



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA VOTES AND PROCEEDINGS

Tuesday, 4 April, 2023

1. The House met at 11.49 a.m. Mr Deputy Speaker read the Prayers.
2. The House recited the National Pledge
3. **Votes and Proceedings**
Mr Deputy Speaker announced that he had examined and approved the *Votes and Proceedings* of Thursday, 30 March, 2023.

The Votes and Proceedings was adopted by unanimous consent.

4. **Messages**
Mr Deputy Speaker read the following messages from the President of the Federal Republic of Nigeria:

(i)



**PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA**

30th March, 2023

Rt. Hon. Femi Gbajabiamila (CFR)
Speaker of the House of Representatives,
National Assembly Complex,
Three Arms Zone,
Abuja.

Dear Rt Hon. Femi Gbajabiamila,

**TRANSMISSION OF THE NIGERIA POLICE FORCE COLLEGE,
TRAINING SCHOOL AND INSTITUTION (ESTABLISHMENT,
ETC.) BILL, 2023 FOR CONSIDERATION**

Pursuant to Section 58 (2) of the 1999 Constitution of the Federal Republic of Nigeria (as amended), I forward herewith, the Nigeria Police Force College, Training School and Institution (Establishment, etc.) Bill, 2023 for passage by the House of Representatives.

The Nigeria Police Force College, Training School and Institution (Establishment, etc.) Bill, 2023 seeks to provide a comprehensive legal and institutional framework for the establishment of the Nigeria Police Force College, Training School and Institution for the provision of specialized training to police officers in the field of policing and law enforcement in order to enhance their performance in accordance with the provisions of the Nigeria Police Act.

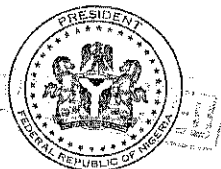
While hoping that the House will in the usual expeditious manner consider the Bill for passage, please accept, Right Honourable Speaker, the assurances of my highest consideration.

Yours sincerely,

(Signed)

Muhammadu Buhari

(ii)



**PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA**

3rd April, 2023

Rt. Hon. Femi Gbajabiamila (CFR)
Speaker of the House of Representatives,
National Assembly Complex,
Three Arms Zone,
Abuja.

Dear Rt Hon. Femi Gabajabiamila,

**REQUEST FOR RESOLUTIONS OF THE NATIONAL ASSEMBLY FOR THE
REIMBURSEMENT OF THE SUM OF ₦6,601,769,470.99 TO PLATEAU STATE
GOVERNMENT AND THE SUM OF ₦3,084,709,393.63 TO BORNO STATE GOVERNMENT
THROUGH THE ISSUANCE OF PROMISSORY NOTES, IN RESPECT OF FEDERAL ROAD
PROJECTS EXECUTED BY THE STATES**

The House of Representatives may wish to be informed that the Federal Executive Council (FEC), at its meeting of 1st February, 2023, approved the reimbursement of the sum of ₦6,601,769,470.99 to Plateau State Government and the sum of ₦3,084,769,393.63 to Borno State Government through the issuance of Promissory Notes, in respect of Federal Road projects executed by the States. The Extract from the Conclusion of the meeting of FEC referenced EC 3 (2023) 5, is attached as Appendix I.

2. The House may wish to note that the approval by FEC was subsequent to the recommendation of an Inter-Ministerial Committee which reviewed the requests for reimbursement by the State Governments for the projects. The Committee reviewed the documents submitted and carried out physical inspections and verification of the projects in the respective States before making its recommendation to FEC. The summary of the amounts approved by FEC for the two (2) State Governments is as shown in below Table 1.

Table 1: Reimbursement Approved for Plateau and Borno States

S/No.	Beneficiary	Amount (₦)
1.	Plateau State	6,601,769,470.99
2.	Borno State	3,084,769,393.63
	Total	9,686,538,864.62

3. In view of the foregoing, I wish to request the House of Representatives to kindly consider and approve, through its Resolution, the reimbursement through the issuance of Promissory Notes, the sum of ₦6,601,769,470.99 to Plateau State Government and the sum of ₦3,084,769,393.63 to Borno State Government, in respect of Road projects executed by the States on behalf of the Federal Government.

4. The Honourable Minister of Works and Housing shall provide any information that may be required by NASS for the consideration of this request.

5. While looking forward to the expeditious consideration and approval of the House of Representatives, please accept, Right Honourable Speaker, the assurances of my highest regards.

Yours sincerely,

(Signed)

Muhammadu Buhari

(iii)



**PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA**

3rd April, 2023

Rt. Hon. Femi Gbajabiamila (CFR)
Speaker of the House of Representatives,
National Assembly Complex,
Three Arms Zone,
Abuja.

Dear Rt Hon. Femi Gbajabiamila,

**TRANSMISSION OF THE NIGERIA DATA
PROTECTION BILL FOR CONSIDERATION**

Pursuant to Section 58 (2) of the 1999 Constitution of the Federal Republic of Nigeria (as amended), I forward herewith, the Nigeria Data Protection Bill for Consideration by the House of Representatives.

The Nigeria Data Protection Bill, seeks to provide a legal framework for the protection of personal information, and establish the Nigeria Data Protection Commission for the regulation of the processing of personal information.

While hoping that the House will in the usual expeditious manner consider the Bill for passage, please accept, Right Honourable Speaker, the assurances of my highest consideration.

Yours sincerely,

(Signed)

Muhammadu Buhari

5. Matters of Urgent Public Importance (Standing Order Eight, Rule 4)

- (i) ***Need to Ensure Strict Security in and Around the Airports and Other Critical Facilities:***
Hon. Jimoh Abdulraheem Olajide (*Lagos Mainland Federal Constituency*) introduced the matter and prayed the House to:

- (a) consider and approve the matter as one of urgent public importance; and
- (b) suspend Order Eight, Rule 4 (3) to allow debate on the matter forthwith.

Question that the matter be considered as one of urgent public importance — Agreed to.

Question that the House do suspend Order Eight, Rule 4 (3) to enable it debate the matter forthwith — Agreed to.

Need to Ensure Strict Security in and Around Our Airports and Other Critical Facilities:

The House:

Notes that on Friday, 31 March, 2023, a man reportedly caused a stir on an Abuja-Lagos flight thereby causing commotion which held the aircraft for over an hour as it could not move until the security operatives at the airport eventually evacuated the man;

Also notes that security comes first and there is need to take permanent and aggressive steps to improve the security of the airports; the recent event is a call to take precaution on passengers activities in the airports;

Concerned that security at the airport seems lax as the said man should not have been allowed into the aircraft in the first place since reports also have it that the man had allegedly portrayed himself as an irritant in and around the airport before being cleared into the flight only for him to constitute himself into a security risk;

Appreciates the airline operators and regulators for eventually evacuating the man and dousing the tension created;

Also concerned that the lives of innocent law abiding citizens on board the aircraft were avoidably endangered by the security breach; whereas the government has the responsibility to protect the citizens at all times;

Convinced that the government or any of its agencies, including the Federal Airports Authority of Nigeria (FAAN), will not shy away from this all important responsibility.

Resolves to:

- (i) urge the Federal Government to improve on security standards at the airports especially exploring technology;
- (ii) also urge the FAAN and other relevant agencies in the aviation sector to pay more attention to security concerns and ensure the lives of citizens are not in any way endangered;
- (iii) further urge all other agencies, especially related to security, to ensure that unscrupulous elements are not allowed to foment trouble under any guise (*Hon. Jimoh Abdulraheem Olajide — Lagos Mainland Federal Constituency*).

Debate.

Agreed to.

(HR. 21/04/2023).

- (ii) *Need to Condemn the Call for An Interim Government in Nigeria:*
Hon. Idem Unyime Josiah (*Ukanafun/Oruk Anam Federal Constituency*) introduced the matter and prayed the House to:

- (a) consider and approve the matter as one of urgent public importance; and
- (b) suspend Order Eight, Rule 4 (3) to allow debate on the matter forthwith.

Question that the matter be considered as one of urgent public importance — Agreed to.

Question that the House do suspend Order Eight, Rule 4 (3) to enable it debate the matter forthwith — Agreed to.

Need to Condemn the Call for Interim Government in Nigeria:

The House:

Aware that the Constitution of the Federal Republic of Nigeria, Part 1, section 132, allows for change of leadership through the ballots;

Also aware that the constitution allows for a four-year tenure of the President of the Federal Republic of Nigeria after each election cycle;

Notes that interim government is undemocratic, unconstitutional, and unknown to our laws as a court of competent jurisdiction had in time past so declared;

Also notes that on Wednesday, 29 March, 2023, the Department of State Services issued a warning on some individuals who are allegedly plotting to install an interim Government in Nigeria;

Worried that if the plots are allowed to see the light of the day, it will result in anarchy, with a price many future generations after us will continue to pay for;

Further aware that the Judiciary is the only institution empowered by law to adjudicate over post-election matters;

Concerned that some politicians have made comments that indicate their grievances over the last elections;

Saddened that if this development is left unchecked, Nigeria's might be sliding into irredeemable anarchy;

Resolves to:

- (i) condemn in strong terms the call for an interim Government in Nigeria;
- (ii) urge the security agencies to be on alert to forestall the possible breakdown of law and order;
- (iii) warn aggrieved parties to desist from heating the polity, and believe in the rule of law while awaiting the outcome of litigations before the court of law (*Hon. Unyime Idem — Ukanafun/Oruk Anam Federal Constituency*).

Debate.

Agreed to.

(HIR. 22/04/2023).

6. Presentation of Bills

The following Bills were read the *First Time*:

- (1) National Drug Law Enforcement Agency Act (Amendment) Bill, 2023 (HB.2195).
- (2) Nigeria Deposit Insurance Corporation Act (Amendment) Bill, 2023 (HB.2196).
- (3) Nigerian Building and Road Research Institute (Establishment) Bill, 2023 (HB.2197).
- (4) Federal University of Technology, Ikot Abasi, Akwa Ibom State (Establishment) Bill, 2023 (HB.2198).
- (5) Federal Capital Territory Development Commission Bill, 2023 (HB.2199).
- (6) Mutual Legal Assistance in Criminal Matters Act (Amendment) Bill, 2023 (HB.2200).
- (7) Extradition Act (Amendment) Bill, 2023 (HB.2201).
- (8) Money Laundering (Prevention and Prohibition) Act (Amendment) Bill, 2023 (HB.2202).

7. Presentation of Report

Report of the Conference Committee:

Motion made and Question proposed, "That the House do receive the Report of the Conference Committee on a Bill for an Act to Amend the National Centre for Women Development Act, Cap. N15, Laws of the Federation of Nigeria, 2004 to enhance the functions of the Centre and Rename the Centre after Maryam Babangida; and for Related Matters" (*Hon. Adewunmi Onanuga — Ikenne/Sagamu/Remo North Federal Constituency*).

Agreed to.

Report laid.

