



SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS (1)

Wednesday, 21st September, 2022

1. The Senate met at 10:32 a.m. The President of the Senate read prayers.
2. **Votes and Proceedings:**
The Senate examined the Votes and Proceedings of Tuesday, 20th September, 2022.
Question was put and the Votes and Proceedings were approved.
3. **Announcement:**
Letter of Defection:
The President of the Senate read a letter from Senator Ibrahim Shekarau (*Kano Central*) as follows:



Senator Ibrahim Shekarau, CON, PEN
SARDAUNAN KANO
Kano Central Senatorial District

16th September, 2022

Ref: NASS/SIS/SK/SA/Adm/1/412

Distinguished Senate President
Dr. Ahmad Ibrahim Lawan

Mr. President,

Notification of Joining the People's Democratic Party (PDP)

I wish to bring to the notice of Mr. President that I have resigned my membership of the New Nigeria People's Party (NNPP) and joined the People's Democratic Party (PDP), on Monday, August 29, 2022.

This decision follows wide and extensive deliberations within my political group-the Shura, to re-strategize and pursue our political career in a different political party.

Thank you, Mr. President.

(Signed)
Ibrahim Shekarau, CON, PEN, Sardaunan Kano

4. Petition:

Rising on order 40 (1) Senator Ovie A. Omo-Agege drew the attention of the Senate to a petition from Ukueku Oghenetega, against the Federal Civil Service Commission over an alleged refusal to capture his name on IPPIS and refusal to pay salaries for two years and for declaring his appointment as fake.

He urged the Senate to look into the matter.

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

5. Presentation of Bills:

(i) Federal University of Medical and Health Sciences, Ondo State (Establishment) Bill, 2022 (HB. 1770) — *Read the First Time.*

(ii) Federal College of Education Omu-Aran, Kwara State (Establishment) Bill, 2022 (HB.171) — *Read the First Time.*

(iii) Chartered Compliance Institute of Nigeria (Establishment) Bill, 2022 (SB. 1043) — *Read the First Time.*

(iv) Central Bank of Nigeria (CBN) Act (Amendment) Bill, 2022 (SB. 1049) — *Read the First Time.*

(v) Electoral Act 2022 (Amendment) Bill, 2022 (SB. 1051) — *Read the First Time.*

6. Executive Communication:

2023 - 2025 Medium-Term Expenditure Framework (MTEF) and Fiscal Strategy Paper (FSP):

Motion made: That the Senate do consider the request of Mr. President, Commander-in-Chief of the Armed Forces of the Federation on the 2023 - 2025 Medium-Term Expenditure Framework (MTEF) and Fiscal Strategy Paper (FSP) (*Senate Leader*).

Question put and Agreed to.

Request accordingly Refer to the Committees on Finance; and National Planning to report on Tuesday, 27th September, 2022.

7. Executive Communications:

Confirmation of the Nomination of Muhammad Sabo Lamido for Appointment as Executive Commission Finance and Accounts for the Nigerian Upstream Petroleum Regulatory Commission:

Motion made: That the Senate do consider the request of Mr. President, Commander-in-Chief of the Armed Forces of the Federation on the confirmation of the nomination Muhammad Sabo Lamido for appointment as Executive Commissioner, Finance and Accounts for the Nigeri Upstream Petroleum Regulatory Commission (*Senate Leader*).

Question put and Agreed to.

Request accordingly Refer to the Committee on Petroleum Resources (Upstream) to report within two (2) weeks.

8. Executive Communication:

Promissory Note Programme to settle outstanding claims in respect of Export Expansion Grant (EEG) Scheme:

Motion made: That the Senate do consider the request of Mr. President, Commander-in-Chief

of the Armed Forces of the Federation on the establishment of a Promissory Note Programme in the sum ₦375, 486, 874, 569.80 (Three Hundred and Seventy Five Billion, Four Hundred a Eighty Six Million, Eight Hundred and Seventy Four Thousand, Five Hundred and Sixty Nine Naira and Eighty Kobo) to settle outstanding claims owed to various exporters from 2007-2020 in respect of Export Expansion Grant (EEG) Scheme (*Senate Leader*).

Question put and Agreed to.

Request accordingly Refer to the Committee on Trade and Investment to report within two (2) weeks.

9. Executive Communication:

Issuance of Promissory Notes to Kebbi and Taraba State Governments for the construction of Federal Roads:

Motion made: That the Senate do consider the request of Mr. President, Commander-in-Chief of the Armed Forces of the Federation on the issuance of Promissory Notes in the sum ₦6,706, 835, 495.12 (Six Billion, Seven Hundred and Six Million, Eight Hundred and Thirty Five Thousand, Four Hundred and Ninety Five Naira, Twelve Kobo) only for Kebbi State Government and ₦2, 470,525,729.53 (Two Billion, Four Hundred and Seventy Million, Five Hundred and Twenty Five Thousand, Seven Hundred and Twenty Nine Naira, Fifty Three Kobo) only for Taraba State Government for the construction of Federal Roads in their respective States (*Senate Leader*).

Question put and Agreed to.

Request accordingly Refer to the Committee on Foreign and Local Debt to report within two (2) weeks.

10. Executive Communication:

Issuance of Promissory Note to Yobe State for the construction of Federal Road:

Motion made: That the Senate do consider the request of Mr. President, Commander-in-Chief of the Armed Forces of the Federation on the Issuance of Promissory Note in the sum N18, 663, 843, 119.39 (Eighteen Billion, Six Hundred and Sixty Three Million, Eight Hundred and Forty Three Thousand, One Hundred and Nineteen Naira, Thirty Nine Kobo) only for Yobe State Government for the construction of Federal Roads (*Senate Leader*).

Question put and Agreed to.

Request accordingly Refer to the Committee on Foreign and Local Debt to report within two (2) weeks.

11. Confirmation of Nomination:

Confirmation of the Nomination of Honourable Justice Olukauode Aritwoola for Appointment as the Chief Justice of Nigeria:

Motion made: That the Senate do consider the request of Mr. President, Commander-in-Chief of the Armed Forces of the Federation on the confirmation of the nomination Hon. Justice Olukayode Ariwoola for appointment as the Chief Justice of Nigeria (*Senate Leader*).

Question put and agreed to.

Privileges of the Floor:

(i) ***Admission of Special Assistant to the President on National Assembly Matters (Senate):***

Motion made: That the Senate do invoke Order 17(1) to admit Special Assistant to the President on National Assembly Matters (Senate) to the Floor of the Senate (*Senate Leader*).

Question put and agreed to.

Special Assistant to the President on National Assembly Matters (Senate) accordingly admitted to the Floor of the Senate.

(ii) Admission of Hon. Justice Olukayode Ariwoola (Nominee for CJN), Acting CJN; and other Justices of the Supreme Court:

Motion made: That the Senate do suspend Order 17(1) to admit Hon. Justice Olukayode Ariwoola (Nominee for CJN), Acting CJN; and other Justices of the Supreme Court to the Floor of the Senate (*Senate Leader*).

Question put and agreed to.

Hon. Justice Olukayode Ariwoola (Nominee for CJN), Acting CJN; and other Justices of the Supreme Court accordingly admitted to the Floor of the Senate.

Motion made: That the Senate do resolve into the Committee of the Whole to consider the request of Mr. President, Commander-in-Chief of the Armed Forces of the Federation, for the confirmation of Hon. Justice Olukayode Ariwoola for appointment as the Chief Justice of Nigeria (*Senate Leader*).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

(Screening of Nominee)

Nominee screened:

Hon. Justice Olukayode Ariwoola

—

Agreed to.

Chairman to report progress.

(SENATE IN PLENARY)

The President of the Senate reported that the Senate in the Committee of the Whole considered the request of Mr. President, Commander-in-Chief of the Armed Forces of the Federation, for the confirmation of Hon. Justice Olukayode Ariwoola for appointment as the Chief Justice of Nigeria. The nominee answered questions from Distinguished Senators on Judiciary matters and a number of topical issues. The Senate thereafter approved the nomination.

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

Confirmation of Nominee:

Question:

“Will the Senate confirm the nomination of Hon. Justice Olukayode Ariwoola for appointment as Chief Justice of Nigeria?” — *Resolved in the Affirmative.*

Nomination of Hon. Justice Olukayode Ariwoola for appointment as Chief Justice of Nigeria accordingly confirmed.

12. Re-Committal:

Re-Committal of Bills to the Committee of the Whole.

Motion made: The Senate recalls that the following Bills were passed by the Senate and the House of Representatives and were transmitted to the Clerk of the National Assembly for onward transmission to the President, Commander-in-Chief of the Armed Forces of the Federation for Assent;

The Bills are:

- (i) Federal Medical Centres (Establishment) Bill, 2022;
- (ii) National Youth Service Corps Trust Fund (Establishment) Bill, 2022;
- (iii) Federal University of Science and Technology Lau, Taraba State (Establishment) Bill, 2022; and
- (iv) Nigerian Transportation Accident Investigation Bureau (Establishment) Bill, 2022;

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

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

relying on order 1(b) and order 52(6) of Senate Standing Order, 2022 as amended (*Senate Leader*).

Debate:

Proposed Resolution:

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

Resolved:

That the Senate do rescind its decision on the Bills as passed and re-commit same to the Committee of the Whole for re-consideration and passage (*S/Res/017/04/22*).

Motion made: Pursuant to Resolution No. (*S/Res/012/04/22*), that the Senate do resolve into Committee of the Whole to consider the Bills (*Deputy Senate Leader*).

Question put and agreed to.

(i) Federal Medical Centres (Establishment) Bill, 2022.

CONSIDERATION OF THE REPORT OF A BILL FOR AN ACT TO PROVIDE THE LEGAL FRAMEWORK TO ESTABLISH THE FEDERAL MEDICAL CENTRES FOR THEIR DUE MANAGEMENT AND ADMINISTRATION; AND FOR RELATED MATTERS, 2022

PART I - ESTABLISHMENT OF THE FEDERAL MEDICAL CENTRES

Clause 1: Establishment of Federal Medical Centres

- (1) There is established the Federal Medical Centres (in this Act referred to as "the Medical Centres") as specified in the Second Schedule to this Act.
- (2) The Medical Centres -
 - (a) shall be bodies corporate;
 - (b) may sue and be sued in their corporate names; and
 - (c) shall have perpetual succession and a common seal.
- (3) The President may, by order publish in the Federal Government Gazette, increase, vary or delete the Medical Centres specified in the Second Schedule to this Act.

- (4) This Act shall apply to any other Medical Centre established after the commencement of this Act.

Committee's Recommendation:

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

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

Clause 2: Establishment of the Boards of Federal Medical Centres

There is established for the management of each Medical Centre a Board of Management (in this Act referred to as "the Board") which shall be constituted and have the functions and powers set out in this Act.

Committee's Recommendation:

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

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

Clause 3: Membership of the Board

- (1) The Board shall consist of -
- (a) a part-time Chairman;
 - (b) the Medical Director of the Medical Centre;
 - (c) the Head of Clinical Services;
 - (d) the Director of Administration who shall be the Secretary of the Board;
 - (e) one representative each of -
 - (i) the Minister of Health who should not be below the rank of an Assistant Director,
 - (ii) the medical profession,
 - (iii) allied health professionals,
 - (iv) State Ministry of Health; and
 - (f) three persons to represent public interest.
- (2) The Chairman and members of the Board, other than ex-officio members, shall be -
- (a) appointed by the President; and
 - (b) persons of proven integrity and ability.
- (3) The supplementary provisions set out in the First Schedule to this Act shall have effect with respect to the proceedings of the Board and other matters contained in it.

Committee's Recommendation:

That the provision in Clause 3 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 4: Tenure of office

Subject to the provisions of section 5 of this Act, members of the Board, other than ex-officio members, shall each hold office -

- (a) for a term of four years in the first instance and may be re-appointed for a further term of four years and no more; and
- (b) on such terms and conditions as may be specified in the letter of appointment.

Committee's Recommendation:

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

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

Clause 5: Cessation of membership

(1) Notwithstanding the provisions of section 4 of this Act a person shall cease to hold office as a member of the Board if he -

- (a) becomes bankrupt, suspends payment of principal loan with his creditors;
- (b) is convicted of a felony or any offence involving dishonesty or fraud;
- (c) becomes of unsound mind or is incapable of carrying out his duties;
- (d) is guilty of a serious misconduct in relation to his duties;
- (e) in the case of a person possessed of professional qualifications, is disqualified or suspended, other than at his own request, from practising his profession in any part of the world by an order of a competent authority made in respect of that member; or
- (f) resigns his appointment by a letter addressed to the President.

(2) Where a member of the Board ceases to hold office for any reason, before the expiration of the term for which he is appointed, another person representing the same interest as that member shall be appointed to the Board for the unexpired term.

(3) A member of the Board may be removed by the President if the President is satisfied that it is not in the interest of the Medical Centre or the public that the member continues in office.

Committee's Recommendation:

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

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

Clause 6: Allowances of members

There shall be paid to every member of the Board such allowances and expenses as the Revenue Mobilisation Allocation and Fiscal Commission may determine.

Committee's Recommendation:

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

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

PART II - FUNCTIONS OF THE MEDICAL CENTRES AND POWERS OF THE BOARD

Clause 7: Functions of the Medical Centres

- (1) The Medical Centres shall -
- (a) provide facilities for diagnostic, curative, preventive and rehabilitative services in medical treatment;
 - (b) construct, equip, maintain and operate such training schools, and similar institutions for providing the Medical Centres with appropriate staff;
 - (c) construct, equip, maintain and operate such clinics, out-patient departments, laboratories, research or experimental stations and other similar institutions necessary for the effective functioning of the Medical Centres;
 - (c) ensure that the standards of treatment and care provided at all establishments under its control and the standards of treatment and care provided for patients at those establishments is not below the required standards; and
 - (d) perform such other functions as are necessary to facilitate the performance of its functions under this Act.
- (2) The Board shall ensure that the standards of teaching provided at all establishments under its control and the standards of treatment and care provided for patients at those establishments do not fall below those usually provided by similar establishments of international repute.
- (3) Subject to this Act, the Board shall perform such other functions which in its opinion are calculated to facilitate the performance of its functions under this Act.

Committee's Recommendation:

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

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

Clause 8: Powers of the Board

The Board shall have power to -

- (a) provide the general policies and guidelines relating to major expansion programmes of the Medical Centres;
- (b) subject to the provisions of this Act, make, alter and revoke rules and regulations for performing the functions of the Medical Centres;
- (c) fix terms and conditions of service, including remuneration of the employees of the Centre subject to the approval of National Salaries Incomes and Wages Commission; and

- (d) do such other things which in the opinion of the Board are necessary to ensure the efficient performance of the functions of the Medical Centres.

Committee's Recommendation:

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

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

PART III - STAFF OF THE MEDICAL CENTRES

Clause 9: Medical Directors of the Medical Centres

- (1) There shall be for each Medical Centre a Medical Director who shall be appointed by the President on such terms and conditions as may be specified in his letter of appointment or as may be determined by the Federal Government.
- (2) The Medical Director shall -
- (a) be the chief executive and accounting officer of the Centre;
 - (b) be responsible to the Board for the administration of the Centre;
 - (c) be appointed for a term of four years in the first instance and may be reappointed for a further term of four years subject to satisfactory performance;
 - (d) be a medical practitioner who shall have -
 - (i) a first degree registered with the Medical and Dental Council of Nigeria (MDCN), and
 - (ii) 12 years post MBBS and five years post fellowship;
 - (e) have considerable administrative experience in matters of health; and
 - (f) hold a post-graduate specialist qualification obtained at least 10 years prior to the appointment as Medical Director.

Committee's Recommendation:

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

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

Clause 10: Appointment of Director of Administration and recruitment of other staff of the Medical Centres

- (1) The Medical Director of each of the Medical Centres shall, with the approval of the Board, appoint a Director of Administration, who shall -
- (a) be responsible to the Medical Director for the effective functioning of all the administrative divisions of the Medical Centre;
 - (b) conduct the correspondence and keep the records of the Medical Centre; and

- (c) perform such other functions as the Medical Director, may assign to him.
- (2) The Directors appointed under subsection (1) shall each be responsible to the Medical Directors for the effective running of the clinical services, the finance and accounts and the co-ordination of the maintenance of the Medical Centres, as the case may be.
- (3) The Medical Director of each of the Medical Centres shall, with the approval of the Board, appoint for the Medical Centres such number of employees as may in the opinion of the Board be necessary for the proper and efficient performance of the functions of the Centre.
- (4) Notwithstanding the provisions of subsections (1) and (2) the Medical Director of each of the Medical Centre shall have power to appoint for the Medical Centre, either directly or on secondment from any public service in the Federation, such number of employees as may, in the opinion of the Board, be required to assist the Medical Centre in the performance of any of their functions under this Act.
- (5) Nothing in subsection (4) shall preclude each Medical Director from appointing persons from outside the public service of the Federation or of the State whenever he thinks it necessary to do so.
- (6) The terms and conditions of service of the employees of the Medical Centres shall be as determined by the National Salaries Income and Wages Commission.

Committee's Recommendation:

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

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

Clause 11: Service in the Medical Centres to be pensionable

- (1) Service in the Medical Centres shall be approved service for the purposes of the Pensions Reforms Act.
- (2) The officers and other persons employed in the Medical Centres shall be entitled to pensions, gratuities and other retirement benefits as enjoyed by persons holding equivalent grades in the public service of the Federation.
- (3) Nothing in subsections (1) and (2) shall prevent the appointment of a person to any office on terms which preclude the grant of pension and gratuity in respect of that office.

Committee's Recommendation:

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

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

Clause 12: Appointment of Head of Clinical Services

- (1) The Medical Director shall, with the approval of the Board, establish for each of the Medical Centres a Department of Clinical Services which shall -

- (a) consist of a Head of Clinical Services who shall be a Director and such number of other members;
 - (b) be answerable to the Medical Director; and
 - (c) be in charge of all the Medical or training activities in the Medical Centre.
- (2) Subject to this Act, each Medical Director shall have power to appoint either directly or on secondment, and discipline consultants holding or acting in any office in the Medical Centres, and any such appointment shall be made having due regard to the approved personnel establishment of the Medical Centres.
- (3) Notwithstanding anything to the contrary, the Medical Director may, with the approval of the Board, appoint consultants outside the hospital to perform such medical duties as the Medical Director may assign to such consultants.

