSTITUTION OF COMMITTEE OF THE INSTITUTE

Clause 21: Constitution of Scientific/Technical Advisory Committee

- (1) The Institute may establish Scientific/Technical Advisory Committee (in this Bill referred to as 'the Committee' in the areas of research to assist the Institute in various aspects of its responsibilities.

- (2) The members of a Scientific or Technical Advisory Committee shall be persons with requisite expertise and experience in the relevant areas of interest to the Institute (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 21 stands part of the Bill — Agreed to.

Clause 22: Establishment of Demonstration Factories, Spin-off Companies and Industrial Parks

- (1) The Institute may with the approval of the Chairman of the Board or Minister, establish Demonstration Factories, Spin-off Companies and Industrial Parks in any of the six-geo-political zones of Nigeria, based on the availability of raw materials and other factors of production of relative advantage in such zones.
- (2) The Institute shall provide for:
- (a) the location of the factories or companies or Industrial parks;
 - (b) the field in which the factories, companies and industrial parks are to conduct its work and manpower training where applicable;
 - (c) the transfer to the centre by mutual agreement of any existing Federal, State and Local Government facilities;
 - (d) the establishment and constitution of senior officers of the Institute to manage the affairs of the factories, Companies and Industrial parks;
 - (e) the demonstration Factories, Spin-off Companies and Industrial parks shall be fully equipped to carry out training and research and development activities; and
 - (f) a suitable association and collaboration of the Demonstration factories, Spin off companies and Industrial parks with universities, other institutions of higher learning and commercial industries.
- (3) The Institute may with the approval of relevant authorities establish and operate FIIRO Consult, which shall be a semi-autonomous body to commercialize inventions and innovations of the Institute (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 22 stands part of the Bill — Agreed to.

PART V — FINANCIAL PROVISIONS

Clause 23: Establishment of Fund for the Institute

- (1) The Institute shall establish and maintain a fund which shall be applied towards the promotion of the objectives specified in this Bill.
- (2) There shall be paid and credited to the fund established in pursuance of subsection (1) of this section:
- (a) such sums as may be provided by the Government of the Federation or appropriated by the National Assembly for payment into the Fund of the Institute;

- (b) fees charged for services rendered by the Institute; including royalties on Institute's technologies ceded to the Industries for national development;
 - (c) all sums accruing to the Institute by way of gifts, testamentary dispositions, endowments or contributions from philanthropic persons or organizations;
 - (d) contributions from the organized privates sector;
 - (e) foreign aids and assistance from bilateral and multilateral Agencies; and
 - (f) proceeds from commercialization of research and development products of the Institute.
- (3) Notwithstanding the provision of subsection (2) of the section, every application for registration into the Institute's Journal, shall attract a fee, which shall be credited and maintained in a separate account of the Institute, part of which shall be used for the publication of the Institute's journal (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 23 stands part of the Bill — Agreed to.

Clause 24: Expenditure of the Institute

The Institute shall apply the funds established under this Bill, with the approval of the National Assembly:

- (a) conduct research and development activities in the capital project of the Institute;
- (b) maintain the Head Office and establish zonal offices for the Institute;
- (c) pay allowances and expenses of members of the Board;
- (d) sponsor local and international conferences, seminars, workshops for members of staff of the Institute;
- (e) provide scholarship and award for specialized training for personnel;
- (f) publicize and promote the activities of the Institute;
- (g) support national and international scientific bodies and pay annual dues and other contributions to scientific organizations, in which Nigeria is a member;
- (h) undertake any other activity in connection with the object of this Bill; and
- (i) fund the establishment of spin-off companies and Demonstration factories (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 24 stands part of the Bill — Agreed to.

Clause 25: Annual Estimates, Accounts and Audit

- (1) The Institute shall not later than 30th September of each year, submit to the Board and National Assembly for approval its estimates of income and expenditure for the next financial year.

- (2) The Institute shall:
 - (a) keep proper records of all accounts of its income and expenditure; and
 - (b) prepare statement of account in respect of each financial year.
- (3) The Institute shall, not later than 30th June of each financial year, submit its accounts to auditors appointed from the list of qualified auditors in accordance with guidelines laid down by the Auditor-General for the Federation and the auditors fees and expenses shall be paid from the Funds of the Institute and provide same to the National Assembly for oversight purposes (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 25 stands part of the Bill — Agreed to.

Clause 26: Annual Report

- (1) The Institute shall not later than 30th June of each financial year, submit to the Board, in respect of the preceding financial year, an annual report on the activities of the Institute in such form as the Board may direct.
- (2) The report referred to in subsection (1) of this section shall include:
 - (a) information on the activities of the Institute for the year;
 - (b) a copy of the audited accounts of the Institute for that year together with the Auditor-General's report on the accounts of the Institute; and
 - (c) such other information as the Board may request.
- (3) The Director-General shall provide such information on the affairs of the Institute as the Board may from time to time request (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 26 stands part of the Bill — Agreed to.

Clause 27: Exemption from Income Tax

All income derived by the Institute from the sources specified in section 23 subsection (2) of this Act shall be exempted from income tax and all contributions to the fund of the Institute shall be tax deductible (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 27 stands part of the Bill — Agreed to.

Clause 28: Capital Production Income

Subject to the approval of the Board, the Institute may invest in profitable productions of capital goods by joint venture, partnership, share-holding or as sole proprietor or as the case may be, the net income generated shall be paid into the fund of the Institute (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 28 stands part of the Bill — Agreed to.

Clause 29: Borrowing and Investment Power of the Institute

- (1) The Institute may, with the consent or in accordance with any general authority given by the Board, borrow by way of loan or overdraft, any

specified amount of money required by the Institute for its obligations and functions under this Bill in line with extant laws and regulations.

- (2) The Institute may, subject to the provisions of this Bill and the conditions of any trust created in respect of any property, invest any of its funds with the consent or general authority of the Board.
- (3) The Institute may invest any of its surplus funds in such securities as the Board may, from time to time, approve (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 29 stands part of the Bill — Agreed to.

PART VI — MISCELLANEOUS

Clause 30: Power to Accept Gifts

- (1) The Institute may accept any gift of land, money or other property upon such terms and conditions, if any, as may be specified by the person or organization making the gift.
- (2) The Institute shall not accept any gift where the conditions attached by the person or organization making the gift are inconsistent with the functions and objectives of the Institute.
- (3) A gift donated to the Institute or project of the Institute shall be made directly to the Institute and shall be utilized only for the purpose (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 30 stands part of the Bill — Agreed to.

Clause 31: The seal of the Institute

- (1) The seal of the Institute shall be such as may be administered by the Board, signed by the Chairman of the Board and the Director-General.
- (2) Certificates issued by the Institute shall have the Institute's seal affixed and signed by the Chairman of the Board and the Director-General of the Institute.
- (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 Institute by any authorized person (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 31 stands part of the Bill — Agreed to.

Clause 32: Power to make Regulations

The Board may make Regulations:

- (a) to regulate the activities and programmes of the Institute, or any matter connected with the Institute; or
- (b) for the effective implementation of any of the provisions of this Bill (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 32 stands part of the Bill — Agreed to.

Clause 33: Limitation of suit against the Institute

- (1) Subject to the provisions of this Bill, the provisions of the Public Officers Protection Act shall apply to any suit instituted against the Institute, an officer of the Institute or employee of the Institute.
- (2) No suit shall lie or be instituted in any court against the Institute, a member of the Board or any principal officer or employee of the Institute for an action carried out in pursuance to the execution of this Bill or any enactment, or of any public duty in respect of any alleged neglect or default in the execution of this Bill or duty or authority, unless it is commenced:
 - (a) within three months of such act, neglect or default complained thereof; or
 - (b) in the case of a continuation of damage or injury, within six months after the ceasing of the act, neglect or default.
- (3) No suit shall be commenced against the Institute, a member of the Board or any principal officer or employee of the Institute before the expiration of a period of one month after written notice of the intention to commence the suit has been served on the Institute by the intending plaintiff or his agent.
- (4) The notice referred to in subsection (3) shall clearly state the:
 - (a) cause of action;
 - (b) particulars of the claim;
 - (c) the name and place of abode of the intending plaintiff; and
 - (d) the relief sought (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 33 stands part of the Bill — Agreed to.

Clause 34: Service of Notice

- (1) Any notice or other document required or authorised to be served on or given to any person for the purposes of this Bill, may be served or given by:
 - (a) delivering it to that person, or by leaving it at his usual or last known place of residence or business or at the address specified by him in any notice, application or other document made, given or tendered to the Institute under this Bill; or
 - (b) posting it by registered mail to him at that place of residence or business or at that address.
- (2) Where any of such notice or other document sent by registered mail, unless the contrary is proved, it shall be deemed to have been delivered to him when it would have been delivered in the ordinary course of posting a mail unless the contrary is established and in proving the delivery, it shall be sufficient to prove that there is return post office slip showing actual delivery.
- (3) Where for any purpose under this Bill, a notice or document is required to be served on a firm or company, the notice or document may be served on the Secretary, Executive Officer, or other officer holding a similar position

in the organisation and the service unless otherwise directed by the Institute, be deemed to be served on all persons who are members of the organization.

- (4) Any Service of Notice or process on the Institute shall be by proven registered post or by personal service on any Principal Officer of the Institute (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 34 stands part of the Bill — Agreed to.

Clause 35: Power to give Directives by the Minister

The Minister of the Institute may give to the Institute, directives of a general character relating to the policies and functions of the Institute and shall comply with such directives without prejudice to the power of the Board and oversight of the National Assembly (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 35 stands part of the Bill — Agreed to.

Clause 36: Exemption from Tax accruing from Investment

- (1) The Institute shall be exempted from the payment of income tax in any income accruing from investment made by the Institute.
- (2) The provision of any enactment relating to the taxation of companies or trust funds shall not apply to the Institute (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 36 stands part of the Bill — Agreed to.

Clause 37: Joint Venture Targets for Technology Acquisition

The Institute shall impose conditions and set targets for the formation of joint ventures or partnerships between multinational services, Research Institute, Institution or service companies in all sector of the economy and certified indigenous services companies for the purpose of technological training and acquisition (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 37 stands part of the Bill — Agreed to.

Clause 38: Research Targets and Development of Research Products

The Institute shall make regulations with requirement and targets for the growth of Research and Development in the areas of foods, non-food and agro- allied Raw Materials but not limited thereof as may be reviewed by the Institute; in particular Nigerian industry (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 38 stands part of the Bill — Agreed to.

Clause 39: Interpretation

In this Bill, unless the context otherwise requires:

"Board" means the Governing body of the Institute established under Section 3 (1) (*Hon. Alhassan Ado Garba — House Leader*).

Question that the meaning of the word "Board" be as defined in the interpretation in this Bill — Agreed to.

"Chairman" means the Chairman of the Governing Board of the Institute appointed under clause 14 (1) (*Hon. Alhassan Ado Garba — House Leader*).

Question that the meaning of the word "Chairman" be as defined in the interpretation in this Bill — Agreed to.

"Fund" means the fund of the Institute as established under Section 25 of this Bill (Hon. Alhassan Ado Garba — House Leader).

Question that the meaning of the word "Fund" be as defined in the interpretation in this Bill — Agreed to.

"Institute" means The Federal Institute of Industrial Research Oshodi (FIIRO) established under Section 1 (1) (Hon. Alhassan Ado Garba — House Leader).

Question that the meaning of the word "Institute" be as defined in the interpretation in this Bill — Agreed to.

"Minister" means Minister responsible for Science and Technology (Hon. Alhassan Ado Garba — House Leader).

Question that the meaning of the word "Minister" be as defined in the interpretation in this Bill — Agreed to.

"Member" means a member of the Board and this includes the Chairman (Hon. Alhassan Ado Garba — House Leader).

Question that the meaning of the word "Member" be as defined in the interpretation in this Bill — Agreed to.

"President" means President of the Federal Republic of Nigeria (Hon. Alhassan Ado Garba — House Leader).

Question that the meaning of the word "President" be as defined in the interpretation in this Bill — Agreed to.

"Principal Officer" means the Directors and other officers as specified in Section 16 of this Bill (Hon. Alhassan Ado Garba — House Leader).

Question that the meaning of the word "Principal Officer" be as defined in the interpretation in this Bill — Agreed to.

"Public Service" has the meaning assigned to it in the Constitution of the Federal Republic of Nigeria, 1999 (Hon. Alhassan Ado Garba — House Leader).

Question that the meaning of the word "Public Service" be as defined in the interpretation in this Bill — Agreed to.

"Secretary" means the Secretary to the Board of the Institute (Hon. Alhassan Ado Garba — House Leader).

Question that the meaning of the word "Secretary" be as defined in the interpretation in this Bill — Agreed to.

Question that Clause 39 stands part of the Bill — Agreed to.

Clause 40: Citation

This Bill may be cited as the Federal Institute of Industrial Research Bill, 2023 (Hon. Alhassan Ado Garba — House Leader).

Question that Clause 40 stands part of the Bill — Agreed to.

SCHEDULE

SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD

Proceedings of the Board

1. Subject to this Bill and Section 42 of the Interpretation Bill, the Board may make standing orders regulating its proceedings or those of any of its committees.
2. The quorum of the Board shall be the Chairman or person presiding the meeting and five other members of the Board and the quorum of any committee of the Board shall be as determined by the Board.
3. The Board shall meet not less than four times in each year and subject thereto, the Board shall meet whenever it is summoned by the Chairman or where the Chairman is required to do so by a notice given to him by not less than 4 other members, he shall summon a meeting of the Board to be held within 28 days from the date on which the notice is given.
4. At any meeting of the Board, the Chairman shall preside but if he is absent, the members present at the meeting shall appoint one of their members to preside at the meeting.
5. Where the Board desires to obtain the advice of any person on a particular matter, the Board may co-opt such person for such period as it deems fit, but a person who is in attendance by virtue of this sub-paragraph shall not be entitled to vote at any meeting of the Board and shall not count towards a quorum.
6. The Board may set up one or more committees to carry out, on behalf of the Board, such functions as the Board may determine.
7. A committee set up under this paragraph shall consist of such number of persons as may be determined by the Board. And a person shall hold office on the committee in accordance with the term of his appointment.
8. A decision of a committee shall be of no effect until it is confirmed by the Board.
9. The validity of any proceedings of the Board or of a committee thereof shall not be affected by any vacancy in the membership of the Board or of a committee.
10. Any member of the Board or any person holding office on a committee of the Board, who has personal interest in any contract or arrangement shall disclose his interest to the Board and shall not vote on any matter relating to the contract or arrangement.

Miscellaneous

11. The fixing of the seal of the Board shall be authenticated by the signature of the Director-General/Chief Executive Officer or any person generally or specifically authorized by the Board to act for that purpose.
12. 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 Director-General/CEO or any person generally or specifically authorized by the Board to act for that purpose.
13. 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.

14. The validity of any proceeding of the Board or a committee shall not be affected by:-

- (a) a vacancy in the membership of the Board or committee; or
- (b) a defect in the appointment of a member of the board or committee; or
- (c) reason that a person not entitled to do so took part in the proceedings of the Board or committee (*Hon. Alhassan Ado Garba — House Leader*).

Question that the Schedule stands part of the Bill — Agreed to.

Explanatory Memorandum:

The Bill seeks to put in place a Legal framework for the Establishment of an Industrial Research Institute for the Development of micro, small, medium and large industries for rapid industrialization and socio-economic development of Nigeria (*Hon. Alhassan Ado Garba — House Leader*).

Agreed to.

Long Title:

A Bill for an Act to Establish the Federal Institute of Industrial Research for the Development of Micro, Small, Medium and Large Industries, Aimed at Rapid Industrialization and Socio-Economic Development of Nigeria; and for Related Matters (HB.55) (*Hon. Alhassan Ado Garba — House Leader*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Establish Federal Institute of Industrial Research for Development of Micro, Small, Medium and Large Industries aimed at Rapid Industrialization and Socio-Economic Development of Nigeria; and for Related Matters (HB. 55) and approved Clauses 1 - 40, the Schedule, the Explanatory Memorandum, and the Long Title of the Bill.

Question that the House do adopt the Report of the Committee of the Whole — Agreed to.

- (iv) *A Bill for an Act to Provide the Legal Framework to Establish Federal Medical Centre, Ufuma, Anambra State; and for Related Matters (HB.1373) (Committee of the Whole): Motion made and Question proposed, "That the House do consider the Report on a Bill for an Act to Provide the Legal Framework to Establish Federal Medical Centre, Ufuma, Anambra State; and for Related Matters (HB.1373)" (Hon. Alhassan Ado Garba — House Leader).*

Agreed to.

Question that the House do resolve into the Committee of the Whole to consider the Report — Agreed to.

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

A BILL FOR AN ACT TO PROVIDE THE LEGAL FRAMEWORK TO
ESTABLISH FEDERAL MEDICAL CENTRE, UFUMA, ANAMBRA STATE;
AND FOR RELATED MATTERS (HB. 1373)

Consideration deferred.

Chairman to report progress.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole deferred consideration of the Report on a Bill for an Act to Provide the Legal Framework to Establish Federal Medical Centre, Ufuma, Anambra State; and for Related Matters (HB. 1373).

Question that the House do adopt the Report of the Committee of the Whole — Agreed to.

- (v) *A Bill for an Act to Establish Federal University of Environment, Nanka; and for Related Matters (HB. 1168) (Committee of the Whole):*
Motion made and Question proposed, "That the House do consider the Report on a Bill for an Act to Establish Federal University of Environment, Nanka; and for Related Matters (HB. 1168)" (Hon. Alhassan Ado Garba — House Leader).

Agreed to.

Question that the House do resolve into the Committee of the Whole to consider the Report — Agreed to.

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

A BILL FOR AN ACT TO ESTABLISH THE FEDERAL UNIVERSITY OF
ENVIRONMENT, NANKA, AND FOR RELATED MATTERS (HB. 1168)

- Clause 1:** **Establishment and Objectives of the Federal University of Environment, Nanka**
There is established the Federal University of Environment, Nanka (in this Bill referred to as "the University") *(Hon. Alhassan Ado Garba — House Leader).*

Question that Clause 1 stands part of the Bill — Agreed to.

- Clause 2:** **The University**
The University:
- (a) shall be a body corporate with perpetual succession and a common seal; and may sue or be sued in its corporate name;
 - (b) the University shall be supervised by the Federal Ministry of Education through National University Commission (NUC) with the following responsibilities; Improving and regulating all academic programmes run in the university to ensure quality, compliance and provide funds for academic and research programmes; infrastructure and remuneration of employees *(Hon. Alhassan Ado Garba — House Leader).*

Question that Clause 2 stands part of the Bill — Agreed to.

Clause 3: Financial Provisions

The Fund of the Federal University of Environment, Nanka:

- (a) the Funds as allocated by the Derivation and Ecological Fund, through the Office of the Secretary to the Government of the Federation (OSGF) headed by the Permanent Secretary;
- (b) such sums as may be provided by the Federal Government, and appropriated by the National Assembly based on the Budget submitted by the University Council through Federal Ministry of Education (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 3 stands part of the Bill — Agreed to.

Clause 4: Objectives of the University

The objectives of the University shall be to:

- (a) create a multidisciplinary field that focuses on documenting the impact that people have on our environment, reducing the harmful effect of these impacts, and restoring aspect of the environment to benefit both nature and people with emphasis on their interaction with life;
- (b) run training courses in environmental monitoring and restoration;
- (c) enhance the capacity and skills of the ecological problem communities with opportunities for employment in Environmental related areas;
- (d) promote learning both in the region and more widely including abroad;
- (e) become a model for environmental restoration, attracting visiting experts, students and visitors from overseas;
- (f) assist with business development, offering training on all aspects of setting up and running a successful company (legal, financial, technical, health and safety etc.);
- (g) encourage the advancement of learning and to reach out to all persons without distinction of race, creed, sex or political conviction, the opportunity of acquiring higher and liberal education;
- (h) training people in environmental safety issues and the best practices of solving the problems and control;
- (i) establish improved scientific standards and train more competent apprentices and students that will fill the vacancies that expatriates are currently occupying;
- (j) enhance student vocation as well as protecting public welfare;
- (k) graduate environmentalist and scientist who will discover the environmental innovations that advance ecological care;
- (l) prepare expertise, opinion, and research study works related to environmental management and investment on natural environment.

(A) On Environment:

The University will teach programs that give students the skills and technical know-how to actually fix things concerning human and Environment:

- (i) provide Careers range from the assessment, remediation, and protection of air and water resources to the restoration of disturbed landscapes to helping to ensure that major industries comply with environmental regulations (either by working for the industry itself or a government agency);
- (ii) the university will provide fine intellectual training in the tradition of a liberal arts education which means that students will also be well-qualified to get the jobs or offer from any environmental oriented organization;
- (iii) teaching new methods of meteorological data archiving for environment monitoring;
- (iv) improvement of methods for estimating evaporation from water surfaces and real evapotranspiration;
- (v) water and sewage management;
- (vi) river basin management, flood protection, drought prevention;
- (vii) environmental risk management and ecosystems;
- (viii) soil protection and post-industrial areas reclamation;
- (ix) environmental impact assessment and pollution emission reduction;
- (x) scientific and economic initiatives-conferences and workshops in cooperation with business entities in the field of environmental risk management; and
- (xi) actions aimed at raising social awareness on climate change, environmental protection and sustainable development.

(B) On Science:

The Science Faculty will undertake but not limited to the following courses:

- (i) coordination and implementation of national and international research projects in the field of:
 - (a) Biological and chemical sciences;
 - (b) Bacteriology, biology, and chemistry;
 - (c) Geology and petrochemical.
- (ii) green infrastructure and biologically active surfaces introduction;
- (iii) renewable energy, low carbon economy and sustainable development;
- (iv) provides specialized undergraduates foundation for the sciences, with research and discovery at its core for students seeking advanced degrees to lead in the basic and applied health sciences and serve humanity;
- (v) offers advanced degrees at the intersections of business, health policy and

public health, enabling visionary students to serve their futures with leadership roles across the health care spectrum; and

- (vi) educates the vital healthcare professional who adds immeasurable to the quality of life at each step from prevention to diagnosis to recovery of patient care continuum.

(C) On Agriculture:

The focus on Agricultural science The University performs, in its specialist laboratory, physical and chemical tests of soil, water and wastewater:

- (i) prepare expertise, opinions and research-study works related to water management in agriculture, the influence on water-reclamation investments on natural environment and to the influence of weather and climate on the yield of plants;
- (ii) evaluation of the influence of forests and afforestation on the environment;
- (iii) improvement of techniques and technology for dewatering and irrigating arable lands, woodlands and recreational areas taking into consideration economical, social and environmental aspects;
- (iv) water flow modeling in soil profile, in water-irrigation systems, on fish farms and adjacent areas, and in areas under the influence of water retention;
- (v) water management of fish farms and evaluation of their influence on the environment;
- (vi) improvement of execution processes and exploitation of devices and irrigation systems in terms of increasing the labour quality, usage reliability, valuable environmental resources protection and sustaining balanced economic development;
- (vii) evaluation of the impact of anthropopression on water circulation in agricultural ecosystems;
- (viii) evaluation of weather impact on the increase, development and yielding of cultivated plants;
- (ix) forecasting water levels in soil;
- (x) evaluation of the impact of anthropopression on water circulation In agricultural ecosystems;
- (xi) evaluation of weather impact on the increase, development and yielding of cultivated plants;
- (xii) forecasting water levels in soil in spring water flow modeling in soil profile, in water-irrigation systems, on fish farms and adjacent areas, and in areas under the influence of water retention;
- (xiii) water management of fish farms and evaluation of their influence on the environment; and
- (xiv) evaluation of the influence of forests and afforestation on the environment
(Hon. Alhassan Ado Garba — House Leader).

Question that Clause 4 stands part of the Bill — Agreed to.

Clause 5: Constitution of the University and its Constituent Bodies, etc.

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

Question that Clause 5 stands part of the Bill — Agreed to.

Clause 6: Powers of the University

- (1) For the carrying out of its objectives as specified In Section 3 of this Bill, the University shall have power to:
- (a) establish such campuses, colleges, faculties, institutes, schools, extra-mural departments and other teaching and research units within the University as may from time to time seem necessary or desirable, subject to the approval of the National Universities Commission;

- (b) Institute professorships, readerships and associate professorships, lectureships and other posts and offices and to make appointments thereto;
- (c) institute and award fellowships, scholarships, exhibitions, bursaries, medals, prizes and other titles, distinctions, awards and forms of assistance;
- (d) provide for the residence, discipline and welfare of members of the University;
- (e) hold examinations and award degrees, 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;
- (f) award honorary degrees, fellowships or academic titles;
- (g) demand and receive from any student or any other person attending the University for the purpose of instruction such fees as the University may from time to time determine, subject to the overall directives of the appropriate authority;
- (h) subject to section 22 of this Bill, to acquire, hold, grant, charge or otherwise deal with or dispose of movable and immovable property wherever situate;
- (i) accept gifts, legacies and donations, but without obligation to accept the same for a particular purpose unless it approves the terms and conditions attaching thereto;
- (j) enter into contracts, establish trusts, act as trustee, solely or jointly with any other person and employ and act through agents;
- (k) erect, provide, equip and maintain libraries, laboratories, lecture halls, halls of residence, refectories, sports grounds, playing fields and other buildings or things necessary, suitable or convenient for any of the objects of the University;
- (l) hold public lectures and undertake printing, publishing and book selling;
- (m) subject to any limitations or conditions imposed by Statute, to invest any moneys appertaining to the University by way of endorsement, whether for general or special purposes, and such other moneys as may not be immediately required for current expenditure, in any investments or securities or in the purchase or improvement of land, with power from time to time to vary any such investments and to deposit any moneys for the time being un-invested with any bank on deposit or current account;
- (n) borrow, whether on interest or not, and if need be, upon the security of any or all of the property movable or immovable of the University, such moneys as the Council may from time to time in its discretion find necessary or expedient to borrow or to guarantee any loan, advances or credit facilities;

- (o) make gifts for any charitable purpose;
 - (p) do anything which it is authorized or required by this Bill or by any other Statute to do; and
 - (q) do all such acts or things, whether or not incidental to the foregoing powers, as may advance the objects of the University.
- (2) Subject to the provisions of this Bill and of the Statutes made thereunder and without prejudice to Section 10 (2) of this Bill, the powers conferred on the University by subsection (1) of this section shall be exercisable on behalf of the University by the Council or by the Senate or in any other manner which may be authorized by this Bill (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 6 stands part of the Bill — Agreed to.