8. A Bill for an Act to Repeal the Arbitration and Conciliation Act, Cap. A18, Laws of the Federation of Nigeria, 2004 and Enact the Arbitration and Mediation Act, 2023 to Provide a Unified Legal Framework for the fair and efficient Settlement of Commercial disputes through Arbitration and Mediation, make applicable the Convention on the Recognition and Enforcement of Foreign Arbitration Awards (the New York Convention) to any award made in Nigeria or in any contracting State arising out of International Commercial Arbitration; and for Related Matters (HB. 1455) — *Third Reading*

Motion made and Question proposed, "That a Bill for an Act to Repeal the Arbitration and Conciliation Act, Cap. A18, Laws of the Federation of Nigeria, 2004 and Enact the Arbitration and Mediation Act, 2023 to Provide a Unified Legal Framework for the fair and efficient Settlement of Commercial disputes through Arbitration and Mediation, make applicable the Convention on the Recognition and Enforcement of Foreign Arbitration Awards (the New York Convention) to any award made in Nigeria or in any contracting State arising out of International Commercial Arbitration; and for Related Matters (HB. 1455) be now read the Third Time" (Hon. Peter Akpatason — Deputy House Leader).

Agreed to.

Bill read the Third Time and passed.

9. A Bill for an Act to Provide for Establishment of the Federal Capital Territory College of Nursing and Midwifery; and for Related Matters (HB.214) — *Third Reading*

Motion made and Question proposed, "That a Bill for an Act to Provide for Establishment of the Federal Capital Territory College of Nursing and Midwifery; and for Related Matters (HB.214) be now read the Third Time" (Hon. Peter Akpatason — Deputy House Leader).

Agreed to.

Bill read the Third Time and passed.

10. A Bill for an Act to Repeal the Federal College of Dental Technology and Therapy (Establishment) Act, No. 8, 2017 and Enact the Federal University of Dental Technology and Therapy, Enugu Bill, 2023 to make Comprehensive Provisions for Management and Administration of the University; and for Related Matters (HB. 1604) — *Third Reading*

Motion made and Question proposed, "That a Bill for an Act to Repeal the Federal College of Dental Technology and Therapy (Establishment) Act, No. 8, 2017 and Enact the Federal University of Dental Technology and Therapy, Enugu Bill, 2023 to make Comprehensive Provisions for Management and Administration of the University; and for Related Matters (HB. 1604) be now read the Third Time" (Hon. Peter Akpatason — Deputy House Leader).

Agreed to.

Bill read the Third Time and passed.

11. A Bill for an Act to Provide for Establishment of Federal College of Agriculture and Cooperative, Share, Kwara State and for Related Matters (HB. 1633) — *Third Reading*

Motion made and Question proposed, "That a Bill for an Act to Provide for Establishment of Federal College of Agriculture and Cooperative, Share, Kwara State and for Related Matters (HB. 1633) be now read the Third Time" (Hon. Peter Akpatason — Deputy House Leader).

Agreed to.

Bill read the Third Time and passed.

12. A Bill for an Act to Provide for Establishment of Nigeria Police Intelligence Institute, Share, Kwara State; and for Related Matters (HB.1706) — *Third Reading*

Motion made and Question proposed, "That a Bill for an Act to Provide for Establishment of Nigeria Police Intelligence Institute, Share, Kwara State; and for Related Matters (IIB. 1706) be now read the Third Time" (Hon. Peter Akpatason — Deputy House Leader).

Agreed to.

Bill read the Third Time and passed.

13. **A Bill for an Act to Provide for Establishment of Federal Eye Centre, Iruickpen, Edo State for the Prevention and Cure of Eye Defects and Diseases and to Establish a Board to Govern the Centre and an Academic Committee to take charge of the Centre's Academic Affairs; and for Related Matters (IIB. 1390) — Third Reading**

Motion made and Question proposed, "That a Bill for an Act to Provide for Establishment of Federal Eye Centre, Iruickpen, Edo State for the Prevention and Cure of Eye Defects and Diseases and to Establish a Board to Govern the Centre and an Academic Committee to take charge of the Centre's Academic Affairs; and for Related Matters (HB. 1390) be now read the Third Time" (Hon. Peter Akpatason — Deputy House Leader).

Agreed to.

Bill read the Third Time and passed.

14. **A Bill for an Act to Provide for Establishment of Nigerian Solid Minerals' Communities Development Commission; and for Related Matters (IIB. 1428) — Third Reading**

Motion made and Question proposed, "That a Bill for an Act to Provide for Establishment of Nigerian Solid Minerals' Communities Development Commission; and for Related Matters (HB. 1428) be now read the Third Time" (Hon. Peter Akpatason — Deputy House Leader).

Agreed to.

Bill read the Third Time and passed.

15. **A Bill For an Act to Amend the Electric Power Sector Reform Act, 2005 to Provide a Legal and Institutional Framework for the Implementation and Coordination of Rural Electrification Projects; Establishment of the National Power Training Institute of Nigeria and Regulatory Provisions to Strengthen the Sector for efficient service delivery; and for Related Matters (HB. 287, IIB. 657, IIB. 681 and IIB. 1528) — Third Reading**

Motion made and Question proposed, "That a Bill For an Act to Amend the Electric Power Sector Reform Act, 2005 to Provide a Legal and Institutional Framework for the Implementation and Coordination of Rural Electrification Projects; Establishment of the National Power Training Institute of Nigeria and Regulatory Provisions to Strengthen the Sector for efficient service delivery; and for Related Matters (HB. 287, HB. 657, HB. 681 and HB. 1528) be now read the Third Time" (Hon. Peter Akpatason — Deputy House Leader).

Agreed to.

Bill read the Third Time and passed.

16. **A Bill for an Act to Establish Federal Road Safety Commission Training Institutions as Capacity Building Institutions for training in Road Traffic Administration and Safety Management, provide Professional Training for Members of the Corps; and for Related Matters (HB. 1619, HB. 1620, IIB. 1621 and IIB. 1622) — Third Reading**

Motion made and Question proposed, "That a Bill for an Act to Establish Federal Road Safety Commission Training Institutions as Capacity Building Institutions for training in Road Traffic Administration and Safety Management, provide Professional Training for Members of the Corps; and for Related Matters (HB. 1619, HB. 1620, HB. 1621 and HB. 1622) be now read the Third Time" (Hon. Peter Akpatason — Deputy House Leader).

Agreed to.

Bill read the Third Time and passed.

17. **A Bill for an Act to Amend the Federal Medical Centres Act to Establish the Federal Medical Centre, Mgbakwu, Anambra State; and for Related Matters (IIB. 811) — Third Reading**
Motion made and Question proposed, "That a Bill for an Act to Amend the Federal Medical Centres Act to Establish the Federal Medical Centre, Mgbakwu, Anambra State; and for Related Matters (HB. 811) be now read the Third Time" (*Hon. Peter Akpatason — Deputy House Leader*).

Agreed to.

Bill read the Third Time and passed.

18. **A Bill for an Act to Establish National Social Investment Programme and the National Social Investment Programme Agency to assist and Empower the Poor and the Vulnerable in Nigeria; and for Related Matters (IIB.2113) — Second Reading**
Motion made and Question proposed, "That a Bill for an Act to Establish National Social Investment Programme and the National Social Investment Programme Agency to assist and Empower the Poor and the Vulnerable in Nigeria; and for Related Matters (HB. 2113) be read a Second Time" (*Hon. Peter Akpatason — Deputy House Leader*).

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.

19. **A Bill for an Act to Amend the Association of National Accountants of Nigeria Act, Cap.A26, Laws of the Federation of Nigeria, 2004; and for Related Matters (IIB. 2157) — Second Reading**
Motion made and Question proposed, "That a Bill for an Act to Amend the Association of National Accountants of Nigeria Act, Cap.A26, Laws of the Federation of Nigeria, 2004; and for Related Matters (HB. 2157) be read a Second Time" (*Hon. Peter Akpatason — Deputy House Leader*).

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.

20. **A Bill for an Act to Establish the National Environmental Research and Training Institute for the Development of Environmental Policies, Training and Research and for Related Matters (HB. 2136) — Second Reading**
Motion made and Question proposed, "That a Bill for an Act to Establish the National Environmental Research and Training Institute for the Development of Environmental Policies, Training and Research and for Related Matters (HB. 2136) be read a Second Time" (*Hon. Peter Akpatason — Deputy House Leader*).

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.

21. Re-committal of Bills:

Motion made and Question proposed:

The House:

Recalls that the following Bills were passed by the National Assembly and transmitted to the President for assent;

- (i) Federal College of Agriculture (Technical), Eungwu-Ukwu (Establishment, etc.) Bill, 2021 (HB. 1261),
- (ii) Nigerian Institute of Chartered Foresters (Establishment) Bill, 2021 (HB. 801),
- (iii) Dietitians Council of Nigeria (Establishment) Bill, 2019 (HB.515),
- (iv) Chartered Institute of Loan and Risk Management of Nigeria (Establishment) Bill, 2022 (HB. 2037), and
- (v) Federal University of Agriculture Dadinkowa, Gombe State (Establishment) Bill, HB. 652) 2020;

Observes that some fundamental issues which require fresh legislative actions had emerged hence, re-committal of the Bills to address the issues;

Resolves to:

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

Agreed to.

22. Need to Reduce the Cost of Transporting Petroleum Products by Dredging the Petroleum Products Shipping Channel in Nigerian Coastlines

Motion made and Question proposed:

The House:

Notes that Section 16 (1) (b) of the Constitution of the Federal Republic of Nigeria, 1999 (as amended) provides that the State shall control the national economy in such manner as to secure the maximum welfare, freedom and happiness of every citizen based on social justice and equality of status and opportunity;

Informed that the Federal Government of Nigeria is planning to remove some cost line items on the existing Premium Motor Spirit (PMS) pricing template, which will invariably increase the cost of petroleum products;

Aware that among the factors which account for the high cost of making petroleum products available to Nigerians is the poor or inadequate dredging of petroleum products shipping channels across the Nigerian coastline;

Also aware that by the provisions of Section 7 of the Nigerian Ports Authority Act, the Nigerian Ports Authority is among other things, charged with the responsibility of ensuring the efficient management of port operations and the maintenance of all ports and territorial waters of Nigeria;

Further aware that by the provisions of Section 7 of the Nigerian Ports Authority Act, the Nigerian Ports Authority must provide facilities for berthing, towing and moving of ships entering or leaving the ports or its approaches;

Concerned that if the government goes ahead with its plans to remove some cost line items on the existing Premium Motor Spirit (PMS) pricing template, the petroleum products marketers will have no choice but to increase its price which will result in a hike in the price of petroleum products and bring more hardship upon Nigerians;

Resolves to:

- (i) urge the Nigerian Ports Authority to urgently carry out holistic dredging of the petroleum products shipping channel in Nigerian coastlines;
- (ii) mandate the Committees on Ports and Harbour, and Petroleum Resources (Downstream) to ensure compliance and report within four (4) weeks (*Hon. Ogun Sergious Oseasochie — Esan North East/Esan South East Federal Constituency*).

Debate.

Agreed to.

(H.R. 23/04/2023).

