



SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Tuesday, 29th November, 2022

1. The Senate met at 10:56 a.m. The President of the Senate read prayers.
2. **Votes and Proceedings:**
The Senate examined the Votes and Proceedings of Wednesday, 23rd November, 2022.
Question was put and the Votes and Proceedings were approved.
3. **Messages from Mr. President:**
The President of the Senate announced that he had received four (4) letters from Mr. President, Commander-in-Chief of the Armed Forces of the Federation, which he read as follows:
 - (a) **Concurrence of National Park (Declaration) Order 2022:**



PRESIDENT
FEDERAL REPUBLIC OF NIGERIA

16th November, 2022

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

Dear Distinguished Senate President,

CONCURRENCE OF THE NATIONAL-PARK (DECLARATION) ORDER 2022

Pursuant to Section 18 of the National Park Service Act, I forward, herewith, the National Park (Declaration) Order 2022 for the kind concurrence of the Senate.

The National Park (Declaration) Order 2022 seeks to establish ten (10) new National Parks. Please find attached the National Park (Declaration) Order.

While I hope that the request will receive the usual expeditious consideration of the Senate, please accept, Distinguished Senate President, the assurances of my highest consideration.

*Yours sincerely,
(Signed)
Muhammadu Buhari*

(b) *Transmission of the National Library (Establishment) Bill, 2022:*

PRESIDENT
FEDERAL REPUBLIC OF NIGERIA

17th November, 2022

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

Dear Distinguished Senate President,

**TRANSMISSION OF THE NATIONAL LIBRARY (ESTABLISHMENT)
BILL, 2022 TO THE NATIONAL ASSEMBLY FOR CONSIDERATION**

Pursuant to Section 58(2) of 1999 Constitution of the Federal Republic of Nigeria (as amended), I forward herewith, the National Library (Establishment) Bill, 2022, for the kind consideration of the Senate.

The National Library (Establishment) Bill, 2022, aims to establish, maintain the National Library of Nigeria and strengthen its statutory functions.

While I hope that the request will receive the usual expeditious consideration of the Senate, please accept Distinguished Senate President, the assurances of my highest consideration.

*Yours sincerely,
(Signed)
Muhammadu Buhari*

(c) *Transmission of the National Social Investment Programmes (Establishment) Bill, 2022:*

PRESIDENT
FEDERAL REPUBLIC OF NIGERIA

17th November, 2022

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

Dear Distinguished Senate President,

**TRANSMISSION OF THE NATIONAL SOCIAL INVESTMENT
PROGRAMME (ESTABLISHMENT) BILL FOR CONSIDERATION**

Pursuant to Section 58(2) of 1999 Constitution of the Federal Republic of Nigeria (as amended), I forward herewith, the National Social Investment Programme (Establishment) Bill for the kind consideration of the Senate.

The National Social Investment Programme (Establishment) Bill, seeks to provide a legal and institutional framework for the establishment of National Social Investment Programme for the assistance and empowerment of the poor and vulnerable in Nigeria.

While I hope that the request will receive the usual expeditious consideration of the Senate, please accept, Distinguished Senate President, the assurances of my highest consideration.

Yours sincerely,

(Signed)

Muhammadu Buhari

(d) *Transmission of Federal Produce Inspection Service Bill, 2022:*



**PRESIDENT
FEDERAL REPUBLIC OF NIGERIA**

18th November, 2022

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

Dear Distinguished Senate President,

**TRANSMISSION OF THE FEDERAL PRODUCE INSPECTION SERVICE
BILL FOR CONSIDERATION**

Pursuant to Section 58(2) of 1999 Constitution of the Federal Republic of Nigeria (as amended), I forward herewith, the Federal Produce Inspection Service Bill for the kind consideration of the Senate.

The Federal Produce Inspection Service Bill seeks to provide for the inspection and enforcement of grades and quality standards of produce and commodities intended for import into or export from Nigeria at Ports of Shipment and for related matters.

While I hope that the request will receive the usual expeditious consideration of the Senate, please accept, Distinguished Senate President, the assurances of my highest consideration.

Yours sincerely,

(Signed)

Muhammadu Buhari

4. Petitions

Rising on Order 40, Senator Patrick A. Akinyelure (*Ondo Central*) drew the attention of the Senate to the following petitions:

(i) Azande Emmanuel against Engr. Micheal Ayuba Auta of KYC Holdings Limited over an alleged attack on my person and an appeal to arrest and prosecute Engr. Micheal Ayuba;

(ii) Dr. Sam Osuji against CP Henry Njoku and Others over an alleged assault on worshippers, robbery and malicious damage to place of worship;

- (iii) Dr. Apostle Uba Chidiebere and A. M. Udeze on behalf of Pastor Onebunne Okechukwu Sunday against Ikechukwu Chukwugbo and Others over an alleged fundamental rights violation of a poor widower, criminal conspiracy, stealing by tricks, assault and threat to life;
- (iv) Onimisi Joseph Ojo against the Corps Marshal of Federal Road Safety Commission (FRSC) over an alleged refusal to reinstate him; and
- (v) Joe Adia against the Hon. Minister and Managing Director of Niger Delta Development Commission (NDDC) over an alleged non-payment to contractors.

He urged the Senate to look into the matters.

Petitions laid and accordingly referred to the Committee on Ethics, Privileges and Public Petitions [Order 41(3)] to report within four (4) weeks.

5. **Presentation of Bills:**

- (i) Regulation of Ecological Project (Establishment) Bill, 2022 (HB. 739) — *Read the First Time.*
- (ii) Chartered Institute of Emergency, Crisis and Disaster Risk Management (Establishment) Bill, 2022 (HB. 1707) — *Read the First Time.*
- (iii) Currency Conversion (Freezing Order) Act, C43 LFN 2004 (Amendment) Bill, 2022 (SB. 936) — *Read the First Time.*
- (iv) National Agricultural Improvement Board (Establishment) Bill, 2022 (SB. 1020) — *Read the First Time.*
- (v) National Food Bank Reserve Agency (Establishment) Bill, 2022 (SB. 1077) — *Read the First Time.*

6. **Executive Communication:**

2021 and 2022 Budget of the Niger Delta Development Commission (NDDC):

Motion made: That the Senate do consider the Request of Mr. President, Commander-in-Chief of the Armed Forces of the Federation on the 2021 and 2022 Budget of the Niger Delta Development Commission (NDDC) (*Senate Leader*).

Question put and agreed to.

Request accordingly referred to Committee on Niger Delta to report within three (3) weeks.

7. **Executive Communication:**

2023 Budget of the Niger Delta Development Commission (NDDC):

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 Budget of the Niger Delta Development Commission (NDDC) (*Senate Leader*).

Question put and agreed to.

Request accordingly referred to Committee on Niger Delta to report within four (4) weeks.

8. **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 to the National Assembly for onward transmission to the President, Commander-in-Chief of the Armed Forces of the Federation for Assent:

- (i) School of Mines and Geological Studies Akoko-Edo (Establishment) Bill, 2022; and
 (ii) Chartered Institute of Foresters of Nigeria Bill, 2022

observes that some fundamental issues which require fresh legislative action by both Chambers of the 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; and

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

The Senate accordingly resolves to:

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

Debate:

Proposed Resolution:

Question: That the Senate do rescind its decision on the 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/043/04/22*)

Motion made: Pursuant to Resolution No. (*S/Res/043/04/22*) that the Senate do resolve into the Committee of the Whole to consider the Bills (*Senate Leader*).

Question put and agreed to.

- (i) **School of Mines and Geological Studies Akoko-Edo (Establishment) Bill, 2022:**

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A REPORT ON A BILL FOR AN ACT TO ESTABLISH THE SCHOOL OF MINES AND GEOLOGICAL STUDIES IN AKOKO-EDO LOCAL GOVERNMENT AREA; AND FOR RELATED MATTERS, 2022.

**PART I — ESTABLISHMENT OF SCHOOL OF MINES
AND GEOLOGICAL STUDIES**

Clause 1: Establishment of School of Mines and Geological Studies.

- (1) There is hereby established the School of Mines and Geological Studies (in this Bill referred to as "the School") which shall have such powers and exercise such functions as conferred on it by this Bill.
- (2) The School shall be a body corporate with perpetual succession and a common seal and may sue and be sued in its corporate name.

Committee's Recommendation:

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

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

Clause 2: Establishment of the Governing Council.

- (1) There is hereby established for the School a Governing Council (in this Bill referred to as "the Council") which shall be responsible for the consideration and approval of the —
- (a) plan of activities of the School;
 - (b) programme of studies, courses, and research to be undertaken by the School;
 - (c) annual budget estimates of the School; and
 - (d) investment plans of the School.
- Schedule.
- (2) The provisions of the Schedule to this Bill shall have effect with respect to the Council as specified therein.

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 Council of the school.

- (1) The Council shall consist of a chairman and —
- (a) four persons representing a variety of interests and broadly representative of the whole federation one of whom shall be a woman;
 - (b) one person to represent the alumni association;
 - (c) a representative of the community where the School is situate;
 - (d) the Rector;
 - (e) the Deputy Rector;
 - (f) one person representing the Federal Ministry of Education;
 - (g) two persons, not below the rank of Chief Lecturer, elected by the academic board from among its members; and
 - (h) three persons, not below the rank of Senior Lecturer or its equivalent, elected by the Congregation from among its members in which one shall be a non-teaching staff.
- (2) The Chairman and members of the Council other than ex-officio members shall be appointed by the President.
- (3) Persons appointed to the Council shall be persons of proven integrity, knowledgeable and acquainted with the working and tradition of the technical and vocational education.
- (4) A member of the Council other than an ex-officio member shall hold office for a term of three years at the first instance and may be eligible for re-appointment for another term of three years and no more.

- (5) The governing structure of the School shall consist of the —
- (a) Governing Council;
 - (b) Academic Board;
 - (c) Management Committee;
 - (d) School Board; and
 - (e) Departmental Board.

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: Term of office of membership of the Council.

- (1) A member of the Council (other than an ex-officio member) shall hold office for a term of three years and be eligible for reappointment for a further period of three years.
- (2) The office of a member appointed under section 3 of this Bill shall become vacant if —
 - (a) the member resigns his/her appointment by notice in writing under his hand, addressed to the Minister; or
 - (b) the Minister is satisfied that it is not in the interest of the School for the person appointed to continue in office and notifies the member in writing to that effect.

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: The function of the School shall be —

- (a) to provide full-time courses in Mining and Geological Studies —
 - (i) to serve as a home for research activities in all fields of Geological, Survey and Exploration, in such other fields of applied learning relevant to the needs of the development of Nigeria,
 - (ii) research in the development and adaptation of techniques as the council may from time to time determine, and
 - (iii) to train manpower for the mineral exploration, mining, processing and extraction industries,
- (b) to conduct courses in Mining and Geological Studies for miners;
- (c) to arrange conferences, seminars and workshops in relevant fields of learning; and
- (d) to perform such other functions as in the opinion of the Council may promote the objectives of the School.

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: Power of the Council.

The Council shall have powers to —

- (a) hold examination and grant diploma, professional certificates and other distinctions to persons who have pursued a course of study approved and accredited by the National Board for Technical Education;
- (b) demand and receive from any student or any other person attending the School for the purpose of instruction such fees as the council may, with the prior approval of the Minister, from time to time determine;
- (c) hold public lectures and undertakes printing, publishing and selling;
- (d) provide amenities for the welfare of the staff of the School;
- (e) invest the surplus funds of the School on programmes that by law as may be approved by the Council; enter into such contracts as may be necessary or expedient for carrying into effect the objectives of the School;
- (f) recruit staff of the right caliber and determine the career structure of such staff;
- (g) establish and maintain such schools and other units within the school or extra-mural departments as the Council may, from time to time decide;
- (h) institute and award fellowships, medals, prizes and other titles;
- (i) mount exhibitions and display designs to foster appreciation of techniques and technology; erect, provide, equip and maintain such educational, recreational and residential facilities as the School may require;
- (j) create lectureships and other academic posts and offices to make appointments thereto; and
- (k) encourage and make provision for research in the School and; do such things incidental to the foregoing powers as may advance the objects of the school.

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: Visitation.

- (1) The President shall be the visitor of the School.

- (2) The Visitor shall, not less than once in every two years, conduct a visitation of the School or appoint a visitation panel consisting of not less than five experts to conduct the visitation —
- (a) for the purpose of evaluating the academic and administrative performance of the School; or
 - (b) for such other purpose the Visitor may deem fit.

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: The Academic Board and its Functions

- (1) There shall be established for the School a Board to be known as the Academic Board which shall consist of the following members —
- (a) the Rector of the School who shall be the Chairman;
 - (b) the Deputy Rector, Deans of Departments, Professors/Reader/Chief-Readers and the Registrar who shall be the Secretary;
 - (c) the School Librarian; and
 - (d) not more than two members of the academic staff other than heads of departments to be elected by the Congregation.
- (2) The Academic Board shall be responsible for —
- (a) the direction and management of academic matters to the School including the regulation of admission of students, the award of certificates, scholarships, prizes, and other academic distinctions;
 - (b) making periodic reports on such academic matters to the Council as the Council may from time to time direct; and
 - (c) discharging any other functions which the Council may from time to time delegate to it.

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: Power of Minister to give direction to the Council.

Subject to the provisions of this Bill, the Minister may give to the Council directions of a general character or relating generally to matters of policy with regards to the exercise by the Council of its functions under this Bill and it shall be the duty of the Council to comply with such directions.

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: The Rector of the School.

- (1) There shall be a Rector of the School (in this Bill referred to as "the Rector") who shall be appointed by the Governing Council, in accordance with the provisions of this section.
- (2) Where a vacancy exists in the post of Rector, the Council shall —
 - (a) advertise the vacancy in a reputable journal or a widely read newspaper in Nigeria specifying —
 - (i) the qualifications of the person who may apply for the post, and
 - (ii) the terms and conditions of service applicable to the post, and thereafter draw up a short list of suitable candidates for consideration, and
 - (b) constitute a search team consisting of —
 - (i) a member of the Council not being a member of the Academic Board, as Chairman,
 - (ii) two members of the Academic Board not below the rank of Chief Lecturer, and
 - (iii) two members of the academic community of the School not below the rank of Chief Lecturer to be selected by the Council, to identify and draw up a short list of suitable person who are not likely to apply for the post for any reason whatsoever.

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: Deputy Rector.

- (1) There shall be for the School a Deputy Rector.
- (2) The Council shall appoint the Deputy Rector from among the Chief Lecturers in the School in the following ways, that is —
 - (a) from a list three candidates in order of preference, submitted by the Rector;
 - (b) on the recommendation of a selection Board constituted under this section for that purpose; or
 - (c) on the nomination of the Rector.
- (3) The selection Board referred to in this subsection (2) shall —
 - (a) consist of —
 - (i) the Chairman of the Council,
 - (ii) the Rector,
 - (iii) two members of the Council not being members of the Academic Board, one of whom shall be the member appointed by the Minister, and

- (iv) two members of the Academic Board, and
- (b) make such inquiries as it deems fit before making the recommendation required under that subsection.
- (4) The Deputy Rector shall —
 - (a) be in charge of academic activities and assist the Rector in the performance of his functions;
 - (b) act in the place of Rector when the post of Rector is vacant or if for any reason the Rector is unable to perform his functions as Rector; and
 - (c) perform such other functions as the Rector or the Council may assign to him.
- (5) The Deputy Rector —
 - (a) shall hold office for a period of two years beginning from the effective date of his appointment and on such terms and conditions as may be specified in his letter of appointment; and
 - (b) may be reappointed for one further period of two years and no more.

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: The Registrar or Other Staff of the School.

- (1) The Council of the School shall appoint a Registrar to the School (hereinafter referred to as "the Registrar II") who shall keep the records and conduct the correspondence of the Council and shall perform such other duties as the Council and subject thereto as the Rector may from time to time direct.
- (2) The Registrar shall, in addition to other duties conferred on him by or under this Bill, be the Secretary of the Council, the Academic Board and any committee of the Council and in his absence, the Councilor of any such Committee may appoint some other person to act as Secretary, and he shall not vote on any question before the Councilor count towards a quorum.
- (3) A Registrar —
 - (a) shall hold office for a period of five years beginning from the effective date of his appointment and on such terms and conditions as may be specified in his letter of appointment; and
 - (b) may be reappointed for one further period of five years and no more.
- (4) Where on the commencement of this section a Registrar appointed before the commencement of the section has held office for —

- (a) five years or less he shall be deemed to be serving his first term of office and may be reappointed for a further term of five years;
- (b) more than five years but less than 10 years, he shall complete the maximum period of years and thereafter relinquish his post and be assigned other duties in the School;
- (c) 10 years or more, the Council may allow him serve as Registrar for a further period of one year only and thereafter he shall relinquish his post and be assigned other duties in the School.