Clause 7: 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 for the Vice Chancellor when acting as Chairman of Congregation or Convocation, and the Pro-Chancellor shall when he is present, be the Chairman at all meetings of the Council (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 7 stands part of the Bill — Agreed to.

Clause 8: Establishment and Composition of Council

- (1) There shall be a Council for the University consisting of:
 - (a) The Pro-Chancellor;
 - (b) The Vice-Chancellor;
 - (c) The Deputy Vice-Chancellor;
 - (d) one person from the Federal Ministry responsible for Education;
 - (e) four persons representing a variety of interest and broadly representative of the whole Federation;
 - (f) four persons appointed by the Senate from among its members;
 - (g) two persons appointed by the congregation from among its members; and
 - (h) one person appointed by Convocation from among its members.
- (2) Persons to be appointed to the Council shall be persons of proven integrity, knowledgeable and familiar with the affairs and tradition of the University (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 8 stands part of the Bill — Agreed to.

Clause 9: Functions of the Council and its Finance and General Purpose

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

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

Question that Clause 9 stands part of the Bill — Agreed to.

Clause 10: Function of the Senate

- (1) Subject to section 6 of this Bill and subsections (3) and (4) of this section and to the provisions of this Bill relating to the Visitor, it shall be the general function of the Senate to organize and control teaching in the University, admission to Postgraduate courses and other admission of students, the discipline of students and to promote research in the University.

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

scandalous conduct in gaining admission into the University or obtaining that award (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 10 stands part of the Bill — Agreed to.

Clause 11: 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 6 of this Bill, the Pro-Chancellor and any other person for the time being acting as Chairman of the Council.
- (2) Subject to the provisions of this Bill, the Vice-Chancellor shall have general function, in addition to any other functions conferred on him by this Bill or otherwise, of directing the activities of the University, and shall to the exclusion of any other person or authority be the chief executive and academic officer of the University and ex-officio Chairman of the Senate (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 11 stands part of the Bill — Agreed to.

PART II — TRANSFER OF PROPERTY

Clause 12: Transfer of Property to the University

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

Question that Clause 12 stands part of the Bill — Agreed to.

PART III — STATUTES OF THE UNIVERSITY

Clause 13: Power of the University to make Statutes

- (1) Subject to this Bill, the University may make Statutes for any of the following purposes:
 - (a) making provision with respect to the composition and constitution of any authority of the University;
 - (b) specifying and regulating the powers and duties of any authority of the University, and regulating any other matter connected with the University or any of its authorities;
 - (c) regulating the admission of students where it is done by the University, and their discipline and welfare;
 - (d) determining whether any particular matter is to be treated as an academic or non-academic matter for the purposes of this Bill and of any Statute, regulation or other instrument made there-under; and
 - (e) making provision for other matters for which provision by Statute is authorized or required by this Bill.

- (2) Subject to section 25 (6) of this Bill, the Interpretation Bill shall apply in relation to any Statute made under this section as it applies to a subsidiary instrument within the meaning of section 27 (1) of that Bill.
- (3) The Statute contained in the Third Schedule to this Bill shall be deemed to have come into force on the commencement of this Bill and shall be deemed to have been made under this section by the University.
- (4) The power to make Statute conferred by this section shall not be prejudiced or limited in any way by reason of the inclusion or omission of any matter in or from the Statute contained in the Third Schedule to this Bill or any subsequent Statute (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 13 stands part of the Bill — Agreed to.

Clause 14: Mode of exercising the Power to make Statutes

- (1) The power of the University to make Statutes shall be exercised in accordance with the provisions of this section.
- (2) A proposed Statute shall not have the force of law until it has been approved at a meeting of the:
 - (a) Senate, by the votes of not less than two thirds of the members present and voting; and
 - (b) Council by the votes of not less than two thirds of the members present and voting.
- (3) A proposed Statute may originate either in the Senate or Council, and may be approved as required by subsection (2) of this section by both bodies in no particular order.
- (4) A Statute which:
 - (a) makes provision for or alters the composition or constitution of the Council, the Senate or any other authority of the University; or
 - (b) provides for the establishment of a new campus or college or for the amendment or revocation of any Statute whereby a campus or college is established; shall not come into operation unless it has been approved by the Visitor.
- (5) For the purpose of section 2 (2) of the Interpretation Bill, a Statute shall be treated as being made on the date on which it is approved by the Council and the Senate in accordance with subsection (3) of this section or in the case of a Statute falling within subsection (4) of this section, on the date on which it is approved by the President (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 14 stands part of the Bill — Agreed to.

Clause 15: Power to decide the meaning of Statute

- (1) In the event of any doubt or dispute arising at any time as to the meaning of any provision of a Statute, the matter may be referred to the Visitor, who shall take such advice and make such decision thereon as he deems fit.
- (2) The decision of the Visitor on any matter referred to him under this section

shall be binding upon the authorities, staff and students of that University and where any question as to the meaning of any provision of a statute has been decided by the Visitor under this section, no question as to the meaning of that provision shall be entertained by any other authority in Nigeria:

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

- (3) The foregoing provisions of this section shall apply in relation to any doubt or dispute as to whether any matter is, for the purposes of this Act, academic or a non-academic matter as they apply in relation to any such doubt or dispute as it mentioned in subsection (1) of this section, and accordingly the reference in subsection (2) of this section to any question as to the meaning of any provision of a statute shall include references to any question as to whether any matter is for the said purposes an academic or non-academic matter (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 15 stands part of the Bill — Agreed to.

PART IV — SUPERVISION AND DISCIPLINE

Clause 16: The Visitor

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

Question that Clause 16 stands part of the Bill — Agreed to.

Clause 17: Removal of certain Members of the Council

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

Question that Clause 17 stands part of the Bill — Agreed to.

Clause 18: Removal and Discipline of Academic, Administrative and Professional Staff

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

- (5) Any person suspended pursuant to subsection (3) of this section shall be on half pay and the Council shall before the expiration of a period of three months from the date of such suspension consider the case against that person and come to a decision as to whether to:
- (a) continue such person's suspension and if so on what terms (including the proportion of his emoluments to be paid to him); Reinstatement of such person in which case the Council shall restore his full emoluments with effect from the date of suspension;
 - (b) terminate the appointment of the person concerned in which case such a person will not be entitled to the proportion of his emoluments withheld during the period of suspension; or
 - (c) take such lesser disciplinary action against such person (including the restoration of such proportion of his emoluments that might have been withheld) as the Council may determine.
- (6) Where the Council, pursuant to this section, decides to continue a person's suspension or decides to take further disciplinary action against the person, the Council shall, before the expiration of three months from such decision come to a final determination in respect of the case concerning such a person.
- (7) It shall be the duty of the person by whom an instrument of removal is signed in pursuance of subsection (1) above to use his best endeavours to cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it relates.
- (8) Nothing in the foregoing provisions of this section shall prevent the Council from making regulations for the discipline of staff and workers of the University as may be appropriate (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 18 stands part of the Bill — Agreed to.

Clause 19: Removal of Examiners

- (1) If, on the recommendation of the Vice-Chancellor, it appears to the Senate that a person appointed as an examiner for any examination of the University ought to be removed from his office or appointment, then, the Senate may, after affording the examiner an opportunity of making representations in person on the matter, direct the Vice-Chancellor to remove the examiner by an instrument in writing signed by the Registrar.
- (2) Subject to the provisions of any regulation made pursuant to section 9 (4) of this Bill, the Vice-Chancellor may, on the recommendation of Senate, appoint an appropriate person as examiner in the place of the examiner removed.
- (3) It shall be the duty of the Registrar on signing an instrument of removal pursuant to this section, to use his best endeavours to cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it relates (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 19 stands part of the Bill — Agreed to.

Clause 20: Discipline of Students

- (1) Subject to the provisions of this section, where it appears to the Vice-Chancellor that any student is guilty of misconduct, the Vice-Chancellor may, without prejudice to any other disciplinary powers conferred on him by Statute or regulations, direct that the:
 - (a) Student shall not, during such period as may be specified in the direction, participate in such activities of the University or make use of such facilities of the University as may be so specified;
 - (b) activities of the student shall, during such period as may be specified in the direction, be restricted in such manner as may be so specified;
 - (c) Student be rusticated for such period as may be specified in the direction.
- (2) Where a direction is given under subsection (1) paragraphs (c) or (d) of this section in respect of any student, the student may, within the prescribed period and in the prescribed manner, appeal against the direction to the Senate.
- (3) Where an appeal is brought pursuant to subsection (2) of this section, the Senate shall, after causing such inquiry to be made in the matter as the Senate considers just, either confirm or set aside the direction or modify it in such manner as the Senate thinks fit.
- (4) The fact that an appeal from a direction is brought pursuant to subsection (2) of this section shall not affect the operation of the direction while the appeal is pending.
- (5) The Vice-Chancellor may delegate his powers under this section to a disciplinary board consisting of such members of the University as he may nominate.
- (6) Nothing in this section shall be construed as preventing the restriction or termination of a student's activities at the University for conduct which in the opinion of Senate is prejudicial to the interest of the University or to its corporate objective or image.
- (7) A direction under subsection (1) (a) of this section may be combined with a direction under subsection (1) (b) of this section (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 20 stands part of the Bill — Agreed to.

PART V — MISCELLANEOUS AND GENERAL PROVISIONS**Clause 21: Exclusion Official Reporter Discrimination on Account of Race, Religion, Etc**

- (1) No person shall be required to satisfy requirements as to any of the following matters, that is to say, race (including ethnic grouping), sex, place of birth, family origin, religious or political persuasion, as a condition for becoming or continuing to be a:
 - (a) Student in the University;
 - (b) holder of any degree, appointment or employment in the University;

- (c) member of anybody established by virtue of this Bill.
- (2) No person shall be subjected to any disadvantage or accorded any advantage in relation to the University by reference to any of the matters referred to in subsection (1) of this section.
- (3) Nothing in subsection (1) of this section shall be construed as preventing the University from imposing any disability or restriction on any of the persons specified in subsection (1) of this section where such persons wilfully refuse or fail on grounds of religious belief to undertake any duty generally and uniformly imposed on all such persons or any group of them which duty, having regard to its nature and the special circumstances, is in the opinion of the University reasonably justifiable in the national interest (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 21 stands part of the Bill — Agreed to.

Clause 22: Transfer of Land to the University

- (1) For the purpose of the Land Use Act (which provides for the compulsory acquisition of land for public purposes) any purpose of the University shall be the same as that of the Federation.
- (2) Where an estate or interest in land is acquired by the Government pursuant to this section, the Government may, by a certificate under the hand and seal of the Chief Federal Lands Officer or any other person authorized in that behalf transfer it to the University (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 22 stands part of the Bill — Agreed to.

Clause 23: Restriction on disposal of Land by University

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

Provided that such consent shall not be required in the case of any lease or tenancy at a rack-rent for a term not exceeding twenty-one years of any lease or tenancy to a member of the University for residential purpose (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 23 stands part of the Bill — Agreed to.

Clause 24: Quorum and Procedure of Bodies Established by this Bill

Except as may be otherwise provided by Statute or by Regulation, the quorum and procedure of any body of persons established by this Bill shall be such as may be determined by that body (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 24 stands part of the Bill — Agreed to.

Clause 25: Appointment of Committees, etc.

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

- (a) exercise on its behalf, such of its functions as it may determine; and
 - (b) co-opt members and direct whether or not co-opted members shall be entitled to vote in that committee.
- (2) Any two or more such bodies may arrange for the holding of joint meetings of those bodies or for the appointment of committees consisting of members of those bodies, for the purpose of considering any matter within the competence of those bodies or any of them and either dealing with it or of reporting on it to those bodies or any of them.
- (3) Except as may be otherwise provided by Statute or Regulations, the quorum and procedure of a committee established or meeting held pursuant to this section shall be such as may be determined by the body or bodies which have decided to establish the committee or hold the meeting.
- (4) The Pro-Chancellor and the Vice-Chancellor shall be a member of every committee of which the members are wholly or partly appointed by the Senate.
- (5) Nothing in the foregoing provisions of this section shall be construed as enabling:
 - (a) Statutes to be made otherwise than in accordance with section II of this Bill; or
 - (b) the Senate to empower any other body to make regulations or to award degrees or other qualifications (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 25 stands part of the Bill — Agreed to.

Clause 26: Miscellaneous Administrative Provisions

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

proposed to be considered by that body shall disclose his interest to the body and shall not vote on any question relating to that matter.

- (6) Nothing in section 13 of the Interpretation Bill (which provides for the application, in relation to subordinate legislation, of certain incidental provisions) shall apply to Statutes or Regulations made pursuant to this Bill.
- (7) The power conferred by this Bill on anybody to make Statute or Regulations shall include power to revoke or vary any:
- (a) statute (including the Statute contained in the Third Schedule to this Bill; or
- (b) regulation by a subsequent Statute or Regulation as the case may be:
- Provided that the Statutes and Regulations may have different provisions in relation to different circumstances.
- (8) No stamp or other duty shall be payable in respect of any transfer of property to the University by virtue of sections 11, 21 and the Second Schedule to this Bill.
- (9) Any notice or other instrument authorized to be served by virtue of this Bill may, without prejudice to any other mode of service, be served by post (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 26 stands part of the Bill — Agreed to.

Clause 27: Interpretation

- (1) In this Bill:

"Appropriate authority" means any person, body or authority authorized by law to act in a specific or general capacity in relation to a subject matter (*Hon. Alhassan Ado Garba — House Leader*).

Question that the meaning of the word "Appropriate authority" be as defined in the interpretation in this Bill — Agreed to.

"Campus" means any college which may be established by the University (*Hon. Alhassan Ado Garba — House Leader*).

Question that the meaning of the word "Campus" be as defined in the interpretation in this Bill — Agreed to.

"College" means any college which may be established by the University (*Hon. Alhassan Ado Garba — House Leader*).

Question that the meaning of the word "College" be as defined in the interpretation in this Bill — Agreed to.

"Graduate" means a person on whom a degree (other than an honorary degree) has been conferred by the University (*Hon. Alhassan Ado Garba — House Leader*).

Question that the meaning of the word "Graduate" be as defined in the interpretation in this Bill — Agreed to.

"Gross misconduct" means any act of misconduct and improper behaviour that may be designated as gross misconduct by any Statute or Regulation made, pursuant to this Bill (*Hon. Alhassan Ado Garba — House Leader*).

Question that the meaning of the word "Gross misconduct" be as defined in the interpretation in this Bill — Agreed to.

"Minister" means the Minister charged with responsibility for education (*Hon. Alhassan Ado Garba — House Leader*).

Question that the meaning of the word "Minister" be as defined in the interpretation in this Bill — Agreed to.

"Misconduct" means any conduct which is prejudicial to the good name of the University and or discipline and the proper administration of the business of the University (*Hon. Alhassan Ado Garba — House Leader*).

Question that the meaning of the word "Misconduct" be as defined in the interpretation in this Bill — Agreed to.

"Notice" means notice in writing (*Hon. Alhassan Ado Garba — House Leader*).

Question that the meaning of the word "Notice" be as defined in the interpretation in this Bill — Agreed to.

"Officer" does not include the Visitor (*Hon. Alhassan Ado Garba — House Leader*).

Question that the meaning of the word "Officer" be as defined in the interpretation in this Bill — Agreed to.

"Prescribed" means prescribed by Statute or Regulation made under this Bill (*Hon. Alhassan Ado Garba — House Leader*).

Question that the meaning of the word "Prescribed" be as defined in the interpretation in this Bill — Agreed to.

"Professor" means a person designated as a professor of the University in accordance with provisions made in that behalf by Statute or by Regulations (*Hon. Alhassan Ado Garba — House Leader*).

Question that the meaning of the word "Professor" be as defined in the interpretation in this Bill — Agreed to.

"Property" includes rights, liabilities and obligations (*Hon. Alhassan Ado Garba — House Leader*).

Question that the meaning of the word "Property" be as defined in the interpretation in this Bill — Agreed to.

"The provisional Council" means the provisional Council appointed for the University by the President with effect from (*Hon. Alhassan Ado Garba — House Leader*).

Question that the meaning of the word "The provisional Council" be as defined in the interpretation in this Bill — Agreed to.

"Regulations" means regulations made by the Senate or Council (Hon. Alhassan Ado Garba — House Leader).

Question that the meaning of the word "Regulations" be as defined in the interpretation in this Bill — Agreed to.

"Senate" means the Senate of the University established by the Bill (Hon. Alhassan Ado Garba — House Leader).

Question that the meaning of the word "Senate" be as defined in the interpretation in this Bill — Agreed to.

"Statute" means a Statute made by the University under section 11 of this Bill and in accordance with the provisions of section 12 of this Bill (Hon. Alhassan Ado Garba — House Leader).

Question that the meaning of the word "Statute" be as defined in the interpretation in this Bill — Agreed to.

"The Statutes" mean all such Statutes as are in force from time to time (Hon. Alhassan Ado Garba — House Leader).

Question that the meaning of the word "The Statutes" be as defined in the interpretation in this Bill — Agreed to.

"Teacher" means a person holding a full time appointment as a member of the teaching or research staff of the University (Hon. Alhassan Ado Garba — House Leader).

Question that the meaning of the word "Teacher" be as defined in the interpretation in this Bill — Agreed to.

"Government" means the Federal Government of Nigeria (Hon. Alhassan Ado Garba — House Leader).

Question that the meaning of the word "Government" be as defined in the interpretation in this Bill — Agreed to.

"President" means the President of the Federal Republic of Nigeria (Hon. Alhassan Ado Garba — House Leader).

Question that the meaning of the word "President" be as defined in the interpretation in this Bill — Agreed to.

"Constitution" means the Constitution of the Federal Republic of Nigeria (Hon. Alhassan Ado Garba — House Leader).

Question that the meaning of the word "Constitution" be as defined in the interpretation in this Bill — Agreed to.

"Undergraduate" means a person in statuspupilanin the University, other than:

- (a) a graduate; and
- (b) a person of such description as may be prescribed for the purposes of this definition (*Hon. Alhassan Ado Garba — House Leader*).

Question that the meaning of the word "Undergraduate" be as defined in the interpretation in this Bill — Agreed to.

"The University" the Federal University of Environment, Nanka as incorporated and constituted by this Bill, and "the Bill" means the Federal University of Environment, Nanka Act (*Hon. Alhassan Ado Garba — House Leader*).

Question that the meaning of the word "The University" be as defined in the interpretation in this Bill — Agreed to.

- (2) Where in any position of this Bill, it is laid down that proposals are to be submitted or a recommendation is to be made by one authority to another through one or more intermediate authorities, it shall be the duty of every such intermediate authority to forward any proposals or recommendations received by it pursuant to that provision to the appropriate authority; but any such intermediate authority may, if it thinks fit, forward therewith its own comments thereon (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 27 stands part of the Bill — Agreed to.

Clause 28: Short Title

This Bill may be cited as the Federal University of Environment, Nanka (Establishment, etc.) Bill, 2023 (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 28 stands part of the Bill — Agreed to.

SCHEDULES

FIRST SCHEDULE

[Section 4 (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 shall be appointed or removed from office by the President.
- (2) Subject to the provisions of this Bill, the Pro-Chancellor shall hold office for a period of four years from the date of his appointment.

The Vice-Chancellor

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

Deputy Vice-Chancellor

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

Office of the Registrar

5. (1) There shall be for the University, a Registrar, who shall be the Chief Administrative Officer of the University and shall be responsible to the Vice-Chancellor for the day-to-day administration of the University except as regards matters for which the Bursar is responsible in accordance with paragraph 6 (2) below.
- (2) The person holding the office of Registrar shall by virtue of that office be Secretary to the Council, the Senate, Congregation and Convocation.
- (3) The Registrar shall hold office for such period and on such terms and conditions as to emoluments as may be specified in his letter of appointment.

Other Principal Officers, Bursar, the University Librarian

6. (1) There shall be for the University, the following Principal Officers in addition to the Registrar, that is:
 - (a) the Bursar; and
 - (b) the University Librarian.
- (2) The Bursar shall be the Chief Financial Officer of the University and shall be responsible to the Vice-Chancellor for the day-to-day administration and control of the financial affairs of the University.
- (3) The University Librarian shall be responsible to the Vice-Chancellor for the administration of the University Library and the co-ordination of all library services in the University and its campuses, colleges, faculties, schools, departments and institutes and other teaching or research units.
- (4) The Bursar and the University Librarian:
 - (a) shall each hold office for such period and on such terms and conditions as to emoluments as may be specified in his letter of appointment.

Other Officers of the University

7. There shall be for the University, a Director of Works, who shall be responsible to the Vice Chancellor for the administration of the Works Department. He shall be responsible for all works, services and maintenance of University facilities.

Health Centre

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

Resignation and Re-Appointment

9. (1) Any officer mentioned in the foregoing provisions of this schedule may resign his office in:
- (a) the case of the Chancellor or Pro-Chancellor, by notice to the Visitor; and
 - (b) the case of the Vice-Chancellor by notice to the Council which shall immediately notify the Minister.
- (2) A person who has ceased to hold an office so mentioned otherwise than by removal for misconduct shall be eligible for re-appointment to that office (*Hon. Alhassan Ado Garba — House Leader*).

Question that First Schedule stands part of the Bill — Agreed to.

SECOND SCHEDULE

[Section 10 (2)]

TRANSITIONAL PROVISIONS AS TO PROPERTY, FUNCTIONS, ETC.

Transfer of Property to the University

1. Without prejudice to the generality of Section 10 (1) of this Bill:
- (a) the reference in the subsection to property held by the provisional Council and the University shall include a reference to the right to receive and give a good discharge for any grants or contributions which may have been voted or promised to the provisional Council and the University; and
 - (b) all outstanding debts and liabilities of the provisional Council shall become debts and liabilities of the University established by this Bill.

The Provisional Council

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

- (2) Documents not falling within sub-paragraph (1) above, including enactments, which refer whether specially or generally to the provisional Council shall be construed in accordance with that subparagraph so far as applicable.
- (3) Any legal proceedings or application to any authority pending by or against the provisional Council may be continued by or against the University established by this Bill.

Registration of Transfers

3. (1) If the law in force at the place where any property transferred by this Bill is situated provides for the registration of transfers of property of the kind in question (whether by reference to an instrument of transfer or otherwise), the law shall, so far as it provides for alterations of a register (but not for avoidance of transfers, the payment of fees of any other matter) apply, with the necessary modifications to the transfer of the property in question.
- (2) It shall be the duty of the body to which any property is transferred by this Bill to furnish the necessary particulars of the transfer to the proper officer of the registration authority, and of that officer to register the transfer accordingly.

Meeting

4. (1) The first meeting of the Council shall be convened by the Pro-Chancellor on such date and in such manner as he may determine.
- (2) The persons who were members of the provisional Council shall be deemed to constitute the Council until the date when the Council set up under the Third Schedule to this Bill must have been duly constituted.
- (3) The first meetings of the Senate as constituted by this Bill shall be convened by the Vice-Chancellor on such date and in such manner as he may determine.
- (4) The persons who were members of the Senate immediately before the coming into force of this Bill shall be deemed to constitute the Senate of the University until the date when the Senate as set up under the Third Schedule of this Bill must have been duly constituted.
- (5) Subject to any regulations which may be made by the Senate after the date on which this Bill is made, the faculties, faculty boards and students of the University immediately before the coming into force of this Bill shall on that day become faculties, faculty boards and students of the University as established by this Bill.
- (6) Persons who were deans or associate deans of faculties or members of faculty boards shall constitute to be deans or associate deans or become members of the corresponding faculty boards, until new appointment are made in pursuance of the Statutes under this Bill.

The Staff

5. Any person who was a member of the staff of the University as established or was otherwise employed by the provisional Council shall be employed at the University on such designation, status and functions which correspond as nearly as possible to those which pertained to him as a member of that staff or as such an employee.

The Scope

6. Questions as to the scope of the responsibilities of the aforesaid officers shall be determined by the Vice-Chancellor (*Hon. Alhassan Ado Garba — House Leader*).

Question that Second Schedule stands part of the Bill — Agreed to.

THIRD SCHEDULE

[Section II (3)]

FEDERAL UNIVERSITY OF ENVIRONMENTAL SCIENCE
AND AGRICULTURE, NANKA, STATUTE NO. 1*The Council*

1. (1) Any member of Council holding office pursuant to section 7 (e), (f), (g) or (h) of this Bill may, by notice to the Council resign his office.
- (2) A member of Council holding office pursuant to section 7 (e), (f), (g) or (h) of this Bill shall, unless he previously vacates it, vacate that office on the expiration of a period of four years starting from August 1 in the year in which he was appointed.
- (3) Where a member of Council holding office pursuant to section 7 (e), (f), (g) or (h) of this Bill vacates office before the expiration of his tenure, the body that appointed him may appoint a successor to hold office for the residue of his unexpired term.
- (4) A person ceasing to hold office as a member of Council otherwise than by removal for misconduct shall be eligible for reappointment for only one further period of four years.
- (5) The quorum of the Council shall be five, at least one of whom shall be a member pursuant to Section 7 (d) and (e) of this Bill.
- (6) If the Pro-Chancellor is not present at a meeting of the Council, the members present at the meeting may appoint one of them to be the Chairman at that meeting, and subject to section 6 of this Bill and the provisions of this paragraph the Council may regulate its own procedure.
- (7) Where the Council desires to obtain advice with respect to any particular matter, it may co-opt not more than two persons for that purpose; and the persons co-opted may take part in the deliberations of the Council at any meeting but shall not be entitled to vote.
- (8) The Council constituted by this Bill shall have a four year tenure from the date of its inauguration, provided that where a Council is found to be incompetent and corrupt, it shall be dissolved by the visitor and a new Council shall be immediately constituted for the effective functioning of the University.
- (9) The powers of the Council shall be exercised in accordance with the laws and Statutes of the University, and to that extent, establishment circulars that are inconsistent with the laws and Statutes of the University shall not apply to the University.