23. **Consideration of Reports**

- (i) ***A Bill for an Act to Provide for Establishment of the Institute of Environmental Practitioners of Nigeria; and for Related Matters (HB. 353) (Committee of the Whole):***
Motion made and Question proposed, "That the House do consider the Report on a Bill for an Act to Provide for Establishment of the Institute of Environmental Practitioners of Nigeria; and for Related Matters (HB. 353)" (Hon. Peter Akpatason — Deputy 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 INSTITUTE OF
ENVIRONMENTAL PRACTITIONERS OF NIGERIA TO REGULATE
THE ACTIVITIES OF ITS MEMBERS; AND FOR RELATED MATTERS

PART I — ESTABLISHMENT OF THE INSTITUTE OF
ENVIRONMENTAL PRACTITIONERS OF NIGERIA

Clause 1: Establishment of the Institute of Environmental Practitioners of Nigeria.

- (1) There is established the Institute of Environmental Practitioners of Nigeria in this Bill referred to as "the Institute").
- (2) The Institute —
 - (a) is a body corporate with perpetual succession and a common seal;

- (b) may sue and be sued in its corporate name; and
 - (c) may acquire, hold or dispose of any movable or immovable property for the purpose of its functions under this Bill.
- (3) The Institute shall perform the functions conferred on it by the Council under this Bill.
- (4) The Headquarters of the Institute shall be established and maintained in a suitable location in Nigeria as determined by the Council.
- (5) The Council may make rules providing for the establishment and maintenance of offices of the Institute in the States of the Federation (*Hon. Peter Akpatason — Deputy House Leader*).

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

Clause 2: Establishment of the Governing Council.

- (1) There is established for the Institute a Governing Council (in this Bill referred to as "the Council") charged with the administration and general management of the Institute.
- (2) The Council shall consist of —
 - (a) President of the Institute, who shall be the Chairman;
 - (b) Vice-President of the Institute who shall be the Vice-Chairman;
 - (c) Registrar of the Institute, who shall be appointed by the Council;
 - (d) National Treasurer of the Institute who shall be the Treasurer;
 - (e) Legal Adviser of the Institute who shall be a legal practitioner with a background in Environmental law;
 - (f) the immediate past president of the Institute;
 - (g) five elected representatives from Nigerian Environmental Society, Waste Management Society of Nigeria and other recognised affiliate professional bodies in the Environmental sector approved by the Council;
 - (h) Chairman Board of Fellows of the Institute; and
 - (i) Chairmen of committees of the Council.
- (3) The provision of the Schedule to this Bill shall regulate the proceedings of the Council and related matters.
- (4) Each member of the Council shall serve a term of two years and may be eligible for another term of two years and no more (*Hon. Peter Akpatason — Deputy House Leader*).

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

Clause 3: Functions of the Institute.
The Institute shall —

- (a) train and certify persons who seek to be members of the institute;
- (b) determine the standard of knowledge and skill to be attained by persons seeking to become registered members of the Institute and raise those standards as circumstances may permit;
- (c) secure in accordance with the provisions of this Bill, the establishment and maintenance of a register of members, and the publication of the list of those persons;
- (d) issue practice guidelines on environmental and safety measures for members of the Institute;
- (e) provide consultancy services on environmental matters to the public and the private sector;
- (f) hold conferences, workshops seminars and symposia on contemporary environmental issues;
- (g) take necessary actions, including removal of the names of defaulters from the register, as the Council under this Bill, may direct or require; and
- (h) perform any other duty as the Council may deem fit (*Hon. Peter Akpatason — Deputy House Leader*).

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

Clause 4: Powers of the Council.
The Council shall —

- (a) ensure the effective and efficient implementation of the functions of the Institute;
- (b) supervise and monitor the operations of the Institute;
- (c) maintain the highest level of integrity and honesty in the operations of the Institute;
- (d) consider and approve the annual budget of the Institute;
- (e) present report and accounts prepared by the Institute to the Minister;
- (f) approve the audited accounts and consider management letters from the external auditors;
- (g) appoint and remove auditors, provide necessary facilities and remuneration;
- (h) take appropriate actions on all committees' recommendations;
- (i) obtain from any authority or persons, charters, and concessions necessary for the attainment of its purpose;
- (j) borrow money, receive grant and loans with the approval of the Council

without prejudice to any provision of this Bill relating to the provisions of funds; and

- (k) carry out such other activities as are necessary and expedient for achieving the objectives and functions of the Institute under this Bill (*Hon. Peter Akpatason — Deputy House Leader*).

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

Clause 5: Admission into the Institute.

- (1) Subject to the provisions of this Bill, only persons of good character and integrity shall be admitted to membership of the Institute.
- (2) Members admitted into the Institute shall possess adequate interest, knowledge and understanding of environmental practices and other related professions and may be registered in any of the following categories —
 - (a) Graduate Member, if the person has —
 - (i) spent at least six years as an Associate, and
 - (ii) been adjudged by the Council to possess adequate knowledge of environmental practice and management;
 - (b) Fellow, if the person has —
 - (i) spent at least 10 years as a full member of the institute, or
 - (ii) contributed significantly to the development of environmental practice and management;
 - (c) Associate Member, if the person is a —
 - (i) holder of university degree or higher national diploma or its equivalent or who has spent at least four years in an affiliate grade,
 - (ii) holder of university degree or higher national diploma in environmental science or any related discipline, or a person who has performed duties at a senior level in environmental practice and management continuously for at least six years,
 - (iii) graduate of the Institute who has competently performed executive or advisory duties at a senior level in environmental practice and management for at least four years since election to the grade of member, and
 - (iv) non-graduate who has spent at least 10 years in an affiliate grade, and possesses standard knowledge and qualities essential for a successful environmental practice and management; and
 - (d) Honourary Fellow, if the person is a member of the Institute or any individual who, in the opinion of the Council, has contributed immensely to the development of the environmental sector in any capacity.

- (3) A member of the Institute shall be entitled to receive, from the Council, a certificate in such form as the Council may approve for that purpose and a Fellow or an Associate Member shall be entitled to use such letters after his name as may be authorised by the Council as follows —

- (a) a member registered into the category of individual membership shall be entitled to use the initials "MIEPN";
- (b) a member registered into the category of membership of Fellow shall be entitled to use the initials "FIEPN";
- (c) a member registered into the category of membership of Associate shall be entitled to use the initials "AIEPN";
- (d) a member or an individual conferred with honorary Fellow shall be entitled to use the initials "FIEPN (Hon)" (*Hon. Peter Akpatason — Deputy House Leader*).

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

PART II — FINANCIAL PROVISIONS

Clause 6: Fund of the Institute.

- (1) There is established the fund of the institute (in this Bill referred to as "the Fund") which shall be managed and controlled by the Council.
- (2) There shall be paid into the Fund —
 - (a) all fees, charges and money payable to the Institute under this Bill;
 - (b) all revenue from other sources both locally and internationally; and
 - (c) other money received by the Institute in the course of its operations or in relation to the performance of its functions under this Bill.
- (3) There shall be paid out of the Fund —
 - (a) remuneration and allowances of the Institute;
 - (b) all expenditure incurred by the Council in the performance of its functions under this Bill;
 - (c) such reasonable expenses and allowances of members of the Council, committee members and other co-opted persons in respect of the time spent on duties of the Council as applicable to similar Institutes; and
 - (d) any other expenses incurred by the Council in the performance of its functions under this Bill.
- (4) The Council may invest money from the fund in any security created or issued by or on behalf of the Government of the Federation or any other security in Nigeria as may be approved by the council.
- (5) The Council may on behalf of the Institute, borrow money for the purpose of running the Institute, which shall be paid into the Fund (*Hon. Peter Akpatason — Deputy House Leader*).

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

Clause 7: Annual accounts and audit.

- (1) The Council shall keep proper accounts and records on behalf of the Institute in respect of each year, and the Council shall cause the accounts to be audited by an external auditor appointed from the list of auditors and in accordance with the guidelines supplied by the Auditor-General of the Federation and the audited accounts submitted to the members at the general meeting of the Institute.
- (2) The Auditor appointed for the purpose of subsection (1) shall not be a member of the Council (*Hon. Peter Akpatason — Deputy House Leader*).

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

PART III — THE REGISTRAR AND THE REGISTER

Clause 8: Appointment of Registrar and preparation of register.

- (1) The Council shall appoint a person knowledgeable in environmental practice for not less than 10 years to be the Registrar of the Institute, and other persons as the Council may deem necessary to assist the Registrar in the performance of his functions under this Bill.
- (2) The Registrar shall be the Chief Executive officer of the Institute and Secretary to the Council.
- (3) The Registrar shall prepare and maintain a Register of names, addresses, approved qualifications and other relevant particulars as may be specified in the rules made by the Council of all categories and classes of members or persons registered as Environmental practitioners in the Country.
- (4) The register shall consist of parts established according to professional disciplines approved by the Council and the Council shall review parts of the disciplines as the need arises.
- (5) The Council may make regulations with respect to the form, keeping of the register, making of entries and in particular —
 - (a) regulate the making of applications for or registration, and providing for the evidence to be produced in support of applications;
 - (b) provide for the notification to the Registrar, by the person to whom any registered particulars relate, of any change in those particulars;
 - (c) authorise a registered person to have a qualification or work experience which is in relation to the environment; and
 - (d) specify the fees, including any registration fees, to be paid to the institute in respect of the entry of names on the register and authorise the registrar to refuse to enter a name on the register until any fee specified for the entry has been paid.
- (6) Any rule made for the purpose of subsection (5) (d) shall not come into effect until it is approved by the Annual General Meeting (AGM) (*Hon. Peter Akpatason — Deputy House Leader*).

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

Clause 9: Duties of the Registrar.

The Registrar shall, as directed by the Council —

- (a) correct any wrong entry in the register;
- (b) update the registered particulars of registered persons;
- (c) remove from the register the name of any registered person who has died; and
- (d) record the names of members of the Institute who are in arrears for more than six months in the payment of annual or practicing fees and to take other actions, including removal of the name of defaulter from the register, as the Council may direct or require (*Hon. Peter Akpatason — Deputy House Leader*).

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

Clause 10: Publication of register and its correction.

(1) The Registrar shall ensure that —

- (a) the register or any corrections made in it is printed, published and put on sale for members of the public not later than two years from the commencement of this Bill; and
- (b) a print of each edition of the register and of each list of corrections are deposited at the headquarters of the Institute, and the Council shall keep the register and list so deposited, available at all reasonable times for inspection by members of the public.

(2) A published copy of the register and any corrections therein shall be admissible in evidence to prove registration of a person (*Hon. Peter Akpatason — Deputy House Leader*).

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

PART IV — REGISTRATION

Clause 11: Registration of Environmental Practitioners and organisations.

The Council shall register annually all qualified Environmental Practitioners and organisations who seek to be members of the Institute and renew their registration every two years (*Hon. Peter Akpatason — Deputy House Leader*).

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

Clause 12: Rules as to practice.