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: Other Principal Officers of the School.

- (1) There shall be for the School the following Principal Officers in addition to the Registrar, that is —
 - (a) the Bursar; and
 - (b) the School Librarian, who shall be appointed by the Council on the recommendation of the selection Board constituted under section 10 of this Bill.
- (2) The Bursar shall be the Chief financial officer of the School and be responsible to the Rector for the day-to-day administration and control of the financial affairs of the School.
- (3) The School Librarian shall be responsible to the Rector for the administration of the School Library and the coordination of the School library services in the teaching units of the School.
- (4) A Bursar or Librarian —
 - (a) shall each hold office for a period of five years beginning from the effective date of his appointment and on such terms and conditions as may be specified in his letter of appointment; and
 - (b) may be reappointed for a further period of five years and no more.
- (5) Where on the commencement of this section a Bursar or Librarian has held office for —
 - (a) five years or less he shall be deemed to be serving his first term of office and may be reappointed for a further term of five years;
 - (b) more than five years but less than 10 years, he shall complete the maximum period of 10 years and thereafter relinquish his post and be assigned other duties in the School;

- (c) 10 years or more, the Council may allow him to serve in that capacity for a further period of one year only and thereafter he shall relinquish his post and be assigned other duties in the School.

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: Registration of Appointment of Principal Officer.

A Principal Officer may resign his appointment —

- (a) in the case of the Rector, by notice to the Governing Council; and
- (b) in any other case, by notice to the Council.

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: Other Employee.

- (1) The Council may appoint such other persons to be employees of the School as the Council may determine to assist the Rector and the Principal Officers of the School in the performance of their functions under this Bill.
- (2) Subject to the provisions of this Bill the remuneration, tenure of and conditions of service of the employees of the Council shall be determined by the Council in consultation with the Federal Civil Service Commission.

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: Selection Board for Other Principal Officer.

- (1) There shall be for the School, a selection Board which shall consist of—
- (a) the Chairman of the Council;
- (b) the Rector;
- (c) four members of the Council not being members of the Academic Board; and
- (d) two members of the Academic Board.
- (2) The functions, procedures and other matters relating to the selection Board constituted under subsection (1) shall be as the Council may, from time to time, determine.

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: Pension.

Act, No. 4, 2014

- (1) It is hereby declared that service in the School shall be approved service for the purposes of the Pension Reform Act, 2004 and accordingly, officers and other persons employed in the School shall in respect of their service in the School be entitled to pension, gratuities and other retirement benefits as are prescribed thereunder, however, that nothing in this Bill shall prevent the appointment of a person to any office on terms which preclude the grant of a pension and gratuity in respect of that office.
- (2) For the purposes of the application of the provisions of the Pension Reform Act, any power exercisable thereunder by a Minister or other authority of the Government of the Federation (other than the power to make regulations) shall be exercisable by the School and not by any other person or authority.

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 II — FINANCIAL PROVISIONS

Clause 18: Fund.

- (1) The Council shall establish and maintain a fund which shall be applied towards the promotion of the objectives specified in this Bill.
- (2) There shall be paid and credited to the fund established under subsection (1) —
 - (a) such sums as may from time to time be granted to the Council by the Minister of Education or as may be renamed at any point in time;
 - (b) all money raised for the purposes of the Council by way of gifts, grants-in-aids or testamentary disposition; and
 - (c) all subscriptions, fees and charges for services rendered by the Council and all other sums that may accrue to the Council from any source.
- (3) The Council shall submit to the Minister not later than three months before the end of each financial year or at such other time as he may direct, an estimate of its revenue and expenditure for the next succeeding financial year.

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: Power to Accept Gift.

The Council may accept gifts of land, money, or other property upon such terms and conditions if any, as may be specified by the person making the gift provided such conditions do not conflict with or undermined the objectives of the School as provided in this Bill.

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: Account and Audit.

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

Committee's Recommendation:

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

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

Clause 21: Annual Report.

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

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: Offices and Premises.

- (1) For the purposes of providing offices and premises necessary for the performance of its functions, the Council may —
 - (a) purchase any interest in or take on lease any land; and
 - (b) build, equip and maintain offices and premises.
- (2) The Council may with the approval of the Minister sell any interest in or lease any land, offices or premises held by it and no longer required for the performance of its function.

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 Staff and Student.

- (1) The Council may make rules providing for the Rector to conduct enquiries into alleged breaches of discipline, dereliction of duties and gross misconduct (including lack of diligence) by students or staff, and such rules may make different provisions for different circumstances.

- (2) The rules shall provide for the procedure and rules of evidence to be followed at enquiries under this section.
- (3) Subject to the provisions of subsection (1), where it is proved during the enquiry that any staff or student of the School has been guilty of misconduct, the Rector may, without prejudice to any other disciplinary powers conferred on him by this Bill or any regulations made hereunder direct —
 - (a) that the staff or student shall not, during such period as may be specified in the direction, participate in such activities of the School, or make use of such facilities of the School, as may be so specify;
 - (b) that the activities of the staff or student shall during such period as may be;
 - (c) specified on the directions, be restricted in such manner as may be so specified; or that the staff or student may be suspended for such period as may be specified in the direction; or
 - (d) that the staff or student be expelled from the School.
- (4) Where there is temporarily no Rector or where the Rector refuses to apply any disciplinary measures, the Council may, either directly or through some other staff, apply such disciplinary measures, the Council may, either directly or through some other staff, apply such disciplinary actions as are specified in subsection (1) to any staff or student of the School who is guilty of misconduct.
- (5) Where a direction is given under subsection (3) (a) or (d) in respect of any student, the staff or student may, within twenty-one days from the date of the letter communicating the decision to him, appeal from the direction to the Council, and where such an appeal is brought, the Council shall, after causing such inquiry to be made in the matter as the Council considers just, either confirm or set aside the direction or modify it in such manner as the Council may think fit.
- (6) The fact that an appeal from a direction is brought in pursuance of subsection of this section shall not affect the operation while the appeal is pending.
- (7) The Rector may delegate his powers under this section to a disciplinary committee consisting of such members of the School as he may nominate.
- (8) Nothing in this section shall be construed as preventing the restriction or termination of a staff's appointment or student's activities at the School otherwise than on the ground of misconduct.
- (9) It is hereby declared that the direction under subsection (3) (a) may be combined with a direction under subsection (3) (b).
- (10) In all cases under this section, the decision of the Council shall be final unless reversed by the Minister on appeal by the staff or student.

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: Interpretation.

In this Bill —

"Chairman" means the Chairman of the Council;

"School" means the School of Mines and Geological Studies established by section 1 of this Bill and "Schools" shall be construed accordingly;

"Council" means the Governing Council of the School established by section 2 of this Bill;

"Congregation" means academic and non-academic staff of the School with First Degree or Higher National Diploma (HND);

"functions" includes powers and duties;

"Member" means a member of Council including the Chairman;

"Minister" means the Minister charged with responsibility for matters relating to the Federal Ministry of Education;

"Rector" means the Rector of the School appointed under section 9 of this Bill; and

"the person responsible for the advancement and development of Mining and Geological Studies" means the person appointed by the Minister to oversee the School in Akoko-Edo Local Government Area.

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: Citation.

This Bill may be cited as the School of Mines and Geological Studies (Establishment) Bill, 2022.

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.

SCHEDULE

Section 2 (2)

SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL, ETC.

Terms of service

1. There may be paid to the members of the council any committee, other than ex-officio members, such remunerations and allowances as may from time to time be determined by the Minister.

2. Where a vacancy occurs in respect of the membership specified in section 3 (1) (d), it shall be filled by the appointment of a successor to hold office for the remainder of the term of office of his predecessor in office and such successor shall represent the same interest as his predecessor.
3. The Council may act notwithstanding any vacancy in its membership or any defect in the appointment of a member or the absence of a member.

Proceedings

4. (1) The Council shall meet for the conduct of business at such times, places and on such days the Chairman may appoint but shall meet not less than once every four months.
- (2) The Chairman may at any time at the request in writing of not less than six members, convene a meeting of the Council.
- (3) At any meeting of the Council the Chairman shall preside; but in his absence, member present shall elect one of their members to preside at the meeting.
- (4) Where the Council desires to obtain the advice of any person on any particular matter, the Council may co-opt persons who are not members of the Council but persons co-opted shall not be entitled to vote at a meeting of the Council.
- (5) The quorum of the Council shall be one half of the total members of the Council at least one of whom shall be a member appointed by the Minister.
- (6) Decisions of the Council shall be made on approval by a simple majority of members.

Miscellaneous

5. (1) The fixing of the seal of the School shall be authenticated by the signature of the Chairman, Rector and of some other members of the Council authorised generally or specially by the Council to act for that purpose.
- (2) Any contract or instrument which, if made or executed by a person other than a body corporate would not be required to be under seal may be made or executed on behalf of the School by any person generally or specially authorized to act for that purpose by the Council.
- (3) Any document purporting to be duly executed under the seal of the School shall be received in evidence and shall, unless the contrary is proved, be presumed to be so executed.

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

Chairman to report Bill.

(SENATE IN PLENARY)

The President of Senate reported that the Senate in the Committee of the Whole considered the Report on a Bill for an Act to Establish the School of Mines and Geological Studies in Akoko-Edo Local Government Area; and for Related Matters, 2022 and approved as follows:

Clauses 1-25	—	As Recommended
Schedule	—	As Recommended

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

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

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

(ii) Chartered Institute of Foresters of Nigeria Bill, 2022:

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A REPORT ON A BILL FOR AN ACT TO ESTABLISH THE NIGERIAN INSTITUTE OF CHARTERED FORESTERS AND; FOR RELATED MATTERS, 2022

PART I — ESTABLISHMENT OF THE INSTITUTE OF CHARTERED MEMBERS

Clause 1: Establishment of the Institute of Chartered Members.

- (1) There shall be established a body to be known as the Nigerian Institute of Chartered Members (in this Bill referred to as "the Institute").
- (2) The Institute —
 - (a) shall be a body corporate with perpetual succession and a common seal which shall be kept in such custody as the Council may from time to time authorize;
 - (b) may sue and be sued in its corporate name; and
 - (c) shall have power to own, hold and dispose of property whether movable or immovable.

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: Functions of the Institute.

The functions of the Institute are to —

- (a) determine subject to the provisions of this Bill persons to be —
 - (i) enrolled as Corporate Members in the category of fellows; or professional members, or
 - (ii) registered as Non-Corporate Members in the category of Associate; or ordinary member or student member,
- (b) determine the standards of knowledge and skill required to become a member of the profession of forestry and raise those standards are deemed appropriate for registration of persons seeking to become registered members;
- (c) secure in accordance with the provisions of this Bill the establishment and maintenance of register of persons entitled to practice as foresters and the publication from time to time the lists of those persons; and

- (d) perform through the Council under this Bill, the functions conferred on it by this Bill.

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 the Institute.

The Institute shall powers to—

- (a) establish such offices, departments, units and branches of the Institute as may be required for the proper administration and operation of the Institute;
- (b) subject to such terms and conditions as the Institute may approve, engage staff;
- (c) establish necessary organization for the proper and efficient conduct of the affairs of the Institute;
- (d) provide staff regulations for all staff of the Institute and provide pension and welfare schemes for the staff; and do such other acts and things as may be necessary for the performance of the functions of the Institute.

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: Council of the Institute and membership.

- (1) There is established for the Institute the Chartered Members Council (in this Bill referred to as the "Council").
- (2) The Council shall comprise of eleven (11) members, all of whom shall be Fellows or Chartered Members in the manner outlined below —
- (a) the President;
- (b) the Vice - president;
- (c) the Registrar;
- (d) two representatives nominated by the Minister of Environment (in this Bill referred to as the Minister);
- (e) the National Secretary of the Forestry Association of Nigeria (in this Bill referred to as the Association);
- (f) Director General of Forestry Research Institute of Nigeria or his/her representative;
- (g) four persons elected by the Council of the Association.

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: President of the Institute.

The President, the Vice - President, Registrar and other members of the Council mentioned in section 4 (2) (g) of this Bill shall be elected by the Council of the Association, at an annual general meeting of the Association.

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: Tenure of office.

- (1) Each member of the Council shall serve a term of two years from the date of election and may be eligible for re-election for another term of two years and no more.
- (2) The President shall be Chairman at all meetings of the Council while the Vice President shall hold the position of Vice Chairman.
- (3) Where the President is unavailable, due to death, incapacity or removal, the Vice President shall act in his stead for the unexpired portion of the term.
- (4) If the President or Vice President ceases to be a member of the Institute he shall also cease to hold any of the offices designated under this section.
- (5) The office of a member of the Council shall become vacant if the member —
 - (a) resigns from office, by a written notice to the Council;
 - (b) is removed from office by the Council, by reason of professional misconduct or physical or mental infirmity; or
 - (c) without leave of Council, absents from 3 consecutive meetings of the Council.
- (6) The provisions of the First schedule of this Bill shall have effect with respect to the qualification and tenure of office of members of the Council and other matters related therewith.

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 Council.

The functions of the Council shall be to —

- (a) govern the affairs of the Institute;
- (b) effect proper administration and management of the Institute;
- (c) implement policy directions as conveyed from the Council of the Association;

- (d) make regulations that provide for the increase or reduction of the Council's membership and make such amendments to section 4(2) as the Council considers expedient;
- (e) appoint such officers and other employees as it may deem necessary to complement the functions of the Registrar in operating the Institute;
- (f) undertake other activities as the Council may consider necessary in fulfillment of its functions and as directed by the Council of the Association.

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: Fund of the Institute.

- (1) The Council shall establish and maintain a fund (in this Bill referred to as "the fund") which shall comprise —
 - (a) contributions, levies, subscriptions, fees and other dues paid by the members of the Institute;
 - (b) revenue accruing to the Institute from investments, activities and services;
 - (c) grants, endowments and donations from Governments, Agencies, Organizations, benefactors and other donors; and
 - (d) revenue accruing to the Institute from any other source approved by the Council.
- (2) The management and control of the fund shall be solely handled by the Council in accordance to this Bill and as determined by policy directions of the Association.

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: Bank account.

The funds of the Institute shall be paid into an account in a reputable bank approved by the Council and no instrument for the withdrawal of any money from that account shall be valid unless it is authenticated by the signatures of the President and the Registrar or by the signatures of such officers of the Institute as may from time to time be approved by the Council.

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: Expenditure.

The Institute may apply the proceeds of the Fund for —

- (a) the cost of administration of the Council;

- (b) the payment of salaries of employees of the Council;
- (c) fees and other remuneration for experts or professionals appointed by the Council;
- (d) maintenance of any property acquired by or vested in the Council;
- (e) any other expenditure of the Institute connected with its functions under this Bill, as approved by the Council.

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: Power to invest.

The Institute may, from time to time, subject to such terms and conditions as the Council may approve, invest any part of its funds in any Government or Government approved security and may at any time dispose of such securities.

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: Power to borrow.

The Institute may from time to time, subject to such terms and conditions as the Council may approve, borrow such money as the Council may require for carrying out any of the functions or the powers of the Institute:

Provided that all interests payable on the amount borrowed are paid out of the Institute's funds.

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: Account of the Institute.

- (1) The Institute shall keep and maintain proper accounts of its income and expenditure and shall, by the 30th day of September of each year, submit such accounts to be audited by any auditor approved by the Accountant - General of the Federation.
- (2) The audited accounts of the Institute and the auditor's report shall, not later than the 31st day of December of each year, be submitted by the Institute, or the Council to the Association at the next general meeting.

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: Appointment and functions of the Registrar.

- (1) The Council of the Association shall appoint a fit and proper person to be the Registrar of the Institute and such other persons that may assist the Registrar in the fulfillment of his/her duties as prescribed by the Bill.
- (2) It shall be the duty of the Registrar to —
 - (a) be the Secretary to the Council;
 - (b) prepare and maintain in accordance with the rules of the Council, a register of members comprising, the names, addresses, approved qualifications and such other particulars as prescribed by the act;
 - (c) keep custody of the register of the Institute and make such entries in the register as the Council may, by resolution, direct in respect to Members;
 - (d) keep custody of the Common Seal of the Institute and affix same to such documents as the Council may direct; and
 - (e) carry out other duties as the Council or the President may from time to time direct.