The Finance and General Purpose Committee

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

The Senate

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

Congregation

4. (1) Congregation shall consist of:

- (a) the Vice-Chancellor and the Deputy Vice-Chancellor;
 - (b) the full time members of the academic staff;
 - (c) the Registrar;
 - (d) the Bursar; and
 - (e) every member of the administrative and technical staff who holds a degree of any University recognized for the purpose of this Statute by the Vice-Chancellor, not being an honorary degree.
- (2) Subject to section 6 of this Bill, the Vice-Chancellor shall be the Chairman at all meetings of congregation when he is present, and in his absence one of the Deputy Vice Chancellors appointed by him shall be the chairman at the meeting.
 - (3) The quorum of congregation shall be one-third (or the nearest whole number to one-third) of the total number of members of congregation or fifty, whichever is less.
 - (4) A certificate signed by the Vice-Chancellor specifying:
 - (a) the total number of members of Congregation for the purposes of any particular meeting or meetings of Congregation;
 - (b) the names of the persons who are members of Congregation during a particular period; shall be conclusive evidence of that number or as the case may be of the names of those persons.
 - (5) Subject to the provisions of this schedule, congregation may regulate its own procedure.
 - (6) Congregation shall be entitled to express by resolution or otherwise its opinion on all matters affecting the interest and welfare of the University and shall have such other functions in addition to the function of electing a member of the Council, as may be provided by Statute or Regulations.

Convocation

5. (1) Convocation shall consist of:
 - (a) the Officers of the University mentioned in Schedule 1 to this Bill;
 - (b) all teachers within the meaning of this Bill; and
 - (c) all other persons whose names are registered in accordance with paragraph (2) below.
- (2) A person shall be entitled to have his name registered as a member of convocation if he:
 - (a) is either a graduate of the University or a person satisfying such requirements as may be prescribed for the purposes of this paragraph; and
 - (b) applies for the registration of his name in the prescribed manner and pays the prescribed fee.

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

Organisation of Faculties and Branches Thereof

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

The Faculty Board

7. (1) There shall be established in respect of each Faculty, a Faculty Board, which, subject to the provisions of this Bill, and subject to the directions of the Vice-Chancellor, shall:
 - (a) regulate the teaching and study of, and the conduct of examinations connected with the subjects assigned to the faculty;
 - (b) deal with other matters assigned to it by Statute, by the Vice-Chancellor or by the Senate; and
 - (c) advice the Vice-Chancellor or Senate on any matter referred to it by the Vice-Chancellor or Senate.
- (2) Each Faculty Board shall consist of:
 - (a) the Vice-Chancellor;
 - (b) the persons severally in charge of the branches of the faculty;

- (c) such number of the teachers assigned to the faculty and having the prescribed qualifications as the Board may determine; and
 - (d) such persons whether or not members of the University as the Board may determine with the general or special approval of Senate.
- (3) The quorum of the Board shall be eight members or one-quarter of the members of the Board for the time being whichever is greater.
 - (4) Subject to the provisions of this statute and to any provision made by regulations in that behalf, the Board may regulate its own procedure.

The Dean of the Faculty

- 8. (1) The Dean of a faculty shall be a professor elected by the Faculty Board and such Dean shall hold office for a term of two years. He will be eligible for re-election for another term of two years after which he may not be elected again until two years have elapsed.
- (2) If there is no professor in a faculty, the Vice-Chancellor shall appoint an Acting Dean who shall not be below the rank of Senior Lecturer for the faculty, who will act for a period of one year in the first instance, renewable for another one year only.
- (3) In the absence of the Vice-Chancellor, the Dean shall be the Chairman at all meetings of the Faculty Board when he is present and he shall be a member of all committees and other boards appointed by the faculty.
- (4) The Dean of a faculty shall exercise general superintendence over the academic and administrative affairs of the faculty and it shall be the function of the Dean to present to the convocation for the conferment of Degrees, persons who have qualified for the Degrees of the University at examinations held in the branches of learning for which responsibility is allocated to that faculty.
- (5) There shall be a committee to be known as the Committee of Deans which shall consist of all the Deans of the several faculties and that committee shall advise the Vice-Chancellor on all academic matters and on particular matters referred to the Committee by the Senate.
- (6) The Dean of a faculty may be removed from office for a good cause by the Faculty Board after a vote would have been taken at a meeting of the Board, and in the event of a vacancy occurring following the removal of the Dean, an Acting Dean may be appointed by the Vice-Chancellor provided that at the next faculty board meeting an election shall be held for a new Dean.
- (7) In this article, "good cause" has the same meaning as in section 17 (4) of this Bill.

Selection of certain Principal and Other Key Officers

- 9. (1) When a vacancy occurs in the office of the Registrar, Bursar, the University Librarian, Director of Works or Director of Health Services, a Selection Board shall be constituted by the Council and shall consist of:
 - (i) the Pro-Chancellor;
 - (ii) the Vice-Chancellor;

- (iii) two members appointed by the Council, not being members of Senate; and
 - (iv) two members appointed by the Senate not being members of Council.
- (2) The Selection Board, after making such inquiries as it thinks fit, shall recommend a candidate to the Council for appointment to the vacant office, and after considering the recommendation of the Board the Council may make an appointment to that office.
- (3) A person appointed to the office of Director of Works or Director of Health Services shall hold office for such period and on such terms and conditions as may be specified in his letter of appointment.

Creation of Academic Post

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

Appointment of Academic Staff

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

Appointment of Administrative and Technical Staff

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

Question that Third Schedule stands part of the Bill — Agreed to.

Explanatory Memorandum:

(This memo does not form part of this Bill)

This Bill seeks to establish the Federal University of Environment, Nanka to ensure equity and access to tertiary education in the country, and most importantly to provide practical approach to students hence situating the University in ecological volatile area. The University is a conventional university with restricted/specialized programmes with limited and focused faculties (*Hon. Alhassan Ado Garba — House Leader*).

Agreed to.

Long Title:

A Bill for an Act to Establish the Federal University of Environment, Nanka, and for Related Matters (HB.1168) (*Hon. Alhassan Ado Garba — House Leader*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Establish Federal University of Environment, Nanka; and for Related Matters (HB. 1168) and approved Clauses 1 - 28, the Schedules, the Explanatory Memorandum, and the Long Title of the Bill.

Question that the House do adopt the Report of the Committee of the Whole — Agreed to.

- (vi) *A Bill for an Act to establish Federal Medical Centre, Igboora, Oyo State to provide Legal framework for its due management and administration; and for Related Matters (HB. 347) (Committee of the Whole):*

Motion made and Question proposed, "That the House do consider the Report on a Bill for an Act to establish Federal Medical Centre, Igboora, Oyo State to provide Legal framework for its due management and administration; and for Related Matters (HB. 347)." (Hon. Alhassan Ado Garba — House Leader).

Agreed to.

Question that the House do resolve into the Committee of the Whole to consider the Report — Agreed to.

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

A BILL FOR AN ACT TO ESTABLISH FEDERAL MEDICAL CENTRE, IGBOORA, OYO STATE TO PROVIDE LEGAL FRAMEWORK FOR ITS DUE MANAGEMENT AND ADMINISTRATION; AND FOR RELATED MATTERS

Consideration deferred.

Chairman to report progress.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole deferred consideration of the Report on a Bill for an Act to establish Federal Medical Centre, Igboora, Oyo State to provide Legal framework for its due management and administration; and for Related Matters (HB. 347).

Question that the House do adopt the Report of the Committee of the Whole — Agreed to.

- (vii) *A Bill for an Act Establish Federal College of Education, Jengre, Plateau State to provide full-time courses, Teaching Instruction and Training In Technology, Applied Science, Arts, Social Sciences, Humanities and Management; and for Related Matters (HB. 2106) (Committee of the Whole):*

Motion made and Question proposed, "That the House do consider the Report on a Bill for an Act Establish Federal College of Education, Jengre, Plateau State to provide full-time courses, Teaching Instruction and Training In Technology, Applied Science, Arts, Social Sciences, Humanities and Management; and for Related Matters (HB. 2106)" (Hon. Alhassan Ado Garba — House Leader).

Agreed to.

Question that the House do resolve into the Committee of the Whole to consider the Report — Agreed

to.

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

A BILL FOR AN ACT TO ESTABLISH FEDERAL COLLEGE OF EDUCATION, JENGRE, PLATEAU STATE, TO PROVIDE FULL-TIME COURSES, TEACHING INSTRUCTION AND TRAINING IN TECHNOLOGY, APPLIED SCIENCE, ARTS, SOCIAL SCIENCES, HUMANITIES AND MANAGEMENT; AND FOR RELATED MATTERS (HB.2106)

Clause 1: Establishment of Federal College of Education Jengre, Plateau State

- (1) There is established the Federal College of Education, Jengre (in this Bill referred to as "the College").
- (2) The College shall:
 - (a) be a body corporate with perpetual succession and common seal; and
 - (b) have power to acquire and dispose of interest in movable and immovable properties.
- (3) The College may sue and be sued in its corporate name (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 1 stands part of the Bill — Agreed to.

Clause 2: Governing Council of the College

- (1) The governance and direction of the affairs of the College shall rest in the Governing Council of the College (in the Bill referred to as "the Council").
- (2) The Council shall have the responsibility to consider and approve the:
 - (a) programme of studies to be undertaken in the College;
 - (b) annual estimates of the College; and
 - (c) investment plan of the College.
- (3) The provisions of the Schedule to this Bill shall have effect with respect to the Council as mentioned in the Schedule (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 2 stands part of the Bill — Agreed to.

Clause 3: Membership of the Council of the College
The Council of the College shall consist of:

- (a) a Chairman and other members to be appointed by the President;
- (b) a representative of the Federal Ministry responsible for Education;
- (c) a representative of the University of which the College is affiliated for the purpose of moderation;

- (d) two representatives of the Academic Board of the College;
- (e) a representative of the National Commission for Colleges of Education; and
- (f) the Provost of the College (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 3 stands part of the Bill — Agreed to.

Clause 4: Tenure of members of the Council

- (1) A member of the Council, other than the ex-officio members, shall hold office for a term of four years and subject to the provision of subsection (2), shall be eligible for re-appointment for a further term of four years and no more.
- (2) The office of a member appointed under section 3 of this Act shall become vacant if the:
 - (a) member resigns by notice in writing under his hand addressed to the Minister; or
 - (b) Minister is satisfied that it is not in the interest of the College for the member appointed to continue in office and notifies the member in writing to that effect (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 4 stands part of the Bill — Agreed to.

Clause 5: Functions of the College

The functions of the College shall be to:

- (a) provide full-time courses, teaching instruction and training in:
 - (i) technology, applied sciences, arts, social sciences, humanities and management, and
 - (ii) such other fields of applied learning relevant to the needs of development of Nigeria.
- (b) conduct courses in education for qualified teachers;
- (c) arrange conferences, seminars and workshops relative to the functions of the College; and
- (d) perform such other functions as in the opinion of the Council may serve to promote the objectives of the College (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 5 stands part of the Bill — Agreed to.

Clause 6: Power of the Council

The Council shall have power to:

- (a) hold examinations and grant National Certificates in Education (NCE), Diplomas, professional certificates and other distinctions to persons, who have pursued courses of study approved and accredited by the National Commission for Colleges of Education;

- (b) hold examinations in education for qualified teachers;
- (c) recruit staff and determine structure of such staff;
- (d) demand and receive from any student or any other person attending the College for the purpose of instruction, such fees as the Council may with the prior approval of the Minister, from time to time determine;
- (e) hold public lectures and undertake printing, publishing and selling of books;
- (f) award fellowships, medals, prizes and other titles;
- (g) establish and maintain such schools and other teaching units with the College or extra mural departments as the Council may from time to time determine;
- (h) erect, provide, equip and maintain such educational, recreational and residential facilities as the College may require;
- (i) create lectureships and other academic posts and offices and to make appointments accordingly;
- (j) receive and make gifts;
- (k) enter into such contracts as may be necessary or expedient for carrying into effect the objectives of the College;
- (l) provide amenities for and make such other provision for the welfare of the staff and students of the College;
- (m) encourage and make provision for research in the College; and
- (n) do such acts and things whether or not incidental to the foregoing powers as may advance the objects of the College (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 6 stands part of the Bill — Agreed to.

Clause 7: Visitation

- (1) The Minister responsible for Education shall be the Visitor of the College.
- (2) The Visitor shall, at least, not less than once 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:
 - (a) for the purpose of evaluating the academic and administrative performance of the College; or
 - (b) for such other purpose as the Visitor may deem fit (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 7 stands part of the Bill — Agreed to.

Clause 8: The Academic Board and its Functions

- (1) There is established for the College a Board known as the Academic Board which shall consist of the following members:

- (a) the Provost of the College as Chairman;
 - (b) all Heads of Departments;
 - (c) the College Bursar;
 - (d) the College Librarian; and
 - (e) not more than three members of the academic staff other than the heads of departments to be appointed by the Council.
- (2) The Academic Board shall be responsible for:
- (a) the direction and management of academic matters of the College including the regulation of admission of students, and award of certificates, scholarships, prizes and other academic distinction; and
 - (b) discharging any other functions which the Council may from time to time delegate to it (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 8 stands part of the Bill — Agreed to.

Clause 9: Power of Minister

The Minister may give to the Council directions of a general nature or relating generally to matters with regard to the exercise by the Council of its functions and it shall be the duty of the Council to comply with such directions (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 9 stands part of the Bill — Agreed to.

Clause 10: The Provost of the College

- (1) There shall be a Provost for the College who shall be appointed by the President on the recommendation of the Minister.
- (2) Where a vacancy occurs in the post of the Provost, the Council shall:
 - (a) advertise the vacancy in a reputable, widely read newspaper in Nigeria specifying:
 - (i) the qualities of a 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 of the Minister.
- (3) The President shall appoint as Provost one of the candidates recommended by the Minister.
- (4) Subject to 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 management and operations of the College.
- (5) The Provost shall hold office for a term of five years only and on such terms and conditions as may be specified in his letter of appointment (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 10 stands part of the Bill — Agreed to.

Clause 11: Deputy Provosts

- (1) There shall be for the College, two Deputy Provosts:
 - (a) Deputy Provost (Academic); and
 - (b) Deputy Provost (Administration).
- (2) The Council shall nominate the Deputy Provosts from among the Chief Lecturers in the College in any of the following ways:
 - (a) from a list of five candidates in order of preference, submitted by the Provost;
 - (b) on the recommendation of a Selection Board constituted for that purpose; or
 - (c) on the nomination of the Provost.
- (3) The Selection Board referred to in subsection 2 (b) shall consist of:
 - (a) the Chairman of the Council;
 - (b) the Provost of the College;
 - (c) two members of the Academic Board; and
 - (d) two members of the Council not being members of the Academic Board.
- (4)
 - (a) The Deputy Provost (Academic) shall:
 - (i) assist the Provost in the performance of his functions in academic matters of the College;
 - (ii) act as the Provost when the post of the Provost is vacant or if the Provost is, for any reason, absent or unable to perform his functions.
 - (b) The Deputy Provost (Administration) shall:
 - (i) assist the Provost in administrative matters of the college; and
 - (ii) perform such other functions as the Provost or the Council may assign to him.
- (5) Each of the Deputy Provosts shall hold office for a term of two years and no more (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 11 stands part of the Bill — Agreed to.

Clause 12: The Registrar and Other Staff of the College

- (1) There shall be a Registrar for the College to be appointed by the Council.

- (2) The Registrar shall keep the records and conduct the correspondence of the Council.
- (3) The Registrar shall be the Secretary to:
 - (a) the Council;
 - (b) the Academic Board of the Council; and
 - (c) any committee of the Council.
- (4) The Registrar may perform any duty assigned to him by the Council or the Provost.
- (5) The Registrar shall hold office for a term of five years and no more (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 12 stands part of the Bill — Agreed to.

Clause 13: Other Principal Officers of the College

- (1) There shall be for the College in addition to the Registrar:
 - (a) the Bursar; and
 - (b) the College Librarian, who shall be appointed by the Council.
- (2) The Bursar shall be the chief financial officer of the College and be responsible to the Provost for the administration and control of the financial affairs of the College.
- (3) The College Librarian shall be responsible to the Provost for the administration of the College library and coordination of the library services in the teaching units of the College.
- (4) The Bursar and the College Librarian shall each hold office for a term of five years and no more (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 13 stands part of the Bill — Agreed to.

Clause 14: Resignation of Appointment of Principal Officer

A Principal Officer of the College may resign his appointment:

- (a) in case of the Provost by notice to the Visitor; and
- (b) in any other case by advise to the Council (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 14 stands part of the Bill — Agreed to.

Clause 15: Other Employees of the College

- (1) The Council may appoint other persons to be employees of the College as the Council may deem necessary to assist the Provost and the principal officers in the performance of their functions.
- (2) The remuneration, tenure of office and conditions of service of the employees of the College shall be determined by the Council in consultation

Question that the meaning of the word "Minister" be as defined in the interpretation in this Bill — Agreed to.

"Member" means a member of the Council including the Chairman (*Hon. Alhassan Ado Garba — House Leader*).

Question that the meaning of the word "Member" be as defined in the interpretation in this Bill — Agreed to.

"Provost" means the Provost of the College appointed under section 10 of this Bill (*Hon. Alhassan Ado Garba — House Leader*).

Question that the meaning of the word "Provost" be as defined in the interpretation in this Bill — Agreed to.

Question that Clause 22 stands part of the Bill — Agreed to.

Clause 23: Citation

This Bill may be cited as the Federal College of Education, Jengre (Establishment) Bill, 2023 (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 23 stands part of the Bill — Agreed to.

SCHEDULE

[Section 2 (3)]

SUPPLEMENTARY PROVISION RELATING TO THE COUNCIL, ETC.

Terms of Service

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

Proceedings

4. (1) The Council shall meet for the conduct of business at such times, places and on such days as the Chairman may appoint but shall meet not less than once every four months.
- (2) The Chairman may at any time, and shall, at the request in writing of not less than six members, convene a meeting of the Council.
- (3) 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.

- (4) The quorum of the Council shall be one-half of the total members of the Council, at least, one of whom shall be a member appointed by the President.
- (5) Decision of the Council shall be made on approval by a simple majority of members.

Miscellaneous

5. (1) The affixing of the seal of the College shall be authenticated by the signatures of the Chairman, Provost and of some other members of the Council Authorised by the Council to act for that purpose.
- (2) Any contract or instrument which, if made or executed by a person other than a body corporate would not be required to be under seal, may be made or executed on behalf of the College by any person authorised to act for that purpose by the Council.
- (3) Any document purporting to be duly executed under the seal of the College shall be received in evidence and shall unless the contrary is proved, be presumed to be so executed (*Hon. Alhassan Ado Garba — House Leader*).

Question that the Schedule stands part of the Bill — Agreed to.

Explanatory Memorandum:

This Bill seeks to establish the Federal College of Education Jengre, Plateau State as institution to offer full-time courses leading to the award of National Certificates of Education, Diplomas etc (*Hon. Alhassan Ado Garba — House Leader*).

Agreed to.

Long Title:

A Bill for an Act to Establish Federal College of Education, Jengre, Plateau State, to Provide Full-Time Courses, Teaching Instruction and Training in Technology, Applied Science, Arts, Social Sciences, Humanities and Management; and for Related Matters (HB.2106) (*Hon. Alhassan Ado Garba — House Leader*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act Establish Federal College of Education, Jengre, Plateau State to provide full-time courses, Teaching Instruction and Training In Technology, Applied Science, Arts, Social Sciences, Humanities and Management; and for Related Matters (HB. 2106) and approved Clauses 1- 23, the Schedules, the Explanatory Memorandum, and the Long Title of the Bill.

Question that the House do adopt the Report of the Committee of the Whole — Agreed to.

- (viii) *A Bill for an Act to Establish Federal University of Medicine and Medical Sciences, Abeokuta, Ogun State as a Training Institution for the Development of Medicine and Medical Sciences, make Comprehensive Provision for the Management and Administration of the University; and for Related Matters (HB. 1484) (Committee of the Whole):*
Motion made and Question proposed, "That the House do consider the Report on a Bill for an Act to Establish Federal University of Medicine and Medical Sciences, Abeokuta, Ogun State as a Training Institution for the Development of Medicine and Medical Sciences, make Comprehensive Provision for the Management and Administration of the University; and for Related Matters (HB. 1484)" (Hon. Alhassan Ado Garba — House Leader).

Agreed to.

Question that the House do resolve into the Committee of the Whole to consider the Report — Agreed to.

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

A BILL FOR AN ACT TO ESTABLISH THE FEDERAL UNIVERSITY OF MEDICINE AND MEDICAL SCIENCES, ABEOKUTA, OGUN STATE AS A TRAINING INSTITUTION FOR THE DEVELOPMENT OF MEDICINE AND MEDICAL SCIENCES, MAKE COMPREHENSIVE PROVISION FOR THE MANAGEMENT AND ADMINISTRATION OF THE UNIVERSITY; AND FOR RELATED MATTERS (HB. 1484)

Clause 1: Establishment of the Federal University of Medicine and Medical Sciences

- (1) There is established the Federal University of Medicine and Medical Sciences, Abeokuta, Ogun State (in this Bill referred to as "the University").
- (2) The University:
 - (a) shall be a body corporate;
 - (b) may sue and be sued in its corporate name; and
 - (c) shall have perpetual succession and a common seal (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 1 stands part of the Bill — Agreed to.

Clause 2: Objects and purposes of the University

- (1) The objects and purposes of the University are to:
 - (a) encourage the advancement of learning and to hold out to all persons without distinction of race, creed, sex or political conviction, the opportunity of acquiring a higher education in medicine and other health sciences;
 - (b) develop and offer academic and professional programmes leading to the award of diplomas, first degrees, postgraduate research and higher degrees with emphasis on planning, adaptive, technical, maintenance, developmental and productive skills in the field of medicine, biomedical engineering, scientific, and allied professional disciplines relating to health resources with the aim of producing socially mature persons with capacity not only to understand, use and adapt existing technologies in the medical sector, but also to improve on those disciplines and develop new ones, and to contribute to the scientific transformation of medical and other health practices in Nigeria;
 - (c) act as agents and catalysts, through postgraduate training, research and innovation for the effective and economic utilisation, exploitation and conservation of Nigeria's natural, economic and human resources;
 - (d) offer to the general population, as a form of public service, the

- results of training and research in medicine and allied disciplines and to foster the practical application of those results;
- (e) establish appropriate relationships with other national institutions involved in training, research and development of health care;
 - (f) identify the health problems and needs of Nigeria and to find solutions to them within the context of overall national development;
 - (g) provide and promote sound basic scientific training as a foundation for the development of medicine and allied disciplines, taking into account indigenous culture; the need to enhance national unity, the need to vastly increase the practical content of student training, and adequate preparation of graduates for self-employment in medicine and allied professions;
 - (h) promote and emphasise teaching, research and extension of health knowledge, including health extension services and outreach programmes, in-service training, continuing education, and adaptive research;
 - (i) offer academic programmes in relation to the training of manpower for medicine and allied profession in Nigeria;
 - (j) organise research relevant to training of manpower and health technology;
 - (k) organise extension services and outreach programmes for technology transfer;
 - (l) establish institutional linkages in order to foster collaboration and integration of training, research, and extension activities; and
 - (m) undertake any other activity appropriate for a university of health sciences.
- (2) The University has the mandate to:
- (a) teach and train high calibre health-care professionals;
 - (b) provide healthcare services and consultancy;
 - (c) conduct research and participate in extension, outreach and community services;
 - (d) operate various schools and specialties that offer exemplary training and quality research in health care;
 - (e) facilitate the acquisition of knowledge and skills in different specialties for effective and efficient management of health care;
 - (f) provide solution to the lack and the inequitable distribution of health professionals serving rural communities;

- (g) train clinically, competent and socially conscious health workers who will stay and serve in depressed communities especially in the rural areas of Nigeria;
- (h) develop a training model for the training of community oriented health workers that could be replicated in other areas of Nigeria;
- (i) facilitate collaboration and enhancement of medical sciences research and education endeavours;
- (j) advance the national and international reputation as the premier university for medical sciences education and research in Nigeria;
- (k) advise and report regularly to the Federal Ministry of Education on all matters relevant to the medical sciences and its education and research programmes;
- (l) work collectively on common medical academic programmes and their implementation;
- (m) provide management support for education and research across the medical sector;
- (n) promote inter-professional education across all medical professional programmes and optimise the resources to do so; and
- (o) ensure that the medical sector is adequately and appropriately represented at all levels of University governance (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 2 stands part of the Bill — Agreed to.

Clause 3: Composition of the University

(1) The University shall consist of:

- (a) Chancellor;
- (b) Pro-Chancellor and a Council;
- (c) Vice-Chancellor and a Senate;
- (d) Deputy Vice-Chancellors;
- (e) Congregation;
- (f) Convocation;
- (g) campuses and colleges of the University;
- (h) schools, institutes and other teaching and research units;
- (i) persons holding the offices constituted under the First Schedule to this Bill other than those mentioned in paragraph (a) to (d);
- (j) all graduates and undergraduates of the University; and

- (k) all other persons who are members of the University in accordance with provisions made by statute in that behalf.
- (2) The First Schedule to this Bill shall have effect with respect to the principal officers of the University mentioned in it.
- (3) Subject to section 7 of this Bill, provision shall be made by statute with respect to the constitution of the Council, Senate, Congregation and Convocation (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 3 stands part of the Bill — Agreed to.