(1) The Council may make rules for —

- (a) prescribing the amount and date of the annual practicing fees for members of the Institute;
- (b) prescribing the form of license to practice to be issued;
- (c) restricting the right to practice of any member in default who

continues for longer than such period as may be prescribed by the Council;

- (d) restricting the right to practice as a member if the qualification granted outside Nigeria does not entitle the holder to practice as an environmental practitioner; and
 - (e) prescribing the period of practical training and experiences in the office of a member in practice, to be completed before a person qualifies for registration or a license to practice as environmental practitioner.
- (2) Rules when made shall, if the Chairman of the Council so direct, be published in two widely circulated national dailies and in the Institute's Journal (*Hon. Peter Akpatason — Deputy House Leader*).

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

PART V — PROFESSIONAL DISCIPLINE

Clause 13: Establishment of Environmental Practitioners disciplinary committee for professional misconduct.

- (1) There is established the Environmental Practitioners Disciplinary Committee (in this Bill referred to as "the Disciplinary Committee") charged with the duty of considering and determining any case of professional misconduct referred to it.
- (2) The Disciplinary Committee shall consist of a Chairman and four other members of the Council appointed by the Council.
- (3) The quorum of the meeting of the Committee shall be three members, including the Chairman or in his absence, his 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 the member before the Disciplinary Committee and shall make determination as to the member's 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 and recommendations 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.
- (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, the member's name shall be removed from the register.

- (8) A person whose name is removed from the register in pursuance of a directive of the Council under this section shall not be 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 the person's name was removed from the register (*Hon. Peter Akpatason — Deputy House Leader*).

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

Clause 14: Offences and penalties.

- (1) A person who is not registered by the Institute but holds himself out as a registered member of the Institute commits an offence.
- (2) A person who for the purpose of procuring registration as a member of the Institute makes false —
- (a) claim as to his qualifications or experiences,
 - (b) entry or willfully falsifies the register,
- commits an offence.
- (3) A person who commits an offence under this Bill is liable on conviction —
- (a) for an individual, to a fine not more than ₦500,000 or imprisonment for a term not more than six months or both; or
 - (b) for a corporate organisation, a fine not less than ₦1,000,000.
- (4) The Council shall carry out the review under subsection (3) every five years (*Hon. Peter Akpatason — Deputy House Leader*).

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

Clause 15: Committees.

- (1) The Council shall appoint the following Standing Committees —
- (a) admission and registration committee;
 - (b) education and training committee;
 - (c) disciplinary committee;
 - (d) finance and general purpose committee; and
 - (e) such other ad hoc committees, to carry out on behalf of the Council, such functions as the Council may determine.
- (2) A committee appointed under this section shall consist of the number of persons determined by the Council of whom not more than one third may be persons who are members of the Council and a person other than a member of the Council shall hold office on the committee in accordance with the terms of the letter by which he is appointed.
- (3) Membership of committees shall be drawn from registered members outside Council who are professionally competent to be so appointed and

membership of any standing committee shall not be less than five and not more than seven and shall be chaired by a Council member so appointed.

- (4) A decision of a committee of the Council shall be of no effect until the Council considers and ratifies or approves it (*Hon. Peter Akpatason — Deputy House Leader*).

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

Clause 16: Fees.

The Council shall prescribe rules and regulations, including fees to be paid for registration and other purposes under this Bill and when and how such fees shall be paid (*Hon. Peter Akpatason — Deputy House Leader*).

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

Clause 17: Honorary membership.

The Council can admit persons to the Institute as Honorary Members, provided that not more than five persons are admitted for a period of not less than two years (*Hon. Peter Akpatason — Deputy House Leader*).

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

Clause 18: Library.

The Institute shall —

- (a) provide and maintain a library comprising of books, research materials, publications and other materials approved by the Council that will build the capacity of Environmental Practitioners;
- (b) encourage research into environmental and other related subjects; and
- (c) formulate and make rules and regulations guiding the use of the library in particular and the Institute in general (*Hon. Peter Akpatason — Deputy House Leader*).

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

Clause 19: Property of the institute.

The Institute may own, register, transfer and receive properties in its corporate name (*Hon. Peter Akpatason — Deputy House Leader*).

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

Clause 20: Interpretation.

In this Bill —

"association" means the association of Environmental Practitioners of Nigeria (*Hon. Peter Akpatason — Deputy House Leader*).

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

"Institute" means the Institute of Environmental Practitioners of Nigeria (*Hon. Peter Akpatason — Deputy House Leader*).

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

"Environmental Practitioner" means a person who has the relevant qualification in any environmental science discipline, engineering and technology, sciences and related disciplines, experience, attitude and dedication towards the good health and well-being of the environment (Hon. Peter Akpatason — Deputy House Leader).

Question that the meaning of the words "Environmental Practitioner" be as defined in the interpretation to this Bill — Agreed to.

"Minister" means Minister in charge of Environment (Hon. Peter Akpatason — Deputy House Leader).

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

"Council" means Governing Council of the Institute (Hon. Peter Akpatason — Deputy House Leader).

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

"fees" includes annual subscription (Hon. Peter Akpatason — Deputy House Leader).

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

"Member" means a registered member of the Institute (Hon. Peter Akpatason — Deputy House Leader).

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

"Practitioners" means Environmental Practitioners (Hon. Peter Akpatason — Deputy House Leader).

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

"register" means register of members (Hon. Peter Akpatason — Deputy House Leader).

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

"Registrar" means the Chief Executive of the Institute; and (Hon. Peter Akpatason — Deputy House Leader).

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

"Board of Fellows" means a body of all Fellows of the Institute reference to section 5 (2) (p) (Hon. Peter Akpatason — Deputy House Leader).

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

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

Clause 21: Citation.

This Bill may be cited as the Institute of Environmental Practitioners of Nigeria (Establishment) Bill, 2023.

SCHEDULE

Section 2 (4)

**SUPPLEMENTARY PROVISIONS RELATING TO THE
INSTITUTE PROCEEDINGS OF THE COUNCIL**

1. Subject to provisions of this Bill and other applicable laws, Council may make orders regulating its proceedings or those of any committee it sets up.
2. Where standing orders made under paragraph 1 of this Schedule provide for the Council to co-opt persons who are not members of the Council, such persons may advise the Council on any matter referred to them by the Council, but shall not be entitled to vote at a meeting of the Council or count towards a quorum.
3. The Council may appoint one or more committees to carry out on its behalf such functions as the Council may determine.
4. A committee appointed under this paragraph shall consist of such number of persons as may be determined by the Council and a person shall hold office in accordance with the terms of his appointment.

Meetings of the Council

5. The Council shall meet whenever it is considered necessary, but at least twice a year, by giving notice to all members concerned, at least seven days before the meeting.
6. The Chairman shall preside at every meeting of the Council and in his absence, the Vice Chairman shall preside.
7. Five members of the Council, other than the Chairman shall form a quorum at the meeting.
8. Unless otherwise provided in this Bill, decisions shall be by a simple majority of the votes of the members present, but in the event that equal votes are cast, the person presiding shall cast the deciding vote.

Committees

9. Subject to standing orders, the Council may appoint one or more committees to carry out on its behalf such duties as the Council may determine and make necessary reports.
10. A committee appointed under paragraph 10 shall consist of the number of persons to be determined by the Council and not more than the one-third of those persons may be persons who are not members of the Council and a person other than a member of the Council may hold office on the Committee in accordance with the letter of appointment provided.
11. The quorum of any committee set up by the Council shall be determined by the Council.

Miscellaneous

12. The fixing of the seal of the Institute shall be authenticated by signature of the Chairman and some other members authorised generally or specially by the council to act for that purpose.
13. A document purporting to be an instrument issued by the Institute, affixed with the seal of the Institute and authenticated in the manner provided by the foregoing paragraph, shall be receive in evidence and deemed to be the instrument without further proof, unless there is proof otherwise.
14. 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, if made by or executed on behalf of the Council by any person authorised generally or specially by the Council to act for that purpose.
15. The validity of a proceeding of the council shall not be affected by —
 - (a) a vacancy in the membership of the Council;
 - (b) a defect in the appointment of a member of the Council; or
 - (c) reason that a person not entitled to do so took part in the proceedings.
16. A member of the Council and a person holding office on a committee of the Council, who has a personal interest in a contract or an arrangement entered into or proposed to be considered by the Council or the committee shall immediately disclose his interest to the council or committee and shall not vote on any question relating to that contract or arrangement (*Hon. Peter Akpatason — Deputy House Leader*).

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

Explanatory Memorandum:

This Bill establishes the Institute of Environmental Practitioners of Nigeria to regulate the activities of its members (*Hon. Peter Akpatason — Deputy House Leader*).

Agreed to.

Long Title:

A Bill for an Act to Establish the Institute of Environmental Practitioners of Nigeria to Regulate the Activities of its Members; and for Related Matters (HB. 353) (*Hon. Peter Akpatason — Deputy 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 Provide for Establishment of the Institute of Environmental Practitioners of Nigeria; and for Related Matters (HB. 353) and approved Clauses 1- 21, 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.

- (ii) *A Bill for an Act to Establish Federal Polytechnic, Orozo, Abuja to Provide Full-Time Courses in Technology, Applied Science, Management and Other Fields of Study and to make provisions for the Administration of such Polytechnic; and for Related Matters (HB.698) (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 Polytechnic, Orozo, Abuja to Provide Full-Time Courses in Technology, Applied Science, Management and Other Fields of Study and to make provisions for the Administration of such Polytechnic; and for Related Matters (HB.698)" (Hon. Peter Akpatason — Deputy 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 POLYTECHNIC, OROZO, ABUJA TO PROVIDE FULL-TIME COURSES IN TECHNOLOGY, APPLIED SCIENCE MANAGEMENT AND OTHER FIELDS OF STUDIES AND TO MAKE PROVISIONS FOR THE GENERAL ADMINISTRATION OF SUCH POLYTECHNICS AND FOR RELATED MATTERS (HB. 698)

Clause 1: Establishment of Federal Polytechnic, Orozo, Abuja FCT.

There is hereby Federal Technical College, Orozo Abuja upgraded and established as the Federal Polytechnic, Orozo, Abuja, specified in the First Schedule to this Bill (in this Bill severally referred to as "the Polytechnic") which shall have such powers and exercise such functions as are specified in this Bill (*Hon. Peter Akpatason — Deputy House Leader*).

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

Clause 2: Functions.

(1) The functions of the polytechnic shall be:

- (a) to provide full-time or part-time courses of instruction and training:
 - (i) in technology, applied science, commerce and management; and
 - (ii) in such other fields of applied learning relevant to the needs of the development of Nigeria in the area of industrial and agricultural production and distribution and for research in the development and adaptation of techniques as the Council may from time to time determine;
- (b) to arrange conferences, seminars and study groups relative to the fields of learning specified in paragraph (a) of this subsection (1);
- (c) to perform such other functions as in the opinion of the Council may serve to promote the objectives of the polytechnic.

(2) Nothing in this section shall preclude the government of a State or any of its agencies from setting up a polytechnic similar to any polytechnic established

under this Bill (*Hon. Peter Akpatason — Deputy House Leader*).

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

Clause 3: Establishment and Constitution of each Council, etc.