Committee's Recommendation:

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

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

PART IV - FINANCIAL PROVISIONS

Clause 13: Fund of the Medical Centres

There shall be established and maintained for each of the Medical Centres a fund into which shall be paid and credited -

- (a) all subventions and budgetary allocation from the Government of the Federation;
- (b) all fees and funds accruing from the sale of drugs and other services;
- (c) all sums accruing to the Medical Centres by way of gifts, endowments, bequests, grants or other contributions by persons and organisations;
- (d) foreign aid and assistance from bilateral agencies; and
- (e) all other sums which may accrue to the Medical Centres.

Committee's Recommendation:

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

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

Clause 14: Expenditure of the Medical Centres

The Medical Centres shall apply the fund at their disposal to -

- (a) the cost of administration and maintenance of the Medical Centres;
- (b) publicise and promote the activities of the Medical Centres;
- (c) pay allowances, expenses and other benefits of members of the Board and committees of the Board;

- (d) pay the salaries, allowances and benefits of employees of the Medical Centres;
- (e) pay other overhead allowances, benefits and administrative costs of the Medical Centres; and
- (f) undertake such other activities as are connected with all or any of the functions of the Medical Centre under this Act.

Committee's Recommendation:

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

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

Clause 15: Power to accept gifts

- (1) The Medical Centres may accept gifts of land, money or other property on such terms and conditions, as may be specified by the person or organisation making the gift.
- (2) The Medical Centres shall not accept any gift if the conditions attached by the person or organisation making the gift are inconsistent with the functions of the Medical Centres under this Act.

Committee's Recommendation:

That the provision in Clause 15 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 16: Annual estimates and expenditure

- (1) Each Medical Director shall with the approval of the Board, submit to the Minister, not later than 30th June in each year, an estimate of the expenditure and income of the Medical Centre during the succeeding year.
- (2) Each Medical Director shall cause to be kept proper accounts of the Medical Centre in respect of each year and proper records in relation to it and shall cause the accounts to be audited not later than six months after the end of each year by auditors appointed from the list and in accordance with the guidelines supplied by the Auditor-General for the Federation.

Committee's Recommendation:

That the provision in Clause 16 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 17: Annual report

Each Medical Director shall with the approval of the Board, prepare and submit to the Minister, not later than 30th June in each year, a report on the activities of the Medical Centre during the immediately preceding year, and shall include in the report a copy of the audited accounts of the Medical Centres for that year and the auditor's report on it.

Committee's Recommendation:

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

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

Clause 18: Power to borrow

- (1) The Medical Centres may borrow, by overdraft or otherwise, such sums as they may require for the performance of their functions under this Act.
- (2) The Medical Centres shall not, without the approval of the President, borrow money which exceeds, at any time, the limit set by the President.
- (3) Notwithstanding subsection (1), where the sum to be borrowed is in foreign currency, the Medical Centres shall not borrow the sum without the prior approval of the President.

Committee's Recommendation:

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

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

Clause 19: Exemption from tax

- (1) The Medical Centres shall not pay income tax on any income derived by the Federal Medical Centres under this Act or accruing to them from any of their investments.
- (2) The provisions of any enactment relating to the taxation of companies or trust funds shall not apply to the Board of the Federal Medical Centres.

Committee's Recommendation:

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

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

Clause 20: Exemption from customs duties

The Medical Centres shall not pay customs duty on or be restricted or prohibited from importing any equipment, material, supply and any other thing required by the Medical Centres for the purposes of this Act:

Provided that nothing in this section shall be construed as preventing the Nigeria Customs Service from inspecting any equipment, or material imported by the Medical Centres.

Committee's Recommendation:

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

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

PART V - GENERAL PROVISIONS

Clause 21: Discipline of students

- (1) Notwithstanding anything to the contrary contained in any other enactment, where it appears to the Board of a Medical Centre that a student of a Medical Centre is guilty of misconduct, the Board may, without prejudice to any other disciplinary powers conferred on it by regulations, direct that the -

- (a) student shall not, during such period as may be specified in the direction, participate in such activities of the Medical Centre, or make use of such facilities of the Medical Centre as may be so specified;
 - (b) activities of the student shall, during such period as may be specified in the direction, be restricted in such manner as may be so specified;
 - (c) student be rusticated for such period as may be specified in the direction; or
 - (d) student be expelled from the Medical Centre.
- (2) An appeal from a direction brought under subsection (1) shall not affect the operation of the direction while the appeal is pending.
 - (3) The Board may delegate its powers under this section to a disciplinary committee consisting of such members of the Medical Centre as the Board may nominate.
 - (4) Nothing in this section shall be construed as preventing the restriction or termination of student's activities at the Medical Centres otherwise than on the ground of misconduct.
 - (5) A direction issued under subsection (1) (a) may be combined with a direction issued under subsection (1) (b).
 - (6) Nothing in this Act shall affect the provisions of any enactment relating to the discipline of medical practitioners, pharmacists, midwives, nurses or members of any other profession or calling.

Committee's Recommendation:

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

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

Clause 22: Removal and discipline of clinical, administrative and technical staff

- (1) If it appears to the Board that there are reasons for believing that any person employed as a member of the clinical, administrative or technical staff of any of the Medical Centre, other than the Medical Director, should be removed from his office or employment, the Board shall require the Director of Administration to -
 - (a) give notice of those reasons to the person in question;
 - (b) afford him an opportunity of making representations in person on the matter to the Board; and
 - (c) if the person in question so requests, within a period of one month beginning with the date of the notice, make arrangements for -
 - (i) a committee to investigate the matter and report on it to the Board, and
 - (ii) the person in question to be afforded an opportunity of appearing before and being heard by an

investigating committee set up with respect to the matter, and if the Board, after considering the report of the investigating committee, is satisfied that the person in question should be removed, the Board may remove him by a letter signed on the direction of the Board.

- (2) The Medical Director may, in a case of misconduct by a member of the staff which in the opinion of the Medical Director is prejudicial to the interest of the Medical Centre, suspend any such member and any such suspension shall immediately be reported to the Board.
- (3) For good cause, any member of staff may be suspended from his duties or his appointment may be terminated or he may be dismissed by the Board and for these purposes, "good cause" means -
 - (a) a conviction for any offence which the Board considers to be such as to render the person concerned unfit for the performance of the functions of his office;
 - (b) any physical or mental incapacity which the Board, after obtaining medical advice, considers to be such as to render the person concerned unfit to continue to hold his office;
 - (c) conduct of a scandalous or other disgraceful nature which the Board considers to be such as to render the person concerned unfit to continue to hold his office; or
 - (d) conduct which the Board considers to be such as to constitute a failure or inability of the person concerned to discharge the functions of his office or to comply with the terms and conditions of his service.
- (4) Any person suspended shall, subject to subsections (2) and (3) be on half pay and the Board shall before the expiration of a period of three months after the date of such suspension consider the case against that person and come to a decision as whether to -
 - (a) continue the person's suspension and if so, on what terms, including the proportion of his emoluments to be paid to him;
 - (b) reinstate the person, in which case the Board shall restore his full emoluments to him with effect from the date of suspension;
 - (c) terminate the appointment of the person concerned, in which case he shall not be entitled to the proportion of his emoluments withheld during the period of suspension; or
 - (d) take such lesser disciplinary action against the person, including the restoration of his emoluments that might have been withheld, as the Board may determine, and in any case where the Board, under this section, decides to continue a person's suspension or decides to take further disciplinary action against a person, the Board shall before the expiration of a period of three months from such decision come to a final determination in respect of the case concerning any such person.

- (5) The person by whom a letter of removal is signed under subsection (1) to use his best endeavours to cause a copy of the letter to be immediately served on the person to whom it relates.
- (6) Nothing in the foregoing provisions shall preclude the Board from making regulations consistent with the provisions of this Act for the discipline of students and all other categories of employees of the hospital as the Board may prescribe.
- (7) Regulations made under subsection (6) need not be published in the Federal Government Gazette but the Board shall cause them to be brought to the notice of all affected persons in such manner as it may determine.
- (8) Notwithstanding the provisions of subsection (1) to (7) of this Section, a staff of the centre has the right to seek redress from a court of law where he is not satisfied with the decision of the Board.

Committee's Recommendation:

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

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

Clause 23: Discipline of junior staff

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

Committee's Recommendation:

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

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

PART VI - MISCELLANEOUS PROVISIONS

Clause 24: Regulations

- The Medical Centres shall, with the approval of the Minister, make regulations -
- (a) as to the access of the members of the public either generally or of a

particular class, to premises under the control of the Medical Centres and the orderly conduct of members of the public;

- (b) for safeguarding any property belonging to or controlled by the Medical Centres from damage by members of the public; and
- (c) for giving full effect to the provisions of this Act.

Committee's Recommendation:

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

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

Clause 25: Power to give directives

The Minister may give to the Board directions of a general character or relating generally to particular matters, but not to any individual person or case, with regard to the exercise by the Board of its functions under this Act, and the Board shall comply with the directions but no direction shall be given which is inconsistent with the duties of the Board under this Act.

Committee's Recommendation:

That the provision in Clause 25 be retained (*Senate Leader*) — *Agreed to*.

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

Clause 26: Repeal

The Federal Medical Centre Hong (Establishment) Act, 2022 is repealed.

Committee's Recommendation:

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

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

Clause 27: Transitional and savings provision

- (1) On the commencement of this Act, any person employed by or serving in, the Medical Centres shall be deemed to have been employed or serving in the Medical Centres established under this Act.
- (2) All assets or liabilities belonging to the Medical Centres shall be deemed to belong to the Medical Centres established under this Act.

Committee's Recommendation:

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

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

Clause 28: Interpretation

In this Act -

"Board" means the Board of Management of each Medical Centre;

"Chairman" means the Chairman of the Board;

"functions" include powers and duties;

"Medical Centres" means the Federal Medical Centres, established under section 1 of this Act;

"junior staff" means staff of such grade as may be determined by the Board;

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

"Resident Doctor" and defined as an officer who has MBBS as first degree and is undergoing further training various clinical specialities to attain fellowship; and

"student" means a person enrolled at an institution controlled by the Board for the purpose of pursuing a course of instruction at the institution.

Committee's Recommendation:

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

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

Clause 29: Citation

This Act may be cited as the Federal Medical Centres (Establishment) Act, 2022.

Committee's Recommendation:

That the provision in Clause 29 be retained (*Senate Leader*) — *Agreed to.*

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

SCHEDULES

FIRST SCHEDULE

Section 3 (3)

SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD

Proceedings of the Board

1. (1) Subject to this Act and section 27 of the Interpretation Act, the Board may make standing orders regulating its proceedings or those of any of its committees.
- (2) The quorum of the Board shall be the Chairman or the person presiding at the meeting and five other members of the Board, two of whom shall be ex-officio members, and the quorum of any committee of the Board shall be as determined by the Board.
2. (1) The Board shall meet whenever it is summoned by the Chairman and if the Chairman is required to do so by notice given to him by not less than eight other members, he shall summon a meeting of the Board to be held within 14 days from the date on which the notice is given.
- (2) At any meeting of the Board, the chairman shall preside but if he is absent, the members present at the meeting shall appoint one of their members to preside at the meeting.
- (3) Where the Board desires to obtain the advice of any person on a particular matter, the Board may co-opt him to the Board for such period as it deems fit, but a person who is in attendance by virtue of this "sub-section" shall not be entitled to vote at any meeting of the Board and shall not count towards a quorum.

Committees

3. (1) The Board may appoint one or more committees to carry out, on behalf of the Board, such functions as the Board may determine.
- (2) A committee appointed under this paragraph shall consist of such number of persons as may be determined by the Board and a person shall hold office on the committee in accordance with the terms of his appointment.
- (3) A decision of a committee of the Board shall be of no effect until it is confirmed by the Board.

Miscellaneous

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

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

SECOND SCHEDULE

Section 1 (1) and (3)

THE FEDERAL MEDICAL CENTRES

1. Federal Medical Centre, Abeokuta
2. Federal Medical Centre, Abuja
3. Federal Medical Centre, Asaba
4. Federal Medical Centre, Azare
5. Federal Medical Centre, Bida
6. Federal Medical Centre, Birnin-Kebbi
7. Federal Medical Centre, Birnin-Kudu
8. Federal Medical Centre, Ebute-Meta
9. Federal Medical Centre, Gusau
10. Federal Medical Centre, Ado-Ekiti
11. Federal Medical Centre, Jalingo
12. Federal Medical Centre, Keffi
13. Federal Medical Centre, Lokoja
14. Federal Medical Centre, Makurdi
15. Federal Medical Centre, Nguru

16. Federal Medical Centre, Owerri
17. Federal Medical Centre, Owo
18. Federal Medical Centre, Umuahia
19. Federal Medical Centre, Wase
20. Federal Medical Centre, Yenagoa
21. Federal Medical Centre, Hong

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

Chairman to report Bill.

(SENATE IN PLENARY)

The President of the Senate reported that the Senate in the Committee of the Whole considered the Report on a Bill for an Act to Provide the Legal Framework to Establish the Federal Medical Centres for Their Due Management and Administration; and for Related Matters, 2022 and approved as follows:

Clauses 1-29 — As Recommended

Schedule — As Recommended

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

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

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

(ii) National Youth Service Corps Trust Fund (Establishment) Bill, 2022;

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF THE REPORT ON A BILL FOR AN ACT TO ESTABLISH NATIONAL YOUTH SERVICE CORPS TRUST FUND TO PROVIDE A SUSTAINABLE SOURCE OF FUNDS FOR THE NATIONAL YOUTH SERVICE CORPS (NYSC), SKILL ACQUISITION, TRAINING AND EMPOWERMENT OF CORPS MEMBERS, TRAINING AND RETRAINING OF THE PERSONNEL OF THE NYSC, DEVELOPMENT OF CAMPS AND NYSC FORMATIONS AND FACILITIES; AND FOR RELATED MATTERS.

Clause 1: Sources of the Trust Fund

4. (1) The Trust fund shall consist of -
 - (a) 0.2% of total revenue accruing to the Consolidated Revenue Fund;
 - (b) any take-off grant and special intervention fund as may be provided by the Federal Government;
 - (c) such money as may be appropriated to meet the objective of this Act by the National Assembly in the budget;
 - (d) aids, grants and assistance from international bilateral and multilateral agencies, non-governmental

organisations and the organised private sector;

- (e) grants, donations, endowments, bequests and gifts, whether of money, land or any other property from any source; and
 - (f) money derived from investments made by the Trust Fund.
- (2) Subsections (1) (e) and (f) shall be acceptable to the Trust Fund except where the terms and conditions attached to aid, grant, donation or gift are inconsistent with the objective of the Trust Fund and the provisions of this Act.

Committee's Recommendation:

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

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

Chairman to report Bill.

(SENATE IN PLENARY)

The President of the Senate reported that the Senate in the Committee of the Whole considered the Report on a Bill for an Act to Establish National Youth Service Corps Trust Fund to Provide a Sustainable Source of Funds for the National Youth Service Corps (Nysc), Skill Acquisition, Training and Empowerment of Corps Members, Training and Retraining of the Personnel of the Nysc, Development of Camps and Nysc Formations and Facilities; and for Related Matters, 2022 and approved as follows:

Clause 1 — As Recommended

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

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

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

(iii) Federal University of Science and Technology Lau, Taraba State (Establishment) Bill, 2022.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF THE REPORT ON A BILL FOR AN ACT TO PROVIDE FOR ESTABLISHMENT OF FEDERAL UNIVERSITY OF SCIENCE AND TECHNOLOGY, LAU, TARABA STATE AND FOR OTHER MATTERS CONNECTED THEREWITH, 2022

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

Clause 1: Establishment and objectives of the Federal University of Science and Technology, Lau, Taraba State.

(1) There is established the Federal University of Science and

Technology, Lau (in this Bill referred to as "the University").

- (2) The University is a body corporate with perpetual succession and a common seal and may sue or be sued in its corporate name.
- (3) The University shall be a training institution for the development of Technologists in the country.
- (4) The University shall be supervised by the Federal Ministry of Education through the National Universities Commission (NUC) which shall be responsible for approving and regulating all academic programmes run in the University, to ensure quality compliance and provide funds for academic and research programmes, infrastructures and remunerations of employees.
- (5) The objects of the University shall be to:
 - (a) encourage the advancement of learning and to hold out to all persons without distinction of race, creed, sex or political conviction;
 - (b) develop and offer academic and professional programmes leading to the award of certificates, first degrees, post-graduate research, diploma and higher degrees with emphasis on planning, developmental and adaptive skills in technology, applied science, social science, management and allied professional disciplines;
 - (c) produce socially mature technologists with capabilities not to only understand the technology need of Nigeria as a nation, but also to exploit existing technological infrastructure and improve on it to develop new ones;
 - (d) act as agents and catalysts for effective technology system, through post graduate training, research and innovation, for effective economic utilization and conservation of the country's human resources;
 - (e) bring quality change in Technology Education by focusing on practical teaching and learning innovations;
 - (f) collaborate with other national and international institutions involved in training, research and development of Technology with a view to promoting governance, leadership and management skills among Technologists;
 - (g) identify Technology needs of the society with a view to finding solutions to them within the context of overall national development;
 - (h) provide and promote sound basic technology training as a foundation for the development of Nigeria, taking into account indigenous culture and the need to enhance national unity;
 - (i) provide higher Education and foster a systematic advancement of the science and Technology Education;

- (j) provide for instruction in such branches of Technological education as it may deem necessary to make provision for research advancement and dissemination of knowledge in such manner as it may determine;
- (k) provide students with operational competence for applying knowledge in the society as well as making technological changes in the society;
- (m) undertake any other activities that is appropriate for a University of Technology of the highest standard.

Committee's Recommendation:

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

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

Clause 2: Constitution and principal officers of the University.