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.

PART II — REGISTRAR AND REGISTRATION**Clause 15: Register of members.**

- (1) The Registrar shall maintain a Register of Members.
- (2) Subject to the following provisions of this section, the Council shall make rules with respect to the form and keeping of the Registers and the making of entries therein, and in particular —
 - (a) regulating applications for enrolment or registration inclusive of evidence of the requisite supporting documents;
 - (b) providing for the notification of the Registrar, any changes in a person's particulars;
 - (c) authorizing a registered member to have any qualification which is, in relation to the relevant division of the profession, either an approved qualification or an accepted qualification for the purposes of this Bill, registered in relation to his name in addition to or, as he may elect, in substitution for any other qualifications so registered;
 - (d) specifying the fees, including any annual subscription, to be paid to the Institute in respect of the entry of names on the register, and authorizing the Registrar to refuse to enter a name on the register until the specified fee for entry has been paid;

- (e) ensuring that rules made for the purposes of (d) are not implemented until they are confirmed at a special meeting of the Institute convened for that purpose or at the next Annual General meeting of the Association's Council.
- (3) It shall be the duty of the Registrar —
- (a) to correct, in accordance with the Council's directions, any entry in the Register which the Council directs him to correct as being, in the Council's opinion, an entry which was incorrectly made;
 - (b) to make from time to time any necessary alterations, in the particulars of registered persons;
 - (c) to remove from the Register the name of any registered person who has died;
 - (d) to record the names of Members of the Institute that are in default for non-payment of annual subscription, four months after the end of the financial year and to take such requisite action as the Council may direct;
 - (e) to remove, subject to the Council's direction, names of members in default under subsection (d) above;
 - (f) to remove from the appropriate Register, any person who, after due inquiry, is adjudged by the Council to have been guilty in his professional capacity of infamous conduct, gross negligence or incompetence; or
 - (g) remove from the appropriate register, any person who is convicted of any criminal offence which, in the opinion of the Council, renders him unfit to practice.
- (4) In maintaining the Register of Members, the Registrar —
- (a) shall periodically, send by post to any registered person, a registered letter, addressed to him at his address on the Register, enquiring whether the registered particulars relating to him, are correct; if a response is received, the particulars shall be duly noted and updated but if no reply is received within the period of six months from the date of posting it, action will be taken as outlined in (b) below;
 - (b) upon the expiration of the period specified in (a) above, send a reminder and if he receives no reply to that letter within three months from the date of posting it, the Registrar may remove the particulars relating to the person;
 - (c) upon appeal by the affected Member, shall seek the directive of the Council on the matter and if so directed by the Council, the Registrar shall restore to the appropriate part of the register, the particulars so removed.

- (5) It shall be the duty of the Registrar —
- (a) to cause the Register to be printed, published and put on sale to Members of the public not later than two years from the beginning of the year in which the subsection comes into force;
 - (b) in each year after the first publication of the register under paragraph (a) of this subsection, to cause to be printed, published and put on sale as aforesaid, either a corrected edition of the Register or a list of alterations made to the register since it was last printed;
 - (c) to cause a print of each edition of the register and of each list of corrections to be deposited at the principal offices of the Institute; and
 - (d) to keep the updated register and lists so deposited, available at all reasonable times for inspection by Members of the public.
- (6) A published copy of the register, any re-print of an edition and corrections to the edition shall be admissible in evidence to prove the registration of a person at the date of the publication, re-print or correction.
- (7) Where in accordance with subsection (6) of this section, a person is, in any proceedings, shown to have been, or not to have been, registered at a particular date, he shall, unless the contrary is proved, be taken for the purposes of those proceedings as having at all material times thereafter continued to be, or not to be, so registered.

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: Eligibility of members as fellows.

- (1) The Institute shall confer the status of Fellow on a person, if —
- (a) he has been a Chartered Member for at least five years preceding the date of application;
 - (b) he is a holder of the approved academic qualifications;
 - (c) has been in continuous practice on his own as a Chartered Forester or is in partnership with other Chartered Forester;
 - (d) he has been a Chartered Forester for a period of not less than five (5) years immediately preceding the date of application of such enrolment:

Provided that the period of membership of the Association shall also count as a qualifying factor in this regard;

- (e) he has been enrolled as a Chartered Member, or qualified to be so enrolled; and

- (f) has made substantial contribution to enhance the forestry profession.
- (2) The first Fellows of the Institute shall only be enrolled after commencement of this Bill, if they —
 - (a) made an application in writing supported by a curriculum vitae submitted to the Institute upon commencement of the Bill;
 - (b) are enrolled and recognized as Chartered Members; and
 - (c) have been duly recognized by the Institute as consistent and committed members for the period of two years.

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: Chartered Foresters.

- (1) The Institute shall confer the status of Chartered Forester to a person if he possesses any of the following qualifications —
 - (a) a forestry or forestry allied degree (Bachelors, Masters or Doctorate) from a University duly accredited by the Institute;
 - (b) a postgraduate diploma in forestry or forestry allied diploma from an Institution duly accredited by the Institute.
- (2) An applicant with either qualification shall —
 - (a) submit details of his work in forestry in a log book endorsed by a Chartered Forester;
 - (b) pass the competence examination and or professional interview conducted by the Council; and
 - (c) must have been actively engaged in the forestry profession for a period of at least five years under this Bill; provided that section 16 and 17 of this section shall not be operative until two years after the commencement of this Bill.
- (3) Only Fellows and Professional Members may be recognised as Chartered Foresters.
- (4) A Fellow shall be entitled to describe himself as a Fellow of the Institute of Chartered Foresters and shall bear the post-nominals FICF or (Fellow of the Institute of Chartered Foresters) in addition to his designation.
- (5) A Professional Member shall be entitled to describe himself as a member of the Institute of Chartered Foresters and shall bear the post-nominals MICF or (Member of the Institute of Chartered Foresters) in addition to his designation.

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: Associates.

The Institute shall confer on a person the status of an Associate Member if he—

- (a) possesses a Higher National Diploma in Forestry or its equivalent from an Institution accredited by the Institute;
- (b) submit details of his work in forestry in a log book endorsed by a Chartered Member; and
- (c) pass the professional interview conducted by the Council.

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: Ordinary and student members.

- (1) The Institute shall confer the status of a Member on any fit person if he has duly satisfied the Council's entry qualification for that position;
- (2) The Institute shall confer the status of a Student Member on any fit person if he has duly satisfied the Council's entry qualification for that position.

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: Titles to be used by registered members.

- (1) Where a person is enrolled or registered in the Institute, he shall be entitled to the use of such letter after his name as may be authorized by the Council, dependent on the status of his Membership as a Fellow, Chartered Member, Associate/Registered Member or Student Member;
- (2) In furtherance of subsection (1) above, the Registrar may issue the appropriate certificate to a Member upon approval of the Council.

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: Registration of members.

- (1) Subject to section 23 of this Act and to rules made under section 15 of this Bill a person registered as a Member shall be entitled to entry of his qualification in the register as a Forester and may so apply if —
 - (a) he possesses the required qualifications prescribed for the status in any Institution duly accredited for that purpose by the institute, and completes the practical training prescribed;or

- (b) he holds the equivalent qualification granted outside Nigeria and for the time being accepted by the Institute and, if the Council so requires, satisfies the Council that he has had sufficient practical experience as a Forester.
- (2) An applicant for registration under subsection (1) of this section shall, if so by the Council, in addition to evidence of qualification, satisfy the Council —
- (a) that he has attained the age of twenty-one years;
- (b) that he is of good character; and
- (c) that he has not been convicted in Nigeria or elsewhere of an offence involving fraud or dishonesty.
- (3) Any person not a member of the Institute who, but for this Bill, would have been qualified to apply for and obtain membership of an approved Institute outside Nigeria may within the period of three months beginning from the commencement of this Bill, apply for membership of the Institute in such manner as may be prescribed by rules made by the Council; and if approved, he shall be enrolled or registered, as the case maybe, according to his qualifications.
- (4) The Council may in its sole discretion provisionally accept a qualification produced in respect of an application for registration under this section, or direct that an entry be made in the Register accordingly, or where applicable direct that the application be renewed within such period as may be specified in the direction.
- (5) Any entry directed to be made in the Register under subsection (3) of this section shall show that registration is provisional, and no entry so made shall be converted to full registration without the consent of the Council signified in writing.

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: Approval of courses, qualifications and institutions.

- (1) The Council may approve for the purposes of this Bill —
- (a) any course of training at an approved Institution, which is intended for Persons who are seeking to become or are already Foresters and which the Council considers designed to confer on persons completing it sufficient knowledge and skill for admission to a membership status in the Institute;
- (b) any Institution either in Nigeria, or elsewhere, which the Council considers is properly organized and equipped for conducting the whole or any part of a course of training, approved by the Council under this section;
- (c) any qualification which, as a result of an examination taken in conjunction with the course of training approved by the Council under this section, is granted to candidates reaching a standard at the examination indicating in the opinion of the

members of the Council that the candidates have sufficient knowledge and skill to practice as Foresters.

- (2) The Council shall from time to time publish in the Federal Gazette, particulars of qualifications in the forestry profession for the time being accepted and approved by the Council of the Association;
- (3) The Council may, if it thinks fit, withdraw any approval given under this section in respect of any course, qualification or Institution, but before withdrawing such an approval the Council shall —
 - (a) give notice that it proposes to do so to persons in Nigeria appearing to the Council to be a person by whom the course is conducted or the qualification is granted or the Institution is controlled; and
 - (b) afford each person an opportunity to make representations to the Council with regard to the proposal; and
 - (c) take due consideration of any representations made in respect of (b) above.
- (4) With regard to any period during which the approval of the Council under this section for a course, qualification or Institution is withdrawn, the course, qualification or Institution shall not be treated as approved under this section; but the withdrawal of such an approval shall not prejudice the registration or eligibility for registration of any person who by virtue of the approval was registered or eligible for registration before the approval was withdrawn.
- (5) The giving or withdrawal of an approval under this section shall have effect from the date, either before or after the execution of the instrument signifying the giving or withdrawal of the approval, as the Council may specify in that instrument; and the council shall —
 - (a) as soon as practicable, publish a copy of every such instrument in the Federal Gazette; and
 - (b) not later than seven days before its publication as aforesaid, send a copy of the instrument to the Honourable Minister of Environment.

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.

PART III — PROFESSIONAL DISCIPLINE

Clause 23: Definition of professional misconduct.

In this part, professional misconduct means any conduct considered by the Council to be unprofessional and which includes all acts of professional indiscipline, unjust enrichment, abuse of office and other forms of corrupt practices.

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: Tribunal.

- (1) There is established for the Institute, a Tribunal to be known as the Nigerian Institute of Chartered Members Disciplinary Tribunal (in this Bill hereafter referred to as 'the Tribunal).
- (2) The Tribunal shall be charged with the duty of considering and determining all cases of professional misconduct against any Forester in the discharge of official duties as a Chartered Member.
- (3) The Tribunal shall consist of the Chairman of the Council and six other members appointed by the Council, two of whom shall be Chartered Members but non-Council members who are knowledgeable about the matter under investigation.

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: Investigating panel.

- (1) There shall be a body, to be known as the Investigating Panel of the Institute (in this Bill hereafter referred to as "the Panel").
- (2) The Panel shall be charged with the duty of —
 - (a) conducting a preliminary investigation into any case where it is alleged that a member has misbehaved in his capacity as a member of the Institute;
 - (b) deciding whether the member has a case to answer before the Tribunal and where applicable, to refer such case to the Tribunal for hearing and determination.
- (3) The panel shall be appointed by the Council and comprise of three members of the Council and one Associate who is not a member of the Council but knowledgeable in the matter under investigation.

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: Rules of the Council for tribunal and investigating panel.

The Council may make rules to regulate the proceedings of the Tribunal and the Investigating Panel as appropriate; however, all rules contained in the Second Schedule of this Bill shall be fully applicable to these bodies as well.

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: Penalties for unprofessional conduct.

- (1) Where —
 - (a) a member is judged by the Tribunal to be guilty of any form of professional misconduct; or
 - (b) a member is convicted of an offence, by any Court in Nigeria or elsewhere (having power to sentence an offender to imprisonment) which in the opinion of the tribunal is incompatible with his status in the Institute; or
 - (c) the Tribunal is satisfied that the name of any person has been fraudulently registered in the Register of Members; then
 - (d) the Tribunal may if it deems fit, give directions to the Registrar to either reprimand the Member or strike off the Member's name from the relevant part of the register.
- (2) The Tribunal may, if it thinks fit, defer or further defer its decision as to the giving of a direction under the foregoing subsection until a subsequent meeting of the Tribunal is held; but —
 - (a) no decision shall be deferred under this subsection for a period exceeding two years in the aggregate; and
 - (b) so far as possible, no person shall be a member of the Tribunal for the purposes of reaching a decision which has been deferred or further deferred unless he was present as a member of the Tribunal when the decision was deferred.
- (3) For the purposes of subsection (1) (b) of this section, a person shall not be treated as convicted as therein mentioned unless the conviction stands at a time when no appeal or further appeal is pending or may (without extension of time) be brought in connection with the conviction.
- (4) When the Tribunal gives a direction under subsection (1) of this section, the Tribunal shall cause notice of the direction to be served on the person to whom it relates.
- (5) The person to whom such a direction relates may, at any time within twenty-eight days from the date of service on him of notice of the direction, appeal against the direction to the Court of Appeal and the Tribunal may appear as respondent to the appeal and, for the purposes of enabling directions to be given as to the costs of the appeal and of proceedings before the Tribunal, shall be deemed to be a party thereto whether or not it appears on the hearing of the appeal.
- (6) A direction of the Tribunal under subsection (1) of this section shall take effect —
 - (a) where no appeal under this section is brought against the direction within the time limited for such an appeal, on the expiration of that time;
 - (b) where such an appeal is brought and is withdrawn or struck out for want of prosecution, on the withdrawal or striking out of the appeal;

- (c) where such an appeal is brought and is not withdrawn or struck out as aforesaid, if and when the appeal is dismissed, and shall not take effect except in accordance with the foregoing provisions of this subsection.

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.

PART IV — MISCELLANEOUS AND GENERAL PROVISIONS

Clause 28: Supervision and control of the Institute.

- (1) The Minister shall supervise the Institute particularly in ensuring —
- (a) the timely submission of deliverables to the Ministry or other Government Agencies; and
- (b) that the Institute comply with rules, regulations and policies outlined in section 29 of this Bill;
- (2) The Minister may give policy directions to the Council on the recommendation of the Association regarding the effective fulfilment of its mandate;
- (3) The Minister shall —
- (a) forward a copy of the proposed policy direction to the Council;
- (b) afford the Council an opportunity to make representations to the Minister regarding the proposed policy direction;
- (c) consider the representations made by the Council before giving policy directions under subsection (2) with necessary modifications as he considers appropriate.
- (4) The Council of the Association shall, through its general meeting, ratify the decisions of the Council on such policies or rules which are fundamental to the practice of the forestry profession.
- (5) The Council shall —
- (a) supervise the administration of the Institute; and
- (b) oversee the implementation of its policies and directives by the Registrar in respect of members or maintenance of the register of members.

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: Rules and regulations of the Institute.

- (1) Rules and Regulations shall be made for the Institute in the manner prescribed below —
- (a) the Minister shall have powers to make rules and regulations for the Institute on the recommendation of the Council of the Association;

- (b) the Association shall from time to time prescribe policy directions for the optimal performance of the Institute with regards to practices in the Forestry Profession;
 - (c) the Council shall make rules and regulations to guide its operations at a general meeting attended by all eleven members of the Council;
 - (d) the Registrar shall make recommendations to the Council regarding —
 - (i) rules to facilitate the proper maintenance of the Institute's Register of members; and
 - (ii) formulation of policies that will enhance the administration and management of the Institute.
 - (e) regulations made under this section shall be published in the Federal Gazette as soon as they are made;
 - (f) rules made for the purposes of this Bill (other than Rules made by the Minister) shall be subject to confirmation by the Association at its next Annual General Meeting or at any special meeting of the Council convened for that purpose, and if not confirmed shall cease to have effect on the day after the date of the confirmation but without prejudice to anything done in pursuance or intended pursuance of any such rules.
- (2) Additional Rules made in respect of section 29 (1) (d) by the Council, shall comprise the following —
- (a) rules for training suitable persons in forestry methods and practice;
 - (b) rules for the supervision and regulation of members professional activities;
 - (c) rules for engagement, training and transfer of staff of the Institute on recommendation of the Registrar;
 - (d) rules for distinguishing between foresters and other auxiliary forestry personnel;
 - (e) rules prescribing the amount payable as annual subscription for each category of members;
 - (f) rules prescribing the due date for payment of annual subscription;
 - (g) rules prescribing the form of license to be issued to practicing Foresters at intervals of three years. However, this requirement shall not apply to Student Members of the Institute;
 - (h) rules restricting the right of Members to practice where such Members are in default of payment of annual subscription, for a period longer than prescribed by the rules;

- (i) rules restricting the a Member's right to practice where the qualification granted outside Nigeria does not entitle the holder to practice as a member of the Institute;
- (j) rules prescribing the qualification or practical experience required for a Member restricted under subsection (j) of this section to qualify as a practicing Forester.