- (1) There shall be established for the polytechnic a Council (hereafter in this Bill referred to as *the Council*) which shall be a body corporate with perpetual succession and a common seal and may sue and be sued in its corporate name.
- (2) The Council shall consist of a Chairman and the following other members, that is —
 - (a) one person to represent the universities;
 - (b) one person to represent the Manufacturers' Association of Nigeria;
 - (c) one person to represent professional bodies whose disciplines are taught at the polytechnic;
 - (d) one person selected from a Federal or State public utility statutory corporation;
 - (e) one person of standing in the community where the polytechnic is situate;
 - (f) the Rector of the polytechnic;
 - (g) one representative of the Minister charged with responsibility for matters relating to polytechnics;
 - (h) one representative of the Permanent Secretary of the Ministry charged with responsibility for matters relating to industries;
 - (i) one representative of the academic board of the polytechnic;
 - (j) one representative of the State Commissioner of Education; and
 - (k) five other persons, at least one of whom shall be a woman, to be selected each on his personal merit based on his contribution to either the development of industry, technology or commerce or special interest in technical education.
- (3) The Chairman and members of the Council other than ex-officio members shall be appointed by the President.
- (4) The provisions set out in the Second Schedule to this Bill shall apply in relation to the constitution of the Council and the other matters therein specified (*Hon. Peter Akpatason — Deputy House Leader*).

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

Clause 4: Visitation.

- (1) The Minister of Education shall be the Visitor to each Polytechnic.
- (2) The Visitor shall, not less than once in every five years, conduct a visitation

of the college or appoint a Visitation Panel, consisting of not less than five experts. To conduct the visitation:

- (a) for the purpose of evaluating the academic and administrative performance of the polytechnic;
- (b) for such other purpose or in respect of any other affairs of the polytechnic as the Visitor may deem fit (*Hon. Peter Akpatason — Deputy House Leader*).

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

Clause 5: Registrar of each polytechnic.

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

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

Clause 6: Tenure of office of the Registrar.

- (1) A Registrar:
 - (a) shall hold office for a period of five years beginning from the effective date of his appointment and on such terms and conditions as may be specified in the letter of his appointment; and
 - (b) may be re-appointed for one further period of five years and no more.
- (2) Where on the commencement of this section, a Registrar has held office:
 - (a) for five years or less, he shall be deemed to be serving his first term of office and may be re-appointed for a further term of five years;
 - (b) for more than five years but less than ten years, he shall complete the maximum period of ten years and thereafter relinquish his post and be assigned other duties in the polytechnic;
 - (c) for ten years or more, the Council may allow him to serve as Registrar for a further period of one year only and thereafter he shall relinquish his post and be assigned other duties in the polytechnic (*Hon. Peter Akpatason — Deputy House Leader*).

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

Clause 7: General functions of each Council.

- (1) Subject to provision of this Bill, each Council shall be the governing body of the polytechnic concerned and shall have the general management of the affairs of the polytechnic, and in particular, the control of the property and finances of the polytechnic; and shall also have power to do anything which in its opinion is calculated to facilitate the carrying out of the activities of the polytechnic and promote its best interests.
- (2) The Council may acquire and hold such movable or immovable property as may be necessary or expedient for carrying into effect the provisions of this Bill, and for the same purpose may sell, lease, and mortgage or otherwise alienate or dispose of any property so acquired.
- (3) The Council may enter into such contracts as may be necessary or expedient for carrying into effect the provisions of this Bill.
- (4) The Minister may give to the Council directions of a general character or relating generally to particular matters (but not any individual person or case) with regard to the exercise by the Council of its functions and it shall be the duty of the Council to comply with the directions (*Hon. Peter Akpatason — Deputy House Leader*).

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

Staff

Clause 8: The Rector.

- (1) There shall be a Rector of the polytechnic ("the Rector") who shall be appointed by the President in accordance with the provisions of this section.
- (2) Where a vacancy occurs in the post of Rector, the Council shall:
 - (a) advertise the vacancy in a reputable journal or widely read newspaper in Nigeria, specifying:
 - (i) the qualities of the person who may apply for the post; and
 - (ii) the terms and conditions of service applicable to the post, and thereafter, draw up a short list of suitable candidates for consideration;
 - (b) constitute a Search Team consisting of:
 - (i) a member of the Council, not being a member of the Academic Board, as Chairman;
 - (ii) two members of the Academic Board, not below the rank of Chief Lecturer;
 - (iii) two members of the Academic Community of the college not below the rank of Chief Lecturer, to be selected by Council, to identify and draw up a short list of persons who are not likely to apply on their own volition because they feel that it is not proper to do so.

- (3) A Joint Council and Academic Board Selection Board consisting of:
- (a) the Chairman of the Council;
 - (b) two members of the Council not being members of the Academic Board;
 - (c) two members of the Academic Board not below the rank of Chief Lecturer, who were not members of the Search Team, shall consider the candidates on the short list drawn up under subsection (2) of this section through an examination of their curriculum vitae and interaction with them and recommend, through the Council, to the President, three candidates for his consideration.
- (4) The President shall appoint, as Rector, one of the candidates recommended to him under the provisions of subsection (3) of this section.
- (5) Subject to this Bill and the general control of the Council, the Rector shall be the Chief Executive of the polytechnic and shall be charged with responsibility for matters relating to the day-to-day management operations of the polytechnic.
- (6) The Rector:
- (a) shall hold office for a period of four years beginning with the effective date of his appointment and on such terms and conditions as may be specified in his letter of appointment;
 - (b) may be re-appointed for a further period of four years and no more (*Hon. Peter Akpatason — Deputy House Leader*).

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

Clause 9: Deputy Rector.

- (1) There shall be for each polytechnic a Deputy Rector:
- (a) the Council shall appoint the Deputy Rector from among the chief lecturers in the polytechnic in one of the following ways; from a list of three candidates, in order of preference, submitted by the Rector; or
 - (b) on the recommendation of a Selection Board constituted under this section for that purpose; or
 - (c) on the nomination of the Rector.
- (2) The Selection Board referred to in subsection (2) of this section shall:
- (a) consist of:
 - (i) the Chairman of the Council,
 - (ii) the Rector,
 - (iii) two members of the Council not being members of the Academic Board,

- (iv) two members of the Academic Board; and
 - (b) make such inquiries as it deems fit before making the commendation required under that subsection.
- (3) The Deputy Rector:
 - (a) shall assist the Rector in the performance of his functions;
 - (b) act in the place of the Rector when the post of Rector is vacant or if the Rector is for any reason absent or unable to perform his functions as Rector; and
 - (c) perform such other functions as the Rector may, from time to time, assign to him.
- (4) The Deputy Rector:
 - (a) shall hold office for a period of two years beginning from the effective date of his appointment and on such terms and conditions as may be specified in his letter of appointment; and
 - (b) may be re-appointed for one further period of two years and no more (*Hon. Peter Akpatason — Deputy House Leader*).

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

Clause 10: Other principal officers of each polytechnic.

- (1) There shall be for each polytechnic the following other principal officers in addition to the Registrar, that is:
 - (a) the Bursar; and
 - (b) the polytechnic Librarian, who shall be appointed by the Council on the recommendation of the Selection Board constituted under section 9 (b) of this Bill.
- (2) The Bursar shall be the Chief Financial Officer of the polytechnic and be responsible to the Rector for the day to day administration and control of the financial affairs of the polytechnic.
- (3) The polytechnic Librarian shall be responsible to the Rector for the administration of the polytechnic library and the co-ordination of the library services in the teaching units of the polytechnic.
- (4) The Bursar or Librarian:
 - (a) shall hold office for a period of five years in the first instance and on such terms and conditions as may be specified in his letter of appointment;
 - (b) may be re-appointed for a further period of five years and no more.
- (5) Where on the commencement of this section, a Bursar or Librarian has held office:

- (a) for five years or less, he shall be deemed to be serving his first term of office and may be reappointed for a further term of five years;
- (b) for more than five years but less than ten years, he shall complete the maximum period of ten years and thereafter relinquish his post and be assigned other duties in the polytechnic;
- (c) for ten years or more, the Council may allow him to serve as Registrar for a further period of one year only and thereafter he shall relinquish his post and be assigned other duties in the polytechnic (*Hon. Peter Akpatason — Deputy House Leader*).

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

Clause 11: Resignation of appointment of principal officers.
A principal officer may resign his appointment:

- (a) in the case of the Rector, by notice to the Visitor;
- (b) in any other case, by notice to the Council (*Hon. Peter Akpatason — Deputy House Leader*).

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

Clause 12: Selection Board for other principal officers.

- (1) There shall be, for each college, a Selection Board which shall consist of:
 - (a) the chairman of the Council;
 - (b) the Rector;
 - (c) four members of the Council not being members of the Academic Board;
 - (d) two members of the Academic Board.
- (2) The functions and procedure and other matters relating to the Selection Board constituted under subsection (1) of this section shall be as the Council may, from time to time, determine (*Hon. Peter Akpatason — Deputy House Leader*).

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

Clause 13: Other employees of the polytechnic.

- (1) The Council may appoint such other persons to be employees of the polytechnic as the Council may determine to assist the Rector and the principal officers of the polytechnic in the performance of their functions under this Bill.
- (2) The power to appoint all other employees of the polytechnic shall be exercised:
 - (a) in the case of senior employees, by the Council on the recommendation of the Appointment and Promotions Committee set up under the provisions of paragraph 3 (2) (a) of the Second Schedule to this Bill;

- (b) in the case of junior employees, by the Rector on the recommendation of the Junior Staff Appointments and Promotions Committee constituted under paragraph 3 (2) (b) of the Second schedule to this Bill.
- (3) Subject to the provisions of this Bill, the remuneration, tenure of office and conditions of service of the employees of the Council shall be determined by the Council in consultation with the Federal Civil Service Commission (*Hon. Peter Akpatason — Deputy House Leader*).

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

Clause 14: Application of the Pensions Act.

- (1) The Federal Civil Service Commission may by order published in the Federal Gazette declare the office of the Rector or any other person employed by the Council to be a pensionable office for the purposes of the Pensions Act.
- (2) Nothing in the provisions of subsection (1) of this section shall prevent the appointment of any person to any office on terms which preclude the grant of a pension or gratuity in respect of service in that office (*Hon. Peter Akpatason — Deputy House Leader*).

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

Establishment of the Academic Board

Clause 15: The Academic Board.

- (1) There shall be established for each polytechnic a board to be known as the Academic Board which shall consist of the following members:
 - (a) the Rector of the polytechnic, as the Chairman;
 - (b) the Deputy-Rector of the polytechnic;
 - (c) all Heads of Departments;
 - (d) the polytechnic Librarian; and
 - (e) not more than two members of the academic staff, other than heads of departments, who may be appointed by the Academic Board.
- (2) The Academic Board shall be responsible for:
 - (a) the direction and management of academic matters of the polytechnic including the regulation of admission of students, the award of certificates and diplomas, scholarships, prizes and other academic distinctions;
 - (b) the making to the Council of such periodic reports on such academic matter as the Academic Board may think fit or as the Council may from time to time direct; and
 - (c) the discharge of any other functions which the Council may delegate to it (*Hon. Peter Akpatason — Deputy House Leader*).