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

Committee's Recommendation:

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

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

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

- (1) For the carrying out of its objects as specified in section 1 of this Bill, Federal University of Science and Technology, Lau shall have power:
- (a) to offer courses of instruction, training and research in Technology and allied areas for the production of quality and skilled technologists required at lower, middle and higher levels of manpower in Nigeria in particular and the world at large;
 - (b) to establish such colleges, campuses, institutes, schools, departments and other teaching and research units within the University as may from time to time be deemed necessary or desirable subject to the approval of National Universities Commission;
 - (c) to institute professorships, readerships or associate professorships, lectureships, and other posts and offices and to make appointments thereto;
 - (d) to institute and award fellowships, scholarships, exhibitions, bursaries, medals, prizes and other titles, distinctions, awards and forms of assistance;
 - (e) to provide for the discipline and welfare of members of the University;
 - (f) to hold examinations and grant degrees, diplomas, certificates and other distinctions to persons who have pursued a course of study approved by the University and have satisfied such other requirements as the University may lay down;
 - (g) to grant honorary degrees, fellowships or academic titles;
 - (h) to demand and receive from any student or any other person attending the University for the purposes of instruction, such fees as the University may from time to time determine subject to the overall directives of the Minister;
 - (i) subject to section 20 of this Bill, to acquire, hold, grant, charge or otherwise deal with or dispose of movable and immovable property wherever it is situate;
 - (j) to accept gifts, legacies and donations, but without obligation to accept the same for a particular purpose unless it approves the terms and conditions attached thereto;
 - (k) to enter into contracts, establish trusts, act as trustee, solely or jointly with any other person, and employ and act through agents;
 - (l) to erect, provide, equip and maintain libraries, laboratories, workshops, lecture halls, halls of residence, refectories, sports grounds, playing fields and other buildings or things necessary, suitable or convenient for any of the objects of the University;

- (m) to hold public lectures and to undertake printing, publishing and book selling;
 - (n) subject to any limitations or conditions imposed by statute, to invest any moneys appertaining to the University by way of endowment it, not being immediately required for current expenditure in any investments or securities or in the purchase or improvement of land, with power from time to time, to vary any such investments to deposit any moneys for the time being not invested with any bank on deposit or current account;
 - (o) to borrow, whether on interest or not and if need be upon the security of any or all of the property, movable or immovable, of the University, such moneys as the Council may from time to time in its discretion find it necessary or expedient to borrow of to guarantee any loan, advances or credit facilities;
 - (p) to make gifts for any charitable purpose;
 - (q) to do anything which it is authorized or required by this Bill or by statute to do; and
 - (r) to do all such acts or things, whether or not incidental to the foregoing powers, as may advance the objects of the University.
- (2) Subject to the provisions of this Bill and of the statutes and without prejudice to section 7 (2) of this Bill, the powers conferred on the University by subsection (1) of this section shall be exercisable on behalf of the University by the Council or by the Senate or in many other manner which may be authorized by the statute.
- (3) The power of the University to establish further campuses and colleges within the University shall be exercisable by statute and not otherwise.

Committee's Recommendation:

That the provision in Clause 3 be retained (*Senate Leader*) — *Agreed to.*

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

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

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

Committee's Recommendation:

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

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

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

- (1) The Council of the University shall consist of:
 - (a) the Pro-Chancellor who shall be appointed by the President on the recommendation of the Honourable Minister of Education;
 - (b) the Vice-Chancellor;
 - (c) the Deputy Vice-Chancellor(s);
 - (d) one person from the Ministry responsible for Education;
 - (e) four persons representing a variety of interests and broadly representative of the whole Federation to be appointed from:
 - (i) the Teacher's Registration Council;
 - (ii) Tertiary Education Trust Fund; and
 - (iii) two other persons, one of whom shall be a representative of the University host community;
 - (f) four persons appointed by the Senate from among its members;
 - (g) two persons appointed by Congregation from among its members;
 - (h) one person appointed by Convocation from among its members;
 - (i) two persons representing the community appointed by the President.
- (2) Persons to be appointed to the Council shall be of proven integrity, knowledgeable and familiar with the affairs and tradition of the University.
- (3) The Council so constituted shall have a tenure of four years from the date of its inauguration provided that where a Council is found to be incompetent and corrupt, it shall be dissolved by the Visitor and a new Council shall be immediately constituted for the effective functioning of the University.
- (4) The powers of the Council shall be exercised, as in this Bill and to that extent establishment circulars that are inconsistent with this Bill shall not apply to the University.
- (5) The Council shall be free in the discharge of its functions and exercise of its responsibilities for the good management, growth and development of the University.
- (6) The Council in the discharge of its functions shall ensure that disbursement of funds of the University complies with the approved

budgetary ratio for:

- (a) personnel cost;
- (b) overhead cost;
- (c) research and development;
- (d) library developments; and
- (e) the balance in expenditure between academic vis-a-vis non-academic activities.

Committee's Recommendation:

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

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

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

- (1) Subject to the provisions of this Bill relating to the Visitor, the Council shall be the governing body of the University and shall be charged with the general control and superintendence of the policy, finances and property of the University.
- (2) There shall be a committee of the Council, to be known as the Finance, and General Purposes Committee, which shall, subject to the directions of the Council, exercise control over the property and expenditure of the University and perform such other functions of the Council as the Council may from time to time delegate to it.
- (3) Provision shall be made by statute with respect to the constitution of the Finance and General Purposes Committee.
- (4) The Council shall ensure that proper accounts of the University are kept and that the accounts of the University are audited annually by an independent firm of auditors approved by the Council and that an annual report is published by the University together with certified copies of the said accounts as audited.
- (5) Subject to this Bill and the statutes, the Council and the Finance and General Purposes Committee may each make rules for the purpose of exercising any of their respective functions or of regulating their own procedure.
- (6) Rules made under sub-section (5) of this section by the Finance and General Purposes Committee shall not come into force unless approved by the Council; and in so far and to the extent that any rules so made by that Committee conflict with any direction given by the Council, whether before or after the coming into force of the rules in question, the directions of the Council shall prevail.
- (7) There shall be paid to the members respectively of the Council, the Finance and General Purposes Committee and of any other committee set up by the Council, allowances in respect of travelling and other reasonable expenses, at such rates as may from time to time be fixed by the Minister.

- (8) The Council shall meet as and when necessary for the performance of its functions under this Bill and shall meet at least three times in every year.
- (9) If requested in writing by any five members of the Council, the chairman shall within 28 days after the receipt of such request call a meeting of the Council.
- (10) Any request made under sub-section (9) of this section shall specify the business to be considered at the meeting and no business not so specified shall be transacted at that meeting.

Committee's Recommendation:

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

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

Clause 7: *Functions of the Senate of the University.*

- (1) Subject to section 6 of this Bill and subsections (3) and (4) of this section and the provisions of this Bill relating to the Visitor, it shall be the general function of the Senate to organize and control the teaching by the University, the admission of student where no other enactment provides to the contrary and the discipline of students; and to promote research at the University.
- (2) Without prejudice to the generality of subsection (1) of this section and subject as therein mentioned, it shall in particular be the function of the Senate to make provision for:
 - (a) the establishment, organization and control of campuses, colleges, schools, institutes and other teaching and research units of the University and the allocation of responsibility for different branches of learning;
 - (b) the organization and control of courses of study at the University and of the examinations held in conjunction with those courses, including the appointment of examiners, both internal and external;
 - (c) the award of degrees, and such other qualifications as may be prescribed in connection with examinations held as aforesaid;
 - (d) the making of recommendations to the Council with respect to the award to any person of an honorary fellowship or honorary degree or the title of professor emeritus;
 - (e) the establishment, organization and control of halls of residence and similar institutions at the University;
 - (f) the supervision of the welfare of students at the University and the regulation of their conduct;
 - (g) the granting of fellowships, scholarships, prizes and similar awards in so far as the awards are within the control of the University; and

- (h) determining what descriptions of dress shall be academic dress for the purposes of the University, and regulating the use of academic dress.
- (3) The Senate shall not establish any new campus, college, school, department, institute or other teaching and research units of the University, or any hall of residence or similar institution at the University without the approval of the Council.
- (4) Subject to this Bill and the statutes, the Senate may make regulations for the purpose of exercising any function conferred on it either by the foregoing provisions of this section or otherwise or for the purpose of making provision for any matter for which provision by regulations is authorized or required by this Bill or by statute.
- (5) Regulations shall provide that at least one of the persons appointed as the examiners at each final or professional examination held in conjunction with any course of study at the University is not a teacher at the University but is a teacher of the branch of learning to which the course relates at some other University of high repute or a person engaged in practicing the profession in a reputable organization or institution.
- (6) Subject to right of appeal to the Council from a decision of the Senate under this sub-section, the Senate may deprive any person of any degree, diploma or other award of the University which has been conferred upon him if after due enquiry he is found to have been guilty of dishonourable or scandalous conduct in gaining admission into the University or obtaining that award.

Committee's Recommendation:

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

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

Clause 8: Functions of the Vice-Chancellor.

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

Committee's Recommendation:

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

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

PART II - GENERAL FUND OF THE UNIVERSITY

Clause 9: General Fund of the University.

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

Committee's Recommendation:

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

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

PART III - STATUTES OF THE UNIVERSITY

Clause 10: Power of the University to make statutes.

Subject to this Bill, the University may make statutes for -

- (a) making provision with respect to the composition and constitution of any authority of the University;
- (b) specifying and regulating the powers and duties of any authority of the University, and regulating any other matter connected with the University or any of its authorities;
- (c) regulating the admission of students, where no other enactment provides to the contrary, and their discipline and welfare;

- (d) determining whether any particular matter is to be treated as an academic or non-academic matter for the purpose of this Bill and of any statute, regulation or other instrument made under it; or
- (e) making provision for any other matter for which provision by statute is authorised or required by this Bill.

Cap. 123, LFN, 2004.

- (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.

Third Schedule.

- (3) The Statute contained in the Third Schedule to this Bill shall be deemed to have come into force on the commencement of this Bill and shall be deemed to have been made under this section by the University.

Third Schedule.

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

Committee's Recommendation:

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

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

Clause 11: Mode of exercising power to make statutes

- (1) The power of the University to make statutes shall be exercised in accordance with the provisions of this section and not otherwise.
- (2) A proposed statute shall not become law unless it has been approved:
 - (a) at a meeting of the Senate, by the votes of not less than two thirds of the members present and voting; and
 - (b) at a meeting of the Council, by the votes of not less than two thirds of the members present and voting.
- (3) A proposed statute may originate either in the Senate or in the Council, and may be approved as required by subsection (2) of this section by either one of those bodies or the other.
- (4) A statute which:
 - (a) makes provision for or alters the composition or constitution of the Council, the Senate or any other authority of the University; or
 - (b) provides for the establishment of a new campus or college or for the amendment or revocation of any statute.
- (5) For the purpose of section 2 (2) of the Interpretation Act, a statute shall be treated as being made on the date on which it is duly approved by the Council after having been duly approved by the Senate, or on the date on which it is duly approved by the Senate after having been duly approved by the Council, as the case may be or, in

the case of a statute falling within subsection (4) of this section, on the date on which it is approved by the President.

- (6) In the event of any doubt or dispute arising at any time:
- (a) as to the meaning of any provision of a statute; or
 - (b) as to whether any matter is for the purposes of this Bill an academic or non-academic matter as they relate to such doubt or dispute, the matter may be referred to the Visitor, who shall take such advice and make such decision thereon as he shall think fit.
- (7) The decision of the Visitor on any matter referred to him under sub-section (6) of this section shall be binding upon the authorities, staff and students of the University and where any question as to the meaning of any provision of a statute has been decided by the Visitor under that sub-section, no question as to the meaning of that provision shall be entertained by any court of law in Nigeria.
- (8) Nothing in sub-section (7) of this section shall affect any power of a court of competent jurisdiction to determine whether any provision of a statute is wholly or partly void as being ultra vires or as being inconsistent with the Constitution of the Federal Republic of Nigeria, 1999.

Committee's Recommendation:

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

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

Clause 12: Proof of statute.

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

Committee's Recommendation:

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

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

PART IV - SUPERVISION AND DISCIPLINE

Clause 13: The Visitor.

- (1) The President shall be the Visitor of the University.
- (2) The Visitor shall cause a visitation to the University when necessary, at least every five years, or direct that such a visitation be conducted by such person or persons as the Visitor may deem fit and in respect of any of the affairs of the University.
- (3) It shall be the duty of the bodies and persons comprising the University to make available to the Visitor and to any other person conducting a visitation in pursuance of this section, such facilities and assistance as he or they may reasonably require for the purposes of a visitation.

- (4) The Visitor shall make the report of such visitations and white paper thereon available to the Council which shall implement same.

Committee's Recommendation:

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

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

Clause 14: Removal of certain members of the Council.

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

Committee's Recommendation:

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

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

Clause 15: Removal and discipline of academic, administrative and professional staff.

- (1) If it appears to the Council that there are reasons for believing that any person employed as a member of the academic, administrative or professional staff of the University, other than the Vice-Chancellor, should be removed from his office or employment on the ground of misconduct or of professional inability to perform the functions of his office or employment, the Council shall:
- (a) give notice of those reasons to the person in question;
 - (b) afford him an opportunity of making representations in person on the matter by the Council; and
 - (c) for the person in question to be afforded an opportunity of appearing before and being heard by the investigating committee with respect to the matter, and if the Council, after considering the report of the investigating committee, is satisfied that the person in question should be removed as aforesaid, the Council may so remove him by an instrument in writing signed on the directions of the Council.
- (2) The Vice-Chancellor may, in a case of misconduct by a member of the staff which in the opinion of the Vice-Chancellor is prejudicial to the interest of the University, suspend such member and any such suspension shall forthwith be reported to the Council.
- (3) For good cause, any member of the staff may be suspended from his duties or his appointment may be terminated by the Council; and for the purposes of this subsection "good cause" means:

- (a) conviction for any offence which the Council considers to be such as to render the person concerned unfit for the discharge of the functions of his office;
 - (b) any physical or mental incapacity which the Council, after obtaining medical advice, considers to be such as to render the person concerned unfit to continue to hold his office;
 - (c) conduct of a scandalous or other disgraceful nature which the Council considers to be such as to render the person concerned unfit to continue to hold his office;
 - (d) conduct which the Council considers to be such as to constitute failure or inability of the person concerned to discharge the functions of his office or to comply with the terms and conditions of his service;
 - (e) conduct which the Council considers to be generally of such nature as to render the continued appointment or service of the person concerned prejudicial or detrimental to the interest of the University.
- (4) Any person suspended pursuant to subsection (2) or (3) of this section shall be on half pay and the Council shall before the expiration of a period of three months after the date of such suspension consider the case against that person and come to a decision as:
- (a) whether to continue such person's suspension and if so on what terms (including the proportion of his emoluments to be paid to him);
 - (b) whether to reinstate such person, in which case the Council shall restore his full emoluments to him with effect from the date of suspension;
 - (c) whether to terminate the appointment of the person concerned, in which case such a person shall not be entitled to the proportion of his emoluments withheld during the period of suspension; or
 - (d) whether to take such lesser disciplinary action against such person (including the restoration of such proportion of his emoluments that might have been withheld) as the Council may determine.
- (5) In any case where the Council, pursuant to this section, decides to continue a person's suspension or decides to take further disciplinary action against a person, the Council shall before the expiration of a period of three months from such decision come to a final determination in respect of the case concerning any such person.
- (6) It shall be the duty of the person by whom an instrument of removal is signed in pursuance of subsection (1) of this section to use his best endeavours to cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it relates.
- (7) Nothing in the foregoing provisions of this section shall:

- (a) apply to any directive given by the Visitor in consequence of any visitation; or
- (b) prevent the Council from making regulations for the discipline of other categories of workers of the University as may be prescribed.

Committee's Recommendation:

That the provision in Clause 15 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 16: Removal of examiners.

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

Committee's Recommendation:

That the provision in Clause 16 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 17: Participation and discipline of students.

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

- as may be so specified;
- (b) that the activities of the student shall, during such period as may be specified in the direction, be restricted in such manner as may be so specified; or
 - (c) that the student be rusticated for such period as may be specified in the direction; or
 - (d) that the student be expelled from the University.
- (3) Where a direction is given under subsection (1) (c) or (d) of this section in respect of any student, that student may, within the prescribed period and in the prescribed manner, appeal to the Council; and where such an appeal is brought, the Council shall, after causing such inquiry to be made in the matter as the Council considers just either confirm or set aside the direction or modify it in such manner as the Council thinks fit.
 - (4) An appeal from a direction brought under subsection (2) 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 students' activities at the University otherwise than on the ground of misconduct.
 - (7) A direction under subsection (2) (a) may be combined with a direction under subsection (2) (b).

Committee's Recommendation:

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

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

PART V - MISCELLANEOUS AND GENERAL

Clause 18: Exclusion of discrimination on account of race, religion, etc.

- (1) No person shall be required to satisfy requirements as to any of the following matters, that is to say, race (including ethnic grouping), sex, account of race, place of birth or of family origin, or religious or political persuasion, as a condition of becoming or continuing to be a student at the University, the holder of any degree of the University or of any appointment or employment at the University, or a member of anybody established by virtue of this Bill; and no person shall be subject to any disadvantage or accorded any advantage relation to the University, by reference to any of those matters.
- (2) Nothing in subsection (1) shall be construed as preventing the University from imposing any disability or restriction on any of the persons mentioned in that subsection where such person willfully refuses or fails on grounds of religious belief to undertake any duty generally and uniformly imposed on all such person or any group of

them which duty, having regard to its nature and the special circumstances pertaining thereto, is in the opinion of the University reasonably justifiable in the national interest.

Committee's Recommendation:

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

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

Clause 19: Restriction on disposal of land by University. Cap. L5, LFN, 2004.

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

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

Committee's Recommendation:

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

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

Clause 20: Quorum and procedure of bodies established by this Bill.

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

Committee's Recommendation:

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

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

Clause 21: Appointment of committees, etc.