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: Interpretation.

In this Bill —

"Association" means the Forestry Association of Nigeria;

"Chartered Forester" means a enrolled Fellow or Professional Member of the Institute;

"Chartered Members" means registered Fellows or Professional Members of the Institute;

"Corporate Members" means Chartered Members;

"Council" means the Institute's Council established under section 4 (1);

"Council of the Association" means Council of the Forestry Association of Nigeria;

"Forestry" shall include all aspects of the science, economics, crafts practice and art of conserving, establishing, cultivating, protecting, managing, utilising, harvesting and marketing forests, trees, woodlands, timber, wood, non-timber and non-wood forest products associated resources for human and environmental benefits;

"Institute" means the Nigerian Institute of Chartered Members established under section 1 of this Bill;

"Members" means registered Corporate Members and Non-Corporate Members of the Institute;

"Minister" means the Minister responsible for environment, charged with supervisory oversight of the Institute and all forestry and forestry-related matters;

"Non-Corporate Members" means Members of the Institute other than and excluding the Corporate Members;

"Panel" means Investigating Panel established under section 25 of this Bill;

"President" means the President of the Council of the Forestry Association of Nigeria;

"Professional misconduct" means any act outlined below or considered unprofessional:

- (a) deliberate refusal to follow the standard of conduct and practice of Foresters;
- (b) gross negligence in a professional capacity;
- (c) release of professional licence to a non-member to practice in a Member's name;
- (d) abuse of position of trust, expertise or authority;
- (e) disregard for Clients needs or rights;
- (f) incompetence;

"Register" means the Register of Members created and maintained under this Bill;

"Registrar" means the Registrar appointed under section 14 of this Bill;

"Tribunal" means the Nigerian Institute of Chartered Members Disciplinary Tribunal established under section 24 of this Bill;

"Vice President" means the Vice President of the Council of the Forestry Association of Nigeria.

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: Citation.

This Bill may be cited as the Nigerian Institute of Chartered Foresters (Establishment) Bill, 2022.

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.

FIRST SCHEDULE

SUPPLEMENTARY PROVISIONS RELATING TO THE
INSTITUTE AND ITS COUNCIL

Qualifications and Tenure of Office of Members

1. Subject to the provisions of this paragraph a Member of the Council shall hold office for a period of two years, with commencement from the date of his appointment or election.
2. Any member of the Institute who ceases to be a Member thereof shall, if he is also a Member of the Council, cease to hold office on the Council.
3. Any elected member may resign from office sequel to the submission of a written notice that is duly addressed to the Presidency; and any appointed member may, with the consent of the Minister, likewise so resign from his office as a Council Member.

4. A person who retires from or otherwise ceases to be an elected Member of the Council shall be eligible to become a member of the Council again, for a maximum period of three terms of two years each. While an appointed Member may be reappointed for one more term of two years by the Minister as he deems fit.
5. Elections to the Council shall be held by secret ballot in such manner as may be prescribed by rules made by the Council.
6. (1) If for any reason there is a vacation of office by a Member and —
 - (a) such member was appointed by the Minister, the Minister shall appoint another fit person from the territory to fill in the vacancy;
 - (b) such member was elected by the Council of the Association, the Association shall elect another fit person to fill in the vacancy for the unexpired portion of the term of office.

Powers of Council

7. The Council shall have power to do anything which in its opinion is calculated to facilitate the carrying on of the activities of the Institute.

Proceedings of the Council

8. (1) Subject to the provisions of this Act the Council may in the name of the Institute make standing orders regulating the proceedings of the Institute or its Council, and in the exercise of its power under this Bill, may set up Committees in the general interest of the Institute, and make standing orders thereof as deemed appropriate.
 - (2) Standing orders shall provide for decisions to be taken by a majority of Members, and, in the event of equality of votes (where a tie exists), the President or the Chairman, may have a second or casting vote.
 - (3) Standing orders made for a Committee shall provide that the Committee is to report back to the Council on any matter not within its competence to decide or handle.
 - (4) The quorum of the Council shall be six; and the quorum of a Committee of the Council shall be fixed by the Council as it deems fit.

Committees

9. (1) The Council may appoint a standing or ad-hoc Committee to carry out specified functions on behalf of the Institute or the Council as it deems appropriate.
 - (2) The Council shall set up a Standing Committee to be known as the Policy Formulation Committee which shall be responsible for formulation of policies for the Institute.
 - (3) Only members of the Council shall be eligible for appointment into the Policy Formulation Committee and shall hold office for a single term of five years.
 - (4) With the exception of the Policy Formulation Committee, any other Committee appointed under this paragraph shall consist of the Members of the Council nominated by the Council;

- (5) The Council may co-opt a person who is not a member of the Council whose advice it needs to aid the Committees in carrying out their assignment but the co-opted person is not entitled to vote at any meeting of the Committee and shall not count towards a quorum.
- (6) A decision of a Committee of the Council shall be of no effect until it is confirmed by the Council.

Miscellaneous

10. Fixture of the Institute's seal shall be authenticated by the signature of the President or of such other member of the Council that is authorised generally or specifically by the Institute to act accordingly.
11. The validity of any proceedings of the Institute, its Council or Committee(s) shall not be affected by —
 - (a) any vacancy in membership;
 - (b) any defect in the appointment of a Member or a person nominated to serve on a Committee; or
 - (c) the attendance or participation of one not entitled to take part in the proceedings.
12. Any member of the Institute or its Council, that has a personal interest in any contract or arrangement entered into or proposed to be considered by the Council on behalf of the Institute, or on behalf of the Council or a Committee thereof, shall forthwith disclose his interest to the President or to the Council, and shall not vote on any question relating to the contract or arrangement.
13. A person shall not by reason only of his membership of the Institute be treated as holding an office of emolument under the Federal Republic of Nigeria or any state thereof.

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

SECOND SCHEDULE

SUPPLEMENTARY PROVISIONS RELATING TO THE TRIBUNAL
AND INVESTIGATING PANEL

The Tribunal

1. The quorum of the tribunal shall be four of whom at least two shall be Chartered Members.
2. (1) The Chief Justice of Nigeria shall make rules as to the selection of members of the Tribunal for the purposes of any proceedings and as to the procedure to be followed and the rules of evidence to be observed in proceedings before the Tribunal.
 - (2) The rules shall in particular provide —
 - (a) for securing that notice of the proceedings shall be given, at such time and in such manner as may be specified by the rules, to the person who is the subject of the proceedings;

- (b) for determining who in addition to the person aforesaid, shall be a party to the proceedings;
 - (c) for securing that any party to the proceeding shall, if he so requires, be entitled to appear and be heard by the Tribunal;
 - (d) for the representation of a party to the proceedings by a Legal Practitioner;
 - (e) for costs of proceedings before the tribunal, subject to the provisions of section 24 of this Bill;
 - (f) for a record to indicate that a person alleged to be guilty of misconduct has been found, not guilty of such conduct;
 - (g) for publishing in the Federal Gazette, notice of any direction of the Tribunal which has taken effect, providing that a person's name shall be struck off the Register of Members due to professional misconduct.
3. For the purposes of any proceedings before the Tribunal, any Member of the Tribunal may administer oaths and any party to the proceedings may sue out of the registry of the High Court as the case may require; but no person appearing before the Tribunal shall be compelled —
- (a) to make any statement before the Tribunal tending to incriminate himself; or
 - (b) to produce any document under such a writ which he could not be compelled to produce at the trial of an action in Court.
4. (1) For the purpose of advising the Tribunal on questions of law arising in proceedings before it, there shall in all such proceedings be An assessor to the Tribunal who shall be appointed by the Council on the nomination of the Chief Justice of Nigeria.
- (2) The Assessor shall be a Legal Practitioner with not less than ten years post call experience.
 - (3) The Chief Justice of Nigeria shall make rules as to the functions of Assessors appointed under this paragraph, and in particular such rules shall contain provisions for ensuring —
 - (a) that where an Assessor advises the Tribunal on any question of law as to evidence, procedure or any other matters specified by the rules, he shall do so in the presence of every party or person representing a party to the proceedings who appears thereat or, if the advice is tendered while the Tribunal is deliberating in private, that every such party or person as aforesaid shall be informed of the advice the Assessor has tendered;
 - (b) that every such party or person in subparagraph (a) shall be informed if in any case the Tribunal does not accept the advice of the Assessor on such a question as aforesaid.
 - (c) an Assessor may be appointed under this paragraph either generally or for any specific proceeding, and shall hold and vacate office in accordance with the terms of the instrument by which he is appointed.

The Panel

5. The quorum of the Panel shall be three.
6. (1) The Panel may, at any meeting of the Panel attended by all the members of the panel, make standing orders with respect to its activities.
(2) Subject to the provisions of any such standing orders, the Panel may regulate its own procedure of operation subject to policy directions by the Council of the Association.

Miscellaneous

7. (1) A person ceasing to be a member of the Tribunal or the Panel shall be eligible for reappointment as a member of that body.
(2) A person may, if otherwise eligible, be a member of both the Tribunal and the Panel; provided that no person who acted as a member of the Panel with respect to any case shall act as a Member of the Tribunal with respect to that case.
8. The Tribunal or the Panel may act notwithstanding any vacancy in its membership; and the proceedings of either body shall not be invalidated by any irregularity in the appointment of a member of that body, or (subject to paragraph 7 (2) of this Schedule) by reason of the fact that any person who was not entitled to do so took part in the proceedings of that body.
9. Any document authorized or required by virtue of this Bill to be served on the Tribunal or the Panel, shall be served on the Registrar appointed in pursuance of section 15 of this Bill.
10. Any expenses of the Tribunal or the Panel in the execution of its mandate shall be defrayed by the Institute.

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

THIRD SCHEDULE

NIGERIAN INSTITUTE OF CHARTERED MEMBERS
DISCIPLINARY TRIBUNAL RULES

Proceedings before the Tribunal

Reference of Case to the Tribunal

1. Where the Investigating Panel establishes a of prima facie case of professional misconduct against a Member, a comprehensive report of the findings shall be made and forwarded to the Tribunal alongside all relevant documentation considered by the Panel.

Parties and Appearance

2. (1) The parties to any proceeding of the Tribunal shall be —
 - (a) the complainant;
 - (b) the respondent; and
 - (c) any other person required by the Tribunal to be joined, or joined by leave of the Tribunal.

- (2) Subject to subparagraph (3) of this paragraph, parties to the proceedings may enter an appearance in person, or by their respective legal practitioners acting as counsel.
- (3) The Tribunal may require the attendance of the complainant or respondent in person if that is necessary in the interest of justice.

Notice of Hearing

3. (1) When a complaint is referred by the Panel to the Tribunal, the Registrar shall —
 - (a) after consultation with the Chairman, appoint a date, time and place for the hearing; and
 - (b) in the form specified in the Schedule, give notice to all concerned parties (including members of the Tribunal and the Assessor) as directed or required by the Chairman.
- (2) If the directions are, for any reason, not given, it is sufficient compliance with this paragraph if the notice is —
 - (a) handed to the party concerned or affected, personally; or
 - (b) sent by registered post to the last known place of abode of the party.

Hearing in absence of Parties

4. (1) Subject to paragraph 2 (2) of this schedule, the Tribunal may hear and determine a case in the absence of any party.
- (2) A party to any proceeding before a Tribunal who fails to appear or be represented may apply within one month after the date when the pronouncement of the findings and directions of the Tribunal were given, for a rehearing on the ground of want of notice or other good and sufficient reason, and the Tribunal in appropriate cases, may grant the application upon such terms as to costs or otherwise as it deems fit.

Hearing of Witnesses

5. The Tribunal may, in the course of its proceedings, hear witnesses and receive any documentary evidence necessary in its opinion to assist it in arriving at a conclusion as to the truth or otherwise of the allegation of misconduct, in the complaint referred to it by the Panel, and in the application of this paragraph, the provisions of the Evidence Act shall apply in all proceedings.

Amendment of Complaint

6. If in the course of proceedings, it appears to the Tribunal that the complaint before it requires amendment, the Tribunal may, on such terms as it deems fit, allow the amendment to be made and the amended complaint shall thereupon be dealt with accordingly.

Proceedings to be in Public

7. The proceedings of the Tribunal shall be held in public, and its findings and directions shall also be delivered in public unless otherwise directed by the Tribunal.

Findings and Costs in Certain cases

8. The Tribunal may, on its own motion or upon the application of any party, adjourn the hearing, on such terms as to cost or otherwise, as the Tribunal deems fit.

False Evidence

9. (1) If any person willfully gives false evidence on oath before the Tribunal during the course of any proceedings or willfully makes a false statement in any affidavit sworn to for the purpose of such proceedings, the Tribunal may refer the matter to the Attorney - General of the Federation for such action as the Attorney - General may think fit.
- (2) If after the hearing, the Tribunal adjudges that the charge of professional misconduct has not been proven, the Tribunal —
- (a) shall record findings that the respondent is not guilty of the misconduct in respect of which the charge was referred; and
- (b) may order any party (except the complainant) to pay the costs of the proceedings, having regard to his conduct and the circumstances of the case.

Publication of Findings

10. Any finding made or direction given by the Tribunal shall be published in the Federal Gazette immediately after such findings or direction, as the case may be.
11. The Chairman shall, during the hearing, take the minutes of the proceedings which shall be open to inspection by the parties and shall be made available to any party upon the payment of such charges as the Registrar may fix, by the relevant instrument published in the Federal Gazette.

Miscellaneous Powers of Tribunal

12. The Tribunal may dispense with any requirement of this Schedule regarding notices, affidavits, documents, services or time for doing or omitting anything in any case where it appears to the Tribunal that it would be just or expedient to do so, and the Tribunal may, in any particular case, extend the time for doing anything under the schedule as provided for in the policy direction of the Chief Justice of Nigeria.

Powers to Retain Exhibit Pending Appeal

13. Books and other exhibits produced or used at the hearing shall, unless the Tribunal otherwise directs, be retained by the Registrar until the expiry of the time for filing an appeal against any finding or direction of the Tribunal or, if notice of any such appeal is given, until the hearing and disposal of the appeal.

Appointment and Duties of Assessors

14. (1) The Council shall, by instrument, appoint an Assessor who shall hold and vacate office as provided in his instrument of appointment, and where the appointment is not a general one, it shall have effect only in respect of a particular proceeding of the Tribunal.
- (2) Subject to the terms of appointment, an Assessor shall attend the proceedings of the Tribunal whenever required to do so by notice in writing given to the Assessor by the Registrar, not later than 3 days, before the date fixed for the hearing of such proceeding and the Assessor shall advise the Tribunal on questions of law only.

Interpretation

15. In this Schedule —
"Complainant" means a person or body who brings a complaint before the Tribunal, alleging professional misconduct against a member of the Institute;

"Respondent" means the person required to answer to any charge of professional misconduct.

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

Chairman to report Bill.

(SENATE IN PLENARY)

The President of Senate reported that the Senate in the Committee of the Whole considered the Report on a Bill for an Act to Establish the Nigerian Institute of Chartered Foresters and; for Related Matters, 2022 and approved as follows:

Clauses 1-31 — As Recommended

Schedules 1-3 — As Recommended

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

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

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

9. Committee on Foreign Affairs:

Report of the Confirmation of the Nomination of Dr. Suleman Agha Afikpo for Appointment as Commissioner representing the South East Zone at the National Hajj Commission of Nigeria:

Motion made: That the Senate do receive and consider the Report of the Committee on Foreign Affairs on the confirmation of the nomination of Dr. Suleman Agha Afikpo for appointment as Commissioner representing the South-East Zone at the National Hajj Commission (*Senator Adamu M. Bulkachuwa — Bauchi North*).

Question put and agreed to.