Clause 4: Powers of the University and their Exercise

- (1) In carrying out its objects as specified in section 2 of this Bill, the University has powers to:
 - (a) establish such campuses, colleges, institutes, schools, extramural departments and other teaching and research units within the University as it may deem necessary, subject to the approval of the Federal Ministry of Education;
 - (b) institute professorships, readerships or associate professorships, and other posts and offices and make appointments;
 - (c) institute and award fellowships, scholarships, exhibitions, bursaries, medals, prizes and other titles, distinctions, awards and other forms of assistance;
 - (d) provide for the discipline and welfare of members of the University;
 - (e) hold examinations and grant degrees, diplomas, certificates and other distinctions to persons who have pursued a course of study approved by the University and have satisfied such other requirements as the University may lay down;
 - (f) grant honorary degrees, fellowships or academic titles;
 - (g) demand and receive from any student or any other person attending the University for the purpose of instruction such fees as the University may determine subject to the overall directives of the Minister;
 - (h) subject to section 23 of this Bill, acquire, hold, grant, charge or otherwise deal with or dispose of movable and immovable property wherever situate;
 - (i) accept gifts, legacies and donations, but without obligation to accept the same for a particular purpose unless it approves the terms and conditions attaching to it;
 - (j) enter into contracts, establish trusts, act as trustee, solely or jointly with any other person, and employ and act through agents;

- (k) erect, provide, equip and maintain libraries, laboratories; lecture halls, halls of residence, refectories, sports grounds, playing fields and other buildings or things necessary, suitable or convenient for any of the objects of the University;
 - (l) hold public lectures;
 - (m) print, publish and sell books;
 - (m) subject to any limitation on conditions imposed by statute, invest any money appertaining to the University by way of endowment, not being immediately required for current expenditure, in any investment or security or the purchase or improvement of land, with power to vary any such investment and to deposit any money for the time being not invested with any bank on deposit or current account;
 - (n) borrow, whether on interest or not if need be upon the security of any or all of the property of the University (movable or immovable) such money as the Council may, in its discretion deem necessary or expedient to borrow or guarantee any loan, advances or credit facilities;
 - (o) do anything which it is authorised or required by this Bill or by statute to do; and
 - (p) do all such acts or things, incidental to the foregoing powers, to advance the objects of the University.
- (2) Subject to the provisions of this Bill and of the statutes and without prejudice to section 9 (2) of this Bill, the powers conferred on the University by subsection (1) shall be exercisable on behalf of the University by the Council or by the Senate or in any other manner, which may be authorised by statute.
- (3) The power of the University to establish further campuses and colleges within the University shall be exercisable by statute and not otherwise (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 4 stands part of the Bill — Agreed to.

Clause 5: Functions of the 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) Every proposal to confer an honorary degree shall be subject to the confirmation of the Chancellor.
- (3) The Chancellor shall exercise such other powers and discharge such other duties as may be conferred or imposed on him by this Bill or the Statutes (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 5 stands part of the Bill — Agreed to.

Clause 6: Functions of the Pro-Chancellor

- (1) 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 and the Pro-Chancellor shall, when he is present, be the Chairman at all meetings of the Council.

- (2) Subject to the provisions of this Bill, the Pro-Chancellor shall hold office for a term of five years beginning from the date of his appointment (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 6 stands part of the Bill — Agreed to.

Clause 7: Establishment, Composition, Tenure and Powers of the Council

- (1) There is established for the University a Governing Council (in this Bill referred to as "the Council").
- (2) The Council shall consist of:
- (a) the Pro-Chancellor;
 - (b) the Vice-Chancellor;
 - (c) the Deputy Vice-Chancellors;
 - (d) one person from the Ministry of Education;
 - (e) nine persons representing a variety of interests and broadly representative of the whole Federation to be appointed by the President;
 - (f) four persons appointed by the Senate from among its members;
 - (g) two persons appointed by the Congregation from among its members; and
 - (h) one person appointed by Convocation from among its members (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 7 stands part of the Bill — Agreed to.

Clause 8: 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 is:
- (a) the governing body of the University; and
 - (b) responsible for the general control and superintendence of the policy, finances and property of the University.
- (2) There shall be the Finance and General Purposes Committee which shall, subject to the directions of the Council:
- (a) exercise control over the property and expenditure of the University; and
 - (b) perform such other functions of the Council as the Council may delegate to it.

- (3) 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 shall be 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 regulating their own procedure.
- (6) Rules made under subsection (5) by the Finance and General Purposes Committee shall not come into effect unless approved by the Council, and where the rules made by that Committee is in conflict with any directions given by the Council, whether before or after the coming into effect of the rules in question, the direction of the Council shall prevail.
- (7) There shall be paid to the members of the Council, the Finance and General Purposes Committee respectively and of any other committee set up by the Council an allowance in respect of travelling and other reasonable expenses, at such rates as may be fixed by the Minister.
- (8) The Council shall meet when necessary for the performance of its functions under this Bill and shall meet at least three times in every year.
- (9) Where requested in writing by any five members of the Council, the Chairman shall within 28 days after the receipt of such request call a meeting of the Council.
- (10) Any request made under subsection (9) shall specify the business to be considered at the meeting and a business not so specified shall not be transacted at the meeting (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 8 stands part of the Bill — Agreed to.

Clause 9: Functions of the Senate

- (1) Subject to section 8 of this Bill and subsections (3) and (4) of this section and the provisions of this Bill relating to the Visitor, the Senate shall organise and control the teaching by the University, the admission of students (where no other enactment provides to the contrary), the discipline of students, and the promotion of research at the University.
- (2) Subject to subsection (1), the Senate shall in particular make provisions for:
 - (a) the establishment and organisation and control of campuses, colleges, schools, institutes and other teaching and research units of the University and allocation of responsibility for different branches of learning;
 - (b) the organisation and control of courses of study in the University and of the examinations held in conjunction with those courses, including the appointment of examiners, both internal and external;

- (c) the award of degrees, and such other qualifications as may be prescribed, in connection with examinations held;
 - (d) the making of recommendations to the Council with respect to the award to any person of an honorary fellowship or degree or the title of professor emeritus;
 - (e) the establishment, organisation and control of halls of residence and similar institutions at the University;
 - (f) the supervision of the welfare of students at the University and the regulation of their conduct;
 - (g) the granting of fellowships, scholarships, prizes and similar awards in so far as the awards are within the control of the University; and
 - (h) determining what description of dress shall be academic dress for the purposes of the University, and regulating the use of academic dress.
- (3) The Senate shall not establish any new campus, college, school, department, institute or other teaching and research units of the University without the approval of the Council.
- (4) Subject to this Bill and Statute, the Senate may make regulations for the purpose of exercising any function conferred on it under this section or otherwise or for the purpose of making provisions for any matter for which provision by regulations is authorised or required by this Bill or by statute.
- (5) Regulations shall provide that at least one of the persons appointed as the examiners at each final or professional examination held in conjunction with any course of study at the University, as may be prescribed by the Senate, 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 organisation or institution.
- (6) Subject to a right of appeal to the Council from a decision of the Senate under this subsection, the Senate may deprive any person of any degree, diploma or other award of the University which has been conferred upon him if after due enquiry he is shown to have been guilty of dishonourable or scandalous conduct in gaining admission into the University or obtaining that award (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 9 stands part of the Bill — Agreed to.

Clause 10: 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 any other person for the time being acting as chairman of the Council.
- (2) Subject to sections 8, 9, and 15 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 academic officer of the University and *ex-officio* chairman of the Senate (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 10 stands part of the Bill — Agreed to.

Clause 11: Transfer of Property to the University

All property held by or on behalf of the University shall, by virtue of this subsection and without further assurance, vest in the University and be held by it for the purposes of the University (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 11 stands part of the Bill — Agreed to.

Clause 12: Powers of the University to make Statutes

- (1) Subject to this Bill, the University may make statutes for the purpose of:
 - (a) making provision with respect to the composition and constitution of any authority of the University;
 - (b) specifying and regulating the powers and duties of any authority of the University and regulating any other matter connected with the University or any of its authorities;
 - (c) regulating the admission of students (where no other enactment provides to the contrary), and their discipline and welfare;
 - (d) determining whether any particular matter is to be treated as an academic or non-academic matter for the purposes of this Bill and of any statute, regulation or other instrument made thereunder; and
 - (e) making provision for any other matter for which provision by statute is authorised or required by this Bill.
- (2) Subject to section 28 (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 13 (1) of that Bill.
- (3) The statute contained in the Second Schedule to this Bill shall be deemed to have come into effect 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 Second Schedule to this Bill or any subsequent statute (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 12 stands part of the Bill — Agreed to.

Clause 13: Mode of Exercising Power to make Statutes

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

- (3) A proposed statute may originate either in the Senate or in the Council, and may be approved as required by subsection (2) by either one of those bodies before the other.
- (4) A statute which makes provision for or alters the composition or constitution of the Council, the Senate or any other authority of the University shall not come into operation unless it has been approved by the Visitor.
- (5) For the purposes of section 2 (1) of the Interpretation Bill a statute shall be treated as being made on the date on which it is duly approved by the Council after having been approved by the Senate, as the case may be or, in the case of a statute falling within subsection (4), on the date on which it is approved by the Visitor.
- (6) In the event of any doubt or dispute arising at any time as to:
 - (a) the meaning of any provision of a statute; or
 - (b) whether any matter is for the purpose of this Bill an 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 therein as he shall think fit.
- (7) The decision of the Visitor on any matter referred to him under subsection (6) shall be final and binding upon the authorities, staff and students of the University.
- (8) Nothing in subsection (7) shall affect any power of a court of competent jurisdiction to determine whether any provision of a statute is wholly or partially void as being ultra vires or as being inconsistent with the Constitution of the Federal Republic of Nigeria, 1999 (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 13 stands part of the Bill — Agreed to.

Clause 14: Proof of Statutes

A statute may be proved in any court by the production of a copy thereto 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 (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 14 stands part of the Bill — Agreed to.

Clause 15: Supervision and Discipline

- (1) The President shall be the Visitor of the University.
- (2) The Visitor shall as often as the circumstances may require, not being less than once every five years, conduct a visitation of the University or direct that such a visitation be conducted by such person or persons as the Visitor may deem fit and in respect of any of the affairs of the University.
- (3) The bodies and persons comprising the University shall make available to the Visitor and to any other person conducting a visitation under this section, such facilities and assistance as may reasonably be required for the purposes of a visitation (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 15 stands part of the Bill — Agreed to.

Clause 16: Removal of certain Members of Council

- (1) If it appears to the Council that a member of the Council (other than the Pro-Chancellor or the Vice-Chancellor) should be removed from office on the ground of misconduct or inability to perform the functions of his office or employment, the Council shall make a recommendation to that effect through the Minister to the Visitor after making such enquiry, if any, as may be considered appropriate, and if the Visitor approves the recommendation he may direct the removal of the person in question from office.
- (2) The Minister shall use his best endeavour to cause a copy of the instrument embodying a direction under subsection (1) to be served immediately on the person to whom it relates (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 16 stands part of the Bill — Agreed to.

Clause 17: Removal and Discipline of Academic, Administrative and Professional Staff

- (1) If it appears to the Council that there are reasons for believing that any person employed as a member of the academic, administrative or professional staff of the University, other than Vice-Chancellor, should be removed from his office or employment on the ground of misconduct or 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 the person an opportunity of making representations in person on the matter; and
 - (c) afford the person an opportunity of appearing before and being heard by the investigating committee with respect to the matter.
- (2) If the Council, after considering the report of the investigating committee, is satisfied that the person in question should be removed, the Council may so remove him by an instrument in writing signed on the directions of the Council.
- (3) The Vice-Chancellor may, in case of misconduct by a member of staff, which in the opinion of the Vice-Chancellor is prejudicial to the interests of the University, suspend such member and any such suspension shall be reported to the Council immediately.
- (4) For good cause, any member of staff may be suspended from his duties or his appointment may be terminated by the Council; and for the purposes of this subsection "good cause" means:
 - (a) conviction for any offence which the Council considers to be such as to render the person concerned unfit for the discharge of the 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 terms and conditions of service; or
 - (e) conduct which the Council considers to be generally of such nature as to render the continued appointment or service of the person concerned prejudicial or detrimental to the interest of the University.
- (5) Any person suspended under subsection (3) 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 whether to:
- (a) continue such person's suspension and if so on what terms (including the proportion of his emoluments to be paid to him);
 - (b) re-instate such person in which case the Council shall restore his full emoluments with effect from the date of suspension;
 - (c) terminate the appointment of the person concerned in which case such person shall not be entitled to the proportion of his emoluments withheld during the period of suspension; or
 - (d) take such lesser disciplinary action against such person (including the restoration of such proportion of his emoluments as might have been withheld) as the Council may determine.
- (6) In any case where the Council, under 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.
- (7) The person by whom an instrument of removal is signed in subsection (2) shall use his best endeavor to cause a copy of the instrument to be served immediately on the person to whom it relates.
- (8) Nothing under 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 (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 17 stands part of the Bill — Agreed to.

Clause 18: Procedures for Staff Discipline

- (1) The Vice-Chancellor or Senate shall constitute an Investigating Panel to determine whether or not a prima facie case has been established against any member of staff.

- (2) The Investigating Panel shall include the President or the Chairman of the union to which the staff being investigated belongs.
- (3) The Vice-Chancellor shall constitute a Staff Disciplinary Committee, which shall consist of such members of the Senate as he may determine, to consider the report of the Investigating Panel.
- (4) The report and recommendation of the Staff Disciplinary Committee shall be forwarded to the Council for consideration and decision (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 18 stands part of the Bill — Agreed to.

Clause 19: Appointment of External Examiners

The Senate shall appoint external examiners (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 19 stands part of the Bill — Agreed to.???

Clause 20: Appointment of External Examiners

- (1) If on the recommendation of the Senate, it appears to the Vice Chancellor that a person appointed as an examiner for any examination of the University ought to be removed from his office or appointment, then except in such cases as may be prescribed, the Vice-Chancellor may, after affording the examiner an opportunity of making representations in person on the matter to the Vice-Chancellor, remove the examiner from the office or appointment by an instrument in writing signed by the Vice-Chancellor.
- (2) Subject to the provisions of regulations made under section 9 (4) of this Bill, the Vice-Chancellor may, on the recommendation of the Senate, appoint an appropriate person as examiner in place of the examiner removed under subsection (1).
- (3) The Vice-Chancellor shall sign an instrument of removal under this section and use his best endeavor to cause a copy of this instrument to be served immediately on the person to whom it relates (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 20 stands part of the Bill — Agreed to.

Clause 21: Discipline of Students

- (1) Subject to the provisions of this section, where it appears to the Vice-Chancellor that any student of the University has been guilty of misconduct, the Vice-Chancellor may, in consultation with the Senate and, without prejudice to any other disciplinary power conferred on him by statutes or regulations, direct that the:
 - (a) student shall not, during such period as may be specified in the direction, participate in such activities of the University, or make use of such facilities of the University, as may be so specified;
 - (b) activities of the student shall, during such period as may be specified in the direction, be restricted in such manner as may be so specified;
 - (c) student be rusticated for such period as may be specified in the direction; or

- (d) student be expelled from the University.
- (2) Where a direction is given under subsection (1) (c) or (d) in respect of any student, that student may, within the prescribed period and in the prescribed manner, appeal to the Council; and where such an appeal is brought, the Council shall after causing such inquiry to be made in the matter as the Council considers just, confirm or set aside the direction or modify it in such manner as the Council thinks fit.
 - (3) An appeal from a direction brought under subsection (2) shall not affect the operation of the direction while the appeal is pending.
 - (4) The Vice-Chancellor may delegate his powers under this section to a Disciplinary Committee consisting of such members of the University as he may nominate.
 - (5) Nothing in this section shall be construed as preventing the restriction or termination of a student's activities at the University otherwise than on the ground of misconduct.
 - (6) Without prejudice to the provision of subsection (1), nothing shall prevent the Vice-Chancellor from taking an immediate disciplinary action against a student where he deems fit, and report thereafter to the Senate.
 - (7) A direction under subsection (1) (a) may be combined with a direction under subsection (1) (b).
 - (8) No staff or student shall resort to a law court without proof of having exhausted the internal avenues for settling disputes or grievances or for seeking redress.
 - (9) The Visitor shall be the final arbiter on staff and student discipline.
 - (10) Nothing in this subsection shall affect any power of a court of competent jurisdiction to enforce the fundamental right of any aggrieved citizen as enshrined in the Constitution of the Federal Republic of Nigeria, 1999 (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 21 stands part of the Bill — Agreed to.

Clause 22: Exclusion of Discrimination

- (1) A person shall not be required to satisfy the requirements as to race, including ethnic grounding, sex, place of birth, family origin, 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 any body established by virtue of this Bill, and a person shall not be subjected to any disadvantage or accorded any advantage in relation to the University, by reference to any of those matters.
- (2) Nothing in subsection (1) shall be construed as preventing the University from imposing any disability or restriction on any of the aforementioned persons where such person wilfully refuses or fails on grounds of religious belief to undertake any duty generally and uniformly imposed on all such persons or any group of them which duty, having regard to its nature and the special circumstance pertaining thereto, is in the opinion of the University

reasonably justifiable in the national interest (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 22 stands part of the Bill — Agreed to.

Clause 23: Restriction on Disposal of Land by the 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 either with the prior written consent either general or special, of the President:

Provided that such consent shall not be required in the case of any lease or tenancy at a rack-rent for a term not exceeding 21 years or lease or tenancy to a member of the University for residential purposes (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 23 stands part of the Bill — Agreed to.

Clause 24: Quorum and Procedure of Bodies Established by this Bill

Except as may be otherwise provided by statutes or by regulations the quorum and procedure of any body established by this Bill shall be as determined by that body (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 24 stands part of the Bill — Agreed to.

Clause 25: Appointment of Committees

(1) Any body of persons established by this Act shall, without prejudice to the generality of the powers of that body, have power to appoint committees, which need not consist exclusively of members of that body and to authorise a committee established by it:

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

(b) to co-opt members, and may direct whether or not co-opted members (if any) shall be entitled to vote in that committee.

(2) Any two or more such bodies may arrange for the holding of joint meetings of those bodies or for the appointment of committees consisting of members of those bodies 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 statutes or by regulations, the quorum and procedure of a committee established or meeting held under 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 foregoing provisions of this section shall be construed as enabling:

(a) statutes to be made otherwise than in accordance with section 13 of this Bill; or

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

(5) The Pro-Chancellor and the Vice-Chancellor shall be members of every

committee of which the members are wholly or partly appointed by the Council, other than a committee appointed to inquire into the conduct of any officer in question, and the Vice-Chancellor shall be a member of the Council and the Vice-Chancellor shall be a member of every committee of which the members are wholly or partly appointed by the Senate (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 25 stands part of the Bill — Agreed to.

Clause 26: Retirement age of Academic Staff of the University

- (1) Notwithstanding anything to the contrary in the Pension Reform Act, the compulsory retirement age of an academic staff of a University shall be 65 years except for those in the professorial cadre, which shall be 70 years.
- (2) A law or rule requiring a person to retire from the public service of the Federation after serving for 35 years shall not apply to an academic staff of the University (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 26 stands part of the Bill — Agreed to.

Clause 27: Special Provisions Relating to Pension of Professors

A person who retires as a professor having served:

- (a) a minimum period of fifteen years as a professor in the University or continuously in the service of a university in Nigeria up to the retiring age; and
- (b) who during the period of service was absent from the University only on approved national or University assignments, shall be entitled to pension at a rate equivalent to his last annual salary and such allowances as the Council may determine as qualifying for pension and gratuity, in addition to any other retirement benefits to which he may be entitled (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 27 stands part of the Bill — Agreed to.

Clause 28: Miscellaneous Administrative Provisions

- (1) The seal of each University shall be such as may be determined by the Council and approved by the Chancellor, and the affixing of the seal shall be authenticated by any member of the Council and by the Vice-Chancellor, secretary to the Council or any other person authorised by statute.
- (2) Any document purporting to be a document executed under the seal of the University shall be received in evidence and shall, unless the contrary is proved, be presumed to be so executed.
- (3) Any contract or instrument, which if made or executed by a person not being a body corporate would not be required to be under seal, may be made or executed on behalf of the University by any person generally or specifically authorised to do so by the Council.
- (4) The validity of any proceedings of any body established under this Act 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, took part in the proceedings.

- (5) Any member of any such body who has a personal interest in any matter proposed to be considered by that body shall forthwith disclose his interest to the body and shall not vote on any question relating to that matter.
- (6) Nothing in section 12 of the Interpretation Bill (which provides for the application in relation to subordinate legislation of certain incidental provisions) shall apply to statutes or regulations made under this Bill.
- (7) The power conferred by this Bill on any body to make statutes or regulations shall include power to revoke or vary any statute, including the Statute contained in the Second Schedule to this Bill, or any regulation by a subsequent statute, or, as the case may be, by a subsequent regulation and statute and regulations may make different provisions in reaction to different circumstances.
- (8) No stamp duty or other duty shall be payable in respect of any transfer of property to the University by virtue of any provision of this Bill.
- (9) Any notice or other instrument authorised to be served by virtue of this Bill may, without prejudice to any other mode of service, be served by post (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 28 stands part of the Bill — Agreed to.

Clause 29: Proposal and Recommendation

Where in any provision of this Bill, it is laid down that a proposal is to be submitted or a recommendation is to be made by one authority or another through one or more intermediate authorities, every such intermediate authority shall forward any proposal or recommendation received by it under that provision to the appropriate authority, but any such intermediate authority may, if it deems fit, forward its own comments (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 29 stands part of the Bill — Agreed to.

Clause 30: Proposal and Recommendation

In this Bill:

"campus" means any campus which may be established by the University (*Hon. Alhassan Ado Garba — House Leader*).

Question that the meaning of the word "Campus" be as defined in the interpretation in this Bill — Agreed to.

"College" means any college which may be established by the University (*Hon. Alhassan Ado Garba — House Leader*).

Question that the meaning of the word "College" be as defined in the interpretation in this Bill — Agreed to.

"Council" means the Council established by this Act for the University (*Hon. Alhassan Ado Garba — House Leader*).

Question that the meaning of the word "Council" be as defined in the interpretation in this Bill — Agreed to.

"graduate" means a person on whom a degree, other than an honorary degree, has been conferred by the University (*Hon. Alhassan Ado Garba — House Leader*).

Question that the meaning of the word "graduate" be as defined in the interpretation in this Bill — Agreed to.

"Minister" means the Minister responsible for education (*Hon. Alhassan Ado Garba — House Leader*).

Question that the meaning of the word "Minister" be as defined in the interpretation in this Bill — Agreed to.

"notice" means notice in writing (*Hon. Alhassan Ado Garba — House Leader*).

Question that the meaning of the word "notice" be as defined in the interpretation in this Bill — Agreed to.

"officer" does not include the Visitor (*Hon. Alhassan Ado Garba — House Leader*).

Question that the meaning of the word "officer" be as defined in the interpretation in this Bill — Agreed to.

"prescribed" means prescribed by statutes or regulations (*Hon. Alhassan Ado Garba — House Leader*).

Question that the meaning of the word "prescribed" be as defined in the interpretation in this Bill — Agreed to.

"professor" means a person designated as a professor of the University in accordance with provisions made in that behalf by statute or regulations (*Hon. Alhassan Ado Garba — House Leader*).

Question that the meaning of the word "professor" be as defined in the interpretation in this Bill — Agreed to.

"property" includes rights, liabilities and obligations (*Hon. Alhassan Ado Garba — House Leader*).

Question that the meaning of the word "property" be as defined in the interpretation in this Bill — Agreed to.

"regulations" means regulations made by the Senate or the Council (*Hon. Alhassan Ado Garba — House Leader*).

Question that the meaning of the word "regulations" be as defined in the interpretation in this Bill — Agreed to.

"Senate" means the Senate of the University provided under section 3 (1) (c) of this Bill (*Hon. Alhassan Ado Garba — House Leader*).

Question that the meaning of the word "Senate" be as defined in the interpretation in this Bill — Agreed to.

"statute" means a statute made by the University under section 12 of this Bill and in accordance with the provisions of section 13 of this Bill, and "the statutes" means all such statutes as are in effect (*Hon. Alhassan Ado Garba — House Leader*).

Question that the meaning of the word "statute" be as defined in the interpretation in this Bill — Agreed to.

"teacher" means a person holding a full-time appointment as a member of the teaching or research staff of the University (*Hon. Alhassan Ado Garba — House Leader*).

Question that the meaning of the word "teacher" be as defined in the interpretation in this Bill — Agreed to.

"undergraduate" means a person in statu pupillari at the University other than:

- (a) a graduate; and
- (b) a person of such description as may be prescribed for the purposes of this definition; (*Hon. Alhassan Ado Garba — House Leader*).

Question that the meaning of the word "undergraduate" be as defined in the interpretation in this Bill — Agreed to.

"University" means the Federal University of Medicine and Medical Sciences, Abeokuta established under section 1 of this Bill (*Hon. Alhassan Ado Garba — House Leader*).

Question that the meaning of the word "University" be as defined in the interpretation in this Bill — Agreed to.

Question that Clause 30 stands part of the Bill — Agreed to.

Clause 31: Citation

This Bill may be cited as the Federal University of Medicine and Medical Sciences, Abeokuta (Establishment) Bill, 2023 (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 31 stands part of the Bill — Agreed to.

SCHEDULES

FIRST SCHEDULE

[Section 3(1)(i) and (2)]

PRINCIPAL OFFICERS OF THE UNIVERSITY

The Chancellor

1. (1) The Chancellor shall be appointed by the President.
- (2) The Chancellor shall hold office for a period of five years.
- (3) Where it appears to the Visitor, that the Chancellor should be removed from his office on the ground of misconduct or inability to perform the functions of his office, the Visitor may by notice in the Federal Government Gazette remove the Chancellor from office.