- (1) Anybody of persons established by this Bill shall, without prejudice to the Appointment of generality of the powers of that body, have power to appoint committees, which need not committees, etc. consist exclusively of members of that body, and to authorize a committee established by it:
 - (a) perform, on its behalf, such of its functions as it may determine; and
 - (b) co-opt members.
- (2) Any two or more such bodies may arrange for the holding of joint meetings of those bodies, or for the appointment of committees consisting of members of those bodies, for the purpose of considering any matter within the competence of those bodies or any of them, and either of dealing with it or of reporting on it to those bodies or any of them.
- (3) Except as may be otherwise provided by statute or by regulations, the quorum and procedure of a committee established or meeting held in pursuance of this section, shall be such as may be determined by the body or bodies which have decided to establish the committee or hold

the meeting.

- (4) Nothing in the provisions of subsection (1), (2) and (3) shall be construed as enabling the:
 - (a) statutes to be made than in accordance with section 1 of this Bill; or
 - (b) Senate to empower any other body to make regulations of the award degrees or other qualifications.
- (5) The Pro-Chancellor and the Vice-Chancellor shall be members of every committee of which the members are wholly or partly appointed by the Council, other than a committee appointed to inquire into the conduct of the officer in question, and the Vice-Chancellor shall be a member of every committee of which the members are wholly or partly appointed by the Senate.

Committee's Recommendation:

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

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

Clause 22: Retiring age of academic staff. Act No. 4, 2014.

- (1) Notwithstanding anything to the contrary in the Pension Reform Act, the compulsory retiring age of -
 - (a) academic staff of the University in the non-professorial cadre is 65 years;
 - (b) academic staff of the University in the professorial cadre is 70 years;
 - (c) non-academic staff of the University is 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.

Committee's Recommendation:

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

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

Clause 23: Special provisions relating to pensions of professors.

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

Committee's Recommendation:

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

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

Clause 24: Miscellaneous administrative provisions

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

shall be authenticated by any member of the Council and by the Vice-Chancellor, Secretary to the Council or any other person authorized by statute.

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

Committee's Recommendation:

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

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

Clause 25: Restriction of suits and execution.

- (1) A legal proceeding shall not be instituted or commenced against the University or any of its agents in the course of their official duties unless a three months' pre-action notice of such intention is served on the University by an aggrieved party.
- (2) The notice shall state the reason and the cause of action intended to be

taken against the University, the particulars of the claim, the name and place of abode of the intending plaintiff and the relief which he claims.

- (3) A suit shall not be commenced against an officer or servant of the University, in any case where the University is vicariously liable for any alleged act, neglect or default of the officer or servant in the performance or intended performances of his duties, unless three months has elapsed after written notice of intention to commence the same is served on the University by the intending plaintiff or his agent.
- (4) In any suit against the University, no execution, attachment or process shall be issued against the University, but any sum of money which may, by judgment of the court, awarded against the University shall, subject to any direction given by the court where notice of appeal has been given by the University in respect of the said judgment, be paid by the University from its general fund.
- (5) Service of notice, order or other document upon the University may be effected by delivering same or sending it by registered post addressed to the Registrar and Secretary of the Council.

Committee's Recommendation:

That the provision in Clause 25 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 26: Proposal and recommendation.

Where, under this Bill, it is laid that the proposals are to be submitted or a recommendation is to be made by one or more authority through one or more intermediate authorities, the intermediate authority shall forward the proposal or recommendation received by it under that provision to the appropriate authority, and the intermediate authority may, if it deems fit, forward same with its own comments.

Committee's Recommendation:

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

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

Clause 27: Interpretation.

In this Bill, unless the context otherwise requires:

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

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

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

"Functions" includes powers and duties;

"Graduate" means a person on whom a degree, other than an honorary degree, has been conferred by the University and any other person as may be

designated as a graduate by the Council, acting in accordance with the recommendation of the Senate;

"Minister" means the Hon. Minister of Education;

"Notice" means notice in writing;

"Officer" does not include the Visitor;

"Prescribed" means prescribed by statute or regulations;

"Professor" means a person designated as a Professor of the University in accordance with provisions made in that behalf by statute or by regulations;

"Property" includes rights, liabilities and obligations;

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

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

"Senate" means the Senate of the University established pursuant to section 2 (1) (e) of this Bill;

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

"Statute" means a statute made by the University under section 10 of this Bill and "the statutes" means all such statutes as are in effect;

"Teacher" means a person holding a full-time appointment as a member of the teaching or research staff of the University;

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

"University" means Federal University of Science and Technology, Lau established and incorporated by section 1 of this Bill.

Committee's Recommendation:

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

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

Clause 28: Citation.

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

Committee's Recommendation:

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

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

SCHEDULES

FIRST SCHEDULE

[Section 2 (2)]

PRINCIPAL OFFICERS OF THE UNIVERSITY

The Chancellor

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

The Pro-Chancellor

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

The Vice-Chancellor

3. (1) There shall be a Vice-Chancellor of the University who shall be appointed by the Council in accordance with the provisions of this paragraph.
- (2) Where a vacancy occurs in the post of a Vice-Chancellor, the Council shall:
 - (a) advertise the vacancy in a reputable journal or a widely read newspaper in Nigeria, specifying:
 - (i) the qualities of the persons who may apply for the post; and
 - (ii) the terms of conditions of service applicable to the post, and thereafter draw up a short list of suitable candidates for the post for consideration.
 - (b) constitute a Search Team consisting of:
 - (i) a member of the Council, who is not a member of the Senate, as chairman;
 - (ii) two members of the Senate who are not members of the Council, one of whom shall be a Professor;
 - (iii) two members of Congregation who are not members of the Council, one of whom shall be a Professor, to identify and nominate for consideration, suitable persons who are not likely to apply for the post on their own volition because they felt that it is not proper to do so.
- (3) A Joint Council and Senate Selection Board consisting of:
 - (a) the Pro-Chancellor, as chairman;
 - (b) two members of the Council, not being members of the Senate;
 - (c) two members of the Senate who are Professors, but who were not members of the Search Team, shall consider the candidates and persons in the shortlist drawn up under subsection (2) of this paragraph through an examination of their curriculum vitae and interaction with them, and recommend to the Council three candidates for further consideration.

- (4) The Council shall select and appoint as the Vice-Chancellor one candidate from among the three candidates recommended to it under subsection (3) of this section and thereafter inform the Visitor.
- (5) The Vice-Chancellor shall hold office for a single term of five years only on such terms and conditions as may be specified in his letter of appointment.
- (6) The Vice Chancellor may be removed from office by the Council on grounds of gross misconduct or inability to discharge the functions of his office as a result of infirmity of the body or mind, at the initiative of the Council, Senate or the Congregation after due process.
- (7) When the proposal for the removal of the Vice-Chancellor is made, the Council shall constitute a Joint Committee of Council and Senate consisting of:
 - (i) three members of the Council, one of whom shall be the Chairman of the committee; and
 - (ii) two members of the Senate:

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

Deputy Vice-Chancellor

4. (1) There shall be for the University such number of Deputy Vice-Chancellors as Council may from time to time deem necessary for the proper administration of the University.
- (2) Where a vacancy occurs in the post of Deputy Vice-Chancellor, the Vice-Chancellor shall forward to the Senate a list of two candidates for each post of Deputy Vice-Chancellor that is vacant.
- (3) The Senate shall select for each vacant post one candidate from each list forwarded to it under subsection (2) of this paragraph and forward his name to the Council for confirmation.
- (4) A Deputy Vice-Chancellor shall:
 - (a) assist the Vice-Chancellor in the performance of his functions;
 - (b) act in the place of the Vice-Chancellor when the post of the Vice-Chancellor is vacant or if the Vice-Chancellor is, for any reason,

absent or unable to perform his functions as Vice-Chancellor; and

- (c) perform such other functions as the Vice-Chancellor or the Council may, from time to time, assign to him.
- (5) A Deputy Vice-Chancellor:
- (a) shall hold office for a period of two years beginning from the effective date of his appointment and on such terms and conditions as may be specified in his letter of appointment;
 - (b) may be reappointed for one further period of two years and no more; and
 - (c) may be removed from office for good cause by the Council acting on the recommendations of the Vice-Chancellor and Senate.
 - (d) "Good cause" for the purpose of this section means gross misconduct or inability to discharge the functions of his office arising from infirmity of the body or mind.

Office of the Registrar

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

Other Principal Officers of the University

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

Selection Board for other Principal Officers

7. (1) There shall be, for the University, a Selection Board for the appointment of principal officers, other than the Vice-Chancellor or Deputy Vice-Chancellor, which shall consist of:
- (a) the Pro-Chancellor, as chairman;

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

Resignation and Re-appointment

8. (1) Any officer mentioned in the foregoing provisions of this Schedule may resign his office:
- (a) in the case of the Chancellor or Pro-Chancellor, by notice to the Visitor;
 - (b) in any other case, by notice to the Council and the Council shall, in the case of the Vice-Chancellor, immediately notify the Visitor.
- (2) Without prejudice to paragraph 4 of this Schedule, a person who has ceased to hold an office so mentioned otherwise than by removal for misconduct shall be eligible for re- appointment to that office.

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

SECOND SCHEDULE

TRANSITIONAL PROVISIONS AS TO PROPERTY, FUNCTIONS, ETC.

Transfer of Property to University

Without prejudice to the generality of section 9 (1) of this Bill:

- (a) the reference in that subsection to property held by the Provisional Council shall include a reference to the right to receive and give a good discharge for any grants or contributions which may have been voted or promised to the Provisional Council;
- (b) all debts and liabilities of the Provisional Council outstanding shall become debts or liabilities of the University.

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

THIRD SCHEDULE

[Section 9 (3)]

Articles:

1. The Council.
2. The Finance and General Purposes Committee
3. The Senate
4. The Congregation
5. Convocation
6. Division of Colleges
7. College/School Boards
8. Dean of the College
9. Selection of certain Principal Officers
10. Creation of academic posts
11. Appointment of academic staff
12. Appointment of administrative and professional staff
13. Interpretation.
14. Short Title

The Council

1. (1) The composition of the Council shall be as provided in section 5 of this Bill.
- (2) Any member of the Council holding office otherwise than in pursuance of section 5 (a), (b), (c), or (d) of this Bill may, by notice to the Council, resign his office.
- (3) A member of the Council holding office otherwise than in pursuance of section 5 (a), (b), (c), or (d) of this Bill shall, unless he previously vacates it, vacate that office on the expiration of the period of four years beginning with effect from 1 August in the year which he was appointed.
- (4) Where a member of the Council holding office otherwise than in pursuance of section 5 (a), (b), (g), or (h) of this Bill vacates office before the expiration of the period aforesaid, the body or person by whom he was appointed may appoint a successor to hold office for the residue of the term of his predecessor.
- (5) A person ceasing to hold office as a member of the Council otherwise than by removal for misconduct shall be eligible for re-appointment for only one further period or four years.
- (6) The quorum of the Council shall be five, at least one of whom shall be a member appointed pursuant to section 5 (d) or (e) of this Bill.
- (7) If the Pro-Chancellor is not present at a meeting of the Council, such other member of the Council present at the meeting as the Council may appoint as respects that meeting shall be the chairman at that meeting, and subject to section 4 of this Bill and the foregoing provisions of this paragraph, the Council may regulate its own procedure.
- (8) Where the Council desires to obtain advice with respect to any particular matter may co-opt not more than two persons for that purpose, and the persons co-opted may take part in the deliberations of the Council at any meeting but shall not be entitled to vote.

The Finance and General Purposes Committee

2. (1) The Finance and General Purposes Committee of the Council shall consist of:
 - (a) the Pro-Chancellor, who shall be the chairman of the Committee at any meeting at which he is present;

- (b) the Vice-Chancellor and Deputy Vice-Chancellors;
 - (c) six other members of the Council appointed by the Council, two of whom shall be selected from among the four members of the Council appointed by the Senate and one member appointed to the Council by Congregation;
 - (d) the Permanent Secretary of the Federal Ministry of Education, or in his absence, such member of his Ministry as he may designate to represent him; and
 - (e) the Executive Secretary of the Petroleum Technology Development Fund, or in his absence, such member of the Fund as he may designate to represent him.
- (2) The quorum of the Committee shall be five.
- (3) Subject to any directions given by the Council, the Committee may regulate its own procedure.

Annual budget and estimates, etc.

- (4) (i) The estimates of income and expenditure for a financial year shall be presented by the Vice-Chancellor to the Council and may be approved by the Council before the beginning of that financial year:

Provided that the Vice-Chancellor may during any financial year present and the Council may approve supplementary estimates of income or expenditure;

- (ii) The annual and supplementary estimates shall be prepared in such form and shall contain such information as the Council may direct.

Gifts, donations, etc.

- (5) (i) The Council may on behalf of the University accept by way of grants, gift, testamentary disposition or otherwise, property and money in aid of the finances of the University on such conditions as it may approve;

- (ii) Registers shall be kept of all donations to the University including the names of donors and any special conditions under which any donation may have been given:

Provided that the University shall not be obliged to accept a donation for a particular purpose unless it approves of the terms and conditions attaching to such donation;

- (iii) All property, money or funds donated for any specific purposes shall be applied and administered in accordance with the purposes for which they are donated and shall be accounted for separately.

Payment into bank

- (6) All sums of money received on account of the University shall be paid into such bank as may be approved by the Council for the credit of the University's general, current or deposit account:

Provided that the Council may invest, as it deems fit, any money not required for immediate use other than donations of money referred to in subsection (1) of this section.

Audit

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

The Senate

3. (1) The Senate shall consist of:
- (i) the Vice-Chancellor;
 - (ii) Deputy Vice-Chancellors;
 - (iii) the Deans of respective Colleges;
 - (iv) the Professors in the University;
 - (v) Heads of Academic Departments and Units;
 - (vi) the University Librarian;
 - (vii) one elected representative of each College;
 - (viii) two members of Academic Staff elected by the Congregation;
 - (ix) one elected representative of each department;
 - (x) two members representing a variety of interests of the professional bodies outside the University appointed by the Senate on the recommendation of the Vice-Chancellor;
 - (xi) Registrar-Secretary.
- (2) The procedure for election of members of Senate to the Council shall be prescribed by Regulations.
- (3) The Vice-Chancellor shall be the chairman at all meetings of the Senate when he is present, and in his absence any of the Deputy Vice-Chancellors present at the meeting as the Senate may appoint for that meeting shall be the chairman at the meeting.
- (4) The quorum of the Senate shall be one quarter or the nearest whole number less than one quarter; and subject to paragraph (3) of this Article, the Senate may regulate its own procedure.
- (5) An elected member may, by notice to the Senate, resign his office.
- (6) Subject to paragraph (8) of this article, there shall be elections for the selection of elected members which shall be held in the prescribed manner on such day in the month of Mayor June in each year as the Vice-Chancellor may from time to time determine.
- (7) An elected member shall hold office for the period of two years beginning with 1 August in the year of his election, and may be a candidate at any election held in pursuance to paragraph (6) of this article in the year in which

his period of office expires, so however that no person shall be such a candidate if at the end of his current period of office he will have held office as an elected member for a continuous period of six years or would have so held office if he had not resigned it.

- (8) No election shall be held in pursuance of this article in any year if the number specified in the certificate given in pursuance to paragraph (11) of this article does not exceed by more than one the figure which is thrice the number of those elected members holding office on the date of the certificate who do not vacate office during that year in pursuance of paragraph (7) of this article.
- (9) For the avoidance of doubt it is hereby declared that no person shall be precluded from continuing in or taking office as an elected member by reason only of reduction in the after 30 April in any year in which he is to continue in or take office as all elected member.
- (10) If so requested in writing by any fifteen members of the Senate, the Vice-Chancellor or in his absence any of the Deputy Vice-Chancellor duly appointed by him, shall convene a meeting of the Senate to be held not later than the tenth day following that on which the request was received.
- (11) In this article "total of non-elected members" means as respect any year, such number as may be certified by the Vice-chancellor on 30 April of that year to be the number of persons holding office as members of the Senate on that day otherwise than as elected members.

Congregation

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

- (b) the names of the persons who are members of Congregation during a particular period, shall be conclusive evidence of that number or, as the case may be, of the names of those persons.
- (5) The procedure for election of members of Congregation to the Council and the Senate shall be prescribed by Regulations.
- (6) Subject to the foregoing provisions of this article, Congregation may regulate its own procedure.
- (7) Congregation shall be entitled to express by resolutions or otherwise its opinion on all matters affecting the interest and welfare of the University and shall have such other functions, in addition to the function of electing a member of the Council, as may be provided by statute or regulations.

Convocation

5. (1) Convocation shall consist of:
- (i) the officers of the University mentioned in the First Schedule to this Bill;
 - (ii) all teachers within the meaning of this Bill;
 - (iii) all other persons whose names are registered in accordance with paragraph (2) of this article.
- (2) A person shall be entitled to have his name registered as a member of convocation if:
- (a) he is either a graduate of a University or a person satisfying such requirements as may be prescribed for the purposes of this paragraph; and
 - (b) he applies for the registration of his name in the prescribed manner and pay the prescribed fees.
- (3) Regulations shall provide for the establishment and maintenance of a register for the purpose of this paragraph and subject to paragraph (4) of this article may provide for the payment, from time to time, of further fees by persons whose names are on the register and for the removal from the register of the name of any person who fails to pay those fees.
- (4) The person responsible for maintaining the register shall, without the payment of any fees, ensure that the names of all persons who are for the time being members of the Convocation by virtue of paragraph (1) (a) or (b) of this article are entered and retained on the register.
- (5) A person who reasonably claims that he is entitled to have his name on the register shall be entitled on demand to inspect the register or a copy of the register at the principal times of the University at all reasonable times.
- (6) The register shall, unless the contrary is proved, be sufficient evidence that any person named therein is not, a member of Convocation; but for the purpose of ascertaining whether a particular person was such a member on a particular date, any entries in and deletions from the register made on or after that date shall be disregarded.

- (7) The quorum of Convocation shall be fifty or one third or the whole number nearest to one third or the whole number of members of Convocation whichever is less.
- (8) Subject to section 4 of the Bill, the Chancellor shall be chairman at all meetings of Convocation when he is present, and in his absence the Vice-chancellor shall be the chairman at the meeting.
- (9) Convocation shall have such functions, in addition to the function of appointing a member of the Council, as may be provided by statute or regulations.