Report Laid and presented.

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

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

Consideration of the Report of the Committee on Foreign Affairs on the confirmation of the nomination of Dr. Suleman Agha Afikpo for appointment as Commissioner representing the South-East Zone at the National Hajj Commission.

Nominee recommended for confirmation:

Dr. Suleman Agha Afikpo (*South-East Zone*) — *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 Report of the Committee on Foreign Affairs on the confirmation of the nomination of Dr. Suleman Agha Afikpo for appointment as Commissioner representing the South-East Zone at the National Hajj Commission and approved the nomination.

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

Confirmation of nomination:*Question:*

“Will the Senate confirm the nomination of Dr. Suleman Agha Afikpo for appointment as Commissioner representing the South-East Zone at the National Hajj Commission?” — *Resolved in the Affirmative.*

Nomination of Dr. Suleman Agha Afikpo for appointment as Commissioner representing the South-East Zone at the National Hajj Commission accordingly confirmed.

10. Admiralty University of Nigeria, Ibusa (Establishment) Bill, 2022 (HB. 1339) — Concurrence:

Motion made: That a Bill for an Act to Establish the Admiralty University of Nigeria, Ibusa as Conventional University with Selected Programmes, Limited and Focused Faculties to Promote Scholarship, Research and Other Means of Advancement of Knowledge and its Practical Application to Military Hardware and Software as Well as Maritime, Arts, Sciences and Technologies, and Provide an Opportunity of Acquiring a Higher and Liberal Education in Nigeria; and for Related Matters, 2022 be read the Second Time (*Senate Leader*).

Debate:

Question put and agreed to.

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

Motion made: Pursuant to Order 80(1), that the Senate do resolve into the Committee of the Whole to Consider a Report on a Bill for an Act to Establish the Admiralty University of Nigeria, Ibusa as Conventional University with Selected Programmes, Limited and Focused Faculties to Promote Scholarship, Research and Other Means of Advancement of Knowledge and its Practical Application to Military Hardware and Software as Well as Maritime, Arts, Sciences and Technologies, and Provide an Opportunity of Acquiring a Higher and Liberal Education in Nigeria; and for Related Matters, 2022

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A REPORT ON A BILL FOR AN ACT TO ESTABLISH THE ADMIRALTY UNIVERSITY OF NIGERIA, IBUSA AS CONVENTIONAL UNIVERSITY WITH SELECTED PROGRAMMES, LIMITED AND FOCUSED FACULTIES TO PROMOTE SCHOLARSHIP, RESEARCH AND OTHER MEANS OF ADVANCEMENT OF KNOWLEDGE AND ITS PRACTICAL APPLICATION TO MILITARY HARDWARE AND SOFTWARE AS WELL AS MARITIME, ARTS, SCIENCES AND TECHNOLOGIES, AND PROVIDE AN OPPORTUNITY OF ACQUIRING A HIGHER AND LIBERAL EDUCATION IN NIGERIA; AND FOR RELATED MATTERS, 2022.

PART 1— ESTABLISHMENT OF THE ADMIRALTY UNIVERSITY OF NIGERIA, IBUSA

Clause 1: Establishment of the Admiralty University of Nigeria, Ibusa.

- (1) There is established the Admiralty University of Nigeria, Ibusa (in this Bill referred to as "the University").
- (2) The University—
 - (a) is a body corporate with perpetual succession and a common seal; and
 - (b) may sue or be sued in its corporate name.
- (3) The University shall be a training institution for —
 - (a) providing courses of instruction leading to degrees, diplomas, certificates and other university distinctions in:—
 - (i) Military Policy, Strategy and Logistics;
 - (ii) Maritime Studies;
 - (iii) Arts and Social Sciences;
 - (iv) Engineering and Technology;
 - (v) Environmental Science;
 - (vi) Law;
 - (vii) Management Sciences;
 - (viii) Medical Sciences;
 - (ix) Pharmacy;
 - (x) Basic and Applied Sciences;
 - (xi) Education;
 - (xii) Agriculture;
 - (xiii) any other field of study approved by the Senate of the University;
 - (b) providing the special training courses whether leading to university distinctions or not for such persons as may be prescribed by the Senate;
 - (c) conducting research in any field as may be prescribed or directed by the Senate;
 - (d) arranging conferences, seminars, workshops and like activities;
 - (e) providing high end human resource development for the Security and Defence establishments and other maritime agencies;

- (f) promoting research and development as a "Maritime Centre of Excellence" in Nigeria and in the West African region; and
- (g) performing any other function as may be conferred on it by Statute.

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: Functions of the University.

The University shall be funded and supervised by the Federal Ministry of Education and shall, through the National Universities Commission be responsible for —

- (a) approving all teaching programmes of the University;
- (b) ensuring compliance or quality;
- (c) providing funds for teaching and research programmes;
- (d) providing infremuneration of employees.

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: Objectives of the University.

The objectives of the University are to —

- (a) provide facilities for learning and give instruction and training in such branches of knowledge as the University may desire in order to ensure that students obtain the advantage of a higher and liberal education;
- (b) promote research and other means of advancement of knowledge and its practical application to military hardware and software as well as maritime studies, social, cultural, economic, scientific and technological situations;
- (c) stimulate, particularly through teaching and research, interest in and appreciation of military policy, strategy and logistics as well as maritime studies; and research, interest in and appreciation of military policy, logistics and strategy;
- (d) encourage and promote scholarship and conduct research in selected fields of learning and human endeavour including entrepreneurship skills;
- (e) enhance the diffusion of knowledge throughout Nigeria in general and the Nigerian Navy in particular; and
- (f) undertake other activities appropriate for a university.

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: Constitution and Principal Officers of the University.

- (1) The University shall consist of—
- (a) the Chancellor;
 - (b) the Pro-Chancellor and Council;
 - (c) the Vice-Chancellor and a Senate;
 - (d) the Congregation;
 - (e) the Convocation;
 - (f) the campuses and colleges of the University;
 - (g) the faculties, schools, institutes, centres and other teaching and research units of the University;

First Schedule.

- (h) the persons holding the offices constituted by the First Schedule to this Bill other than those mentioned in paragraphs (a) - (c) of this subsection;
- (i) all graduates and undergraduates; and
- (j) any other person who is a member of the University in accordance with provisions made by Statute in that behalf.

First Schedule.

- (2) The First Schedule to this Bill shall have effect with respect to the Principal Officers of the University and other matters mentioned in the Schedule.
- (3) A provision shall be made by a statute with respect to the constitution of —
- (a) the Council;
 - (b) the Senate;
 - (c) the Congregation; and
 - (d) the Convocation.

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 University.

- (1) For attaining its objectives as specified in section 2 of this Bill, the university may—
- (a) offer courses of instruction, training and research in the advancement of knowledge for the production of middle and high-level manpower and other skilled personnel required in further development of Nigeria in particular and the world at large;

- (b) establish such faculties, institutes, schools, colleges, centres, extra-mural departments and other units of learning and research within the University as the University may deem necessary or desirable subject to the approval of the National Universities Commission;
- (c) institute professorships, readerships, and lectureship and any other office of any kind, whether academic or not as may be required by the University;
- (d) institute and award fellowships, scholarships, studentships, bursaries, medals, prizes and other academic titles, distinctions and awards;
- (e) prescribe, from time to time, the conditions under which a person shall be admitted to the University or to any particular course of study or be allowed to continue in such course of study;
- (f) grant and confer, under conditions prescribed by the University, degrees, diplomas, certificates and other academic distinctions, to and on persons who have pursued a course of study approved by the University and have passed such examinations or other tests and satisfied such other requirements as the University may prescribe;
- (g) confer honorary degrees, fellowships and other academic distinctions;
- (h) deprive any person of any degree, diploma, certificate, fellowship, scholarship, studentship, bursary, medal, prize or other academic title, distinction or award already granted to, or conferred on, him by the University;
- (i) provide such lectures and instructions for persons not being members of the University as the University may determine and grant to any such person such diplomas, certificates or other academic distinctions as the University may deem necessary;
- (j) accept the examinations passed and periods of study spent by students of the University at other universities or places of learning as equivalent to such examinations and periods of study in the University as the University may determine and to withdraw such acceptance at any time;
- (k) upon such terms and conditions as may, from time to time, be determined by the University, affiliate with other institutions, branches or departments, recognise selected members of staff as teachers of the University, admit the members to any of the privileges of the University, and accept attendance at courses of study in such institutions, branches or departments in place of such part of the attendance at courses of study in the University;

- (l) make provision for research and advisory services and enter into such arrangements with other institutions as the University may deem desirable;
- (m) undertake printing, publishing and book-selling;
- (n) provide for the discipline and welfare of members of the University, its employees and residents;
- (o) demand and receive such fees as may, from time to time, be prescribed by the University;
- (p) act as trustees or managers of any property, legacy, endowment, bequest or gift for purposes of education or research or otherwise in furtherance of the work and welfare of the University;
- (q) acquire, hold, grant, charge or otherwise deal with or dispose of movable and immovable property;
- (r) accept gifts, legacies and donations, but without obligation to accept same for a particular purpose unless the University approves the terms and conditions attached thereto;
- (s) establish trusts, enter into contracts or any other agreement solely or jointly with any other authority or institution, and employ and act through agents;
- (t) erect, provide, equip and maintain libraries, museums, archives, laboratories, lecture halls, refectories, sports grounds, playing fields and other buildings or things necessary for the effective attainment of any of the objects of the University;
- (u) take such steps as may, from time to time, be deemed expedient for the purpose of procuring contributions to the funds of the University;
- (v) borrow such moneys as the University may, from time to time, in its discretion find necessary or expedient for the effective attainment of its objects under this Bill;
- (w) make gifts for any charitable purpose;
- (x) do anything which it is authorised or required by this Bill or Statutes of the University or regulations to do;
- (y) do all such acts and things, whether incidental to its powers or not, as may be requisite in order to further the objects of the University as a place of learning, research and community service; and
- (z) subject to the provisions of this Bill or any other Law, invest any money appertaining to the University by way of endowment and whether for general or special purposes, and such other money as may not be immediately required for

current expenditure, in any approved investment or security or in the purchase or improvement of land, with power from time to time to vary any such investment and deposit any money for the time being un-invested into the Fund under this Bill.

- (2) Subject to the provisions of this Bill and the Statutes made there under and without prejudice to sections 5 and 6 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 Senate or in any other manner which may be authorised by this Bill.

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: Appointment and Functions of the Chancellor.

- (1) The Chancellor shall be appointed by the Visitor on the recommendation of the Minister of Education.
- (2) 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 including honorary degrees.

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: Appointment and Functions of Pro-Chancellor.

- (1) The Pro-Chancellor shall be appointed by the Visitor on the recommendation of the Army Council.
- (2) The Pro-Chancellor shall be a former Chief of the Naval Staff.
- (3) The Pro-Chancellor shall hold office for four years from the date of his inauguration.
- (4) The Pro-Chancellor shall, in relation to the University, take precedence before all other members of the University, except the Chancellor and Vice-Chancellor when the latter is acting as Chairman of Congregation or Convocation, and the Pro-Chancellor shall, when he is present, be the Chairman at all meetings of Council.

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: Governing Council of the University.

There shall be a Governing Council for the University in this Bill referred to as ("the Council") to be responsible for the governance and direction of the affairs of the University in line with the provisions of this Bill.

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: Composition and membership of the Council.

- (1) The Council shall consist of—
 - (a) the Pro-Chancellor;
 - (b) Chief of Army Staff or his representative;
 - (c) the Vice-Chancellor;
 - (d) the Deputy Vice-Chancellors;
 - (e) one person representing the Federal Ministry of Education;
 - (f) one person representing the Ministry of Defence;
 - (g) four persons representing the interests of the Army and public, at least one of whom shall be a female to be appointed by the Visitor;
 - (h) four persons appointed by the Senate from among its members;
 - (i) two persons appointed by the Congregation from among its members;
 - (j) one person appointed by the Convocation from among its members; and
 - (k) one person to represent the host community.
- (2) The Registrar of the University shall be Secretary to the Council.
- (3) A person to be appointed as a member of the Council other than an ex-officio member shall be appointed by the Visitor.
- (4) A person to be appointed to the Council shall be:—
 - (a) of proven integrity, knowledge and familiar with the affairs and tradition of Universities;
 - (b) able to contribute to the development of the University.

Committee's Recommendation:

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

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

Clause 10: Tenure of Council members.

The members of the Council shall hold office for a term of four years from the date of inauguration, but where the Council is found to be incompetent and corrupt, it shall be dissolved by the Visitor and a new Council shall immediately be constituted for the effective functioning of the University.

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: Powers of the Council.

- (1) Subject to the provisions of this Bill relating to the Visitor, the Council shall have the general control and superintendence of the policy, finances and property of the University including but not limited to its public relations.
- (2) The Council shall have power to do those things which in its opinion are calculated to facilitate the good governance of the University.
- (3) The Council may make Statutes regulating the constitution and conduct of the University and regulating any authority or matter connected with the University.
- (4) Nothing in this section shall be construed as preventing the Council from giving instructions, in writing or otherwise, for the purpose of exercising any power conferred on it by subsection (2) of this section.
- (5) Without prejudice to the powers of the Council under subsections (1) and (2) of this section, the Council shall have the following powers to—
 - (a) govern, manage, and regulate the finances, accounts, investments, property, business and all affairs whatsoever of the University, and for that purpose to appoint any other officer or agent whom it seems expedient to appoint;
 - (b) cause proper books of account to be kept for all sums of money received and expended by the University and for the assets and liabilities of the University and any other institution established or incorporated by the University not contrary to this Bill; that such books give a true and fair view of the state of affairs of the University and its transactions;
 - (c) borrow money on behalf of the University;
 - (d) invest any money belonging to the University;
 - (e) sell, buy, exchange, lease or accept leases of any real or personal property on behalf of the University;
 - (f) provide the buildings, libraries, laboratories, premises, furniture, apparatus and other equipment needed for carrying out the objectives;
 - (g) enter into, vary, perform and terminate contracts on behalf of the University;
 - (h) affiliate with other institutions or branches or departments and recognize selected members of such institutions as teachers of the University and to admit the members thereof to any of the privileges of the University;

- (i) accept attendance at courses of study in the institutions, branches or departments affiliated pursuant to the provisions of subsection (5) (h) of this section in place of such part attendance at courses of study in the University and upon such terms and conditions and subject to such regulations as may from time to time be determined by the University;
 - (j) enter into agreements for the furtherance of the objectives of the University;
 - (k) except as otherwise provided under this Bill, to appoint all members of the academic staff, the Registrar, Bursar and the Librarian, on the recommendation of the appropriate Appointment and Promotion Committee on such terms and conditions as the Council of the University may determine;
 - (l) appoint all members of the staff other than those for whom a specific method of appointment is otherwise provided;
 - (m) call for reports from the Senate on any matter relating to the instruction and teaching in the University;
 - (n) encourage and make provision for research within the University; and
 - (o) exercise all such powers as are or may be conferred on the Council by this Bill or by the Statutes or any other Law.
- (6) The Council of the University shall—
- (a) be free to discharge its function and exercise its responsibilities for the good management, growth and development of the University; and
 - (b) in the discharge of its functions ensure that the disbursement of funds of the University complies with approved budgetary provision for:—
 - (i) personnel cost;
 - (ii) overhead cost;
 - (iii) research and development;
 - (iv) library development; and
 - (v) the balance in expenditure between academic vis-à-vis non-academic activities.
- (7) The Council shall meet as and when necessary for the performance of its functions under this Bill in line with extant provisions.
- (8) The Meeting of the Council shall be called—
- (a) by the Chairman of Council; or
 - (b) (i) by the Chairman shall upon receipt of a request to hold a meeting in writing by not less than five members of Council specifying in their letter, the business to be considered;

- (ii) the Chairman shall summon a meeting within 28 days of the receipt of such request in subsection (b) (i);
- (c) where the Chairman fails or neglects to summon for a meeting as specified in subsection (b) (ii) the Registrar shall within 14 days therefore cause a meeting of Council to be convened for the purpose contained and specified as business to be considered in the request;
- (d) no other businesses other than those specified in the request in subsection (b) (i) shall be considered at the meeting.

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: Council's power of delegation.

- (1) The Council may delegate its powers or duties upon approval of the Visitor.
- (2) Except the powers relating to the making, altering, or revoking of Statutes, to the Chairman of the Council, the Vice-Chancellor, the head of an Institute or other Units of the University established under this Bill, or to any Committee appointed by it and consisting of—
 - (a) members of the Council; or
 - (b) one or more members of the Council and such other persons as the Council may appoint to the Committee.