The Pro-Chancellor

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

The Vice Chancellor

3. (1) Subject to the provisions of this paragraph, the Vice-Chancellor shall be appointed or removed from his office by the Council, in line with the provisions of section 3 (1) of the Universities (Miscellaneous Provision) Act, No. 11 of 1993.
- (2) The Vice-Chancellor shall hold office for a single term of five years, in line with the provisions of 3 (7) of the Universities (Miscellaneous Provision) Act, No. 11 of 1993.

Deputy Vice Chancellor

4. (1) There shall be for the University, two Deputy Vice-Chancellors or such number of Deputy Vice Chancellors as the Council may, deem necessary for the proper administration of the University.
- (2) The procedure for the appointment and removal of the Deputy Vice Chancellor shall be in accordance with the provisions of the Universities (Miscellaneous Provisions) Act, No. 11 of 1993.
- (3) A Deputy Vice-Chancellor shall:
 - (a) assist the Vice-Chancellor in the performance of his functions;
 - (b) act in place of the Vice-Chancellor when the post of the Vice-Chancellor is vacant or if the Vice-Chancellor is, for any reason, absent or unable to perform his functions as Vice-Chancellor; and
 - (c) perform such other functions as the Vice Chancellor or the Council may assign to him.

Other Principal Officers of the University

5. (1) There shall be 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 subparagraph (3).
- (2) The person holding the office of Registrar shall by virtue of that office be Secretary to the Council, the Senate, Congregation and Convocation.
- (3) There shall be a Bursar, who shall be the Chief Financial Officer of the University and shall be responsible to the Vice-Chancellor for the day-to-day administration and control of the financial affairs of the University.
- (4) There shall be a Librarian who shall be responsible to the Vice-Chancellor for the administration of the University library and the co-ordination of all library services in the University and its campuses, colleges, faculties, schools, departments and institutes and other teaching or research units.

- (5) The Registrar, Bursar and Librarian shall be appointed by the Council for a single term of five years and the Council may upon satisfactory performance, extend the tenure of the Registrar, Bursar or Librarian for a further period of one year and thereafter such Registrar, Bursar or Librarian shall relinquish his post and be assigned to other duties in the University in line with the provisions of the section 5 of the Universities (Miscellaneous Provision) Act, No. 11 of 1993.
- (6) Any question as to the scope of the responsibilities of the aforesaid officers shall be determined by the Vice-Chancellor.

Director of Works

6. There shall be for the University, a Director of Works, who shall be responsible to the Vice Chancellor for the administration of the Works Department, and shall be responsible for all works, services and maintenance of institute facilities.

Director of Health Services

7. There shall be for the University, a Director of Health Services who shall be responsible to the Vice Chancellor for the administration of the Health Centre and he shall be the Chief Medical Officer of the University and shall coordinate all matters relating to the health of all staff and students.

Resignation

8. (1) Any officer mentioned under the provisions of this schedule may resign his office, in the case of the:
- (a) Chancellor or Pro-Chancellor, by notice to the Visitor; and
- (b) Vice-Chancellor by notice to the Council which shall immediately notify the Minister.
- (2) A person who has ceased to hold an office so mentioned otherwise than by removal for misconduct shall be eligible for re-appointment to that office (*Hon. Alhassan Ado Garba — House Leader*).

Question that First Schedule stands part of the Bill — Agreed to.

SECOND SCHEDULE

[Section 12 (3), (4) and 27 (7)]

FEDERAL UNIVERSITY OF MEDICINE AND MEDICAL SCIENCES,
ABEOKUTA STATUTE NO.1

ARRANGEMENT OF ARTICLES

Articles:

1. The Council.
2. The Finance and General Purposes Committee.
3. The Senate.
4. Congregation.

5. Convocation.
6. Division of Colleges.
7. College Board.
8. Appointments and Promotions Committees.
9. Dean of College.
10. Deputy Dean of College.
11. Director of Institute or Center.
12. Head of Department.
13. Creation of Academics Posts.
14. Appointment of Academic Staff.
15. Appointment of Administrative Technical Staff.
16. Interpretation.
17. Citation.

The Council

1. (1) The composition of the Council shall be as provided in section 7 of this Bill.
- (2) Any member of the Council holding office otherwise than under section 7 (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 under section 7 (a), (b), (c) or (d) of this Bill shall, unless he previously vacates it, vacate that office on the expiration of the term of five years beginning from 1 August in the year in which he was appointed.
- (4) Where a member of the Council holding office otherwise than under section 7 (a), (b), (c) or (d) of this Bill vacates before the expiration of the term mentioned under subarticle (3), 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 term of five years.
- (6) The quorum of the Council shall be five, at least one of whom shall be a member appointed under section 7 (d), (e), or (h) of this Bill.
- (7) Where 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 sections 5 and 6 of the Bill and the provisions of this article, the Council may regulate its own procedure.

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

The Finance and General Purposes Committee

2. (1) The Finance and General Purposes Committee of the Council shall consist of:
- (a) the Pro-Chancellor, who shall be the chairman of the Committee at any meeting at which he is present;
 - (b) the Vice-Chancellor and Deputy Vice-Chancellors;
 - (c) six other members of the Council appointed by the Council, two of whom shall be selected from among the three members of the Council appointed by the Senate and one member appointed to the Council by 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.
- (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.

The Senate

3. (1) The Senate shall consist of:
- (a) the Vice-Chancellor and Deputy Vice-Chancellors;
 - (b) Deans of Colleges;
 - (c) the Directors of Institutes and Research Centres;
 - (d) the Heads of academic Departments;
 - (e) the Librarian;
 - (f) one member of not less than the rank of senior lecturer of each college;
 - (g) four persons representing the Congregation.
- (2) The Vice-Chancellor shall be the Chairman at all meetings of the Senate when he is present, and in his absence any of the Deputy Vice-Chancellors present at the meeting as the Senate may appoint for that meeting shall be chairman at the meeting.
- (3) The quorum of the Senate shall be one quarter, or the nearest whole number less than one quarter, and subject to sub-article (2), the Senate may regulate its own procedure.
- (4) An elected member may, by notice to the Senate, resign his office.

- (5) Subject to sub-article (7), there shall be elections for the selection of elected members, which shall be in the prescribed manner on such day in the month of May or June in each year as the Vice-Chancellor may determine.
- (6) An elected member shall hold office for the period of two years beginning from 1 August in the year of his election, and may be a candidate at any election held under subarticle (5) 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 hold office as an elected member for a continuous period of six years or would have so held office if he had not resigned it.
- (7) No election held under this article in any year if the number specified in the certificate given under sub-article (10) 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 under sub-article (6).
- (8) For the avoidance of doubt it is hereby declared that no person shall be precluded from continuing in or taking office as an elected member by reason only of a reduction in the total of non-elected members occurring on or after 30 April in any year in which he is to continue in or take office as an elected member.
- (9) If so requested in writing by any fifteen members of the Senate, the Vice-Chancellor, or in his absence, any of the Deputy Vice-Chancellors duly appointed by him, shall convene a meeting of the Senate to be held not later than the tenth day following that on which the request was received.
- (10) In this article "total of non-elected members" means as respects any year, such number as may be certified by the Vice-Chancellor on 30 April of that year to be the number of persons holding office as members of the Senate on that day otherwise than as elected members.

Congregation

4. (1) Congregation shall consist of:
 - (a) the Vice-Chancellor and the Deputy Vice-Chancellors;
 - (b) the full-time members of the academic staff;
 - (c) the Registrar;
 - (d) the Bursar;
 - (e) the Librarian;
 - (f) the Director of Works;
 - (g) the Director of Academic Planning;
 - (h) the Director of Physical Planning;
 - (i) the Director of Health Services; and
 - (j) every member of the administrative staff who holds a degree other than an honorary degree of any university recognised for the purposes of this statute by the Vice-Chancellor.

- (2) Subject to sections 5 and 6 of the 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 numbers of Congregation or 50, whichever is less.
- (4) A certificate signed by the Vice-Chancellor specifying:
 - (a) the total number of members of Congregation for the purposes of any particular meeting or meetings of Congregation; or
 - (b) the names of the persons who are members of Congregation during a particular shall be conclusive evidence of that number or as the case may be, of the names of those persons.
- (5) Subject to this article, Congregation may regulate its own procedure.
- (6) Congregation shall be entitled to express by resolution or otherwise its opinion on all matters affecting the interest and welfare of the University and shall have such other functions in addition to the function of electing a member of the Council, as may be provided by statute or regulations.

Convocation

5. (1) Convocation shall consist of:
 - (a) the officers of the University mentioned in the First Schedule to the Bill;
 - (b) all teachers within the meaning of the Bill;
 - (c) all other persons whose names are registered in accordance with sub-article (2).
- (2) A person shall be entitled to have his name registered as a member of Convocation if he:
 - (a) is either a graduate of the University or a person satisfying such requirements as may be prescribed for the purposes of this article; and
 - (b) applies for the registration of his name in the prescribed manner and pays the prescribed fees.
- (3) Regulations shall provide for the establishment and maintenance of a register for the purposes of this sub-article and subject to sub-article (4) may provide for the payment of further fees by persons whose names are on the register and for any person who fails to pay those fees.
- (4) The person responsible for maintaining the register shall, without the payment of any fees, ensure that the names of all persons who are for the time being members of Convocation by virtue of sub-article (1) (a) or (b) are entered and retained on the register.

- (5) A person who reasonably claims that he is entitled to have his name on the register shall be entitled on demand to inspect the register or a copy of the register at the principal offices of the University at all reasonable times.
- (6) The register shall, unless the contrary is proved, be sufficient evidence that any persons named therein is, and that any person not named therein is not, a member of Convocation; but for the purpose of ascertaining whether a particular person was such a member on a particular date, any entries in and deletions from the register made on or after that date shall be disregarded.
- (7) The quorum of Convocation shall be 50 or one third (or the whole number nearest to one third) of the total number of members of Convocation, whichever is less.
- (8) Subject to section 5 of this Bill, the Chancellor shall be the 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 other functions, in addition to the functions of appointing a member of the Council, as may be provided by statutes 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 College Board, which, subject to 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 College Board.

Vice-Chancellor or the Senate

- (2) Each College Board shall consist of:
 - (a) the Vice-Chancellor;
 - (b) the Deputy Vice-Chancellor;
 - (c) the Dean;
 - (d) the persons severally in charge of the departments of the college;
 - (e) such of the teachers assigned to the college and having the prescribed qualifications as the Board may determine; and to any provisions of this article and to any provision made by regulations in that behalf, the Board may regulate its own procedure.

- (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 six 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.

Appointments and Promotions Committee

8. (1) There shall be an Appointments and Promotions Committee of the Council which shall ultimately be responsible for all appointments, promotions and discipline of all categories of senior staff in the University, under the chairmanship of the Vice-Chancellor.
- (2) The Committee shall operate where necessary through the Senate or Selection Board or *Ad-hoc* Committees and its recommendations shall be subject to the approval of the Council.

Dean of college

9. (1) The Dean of a College shall be a professor appointed by the Appointments and Promotions Committee and such Dean shall hold office for a term of three years, and shall be eligible for re-appointment for another term of three years after which he may not be re-appointed again until two years have elapsed.
- (2) The Dean shall be the chairman at 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 of a college shall exercise general superintendence over the academic and administrative affairs of the college and it shall be the function of the Dean to present to Convocation or for the conferment of degrees on persons of the University at examinations held in the branches of learning for which responsibility is allocated to that college.
- (4) There shall be a committee to be known as the Committee of Deans consisting of all Deans of the colleges and that Committee shall advise the Vice-Chancellor on all academic matters and on particular matters referred to the University Council.

Deputy Dean of college

10. (1) There shall be a Deputy Dean of college who shall be appointed by the Senate on the recommendation of the Dean.
- (2) The Deputy Dean shall be appointed for two years in the first instance and may be re-appointed for a further term of two years after which he shall not be entitled to re-appointment until after two years.

Director of Institute or Centre

11. (1) The Director of an Institute or of a Centre shall be appointed by the Appointments and Promotions Committee for academic staff, and such Director shall hold office for a period of three years and shall be eligible for re-appointment for another term of three years after which he may not be appointed again until two years have elapsed.

- (2) The Director of an Institute or Centre shall exercise general superintendence over the affairs of the Institute or Centre.

Head of Department

12. (1) The Head of a Department shall be appointed by the Vice-Chancellor and such Head shall hold office for a period of three years and shall be eligible for re-appointment for another term of three years after which he may not be appointed again until two years have elapsed.
- (2) The Head of a Department shall exercise general superintendence over the academic and administrative affairs of the department.

Creation of Academic Posts

13. Recommendations for the creation of posts other than those mentioned in article 10 of this statute shall be made by Senate to the Council through the Finance and General Purposes Committee.

Appointment of Academic Staff

14. (1) Subject to the Bill and the statutes, the filling of vacancies in academic posts (including newly created ones) shall be the responsibility of the Senate.
- (2) For the purpose of filling such vacancies, the Senate shall set up suitable selection boards to select and make appointments on its behalf.
- (3) For appointments to professorships, associate professorships or readerships or equivalent posts, a board of selection (with power to appoint) shall consist of:
- (a) the Vice-Chancellor;
 - (b) if the post is tenable at a college, or is within a school comprised in a college, the Provost of that college;
 - (c) if the post is within a faculty, school, institute or other teaching unit of the University, the Dean of that teaching unit;
 - (d) two members appointed by the Council;
 - (e) four members of the Senate appointed by the Senate, at least two of whom shall, if the post is tenable at a college, be senior members of the staff of the college;
 - (f) such other persons as the Senate may appoint.
- (4) Subject to sub-article (5), for appointments to associate professorships, readerships, senior lectureships and other academic posts, a selection board (with power to appoint) shall consist of:
- (a) the Vice-Chancellor;
 - (b) if the post is tenable at a college, or is within a school comprised in a college, the Provost of that college;

- (c) if the post is within a faculty, school, institute or other teaching unit of the University, the Dean of that teaching unit;
 - (d) four members of the Senate appointed by the Senate, at least two of whom shall, if the post is tenable at a college, be members of the staff of the college; and
 - (e) such other persons as the Senate may appoint.
- (5) Where an appointment falling within sub-article (4) above is tenable at a college, the Senate may authorise the college to set up a selection board therefore, with power to appoint, but every selection board set up under this paragraph shall include the Vice-Chancellor and shall also include at least two members of the Senate, nominated by the Senate, who are not members of the academic staff of the college.
- (6) A college shall have power to make appointments to academic posts within the college below the level of associate professor or reader.
- (7) For the purpose of exercising the power conferred by sub-article (6) above, the college shall set up suitable selection boards to select and make appointments on its behalf.
- (8) Every selection board set up sub-article (7) shall include the Vice-Chancellor and shall also include at least two members of the Senate, nominated by the Senate, who are not members of the academic staff of the college.
- (9) All appointments to senior library posts shall be made in the same way as equivalent appointments in the academic staff; and for all such posts, other than that of librarian, the librarian shall be a member of the selection board.
- (10) Boards of selection may interview candidates directly or consider the reports of assessors or specialist interviewing panels.

Appointment of administrative and technical staff

15. (1) The administrative and technical staff of the University, other than principal officers, shall be appointed by the council or on its behalf by the Vice-Chancellor or the Registrar in accordance with any delegation of powers made by the Council in that behalf.
- (2) Administrative and technical staff of a college, other than principal officers, shall be appointed by the board of governors of the college or by the Provost or secretary of the college in accordance with any delegation of powers made by the court in that behalf.
- (3) In the case of administrative or technical staff who have close and important contracts with the academic staff, there shall be Senate or (in the case of a college) academic board participation in the process of selection.

Interpretation

16. In this Statute, "Bill" means the Federal University of Medicine and Medical Sciences, Abeokuta (Establishment) Act, 2023 and any word or expression defined in the Act has the same meaning in this Statute.

Citation

17. This Statute may be cited as the Federal University of Medicine and Medical Sciences, Abeokuta, Statute No.1, 2023 (*Hon. Alhassan Ado Garba — House Leader*).

Question that Second Schedule stands part of the Bill — Agreed to.

Explanatory Memorandum:

This Bill establishes the Federal University of Medicine and Medical Sciences, Abeokuta, Ogun State as a training institution for the development of medicine and medical sciences, and makes comprehensive provisions for the management and administration of the University (*Hon. Alhassan Ado Garba — House Leader*).

Agreed to.

Long Title:

A Bill for an Act to Establish the Federal University of Medicine and Medical Sciences, Abeokuta, Ogun State as a Training Institution for the Development of Medicine and Medical Sciences, Make Comprehensive Provision for the Management and Administration of the University; and for Related Matters (HB. 1484) (*Hon. Alhassan Ado Garba — House Leader*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Establish Federal University of Medicine and Medical Sciences, Abeokuta, Ogun State as a Training Institution for the Development of Medicine and Medical Sciences, make Comprehensive Provision for the Management and Administration of the University; and for Related Matters (HB. 1484) and approved Clauses 1- 31, the Schedules, the Explanatory Memorandum, and the Long Title of the Bill.

Question that the House do adopt the Report of the Committee of the Whole — Agreed to.

- (ix) *A Bill for an Act to Establish the Nigeria Maritime University, Okerenkoko, Delta State; and for Related Matters (HB.1133) (Committee of the Whole):*

Motion made and Question proposed, "That the House do consider the Report on a Bill for an Act to Establish the Nigeria Maritime University, Okerenkoko, Delta State; and for Related Matters (HB.1133)" (Hon. Alhassan Ado Garba — House Leader).

Agreed to.

Question that the House do resolve into the Committee of the Whole to consider the Report — Agreed to.

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

A BILL FOR AN ACT TO ESTABLISH THE NIGERIA
MARITIME UNIVERSITY, OKERENKOKO, DELTA STATE;
AND FOR RELATED MATTERS (HB. 1133)

PART I — ESTABLISHMENT, CONSTITUTION AND FUNCTIONS
OF NIGERIA MARITIME UNIVERSITY, OKERENKOKO

Clause 1: Establishment of the University

- (1) There is established the Nigeria Maritime University, Okerenkoko (in this Bill, referred to as "the University).
- (2) The University:
 - (a) shall be a body corporate with perpetual succession and a common seal; and
 - (b) may sue or be sued in its corporate name.
- (3) The University shall be supervised by the Federal Ministry of Education.
- (4) The Federal Ministry of Education, through the National Universities Commission (NUC), shall be responsible for approving and regulating all academic programmes run in the University, to ensure quality compliance for academic and research programmes (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 1 stands part of the Bill — 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 colleges, institutes and other teaching and research units of the University;
 - (h) the persons holding the offices constituted by the First Schedule to this Bill other than those mentioned in paragraphs (a) to (c) of this subsection; and
 - (i) all graduates and undergraduates of the University; and all other persons who are members of the university in accordance with provisions made by statute in that behalf.
- (2) The First Schedule to this Bill shall have effect with respect to the principal officers of the University.
- (3) Subject to section 5 of this Bill provision shall be made by statute with respect to the constitution of the Council, the Senate, Congregation and Convocation (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 2 stands part of the Bill — Agreed to.

Clause 3: Powers of the University and its Exercise

- (1) For the carrying out of its objects as specified in section 1 of this Bill, the University shall have power:
 - (a) to establish such campuses, institutes, schools, extra-mural departments and other teaching and research units within the University as may from time to time be deemed necessary or desirable subject to the approval of the National Universities Commission;
 - (b) to institute professorships, readerships or associate professorships, lectureships, and other posts and offices and to make appointments thereto;
 - (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 University;
 - (e) 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;
 - (f) to grant honorary degrees, fellowships or academic titles;
 - (g) to demand and receive from any student or any other person attending the University for the purpose of instruction, such fees as the University may from time to time determine subject to the overall directives of the Council;
 - (h) subject to section 19 of this Bill, to acquire, hold, grant, charge or otherwise deal with or dispose of movable and immovable property wherever 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 attaching 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, lecture halls, halls of residence, refectories, sports grounds, playing fields and other buildings or things necessary, suitable or convenient for any of the objects of the University;
 - (l) to hold public lectures and to undertake printing, publishing and book selling;
 - (m) to engage students in distance learning programs while they are at sea or in areas of maritime business;
 - (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, 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 or to guarantee any loan, advances or credit facilities;
 - (p) to engage income generating ventures as appropriate;
 - (q) to collaborate, co-operate, partner or associate with any other University, authority, Government, organization or institution of higher learning both in Nigeria and abroad;
 - (r) to invest outside of Nigeria which includes building replica institutions;
 - (s) the University may grant scholarships to both local and foreign students as may be deemed necessary;
 - (t) to adopt foreign maritime administration requirements for the purpose of raising standards of training above the minimum IMO requirements;
 - (u) to make gifts for any charitable purpose;
 - (v) to do anything which it is authorized or required by this Bill or by statute to do; and
 - (w) 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 any other manner as 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 (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 3 stands part of the Bill — Agreed to.

Clause 4: General Fund of the University

- (1) There shall be a general Fund of the University, which shall consist of the following:
 - (a) Grant-in-aid;

- (b) Fees;
 - (c) 5% sums in the Cabotage Finance Fund;
 - (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 function conferred or imposed on the University by this Bill; and
 - (g) All other moneys belonging to the University from whatsoever source derived.
- (2) The general Fund shall be applied for the purpose of the University (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 4 stands part of the Bill — Agreed to.

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

- (1) The Chancellor shall, in relation to the University, take precedence before the Pro-Chancellor and 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 and the Pro-Chancellor shall, when he is present, be the chairman at all meetings of the Council (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 5 stands part of the Bill — Agreed to.

Clause 6: Composition of the Council

- (1) The Council of the University shall consist of —
 - (a) the Pro-Chancellor;
 - (b) the Vice-Chancellor;
 - (c) two Deputy Vice-Chancellors;
 - (d) one person from the Ministry responsible for education;
 - (e) four persons representing a variety of interests with requisite knowledge and experience in maritime sector, and broadly, representatives of the whole Federation to be appointed by the President;
 - (f) four persons appointed by the Senate from among its members;
 - (g) two persons appointed by Congregation from among its members;
 - (h) one person appointed by convocation from among its members;

- (i) Minister responsible for transportation or his representative;
 - (j) Director-General of NIMASA or his representative.
- (2) 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 constituted for the effective functioning of the University.
 - (3) 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.
 - (4) 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.
 - (5) 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-à-vis non-academic activities (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 6 stands part of the Bill — Agreed to.

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

- (1) Subject to the provisions of this Bill relating to the Visitor, the Council shall be the governing body of the University and shall be charged with the general control and superintendence of the policy, finances and property of the University.
- (2) There shall be a committee of the Council, to be known as the Finance and General Purposes Committee, which shall, subject to the directions of the Council, exercise control over the property and expenditure of the University and perform such other functions of the Council as the Council may from time to time delegate to it.
- (3) Provision shall be made by statute with respect to the constitution of the Finance and General Purposes Committee.
- (4) The Council shall ensure that proper accounts of the University are kept and that the accounts of the University are audited annually by an independent firm of auditors approved by the Council and that an annual report is published by the University together with certified copies of the said accounts as audited.
- (5) Subject to this Bill and the statutes, the Council and the Finance and General Purposes Committee may each make rules for the purpose of exercising any

- of their respective functions or of regulating their own procedure.
- (6) Rules made under subsection (5) of this section by the Finance and General Purposes Committee shall not come into force unless approved by the Council; and in so far and to the extent that any rules so made by that Committee conflict with any 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 Council.
 - (8) The Council shall meet for the performance of its functions under this Bill and shall meet at least three times a year.
 - (9) If requested in writing by any five members of the Council, the chairman shall within 28 days after the receipt of such request call a meeting of the Council.
 - (10) Any request made under subsection (9) of this section shall specify the business to be considered at the meeting and no business not so specified shall be transacted at that meeting (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 7 stands part of the Bill — Agreed to.

Clause 8: Functions of the Senate

- (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 organise and control the teaching by the University, the admission of student where no other enactment provides to the contrary and the discipline of students; and to promote research at the University.
- (2) Without prejudice to the generality of subsection (1) of this section and subject as there mentioned, it shall in particular be the function of the Senate to make provision for —
 - (a) the establishment, 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 or 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 a 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 shown to have been guilty of dishonourable or scandalous conduct in gaining admission into the University or obtaining that award (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 8 stands part of the Bill — Agreed to.

Clause 9: Functions of the Vice Chancellor

- (1) The Vice-Chancellor shall, in relation to the University, take precedence before all other members of the University except the Chancellor and subject to section 4 of this Bill except the Pro-Chancellor and any other person for the time being acting as chairman of the Council.
- (2) Subject to sections 6, 7 and 14 of this Bill, the Vice-Chancellor shall have the general function, in addition to any other functions conferred on him 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 (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 9 stands part of the Bill — Agreed to.

PART II — TRANSFER OF PROPERTY, ETC, TO THE UNIVERSITY

Clause 10: Transfer of Property

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

Second Schedule.

- (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.

Conditions of Service of the Employees.

- (3) The Condition of Service of Employees in the University shall be in line with what is obtainable in the maritime industry to enable the University attract best brains for training and research (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 10 stands part of the Bill — Agreed to.

PART III — STATUTES OF THE UNIVERSITY

Clause 11: Power of the University to make Statutes

- (1) Subject to his Bill, the University may make statutes for any of the following purposes, that 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 there under;
 - (e) making provision for any other matter for which provision by statute is authorized or required by this Bill.
- (2) Subject to section 2 (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 29 (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 (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 11 stands part of the Bill — Agreed to.

Clause 12: Mode of Exercising Powers 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 of the body.
- (4) A statute which:
- (a) makes provision for or alters the composition or constitution of the Council, the Senate or any other authority of the University; or
- (b) provides for the establishment of a new campus or college or for the amendment or revocation of any statute whereby a campus or college is established, shall not come into operation unless it has been approved by the President.
- (5) For the 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 deem fit.
- (7) The decision of the Visitor on any matter referred to him under subsection (6) of this section shall be binding upon the authorities, staff and students of the University and where any question as to the meaning of any provision of a statute has been decided by the Visitor under that sub-section, no question

as to the meaning of that provision shall be entertained except court of competent Jurisdiction in Nigeria.