Division of Colleges

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

College Boards

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

Deans of the Colleges

8. (1) The Board of each College shall, at a meeting in the last term of any academic year which the term of office of the Dean expires, nominate one of its members, being one of the Professors assigned to that teaching unit, for appointment by the Senate as Dean of the College.
- (2) The person appointed under paragraph 1 of this Article shall act as Dean of the College and chairman of all meetings of the College Board when he is

present and shall be a member of all committees and other boards appointed by the College.

- (3) The Dean shall hold office for two years and shall be eligible for re-appointment one further period of two years. Thereafter he shall not be eligible for re-appointment until two years have elapsed.
- (4) The Dean of a College shall exercise general superintendence over the academic and administrative affairs of the College.
- (5) It shall be the function of the Dean to present to Convocation for the conferment of degrees to persons who have qualified for the degrees of the University at examination held in the branches of learning for which responsibility is allocated to that College.
- (6) There shall be a committee to be known as the Committee of Deans consisting of all the Deans of the several Colleges and that Committee shall advise the Vice-Chancellor on all academic matters and on particular matters referred to the University by the Senate.
- (7) The Dean of a College may be removed from office for good cause by the College Board after a vote would have been taken at a meeting of the Board, and in the event of a vacancy occurring following the removal of a Dean, an acting Dean may be appointed by the Vice-Chancellor:

Provided that at the next College Board meeting an election shall be held for a new Dean.

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

Departmental Board of Studies

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

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

9.
 - (1) When a vacancy occurs in the office of the Directors of Physical Planning and Development, Works and Services and Health, a Selection Board shall be constituted by the Council which shall consist of:
 - (a) the Pro-Chancellor;

- (b) the Vice-Chancellor;
 - (c) two members appointed by the Council, not being members of the Senate;
 - (d) two members appointed by the Senate.
- (2) The Selection Board after making such inquiries as it thinks fit, shall recommend a candidate to the Council for appointment to the vacant office; and after considering the recommendation of the board the Council may make an appointment to that office.

Tenure of Directors

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

Creation of Academic Posts

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

Appointment of Administrative and Professional Staff

12. (1) The administrative and professional staff of the University other than principal officers shall be appointed by the Council on its behalf by the Vice-Chancellor in accordance with delegation of powers made by the Council on its behalf.
- (2) A Selection Board, with power to appoint, shall consist of:
- (i) Vice Chancellor;
 - (ii) Deputy Vice Chancellor;
 - (iii) Registrar;
 - (iv) Bursar;
 - (v) University Librarian;
 - (vi) the Head of Department concerned; and
 - (vii) Establishment and Human Resources Officer who shall serve as Secretary Quorum shall be three (3) including the Chairman.

Interpretation

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

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

Chairman to report Bill.

(SENATE IN PLENARY)

The President of the Senate reported that the Senate in the Committee of the Whole considered the Report on a Bill for an Act to Provide for Establishment of Federal University of Science and Technology, Lau, Taraba State and for Other Matters Connected Therewith, 2022 and approved as follows:

Clauses 1-28 — As Recommended

Schedules 1-3 — As Recommended

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

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

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

(iv) **Nigerian Safety Investigation Bureau (Establishment) Bill, 2022;**

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF THE REPORT ON A BILL FOR AN ACT TO ESTABLISH THE NIGERIAN SAFETY INVESTIGATION BUREAU AND PROVIDE FOR THE REGULATION, PREVENTION AND EFFECTIVE ADMINISTRATION FOR SAFETY INVESTIGATION IN NIGERIA; AND FOR RELATED MATTERS.

PART I - OBJECTIVE AND APPLICATION OF THIS ACT

Clause 1: Objective

The objective of this Act is to provide an effective legal and institutional framework for the prevention, regulation and administration in safety investigation of transportation occurrences in Nigeria and anywhere Nigerian interest is involved or the transportation vehicle is a Nigerian carrier.

Committee's Recommendation:

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

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

Clause 2: Application

- (1) This Act shall apply to the investigation of transportation occurrences in -
 - (a) air;
 - (b) marine;
 - (c) rail and tracked vehicle transport system; and
 - (d) any other means of transportation in Nigeria.
- (2) The provisions of this Act shall apply to all civil aircraft transportation occurrences -
 - (a) in or over Nigeria;
 - (b) in or over any place that is under Nigerian airspace;
 - (c) where Nigerian citizens are involved; and
 - (d) in any place or over any air space, where -
 - (i) Nigeria is requested to assist in investigating the

aviation occurrence,

- (ii) the aircraft involved is operated by a person to whom Nigerian aviation document has been issued or registered,
 - (iii) the aircraft occurrence involves an aircraft registered in Nigeria and occurred in the territory of a non-contracting State,
 - (iv) an aircraft registered elsewhere than in Nigeria but is operated by an undertaking established in Nigeria, when the investigation is not to be carried out by another State, or
 - (v) the aircraft occurrence involves an aircraft registered in Nigeria and it cannot definitely be established as being in the territory of any State.
- (3) The provisions of this Act shall apply in the case of rail and tracked vehicle occurrences -
- (a) in or within railway tracks in Nigeria;
 - (b) in rail vehicles owned or operated by Nigeria;
 - (c) where Nigerian citizens are involved; and
 - (d) in or within any place outside Nigeria where -
 - (i) Nigeria is requested to assist in investigating the railway occurrence,
 - (ii) the rail vehicle involved is one operated by a person to whom Nigerian railway license has been issued or registered, or
 - (iii) a rail vehicle involved is registered or licenced in Nigeria.
- (4) The provisions of this Act shall apply in the case of marine occurrences -
- (a) in or within Nigerian water ways;
 - (b) where the Nigerian ship, small ship and craft is in the exclusive economic zone, territorial and inland seas, inland waterways and in the port of Nigeria;
 - (c) where the ship, small ship and craft flying a foreign flag in the exclusive economic zone, territorial and inland seas, inland waterways and in the port of Nigeria;
 - (d) where Nigerian citizens are involved;
 - (e) the marine occurrence involves a ship, small ship and craft registered or licenced in Nigeria; and
 - (f) in or within any other place, where -

- (i) Nigeria is requested to assist in the investigation of marine occurrence by an appropriate authority,
 - (ii) the marine occurrence involves a ship, small ship and crafts registered or licenced in Nigeria where it cannot definitely be established as being in the territory of any State, or
 - (iii) involving a rail vehicle registered or licenced in Nigeria.
- (5) The provisions of this Act shall apply in the case of any other mode of transportation occurrences -
- (a) in or within Nigeria;
 - (b) in transportation vehicles owned or operated by Nigeria;
 - (c) where Nigerian citizens are involved; and
 - (d) in or within any place outside Nigeria where -
 - (i) Nigeria is requested to assist in investigating the transportation occurrence;
 - (ii) the transportation vehicle involved is one operated by a person to whom Nigerian licence has been issued or registered; or
 - (iii) involving a transportation vehicle registered or licenced in Nigeria;
 - (iv) there are safety lessons to be learnt there from.

Committee's Recommendation:

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

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

PART II - ESTABLISHMENT OF THE NIGERIAN SAFETY INVESTIGATION BUREAU

Clause 3: Establishment of Nigerian Safety Investigation Bureau

- (1) There is established the Nigerian Safety Investigation Bureau, (in this Act referred to as "the Bureau").
- (2) The Bureau -
 - (a) shall be a body corporate with perpetual succession and a common seal;
 - (b) may sue and be sued in its corporate name except for matters associated with transportation safety investigation functions;
 - (c) may acquire, purchase, mortgage, hold and dispose of property whether movable or immovable; and
 - (d) shall be independent in carrying out its functions and duties under this Act.

Committee's Recommendation:

That the provision in Clause 3 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 4: Functions of the Bureau

The Bureau shall determine the cause of transport occurrences, with the aim to identify safety recommendations to prevent similar events in the future through -

- (a) investigating and establishing the facts, circumstances, and cause or probable cause of each occurrence involving civil aircrafts;
- (b) investigating railroad accident in which there is a fatality, substantial property damage, or that involves a passenger train;
- (c) investigating marine occurrences in Nigeria's exclusive economic zone, territorial and inland seas, inland waterways and in the ports of Nigeria;
- (d) investigating any other accident related to the transportation of individuals or property when the Bureau decides the accident -
 - (i) is catastrophic, or
 - (ii) involves problems of a recurring character;
- (e) independently investigating transportation safety matters;
- (f) identifying factors that -
 - (i) contribute or have contributed to transportation safety matters, and
 - (ii) affects or is likely to affect transportation safety;
- (g) publishing electronically and by other means, reports on transportation occurrence investigations and safety measures;
- (h) conducting public enlightenment programmes about matters relating to transportation safety;
- (i) collaborating with Federal, State and Local Government agencies on matters relating to transportation safety;
- (j) collaborating with agencies and first responders at sites of transportation occurrences;
- (k) collaborating with any relevant person, first responders and agencies for the purposes of achieving its objectives under this Act;
- (l) establishing and maintaining standard laboratories and such other facilities as may be necessary for performing its functions under this Act;
- (m) controlling the coordination of the Family Assistance Programmes established under this Act; and

- (n) doing anything incidental to its functions for the purposes of improving transportation safety in Nigeria.

Committee's Recommendation:

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

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

Clause 5: Powers of the Bureau

The Bureau shall have the power to -

- (a) investigate or cause to be investigated any transportation occurrence and cause of -
 - (i) a civil aircraft occurrence,
 - (ii) a marine occurrence involving a Nigerian vessel,
 - (iii) a rail and tracked vehicle occurrence in which there is a fatality or substantial property is damaged, or
 - (iv) an occurrence in any other mode of transportation;
- (b) establish or issue policies and procedure manuals, regulations, employee manuals, orders, advisories, circulars, bulletins, reporting systems and any other document as may be relevant for carrying out of its functions under this Act;
- (c) charge such fees as it deems fit for its services other than for the investigation of transportation occurrences;
- (d) certify transportation safety investigation causes;
- (e) ensure adequate trainings for its employees for the proper performance of their functions under the Act;
- (f) invest its funds in such securities as it deems fit, and shall strive to recover the whole of its costs and to achieve reasonable returns on capital and investment;
- (g) communicate safety matters to all sectors of the transportation industry, containing safety action statements, recommendations, safety advisory notices or bulletins; and
- (h) do such other things that are incidental to investigation of transportation occurrences.

Committee's Recommendation:

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

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

Clause 6: Independence of the Bureau and Director-General

- (1) The Bureau shall not be subject to the direction of or interference from any entity in the performance of its functions or exercise of its powers under this Act in relation to -
 - (a) how a particular transportation safety investigation will be carried out;

- (b) the content of a public report on a particular transportation safety investigation; or
 - (c) the publication and circulation of the final report of a particular transport safety investigation.
- (2) The Director-General shall not be subject to direction from anyone in relation to the exercise of his powers and must act consistently with the provisions of this Act.

Committee's Recommendation:

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

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

PART III - GENERAL ORGANISATION AND ADMINISTRATION

Clause 7: Establishment and composition of the Governing Board

- (1) There is established a Governing Board for "the Bureau" (in this Act referred to as the Board) which shall consist of -
- (a) a chairman, who shall be a person with 20 years cognate technical knowledge, qualification and practical experience in accident reconstruction, safety engineering, transportation safety, or transportation regulation;
 - (b) two persons with 15 years cognate knowledge, qualification and practical experience in aeronautical engineering, aircraft maintenance or aircraft piloting, aviation safety or administration;
 - (c) two persons with 15 years cognate knowledge, qualification and practical experience in maritime safety, engineering or administration;
 - (d) two persons with 15 years cognate knowledge, qualification and a practical experience in railway engineering or administration;
 - (e) a legal practitioner with 15 years cognate practice experience in maritime, oil and gas or aviation law; and
 - (f) the Director-General.
- (2) The Chairman and members of the Board shall be appointed by the President, on the recommendation of the Minister.
- (3) The composition of the Board shall reflect equity and fairness as enshrined in section 14 (3) of the Constitution of the Federal Republic of Nigeria 1999.
- (4) The Board shall -
- (a) elect from among its members a Vice-Chairman, who shall in the absence of the Chairman have all the powers and duties of the Chairman; and
 - (b) in the absence of both Chairman and the Vice-Chairman,

nominate a person from their own ranks to preside at that meeting.

- (5) The Supplementary Provisions set out in the Schedule to this Act, shall have effect with respect to the proceedings of the Board and other matters contained therein.

Committee's Recommendation:

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

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

Clause 8: Tenure of office

- (1) A member of the Board other than the Director-General appointed under section 7 of this Act shall hold office for a term of four years in the first instance and may be eligible for reappointment for another term of four years and no more.
- (2) Notwithstanding the provisions of subsection (1), a person shall cease to hold office as a member of the Board, where the person -
- (a) becomes bankrupt or compounds with his creditors;
 - (b) is convicted in Nigeria or elsewhere of a felony or any offence involving dishonesty or fraud;
 - (c) is incapable of carrying out his duties by reason of physical or mental illness;
 - (d) is guilty of a serious misconduct in relation to his duties as a member of the Board;
 - (e) is disqualified or suspended from practicing his profession in any part of the world by an order of a competent authority or court or in the case of a person dispossessed of professional qualification;
 - (f) is in breach of the conflict of interest provisions set out in paragraphs 19 -22 of the Schedule to this Act;
 - (g) resigns his appointment by giving 30 days written notice addressed to the President through the Minister; or
 - (h) ceases to hold the office on the basis of which he became a member of the Board, in the case of an ex-officio member.
- (3) A member of the Board other than the Director-General may be removed by the President, on the satisfaction that, it is not in the interest of the Bureau or the public for such member to continue in office.
- (4) Where a member of the Board ceases to hold office for any reason whatsoever before the expiration of the term for which such member was appointed, a successor shall be appointed to the Board by the President in accordance with section 7 of this Act to fill the vacancy occurring, for the unexpired term.

Committee's Recommendation:

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

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

Clause 9: Remuneration of Board members

The remuneration, allowances and benefits payable to the members of the Board, shall be in accordance with the directives of the Revenue Mobilisation Allocation and Fiscal Commission.

Committee's Recommendation:

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

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

Clause 10: Functions and powers of the Board

The Board shall have power to -

- (a) formulate, monitor, and determine the general policy guidelines for the Bureau;
- (b) formulate and develop guidelines for investigations;
- (c) ensure the implementation of the policies and programmes of the Bureau;
- (d) fix terms and conditions of service including remuneration of the employees of the Bureau in accordance with the directives of the National Salaries Incomes and Wages Commission;
- (e) receive and review annual reports from the management of the Bureau of the activities of the Bureau in the preceding calendar year, which shall include a copy of the audited accounts of that calendar year; and
- (f) perform such other functions as are necessary or expedient to ensure the efficient performance of the functions of the Bureau under this Act.

Committee's Recommendation:

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

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

PART IV - MANAGEMENT AND STAFF OF THE BUREAU**Clause 11: The appointment of Director-General of the Bureau**

- (1) There shall be for the Bureau a Director-General who shall be appointed by the President on the recommendation of the Minister.
- (2) The Director-General shall -
 - (a) be a degree holder with 15 years extensive knowledge and expertise in one or more areas relevant to the functions of the Bureau; and
 - (b) hold office for a term of five years in the first instance and may be eligible for reappointment for another term of five years and no more.

- (3) The Director-General shall be the chief executive and accounting officer of the Bureau and responsible for the -
 - (a) execution of the policies, decisions and programmes of the Bureau;
 - (b) administration, coordination, supervision and management of the day to day activities of the Bureau;
 - (c) implementation of the Board's decisions and ensuring that the Bureau achieves its objectives under this Act;
 - (d) direction and supervision of all employees of the Bureau;
 - (e) maintenance of proper accounting and financial records in accordance with extant Federal Government financial guidelines and regulations; and
 - (f) performance of such other duties as the Board may assign.
- (4) The Director-General may in the exercise of his powers under this Act give directions as to -
 - (a) how investigation is to be conducted;
 - (b) the content of a public report as to a particular investigation; and
 - (c) the publication and circulation of the final report.
- (5) The Director-General shall -
 - (a) have regard to the desirability of minimising any resulting disruption to the transport system by means of transport vehicles;
 - (b) act in consonance with the provisions of this Act and any regulations made under it.
- (6) The Director-General may be suspended or be removed from office by the President, where the Director-General -
 - (a) has demonstrated inability to effectively perform the duties of his office;
 - (b) is guilty of serious misconduct in relation to his duties;
 - (c) is, in the case of a person dispossessed of his professional qualifications, shall be disqualified or suspended from practicing his profession in any part of the world by an order of a competent authority or the court; or
 - (d) is guilty of a conflict of interest under this Act.
- (7) The Director-General may resign his appointment by giving 30 days written notice addressed to the President through the Minister.

Committee's Recommendation:

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

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

Clause 12: Appointment of the Secretary

- (1) There shall be appointed by the Bureau a Secretary of the Board who shall be the Legal Adviser of the Bureau and a legal practitioner who has been so qualified for not less than 15 years.
- (2) The Secretary shall keep the seal and all records of the Bureau and the Board and perform such other duties and functions as the Board or the Director-General may direct or assign.

Committee's Recommendation:

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

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

Clause 13: Appointment of directors

- (1) The Minister may upon the recommendation of the Board, appoint by written instrument such number of directors having technical or specialised knowledge in one or more areas relevant to the functions of the Bureau to assist the Director-General in carrying out his duties under this Act.
- (2) The composition of the directors of the Bureau appointed under subsection (1) shall reflect equity and fairness as enshrined in section 14 (3) of the Constitution of the Federal Republic of Nigeria, 1999.

Committee's Recommendation:

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

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

Clause 14: Staff of the Bureau

The Bureau shall subject to the approval of the Board -

- (a) employ either directly or on transfer or secondment from any civil or public service in the Federation such number of employees as may be required to assist the Director-General in the performance of his functions;
- (b) the composition of the senior management staff of the Bureau appointed under subsection (1) shall reflect equity and fairness as enshrined in section 14 (3) of the Constitution of the Federal Republic of Nigeria, 1999; and
- (c) pay to persons so employed such remuneration and allowances as determined by National Salaries Incomes and Wages Commission (NSIWC) .