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: Functions of the Senate.

- (1) Subject to the provisions of subsections (3) and (4) of this section, sections 5 and 6 of this Bill and the provisions of this Bill relating to the Visitor, it shall be the general function of the Senate to organize and control teaching in the University, admission to courses, the discipline of students and promotion of research in the University.
- (2) It shall be the function of the Senate to make provision for the—
 - (a) establishment, organization and control of campuses, colleges, faculties, departments, schools, institutes, other teaching and research centres of the University, and the allocation of responsibility for different branches of learning;
 - (b) organization and control of courses of study in the University and the examinations in fulfilment of those courses, including the appointment of examiners, both internal and external;

- (c) award of degrees and such other qualifications as may be prescribed in connection with examinations conducted by the University;
 - (d) making of recommendations to the Council with respect to the award to any person of an honorary fellowship or honorary degree or the title of professor emeritus;
 - (e) establishment, organization and control of halls of residence and similar units in the University;
 - (f) supervision of the welfare of students in the University and the regulation of their conduct;
 - (g) granting of fellowships, scholarships, prizes and similar awards in so far as the awards are within the control of the University; and
 - (h) determination of what description of dress shall be academic dress for the purposes of the University and regulating the use of academic dress.
- (3) The Senate may with the approval of Council establish any new campus, college, faculty, department, school, institute or any other teaching and research units of the University or any hall of residence or similar units at the University.
- (4) The Senate may make regulations for the purpose of exercising any function conferred on it either by the provisions of this Section or for the purpose of providing for any matter for which provision by regulation is authorised or required by this Bill or by Statute.
- (5) The Senate may by regulation, provide that at least one of the persons appointed as examiners at each final or professional examination held in fulfillment of any course of study in the University is not a teacher at the University but is a teacher at the branch of learning to which the course relates in some other University of high repute.
- (6) The Senate shall have power to—
- (a) withdraw, or direct the withdrawal of any person, any degree, diplomas, certificate, fellowship, scholarship, studentship, bursary, medal, prize or other academic title, distinction or award whatsoever conferred upon or granted him by the University if after inquiry as the Senate may deem necessary, the Senate is satisfied that he has been guilty of scandalous or other dishonourable conduct in obtaining same;
 - (b) notwithstanding the powers conferred on the Senate in paragraph (a) above, a person affected shall have the right of appeal to Council.

Committee's Recommendation:

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

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

PART II — STATUTES OF THE UNIVERSITY

Clause 14: Statutes of the University.

- (1) Subject to the provisions of this Bill, the University may make Statutes for any of the following purposes—
 - (a) the composition and constitution of any authority of the **University**;
 - (b) specifying and regulating the powers and duties of any authority of the University, and regulating any other matter connected with the University or any of its authorities;
 - (c) regulating the admission of students where it is done by the University, and their discipline and welfare;
 - (d) determining whether any particular matter is to be treated as an academic or non-academic matter for the purposes of this Bill and of any Statute, regulation or other instrument made there-under; and
 - (e) making provision for other matters for which provision by Statute is authorised or required by this Bill.
- (2) Subject to section 30 (6) of this Bill, the Interpretation Act shall apply in relation to any Statute made under this Section as it applies to a subsidiary instrument within the meaning of section 38 of this Bill.
- (3) The Statute contained in the Third Schedule to this Bill shall be deemed to have come into force on the commencement of this Bill and shall be deemed to have been made under this Section by the University.
- (4) The power to make Statute conferred by this Section shall not be prejudiced or limited in any way by reason of the inclusion or omission of any matter in or from the Statute contained in the Third Schedule to this Bill or any subsequent Statute, provided that every Statute made by the University shall be published in the Official Gazette.

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 make and approve statutes.

- (1) The power of the University to make, amend or revoke a Statute shall be exercised in accordance with the provisions of this section.
- (2) A proposed Statute shall not have the force of law until it has been approved at a meeting of the:—
 - (a) Senate, by the votes of not less than two thirds of the members of Senate; and
 - (b) Council, by the votes of not less than two thirds of the members of Council.

- (3) A proposed Statute may originate either in the Senate or Council and may be approved as required under subsection (2) of this section by both bodies in no particular order.
- (4) A Statute shall not come into operation, unless approved by the Visitor where the Statute—
 - (a) makes provision for or alters the composition or constitution of the Council, the Senate or any other authority of the University; or
 - (b) provides for the establishment of a new campus or college or for the amendment or revocation of any Statute whereby a campus or college is established.
- (5) For the purpose of section 2 (2) of the Interpretation Act, a Statute shall be treated as being made on the date on which it is approved by the Council and the Senate in accordance with subsection (3) of this section or in the case of a Statute falling within subsection (4) of this section, on the date on which it is approved by the Visitor on the recommendation of the National Universities Commission.

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: Proof of statute in Court.

A Statute may be proved in any court by the production of certified copy thereof bearing or having affixed to it a certificate signed by the Vice-Chancellor or the Registrar to the effect that the copy is a true copy of a Statute of that University.

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: Power of visitor to decide meaning of statute.

- (1) In the event of any doubt or dispute arising at any time as to the meaning of any provision of a Statute, the matter may be referred to the Visitor, who shall take such advice and make such decision thereon as he deems fit.
- (2) The decision of the Visitor on any matter referred to him under this section shall be binding upon the authorities, staff and students of the University, provided that nothing in this subsection shall affect the power of a court of competent jurisdiction to determine whether any provision of a Statute is wholly or partly void as being ultra vires or as being inconsistent with the Constitution.
- (3) The provisions of this section shall apply in relation to any doubt or dispute as to whether any matter is, for the purposes of this Bill, an academic or non-academic matter in the University, provided that nothing in this subsection shall affect the power of a court of competent jurisdiction to determine whether any provision of a Statute is wholly or partly void as being ultra vires or as being inconsistent with the Constitution.

- (4) The provisions of this section shall apply in relation to any doubt or dispute as to whether any matter is, for the purposes of this Bill, an academic or non-academic matter.

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 III — SUPERVISION AND DISCIPLINE

Clause 18: Visitor to the University.

- (1) The President of the Federal Republic of Nigeria shall be the Visitor of the University.
- (2) The Visitor shall conduct visitation to the University at least once in five years or as often as the circumstances may require or direct such other person to conduct the visitation in respect of the affairs of the University.
- (3) The bodies and persons comprising the University shall—
- (a) make available to the Visitor and to any other persons conducting a visitation in pursuance of this section, such facilities and assistance as he or they may reasonably require for the purpose of the visitation; and
- (b) make the report and white paper of such visitations available to the Council which shall implement them.

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: Removal of members of Council.

- (1) If it appears to the Council that a member, other than the Pro-Chancellor or the Vice-Chancellor should be removed from office on grounds of misconduct or inability to perform the functions of his office, the Council shall make a recommendation to that effect through the Minister in charge of Education, after making such enquiries as may be considered necessary, approves the recommendation, it may direct the removal of the member from office.
- (2) The Minister shall use his best endeavours to cause a copy of the instrument embodying a direction under subsection (1) of this section to be served within 14 working days on the person to whom it relates.
- (3) Misconduct includes any conduct which is prejudicial to the good name of the University and or discipline and the proper administration of the business of the University.

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: Removal and discipline of academic, administrative and other staff of the University.

- (1) The Council shall upon receipt of the report of the Staff Disciplinary Committee, established under Section 21 of this Bill, that there are reasons for believing that any person employed as a member of the academic, administrative or professional staff of the University, other than Vice-Chancellor, ~~should be removed from his office or~~ employment on the ground of misconduct or of inability to perform the functions of his office or employment—
 - (a) give notice of those reasons to the person in question;
 - (b) afford such person an opportunity of making representation in person or through a counsel of his choice on the matter to the Council; and
 - (c) take a decision to terminate or not terminate the appointment of such Staff.
- (2)
 - (a) The affected staff or any three members of the Council may request for review within a period of one month from the date of receipt of the notice of the Council's decision.
 - (b) The Council shall upon receipt of such request for review make arrangements for—
 - (i) a joint committee of the Council and the Senate to review the matter and report on it to the Council;
 - (ii) the person in question to be afforded an opportunity to appear before and be heard by an investigating committee with respect to the matter;
 - (iii) after considering the report of the investigating committee if the Council is satisfied that the person in question should be removed, the Council may so remove the person by an instrument in writing signed on its directions.
- (3) The Vice-Chancellor may, in a case of gross misconduct by a member of staff which in the opinion of the Vice-Chancellor is prejudicial to the interest of the University, suspend such member and any suspension shall be reported to the Council forthwith of such suspension.
- (4) Any member of staff may be suspended from duty or his appointment may be terminated by Council for a good cause and, for the purposes of this subsection, "good cause" means—
 - (a) conviction for any offence which the Council considers to be such as to render the person concerned unfit for the discharge of the functions of his office;
 - (b) any physical or mental incapacity which the Council, after obtaining medical advice, considers to be such as to render the person concerned unfit to continue to hold office;

- (c) conduct of a scandalous or disgraceful nature which the Council considers to be such as to render the person concerned unfit to continue to hold office; or
 - (d) conduct which the Council considers to be such as to constitute failure or inability of the person concerned to discharge the functions of his office or to comply with the terms and conditions of his service.
- (5) Any person suspended under subsection (3) of this section shall be on half pay and the Council shall, before the expiration of a period of three months from the date of such suspension, consider the case against that person and come to a decision as to whether to—
- (a) continue such person's suspension and if so on what terms, including the proportion of his emoluments to be paid;
 - (b) reinstate such person in which case the Council shall restore his full emoluments with effect from the date of suspension;
 - (c) terminate the appointment of the person concerned in which case such a person will not be entitled to the proportion of his emoluments withheld during the period of suspension; and
 - (d) take such lesser disciplinary action against such person, including the restoration of such proportion of his emoluments that might have been withheld, as the Council may determine.
- (6) Where the Council, pursuant to this section, decides to continue a person's suspension or decides to take further disciplinary action against the person, Council shall, before the expiration of three months from such decision, come to a final determination in respect of the case.
- (7) The person who signs an instrument of removal in pursuance of subsection (1) of this section shall cause a copy of the instrument to be served within 10 working days on the person to whom it relates.
- (8) Nothing in this section shall prevent the Council from making regulations for the discipline of staff and workers of the University as may be appropriate.

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: Procedure for staff discipline.

- (1) Where it is alleged that a member of staff is guilty of misconduct or should for any other reason be disciplined, the Vice-Chancellor or the Senate shall constitute an Investigation Panel to—
 - (a) determine whether or not a prima facie case has been established against the staff; and
 - (b) make a report of its findings to the Staff Disciplinary Committee established under subsection (3) of this section.

- (2) The Investigation Panel shall consist of the Chairman and such other members of Senate as the Vice-Chancellor or Senate may determine.
- (3) The Vice-Chancellor shall constitute a Staff Disciplinary Committee which shall consist of such members of the Senate as he may determine, to consider the report of the Investigation Panel.
- (4) The report of the Staff Disciplinary Committee and its recommendations shall be forwarded to the Council for necessary action under section 20 of this Bill.

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 of an Examiner.

- (1) The Senate, may recommend 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.
- (2) The Vice-Chancellor shall on signing an instrument of removal under this section, cause a copy of the instrument to be served within 10 working days on the examiner.
- (3) Subject to the provisions of any regulation made under section 13 (5) of this Bill, the Vice-Chancellor may, on the recommendation of the Senate appoint an appropriate person as examiner in the place of the examiner removed.

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: Disciplinary action on students.

- (1) Subject to the provisions of this section, where it appears to the Vice-Chancellor that any student is guilty of misconduct, the Vice-Chancellor may, without prejudice to any other disciplinary powers conferred on him by Statute or regulations, direct that the—
 - (a) student shall not, during such period as may be specified in the direction, participate in such activities of the University or make use of such facilities of the University as may be so specified;
 - (b) activities of the student shall, during such period as may be specified in the direction, be restricted in such manner as may be so specified;
 - (c) student be rusticated for such period as may be specified in the direction; or
 - (d) student be expelled from the University.
- (2) A direction under subsection (1) (a) of this section may be combined with a direction under subsection (1) (b) of this section.

- (3) Where a direction is given under subsection (1) (c) or (d) of this section in respect of any student, the student may, within the prescribed period and in the prescribed manner, appeal against the direction to the Senate.
- (4) Where an appeal is brought under subsection (3) of this section, the Senate shall, after causing such inquiry to be made in the matter as the Senate considers just, either confirm or set aside the direction or modify it in such manner as the Senate thinks fit.
- (5) The fact that an appeal from a direction is brought under subsection (3) of this section shall not affect the operation of the direction while the appeal is pending.
- (6) 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.
- (7) Nothing in this section shall be construed as preventing the restriction or termination of a student's activities at the University for conduct which in the opinion of the Senate is prejudicial to the interest of the University or to its corporate objective or image.

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 IV — FINANCIAL PROVISION

Clause 24: Funds of the University.

- (1) The University shall in line with extant financial regulations, establish and maintain a Fund (in this Bill referred to as "the Fund"), which shall be applied for giving full effect to the provisions of this Bill.
- (2) There shall be paid and credited to the Fund established pursuant to subsection (1) of this section—
 - (a) such sums as may be provided by the Government of the Federation or the State for payment into the Fund;
 - (b) fees charged for services rendered by the University;
 - (c) moneys accruing from investments of the University;
 - (d) all sums accruing to the University by way of grants, gifts, donations, testamentary dispositions, endowments or contributions from government agencies, parastatals, corporate bodies, companies, Non-Governmental Organizations, philanthropic persons or organizations for the general or specific purposes of the University;
 - (e) all other moneys accruing to the University in the discharge of its objects under this Bill; and
 - (f) grants-in-aid. Accounts and Audit.

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: Accounts and audit.

- (1) The Council shall—
 - (a) keep proper records of all accounts of its income and expenditure; and
 - (b) prepare the statement of account in respect of each financial year.
- (2) Without prejudice to any other requirement as to accounting or control imposed, whether by an enactment or otherwise, with respect to the finances of and the lands, endowments and other property held by or for the purposes of the University, the Council shall cause the accounts kept in pursuance of this subsection for any period to be audited not later than 31st March of each financial year, by auditors appointed from a list of qualified auditors in accordance with guidelines laid down by the Auditor-General for the Federation.

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: Annual report.

- (1) The Council shall prepare and submit to the Visitor, not later than the 31st day of May in each year, a report in such form as the Visitor may direct on the activities of the university during the period of twelve months ending with the preceding 31st day of December, and shall include in the report a copy of the last accounts audited in accordance with section 24 of this Bill.
- (2) The report referred to in subsection (1) of this section shall include—
 - (a) information on the activities of the University in that year;
 - (b) a copy of the audited accounts of the University for that year; and
 - (c) such other information as the Visitor may request.
- (3) The Vice-Chancellor shall provide such information on the affairs of the University as the Council may from time to time request.

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.

PART V — MISCELLANEOUS PROVISIONS**Clause 27: Retiring age of staff of the University.**

Notwithstanding anything to the contrary provided for in the Pensions Reform Act, 2014, the mandatory retiring age of—

- (a) an academic staff in the professorial cadre shall be 70 years; and
- (b) other academic and non-academic staff of the University shall be 65 years.

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

- (1) No person shall be required to satisfy requirements as to race, including ethnic grouping, sex, place of birth, family origin, religious or political persuasion, as a condition for becoming or continuing to be a—
 - (a) student in the University;
 - (b) holder of any degree, appointment or employment in the University; or
 - (c) member of anybody established by virtue of this Bill.
- (2) No person shall be subjected to any disadvantage or accorded any advantage in relation to the University by reference to any of the matter referred to in subsection (1) of this section.
- (3) Nothing in subsection (1) of this section shall be construed as preventing the University from imposing ~~any restriction~~ on any of the persons specified in subsection (1) of this Section where such persons willfully refuse or fail 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, is in the opinion of the University reasonably justifiable in the national interest.

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: Restriction on disposal of land belonging to the University.

- (1) For the purpose of the Land Use Act (which provides for the compulsory acquisition of land for public purposes) any purpose of the University shall be the same as that of the Federation.
- (2) Where an estate or interest in land is acquired by the Government under this Section, the Government may, by a certificate under the hand and seal of the Chief Federal Lands Officer or any other person authorized in that behalf, transfer it to the University.
- (3) (a) The University may with the consent of the Governor in accordance with the Land Use Act dispose any land or interest in land, or transfer same under this Bill upon the recommendation of Council.