- (8) Nothing in subsection (7) of this section shall affect any power of a court of competent jurisdiction to determine whether any provision of a statute is wholly or partly void as being ultra vires or as being inconsistent with the provision of Constitution of the Federal Republic of Nigeria, 1999 as amended (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 12 stands part of the Bill — 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 (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 13 stands part of the Bill — 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 as often as the circumstances may require, not being less than once every five years, conduct a visitation of the University or direct (that such a visitation be conducted by such person or persons as the Visitor may deem fit and in respect of any of the affairs of the University).
- (3) It shall be the duty of the bodies and persons comprising the University to make available to the Visitor and to any other person conducting a visitation in pursuance of this section, such facilities and assistance as he or they may reasonably require for the purposes of a visitation.
- (4) The Visitor shall make the report of such visitations and white paper thereon available to the Council which shall implement same (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 14 stands part of the Bill — Agreed to.

Clause 15: Removal of certain Members of Council

- (1) If it appears to the Council that a member of the Council (other than the Pro-Chancellor or the Vice-chancellor) should be removed from office on the ground of misconduct or inability to perform the functions of his office or employment, the Council shall make a recommendation to that effect through the Minister to the President, and 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 (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 15 stands part of the Bill — Agreed to.

Clause 16: Removal and Discipline of Academic, Administrative and Professional Staff

- (1) If it appears to the Council that there are reasons for believing that any person employed as a member of the academic, administrative or professional staff of the University, other than the Vice-chancellor, should be removed from his office or employment on the ground of misconduct or of inability to perform the functions of his office or employment, the Council shall:
 - (a) give notice of those reasons to the person in question;
 - (b) afford him an opportunity of making representations in person on the matter 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; or
 - (b) any physical or mental incapacity which the Council, after obtaining medical advice, considers to be such as to render the person concerned unfit to continue to hold his office; or
 - (c) conduct of a scandalous or other disgraceful nature which the Council considers to be such as to render the person concerned unfit to continue to hold his office; or
 - (d) conduct which the Council considers to be such as to constitute failure or inability of the person concerned to discharge the functions of his office or to comply with the terms and conditions of his service; or
 - (e) conduct which the Council considers to be generally of such nature as to render the continued appointment or service of the person concerned prejudicial or detrimental to the interest of the University.
- (4) Any person suspended pursuant to subsection (2) or (3) of this section shall be on half pay and the Council shall before the expiration of a period of three months after the date of such suspension consider the case against that person and come to a decision as:
 - (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 (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 16 stands part of the Bill — Agreed to.

Clause 17: Removal of Examiners

- (1) If on the recommendation of the Senate it appears to the Vice-Chancellor that a person appointed as an examiner for any examination of the University ought to be removed from his office or appointment, then except in such cases as may be prescribed, the Vice-Chancellor may after affording the examiner an opportunity of making representations in person 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 to section 7 (5) of this Bill. The Vice-Chancellor may on recommendation of the Senate, appoint an appropriate person as examiner in the place of the examine 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 pursuant to this section, to use his best endeavours to cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it relates (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 17 stands part of the Bill — Agreed to.

Clause 18: Discipline of Students

- (1) Subject to the provisions of this section, where it appears to the Vice-chancellor that any student of the University has been guilty of misconduct, the Vice-chancellor may, without prejudice to any other disciplinary powers conferred on him by statute or regulations, direct:
 - (a) that the student shall not, during such period as may be specified in the directions, participate in such activities of the University, or make use of such facilities of the University, as may be so specified; or
 - (b) that the activities of the student shall, during such period as may be specified in the direction, be restricted in such manner as may be so specified, or
 - (c) that the student be rusticated for such period as may be specified in the direction; or
 - (d) that the student be expelled from the University.
- (2) Where a direction is given under subsection (1) (c) or (d) of this section in respect of any student, that student may, within the prescribed period and in the prescribed manner, appeal to the Council; and where such an appeal is brought, the Council shall, after causing such inquiry to be made in the matter as the Council considers just either confirm or set aside the direction or modify it in such manner as the Council deems fit.
- (3) The fact that an appeal from a direction is brought in pursuance of subsection (2) of this section shall not affect the operation of the direction while the appeal is pending.
- (4) The Vice-chancellor may delegate his powers under this section to a disciplinary board consisting of such members of the University as he may nominate.
- (5) Nothing in this section shall be construed as preventing the restriction or termination of a student's activities at the University otherwise than on the ground of misconduct.
- (6) A direction under subsection (1) (a) of this section may be combined with a direction under subsection (1) (b) of this section (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 18 stands part of the Bill — Agreed to.

PART V — MISCELLANEOUS AND GENERAL

Clause 19: Exclusion of Discretion on Account of Race, Religion, etc.

- (1) No person shall be required to satisfy requirements as to any of the following matters, that is to say, race (including ethnic grouping), sex, place of birth or of family origin, or religious or political persuasion, as a condition of becoming or continuing to be a student at the university, the holder of any degree of the University or of any appointment or employment at the University, or a member of anybody established by virtue

of this Bill; and no person shall be subject to any disadvantage or accorded any advantage relating 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 (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 19 stands part of the Bill — 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, of the President:

Provided that such consent shall not be required in the case of any lease or tenancy at a rack-rent for a term not exceeding 21 years or any lease or tenancy to a member of the University for residential purpose (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 20 stands part of the Bill — Agreed to.

Clause 21: Quorum and Procedure of Bodies Established by this Bill

Except as may be otherwise provided by statute or by regulations, the quorum and procedure of any body of persons established by this Bill shall be as determined by that body (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 21 stands part of the Bill — Agreed to.

Clause 22: Appointment of Committees, etc.

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

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

(b) to co-opt members, and

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

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

- (4) Nothing in the provisions of 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 (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 22 stands part of the Bill — Agreed to.

Clause 23: Retiring age of staff of the University

- (1) Notwithstanding anything to the contrary in the Pension Act, the compulsory retiring age of staff shall be as follows:
- (a) Academic staff of the University in the non-Professional cadre shall be 65 years;
 - (b) Academic staff of the University in the Professional cadre shall be 70 years;
 - (c) Non-academic staff of the University shall be 65 years.
- (2) A law or rule requiring a person to retire from the public service after serving for 35 years shall not apply to academic staff of the University (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 23 stands part of the Bill — Agreed to.

Clause 24: Special Provisions Relating to Pension of Professors

- (1) An academic staff who retires as a professor in a recognized University shall be entitled to a pension at a rate equivalent to his annual salary provided that the professor has served continuously in a recognized University up to the retirement age.
- (2) Notwithstanding subsection (1), where the professor has not served up to the retirement age, he shall be entitled to the rate of pension mentioned under subsection (1) provided that he has served a minimum of 20 years as professor in a recognized University.
- (3) Where an academic joins a Nigerian University as a professor, such a professor shall have served continuously for at least 20 years in a recognized University (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 24 stands part of the Bill — Agreed to.

Clause 25: Miscellaneous Administrative Provisions

- (1) The seal of the University shall be such as may be determined by the Council and approved by the Chancellor, and the affixing of the seal shall

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 proceedings.
- (5) Any member of any such body who has a personal interest in any matter proposed to be considered by that body shall forthwith disclose his interest to the body and shall vote on any question relating to that matter.
- (6) Nothing in section 12 of the Interpretation Bill (which provides for the application in relation to subordinate legislation of certain incidental provisions) shall apply to statutes of regulations made in pursuance of this Bill.
- (7) The power conferred by this Bill on anybody to make statutes or regulations shall include power to revoke or vary any statute (including the statute contained in the Third Schedule of this Bill) or any regulation by a subsequent statute or as the case may be, by a subsequent regulation and statutes and regulations may make different provisions in relation to different circumstances.
- (8) No stamp or other duty shall be payable in respect of any transfer of property to the University by virtue of section 8 or section 18 of this Bill or the Second Schedule to this Bill.
- (9) Any notice or other instrument authorized to be served by virtue of this Bill may, without prejudice to any other mode of service, be served by post.

Pre-Action Notice.

- (10)
 - (a) No legal proceedings 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

have 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 Notice.

- (11) 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 (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 25 stands part of the Bill — Agreed to.

Clause 26: Interpretation

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

"Campus" means any campus which may be established by each University (*Hon. Alhassan Ado Garba — House Leader*).

Question that the meaning of the word "Campus" be as defined in the interpretation in this Bill — Agreed to.

"College" means the Council established pursuant to section 2 (1) (g) of this Bill for the University (*Hon. Alhassan Ado Garba — House Leader*).

Question that the meaning of the word "College" be as defined in the interpretation in this Bill — Agreed to.

"Graduate" means a person on whom a degree, other than an honorary degree has been conferred by the University (*Hon. Alhassan Ado Garba — House Leader*).

Question that the meaning of the word "Graduate" be as defined in the interpretation in this Bill — Agreed to.

"Minister" means the Minister charged with responsibility for matters relating to higher education (*Hon. Alhassan Ado Garba — House Leader*).

Question that the meaning of the word "Minister" be as defined in the interpretation in this Bill — Agreed to.

"Notice" means notice in writing (*Hon. Alhassan Ado Garba — House Leader*).

Question that the meaning of the word "Notice" be as defined in the interpretation in this Bill — Agreed to.

"Officer" does not include the Visitor (*Hon. Alhassan Ado Garba — House Leader*).

Question that the meaning of the word "Officer" be as defined in the interpretation in this Bill — Agreed to.

"Prescribed" means prescribed by statute or regulations (Hon. Alhassan Ado Garba — House Leader).

Question that the meaning of the word "Prescribed" be as defined in the interpretation in this Bill — Agreed to.

"Professor" means a person designated as a professor of the University in accordance with provisions made in that behalf by statute or by regulations (Hon. Alhassan Ado Garba — House Leader).

Question that the meaning of the word "Professor" be as defined in the interpretation in this Bill — Agreed to.

"Property" includes rights, liabilities and obligations (Hon. Alhassan Ado Garba — House Leader).

Question that the meaning of the word "Property" be as defined in the interpretation in this Bill — Agreed to.

"Provisional Council" means the provisional council appointed for the University (Hon. Alhassan Ado Garba — House Leader).

Question that the meaning of the word "Provisional Council" be as defined in the interpretation in this Bill — Agreed to.

"Regulations" means regulations made by the Senate or the Council (Hon. Alhassan Ado Garba — House Leader).

Question that the meaning of the word "Regulations" be as defined in the interpretation in this Bill — Agreed to.

"Senate" means the Senate of the University established pursuant to section 2 (1) (c) of this Bill (Hon. Alhassan Ado Garba — House Leader).

Question that the meaning of the word "Senate" be as defined in the interpretation in this Bill — Agreed to.

"School" means a unit of closely related academic programmes (Hon. Alhassan Ado Garba — House Leader).

Question that the meaning of the word "School" be as defined in the interpretation in this Bill — Agreed to.

"Statute" means a statute made by the University under section 11 of this Bill and in accordance with the provisions of section 12 of this Bill, and "the statutes" means all such statutes as are in force from time to time (Hon. Alhassan Ado Garba — House Leader).

Question that the meaning of the word "Statute" be as defined in the interpretation in this Bill — Agreed to.;

"Teacher" means a person holding a full-time appointment as a member of the teaching or research staff of the University (Hon. Alhassan Ado Garba

— House Leader).

Question that the meaning of the word "Teacher" be as defined in the interpretation in this Bill — Agreed to.

"Undergraduate" means a person in statu pupil lariat the University other than:

- (a) a graduate; and
- (b) a person of such description as may be prescribed for the purpose of the definition (*Hon. Alhassan Ado Garba — House Leader*).

Question that the meaning of the word "Undergraduate" be as defined in the interpretation in this Bill — Agreed to.

"University" means Nigeria Maritime University, Okerenkoko established under section 1 of this Bill (*Hon. Alhassan Ado Garba — House Leader*).

Question that the meaning of the word "University" be as defined in the interpretation in this Bill — Agreed to.

"Visitor" means the President of the Federal Republic of Nigeria (*Hon. Alhassan Ado Garba — House Leader*).

Question that the meaning of the word "Visitor" be as defined in the interpretation in this Bill — Agreed to.

- (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 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 (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 26 stands part of the Bill — Agreed to.

Clause 27: Short Title

This Bill shall be cited as Nigeria Maritime University, Okerenkoko (Establishment) Bill, 2023 (*Hon. Alhassan Ado Garba — House Leader*).

Question that Clause 27 stands part of the Bill — Agreed to.

SCHEDULES

FIRST SCHEDULE

PRINCIPAL OFFICERS OF THE UNIVERSITY

The Chancellor

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

The Pro-Chancellor

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

The Vice-Chancellor

3. (1) The First Vice-Chancellor of the University who shall be appointed by the President while the subsequent Vice-Chancellors shall be appointed by the Governing Council in accordance with the provisions of the University Miscellaneous Act as amended 1993.
- (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 short list drawn up under subparagraph (2) of this paragraph through an examination of their curriculum vitae and Interaction with them, and recommend to the Council suitable candidates for further consideration.
- (4) The Joint Council and Senate selection Board shall select three candidates from among the candidates recommended to it under subparagraph (3) of this paragraph and may indicate its order of preference.
- (5) The Council shall select and appoint as Vice-Chancellor one candidate from among the three candidates recommended thereafter inform the Visitor.

- (6) The Vice-Chancellor shall hold office for a single term of five years only on such terms and conditions as may be specified in his letter of appointment.
- (7) 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 allegation 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-Chancellors

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 forward to it under subparagraph (2) of this paragraph and forward his name to the Council for confirmation.
- (4) A Deputy Vice-chancellor shall:
 - (a) assist the Vice-chancellor in the performance of his functions;
 - (b) act in the place of the Vice-Chancellor when the post of the Vice-Chancellor is vacant or if the Vice-Chancellor is, for any reason, absent or unable to perform his functions as Vice-Chancellor; and
 - (c) perform such other functions as the Vice-chancellor of 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 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;
- (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 each University, a Registrar, who shall be the chief administrative officer of the University and shall be responsible to the Vice-chancellor for the day-to-day administrative work of the University except as regards matters for which the Bursar is responsible in accordance with paragraph 6 (2) of this Schedule.
- (2) The person holding the office of the Registrar shall by virtue of that office be (3) Secretary to the Council, the Senate, Congregation and Convocation.

Other Principal Officers of the University

- 6. (1) There shall be for each University the following principal officers, in addition to the Registrar, that is:
 - (a) the Bursar; and
 - (b) the University Librarian, who shall be appointed by the Council on the recommendation of the Selection Board constituted under paragraph 7 of this Schedule.
- (2) The Bursar shall be the Chief Financial Officer of the University and 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, faculties, schools, departments, institutes and other teaching or research units.
- (4) Any question as to the scope of the responsibilities of the aforesaid officers shall be determined by the Vice-chancellor.

Selection Board for other Principal Officers

- 7. (1) There shall be, for 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 subparagraph (1) of this paragraph shall be as the Council may, from time to time, determine.
 - (3) The Registrar, Bursar or Librarian shall hold office for a single term of five years only beginning from the effective date of his appointment and on such terms and conditions as may be specified in his letter 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 Reappointment

8. (1) Any officer mentioned in the foregoing provisions of this Schedule may resign his office:
 - (a) in the case of the Chancellor or Pro-Chancellor, by notice to the President;
 - (b) in any other case, by notice to the Council and the Council shall, in the case of the Vice-chancellor, immediately notify the Minister.
- (2) Without prejudice to paragraph 4 of this Schedule, a person who has ceased to hold an office so mentioned otherwise than by removal for misconduct shall be eligible for re-appointment to that office (*Hon. Alhassan Ado Garba — House Leader*).

Question that First Schedule stands part of the Bill — Agreed to.

SECOND SCHEDULE

TRANSITIONAL PROVISIONS AS TO PROPERTY, FUNCTIONS, ETC.

Transfer of Property to University

1. (1) 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.
2. (1) All agreements, contracts, deeds and other instruments to which the provisional council was a party shall, so far as possible and subject to any necessary modifications, have effect as if the University had been a party thereto in place of the provisional council.
- (2) Documents not falling within subparagraph (1) of this paragraph, including enactment" which refer, whether specially or generally, to the provisional council,

shall be construed in accordance with that sub-paragraph so far as applicable.

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

Registration of transfers

3. (1) If the law in force at the place where any property transferred by this Bill is situated provides for the registration of transfers of property of the kind in question (whether by reference to an instrument of transfer or otherwise), the law shall, so far as it provides for alterations of a register (but not for avoidance of transfers, the payment of fees or any other matter) apply, with necessary modifications, to the property aforesaid.
- (2) It shall be the duty of the body to which any property is transferred by this Bill to furnish the necessary particulars of the transfer to the proper officer of the registration authority, and of that officer to register the transfer accordingly.

Transfer of Functions, etc.

4. (1) The first meeting of the Council shall be convened by the Pro-Chancellor on such date and in such manner as he may determine.
- (2) The persons who were members of the provisional council shall be deemed to constitute the Council until the date when the Council as set up under the Third Schedule to this Bill shall have been duly constituted.
- (3) The first meeting of the Senate as constituted by this Bill shall be convened by the Vice-chancellor on such date and in such manner as he may determine.
- (4) The person who were members of the Senate immediately before the coming into force of this Bill shall be deemed to constitute the Senate of the University until the date when the Senate as set up under the Third Schedule to this Bill shall have been duly constituted.
- (5) Subject to any regulations which may be made by the Senate after the date on which this Bill is made, the schools, school boards and students of the University immediately before the coming into force of this Bill shall on that day become schools, school boards and students of the University as constituted by this Bill.
- (6) Persons who were Deans or associate Deans of schools or members of school boards shall continue to be Deans or associate Deans or become members of the corresponding school boards, until new appointments are made in pursuance of the statutes.
- (7) Any person who was a member of the staff of the University as established or was otherwise employed by the provisional council shall become the holder of an appointment at the University with the status, designation and functions which correspond as nearly as may be to those which appertained to him as member of that staff or as such an employee (*Hon. Alhassan Ado Garba — House Leader*).

Question that Second Schedule stands part of the Bill — Agreed to.

THIRD SCHEDULE

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 schools.
7. School Boards.
8. Dean of the School.
9. Selection of certain principal officers.
10. Creation of academic posts.
11. Appointment of academic staff.
12. Appointment of administrative and professional staff.
13. Interpretation.
14. Short Title.

The Council

1. (1) The composition of the Council shall be as provided in section 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 of four years.
- (6) The quorum of the Council shall be five, at least one of whom shall be a member appointed pursuant to section 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 three 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
- (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 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, gifts, 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 attached 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)
 - (i) 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.
 - (ii) 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) all Professors of the University;
 - (iv) all Deans, Provosts, and Directors of Academic Units of the University;
 - (v) all Heads of Academic Departments, Units and research institutes of the University;
 - (vi) the Librarian;
 - (vii) all Academic Members of the Congregation who are not Professors as specified in the law of the University;
 - (viii) such teachers, not being more than one third of the, total number of non-elected members, elected by Congregation and at least one of whom shall come from each school; and
 - (ix) two members representing a variety of interests of the professional bodies outside the University appointed by the Senate on the recommendation of the Vice-chancellor.
 - (2) The Vice-chancellor shall be the chairman at all meetings of the Senate when

he is present, and in his absence any of the Deputy Vice-Chancellors present at the meeting as the Senate may appoint for that meeting shall be the Chairman at the meeting.

- (3) The quorum of the Senate shall be one quarter or the nearest whole number less than one quarter; and subject to paragraph (2) of this article, the Senate may regulate its own procedure.
- (4) All elected member may, by notice to the Senate, resign his office.
- (5) Subject to paragraph (7) of this article, there shall be elections for the selection of elected members which shall be held in the prescribed manner on such day in the month of May or June in each year as the Vice-Chancellor may from time to time determine.
- (6) An elected member shall hold office for the period of two years beginning with 1st August in the year of his election, and may be a candidate at any election held in pursuance of paragraph (5) of this article in the year in which his period of office expires so however that no person shall be such a candidate if at the end of his current period of office he will have held office as all elected member for a Continuous period of six years or would have so held office if he had not resigned it.
- (7) No election shall be held in pursuance of this article in any year if the number specified in the certificate given in pursuance of paragraph (10) of this article does not exceed by more than one the figure which is thrice the number of those elected members holding office on the date of the certificate who do not vacate office during that year in pursuance of paragraph (6) of this article.
- (8) For the avoidance of doubt it is hereby declared that no person shall be precluded from continuing in or taking office as all elected member by reason only of reduction in the number of non-elected members occurring on or after 30 April in any year in which he is to continue in or take office as all elected member.
- (9) If so requested in writing by any fifteen members of the Senate, the vice-chancellors or in his absence any of the Deputy Vice Chancellors duly appointed by him, shall convene a meeting of the Senate to be held not later than the tenth day following that on which the request was received.
- (10) In this article "total of non-elected members" means as 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 and the Deputy Vice Chancellors;
 - (ii) the full -time members of the academic staff;
 - (iii) the Registrar;

- (iv) the Bursar;
 - (v) the Librarian;
 - (vi) the Director of Works;
 - (vii) the Director of Health Services; and
 - (viii) 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) Subject to the foregoing provisions of this article, Congregation may regulate its own procedure.
- (6) Congregation shall be entitled to express by resolutions or otherwise its opinion on all matters affecting the interest and welfare of the University and shall have such other functions, in addition to the function of electing a member of the Council, as may be provided by statute or regulations.

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 he:
- (a) is either a graduate of the University or a person satisfying such requirements as may be prescribed for the purposes of this paragraph; and
 - (b) applies for the registration of his name in the prescribed manner and 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 (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 10 section 4 of the Bill, the Chancellor shall be chairman at all meetings of Convocation when he is present, and in his absence the Vice-chancellor shall be the chairman at the meeting.
- (9) Convocation shall have such functions, in addition to the function of appointing a member of the Council, as may be provided by statute or regulations.

Division of Faculties/Schools

6. The faculties' shall be divided into such number of branches as may be prescribed.

Faculties/School Boards

7. (1) There shall be established in respect of each faculty/school, a board of studies which, subject to the provisions of this Statute, and subject to the directions of the Vice-Chancellor, shall:
 - (a) regulate the teaching and study of, and the conduct of examinations connected with the subjects assigned to the college;
 - (b) deal with any other matter assigned to it by statute or by the Vice-Chancellor or by the Senate; and
 - (c) advice the Vice-chancellor or the Senate on any matter referred to it by the Vice-Chancellor or the Senate.
- (2) Each faculty/school board of studies shall consist of:
 - (a) the Vice-chancellor;
 - (b) the Dean;

- (c) the persons severally in charge of the branches of the school;
 - (d) such other teachers assigned to the college and having the prescribed qualifications as tire board may determine; and
 - (e) such persons, whether or not members of the University, as the Board may determine with the general or special approval of the Senate.
- (3) The quorum of the board shall be eight members or one quarter. Whichever is greater, of the members for the time being of the board; and subject to the provisions of this statute and to any provision made by regulations in that behalf, the board may regulate its own procedure.

Deans of the Faculties/Schools

8. (1) The Board of Provost shall, at a meeting in the last term of any academic year which the term, of office of the Dean express, nominate one of, its members, being one of the professors assigned to that teaching unit, for appointment by the Senate as Dean of the school.
- (2) The person appointed under paragraph 1 of this article shall act as Dean of the faculty and chairman of all meetings of the University board when he is present and shall be a member of all committees and other boards appointed by the University.
- (3) The Dean shall hold office for two years and shall be eligible for reappointment One further period of two years, thereafter he shall not be eligible for reappointment.
- (4) The Dean of a faculty shall exercise general superintendence over the academic and administrative affairs of the University.
- (5) It shall be the function of the Dean to present to Convocation for the conferment of degrees persons who have qualified for the degrees of the University at examination held in the branches of learning for which responsibility is allocated to the University.
- (6) There shall be a committee to be known as the Committee of Deans consisting of all the Deans of the several faculties and that Committee shall advise the Vice-chancellor on all academic matters and on particular matters referred to the University by the Senate.
- (7) The Dean of faculty/school may be removed from office for good cause by the faculty/school board after a vote would have been taken at a meeting of the board, and in the event of a vacancy occurring following the removal of a Dean, an acting Dean may be appointed by the Vice-chancellor provided that at the next school board meeting an election shall be held.
- (8) In this article good cause" has the same meaning as in section 14 (3) of the Bill.

Selection of Director of Works

9. (1) When a vacancy occurs in the office of the Director of Works, a selection board shall be constituted by the council which shall consist of:
- (a) the Pro-Chancellor;
 - (b) the Vice-chancellor;

- (c) two members appointed by the Council, not being members of the Senate;
 - (d) two members appointed by the Senate.
- (2) The selection board after making such inquiries as it thinks fit, shall recommend a candidate to the Council for appointment to the vacant office; and after, considering the recommendation of the board the Council may make an appointment to that office.

Creation of Academic Posts

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

Appointment of Academic Staff

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

- (e) such other persons, not exceeding two in number, deemed capable of helping the board in assessing both the professional and academic suitability of a candidate under consideration, as the Senate may from time to time appoint.
- (5) All appointments to senior library posts shall be made in the same way as equivalent appointments in the academic cadre; and for all such posts other than that of the Librarian, the Librarian shall be a Member of the selection Board.
- (6) Boards of selection may interview candidates directly or consider the reports of specialist interviewing panels and shall in addition, in the case of professorships, associate professorship, readerships or equivalent posts, consider the reports of external assessors relevant to the area in which the appointment is being considered.