Committee's Recommendation:

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

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

Clause 15: Staff regulations

- (1) Subject to the provisions of this Act, the Board shall make staff regulations relating to their Conditions of Service.
- (2) The staff regulations made under subsection (1) of this Act shall not have effect until approved by the Board, and when so approved, the Bureau shall cause a notice of the staff regulations to be issued to all staff.

Committee's Recommendation:

That the provision in Clause 15 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 16: Pension

- (1) Service in the Bureau shall be approved service for purposes of the Pension Reform Act.
- (2) Employees of the Bureau shall be entitled to pension and other retirement benefits.

Committee's Recommendation:

That the provision in Clause 16 be retained (*Senate Leader*) — *Agreed to.*

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

PART V - FINANCIAL PROVISIONS

Clause 17: Funds of the Bureau

- (1) The Bureau shall establish and maintain a fund (in this Act referred to as "the Fund") from which shall be defrayed all expenditure incurred by the Bureau for the purpose of this Act.
- (2) There shall be credited to the Fund -
 - (a) an initial-take-off subvention as may be appropriated to the Bureau by the National Assembly;
 - (b) such sums as may be appropriated to the Bureau by the Federal Government;
 - (c) such money as may be provided to the Bureau by the Federal Government, a State or Local Government;
 - (d) all sums accruing to the Bureau by way of gifts, endowments, bequests, donations, grants or voluntary contributions by persons and organisations;
 - (e) foreign aid and assistance from multi-lateral and bilateral organisations;
 - (f) subventions and extra budgetary allocations accruable from the Federal Government or any other institution;
 - (g) fees and charges for services rendered by the Bureau;
 - (h) fees from publications made by the Bureau;

- (i) any other fund that may be approved for the development of transportation safety in Nigeria;
 - (j) all other sums or assets that may be vested in or accrue to the Bureau in the course of performing its functions under this Act;
 - (k) 6% of the 5% airfare, contract, charter and cargo charges as imposed under section 12 (2) and (3) of the Civil Aviation Act;
 - (l) 5% of the passenger service charge (PSC) as charged under section 12 (1) (b) (iii) of Federal Airports Authority of Nigeria Act, 2004 or Act of any other agency carrying out its functions in future and sums accruable there-from or as may be amended;
 - (m) 5% of any other air passenger service charges collected by any airport terminal operator in Nigeria;
 - (n) 3% of the 3% of gross freight of all international inbound and outbound cargo from ships or shipping companies operating in Nigeria collected and paid over to the Nigeria Maritime Administration and Safety Agency;
 - (o) 5% of ticket sales of rail passengers and cargo charges; and
 - (p) other charges levied on other modes of transportation as may be approved by the Federal Executive Council for the development of transportation safety in Nigeria.
- (2) The Fund shall be managed in accordance with extant financial regulations applicable in the public service of the Federation and regulations made under this Act.

Committee's Recommendation:

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

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

Clause 18: Emergency Fund

- (1) The Bureau shall have and maintain at any given time, an emergency fund not below the sum of ₦500,000,000 only in a special account with the Central Bank of Nigeria to cater for investigation of any major transportation occurrence.
- (2) In conformity with the requirements of the applicable international convention, instrument or protocol, proceeds arising from the emergency fund established and maintained for the Bureau under subsection (1) shall remain so, until expended and shall be replenished by the Bureau thereafter.

Committee's Recommendation:

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

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

Clause 19: Expenditure of the Bureau

The Bureau shall apply the proceeds of the Fund at its disposal to -

- (a) the cost of the administration of the Bureau;
- (b) perform the functions of the Bureau under the Act;
- (c) pay members of the Board or any committee set up by the Board for such expenses as may be expressly authorised by the Board;
- (d) the payment of salaries, fees or other remuneration, allowances, pension and benefits payable to employees and experts appointed by the Bureau;
- (e) build, acquire and maintain any property vested in the Bureau; and
- (f) undertake any other activity, programme or matter connected with all or any of the functions of the Bureau under this Act.

Committee's Recommendation:

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

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

Clause 20: Accounts and audit

- (1) The Bureau shall keep proper accounts and records of its funds and prepare in respect of each financial year, a statement of accounts in such form as may be required and in conformity with best practice and financial regulations.
- (2) The Bureau shall within six months after the end of each year to which the accounts relate, cause its accounts to be audited by auditors appointed from the list of auditors and in accordance with guidelines supplied by the Auditor-General of the Federation.
- (3) The auditors shall, on completion of the audit of the accounts of the Bureau for each year, prepare and submit to the Board reports setting out -
 - (a) general observations and recommendations of the auditors on the financial affairs of the Bureau for the year and on any important matter which the auditors desire to bring to the notice of the Board; and
 - (b) detailed observations and recommendations of the auditors on all aspects of the operations of the Bureau for that year.

Committee's Recommendation:

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

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

Clause 21: Annual estimates and expenditure

- (1) The Bureau shall not later than 30 September each year or other date stipulated by law or policy, submit to the National Assembly through the Minister an estimate of expenditure or income of the Bureau as approved by the Board for the next fiscal year for incorporation into the national budget.

- (2) The Bureau shall keep proper accounts in respect of each year and proper records in relation to its accounts and shall cause it to be audited within six months after the end of each year by auditors appointed from the list of auditors and in accordance with the guidelines supplied by the Auditor-General for the Federation.

Committee's Recommendation:

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

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

Clause 22: Annual reports

- (1) The Bureau shall, not later than 30 September in each year, prepare and submit to the Minister and the Auditor-General of the Federation, a report on the activities and administration of the Fund during the preceding year and shall include in the report a copy of the audited financial statement of the Bureau for the immediate preceding calendar year and the auditor's report thereon.
- (2) The Minister shall, upon receipt of the report referred to in subsection (1), cause a copy of the report and the audited accounts of the Fund and the auditor's report thereon to be submitted to each House of the National Assembly.

Committee's Recommendation:

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

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

Clause 23: Power to accept gifts

- (1) The Bureau may accept gifts of land, money or other property upon such terms and conditions it considers lawful.
- (2) The Bureau shall not accept any gift if the conditions attached by the person or organisation offering the gift are inconsistent with the functions of the Bureau under this Act and the provisions of any other relevant law.

Committee's Recommendation:

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

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

Clause 24: Power to borrow

- (1) The Bureau may, with the approval of the Board, borrow money on such terms and conditions as it may require in the performance of its functions under this Act.
- (2) Notwithstanding the provisions of subsection (1), the Bureau shall not borrow money which exceeds the limit set by the Federal Government, and where the sum to be borrowed is in foreign currency, the Bureau shall not borrow the sum without the prior approval of the President and in consultation with Central Bank of Nigeria.

Committee's Recommendation:

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

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

Clause 25: The Bureau shall be exempted from the payment of tax and levies, save from investments made under this Act.

Committee's Recommendation:

That the provision in Clause 25 be retained (*Senate Leader*) — *Agreed to.*

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

PART VI - INVESTIGATORS

- Clause 26:**
- (1) The Director-General shall for the purpose of carrying out investigation into transportation occurrences appoint an Investigator-in-Charge or such other person or persons as investigators for such transportation occurrence.
 - (2) The persons appointed as Investigators under subsection (1) shall have cognate technical knowledge, qualification and practical experience in accident reconstruction, safety engineering, transportation safety, or transportation regulation, and other relevant disciplines required for the performance of their functions under this Act.
 - (3) The Director-General shall cause an Investigator appointed under subsection (1) to carry out an investigation into a transportation occurrence in any of the instances provided under this Act.

Committee's Recommendation:

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

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

Clause 27: Power of Investigator to conduct investigation

The Investigator shall -

- (a) on display of appropriate credentials and authority, enter into any premises where there is a reasonable ground that a transportation occurrence has occurred, or there may be at the place, anything relevant to the investigation or where wreckage from the occurrence is located;
- (b) in the course of the investigation, have unhindered access to all relevant materials or pieces of evidence, including on-board recorders, either in air, marine, rail or such relevant traffic records related to a transport safety investigation under this Act; and
- (c) have unhindered access to the site of any transportation occurrence, premises, location, facility, the transport vehicle, its contents or wreckage, constituting the subject of a safety investigation contemplated by this Act.

Committee's Recommendation:

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

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

Clause 28: General powers of Investigators

The Investigator shall -

- (a) ensure an immediate listing of evidence and controlled removal of debris, or components for examination or analysis;
- (b) be granted access to and the use of any content of the relevant on-board recorders and any other recordings;
- (c) have unhindered access to any relevant information or records held by the owner, operator or manufacturer of the transport vehicle or from the authority responsible for the regulation of the vehicle operators and of the operators of the transportation facility;
- (d) recover for accident victims, personal effects taken from the site of the occurrence;
- (e) take photographs, video recordings, sound recordings, or other records of the premises or evidential material;
- (f) be at liberty to hand over a witness to the relevant authority where sabotage is considered; and
- (g) do all such other things as it may by regulations made under this Act be required to do in the exercise of its powers to investigate transportation occurrences.

Committee's Recommendation:

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

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

Clause 29: Offence in respect of obstructing an investigation

A person who knowingly obstructs, impedes, or fails to make statement to an Investigator or person acting under the authority of the Bureau in the exercise of its powers under this Act without reasonable cause commits an offence and is liable on conviction to a fine not more than ?500,000 or imprisonment for a term not more than three months or both.

Committee's Recommendation:

That the provision in Clause 29 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 30: Powers of the Investigator to search without warrant

- (1) Where an Investigator believes on reasonable grounds that there is, or there may be, anything relevant to the conduct of an investigation, in any place or transport vehicle, the Investigator shall obtain a warrant or may without warrant enter and conduct search in the place or transport vehicle, for any item and seize such item, as may be found in the course of the search.
- (2) An Investigator shall not exercise the powers under subsection (1) in relation to a particular place without the consent of the person apparently in charge of that place unless by reason of extreme

urgency.

Committee's Recommendation:

That the provision in Clause 30 be retained (*Senate Leader*) — *Agreed to*.

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

Clause 31: Powers of a court of competent jurisdiction to grant search warrant

- (1) Where a court of competent jurisdiction is satisfied by information on oath that an Investigator believes on reasonable grounds that there is, or may be, in any place, anything relevant to an investigation being carried out in respect to a transportation occurrence, it may, upon an ex-parte application, issue a warrant authorising the Investigator to enter and search the place for any of such thing and to take possession of any of such thing as may be found in the course of that search.
- (2) In executing a warrant under this Act, an Investigator shall not use force.

Committee's Recommendation:

That the provision in Clause 31 be retained (*Senate Leader*) — *Agreed to*.

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

Clause 32: Power to test items seized

- Where an item is seized by an Investigator under this Act, the Investigator —
- (a) may, subject to paragraph (b), cause tests to be conducted on the items as are necessary for the purposes of the investigation in respect of which it was seized;
 - (b) shall, where practical and safe, not unreasonably impede the progress of the investigation and take all reasonable measures to invite the owner of the seized item to be present at any test referred to in paragraph (a); and
 - (c) shall, subject to the purpose of the search, cause the item to be preserved pending its return in accordance with the provisions of this Act.

Committee's Recommendation:

That the provision in Clause 32 be retained (*Senate Leader*) — *Agreed to*.

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

Clause 33: Power to prohibit or limit access to particular areas or materials

An Investigator may, for the purpose of preserving and protecting evidential material in a transportation occurrence, prohibit or limit access to such evidential material and area immediately surrounding the place at which they are located for such period as may be necessary for the purpose of the investigation.

Committee's Recommendation:

That the provision in Clause 33 be retained (*Senate Leader*) — *Agreed to*.

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

Clause 34: Disruption to be minimised

In exercising the power conferred by section 30 of this Act, an Investigator shall have regard to the desirability of minimizing any resulting disruption to transportation services.

Committee's Recommendation:

That the provision in Clause 34 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 35: Offence in respect of exclusion order

A person who enters a restricted area as provided under section 33 of this Act, commits an offence and is liable on conviction to a fine not more than ?100,000 or imprisonment for a term not more than three months or both.

Committee's Recommendation:

That the provision in Clause 35 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 36: Return of seized items

- (1) Any item seized under the provisions of this Act, shall be returned to the person from whom it was seized, as soon as it has served the purpose for which it was seized.
- (2) A person whose item was seized under this Act and is aggrieved that the item has not been returned timeously, may make an application for its return to a court of competent jurisdiction.

Committee's Recommendation:

That the provision in Clause 36 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 37: Power to order medical examination

- (1) Where an Investigator is of the opinion that the medical examination of a person who is directly or indirectly involved in the operation of an aircraft, ship, rail vehicle or other motor vehicle is relevant to the investigation, such a person may be required to submit to a medical examination.
- (2) Where an Investigator is of the opinion that a medical practitioner or institution has information concerning a patient that is relevant to an investigation, the medical practitioner or institution shall be required to provide that information to the Investigator.
- (3) Where a person fails or refuses to submit to a medical examination or make available information to an Investigator as required under subsections (1) and (2), he shall be required by an order of the court to provide same to the Investigator.
- (4) Where an Investigator is of the opinion that the performance of an autopsy on a deceased person is relevant to the conduct of an investigation, the Investigator shall, by court order, request the person having custody of the deceased person to permit the performance of an autopsy for the purpose of the investigation.

- (5) Subject to the power of the Bureau to request for medical examination under this section, the report from such examination shall not be —
- (a) communicated to any third party; or
 - (b) be required as evidence in any legal, disciplinary or other proceedings.

Committee's Recommendation:

That the provision in Clause 37 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 38: Attendance before an Investigator to give information

- (1) An Investigator may by notice in writing invite a person or body corporate for questioning or to provide evidentiary material in relation to an investigation.
- (2) A person who fails or refuses the invitation under subsection (1), commits an offence, and is liable on conviction to —
 - (a) in the case of an individual, a fine not more than ₦500,000 or imprisonment for term not more than six months or both; and
 - (b) in the case of a body corporate, a fine not more than ₦5,000,000.
- (3) A person who knowingly provides false evidentiary material, commits an offence and is liable on conviction to —
 - (a) in the case of an individual, a fine not more than ₦500,000 or imprisonment for a term not more than six months or both; and
 - (b) in the case of a body corporate, a fine not more than ₦5,000,000.

Committee's Recommendation:

That the provision in Clause 38 be retained (*Senate Leader*) — *Agreed to.*

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

PART VII — INVESTIGATIONS AND REPORTS ON
TRANSPORTATION OCCURRENCES

Clause 39: Notification of transportation occurrences

- (1) The Bureau shall make regulations for the establishment and administration of the conduct of transportation occurrences.
- (2) Regulations made under subsection (1), shall include rules for prohibition pending investigation, mandatory and voluntary notification, removal, examination, take measures for preservation, access to or interference with transportation occurrence site vehicle, protection of the identity of persons who report transportation occurrences or persons who give evidence in the course of an investigation by the Bureau and any other acts incidental to the investigation of transport occurrences matters.

Committee's Recommendation:

That the provision in Clause 39 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 40: Investigations

- (1) The Bureau —
 - (a) may investigate any transportation occurrence or transport safety matter for the purpose of performing its functions under this Act;
 - (b) shall investigate any transportation occurrence or transport safety matter, if requested in writing by the Minister to do so.
- (2) The Bureau may investigate a transportation occurrence which it may not ordinarily investigate where a formal request is made in writing for the investigation of a matter relating to transport safety.
- (3) In deciding whether to investigate a transportation occurrence pursuant to a request under subsection (2) or not, the Bureau shall take into account the reasons set out in the request.
- (4) Where the Bureau decides not to undertake a transport safety investigation, the reason for such decision shall be disclosed and transmitted in writing to the Minister or the person who made the request under subsections (1) and (2).

Committee's Recommendation:

That the provision in Clause 40 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 41: Coordination of investigations and remedial actions

- (1) The Bureau shall have investigative priority over transportation occurrences involving civil aircrafts, rail vehicles, and marine occurrences.
- (2) Where —
 - (a) an investigation into an occurrence provided for in subsection (1) has been commenced by the relevant agency, the agency shall discontinue its investigation, to the extent that it is an investigation to determine the cause of the transport occurrence; and
 - (b) it is required, the Bureau shall authorise the participation of the relevant agencies in the investigation.
- (3) The Bureau may collaborate with the Marine Casualty Investigation Committee and the Nigerian Civil Aviation Authority to establish the cause of occurrences for the purpose of performing its functions under this Act.
- (4) Where in the course of an investigation, the Bureau determines that circumstances reasonably indicate that the occurrence may have been caused by an intentional criminal act, the Bureau shall relinquish investigative priority to the Nigeria Police.

- (5) The relinquishment of investigative priority by the Bureau under subsection (4) shall not affect the authority of the Bureau to continue its safety investigation under this Act.
- (6) Where an investigation into a transportation occurrence under this Act is required, and an agency undertakes remedial measures with respect to that transportation occurrence, the Bureau and that agency shall take all reasonable measures to ensure that activities with respect to the transportation occurrence are coordinated to achieve the aims of the safety investigation.
- (7) Where conflicting interests arise between the Bureau and an agency of government as to coordination of activities under subsection (1), the requirements and interests of the Bureau and any agreement entered into pursuant to regulations made under this Act, shall take precedence to the extent of the conflict.
- (8) The Bureau shall take all reasonable measures to ensure that it follows the common investigation methodology, procedures and best practices in relation to the specific transportation occurrence as may be stipulated in this Act or regulations made under this Act and it is in line with any relevant international agreements or conventions to which Nigeria is a party.

Committee's Recommendation:

That the provision in Clause 41 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 42: Restriction on military carrier

The Bureau shall not investigate any transportation occurrences relating to any military carrier without a written request from a relevant authority of the Nigerian Armed Forces.