- (b) No such consent shall be required by Council in the case of any lease or tenancy at a rack-rent for a term not exceeding 21 years or a lease to a member of the University.

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: Committees.

- (1) There shall be a committee of the Council, to be known as the Finance and General Purposes Committee, as specified under the Third Schedule to this Bill.
- (2) Without prejudice to the provisions of subsection (1) of this section the Council shall establish—
 - (a) appointment and promotion committee;
 - (b) tender's committee;
 - (c) senior staff disciplinary committee;
 - (d) council appeal committee;
 - (e) fund raising committee;
 - (f) academic development committee; and
 - (g) any other committee the Council may deem fit.
- (3) In addition to the Committees established under subsections (1) and (2) of this section anybody of persons established by this Bill, without prejudice to the generality of the powers of that body, shall have power to appoint committees, which need not consist exclusively of members of that body and authorise a committee established by it to—
 - (a) exercise on its behalf, such of its functions as it may determine; and
 - (b) co-opt members and direct whether or not co-opted members shall be entitled to vote in that committee.
- (4) Any two or more such bodies may arrange for the holding of joint meetings of those bodies or for the appointment of committees consisting of members of those bodies, for the purpose of considering any matter within the competence of those bodies or any of them and either dealing with it or of reporting on it to those bodies or any of them.
- (5) Except as may be otherwise provided by a Statute or Regulation, the quorum and procedure of a committee established or meeting held pursuant to this section shall be such as may be determined by the body or bodies which have decided to establish the committee or hold the meeting.

- (6) Nothing in this section shall be construed as enabling:—
- (a) statutes to be made otherwise than in accordance with section 15 of this Bill; or
 - (b) the Senate to empower any other body to make regulations to award degrees or other qualifications.

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: Quorum.

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

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: Seal of the University.

- (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, Registrar or any other person authorised by statute.
- (2) Any document purported to be executed under the seal of the University shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed.
- (3) Any contract or instrument which if made or executed by a person not being a body corporate would not be required to be under seal may be made or executed on behalf of the University by any person generally or specifically authorised to do so by the Council.
- (4) The validity of any proceedings of anybody established in pursuance of this Bill shall not be affected by any vacancy in the membership of the body, or by any defect in the appointment of a member of the body or by reason that any person not entitled to do so took part in the proceedings.
- (5) Any member of any such body who has a personal interest in any matter proposed to be considered by that body shall forthwith disclose his interest to the body and shall not vote on any question relating to that matter.
- (6) Nothing in section 13 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 of this Bill.
- (7) The power conferred by this Bill to make statutes or regulations shall include power to revoke or vary any statute (including the statute contained in 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 that may make different provisions in reaction to different circumstances.

Second Schedule.

- (8) No stamp duty or other duty shall be payable in respect of any transfer of property to the University by virtue of section 29 or the Second Schedule to this Bill.
- (9) Any notice or other instrument authorised to be served by virtue of this Bill may, without prejudice to any other mode of service, be served by post.

Committee's Recommendation:

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

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

Clause 33: Proposals and recommendations.

Where in any provisions of this Bill, it is laid down that proposals are to be submitted or a recommendation is to be made by one authority to another through one or more intermediate authorities, every such intermediate authority shall forward any proposal or recommendation received by it pursuant to that provision to the appropriate authority; but any such intermediate authority may, if it thinks fit, forward therewith its own comments thereon.

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: Limitation of suit against the University.

- (1) Subject to the provisions of this Bill, the provisions of the Public Officers Protection Act shall apply to any suit to be instituted against the University, an officer or employee of the University.
- (2) No suit shall lie or be instituted in any court against the University, a member of the Governing Council or any principal officer or employee of the University for an action carried out in pursuance to the execution of this Bill or any enactment, or of any public duty in respect of any alleged neglect or default in the execution of this Bill or any other enactment or law, duty or authority, unless it is commenced—
 - (a) within three months of such act, neglect or default complained thereof; or
 - (b) in the case of a continuation of damages or injury, within six months after the ceasing of the act, neglect or default.
- (3) No suit shall be commenced against the University, a member of the Council or any principal officer or employee of the University before the expiration of a period of one month after written notice of the intention to commence such suit has been served on the University by the intending plaintiff or his agent.

- (4) The notice referred to in subsection (3) of this section shall clearly state the cause of action, particulars of the claim, the name and place of abode of the intending plaintiff and the relief sought.

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: Service of process or document on the University.

Notice, summons, or other documents required or authorised to be served on the University under this Bill or any other enactment or law, may be served by—

- (a) delivering it to the Vice-Chancellor or the Registrar;
- (b) sending it by registered mail to the postal address of the University.

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: Restriction on execution against property of the University.

In any action or suit against the University, no execution shall be levied or attachment process issued against the University unless not less than three months' notice of the intention to execute or attach has been given to the University.

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: Transitional and savings provisions.

- (1) All property held by or on behalf of the Transitional Governing Council shall, by virtue of this subsection and without further assurance, vest in the University and be held by it for the purpose of the University.

Second Schedule.

- (2) The provisions of the Second Schedule to this Bill shall have effect with respect to the transfer of property to the University and other matters mentioned therein.

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: Interpretation.

In this Bill:—

"Academic Staff" means the Vice-Chancellor, Professors, Readers, Senior Lecturers, Lecturer I, Lecturer II, Assistant Lecturers, Academy Librarian and such other persons in the employment of the University engaged in teaching or research as the Council, on the recommendation of the Senate, may from time to time grant the status of members of the academic staff of the University;

"Academic Year" means such period not exceeding twelve consecutive months as the Senate may from time to time so designate;

"Act" means the Act of the Admiralty University of Nigeria, Ibusa;

"Administrative Staff" means those persons in the employ of the University, other than the academic staff, who hold administrative, professional or technical posts designated by the Council as senior posts;

"Appropriate Authority" means any person, body or authority authorized by law to act in a specific or general capacity in relation to a subject matter;

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

"Centre" means any centre which may be established by the University;

"Chairman" means the Chairman of the Council;

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

"Congregation" means the Congregation of the University established under this Bill;

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

"Convocation" means an assembly of the University established under this Bill;

"Council" means the Council of the University established by Section 8 of this Bill;

"Faculty" means a Faculty of the University;

"Functions" includes powers and duties;

"Government" means the Federal Government of Nigeria;

"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;

"Graduates Association" means any association recognised by the Council pursuant to the provisions of this Bill or the Statutes;

"Gross Misconduct" means any act of misconduct and improper behaviour that may be designated as gross misconduct by any Statute or regulation made, under this Bill;

"Members of the University" means those persons or office-holders described in the Statute;

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

"Misconduct" includes any conduct which is prejudicial to the good name of the University and or discipline and the proper administration of the business of the University;

"Notice" means notice in writing;

"Officers of the University" means those persons or office-holders described in the First Schedule to this Bill but does not include the Visitor;

"Other Staff" means those persons in the employ of the University who are not members of the academic staff or the administrative staff;

"Prescribed" means prescribed by this Bill, Statutes, or regulations of the University;

"Professor" means a person designated as a professor of the University in accordance with provision in that behalf made by regulations and includes a visiting professor;

"Property" includes rights, liabilities and obligations;

"Regulations" means any Regulations of the University made by the Senate or pursuant to the provisions of this Bill;

"Senate" means the Senate of the University established by this Bill;

"Statute" means a Statute made by the University pursuant to section 14 of this Bill and in accordance with the provisions of section 15 of this Bill;

"Student" means a person who has been registered as a student of the University during a current academic year for a first or higher degree, diploma, certificate or such other qualification of the University as may be approved by the Senate as qualifying a person for the status of a student;

"Teacher" means a person appointed as a member of the staff of the University on full-time or part-time teaching duties and shall include such persons employed on research duties in the University as are required also to teach;

"Transitional Governing Council" means the provisional Council constituted for the University by the Chief of Army Staff, before coming into force of this Bill;

"Undergraduate" means a person in statu pupillari in the University, other than:—

(a) a graduate; and

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

"University" means Admiralty University of Nigeria, Ibusa established under this Bill.

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.

Clause 39: Citation.

This Bill may be cited as the Admiralty University of Nigeria, Ibusa (Establishment) Bill, 2022.

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.

SCHEDULES

FIRST SCHEDULE

SECTION 4(2)

PRINCIPAL OFFICERS OF THE UNIVERSITY

The Vice-Chancellor

1. (1) There shall be a Vice-Chancellor for the University, who shall be appointed by the Council in accordance with the provisions of this paragraph.
- (2) The Vice-Chancellor shall be the chief executive and academic officer of the University, exercise general functions in addition to any other functions conferred on him by this Bill or otherwise, which includes directing activities in the University and serving as Chairman of the Senate or as an ex-officio member.
- (3) The Vice-Chancellor shall, in relation to the University, take precedence before all other members of the University except the Chancellor and the Pro-Chancellor and any other person for the time being acting as chairman of the Council.
- (4) Where a vacancy occurs in the post of a Vice-Chancellor, the Council shall:—
 - (a) advertise the vacancy in a reputable journal or widely read newspapers in Nigeria, specifying:—
 - (i) the qualities and qualifications of the persons who may apply for the post; and
 - (ii) the terms and conditions of service applicable to the post, and thereafter draw up a short list of suitable candidates for the post for consideration;
 - (b) constitute a Search Team consisting of:—
 - (i) a member of the Council, who is not a member of the Senate, as chairman;
 - (ii) two members of the Senate who are not members of the Council, one of whom shall be a professor;
 - (iii) two members of the 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 but that of the national interest.

- (5) A Joint Council/Senate Selection Board shall consist of:—
- (a) consist of:—
 - (i) the Pro Chancellor as Chairman;
 - (ii) two members of the Council not being members of the Senate; and
 - (iii) two members of the Senate not below the rank of Professor, who were not members of the Search Team; and
 - (iv) a representative of the Chief of the Naval Staff;
 - (b) consider the candidates and persons shortlisted under subparagraphs (ii) or the paragraphs 1 (4) (a) through evaluation of their curriculum vitae and interaction; and
 - (c) recommend to the Council, suitable candidates from the list for further consideration.
- (6) The Council shall select and appoint as Vice-Chancellor a candidate from among the three candidates recommended to it under subparagraph (5) of this paragraph and thereafter inform the Visitor.
- (7) 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 and no more.
- (8) The Vice-Chancellor may be removed from office by the Governing Council on grounds of gross misconduct or inability to discharge the functions of his office as a result of infirmity of body or mind, at the initiative of the Council, Senate or the Congregation after due process.
- (9) 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:—
- (a) 3 members of the Council, one of whom shall be the Chairman of the Committee; and
 - (b) 2 members of the Senate:—
Provided that where the ground for removal is infirmity of the body or mind, the Council shall seek appropriate medical option.
- (10) The Committee shall conduct investigation into the allegations made against the Vice-Chancellor and shall report its findings to the Council.
- (11) 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.
- (12) There shall be no sole administrator in the University.
- (13) 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.

- (14) Any acting Vice-Chancellor in all circumstances shall not be in office for more than 6 months.

The Deputy Vice-Chancellor

2. (1) There shall be for the University, such number of Deputy Vice-Chancellors as the Council may, from time to time, deem necessary for the proper administration of the University.
- (2) Subject to any other qualification for the appointment of a Deputy Vice-Chancellor, one of the Deputy Vice-Chancellors shall be an officer not below the rank of a Brigadier General in the Nigerian Army, with a minimum qualification of a PhD.
- (3) A Deputy Vice-Chancellor shall:—
- (a) assist the Vice-Chancellor in the performance of his functions;
 - (b) subject to the Statute, act in place of the Vice-Chancellor when the post of the Vice-Chancellor is vacant or if the Vice-Chancellor is, for any reason, absent or unable to perform his functions as Vice-Chancellor; and
 - (c) perform such other functions as the Vice-Chancellor or the Council may, from time to time, assign to him.
- (4) 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 the post of Deputy Vice-Chancellor that is vacant:—
- (a) the Senate shall select for any vacant post one candidate from the list forwarded to it under sub paragraph (4) of this paragraph and forward his name to the Council for confirmation;
 - (b) the Deputy Vice-Chancellor shall hold office for a period of two years beginning from the effective date of his appointment and on such terms and conditions as may be specified in his letter of appointment and he may —
 - (i) be re-appointed for one further period of two years and no more;
 - (ii) be removed from office for good cause by the Council acting on the recommendations of the Vice-Chancellor and Senate.

Office of the Registrar

3. (1) There shall be for the University, a Registrar, who shall be the Chief Administrative Officer of the University and shall be responsible to the Vice-Chancellor for the day-to-day administration of the University except as regards matters for which the Bursar is responsible in accordance with paragraph 4 (2) of this Schedule.
- (2) The person holding the office of Registrar shall, by virtue of that office, be Secretary of the Council, the Senate, Congregation and Convocation.
- (3) The Registrar shall hold office —
- (a) for a single term of five years;
 - (b) such period and on such terms and conditions as to emoluments as may be specified in his letter of appointment; and

- (c) performance be extended for one year and no more.

Other Principal Officers

The Bursar and the University Librarian

4. (1) There shall be other Principal Officers for the University as follows -
- (a) the Bursar; and
 - (b) the University Librarian.
- (2) The Bursar shall be the Chief Financial Officer of the University and shall be responsible to the Vice-Chancellor for the day-to-day administration and control of the financial affairs of the University.
- (3) Any person to be appointed to the office of the Bursar shall have appropriate qualification with cognate experience in financial matters and shall be a member of a relevant and recognised professional body.
- (4) The University Librarian shall be responsible to the Vice-Chancellor for the administration of the University Library and the co-ordination of all library services in the University and its campuses, colleges, faculties, schools, centres, departments and institutes and other teaching or research units.
- (5) Any person to be appointed to the office of the University Librarian shall have appropriate qualifications with cognate experience in library matters and shall be a member of a relevant and recognized professional body.

Directorates

5. (a) The University shall have the following Directorates and provide for their functions—
- (i) Works and Physical Planning;
 - (ii) Health Services;
 - (iii) Information and Communications Technology;
 - (iv) Legal Services;
 - (v) Consultancy and Linkages;
 - (vi) Procurement and Supply; and
 - (vii) any other directorate as may be prescribed by Statute.
- (b) Appointment, Tenure and Conditions of Service of the Directors:—
- (i) the Council shall by Statute provide for their term of appointment and tenure;
 - (ii) such tenure and terms and condition of appointment shall be specified in their letters of appointment subject to extant regulations and Statute.

Question that the provisions in the First Schedules stand part of the Bill — Agreed to.

SECOND SCHEDULE

SECTION 37(2)

TRANSITIONAL AND SAVINGS PROVISIONS

Transfer of Property to the University

1. Without prejudice to the generality of the provisions of Section 37 of this Bill:—
 - (a) the reference in the subsection to property held by the Transitional Governing Council and the University shall include a reference to the right to receive and give a good discharge for any grant or contribution which may have been voted or promised to the transitional Governing Council and the University; and
 - (b) all outstanding debts and liabilities of the Transitional Governing Council shall become debts and liabilities of the University established by this Bill.

Effect of contracts, documents and legal proceedings

2. (1) All agreements, contracts, deeds and other instruments to which the Transitional Governing Council was a party shall, so far as possible and subject to any necessary modification, have effect as if the University established by this Bill had been a party to it in place of the provisional Council.
- (2) Documents not falling within sub-paragraph (1) of this paragraph, including enactments, which refer whether specially or generally to the Transitional Governing Council shall be construed in accordance with that sub-paragraph so far as applicable.
- (3) Any legal proceeding or application to any authority pending by or against the Transitional Governing Council may be continued by or against the University established by this Bill.

Registration of Transfers

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

Meetings and Staff of the University

4. (1) The first meeting of the Council shall be convened by the Pro-Chancellor on such date and in such manner as he may determine.
- (2) The persons who were members of the Transitional Governing Council shall be deemed to constitute the Council until the date when the Council set up under this Bill must have been duly constituted.
- (3) The first meeting of the Senate shall be convened by the Vice-Chancellor on such date and in such manner as he may determine.