Appointment of Administrative and Professional Staff

12. (1) The administrative and professional staff of the University other than principal officers shall be appointed by the Council on its behalf by the vice-chancellors or the Registrar in accordance with delegation of any powers made by the Council in that behalf.
- (2) In the case of administrative or professional staff who have close and important connection with the academic staff, there shall be Senate participation in the process of selection.

Interpretation

13. In this Statute, the expression "the Bill" means the Nigeria Maritime University, Okerenkoko Bill and any word or expression defined in the Bill has the same meaning in this Statute.

Short Title

14. This Statute may be cited as Nigeria Maritime University, Okerenkoko Statute No. 1 (*Hon. Alhassan Ado Garba — House Leader*).

Question that Third Schedule stands part of the Bill — Agreed to.

Explanatory Memorandum:

This Bill seeks to establish the Nigeria Maritime University, Okerenkoko, Delta State by providing the requisite legal framework and make provisions for its due management general administration (*Hon. Alhassan Ado Garba — House Leader*).

Agreed to.

Long Title:

A Bill for an Act to Establish the Nigeria Maritime University, Okerenkoko, Delta State and for Related Matters (HB. 1133) (*Hon. Alhassan Ado Garba — House Leader*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Establish the Nigeria Maritime University, Okerenkoko, Delta State; and for Related Matters (HB.1133) and approved Clauses 1- 23, the Schedules, the Explanatory

Memorandum, and the Long Title of the Bill.

Question that the House do adopt the Report of the Committee of the Whole — Agreed to.

(x) **Committee on Women Affairs and Social Development:**

Motion made and Question proposed, "That the House do consider the Report of the Committee on Women Affairs and Social Development on a Bill for an Act to Amend the National Centre for Women Development Act, Cap. N15, Laws of the Federation, 2004 to Enhance the Functions of the Centre and Rename the Centre after Maryam Babangida, and for Related Matters (HB. 1147)" (Hon. Vincent Ekene Ofumelum — Oyi/Ayamelu Federal Constituency).

Agreed to.

Question that the House do resolve into the Committee of the Whole to consider the Report — Agreed to.

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

A BILL FOR AN ACT TO AMEND THE NATIONAL CENTRE FOR WOMEN DEVELOPMENT ACT, CAP. N15, LAWS OF THE FEDERATION, 2004 TO ENHANCE THE FUNCTIONS OF THE CENTRE AND RENAME THE CENTRE AFTER MARYAM BABANGIDA, AND FOR RELATED MATTERS (HB. 1147)

Committee's Recommendation:

Clause 1: Amendment of National Centre for Women Development Act, Cap. N15, LFN, 2004.

The National Centre for Women Development (Establishment) Act, Cap. N15, LFN 2004 (herein referred to as the "Principal Act" is hereby amended as set out below (Hon. Vincent Ekene Ofumelum — Oyi/Ayamelu Federal Constituency).

Question that Clause 1 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 2: Amendment of Section 1 (1).

Section 1(1) of the Principal Act is amended by inserting the name "Maryam Babangida" before the word "National" appears in line 1:

- (1) There is hereby established a body to be known as Maryam Babangida National Centre for Women Development (in this Bill referred to as the "Centre").
- (3) The Headquarters of the Centre, shall be located in the Federal Capital Territory, Abuja and shall have branch offices in each of the six geopolitical zones (NCWD) (Hon. Vincent Ekene Ofumelum — Oyi/Ayamelu Federal Constituency).

Question that Clause 2 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 3: Establishment of the Governing Council of the Centre.

- (1) There is hereby established for the management of the affairs of the Centre, a governing council to be known as Maryam Babangida National Centre for

Women Development Council (in this Bill referred to as the "Council") which shall subject to this Bill, have general controls of the Centre.

- (2) The Council shall consist of:
- (a) a Chairman;
 - (b) six (6) other members, one of which shall be a representative of women with a disability drawn from each of the six geopolitical zones; and (NCWD)
 - (c) the Director-General of the Centre"
- (3) The chairman and other members of the Council shall —
- (a) be appointed by the President; and
 - (b) be persons with proven integrity, who also have excelled and distinguished themselves in women and children activities (NCWD) (*Hon. Vincent Ekene Ofumelum — Oyi/Ayamelu Federal Constituency*).

Question that Clause 3 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 4: Amendment of Section 5.

Section 5 (2) of the Principal Act is amended by introducing new paragraphs (g)-(k) immediately after paragraph (f) as follows:

- "(g) develop measurable parameters and strategic framework to stimulate creative and constructive ideas for enhancing the overall capacity of women;
- (h) developed capacity building on gender and governance to support the activities of women in leadership positions and responsibilities;
- (i) initiate campaign that will support women in leadership position to become effective instrument towards achieving democratic and development sustainability;
- (j) network and build reliable partnership with development organization to support such initiatives to engender women effective participation in governance;
- (k) perform any other functions ancillary thereto" (*Hon. Vincent Ekene Ofumelum — Oyi/Ayamelu Federal Constituency*).

Question that Clause 4 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 5: Amendment of Section 7.

Section 7 (2) of the Principal Act is amended to read as follows:

- (2) The Director General shall, subject to the direction of the Council only on matters of general policy for the centre:
- (a) be responsible for the implementation of the decisions of the Council

and the day-to-day administration of the affairs of the Centre;

- (b) be responsible for keeping proper records of the proceedings of the Council; and
 - (c) be the head of the Council secretariat and be responsible for the administration thereof and the direction and control of all other employees of the Centre with the approval of the Council (NCWD).
- (3) The Director General shall hold office for a period of four years in the first instance and may be eligible for re-appointment for a further period of four years and no more (*Hon. Vincent Ekene Ofumelum — Oyi/Ayamelu Federal Constituency*).

Question that Clause 5 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 6: Amendment of Section 8.

Section 8 (1) of the Principal Act is amended to read as follows:

- (1) The Centre shall appoint an officer to be known as the secretary to the Council, subject to the ratification of the Council, who shall perform the functions of keeping the record of proceedings and decisions of the Council and such other functions as the Council may, from time to time, direct (*Hon. Vincent Ekene Ofumelum — Oyi/Ayamelu Federal Constituency*).

Question that Clause 6 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 7: Amendment of Section 9.

Section 9 (2) of the Principal Act is amended to read as follows:

- (2) Staff regulations made under subsection (1) of this section shall not have effect until approved by the Governing Council and when so approved they need not be published in the Gazette but the Council shall cause them to be brought to the notice of all affected persons in such manner as it may, from time to time, determine (NCWD) (*Hon. Vincent Ekene Ofumelum — Oyi/Ayamelu Federal Constituency*).

Question that Clause 7 stands part of the Bill — Agreed to.

Clause 8: Amendment of Section 14. Deleted.

Section 14 of the Principal Act is amended by substituting for the existing section 14, with new provisions as follows:

"The Council shall have powers to award contract subject to the provisions of existing laws.

Committee's Recommendation:

Leave out Clause 8 (Hon. Vincent Ekene Ofumelum — Oyi/Ayamelu Federal Constituency).

Agreed to.

Committee's Recommendation:

Clause 9: Amendment of Section 17.

Section 17 (1) of the Principal Act is amended as follows:

- "(1) The Council shall cause to be prepared not later than 30 September in each year an estimate of the expenditure and income of the centre during the next succeeding year and when prepared, they shall be submitted to the President for onward transmission to the National Assembly" (*Hon. Vincent Ekene Ofumelum — Oyi/Ayamelu Federal Constituency*).

Question that Clause 9 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 10: Amendment of Section 18.

Section 18 of the Principal Act is amended as follows:

"The Council shall notwithstanding the provisions of section 19 of this Act and at the end of every three months, submit to the President a report on its activities and administration of the council in relation to the Centre for onward transmission to the National Assembly" (*Hon. Vincent Ekene Ofumelum — Oyi/Ayamelu Federal Constituency*).

Question that Clause 10 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 11: Amendment of Section 19.

Section 19 of the Principal Act is amended by deleting the word "President" appearing in line 2 and substitute thereof with words "National Assembly":

- "(1) The Council shall prepare and submit to the Federal Executive Council, through the Minister not later than three months after the end of each year, and such report shall include the audited accounts of the Centre for the preceding year.
- (2) The Federal Executive Council shall upon receipt of the report referred to in subsection (1) of this section cause a copy to be submitted to each House of the National Assembly" (*Hon. Vincent Ekene Ofumelum — Oyi/Ayamelu Federal Constituency*).

Question that Clause 11 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 12: Consequential amendment.

Amend the phrase "Executive-Director" of the Centre wherever appearing in the Act with the phrase "Director-General" (*Hon. Vincent Ekene Ofumelum — Oyi/Ayamelu Federal Constituency*).

Question that Clause 12 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 13: Interpretation.

In this Bill, unless the context otherwise requires:

"Centre" means Maryam Babangida National Centre for Women Development Established by section 2 of this Amendment (*Hon. Vincent Ekene Ofumelum — Oyi/Ayamelu Federal Constituency*).

Question that the meaning of the word "Centre" be as defined in the interpretation

to this Bill — Agreed to.

"Council" means Maryam Babangida National Centre for Women Development Council Established by section 3 of this Amendment (*Hon. Vincent Ekene Ofumelum — Oyi/Ayamelu Federal Constituency*).

Question that the meaning of the word "Council" be as defined in the interpretation to this Bill — Agreed to.

Question that Clause 13 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 14: Short Title.

This Bill may be cited as the Maryam Babangida National Centre for Women Development (Establishment) Bill, 2023 (*Hon. Vincent Ekene Ofumelum — Oyi/Ayamelu Federal Constituency*).

Question that Clause 14 stands part of the Bill — Agreed to.

Explanatory Note:

This Bill seeks to amend the National Centre for Women Development Act, LFN, 2004 to Among Others Rename the Centre as Maryam Babangida National Centre for Women Development in Appreciation of her Contributions towards National Development (*Hon. Vincent Ekene Ofumelum — Oyi/Ayamelu Federal Constituency*).

Agreed to.

Long Title:

A Bill for an Act to Amend the National Centre for Women Development Act, Cap. N15, Laws of the Federation, 2004 to Enhance the Functions of the Centre and Rename the Centre after Maryam Babangida, and for Related Matters (HB. 1147) (*Hon. Vincent Ekene Ofumelum — Oyi/Ayamelu Federal Constituency*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committee on Women Affairs and Social Development on a Bill for an Act to Amend the National Centre for Women Development Act, Cap. N15, Laws of the Federation, 2004 to Enhance the Functions of the Centre and Rename the Centre after Maryam Babangida, and for Related Matters (HB. 1147) and approved Clauses 1 - 7, rejected Clause 8, approved Clauses 9 - 14, the Explanatory Memorandum, and the Long Title of the Bill.

Question that the House do adopt the Report of the Committee of the Whole — Agreed to.

(xi) Committee on Healthcare Services:

Motion made and Question proposed, "That the House do consider the Report of the Committee on Healthcare Services on a Bill for an Act to Establish Institute of Physician Associates of Nigeria charged with responsibility for Determining the Standards of Knowledge and Skills to be Attained by Persons seeking to become Physician Associate Professionals; and for Related Matters (HB.1966)" (*Hon. Adejare Samuel Babatunde — Agege Federal Constituency*).

Agreed to.

Question that the House do resolve into the Committee of the Whole to consider the Report — Agreed to.

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

A BILL FOR AN ACT TO ESTABLISH THE INSTITUTE OF PHYSICIAN ASSOCIATES OF NIGERIA CHARGED WITH THE RESPONSIBILITY FOR DETERMINING THE STANDARD OF KNOWLEDGE AND SKILLS TO BE ATTAINED BY PERSONS SEEKING TO BECOME PHYSICIAN ASSOCIATE PROFESSIONALS, AND FOR RELATED MATTERS

- Clause 1: Establishment of the Institute of Physician Associates of Nigeria.**
There is established the Institute of Physician Associates of Nigeria (in this Bill referred to as the "Institute") which —
- (a) is a body corporate with perpetual succession and a common seal; and
 - (b) may sue and be sued in its corporate name.

Committee's Recommendation:

Leave out Clause 1 (Hon. Adejare Samuel Babatunde — Agege Federal Constituency).

Agreed to.

- Clause 2: Objectives of the Institute.**
The objectives of the Institute shall be to —
- (a) organise and provide professional training in the area of medical practice to enable the physician associates —
 - (i) diagnose and treat illnesses,
 - (ii) conduct physical examinations,
 - (iii) order and interpret tests,
 - (iv) counsel on preventive health care,
 - (v) assist in surgery, and
 - (vi) write prescriptions;
 - (b) in collaboration with relevant government agencies, set standards of practice and determine the knowledge and skills to be acquired by persons seeking to register and practise as physician associates and improve on such standards, from time to time; and
 - (c) do all such things as may be necessary to promote the advancement of physician associate professionals in both public and private hospitals and other healthcare centers.

Committee's Recommendation:

Leave out Clause 2 (Hon. Adejare Samuel Babatunde — Agege Federal Constituency).

Agreed to.

Clause 3: Functions and powers of the Institute

The Institute shall —

- (a) conduct professional examinations and award certificates as well as advise employers on matters relating to qualifications for the practice of Physician Associates in Nigeria;
- (b) conduct research into all aspects of the profession of Physician Associates;
- (c) organize lectures, seminars, workshops and otherwise provide training for persons aspiring to qualify and practice as Physician Associate professionals;
- (d) establish and maintain list of persons registered as Physician Associates professionals in Nigeria and publish from time to time those so registered;
- (e) perform such other functions as may be necessary for the advancement of the Institute and Physician Associates profession;
- (f) acquire and hold such movable and immovable property as may be necessary or expedient for putting into effect the provisions of this Bill;
- (g) demand and receive from any course participant or student of the Institute such fees as the Council may, from time to time, determine;
- (h) have power to affiliate with any university or other tertiary institutions for the purpose of offering higher degree programmes; and
- (i) in collaboration with relevant agencies of government, regulate the practice of Physician Associate Professionals in Nigeria.

Committee's Recommendation:

Leave out Clause 3 (Hon. Adejare Samuel Babatunde — Agege Federal Constituency).

Agreed to.

Clause 4: Membership of the Institute.

Subject to the provisions of this Bill, a person admitted to membership of the Institute shall be registered as such and shall have the right to use the appropriate title after his or her name, as may be prescribed by the Institute.

Committee's Recommendation:

Leave out Clause 4 (Hon. Adejare Samuel Babatunde — Agege Federal Constituency).

Agreed to.

Clause 5: Establishment and composition of the Governing Council.

- (1) There is established for the Institute a Governing Council (in this Bill referred to as the "Council") which shall provide general policy guidelines for the effective administration of the Institute.
- (2) The Council shall consist of —

- (a) President and Vice-President of the Institute who shall be elected by members of the Institute at the annual general meeting and hold office each for a term of two years from the date of election;
 - (b) 10 members of the Institute with not less than 15 years practical experience who shall be elected into the Council from amongst the registered members of the Institute; and
 - (c) the Registrar of the Institute.
- (3) Seven members of the Council, including the President or, in his or her absence, his nominee shall form the quorum of the meeting of the Council.
 - (4) Vacancies existing at the Council shall be filled by election.

Committee's Recommendation:

Leave out Clause 5 (Hon. Adejare Samuel Babatunde — Agege Federal Constituency).

Agreed to.

Clause 6: Tenure of office of members.

- (1) Subject to the provisions of this Bill, a person elected as a member of the Council shall hold office for a period of two years from the date of election and may be re-elected for a further term of two years and no more, except the Registrar whose membership of the Council terminates when he or she ceases to be the Registrar of the Institute.
- (2) Membership of the Council shall be on part time basis.

Committee's Recommendation:

Leave out Clause 6 (Hon. Adejare Samuel Babatunde — Agege Federal Constituency).

Agreed to.

Clause 7: Funds of the Institute.

There is established for the Institute a Fund into which shall be paid and credited:

- (a) fees, subscriptions and other monies due to the Institute;
- (b) gifts, loans, grants-in-aid, testamentary disposition, endowments, contribution from any philanthropic organisation;
- (c) returns on investments made by the Institute; and
- (d) all other assets or monies that may, from time to time, accrue to the Institute.

Committee's Recommendation:

Leave out Clause 7 (Hon. Adejare Samuel Babatunde — Agege Federal Constituency).

Agreed to.

Clause 8: Expenditure of the Institute.

The Institute may, from time to time, apply proceeds of the Funds of the Institute to

- (a) the administration of the Institute;
- (b) the payment of the emoluments, allowances and benefit of members of the Council as well as for such other employees of the Institute as may be appropriate;
- (c) the development and maintenance of any property vested in or owned by the Institute; and
- (d) such other activities that will promote the growth of the Institute or are connected with its functions.

Committee's Recommendation:

Leave out Clause 8 (*Hon. Adejare Samuel Babatunde — Agege Federal Constituency*).

Agreed to.

Clause 9: Audited accounts of the Institute.

The Council shall keep proper accounts for the Institute in respect to each financial year and proper records in relation to such accounts, and shall cause the accounts to be audited by a firm of auditors approved by the Council and the result of the audit published within six months from the end of the financial year to which the accounts relate.

Committee's Recommendation:

Leave out Clause 9 (*Hon. Adejare Samuel Babatunde — Agege Federal Constituency*).

Agreed to.

Clause 10: Appointment and functions of the Registrar.

- (1) The Council shall appoint a fit and proper person to be the Registrar of the Institute.
- (2) The Registrar shall —
 - (a) be the Secretary to the Council;
 - (b) prepare and maintain, in accordance with rules approved by the Council, a register of the names, addresses, qualifications and such other particulars as may be required of all persons who are entitled, in accordance with the provisions of this Bill, to be registered as physician associate professionals and who apply in the specified manner and have been so registered;
 - (c) correct, in accordance with the Council's directive, any entry in the register which the Council directs him to correct being in the Council's opinion an entry which was incorrectly made;
 - (d) cause the register to be published and put on sale to members of the public not later than two years from the date in which this Bill comes into effect and thereafter cause to be published and put on sale either a corrected or an updated edition of the register every two years.
- (3) Subject to provisions of this section, the Institute may make such other rules as may be expedient for the proper keeping of the register and making of entries therein.

Committee's Recommendation:

Leave out Clause 10 (*Hon. Adejare Samuel Babatunde — Agege Federal Constituency*).

Agreed to.

Clause 11: Registration.

A person shall be entitled to be registered as a member of the Institute under this Bill if —

- (a) he or she holds a qualification obtained within or outside Nigeria and for the time being acceptable to the Institute; and
- (b) he or she is of good character.

Committee's Recommendation:

Leave out Clause 11 (*Hon. Adejare Samuel Babatunde — Agege Federal Constituency*).

Agreed to.

Clause 12: Approval of courses and accreditation.

The Institute may —

- (a) approve a course of training which is intended for persons seeking to become or are already registered members of the Institute;
- (b) accredit any institute whether in Nigeria or elsewhere, which the Institute considers is properly organised and equipped for conducting the whole or any part of a programme of training approved by the Institute; and
- (c) approve any qualification granted, as a result of an examination taken in a course of training approved by the Institute under this section, to candidates reaching a standard at an examination which, in the opinion of the Institute, such candidates have sufficient knowledge and skill to practise physician associate as a profession.

Committee's Recommendation:

Leave out Clause 12 (*Hon. Adejare Samuel Babatunde — Agege Federal Constituency*).

Agreed to.

Clause 13: Establishment of Physician Associates Disciplinary Committee.

- (1) There shall be the Physician Associate Professionals Disciplinary Committee (in this Bill referred to as "the Disciplinary Committee") which shall be charged with the duty of considering and determining cases of professional misconduct referred to it.
- (2) The Disciplinary Committee shall consist of a chairman and four other members of the Council of the Institute appointed by the Council.
- (3) The quorum of the meeting of the Committee shall be three members, including the Chairman or, in his or her absence, his or her nominee.
- (4) The Disciplinary Committee shall conduct investigations into any allegation against any registered member of the Institute for professional misconduct or such other conduct that warrants proceedings against him or her or before the Disciplinary Committee and shall make determination as to his or her

- guilt or innocence.
- (5) Where the Disciplinary Committee determines that a registered member is guilty of misconduct, it shall refer the matter, including all its proceedings, to the Council of the Institute and the Council shall make determination as to whether the member should be —
 - (a) reprimanded;
 - (b) suspended for a period not exceeding 12 months; or
 - (c) deregistered and have his or her name removed from the register.
 - (6) The Council may make rules not inconsistent with this Bill as to acts which constitute professional misconduct.
 - (7) If a member is convicted of a criminal offence by a court or tribunal of competent jurisdiction, he or she shall have his or her name removed from or struck out of the register.
 - (8) A person whose name is removed from the register in pursuance of a directive of the Council under this section the person is not entitled to be registered again except in pursuance of a new directive in that behalf given by the Council upon the application of that person not less than two years from the date on which his or her name was removed from the register.

Committee's Recommendation:

Leave out Clause 13 (Hon. Adejare Samuel Babatunde — Agege Federal Constituency).

Agreed to.

Clause 14: Offences and penalties.

- (1) A person who is not registered by the Institute but holds himself or herself out as a registered physician associate professional commits an offence.
- (2) A person who, for the purpose of procuring registration as a physician associate professional—
 - (a) makes false claim as to his or her qualifications or experiences, or
 - (b) makes false entry or willfully falsifies the register, commits an offence.
- (3) A person who commits an offence under this Bill is liable on conviction to —
 - (a) a fine not exceeding ₦100,000 or imprisonment for a term not exceeding 6 months or both such fine and imprisonment for an individual; or
 - (b) a fine of not less than ₦500,000 for a corporate organization.

Committee's Recommendation:

Leave out Clause 14 (Hon. Adejare Samuel Babatunde — Agege Federal Constituency).

Agreed to.

Clause 15: Regulations.

The Bill may make regulations and rules for such incidental and supplementary matters as it may, from time to time, consider expedient for the purposes of this Bill.

Committee's Recommendation:

Leave out Clause 15 (Hon. Adejare Samuel Babatunde — Agege Federal Constituency).

Agreed to.

Clause 16: Interpretation.

In this Bill —

"approved" means for the time being approved under section 12 of this Bill;

"approved Physician Associate Professional Qualification" means a qualification which is approved in respect of the physician associate professional;

"Council" means the governing Council established under section 5 (1) of this Bill;

"Disciplinary Committee" means the Physician Associate Professionals Disciplinary Committee set up under section 13 (1) of this Bill;

"register" means the register prepared and maintained under this Bill;

"registered" means registered as a member of the Institute in accordance with section 11 of this Bill; and

"Physician Associate Professional" means any accelerated-medically-trained clinician who is a health care professional licensed to practise medicine alongside his or her physically or remotely present supervising physician or who works as a clinical officer with patients of all ages in all specialties with his or her supervising physicians.

Committee's Recommendation:

Leave out Clause 16 (Hon. Adejare Samuel Babatunde — Agege Federal Constituency).

Agreed to.

Clause 17: Citation.

This Bill may be cited as the Institute of Physician Associates of Nigeria Bill, 2023.

Committee's Recommendation:

Leave out Clause 17 (Hon. Adejare Samuel Babatunde — Agege Federal Constituency).

Agreed to.

Explanatory Memorandum:

This Bill seeks to establish the Institute of Physician Associates of Nigeria charged with the responsibility for determining the standard of knowledge and skills to be attained by persons seeking to become physician associate professionals (*Hon. Adejare Samuel Babatunde — Agege Federal Constituency*).

Negatived.

Long Title:

A Bill for an Act to Establish the Institute of Physician Associates of Nigeria Charged with the

Responsibility for Determining the Standard of Knowledge and Skills to be Attained by Persons Seeking to Become Physician Associate Professionals, and for Related Matters (HB.1966) (Hon. Adejare Samuel Babatunde — Agege Federal Constituency).

Negatived.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committee on Healthcare Services on a Bill for an Act to Establish Institute of Physician Associates of Nigeria charged with responsibility for Determining the Standards of Knowledge and Skills to be Attained by Persons seeking to become Physician Associate Professionals; and for Related Matters (HB.1966) and rejected the Bill.

Question that the House do adopt the Report of the Committee of the Whole — Agreed to.

(xii) *Committee on Healthcare Services:*

Motion made and Question proposed: "That the House do consider the Report of the Committee on Healthcare Services on a Bill for an Act to Repeal the Counterfeit and Fake Drugs and Unwholesome Processed Foods (Miscellaneous Provisions) Act, Cap. C34, Laws of the Federation of Nigeria, 2004 and make Comprehensive Provisions for the Prohibition and Control of Counterfeit Medical Products, Fake Drugs and Unwholesome Processed Foods; and for Related Matters (HB.1666)" (Hon. Adejare Samuel Babatunde — Agege Federal Constituency).

Agreed to.

Question that the House do resolve into the Committee of the Whole to consider the Report — Agreed to.

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

A BILL FOR AN ACT TO REPEAL THE COUNTERFEIT AND FAKE DRUGS AND UNWHOLESOME PROCESSED FOODS (MISCELLANEOUS PROVISIONS) ACT, CAP. C34, LAWS OF THE FEDERATION OF NIGERIA, 2004 AND ENACT THE COUNTERFEIT AND FAKE DRUGS AND UNWHOLESOME PROCESSED FOODS (MISCELLANEOUS PROVISIONS) BILL TO MAKE COMPREHENSIVE PROVISIONS FOR THE PROHIBITION AND CONTROL OF COUNTERFEIT MEDICAL PRODUCTS, FAKE DRUGS AND UNWHOLESOME PROCESSED FOODS; AND OTHER RELATED MATTERS (HB. 1666)

PART I — OFFENCES AND PENALTIES

Committee's Recommendation:

Clause 1: Prohibited activities relating to counterfeit medical products, fake drugs and unwholesome processed foods.