Committee's Recommendation:

That the provision in Clause 42 be retained (*Senate Leader*) — *Agreed to.*

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

Clause 43: Transport safety matters

- (1) Transportation occurrences involving a transport vehicle is a transport safety matter, where —
 - (a) the transport vehicle is destroyed;
 - (b) the transport vehicle is damaged;
 - (c) the transport vehicle is abandoned, disabled, stranded or missing in operation;
 - (d) a person dies as a result of an occurrence associated with the operation of the transport vehicle;
 - (e) a person is injured or incapacitated as a result of an occurrence associated with the operation of the transport vehicle;

- (f) property is damaged as a result of an occurrence associated with the operation of the transport vehicle;
 - (g) the transport vehicle is involved in a near accident; or
 - (h) the transport vehicle is involved in an occurrence that affected, or could have affected, the safety of the operation of the transport vehicle.
- (2) For the purposes of this Act, a transport safety matter also includes something that occurred, affected, is affecting or might affect, transport safety.

Committee's Recommendation:

That the provision in Clause 43 be retained (*Senate Leader*) — *Agreed to.*

Question that Clause 43 do stand part of the Bill, put and agreed to.

Clause 44: Report on investigations and findings

- (1) The Bureau may, at any time before an investigation is completed, publish a preliminary report in relation to the safety investigation to the appropriate authority, including relevant stakeholders, where it considers that the publication of such report is necessary for prompt action.
- (2) The Bureau shall immediately after the completion of an investigation, through electronic and other channels, publish the final report of the investigation and transmit same to the President and the report shall be made available to the National Assembly upon request.

Committee's Recommendation:

That the provision in Clause 44 be retained (*Senate Leader*) — *Agreed to.*

Question that Clause 44 do stand part of the Bill, put and agreed to.

Clause 45: Draft reports

- (1) The Bureau may provide a draft report on a confidential basis, to any person whom it considers necessary, for the purpose of —
 - (a) allowing the person to make an input to the draft report; or
 - (b) giving the person an advance notice of the report to be published.
- (2) A person who receives a draft report under subsection (1), shall treat it with confidentiality and shall not —
 - (a) copy or recopy the draft report;
 - (b) put the draft report in the public domain in any form whatsoever; or
 - (c) disclose to any person or the public the contents of the report.
- (3) A person who contravenes the provisions of subsection (2) commits an offence and is liable on conviction to a fine not more than ₦200,000 or imprisonment for a term not more than six months or both.

- (4) The provisions of subsection (2) shall not apply to any copying done or disclosure made that is necessary for the purpose of preparing a review or providing input or submission to the draft report.
- (5) A person who receives a draft report under subsection (1) shall not be required to disclose it in any proceedings in a court of law.

Committee's Recommendation:

That the provision in Clause 45 be retained (*Senate Leader*) — *Agreed to.*

Question that Clause 45 do stand part of the Bill, put and agreed to.

Clause 46: Admissibility of reports

- (1) Notwithstanding the provisions of the Evidence Act, the content of a safety investigation report made under the provisions of this Act and regulations made thereunder, shall not be admissible in evidence as to form the basis of liability in any criminal or civil proceedings apart from coronial inquiry.
- (2) The opinion of an investigation team or an Investigator under subsection (1) shall not be admissible in evidence in any legal, disciplinary or other proceedings, on the safety investigation report of a transportation occurrence.

Committee's Recommendation:

That the provision in Clause 46 be retained (*Senate Leader*) — *Agreed to.*

Question that Clause 46 do stand part of the Bill, put and agreed to.

PART VIII — PROTECTION OF ON-BOARD RECORDING
AND RESTRICTED INFORMATION

Clause 47: On-board recording and restricted information

- (1) Every on-board recording and restricted information are privileged.
- (2) Except as provided under this section, a person shall not —
 - (a) communicate an on-board recording, restricted information or permit it to be communicated to any person; or
 - (b) be required to produce an on-board recording, restricted information or give evidence relating to it in any legal, disciplinary or other proceedings.
- (3) Any on-board recording or restricted information that relates to an investigation under this Act, shall be released to an Investigator on request.
- (4) An investigator shall not communicate or permit to be communicated to any person any portion of an on-board recording or restricted information that is unrelated to the causes or contributory factors of the transportation occurrence under investigation or to the identification of safety deficiencies.
- (5) An Investigator may make available any on-board recording or restricted information obtained under this Act to —
 - (a) a coroner who requests access thereto for the purpose of an

- investigation; or
- (b) any person carrying out a coordinated investigation under section 27 of this Act.
- (6) Notwithstanding the provisions of this section, where, in any proceedings before a competent authority, a request for the production and discovery of an on-board recording or restricted information is made, the competent authority shall —
- (a) cause notice of the request to be given to the Bureau, if the Bureau is not a party to the proceedings;
- (b) examine the on-board recording or restricted information in camera and give the Bureau a reasonable opportunity to make representations with respect thereto; and
- (c) order the production and discovery of the on-board recording or restricted information, subject to such restrictions or conditions as the competent authority may deem appropriate.
- (7) The Bureau may refuse to make the on-board recording information, restricted information or any part of it available to the coroner, if in his opinion such disclosure would likely interfere with any investigation into the transport safety matter to which the on-board recording or restricted information relates.
- (8) In this section, "on-board recording" means the whole or any part of —
- (a) a recording of voice communications, sound or images originating from, or received on, or in the control area of any transport vehicle; or
- (b) a video recording or any recording of the activities of the operating personnel of an aircraft, ship, rail road or tracked vehicle or locomotive made, using recording equipment that is not intended to be controlled by the operating personnel in the control area of transport vehicle, which includes a transcript or substantial summary of such a recording.
- (9) In this section, "restricted information" means the whole of —
- (a) statements taken from a person by the Bureau in the course of safety investigation;
- (b) communications between persons having been involved in transport vehicle;
- (c) medical or private information regarding a person involved in the transportation safety occurrence;
- (d) recordings and transcripts of recordings from sea, rail or traffic control unit; and
- (e) analysis and opinions about information, including on board recorder information, made by the Bureau or other members of the safety investigation team.

Committee's Recommendation:

That the provision in Clause 47 be retained (*Senate Leader*) — *Agreed to.*

Question that Clause 47 do stand part of the Bill, put and agreed to.

Clause 48: Prohibition of the use of on-board recording or restricted information

- (1) Any person or organisation is entitled to take any disciplinary action against its employee on the basis of an unauthorised use of on-board recording or restricted information.
- (2) Any information or item obtained as a direct or indirect result of the use of restricted information, is not admissible in evidence in criminal proceedings against a crew member, other than proceedings for an offence under this Act.
- (3) Any person who makes a copy or a disclosure of an on-board recording or restricted information without authorisation commits an offence and is liable on conviction to a fine not more than ?1,000,000 or imprisonment for a term not more than one year or both.

Committee's Recommendation:

That the provision in Clause 48 be retained (*Senate Leader*) — *Agreed to.*

Question that Clause 48 do stand part of the Bill, put and agreed to.

PART IX — INFORMATION RELATING TO SAFETY INVESTIGATION

Clause 49: Power to obtain information

- (1) For the purpose of obtaining required information for the performance of its functions under this Act, any authorised officer of the Bureau may by notice in writing, request any person connected with a transportation occurrence to provide information relating to —
 - (a) voyages, flights or class of flights, journeys, as may be specified in the notice; and
 - (b) flight plans, journey logs, travel history, navigation instruments carried aboard an aircraft, ship, rail or vehicle, and any other information required for their safe navigation on air, rail, road, or water.
- (2) The notice under subsection (1) may require any person to specify the times at which, or the form and manner in which any information required shall be made.
- (3) The Bureau may under the provisions of subsection (1) request for any data base or information from any relevant authority or agency in furtherance of its obligations under this Act.
- (4) A person who deceives or makes false statement to an authorised officer during an interview, commits an offence and is liable on conviction to a fine not more than ?500,000 or imprisonment for a term not more than six months or both.
- (5) In this section, "authorised officer" means the Director-General, or any other officer of the Bureau specifically or generally designated by the Director-General to perform any of the functions of the Bureau

under this Act.

Committee's Recommendation:

That the provision in Clause 49 be retained (*Senate Leader*) — *Agreed to.*

Question that Clause 49 do stand part of the Bill, put and agreed to.

Clause 50: Confidentiality

- (1) A member of the Board, Management, Director-General, officer, employee or other staff of the Bureau shall not divulge or use any information acquired in the exercise of their powers or functions under this Act.
- (2) A person who contravenes the provisions of subsection (1) commits an offence and is liable on conviction to a fine not more than ₦2,000,000 or imprisonment for a term not more than one year or both.

Committee's Recommendation:

That the provision in Clause 50 be retained (*Senate Leader*) — *Agreed to.*

Question that Clause 50 do stand part of the Bill, put and agreed to.

PART X — FAMILY ASSISTANCE PROGRAMME

Clause 51: Coordination of family assistance providers

- (1) Where the Bureau is notified of a transportation occurrence within Nigeria involving an air, marine or rail occurrence, the magnitude of which results in major fatalities, the Bureau shall immediately designate officers to —
 - (a) be charged with coordinating the Family Assistance Program, in line with the provisions of the regulations made under this Act; and
 - (b) collaborate with counterparts from other government and non-governmental agencies performing similar functions.
- (2) Where the Bureau relinquishes its investigative powers under this Act in respect of any transportation occurrence, it shall assist the body to which it has relinquished investigative power in assisting the coordination of Family Assistance Program with respect to the occurrence to the maximum extent possible.

Committee's Recommendation:

That the provision in Clause 51 be retained (*Senate Leader*) — *Agreed to.*

Question that Clause 51 do stand part of the Bill, put and agreed to.

PART XI — OFFENCES AND PENALTIES

Clause 52: Obstructing or hindering the investigation of a transportation occurrence

- (1) A person shall not obstruct the investigation of any transportation occurrence by the Bureau.
- (2) Any person who contravenes the provision of subsection (1) commits an offence and is liable on conviction —

- (a) in the case of an individual, to a fine not more than ₦500,000 or imprisonment for a term not more than six months or both; and
- (b) in the case of a body corporate, a fine not more than ₦1,000,000 and shall during the subsistence of the offence, be liable to an additional fine for each day the offence continues —
 - (i) in the case of a corporation, ₦100,000, and
 - (ii) in the case of a person acting in the capacity of an officer or representative of the organisation, where the offence was committed, ₦50,000 only.

Committee's Recommendation:

That the provision in Clause 52 be retained (*Senate Leader*) — *Agreed to.*

Question that Clause 52 do stand part of the Bill, put and agreed to.

Clause 53: Offences by body corporate

Where an offence under this Act has been committed by a body corporate, and is proven to have been committed with the consent or connivance of, or attributable to any neglect on the part of any Director, Manager, Secretary or other similar officer of the body corporate or any person purporting to act in any of those capacities, the —

- (a) person is liable on conviction to a fine not more than ₦500,000 or imprisonment for a term not more than six months; and
- (b) body corporate is liable on conviction to a fine not more than ₦5,000,000.

Committee's Recommendation:

That the provision in Clause 53 be retained (*Senate Leader*) — *Agreed to.*

Question that Clause 53 do stand part of the Bill, put and agreed to.

Clause 54: Legal representation

In any proceeding before a court of law or tribunal, the Attorney-General of the Federation shall represent the Bureau.

Committee's Recommendation:

That the provision in Clause 54 be retained (*Senate Leader*) — *Agreed to.*

Question that Clause 54 do stand part of the Bill, put and agreed to.

Clause 55: Jurisdiction

- (1) The Federal High Court shall have jurisdiction to try matters under this Act.
- (2) The Federal High Court shall have jurisdiction to impose any penalty provided for an offence under this Act or any other related law.
- (3) The penalty imposed on a person convicted of an offence referred to in sections 52 and 53 of this Act may be reduced in such manner as the court may deem fit, where the person has, before any proceeding, made possible or facilitated the identification of other accused persons

and their sponsors or who, after the commencement of the proceedings, has made possible or facilitated the arrest of such persons.

- (4) In any trial for an offence under this Act, the Court shall have power to adopt all legitimate measures that it may deem necessary to avoid unnecessary delays and abuse in the conduct of proceedings.

Committee's Recommendation:

That the provision in Clause 55 be retained (*Senate Leader*) — *Agreed to.*

Question that Clause 55 do stand part of the Bill, put and agreed to.

PART XII — LEGAL PROCEEDINGS

Clause 56: Limitation of suits against the Bureau

- (1) Subject to the provisions of this Act, the provisions of the Public Officers Protection Act shall apply in relation to any suit instituted against any officer or employee of the Bureau.
- (2) Notwithstanding any provision in any other law, no suit shall be brought against any member of the Board, the Director-General or any other officer or employee of the Bureau for any act done in pursuance or execution of this Act or any other law, or of any public duty or authority or in respect of any alleged neglect or default in the execution of this Act or such law, duty or authority, shall lie or be instituted in any court unless —
 - (a) it is commenced within three months next after the act, neglect or default complained of; or
 - (b) in the case of a continuation of damage or injury, within six months next after the ceasing thereof.
- (3) No suit shall be commenced against a member of the Board, the Director-General, officer or employee of the Bureau before the expiration of a period of one month, after written notice of intention to commence the suit has been served on the Bureau by the intending plaintiff or their agent.
- (4) The notice referred to in subsection (3) shall clearly and explicitly state the cause of action, the particulars of the claim, the name and place of abode of the intending plaintiff and the relief which he claims.

Committee's Recommendation:

That the provision in Clause 56 be retained (*Senate Leader*) — *Agreed to.*

Question that Clause 56 do stand part of the Bill, put and agreed to.

Clause 57: Restriction on execution of judgment against the Bureau

- (1) In any action or suit against the Bureau, no execution of judgment or attachment of process in the nature thereof shall be issued against the Bureau.
- (2) Any sum of money which may, by the judgment of any court, be awarded against the Bureau shall, subject to any direction given by the

court where notice of appeal of the said judgment has been given, be paid from the general reserve fund of the Bureau.

Committee's Recommendation:

That the provision in Clause 57 be retained (*Senate Leader*) — *Agreed to*.

Question that Clause 57 do stand part of the Bill, put and agreed to.

Clause 58: Indemnity of officers

A member of the Board, the Director-General, any officer or employee of the Bureau shall be indemnified out of the assets or funds of the Bureau against any proceeding, whether civil or criminal, in which judgment is given in favour of the person, or where the person is acquitted, if any such proceeding is brought against the person in their capacity as a member of the Board, the Director-General, officer or employee of the Bureau.

Committee's Recommendation:

That the provision in Clause 58 be retained (*Senate Leader*) — *Agreed to*.

Question that Clause 58 do stand part of the Bill, put and agreed to.

Clause 59: Service of document

A notice, summons or other document required or authorised to be served upon the Bureau under the provisions of this Act or any other law may be served by delivering it to the Director-General or by sending it by registered post and addressed to the Director-General at the principal office of the Bureau.

Committee's Recommendation:

That the provision in Clause 59 be retained (*Senate Leader*) — *Agreed to*.

Question that Clause 59 do stand part of the Bill, put and agreed to.

PART XIII — MISCELLANEOUS PROVISIONS

Clause 60: Power to make regulations

The Bureau may with the approval of the Board, make such regulations as are necessary or expedient for giving full effect to the provisions of this Act and for the due administration of its provisions.

Committee's Recommendation:

That the provision in Clause 60 be retained (*Senate Leader*) — *Agreed to*.

Question that Clause 60 do stand part of the Bill, put and agreed to.

Clause 61: Power to establish staff housing scheme

The Bureau may with the approval of the Minister establish a staff housing scheme and issue guidelines for its management.

Committee's Recommendation:

That the provision in Clause 61 be retained (*Senate Leader*) — *Agreed to*.

Question that Clause 61 do stand part of the Bill, put and agreed to.

Clause 62: Compulsory acquisition of land

For the purposes of the Land Use Act which provides for the compulsory acquisition of land for overriding interest, any requirement of land by the

Bureau shall be deemed to be for public purposes of the Federation.

Committee's Recommendation:

That the provision in Clause 62 be retained (*Senate Leader*) — *Agreed to.*

Question that Clause 62 do stand part of the Bill, put and agreed to.

Clause 63: International Treaties, Conventions or Agreements

The Bureau shall take necessary measures to give effect to any applicable international treaty, convention or agreement concerning any aspect of transport safety investigation to which Nigeria is a party.

Committee's Recommendation:

That the provision in Clause 63 be retained (*Senate Leader*) — *Agreed to.*

Question that Clause 63 do stand part of the Bill, put and agreed to.

Clause 64: Savings and transitional provisions

- (1) Notwithstanding anything to the contrary in this Act, the employees and appointees of the Accident Investigation Bureau (in this section referred to as "AIB") existing immediately before the commencement of this Act is deemed to have been transferred to the Bureau established under this Act on terms and conditions not less favourable than those obtainable immediately before the commencement of this Act and service in the AIB is deemed to be service in the Bureau, for the purposes of pension.
- (2) There shall be vested in the Bureau all assets, funds, resources, movable and immovable property which immediately before the commencement of this Act were vested in the AIB.
- (3) All rights, interests, obligations and liabilities of the AIB under any contract, instrument, in law or in equity, shall by virtue of this Act be assigned and vested in the Bureau established under this Act.
- (4) Any proceeding or cause of action pending or existing immediately before the commencement of this Act by or against the AIB existing immediately before the commencement of this Act in respect of any right, interest, obligation or liability of the AIB may be continued, or as the case may require, be commenced and the determination of a court of law, tribunal or other authority or person may be enforced by or against the Bureau to the same extent that such cause of action or determination might have been continued, or enforced by or against the AIB as if this Act had not been made.
- (5) Any regulation, order, by-law or notice made or issued or deemed to be made or issued by, or for the purpose of, the AIB existing immediately before the commencement of this Act shall be deemed to have been made or issued by or for the purpose of the Bureau and shall continue in force until revoked or amended, subject to such modifications as may be applicable to the Bureau established in this Act.

Committee's Recommendation:

That the provision in Clause 64 be retained (*Senate Leader*) — *Agreed to.*

Question that Clause 64 do stand part of the Bill, put and agreed to.

Committee's Recommendation:

That the provision in Clause 64 be retained (*Senate Leader*) — *Agreed to.*

Question that Clause 64 do stand part of the Bill, put and agreed to.