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

Tenure of Office

Clause 16: Removal from office of members of the Council and the Rector.

- (1) If it appears to the Council that a member of the Council (other than an *ex-officio* member) or the Rector should be removed from office on the ground of misconduct or inability to perform the functions of his office, the Council shall make a recommendation to that effect to the President, and if the President, after making such inquiries as he considers necessary, approves the recommendation, the President, shall, in writing, declare the office of such member vacant.
- (2) The President may remove any member of the Council if he is satisfied that it is not in the public interest or in the interest of the polytechnic that such member should continue as a member of the Council (*Hon. Peter Akpatason — Deputy House Leader*).

Question that Clause 16 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 on a Bill for an Act to Establish Federal Polytechnic, Orozo, Abuja to Provide Full-Time Courses in Technology, Applied Science, Management and Other Fields of Study and to make provisions for the Administration of such Polytechnic; and for Related Matters (HB. 698) and approved Clauses 1- 16, and deferred further consideration 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 provide for Establishment of Federal University of Education, Igueben, Edo State; and for Related Matters (HB. 1391) (Committee of the Whole):**
Motion made and Question proposed, "That the House do consider the Report on a Bill for an Act to provide for Establishment of Federal University of Education, Igueben, Edo State; and for Related Matters (HB. 1391)" (Hon. Peter Akpatason — Deputy 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
UNIVERSITY OF EDUCATION, IGUEBEN, EDO STATE;
AND FOR RELATED MATTERS (HB.1391)

PART I — ESTABLISHMENT, CONSTITUTION
AND FUNCTIONS OF FEDERAL UNIVERSITY
OF EDUCATION, IGUEBEN, EDO STATE

Clause 1: Establishment and Objects of the Federal University of Education, Igueben, Edo State.

- (1) There is established Federal University of Education, Igueben, Edo State (in this Bill referred to as "the University") to be known as the Federal University of Education, Igueben, Edo State.
- (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 (*Hon. Peter Akpatason — Deputy House Leader*).

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

Clause 2: Objects of the University.

The objects of the University shall be to

- (a) encourage the advancement of learning and to hold out to all persons without distinction of race, creed, sex or political conviction the opportunity of acquiring tertiary education in Agriculture and technology;
- (b) to develop and offer academic and professional programmes leading to the award of diplomas, first degrees, post-graduate research and higher degrees with emphasis on Agricultural research, planning, adaptive, technical, maintenance, developmental and productive skills in the engineering, scientific, and allied professional disciplines with the aim of producing socially mature men and women with capability not only to understand, use and adapt existing technologies in the Agriculture, but also to improve on them and develop new ones;
- (c) to act as agents and catalysts, through post-graduate training, research and innovation for the effective and economic utilization, exploitation and conservation of the country's Agriculture resources;
- (d) to offer to the general population particularly in the area Agriculture as a form of public service, the results of training and research and to foster the practical applications of these results;
- (e) to establish appropriate relationships with other national institutions involved in training, research and development of technologies in the Agriculture sector;
- (f) to identify the problems and needs of the Agriculture sector in Nigeria and to find solutions to them within the context of overall national development;
- (g) to provide and promote sound basic scientific training as a foundation for the development of Agriculture in Nigeria, taking into account indigenous cultures and the need to enhance national unity;
- (h) to encourage and promote scholarship and conduct research in restricted fields of learning and human endeavour;
- (i) to relate its activities to the technological, social, cultural and economic needs of the people of Nigeria; and

- (j) to undertake any other activities appropriate for an Agriculture university of the highest standard (*Hon. Peter Akpatason — Deputy House Leader*).

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

Clause 3: 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) a 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. Peter Akpatason — Deputy House Leader*).

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

Clause 4: Powers of the University.

- (1) For the carrying out of its objects as specified in Section 2 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 law 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 9 (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. Peter Akpatason — Deputy House Leader*).

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

- Clause 5:**
- (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. Peter Akpatason — Deputy House Leader*).

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

- Clause 6:**
- (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 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 persons 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. Peter Akpatason — Deputy House Leader).

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

- Clause 7:
- (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 by 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 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 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 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.
 - (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 travelling 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:

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. Peter Akpatason — Deputy House Leader).

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

Clause 8:**Functions of the Senate.**

- (1) Subject to section 5 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 courses, 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 dishonorable or scandalous conduct in gaining admission into the University or obtaining that award (*Hon. Peter Akpatason — Deputy 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 5 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. Peter Akpatason — Deputy House Leader*).

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

PART II — TRANSFER OF PROPERTY

Clause 10: 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 there from and with respect to other matters mentioned in that Schedule (*Hon. Peter Akpatason — Deputy 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 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 Act 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 Act.
 - (3) The Statute contained in the Third Schedule to this Bill shall be deemed to have come into force on the commencement of this Bill and shall be deemed to have been made under this section by the University.
 - (4) The power to make 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. Peter Akpatason — Deputy House Leader*).

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

Clause 12: 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 Act, 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. Peter Akpatason — Deputy House Leader*).

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

Clause 13: Proof of Statute.

A Statute may be proved in any court by the production of a copy thereof bearing or having affixed to it a certificate signed by the Vice-Chancellor or the Registrar to the effect that the copy is a true copy of a Statute of that University (*Hon. Peter Akpatason — Deputy House Leader*).

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

- Clause 14:**
- (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 Bill, academic or a non-academic matter as they apply in relation to any such doubt or dispute as is 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. Peter Akpatason — Deputy House Leader*).

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

PART IV — SUPERVISION AND DISCIPLINE

Clause 15: 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. Peter Akpatason — Deputy House Leader*).

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

- Clause 16:**
- (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 endeavors 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. Peter Akpatason — Deputy House Leader*).

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

- Clause 17:**
- (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 the 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 case of 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 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 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);
 - (b) reinstate 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 a person will 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 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 endeavors 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 may be appropriate (*Hon. Peter Akpatason — Deputy House Leader*).

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

Clause 18: (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 8 (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. Peter Akpatason — Deputy House Leader*).

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

Clause 18:

- (1) Subject to the provisions of this section, where after due process 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; or
 - (c) student be rusticated for such period as may be specified in the direction.
- (2) Where a direction is given under subsection (1) paragraphs (a) to (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 (3) 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. Peter Akpatason — Deputy House Leader*).

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

PART V — MISCELLANEOUS AND GENERAL PROVISIONS

- Clause 20:** (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; or
 - (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 (*Hon. Peter Akpatason — Deputy House Leader*).

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

- Clause 21:** (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 person so authorized or any other person authorized in that behalf transfer it to the University (*Hon. Peter Akpatason — Deputy House Leader*).

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

- Clause 22:** 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. Peter Akpatason — Deputy House Leader*).

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

- Clause 23:** 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. Peter Akpatason — Deputy House Leader*).

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

- Clause 24:**
- (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:
 - (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 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.
 - (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 11 of this Bill; or
 - (b) the Senate to empower any other body to make Regulations or to award degrees or other qualifications (*Hon. Peter Akpatason — Deputy House Leader*).

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

Clause 25: Pension Act.

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

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

Clause 26: An Academic staff of the University who retires as a Professor in the University shall be entitled to pension at a rate equivalent to his annual salary provided that the Professor has served continuously in the University up to the retirement age (*Hon. Peter Aspinwall — Deputy House Leader*).

Amendment Proposed:

Leave out Clause 26 (Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency).

Question that the amendment made — Agreed to.

Clause 27: 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 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 proceeding.
- (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 12 of the Interpretation Act (which provides for the application, in relation to subordinate legislation, of certain incidental provisions) shall apply to Statutes or Regulations made 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 10, 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. Peter Akpatason — Deputy House Leader).

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

Clause 28: 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. Peter Akpatason — Deputy House Leader).

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

"campus" means any campus which may be established by the University (Hon. Peter Akpatason — Deputy House Leader).

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

"college" means any college which may be established by the University (Hon. Peter Akpatason — Deputy House Leader).

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

"graduate" means a person on whom a degree (other than an honorary degree) has been conferred by the University (Hon. Peter Akpatason — Deputy House Leader).

Question that the meaning of the word "graduate" be as defined in the interpretation to 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. Peter Akpatason — Deputy House Leader).

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

"Minister" means the Minister charged with responsibility for education (Hon. Peter Akpatason — Deputy House Leader).

Question that the meaning of the word "Minister" be as defined in the interpretation to 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. Peter Akpatason — Deputy House Leader).

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

"notice" means notice in writing (Hon. Peter Akpatason — Deputy House Leader).

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

"officer" does not include the Visitor (Hon. Peter Akpatason — Deputy House Leader).

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

"prescribed" means prescribed by Statute or Regulation made under this Bill (Hon. Peter Akpatason — Deputy House Leader).

Question that the meaning of the word "prescribed" be as defined in the interpretation to 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. Peter Akpatason — Deputy House Leader).

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

"property" includes rights, liabilities and obligations (Hon. Peter Akpatason — Deputy House Leader).

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

"the Provisional Council" means the provisional Council appointed for the University by the President with effect from September 2016 (Hon. Peter Akpatason — Deputy House Leader).

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

"regulations" means regulations made by the Senate or Council (Hon. Peter Akpatason — Deputy House Leader).

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

"Senate" means the Senate of the University established by the Bill (Hon. Peter Akpatason — Deputy House Leader).

Question that the meaning of the word "Senate" be as defined in the interpretation to 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. Peter Akpatason — Deputy House Leader).

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

"the Statutes" means all such Statutes as are in force from time to time (Hon. Peter Akpatason — Deputy House Leader).

Question that the meaning of the words "the Statutes" be as defined in the interpretation to 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. Peter Akpatason — Deputy House Leader).

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

"President" means the President of the Federal Republic of Nigeria (Hon. Peter Akpatason — Deputy House Leader).

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

"Constitution" means the Constitution of the Federal Republic of Nigeria (Hon. Peter Akpatason — Deputy House Leader).

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

"undergraduate" means a person in statu pupillari in 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. Peter Akpatason — Deputy House Leader).

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

"the University" the Federal University of Education, Igueben, Edo State incorporated and constituted by this Bill; and (Hon. Peter Akpatason — Deputy House Leader).

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

"the Act" means the Federal University of Education, Igueben, Edo State Act (Hon. Peter Akpatason — Deputy House Leader).

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

- (2) Where in any provision of this Bill, it is laid down that proposals are to be submitted or a recommendation is to be made by one authority to another through one or more intermediate authorities, it shall be the duty of every such intermediate authority to forward any proposals or recommendations

received by it 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. Peter Akpatason — Deputy House Leader*).

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

Clause 29: Short Title.

This Bill may be cited as the Federal University of Education, Igueben, Edo State (Establishment, etc.) Bill, 2023 (*Hon. Peter Akpatason — Deputy House Leader*).

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

SCHEDULES

FIRST SCHEDULE

Section 3 (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, Bursar and University Librarian

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.
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
- (4) The Bursar and the University Librarian 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.
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;
- (b) the case of the Vice-Chancellor by notice to the Council which shall immediately notify the Minister; and

- (2) A person who has ceased to hold an office so mentioned otherwise than by removal for misconduct shall be eligible for reappointment to that office (*Hon. Peter Akpatason — Deputy House Leader*).