(1) A person who:

(a) produces, imports, exports, manufactures, transships, transports; or

- (b) aids or abets another person to produce, import, export, manufacture, tranship, transport; or
 - (c) distributes, sells or displays for sale; or
 - (d) aids or abets another person to distribute, sell or display for sale; or
 - (e) knowingly is in possession of, for the purpose of distribution or sale; or
 - (f) prints, produces, sells, distributes or is in possession of labels, wrappers, packaging materials, chemicals or equipment for the purpose of manufacture, revalidation, warehousing, distribution, sale or use of a counterfeit, adulterated, banned or fake, substandard or expired medical products, drugs or unwholesome processed foods or packaged water, adulterated cosmetic or adulterated or mislabelled chemical in any form whatsoever, commits an offence.
- (2) A person who neglects or fails to issue to a person to whom he has sold drugs a written receipt indicating the drugs sold, date of sale, name and address of the seller commits an offence (*Hon. Samuel Babatunde Adejare — Agege Federal Constituency*).

Question that Clause 1 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 2: Prohibited activities relating to the hawking, sale or display of drugs and poisons on line or in certain premises or places.

- (1) A person who:
 - (a) hawks or sells; or
 - (b) displays for the purpose of sale; or
 - (c) aids or abets any person to hawk, sell or display for the purpose of sale, of a drug or poison on-line or in a place not duly licensed or registered by the appropriate authority for the purpose of drug or poisons distribution including a market, kiosk, motor park, road-side stall, street, or in a bus, ferry or other means of transportation, commits an offence.
- (2) In this section, "appropriate authority" means:
 - (a) the Pharmacist Council of Nigeria; or
 - (b) a person or body authorised to grant licences or register premises for the sale and distribution of drugs and poisons (*Hon. Samuel Babatunde Adejare — Agege Federal Constituency*).

Question that Clause 2 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 3: Conspiracy to commit offences under section 1 or 2 of this Bill.

- (1) A person who:
 - (a) conspires with another person to commit an offence under sections

- 1 or 2 of this Bill; or
- (b) with intent to commit an offence under section 1 or 2 of this Bill agrees with another person to do an act or make an omission; commits an offence.
- (2) Where an offence under section 1 or 2 of this Bill has been committed by a body corporate, every person who at the time of the commission of the offence was a proprietor, director, general manager, secretary or other similar officer, servant or agent of the body corporate (or a person purporting to act in any such capacity), he, as well as the body corporate, shall be deemed to be guilty of the offence and may be proceeded against and punished accordingly (*Hon. Samuel Babatunde Adejare — Agege Federal Constituency*).

Question that Clause 3 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 4: Penalties for offences under sections 1, 2 and 3 of this Bill.

- (1) A person who commits an offence under:
- (a) section 1 (1) (a) or (c) of this Bill shall be liable on conviction to:
- (i) fifteen (15) years imprisonment, and
- (ii) payment of compensation to the victim or his next of kin or personal representative of an amount not less than Ten Million Naira.
- (b) section 1 (1) (b), (c), (d) or (e) of this Bill shall be liable on conviction to:
- (i) imprisonment for a term of ten years in addition to payment of a fine of an amount not less than Five Million Naira or both, and
- (ii) payment of compensation to the victim or his next of kin or personal representative in the event of death or grievous bodily harm, of an amount not less than Five Million Naira.
- (c) section 1 (2) of this Bill, shall be liable on conviction to imprisonment for a term of four years or to a fine of not less than seven Hundred and fifty Thousand Naira or to both imprisonment and fine;
- (d) section 2 of this Bill, shall be liable on conviction to imprisonment for a term of three years and to a fine of not less than One Million Naira or both; and
- (e) section 3 of this Bill, shall be liable on conviction to imprisonment for a term of not less than two years or to a fine of not less than seven Hundred and fifty Thousand Naira or both.
- (2) Without prejudice to section 6 of this Bill, where a corporate body commits an offence under sections 1, 2 or 3 of this Bill, the court shall:

- (a) order the corporate body to pay the prescribed fine; and
 - (b) seal the premises of the corporate body for a period not exceeding the term of imprisonment prescribed for the relevant offence.
- (3) Where a person listed under paragraphs (a) to (e) of section 6 of this Bill contravenes the provisions of:
- (a) subsection (1) of section 1 of this Bill, the court shall on conviction, make an order prohibiting the convict from directing, engaging in the production, importation, exportation, manufacture, distribution or sale of medical products either by itself or in association with or on behalf of anybody corporate or individuals for not more than 10 years; or
 - (b) subsection (2) of section 1 and section 2 of this Bill, the court shall on conviction, make an order prohibiting the convict from directing, engaging in the production, importation, exportation, manufacture, distribution or sale of medical products either by itself or in association with or on behalf of anybody corporate or individuals for a period of not less than 4 years (*Hon. Samuel Babatunde Adejare — Agege Federal Constituency*).

Question that Clause 4 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 5: Duty of occupier or manager to report.

An occupier or person responsible for the management of any premises who knows or is likely to know that any counterfeit medical product, fake drugs, unwholesome processed food, adulterated cosmetic or adulterated or mislabelled chemical is being produced or stored within his premises but fails, neglects or refuses to report to the Agency commits an offence and shall be liable on conviction to imprisonment for a term of five years or to a fine of Five Million Naira or to both imprisonment and fine (*Hon. Samuel Babatunde Adejare — Agege Federal Constituency*).

Question that Clause 5 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 6: Offence by body corporate.

Where an offence under this Bill is committed by a body corporate or firm or other association of individuals:

- (a) every director, manager, secretary or other officer of the body corporate;
- (b) every partner or officer of the firm;
- (c) every trustee of the body concerned;
- (d) every person concerned in the management of the affairs of the association; or
- (e) every person who was purporting to act in any capacity referred to in paragraphs (a) to (d) of this section, is severally guilty of that offence and liable to be proceeded against and punished for that offence in the same manner as if he had himself committed the offence unless he proves that the act or omission constituting the offence took place without his knowledge,

consent or connivance (*Hon. Samuel Babatunde Adejare — Agege Federal Constituency*).

Question that Clause 6 stands part of the Bill — Agreed to.

PART II — ENFORCEMENT PROVISIONS

Committee's Recommendation:

Clause 7: National Agency for Food and Drug Administration and Control to enforce Bill.

- (1) The National Agency for Food and Drug Administration and Control established under the National Agency for Food and Drug Administration and Control Act, Cap. N1, LFN, 2004 (in this Bill referred to as "the Agency") shall be responsible for the enforcement of the provisions of this Bill and shall for this purpose exercise any of its powers under the National Agency for Food and Drug Administration Act.
- (2) The Agency shall have powers to deploy technology in the tracking and tracing of substandard and falsified medical products, unwholesome foods and other defective regulated products (*Hon. Samuel Babatunde Adejare — Agege Federal Constituency*).

Question that Clause 7 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 8: National Task Force on Counterfeit Medical Products, Fake Drugs and Unwholesome processed Food.

- (1) A Task force to be known as the National Task Force on Counterfeit Medical Products, Fake Drugs and Unwholesome processed Food (in this Bill referred to as "the National Task Force") shall be constituted by the Minister.
- (2) The National Task Force constituted under subsection (1) of this section shall consist of:
 - (a) a Chairman who shall be an officer of the Agency not below the rank of a Director, to be appointed by the Minister;
 - (b) the Director of the Food and Drug Department of the Federal Ministry of Health or his representative;
 - (c) two officers of the Nigeria Police Force not below the rank of Chief Superintendent of Police, to be nominated by the Inspector-General of Police;
 - (d) a representative of the Nigeria Customs Service not below the rank of Assistant Comptroller of Custom to be appointed by the Comptroller-General of Customs;
 - (e) a representative of the Nigeria Immigration Service not below the rank of Assistant-Comptroller of Immigration to be appointed by the Comptroller-General of Immigration;
 - (f) the Head of the Inspectorate Department of the Pharmacists Council of Nigeria or his representative;
 - (g) the Head of Enforcement Directorate of the Agency;

- (h) the Head of the Legal Directorate of the Agency;
- (i) a representative of the Minister of Agriculture;
- (j) a representative of the Minister of Environment;
- (k) a representative of the Minister in charge of Trade, Investment and Industry;
- (l) a representative of the Association of Food, Beverage and Tobacco Employers;
- (m) a representative of the Pharmaceutical sector;
- (n) such other persons as may be co-opted by the Director General of the Agency and approved by the Minister; and
- (o) one representative of the medical profession (*Hon. Samuel Babatunde Adejare — Agege Federal Constituency*).

Question that Clause 8 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 9: State Task Force on Counterfeit Medical Products, Fake Drugs and Unwholesome processed Food.

- (1) The Minister shall constitute for each State of the Federation a State Task Force on Counterfeit Medical Products, Fake Drugs and Unwholesome Processed Food (in this Bill referred to as the "State Task Force").
- (2) The State Task Force constituted under subsection 1 of this section shall consist of:
 - (a) the Head of the State Office of the Agency, as chairman;
 - (b) an officer of the Nigeria Police Force, not below the rank of Chief Superintendent of Police, to be nominated by the Inspector-General of Police;
 - (c) a representative of the State Commissioner for Health;
 - (d) a principal officer nominated by the State Office of the Pharmacists Council of Nigeria; and
 - (e) the officer-in-charge of the State Command of the Nigerian Customs Service (*Hon. Samuel Babatunde Adejare — Agege Federal Constituency*).

Question that Clause 9 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 10: Operations of the National and State Task Force on Counterfeit Medical Products, Fake Drugs and Unwholesome processed Food.

- (1) A Committee constituted under this Bill shall assist and advise the Agency in the discharge of the Agency's functions under this Bill and shall:
 - (a) in the case of the National Committee:

- (i) meet at least twice yearly, and
 - (ii) supervise the State Committees.
- (b) in the case of a State Committee:
- (i) meet quarterly;
 - (ii) be concerned with the Agency's State or Zonal Offices; and
 - (iii) work under the supervision of, and submit quarterly reports to, the National Committee.
- (2) The Agency is responsible for the administration of the secretariats of the National and State Committees.
- (3) The Members of the National and State Committees shall be paid such allowances as the Agency may from time to time approve (*Hon. Samuel Babatunde Adejare — Agege Federal Constituency*).

Question that Clause 10 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 11: Functions of the Task Force.

The task force shall have powers to:

- (a) enter any premises at any reasonable time, with reasonable force, and examine any article found in the premises if there is reason to believe that the provisions of this Bill or related legislation are being contravened;
- (b) take samples or specimen of any article and where practicable, open and examine any container or package while on the premises.
- (c) examine a book, document or record found on the premises, which is reasonably believed to contain an information relevant to the enforcement of this Bill or related legislation and cause copies or extracts to be made of or from them;
- (d) seize a counterfeit medical product, a banned, fake, substandard or an expired medical product including drugs, or an adulterated or a mislabeled chemical product or packaged water, an adulterated cosmetic or a counterfeit medical product or a drug or poison or an unwholesome processed food product;
- (e) seize a document, an item or article which is the subject matter or constitutes evidence of an offence under this Bill or related legislation;
- (f) arrest a person suspected of committing an offence under this Bill or related legislation and detain the person on the premises of the Agency or any other premises designated by it;
- (g) seal any premises that is used or is being used in connection with an offence under this Bill until the medical product, processed food, packaged water, cosmetic, chemical, drug or poison, as the case may be, on the premises has been removed by the task force or until such reasonable time as is necessary for proper investigation and prosecution of suspects; and

- (h) establish and maintain designated inspection points at all ports of entry in Nigeria for the purpose of examining all products regulated and controlled by the Agency (*Hon. Samuel Babatunde Adejare — Agege Federal Constituency*).

Question that Clause 11 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 12: Nigeria Police Squad on Counterfeit Medical Products, Fake Drugs and Unwholesome processed Food.

- (1) There is established, a Nigeria Police Squad on Counterfeit Medical Products, Fake Drugs and Unwholesome processed Food (in this Bill referred to as "the Squad") which shall consist of:
- (a) a Superintendent of Police; and
 - (b) such number of Police Officers, to be appointed by the Inspector-General of Police.
- (2) The Squad shall:
- (a) assist the Agency in the lawful execution of the Agency's functions under this Bill and Related Legislations;
 - (b) arrest any person suspected of committing an offence under this Bill and Related Legislations; and
 - (c) assist in conducting investigation into matters arising under the Act and Related Legislations (*Hon. Samuel Babatunde Adejare — Agege Federal Constituency*).

Question that Clause 12 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 13: Agency not to be obstructed.

- (1) A person shall not:
- (a) obstruct or resist a member of the Agency or a person authorised by it in the exercise of its powers under this Bill; or
 - (b) without the authority of the Agency, remove, alter or interfere in any way with a drug, poison, processed food product, medical product, chemical, cosmetic, packaged water or any other thing seized under this Bill.
- (2) A person who contravenes the provision of this section commits an offence and liable on conviction to a term of imprisonment of two years or to a fine of One Million Naira or to both fine and imprisonment (*Hon. Samuel Babatunde Adejare — Agege Federal Constituency*).

Question that Clause 13 stands part of the Bill — Agreed to.

PART III — FORFEITURE OF PROCEEDS
AND DESTRUCTION OF SEIZED PROPERTY

Committee's Recommendation:

Clause 14: Property liable to forfeiture and destruction of seized property.

- (1) A property:
 - (a) whether real or personal, which is used for the commission of an offence or represents the proceeds of an offence under this Bill;
 - (b) within Nigeria, which represents the proceeds of an offence under the laws of a foreign country within whose jurisdiction the offence or activity would be punishable by imprisonment or fine and which would be punishable by imprisonment or fine under this Bill if the act or activity had occurred within Nigeria;
 - (c) in the form of a book, record, research material and data used or intended to be used in violation of this Bill;
 - (d) in the form of money, negotiable instrument, security or other thing of value furnished or intended to be furnished by a person in exchange for an act to further the commission of an offence under this Bill or all proceeds traceable to the exchange, and any money, negotiable instrument and security used or intended to be used to facilitate a violation of this Bill; and
 - (e) in the form of real property, including a right, title and an interest (including a leasehold interest) in the whole or part of a piece or parcel of land and an improvement or appurtenances on or to the land, which is used or intended to be used, in any manner or part to commit, or facilitate the commission of an offence under this Bill, is liable to forfeiture to the Federal Government and no other property rights shall exist on it.
- (2) Without prejudice to subsection (1) of this section, a means of transportation or carriage, including an aircraft, a vehicle, and a vessel used or intended for use to transport or in any manner, to facilitate or conceal an offence under this Bill is liable to forfeiture, but a means of transportation:
 - (a) used by a person as a common carrier in the transaction of business shall not be forfeited under this section unless it is proved that the owner or other person in charge of the means of transportation was a consenting party or privy to a violation of this Bill;
 - (b) shall not be forfeited under this section by reason of an act established by the owner to have been committed by a person other than the owner while the means of transportation was unlawfully in the possession of a person, other than the owner, in violation of the criminal laws of Nigeria or a part of Nigeria; and
 - (c) shall not be forfeited under this section to the extent of the interest of an owner, by reason of an act established by that owner to have been committed without the knowledge, consent or connivance of that owner.
- (3) The Agency shall destroy an article or a property, other than real property seized under subsection (1) of this section, where:
 - (a) the court on the conviction of the person in respect of which the article or property, other than real property, was seized orders its

destruction; or

- (b) the owner of the article or property consents in writing to its seizure and destruction.
- (4) Where the Agency destroys an article or a property under subsection (3) of this section, the person convicted or the owner of the article or property, as the case may be, shall bear the cost of its destruction (*Hon. Samuel Babatunde Adejare — Agege Federal Constituency*).

Question that Clause 14 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 15: Laundering, concealment and related Offences.

- (1) A person who:
- (a) converts or transfers property, knowing the property to represent proceeds of an offence under this Bill; or
- (b) conceals or disguises the true nature, source, location, disposition or movement of the property or rights of ownership in respect of property, knowing the property to represent proceeds of an offence under this Bill or related Acts, commits an offence and shall be liable on conviction to imprisonment for a term of five years or payment of a fine five times the value of the property or to both the imprisonment and fine.
- (2) A person who:
- (a) whether by concealment, removal from jurisdiction, transfer to nominees or otherwise retains property constituting the proceeds of an offence under this Bill on behalf of another person with knowledge that the other person is engaged in or has benefited from conduct constituting an offence under this Bill; or
- (b) unlawfully acquires, is in possession of or uses property constituting the proceeds of an offence under this Bill knowing that the property directly or indirectly represents proceeds of an offence; commits an offence and shall be liable on conviction to imprisonment for a term of five years or payment of a fine five times the value of the property or to both the imprisonment and fine (*Hon. Samuel Babatunde Adejare — Agege Federal Constituency*).

Question that Clause 15 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 16: Foreign properties and assets.

- (1) Where a person is convicted of an offence under this Bill, a property or an asset in a foreign country belonging to the person which constitutes proceeds of the offence shall, subject to a treaty or an arrangement with that foreign country, be forfeited to the Government of the Federation.
- (2) The Agency shall, through the Office of the Attorney-General of the Federation, ensure that the forfeited asset or property is transferred and vested in the Government of the Federation (*Hon. Samuel Babatunde Adejare — Agege Federal Constituency*).

Question that Clause 16 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 17: Disclosure of assets and properties by an arrested person.

- (1) Where a person is arrested for committing an offence under this Bill, the person shall make full disclosure of all his assets and properties by completing the Declaration of Assets Form as specified in Form A set out in the Schedule to this Bill.
- (2) The completed Declaration of Assets Form shall be investigated by the Agency.
- (3) A person who:
 - (a) knowingly fails to make full disclosure of his assets and properties;
 - (b) knowingly makes a declaration that is false; or
 - (c) fails, neglects or refuses to make a declaration or furnish an information required, in the Declaration of Assets Form commits an offence under this Bill and shall be liable on conviction to imprisonment for a term of five years.
- (4) Except for the purpose of prosecution for an offence under subsection (3) of this section, evidence of a declaration by a suspect made under this section is inadmissible in the trial of the suspect or proceedings for the interim attachment of a property subject to forfeiture.
- (5) The Director - General may modify or alter the Declaration of Assets Form specified in Form A set out in the Schedule to this Bill as may be necessary in order to give effect to the provisions of this Bill (*Hon. Samuel Babatunde Adejare — Agege Federal Constituency*).

Question that Clause 17 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 18: Seizure of property.

- (1) An officer of the Agency may, in the course of investigation or search, seize a property where the officer reasonably believes that the property is liable to forfeiture under this Bill.
- (2) Where a person is arrested for an offence under this Bill, the Agency shall immediately trace and seize all the assets and properties of the person used for or constituting proceeds of an offence under this Bill.
- (3) Whenever property is seized under this section, the Agency may:
 - (a) place the property under seal; or
 - (b) remove the property to a place designated by the Agency.
- (4) A property taken or detained under this section is deemed to be in the custody of the Agency, subject only to an order of Court (*Hon. Samuel Babatunde Adejare — Agege Federal Constituency*).

Question that Clause 18 stands part of the Bill — Agreed to.

*Committee's Recommendation:***Clause 19: Interim order of forfeiture.**

- (1) Where the Agency has seized an asset or a property under section 18 of this Bill, it shall, not more than one week after the seizure, apply to the Court for an interim order of forfeiture of the property concerned to the Government of the Federation and the Court shall, if satisfied that there is prima facie evidence that the property concerned is subject to forfeiture under this Bill, make an interim order forfeiting the property to the Government of the Federation.
- (2) Where the Court declines to make an interim order of forfeiture under subsection (1) of this section, the Court shall order the Agency to forthwith return the property seized to the person from whose custody it was removed (*Hon. Samuel Babatunde Adejare — Agege Federal Constituency*).

Question that Clause 19 stands part of the Bill — Agreed to.

*Committee's Recommendation:***Clause 20: Forfeiture order after conviction.**

- (1) A person convicted of an offence under this Bill shall forfeit to the Government of the Federation:
 - (a) all the assets and properties which are the subject of an order of attachment of Court made under section 19 of this Bill;
 - (b) an asset or a property, not falling under paragraph (a) of this subsection, proved to have been derived from the proceeds of an offence under this Bill, notwithstanding that the person convicted did not disclose the asset or property in the Declaration of Assets Form specified in Form A set out in the Schedule to this Bill; and
 - (c) a property not falling under paragraph (a) of this subsection, used in any manner to commit or to facilitate the commission of an offence under this Bill, notwithstanding that the person convicted did not disclose the property in the Declaration of Assets Form specified in Form A set out in the Schedule to this Bill.
- (2) The Court in imposing a sentence on a person under this section shall, in addition to any other sentence imposed pursuant to any other provisions in this Bill, order that the person forfeit to the Government of the Federation all properties described in subsection (1) of this section (*Hon. Samuel Babatunde Adejare — Agege Federal Constituency*).

Question that Clause 20 stands part of the Bill — Agreed to.

*Committee's Recommendation:***Clause 21: Disposal of forfeited property.**

- (1) The Agency shall apply for the forfeiture order from the court upon conviction of the Defendant(s).
- (2) On receipt of the forfeiture order pursuant to this section, the Agency shall take steps to dispose of the property concerned by sale or otherwise and where the property is sold, the net proceeds shall be paid into the Asset Recovery Fund established under section 37 of this Bill.
- (3) Where a part of the property included in a forfeiture order is money in a

bank account or in the possession of a person, the Agency shall cause a copy of the order to be produced and served on the person, manager of the bank or a person in control of the head office or branch of the bank concerned.

- (4) The bank or person, on receiving a copy of an order under subsection (3) of this section, shall forthwith pay over the money to the Agency without any further assurances than this Bill and, subject to subsection (2) of this section; the Agency shall pay the money received into the Consolidated Revenue Fund of the Federation (*Hon. Samuel Babatunde Adejare — Agege Federal Constituency*).

Question that Clause 21 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 22: Forfeiture of property where there is no prosecution or conviction for an offence.

- (1) Where a property has been seized under this Bill and there has been no prosecution or conviction for an offence, the Agency may, before the expiration of twelve months from the date of the seizure, apply to the Court for an order of forfeiture of that property on the ground that the property constitutes proceeds of an offence under this Bill.
- (2) The Court to whom an application is made under subsection (1) of this section shall direct a notice to be published in at least two national daily newspapers calling on a person who claims to have an interest in the property to appear before that Court on a date specified in the notice, to show cause why the property should not be forfeited to the Government of the Federation.
- (3) Where the Court to which an application is made under subsection (1) of this section is satisfied that:
- (a) the property constitutes the proceeds of an offence under this Bill or is used to further the commission of the offence; and
 - (b) there is no purchaser in good faith for valuable consideration of the property without notice, the Court shall make an order for the forfeiture of the property.
- (4) Where in respect of a property seized under section 18 of this Bill, prosecution is not commenced or an application is not made under subsection (1) of this section after the expiration of twelve months from the date of its seizure, the Agency shall release the property to the person from whom it was seized (*Hon. Samuel Babatunde Adejare — Agege Federal Constituency*).

Question that Clause 22 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 23 Offences in relation to forfeiture orders.

- (1) A person who, without due authorization by the Agency, deals with, sells or otherwise disposes of a property or an asset which is the subject of an attachment, interim order or final order commits an offence and shall be liable on conviction to imprisonment for a term of not more than five years or payment of a fine of at least twice the amount for which the property was disposed, or both.

- (2) A manager or person in control of the head office or branch office of a bank or other financial institution who fails to pay over to the Agency on the service on him of the final order made under section 21 of this Bill commits an offence and shall be liable on conviction to imprisonment for a term of not less than three years, without the option of a fine (*Hon. Samuel Babatunde Adejare — Agege Federal Constituency*).

Question that Clause 23 stands part of the Bill — Agreed to.

Committee's Recommendation:

Clause 24: Consequences of an acquittal in respect of assets and properties.

- (1) Without prejudice to subsection (2) of this section and where a person is discharged and acquitted by a Court of an offence under this Bill, the Court shall revoke an interim order of attachment made pursuant to this Bill or make a final order, as the case may be.
- (2) The Court may make an order in respect of property already subject to an interim order where a discharge is merely given on technical grounds.
- (3) Where an interim order is revoked by a Court under subsection (1) of this section, the Agency shall release to the person concerned all assets and properties which are affected by an order of attachment (*Hon. Samuel Babatunde Adejare — Agege Federal Constituency*).

Question that Clause 24 stands part of the Bill — Agreed to.

Chairman to report progress.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committee on Healthcare Services on a Bill for an Act to Repeal the Counterfeit and Fake Drugs and Unwholesome Processed Foods (Miscellaneous Provisions) Act, Cap. C34, Laws of the Federation of Nigeria, 2004 and make Comprehensive Provisions for the Prohibition and Control of Counterfeit Medical Products, Fake Drugs and Unwholesome Processed Foods; and for Related Matters (HB.1666) and approved Clauses 1 - 24, and deferred further consideration of the Bill.

Question that the House do adopt the Report of the Committee of the Whole — Agreed to.

(xiii) Committee on Health Institutions:

Report of the Committee on Health Institutions on a Bill for an Act to Amend the Federal Medical Centres Act and Establish Federal Medical Centre, Mgbakwu; and for Related Matters (HB. 811).

Order read; deferred by leave of the House.

(xiv) Committee on Public Petitions:

Report on the petition by Chief Efieseimokumo Bipeledei of Bipeledei & Co. on behalf of the Pinepelemoa Community and 20 others:

Report of the Committee on Public Petitions on the petition by Chief Efieseimokumo Bipeledei of Bipeledei & Co. on behalf of the Pinepelemoa Community and 20 others in Southern Ijaw Local Government Area of Bayelsa State against the Management of Nigerian Agip Oil Co. Limited over deliberate refusal to pay compensation to Communities ravaged by Oil pollution which accrued on 29 November, 2020 at Kemebia-Amam Community

Order read; deferred by leave of the House.

15. **Adjournment**

That the House do adjourn till Tuesday, 24 January, 2023 at 11.00 a.m. (Hon. Peter Akpatason — Deputy House Leader).

The House adjourned accordingly at 2.00 p.m.

Femi Hakeem Gbajabamila
Speaker