Clause 65: Consequential amendments and savings

- (1) Sections 49 and 50 of the Nigerian Maritime Administration and Safety Agency Act, No. 17, 2007 are deleted.
- (2) Sections 51 (c), 52 (b), 53, 88 of the Nigeria Railway Corporation Act, Cap. N129, Laws of the Federation of Nigeria, 2004 are deleted.
- (3) Sections 190, 370, and 373 (1) of the Merchant Shipping Act, No. 27, 2007 are deleted.
- (4) Section 6 (2) of the National Emergency Management Agency (Establishment Act), Cap. N34, Laws of the Federation of Nigeria, 2004, as it relates to safety and accident involving modes of transportation is deleted.
- (5) Without prejudice to section 6 of the Interpretation Act, Cap. I23, Laws of the Federation of Nigeria, 2004, the deletion of the sections of the Acts specified in subsections (1)-(4), shall not affect anything done under any of the sections.
- (6) Every regulation, order, requirement, certificate, notice, direction, decision, authorisation, consent, application, request or thing made, issued, given or done under the deleted sections shall, if in effect at the commencement of this Act, continue to be in operation and have effect as if made, issued, given or done under the corresponding provisions of this Act.
- (7) Any investigation commenced under any of the deleted sections which in the case of an ongoing investigation, has not been completed, or in the case of a formal investigation has not been the subject of a draft report, shall continue as if it had been commenced under this Act.
- (8) In the event of conflict between any regulation, order, requirement, certificate, notice, direction, decision, authorisation, consent, application, request or thing made, issued, given or done under the repealed sections with any of the provisions of this Act, this Act shall prevail and that other regulation, order, requirement, certificate, notice, direction, decision, authorization, consent, application, request or thing shall remain void to the extent of its inconsistency.

Committee's Recommendation:

That the provision in Clause 65 be retained (*Senate Leader*) — *Agreed to.*

Question that Clause 65 do stand part of the Bill, put and agreed to.

Clause 66: Interpretation
In this Act-

"accident" means an investigable matter involving a transport vehicle where

- (a) a person dies or suffers serious injury as a result of an occurrence associated with the operation of the transport vehicle;
- (b) the vehicle is destroyed or seriously damaged as a result of an occurrence associated with the operation of the transport vehicle; or
- (c) any property is destroyed or seriously damaged as a result of an occurrence associated with the operation of the transport vehicle;

"AIB" means Accident Investigation Bureau established under section 29 of the Civil Aviation Act, Cap. C13, Laws of the Federation of Nigeria, 2004;

"aircraft occurrence" means any civil aircraft accident or serious incident as may be defined in the ICAO Annex 13 or any amendment thereto;

"Authority" Means the Nigerian Civil Aviation Authority;

"Board" means the Governing Board established under section 7 of this Act;

"Bureau" means the Nigerian Safety Investigation Bureau established under section 3 of this Act;

"causes" means actions, omissions, events, conditions, or a combination thereof, which led to the transportation occurrence and the identification of causes does not imply the assignment of fault or the determination of administrative, civil or criminal liability;

"chairman" means Chairman of the Board of the Bureau;

"civil proceedings" means any proceedings before a court of competent jurisdiction in Nigeria other than criminal proceedings;

"coroner" means any person empowered to hold inquests under the Coroners Law or any other related law;

"coronial inquiry" means a coronial inquiry, coronial investigation or coronial inquest under the Nigerian law;

"control area" means -

- (a) the flight deck and recording systems of an aircraft,
- (b) the bridge or a control room of a ship, and
- (c) the cab of a locomotive;

"Director-General" means the Director-General, chief executive and accounting officer of the Bureau appointed under section 11 of this Act;

"employee" means any person employed by the Bureau;

"Federation" means the Federal Republic of Nigeria;

"Fund" means the source of money that will be allocated to Bureau for its operations and maintenance;

"Government" includes the Government of the Federation, State, Local Government or any person who exercises power or authority on its behalf;

"Governor" means a Governor of any of the States of the Federal Republic of Nigeria;

"him" includes both male and female;

"incident" means an operational interruption, defect, fault or other irregular circumstance in a transportation vehicle that has or may have influenced or threatened transportation safety and that has not resulted in an accident;

"information" includes a record regardless of form and a copy of a record;

"International Agreement, Convention or Treaty" means a treaty or agreement whose parties are -

(a) Nigeria and a foreign country; or

(b) Nigeria and two or more foreign countries;

"Inspector of Railways" means the Inspector of Railways appointed under section 50 of the Nigerian Railway Corporation Act, Cap. N129, Laws of the Federation of Nigeria, 2004;

"investigation" means a process conducted for the purpose of preventing transportation occurrence which includes the gathering and analysis of information, the drawing of conclusions, including the determination of the cause or causes and, when appropriate, the making of safety recommendations;

"Investigator" means a person appointed as an Investigator of transportation occurrences by the Director-General of Bureau;

"Marine Casualty Investigation Committee" means the Committee established under section 49 of the Nigerian Maritime Administration and Safety Agency Act, 2007 to carry out -

(a) any marine accident, serious marine casualty and incident associated with the operation of a ship, excluding ships of war, or other ships not propelled by mechanical means, wooden ships of primitive build and pleasure yachts unless they are or will be crewed and carry more than 12 passengers for commercial purposes, and fixed offshore drilling units, which takes place between the time any person boards the ship, with the intention to sail until all such persons have disembarked, where a person is fatally or seriously injured, the ship sustains damage or structural failure or the ship is missing or is completely inaccessible, and

(b) any situation or condition that the Board of the Bureau has reasonable grounds to believe could, if left unattended, induce an accident or incident described in paragraph (a);

"Minister" means the Federal Minister responsible for aviation and to the extent of the authority given, any person authorised in that behalf by such Minister;

"NCAA" means the Nigerian Civil Aviation Authority;

"NIMASA" mean Nigerian Maritime Administration and Safety Agency;

"on-board recording" (OBR) includes -

- (a) the recording of sounds or images of persons in the control area of a transport vehicle,
- (b) the recording made in order to comply with a law in force in any country,
- (c) any part of the recording made at the time of the transportation occurrence of an immediately reportable matter that involved the transport vehicle, and
- (d) at least one of the following -
 - (i) any part of the recording was made while the transport vehicle was on a constitutional journey, or was made incidentally to such a journey,
 - (ii) the recording was made in order to comply with Nigerian law,
 - (iii) at the time when the recording was made, the transport vehicle was owned or operated by a government agency in Nigeria,
 - (iv) the immediately reportable matter occurred when the transport vehicle was on a route ordinarily used by transport vehicles on constitutional journeys, or
 - (v) the immediately reportable matter also involved another transport vehicle that was on a constitutional journey, or was owned or operated by a government agency in Nigeria;

"operator" means any person, body or undertaking operating or proposing to operate any of the transport vehicles;

"premises" means an accident site or premises that is necessary to enter in order to get to an accident site;

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

"public service" means the public service of the Federation;

"report" means any report, safety action statement, safety recommendation, safety bulletin issued by the Bureau;

"rail vehicle" means a vehicle that operates on a railway, including a vehicle that does not have wheels;

"railway" includes all branches, extensions, sidings, yards, stations, depots, wharfs, equipment, stores, signals, control systems, railway bridges, tunnels and other property, railway-related structures and facilities, and works connected therewith;

"railway occurrence" means -

- (a) any accident or incident associated with the operation of rolling stock on a railway, and
- (b) any situation or condition that the Board has reasonable grounds to believe could, if left unattended, induce an accident or incident described in paragraph (a) above;

"safety action statement" means a statement -

- (a) setting out any safety issues identified during the course of an investigation

that should be addressed; or

- (b) setting out any steps taken by persons to remedy safety issues identified during the course of an investigation;

"safety advisory notices or safety bulletins" means safety guidelines recommended by the Bureau;

"safety recommendation" means any proposal by the Bureau conducting the technical investigation, based on information derived from that investigation, made with the intention of preventing transportation occurrences;

"serious incident" means an incident involving circumstances indicating that an accident nearly occurred;

"site" in relation to transportation occurrence means any site associated with an accident -

- (a) containing the transport vehicle or any of its wreckage,
- (b) where there is an impact point associated with the accident, and
- (c) containing that property or any of its wreckage, together with such area around the site as the Director-General determines to be reasonably necessary to facilitate the investigation of the accident and securing the site if the accident involved destruction or serious damage to property, other than the transport vehicle;

"State" means any of the States of the Federal Republic of Nigeria or a nation or territory considered as an organised political community under one government;

"statement" means an official account, record and statement of evidence and fact given by a person to an Investigator of the Bureau;

"tracked vehicle" means a self-propelled vehicle that moves on tracks;

"transport or transportation" means the movement of humans, animals, or goods from one location to another by use of transportation vehicle;

"transportation occurrence" means an aviation, railway, marine or road occurrence;

"transport safety matters" means the occurrences as listed in section 43 of this Act; and

"vehicle" means any form of transportation that transports people, something or cargo, which includes aircraft, railed and tracked vehicles, motor vehicles, ships, buses, vans, lorries, trucks, trailers, etc.

Committee's Recommendation:

That the provision in Clause 66 be retained (*Senate Leader*) — *Agreed to.*

Question that Clause 66 do stand part of the Bill, put and agreed to.

Clause 67: Citation

This Act may be cited as the Nigerian Safety Investigation Bureau (Establishment) Act, 2022.

Committee's Recommendation:

That the provision in Clause 67 be retained (*Senate Leader*) — *Agreed to.*

Question that Clause 67 do stand part of the Bill, put and agreed to.

SCHEDULE

Sections 7 (5) and 8 (2) (f)

SUPPLEMENTARY PROVISIONS RELATING TO THE GOVERNING BOARD

Proceedings of the Governing Board

1. Subject to this Act and section 27 of the Interpretation Act, the Board shall have power to regulate its proceedings and may make standing orders, rules and terms with respect to the holding of its meetings, and those of its committees, notices to be given, the keeping of minutes of its proceedings, the custody and production for inspection of such minutes and such other matters as the Board may determine.
2. Every meeting of the Board shall be presided over by the Chairman or his designate; and if the Chairman or his designate is unable to attend a particular meeting, the members present at the meeting shall elect one of them to preside at the meeting.
3. The minutes of the meeting shall be recorded by the Secretary and signed by the Chairman or the person who presided at the meeting, after confirmation by the Board.
4. A quorum at a meeting of the Board shall be one-third of the total number of members.

Convening of Meetings of the Board

5. The Board shall meet to transact its business under this Act whenever it is summoned by the Chairman shall, and if so required by notice given to him by not less than four other members of the Board, specifying, amongst others, an agenda for the meeting, the Chairman shall summon a meeting of the Board that shall be held within 14 days from the date on which the notice is given to him to discuss the items specified in the notice; provided that the Board shall for the purposes of this Act meet not less than four times in each calendar year.
6. If the office of Chairman is at any time vacant, or the Chairman is absent from Nigeria or is in the opinion of the Board permanently or temporarily unable to perform the functions of his office, the officer appointed to act in his stead shall convene such meetings of the Board as may be required during the period of vacancy, absence or otherwise.
7. The Board shall meet for the conduct of its business at such places and on such days as the Chairman may appoint.
8. A question put before the Board at a meeting shall be decided by consensus and where this is not possible, by a majority of the votes of the members present and voting.
9. The Chairman shall, in the case of an equality of votes, have a casting vote in addition to his deliberative vote.
10. Where the Board seeks the advice of any person on a particular matter, the Board may invite that person to attend for such period as it deems fit, but a person who is invited by virtue of this paragraph shall not be entitled to vote at any meeting of the Board and shall not count towards the quorum.

Committees

11. The Board may appoint one or more committees to carry out on its behalf such of its functions as the Board may determine and report on any matter with which the Board is concerned.
12. A committee appointed under paragraph 11 shall be presided over by a member of the Board and shall consist of such number of persons (not necessarily all members of the Board) as, may be determined by the Board.
13. A person who is not a member of the Board shall hold office on the committee in accordance with his letter of appointment.
14. A decision of a committee of the Board shall be of no effect until it is confirmed by the Board.

Seal of the Bureau

15. The fixing of the common seal of the NSIB shall be authenticated by the signature of the Chairman and the Secretary or any member of the Board generally or specifically authorised by the Board to act for that purpose.
16. A contract or an instrument which, if made or executed by any person not being a body corporate, would not be required to be under seal, may be made or executed on behalf of the Board by the Chairman or by any person generally or specifically authorised to act for that purpose.
17. A document purporting to be a contract, an instrument or other document signed or sealed on behalf of the Board shall be received in evidence and, unless the contrary is proved, be presumed without further proof, to have been properly signed or sealed.
18. No member of the Board or a committee of the Board shall be personally liable for any act or omission done or made in good faith while engaged in the business of the Board.

Conflict of Interest

19. Subject to the provisions of this schedule, the Members of the Governing Board, Director-General, Directors, Members of the Management Staff, and other employees of the Bureau shall not while in office manage or operate any transportation enterprise involving transport vehicles applicable under this Act.
20. Any of the persons specified in paragraph 19 above having a financial interest in any transportation enterprise shall make full disclosure of such interest to the appropriate authorities.
21. Any of the persons mentioned in paragraph 19 is prohibited from participating in any action or decision that may, whether directly or indirectly, affect their financial interests in any transportation enterprise contemplated under this Act.
22. The members of the Governing Board, Director General and member of the management staff of the Bureau and all other employees shall -
 - (a) not for his personal gain, make use of any information which has come to his knowledge in the exercise of his powers or is obtained by him in the ordinary course of the duty as Director General, Director, Investigator, officer or employee of the Bureau;
 - (b) treat as confidential any information which has come to his knowledge in the exercise of his powers or is obtained by him in the performance of his duties under this Act; and

- (c) not disclose any information referred to under sub subparagraphs (a) and (b), except when required to do so by a court of competent jurisdiction or in such other circumstances as may be prescribed by the Management.

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

Chairman to report Bill.

(SENATE IN PLENARY)

The President of the Senate reported that the Senate in the Committee of the Whole considered the Report on a Bill for An Act to Establish the Nigerian Safety Investigation Bureau and Provide for the Regulation, Prevention and Effective Administration for Safety Investigation in Nigeria; and for Related Matters, 2022 and approved as follows:

Clauses 1-67 — As Recommended

Schedule — As Recommended

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

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

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

13. Federal High Court Act, Cap. F12, LFN, 2004 (Repeal & Re-enactment) Bill, 2022 (SB.1038):

Motion made: That a Bill for an Act to Amend the Federal High Court Act, Cap. F12, LFN, 2004 to increase the number of Judges of the Federal High Court from 100 to 172 and Repeal the Federal High Court (Amendment) Act 2013 and for Related Matters, 2022 be read the Second Time (*Senator Ovie A. Omo-Agege — Delta Central*).

Debate:

Question put and agreed to.

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

14. Committee on Banking, Insurance and other Financial Institutions:

Report on the Confirmation of the following persons for Re-appointment as Non-Executive Directors of the Board of the Central Bank of Nigeria:

Motion made: That the Senate do receive and consider the Report of the Committee on Banking, Insurance and other Financial Institutions on the confirmation of the following persons for re-appointment as Non-Executive Directors of the Board of the Central Bank of Nigeria:

S/no.	Name	Zone
1.	Professor Michael Idiahi Obadan	South South
2.	Professor Justitia Odinakachukwu Nnabuko	South East
3.	Professor Ummu Ahmed Jalingo	North East
4.	Adeola S. A. Adetunji	South West

(*Senator Uba Sani — Kaduna Central*).

Question put and Agreed to.

Report presented.

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

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

Consideration of the Report of the Committee on Banking, Insurance and other Financial Institutions on the confirmation of the following persons for re-appointment as Non-Executive Directors of the Board of the Central Bank of Nigeria.

Nominees recommended for confirmation:

(i)	Professor Michael Idiahi Obadan (<i>South South</i>)	—	<i>Agreed to</i>
(ii)	Professor Justitia Odinakachukwu Nnabuko (<i>South East</i>)	—	<i>Agreed to</i>
(iii)	Professor Ummu Ahmed Jalingo (<i>North East</i>)	—	<i>Agreed to</i>
(iv)	Adeola S. A. Adetunji (<i>South West</i>)	—	<i>Agreed to</i>

Chairman to report progress.

(SENATE IN PLENARY)

The President of the Senate reported that the Senate in the Committee of the Whole considered the Report of the Committee on Banking, Insurance and other Financial Institutions on the confirmation of the following persons for re-appointment as Non-Executive Directors of the Board of the Central Bank of Nigeria and approved the nominations.

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

Confirmation of nominations:

Question:

“Will the Senate confirm the nomination of Professor Michael Idiahi Obadan (*South South*) for appointment as Non-Executive Directors of the Board of the Central Bank of Nigeria ?” — *Resolved in the Affirmative.*

Nomination of Professor Michael Idiahi Obadan (South South) for appointment as Non-Executive Directors of the Board of the Central Bank of Nigeria accordingly confirmed.

Question:

“Will the Senate confirm the nomination of Professor Justitia Odinakachukwu Nnabuko (*South East*) for appointment as Non-Executive Directors of the Board of the Central Bank of Nigeria ?” — *Resolved in the Affirmative.*

Nomination of Professor Justitia Odinakachukwu Nnabuko (South East) for appointment as Non-Executive Directors of the Board of the Central Bank of Nigeria accordingly confirmed.

Question:

“Will the Senate confirm the nomination of Professor Ummu Ahmed Jalingo (*North East*) for appointment as Non-Executive Directors of the Board of the Central Bank of Nigeria ?” — *Resolved in the Affirmative.*

Nomination of Professor Ummu Ahmed Jalingo (North East) for appointment as Non-Executive Directors of the Board of the Central Bank of Nigeria accordingly confirmed.

Question:

“Will the Senate confirm the nomination of Adeola S. A. Adetunji (South West) for appointment as Non-Executive Directors of the Board of the Central Bank of Nigeria ?” — Resolved in the Affirmative.

Nomination of Adeola S. A. Adetunji (South West) for appointment as Non-Executive Directors of the Board of the Central Bank of Nigeria accordingly confirmed.

15. Adjournment:

Motion made: That the Senate do now adjourn till Wednesday, 21st September, 2022 at 3.00 p.m. (*Senate Leader*).

Question put and agreed to.

Adjourned accordingly at 2:00 p.m.

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