Question that the provisions of the First Schedule stand 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.
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.
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 continue 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.
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.
 6. Questions as to the scope of the responsibilities of the aforesaid officers shall be determined by the Vice-Chancellor (*Hon. Peter Akpatason — Deputy House Leader*).

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

THIRD SCHEDULE

Section 11 (3)

FEDERAL UNIVERSITY OF EDUCATION, IGUEBEN, EDO STATE STATUTE No.1

Articles:

1. The Council.
2. Finance and General Purpose Committee
3. The Senate.
4. The Congregation.
5. Convocation.
6. Organization of Faculties and the Branches.
7. Faculty Board.
8. The Dean of the Faculty.
9. Selection of Certain Principal and other key officers.
10. Creation of Academic Post.
11. Appointment of Academic Staff.
12. Appointment of Administrative and Technical Staff.

The Council

1. (1) Any member of Council holding office pursuant to section 6 (e), (j), (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 6 (e), (j), (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 1st August in the year in which he was appointed.

- (3) Where a member of Council holding office pursuant to section 6 (e), (j), (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 6 (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 5 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 5 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; 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 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 graph (1) (a) or (b) of this paragraph are entered and Retained as in the Bill 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 5 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.
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 consists 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 it 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 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 Councilor 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. Peter Akpatason — Deputy House Leader*).

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

Explanatory Memorandum:

This Bill seeks to establish the Federal University of Education, Igueben, Edo State to make comprehensive provisions for its due Management and Administration (*Hon. Peter Akpatason — Deputy House Leader*).

Agreed to.

Long Title:

A Bill for an Act to Establish Federal University of Education, Igueben, Edo State and for Related Matters (HB.1391) (*Hon. Peter Akpatason — Deputy 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 provide for Establishment of Federal University of Education, Igueben, Edo State; and for Related Matters (HB. 1391) and approved Clauses 1- 25, rejected Clause 26, and approved Clauses 27 - 29, 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.

- (iv) *A Bill for an Act to Amend the Agricultural Research Council of Nigeria Act, Cap. A12, Laws of the Federation of Nigeria, 2004, to Provide for Establishment of Federal College of Horticulture, Okigwe, Imo State; and for Related Matters (HB. 1456) (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 Agricultural Research Council of Nigeria Act, Cap. A12, Laws of the Federation of Nigeria, 2004 to Provide for Establishment of Federal College of Horticulture, Okigwe, Imo State; and for Related Matters (HB. 1456)" (Hon. Peter Akpatason — Deputy 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 AGRICULTURAL
RESEARCH COUNCIL OF NIGERIA ACT, CAP. A12, LAWS OF THE
FEDERATION OF NIGERIA, 2004 (AS AMENDED) TO PROVIDE FOR
ESTABLISHMENT OF FEDERAL COLLEGE OF HORTICULTURE,
OKIGWE, IMO STATE; AND FOR RELATED MATTERS

Clause 1: Amendment of Cap. A12, LFN, 2004.

The Agricultural Research Council of Nigeria Act, Cap. A12, Laws of the Federation of Nigeria, 2004 (as amended) (in this Act referred to as "the Principal Act") is amended as set out in this Bill (*Hon. Peter Akpatason — Deputy House Leader*).

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

Clause 2: Amendment of Third Schedule.

The Third Schedule of the Principal Act is amended by inserting a new paragraph 17 to read thus:

"Federal College of Horticulture, Okigwe, Imo State" (*Hon. Peter Akpatason — Deputy House Leader*).

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

Clause 3: Citation.

This Bill may be cited as the Agricultural Research Council of Nigeria Act (Amendment) Bill, 2023 (*Hon. Peter Akpatason — Deputy House Leader*).

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

Explanatory Memorandum:

This Bill seeks to amend the Agricultural Research Council of Nigeria Act, Cap. A12, Laws of the Federation of Nigeria, 2004 (as amended) to make provision for the establishment of Federal College of Horticulture, Okigwe, Imo State (*Hon. Peter Akpatason — Deputy House Leader*).

Agreed to.

Long Title:

A Bill for an Act to Amend the Agricultural Research Council of Nigeria Act, Cap. A12, Laws of the Federation of Nigeria, 2004 (as Amended) to Provide for Establishment of Federal College of Horticulture, Okigwe, Imo State; and for Related Matters (HB. 1456) (*Hon. Peter Akpatason — Deputy 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 Amend the Agricultural Research Council of Nigeria Act, Cap. A12, Laws of the Federation of Nigeria, 2004 to Provide for Establishment of Federal College of Horticulture, Okigwe, Imo State; and for Related Matters (HB. 1456) and approved Clauses 1- 3, 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.

- (v) *A Bill for an Act to Amend the Agricultural Research Council of Nigeria Act, Cap. A12 Laws of Federation of Nigeria, 2004 to Provide for Establishment of Federal College of Agriculture Ogboinbiri, Bayelsa State; and for Related Matters (HB.1731) (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 Agricultural Research Council of Nigeria Act, Cap. A12 Laws of Federation of Nigeria, 2004 to Provide for Establishment of Federal College of Agriculture Ogboinbiri, Bayelsa State; and for Related Matters (HB.1731)" (Hon. Peter Akpatason — Deputy 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 AGRICULTURAL
RESEARCH COUNCIL OF NIGERIA ACT, CAP. A12, LAWS OF
THE FEDERATION OF NIGERIA, 2004 (AS AMENDED) TO PROVIDE
FOR ESTABLISHMENT OF FEDERAL COLLEGE OF AGRICULTURE,
OGBOINBIRI, BAYELSA STATE; AND FOR RELATED MATTERS

Clause 1: Amendment of Cap. A12, LFN, 2004.

The Agricultural Research Council of Nigeria Act, Cap. A12, Laws of the Federation of Nigeria, 2004 (as amended) (in this Act referred to as "the Principal Act") is amended as set out in this Bill (*Hon. Peter Akpatason — Deputy House Leader*).

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

Clause 2: Amendment of Third Schedule.

The Third Schedule of the Principal Act is amended by inserting a new paragraph 17 to read thus:

"Federal College of Agriculture, Ogboinbiri, Bayelsa State" (*Hon. Peter Akpatason — Deputy House Leader*).

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

Clause 3: Citation.

This Bill may be cited as the Agricultural Research Council of Nigeria Act (Amendment) Bill, 2023 (*Hon. Peter Akpatason — Deputy House Leader*).

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

Explanatory Memorandum:

This Bill seeks to amend the Agricultural Research Council of Nigeria Act, Cap. A12, Laws of the Federation of Nigeria, 2004 (as amended) to make provision for the establishment of Federal College of Agriculture, Ogboinbiri, Bayelsa State (*Hon. Peter Akpatason — Deputy House Leader*).

Agreed to.

Long Title:

A Bill for an Act to Amend the Agricultural Research Council of Nigeria Act, Cap. A12, Laws of the Federation of Nigeria, 2004 (as Amended) to Provide for Establishment of Federal College of Agriculture, Ogboinbiri, Bayelsa State; and for Related Matters (HB. 1731) (*Hon. Peter Akpatason — Deputy 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 Amend the Agricultural Research Council of Nigeria Act, Cap. A12 Laws of Federation of Nigeria, 2004 to Provide for Establishment of Federal College of Agriculture Ogboinbiri, Bayelsa State; and for Related Matters (HB.1731) and approved Clauses 1- 3, 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 Amend the Agricultural Research Council of Nigeria Act, Cap. A12, Laws of the Federation of Nigeria, 2004 make provision for Establishment of Federal College of Agriculture (Technical) Enugwu-Ukwu, Anambra; and for Related Matters (HB. 1261) (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 Agricultural Research Council of Nigeria Act, Cap. A12, Laws of the Federation of Nigeria, 2004 make provision for Establishment of Federal College of Agriculture (Technical) Enugwu-Ukwu, Anambra; and for Related Matters (HB. 1261)" (Hon. Peter Akpatason — Deputy 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 AGRICULTURAL RESEARCH COUNCIL OF NIGERIA ACT, CAP. A12, LAWS OF THE FEDERATION OF NIGERIA, 2004 TO MAKE PROVISION FOR THE ESTABLISHMENT OF FEDERAL COLLEGE OF AGRICULTURE (TECHNICAL), ENUGWU-UKWU, ANAMBRA STATE; AND FOR RELATED MATTERS (HB. 1261)

Clause 1: Amendment of Cap. A12, LFN, 2004.

The Agricultural Research Council of Nigeria Act, Cap. A12, Laws of the Federation of Nigeria, 2004 (in this Act referred to as "the Principal Act") is amended as set out in this Bill (*Hon. Peter Akpatason — Deputy House Leader*).

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

Clause 2: Amendment of Third Schedule.

The Third Schedule of the Principal Act is amended by inserting a new paragraph 17 to read thus —

"Federal College of Agriculture (Technical), Enugwu-Ukwu, Anambra State" (*Hon. Peter Akpatason — Deputy House Leader*).

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

Clause 3: Citation.

This Bill may be cited as the Agricultural Research Council of Nigeria (Amendment) Bill, 2023 (*Hon. Peter Akpatason — Deputy House Leader*).

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

Explanatory Memorandum:

This Bill seeks to amend the Agricultural Research Council of Nigeria Act, Cap. A12, Laws of the Federation of Nigeria, 2004 to make provision for the establishment of Federal College of Agriculture (Technical), Enugwu-Ukwu, Anambra State (*Hon. Peter Akpatason — Deputy House Leader*).

Agreed to.

Long Title:

A Bill for an Act to Amend the Agricultural Research Council of Nigeria Act, Cap. A12, Laws of the Federation of Nigeria, 2004 to Make Provision for the Establishment of Federal College of Agriculture (Technical), Enugwu-Ukwu, Anambra State; and for Related Matters (HB. 1261) (*Hon. Peter Akpatason — Deputy 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 Amend the Agricultural Research Council of Nigeria Act, Cap. A12, Laws of the Federation of Nigeria, 2004 make provision for Establishment of Federal College of Agriculture (Technical) Enugwu-Ukwu, Anambra; and for Related Matters (HB. 1261) and approved Clauses 1- 3, 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.

(vii) *A Bill for an Act to Repeal the National Secondary Education Commission etc. Act, Cap. N73, Laws of the Federation of Nigeria, 2004 and Enact the National Senior Secondary Education Commission Bill to Prescribe Minimum Standards for Senior Secondary Education in Nigeria, Manage the National Senior Secondary Education Commission Fund; and for Related Matters (HB. 1940) (Committee of the Whole):*

Motion made and Question proposed, "That the House do consider the Report on a Bill for an Act to Repeal the National Secondary Education Commission etc. Act, Cap. N73, Laws of the Federation of Nigeria, 2004 and Enact the National Senior Secondary Education Commission Bill to Prescribe Minimum Standards for Senior Secondary Education in Nigeria, Manage the National Senior Secondary Education Commission Fund; and for Related Matters (HB. 1940)" (Hon. Peter Akpatason — Deputy 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 REPEAL THE NATIONAL SECONDARY EDUCATION COMMISSION, ETC. ACT, CAP. N73, LAWS OF THE FEDERATION OF NIGERIA, 2004 AND ENACT THE NATIONAL SENIOR SECONDARY EDUCATION COMMISSION BILL TO PRESCRIBE MINIMUM STANDARDS FOR SENIOR SECONDARY EDUCATION IN NIGERIA, MANAGE THE NATIONAL SENIOR SECONDARY EDUCATION COMMISSION FUND; AND FOR RELATED MATTERS (HB. 1940)

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 Repeal the National Secondary Education Commission etc. Act, Cap. N73, Laws of the Federation of Nigeria, 2004 and Enact the National Senior Secondary Education Commission Bill to Prescribe Minimum Standards for Senior Secondary Education in Nigeria, Manage the National Senior Secondary Education Commission Fund; and for Related Matters (HB. 1940).

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

(viii) *A Bill for an Act to Amend the Federal Capital Territory Customary Court Act, 2007 to Alter the Quorum of the Court for the Purpose of Ensuring Timely Dispensation of Justice, Expand the Criminal Jurisdiction of the Court; and for Related Matters (HB. 1592) (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 Federal Capital Territory Customary Court Act, 2007 to Alter the Quorum of the Court for the Purpose of Ensuring Timely Dispensation of Justice, Expand the Criminal Jurisdiction of the Court; and for Related Matters (HB. 1592)" (Hon. Peter Akpatason — Deputy 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 FEDERAL CAPITAL TERRITORY CUSTOMARY COURT ACT, 2007 TO ALTER THE QUORUM OF THE COURT FOR THE PURPOSE OF ENSURING TIMELY DISPENSATION OF JUSTICE; EXPAND THE CRIMINAL JURISDICTION OF THE COURT; AND FOR RELATED MATTERS (HB. 1592)

Clause 1: **Amendment of the Federal Capital Territory Customary Court Act, 2007 No. 8.**

The Federal Capital Territory Customary Court Act, 2007 (in this Bill referred to as the "principal Act") is amended as set out in this Bill (*Hon. Peter Akpatason — Deputy House Leader*).

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

Clause 2: Amendment of Section 2 "Composition of Customary Court and Quorum".
Section 2 of the principal Act is amended by substituting for subsections (2) and (3), new subsections "(2)" and "(3)", and inserting a new subsection "(4)" immediately after the new subsections "(2)" and "(3)":

- "(2) For the Purpose of hearing any civil cause or matter, the Customary Court shall be properly constituted by one member of the court present and sitting.
- (3) Any member who did not participate at the trial shall not participate in the judgment of the court.
- (4) For the purpose of exercising any Criminal Jurisdiction herein granted, the court shall be duly constituted by one member of the court present and sitting" (*Hon. Peter Akpatason — Deputy House Leader*).

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

Clause 3: Amendment of section 14 "Persons subject to Court's jurisdiction and civil jurisdiction schedule".
Section 14 of the principal Act is amended by substituting for subsections (1) and (2), new subsections "(1)" "(2)": as set out below —

- "(1) A Customary Court shall have and exercise jurisdiction over all persons within the territorial limits of the Federal Capital Territory, Abuja.
- (2) A Customary Court shall have and exercise Civil and Criminal jurisdiction over causes and matters as set out in the Schedule to this Bill" (*Hon. Peter Akpatason — Deputy House Leader*).

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

Clause 4: Amendment of section 48 "Right of Appeal, Conditions of Appeals and Appeals out of time".
Section 48 of the principal Act is amended by substituting for subsections (1), (2) and (3), new subsections "(1)", "(2)" and "(3)":

- "(1) Any party, who is aggrieved by the decision or order of Customary Court, may within thirty (30) days from the date of such decision or order, appeal to:
 - (a) the Customary Court of Appeal of the Federal Capital Territory in Civil causes or matters; or
 - (b) the High Court of the Federal Capital Territory in Criminal matters.
- (2) The right of appeal to the Customary Court of Appeal or the High Court shall be subject to the conditions and in accordance with the provisions of any law or rules of the court, if any, for the time being in force regulating the practice and procedure of the court with respect to appeals.
- (3) Leave to appeal out of time may, upon reasonable cause being shown, be granted by the appellate courts upon such terms as it shall consider just" (*Hon. Peter Akpatason — Deputy House Leader*).

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

Clause 5: Amendment of Section 49 "Power of Appellate Court in Civil Appeal".

Section 49 of the principal Act is amended in line 1, by inserting immediately after the word "Appeal", the words " or the High Court", and by inserting after the words "exercise of", the words "their respective appellate jurisdiction as conferred ":

"49. The Customary Court of Appeal or the High Court in exercise of their respective appellate jurisdiction as conferred under this Bill may —" (*Hon. Peter Akpatason — Deputy House Leader*).

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

Clause 6: Amendment of Section 50 "Court may inspect Records".

Section 50 of the principal Act is amended in line 2 by inserting after word "Appeal", the words " or the High Court as the case may be":

"50. Where an appeal lies from an order or decision of a customary court, the Customary Court of Appeal or the High Court as the case may be, shall have power to inspect the records or books of such customary court relating to the appeal" (*Hon. Peter Akpatason — Deputy House Leader*).

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

Clause 7: Applicability of Certain Provisions of Evidence Act, ACJA, etc.

Section 65 of the Principal Act is renumbered as sub-clause (1) and new sub-clause (2) introduced thereof:

- "65. (1) The Customary Court and Customary Court of Appeal FCT Abuja shall in Judicial Proceedings be bound by the provisions of sections 14, 15, 59, 76, 77, 78, 92, 93, 135, 136, 155, 177 and 227 of the Evidence Act.
- (2) The Customary Court, in the exercise of its criminal jurisdiction, shall apply the provisions of the Evidence Act, Administration of Criminal Justice Act and any other Act or rules of practice and procedure made pursuant to any written law for the time being in force for the realisation of the provisions of this Bill" (*Hon. Peter Akpatason — Deputy House Leader*).

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

Clause 8: Interpretation.

Section 66 of the Principal Act is amended by modifying the definition of some terms:

"In this Bill —

"action" means civil or criminal proceedings instituted in a Customary Court in accordance with this Bill or Rules made thereunder (*Hon. Peter Akpatason — Deputy House Leader*).

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

"Defendant" includes every person served with any writ of summons or process or with notice of, or entitled to attend any proceedings in a civil or criminal causes (Hon. Peter Akpatason — Deputy House Leader).

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

"Judgment debtor" includes every person ordered by a judgment or order in a civil or criminal causes or matter to pay money or to do or abstain from doing any act (Hon. Peter Akpatason — Deputy House Leader).

Question that the meaning of the words "Judgment debtor" be as defined in the interpretation to this Bill — Agreed to.

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

Clause 9: Citation.

This Bill may be cited as the Federal Capital Territory Customary Court Act, 2007 (Amendment) Bill, 2023 (Hon. Peter Akpatason — Deputy House Leader).

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

Clause 10: Amendment to the Schedule "SCHEDULE (Sections 1 and 14)".

The Schedule to the principal Act is amended as follows:

"PART I — CIVIL CAUSES UNIT OF JURISDICTION AND POWERS"

- (a) in Part I, line 6 columns Grade B and C respectively of Paragraph (3), by substituting for the amount ₦200,000, new amount "₦3,000,000; and for the amount ₦100,000, new amount "₦2,000,000", and in line 7 columns Grade B and C respectively of Paragraph (4), by substituting for the word "unlimited", the amount ₦3,000,000, and for amount "₦100,000", new amount "₦2,000,000":

- "(3) Civil causes and matters including bye-laws where the debt, demand including dowry, bride price or damages do not exceed the amounts specified in the respective columns hereof:

Unlimited	₦3,000,000	₦2,000,000
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- (4) Causes and matters relating to succession to property and administration of estate under customary law where the value of the property does not exceed the amounts specified in the respective columns hereof:

Unlimited	₦3,000,000	₦2,000,000"
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"PART II — CRIMINAL CAUSES"

Type of Offences

- (b) In Part II, by substituting for Paragraphs (1), (2), and (3), new paragraphs "(1)", "(2)" and "(3)" and inserting immediately after the new paragraph "(3)", paragraphs "(4)", "(5)", "(6)", "(7)", "(8)", "(9)" and "(10)":

- "1. Interference with persons acting under this Act (fine of ₦100,000.00 or 12 months imprisonment or both).
2. Giving false evidence (fine of ₦100,000.00 or 18 months imprisonment or both).
3. Refusal to give evidence and insulting behaviour (fine of ₦20,000.00 or 1 month imprisonment or both).
4. Refusal to obey summons of court of Customary Court (fine of ₦10,000.00 or in default of payment, to a term of imprisonment for 14 days).
5. Causing persons to refrain, delay, etc. from giving evidence (fine of ₦100,000.00 or 6 months imprisonment or both).
6. Acts prejudicial to process of judgment (a fine of ₦100,000.00 or imprisonment for 5 years or both).
7. Falsification of records of Proceedings (a fine of ₦150,000.00 or imprisonment for 5 years or both).
8. Statutory offences as may be provided in any other law or bye-law of Area Councils or statutory corporations (as provided in the other law or bye-law).
9. Offences created by any written law punishable by a fine not exceeding the amount provided against each grade of Customary Court or the corresponding term of imprisonment or both:

GRADE A: ₦500,000.00 or 7 years imprisonment or both;

GRADE B: ₦300,000.00 or 5 years imprisonment or both;

GRADE C: ₦200,000.00 or 3 years imprisonment or both.
10. Recovery of penalties, fines, costs and expenses pursuant to the Abuja Environmental Protection Board Act (as provided by the Abuja Environmental Protection Board Act) (*Hon. Peter Akpatason — Deputy House Leader*).

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

Explanatory Memorandum:

This Bill seeks to amend the principal Act, to among other things, alter the Quorum of the Court from three members to one member for the purpose of ensuring timely dispensation of justice; expand the criminal jurisdiction of the Court to declog the dockets of Magistrates Courts in the Federal Capital Territory, and review the monetary jurisdiction of the Court to reflect the current economic realities in Nigeria, etc. (*Hon. Peter Akpatason — Deputy House Leader*).

Agreed to.

Long Title:

A Bill for an Act to Amend the Federal Capital Territory Customary Court Act, 2007 to Alter the Quorum of the Court for the Purpose of Ensuring Timely Dispensation of Justice; Expand the

Criminal Jurisdiction of the Court; and for Related Matters (HB. 1592) (*Hon. Peter Akpatason — Deputy 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 Amend the Federal Capital Territory Customary Court Act, 2007 to Alter the Quorum of the Court for the Purpose of Ensuring Timely Dispensation of Justice, Expand the Criminal Jurisdiction of the Court; and for Related Matters (HB. 1592) and approved Clauses 1-10, 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.

24. Adjournment

That the House do adjourn till Wednesday, 5 April, 2023 at 11.00 a.m. (Hon. Peter Akpatason — Deputy House Leader).

The House adjourned accordingly at 2.17 p.m.

Ahmed Idris
Deputy Speaker