- (4) The persons who were members of the Senate immediately before the coming into force of this Bill shall be deemed to constitute the Senate of the University until the date when the Senate as set up under this Schedule is duly constituted.
- (5) Subject to any regulation which may be made by the Senate after the date on which this Bill is made, the faculty boards and students of the University immediately before the coming into force of this Bill shall on that day become faculties, faculty boards and students of the University as established by this Bill.
- (6) Persons who were deans or associate deans of faculties or members of faculty boards shall continue to be deans or associate deans or become members of the corresponding faculty boards, until new appointments are made in pursuance of the Statutes under this Bill.
- (7) A person who was a member of staff of the University as established or was otherwise employed by the Transitional Governing Council shall be employed at the University on such designation, status and functions which correspond as nearly as possible to those which pertained to him as a member of that staff or as such an employee.

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

THIRD SCHEDULE

SECTIONS 3 (3), 13

ADMIRALTY UNIVERSITY OF NIGERIA, IBUSA, STATUTE 1

Paragraphs:

1. The Council
2. Finance and General Purposes Committee
3. The Senate
4. The Congregation
5. The Convocation
6. Organization of Faculties and Branches
7. The Dean of the Faculty
8. Selection of certain principal officers
9. Creation of academic post
10. Appointment of Administrative and technical Staff

The Council

1. (1) Any member of the Council holding office pursuant to section 9 of this Bill may, by notice to the Council resign his office.
- (2) Where a member of Council holding office pursuant to section 9 (h), (i), (j), (k) and (l) of this Bill vacates office before the expiration of his tenure, the body that appointed him may appoint a successor to hold office for the residue of his unexpired term.

- (3) The quorum of the Council shall be seven, at least one of whom shall be a member pursuant to section 9 (d) and (e) of this Bill.
- (4) If the Pro-Chancellor is not present at a meeting of the Council, the members present at the meeting may appoint one of them to be the Chairman at the meeting, and subject to section 11 of this Bill and the provisions of this paragraph, the Council may regulate its own procedure.
- (5) Where the Council desires to obtain advice with respect to any particular matter, it may co-opt not more than two persons for that purpose; and the persons co-opted may take part in the deliberations of the Council at any meeting but shall not be entitled to vote.
- (6) The Council constituted by this Bill shall have a four year tenure from the date of its inauguration, provided that where a Council is found to be incompetent and corrupt, it shall be dissolved by the Visitor and a new Council shall be immediately constituted for the effective functioning of the University.
- (7) The powers of the Council shall be exercised in accordance with the Laws and Statutes of the University, and to that extent, establishment circulars that are inconsistent with the Laws and Statutes of the University shall not apply to the University.

The Finance and General 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 a Deputy Vice-Chancellor;
 - (c) six other members of the Council appointed by the Council two of whom shall be selected from among the four members of the Council appointed by the Senate and one of whom shall be selected from among members of the Council appointed by the congregation; and
 - (d) representative of the Ministry of Education, the rank of whom shall not be less than a Director.
- (2) The quorum of the Committee shall be six.
- (3) Subject to any direction given by the Council, the Committee may regulate its own procedure.
- (4) The estimate 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.
- (5) The annual and supplementary estimate shall be prepared in such form and shall contain such information as the Council may direct.

Gifts, Donations, etc.

- (6) 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.
- (7) Registers shall be kept of all donations to the University including the names of donors and any special conditions under which any donation may have been given; provided that the University shall not be obliged to accept a donation for a particular purpose unless it approves of the terms and conditions attached to such donation.
- (8) 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

- (9) All sums of money received on account of the University shall be paid into such account 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 subparagraph (1) of this Article.

Audit

- (10) 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.
- (11) The appointment and other matters related 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) There shall be a Senate for the University consisting of —
 - (a) the Vice-Chancellor;
 - (b) the Deputy Vice-Chancellors;
 - (c) all Professors of the University;
 - (d) all Deans, Provosts and Directors of Academic Units of the University.
 - (e) all Heads of Academic Departments, Units and Research Institutes of the University;
 - (f) the University Librarian;
 - (g) academic members of the Congregation who are not Professors as specified in the Laws of the University;
 - (h) 2 members representing a variety of interests of the professional bodies outside the University appointed by the Senate on the recommendation of the Vice-Chancellor; and
 - (i) the procedure for election of members of Senate to the Council shall be prescribed by Regulations.

- (2) The Vice-Chancellor shall be the Chairman at all meetings of the Senate when he is present and, in his absence, one of the Deputy Vice-Chancellors appointed by him shall be the Chairman of the meeting.
- (3) The quorum of the Senate shall be one-quarter (or the nearest whole number less than one quarter), and subject to paragraph (2), the Senate may regulate its own procedure.
- (4) If so requested in writing by any 10 members of the Senate, the Vice-Chancellor, or, in his absence a person duly appointed by him shall convene a meeting of the Senate to be held not later than the tenth day following that on which the request was received.
- (5) The procedure for election of members of Senate to the Council shall be prescribed by Regulations.
- (6) An elected member may, by notice to the Senate, resign his office.
- (7) Subject to paragraph (8) of this article, there shall be elections for the selection of elected members which shall be held in the prescribed manner on such day in the month of May or June in each year as the Vice-Chancellor may, from time to time, determine.
- (8) An elected member shall hold office for the period of 2 years beginning from 1 August in the year of his election, and may be a candidate at any election held under 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 6 years or would have so held office if he had not resigned it.
- (9) No election shall be held under this article in any year if the number specified in the certificate given under paragraph (11) of this article does not exceed by more than one of the figure which is thrice the number of those elected members holding office on the date of the certificate who do not vacate office during that year under paragraph (7) of this article.
- (10) No person shall be precluded from continuing in or taking office as an elected member by reason only of a reduction in the total of non-elected members occurring on or after 30 April in any year in which he is to continue in or take office as all elected members.
- (11) Where so requested in writing by any 15 members of the Senate, the Vice-Chancellor or in his absence any of the Deputy Vice-Chancellors duly appointed by him, shall convene a meeting of the Senate to be held not later than the tenth day from the date of which the request was received.
- (12) 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 other than as elected members.

Congregation

4. (1) The Congregation shall consist of —
 - (a) the Vice-Chancellor and the Deputy Vice-Chancellor(s);

- (b) the full time members of the academic staff;
 - (c) the Registrar;
 - (d) the Bursar;
 - (e) the Librarian;
 - (f) the Director of Works;
 - (g) the Director of Health Services; and
 - (h) every member of the administrative staff who holds a degree of any university recognized for the purposes of this statute by the Vice-Chancellor, not being an honorary degree.
- (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 Congregation or fifty, whichever is less.
- (4) A certificate signed by the Vice-Chancellor specifying:—
- (a) the total number of members of Congregation for the purposes of any particular meeting or meetings of Congregation; or
 - (b) the names of the persons who are members of Congregation during a particular period, shall be conclusive evidence of that number or as the case may be, of the names of those persons.
- (5) Subject to the foregoing provision of this article, Congregation may regulate its own procedure.
- (6) Congregation shall be entitled to express by resolution or otherwise its opinion on all matters affecting the interest and welfare of the University and shall have such other functions in addition to the function of electing a member of the Council, as may be provided by statute or regulations.
- (7) The procedure for election of members of congregation to the Council and the Senate shall be prescribed by Regulations.

The Convocation

5. (1) The Convocation shall consist of:—
- (a) the Officers of the University mentioned in the First Schedule to this Bill;
 - (b) all teachers within the meaning of this Bill; and
 - (c) all other persons whose names are registered in accordance with subparagraph (2) of this paragraph.
- (2) A person shall be entitled to have his name registered as a member of the Convocation if he—

- (a) is either a graduate of the University or a person satisfying such requirements as may be prescribed for the purposes of this paragraph; and
 - (b) applies for the registration of his name in the prescribed manner and pays the prescribed fee.
- (3) Regulations shall provide for the establishment and maintenance of a register for the purpose of this paragraph and, subject to sub-paragraph (4), 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 fee, ensure that the names of all persons who are for the time being members of the Convocation by virtue of subparagraph (1) (a) or (b) of this paragraph are entered and retained on the register.
- (5) A person who reasonably claims that he is entitled to have his name on the register shall be entitled on demand to inspect the register, or a copy of the register at the principal offices of the University at all reasonable times.
- (6) The register shall, unless the contrary is proved, be sufficient evidence that any person named therein is, and that any person not named therein is not, a member of the convocation; but for the purpose of ascertaining whether a particular person was such a member on a particular date, any entry in, and deletion from, the register made on or after that date shall be disregarded.
- (7) The quorum of the Convocation shall be fifty or one-third (or the whole number nearest to one-third) of the total number of members of the Convocation whichever is less.
- (8) Subject to section 6 of this Bill, the Chancellor shall be Chairman at all meetings of the Convocation when he is present, and, in all his absence, the Vice-Chancellor shall be the Chairman at the meeting.
- (9) The Convocation shall perform such functions, in addition to the function of appointing a member of the Council, as may be provided by Statute.

Organization of Faculties and Branches

6. (1) Each Faculty shall be divided into such number of branches as may be prescribed.
- (2) There shall be established in respect of each Faculty, a Faculty Board, which, subject to the provisions of this Bill, and subject to the directions of the Vice-Chancellor, shall—
 - (a) regulate the teaching and study of, and the conduct of examinations connected with, the subjects assigned to the faculty;
 - (b) deal with other matters assigned to it by Statute, the Vice-Chancellor or the Senate; and
 - (c) advise the Vice-Chancellor or Senate on any matter referred to it by the Vice-Chancellor or Senate.

- (3) Each Faculty Board shall consist of —
 - (a) the Vice-Chancellor;
 - (b) the Dean;
 - (c) the persons severally in charge of the branches of the faculty;
 - (d) such number of the teachers assigned to the faculty and having the prescribed qualifications as the Board may determine; and
 - (e) such persons whether or not members of the University as the Board may determine with the general or special approval of Senate.
- (4) The quorum of the Board shall be 8 members or one-quarter of the members of the Board for the time being, whichever is greater.
- (5) Subject to the provisions of this Statute and any provision the composition of any faculty board shall be determined by the Statute and the Statutes may include provision for the appointment to any Faculty Boards of persons who are not members of the academic staff and specially qualified to assist in the work of the Faculty Boards.

Dean of Faculty

7. (1) (a) There shall be a Dean for each faculty who shall be a Professor and:—
 - (i) be elected by members of the academic staff of the faculty;
 - (ii) hold office for a term of two years and may be reappointed for another term of two years after which he shall not be eligible for reappointment until after two years; and
 - (iii) exercise general superintendence over the academic and administrative affairs of the faculty; and it shall be the function of the Dean to present to Convocation for the conferment of degrees persons who have qualified for the degrees of the University at examinations held in the branches of learning for which responsibility is allocated to that faculty.
- (b) There shall be a committee to be known as the Committee of Deans consisting of all Deans of the several schools and that committee shall advise the Vice-Chancellor on all academic matters and on particular matters referred to the University Council by the Senate.
- (2) The Dean of a faculty may be removed from office for a good cause by the Faculty Board after a vote would have been taken at a meeting of the Board, and in the event of a vacancy occurring following the removal of the Dean, an Acting Dean may be appointed by the Vice-Chancellor provided that at the next faculty board meeting an election shall be held for a new Dean.
- (3) In this paragraph, "good cause" has the same meaning as in Section 19 (4) of this Bill.

Selection of Certain Principal and Other Key Officers

8. (1) When a vacancy occurs in the Office of the Bursar, Registrar, Directors of Physical Planning and Development, Works and Services and Health, a Selection Board shall be constituted by the Council and shall consist of:—

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

Creation of Academic Post

9. Recommendation for the creation of posts other than those mentioned in paragraph 8 of this Schedule shall be made by the Senate to the Council.

Appointment of Administrative and Technical Staff

10. The administrative and technical staff of the University, other than those mentioned in paragraph 8 of this Schedule, shall be appointed by the Council or on its behalf by the Vice-Chancellor or the Registrar in accordance with any delegation of power made by the Council in that behalf.

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

Chairman to report Bill.

(SENATE IN PLENARY)

The President of the Senate reported that the Senate in the Committee of the Whole considered a Report on a Bill for an Act to Establish the Admiralty University of Nigeria, Ibusa as Conventional University with Selected Programmes, Limited and Focused Faculties to Promote Scholarship, Research and Other Means of Advancement of Knowledge and its Practical Application to Military Hardware and Software as Well as Maritime, Arts, Sciences and Technologies, and Provide an Opportunity of Acquiring a Higher and Liberal Education in Nigeria; and for Related Matters, 2022 and approved as follows:

Clauses 1-39 — As Recommended

Schedules 1-3 — As Recommended

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

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

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

11. **Federal Medical Centre Fufu (Establishment) Bill, 2022 (HB. 530) — Concurrence:**
Motion made: That a Bill for an Act to Provide the Legal Framework to Establish the Federal Medical Centre, Fufu, Kwara State, to Provide for the Manner of Running the Hospital, Including Establishment of Board of Management, Chief Medical Director and Other Staff and to Provide for Discipline of Staff; and for Related Matters, 2022 be read the Second Time (*Senate Leader*).

Debate:

Question put and agreed to.

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

Motion made: Pursuant to Order 80(1), that the Senate do resolve into the Committee of the Whole to Consider a Report on a Bill for an Act to Provide the Legal Framework to Establish the Federal Medical Centre, Fufu, Kwara State, to Provide for the Manner of Running the Hospital, Including Establishment of Board of Management, Chief Medical Director and Other Staff and to Provide for Discipline of Staff; and for Related Matters, 2022

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A REPORT ON A BILL FOR AN ACT TO PROVIDE THE LEGAL FRAMEWORK TO ESTABLISH THE FEDERAL MEDICAL CENTRE, FUFU, KWARA STATE, TO PROVIDE FOR THE MANNER OF RUNNING THE HOSPITAL, INCLUDING ESTABLISHMENT OF BOARD OF MANAGEMENT, CHIEF MEDICAL DIRECTOR AND OTHER STAFF AND TO PROVIDE FOR DISCIPLINE OF STAFF; AND FOR RELATED MATTERS, 2022

PART I - ESTABLISHMENT OF THE FEDERAL MEDICAL CENTRE, FUFU, KWARA STATE

Clause 1: Establishment of the Federal Medical Centre, Fufu, Kwara State.

- (1) There is hereby established the Federal Medical Centre, Fufu, (in this Bill referred to as "the Federal Medical Centre") and the Medical Centre shall serve as the Medical Centre subject to the provision of this Bill.
- (2) The Medical Centre:
 - (a) shall be a body corporate;
 - (b) may sue and be sued in its corporate name;
 - (c) shall have perpetual succession and a common seal.

Committee's Recommendation:

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

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

Clause 2: Establishment of the Board of Management of the Medical Centre.

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

Committee's Recommendation:

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

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 Chairman;
 - (b) the Medical Director of the Medical Centre;
 - (c) the Director of Clinical Services;
 - (d) the Director of Administration;
 - (e) the Director of Finance;
 - (f) the Director of Maintenance;
 - (g) a representative of the President;
 - (h) the Federal Ministry of Health;
 - (i) the National Planning Commission;
 - (j) the Society of Gynaecology and Obstetrics of Nigeria;
 - (k) the Pharmaceutical Society of Nigeria;
 - (l) the Paediatric Association of Nigeria;
 - (m) the National Association of Nigerian Nurses and Midwives;
and
 - (n) one person to represent public interest.
- (2) The Chairman and Members of the Board, other than ex-officio members, shall be:
 - (a) appointed by the President; and
 - (b) persons of proven integrity and ability.
- (3) The supplementary provisions set out in the Schedule to this Bill shall have effect with respect to the proceedings of the Board and the other matters contained therein.

Committee's Recommendation:

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

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 Bill, a member of the Board, other than ex-officio members, shall each hold office:
- (a) for a term of three years in the first instance and may be re-appointed for a further term of three years and no more; and
 - (b) on such terms and conditions as may be specified in his letter of appointment.

Committee's Recommendation:

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

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 Bill a person shall cease to hold office as a member of the Board if:
 - (a) he becomes bankrupt, suspends payment principal loan with his creditors;
 - (b) he is convicted of a felony or any offence involving dishonesty or fraud;
 - (c) he becomes of unsound mind or is incapable of carrying out his duties;
 - (d) he is guilty of a serious misconduct in relation to his duties; or
 - (e) in the case of a person possessed of professional qualifications, he is disqualified or suspended, other than at his own request, from practising his profession in any part of the world by an order of a competent authority made in respect of that member; or
 - (f) he resigns his appointment by a letter addressed to the President.
- (2) If a member of the Board ceases to hold office for any reason whatsoever, before the expiration of the term for which he is appointed, another person representing the same Interest as that member shall be appointed to the Board for the unexpired term.
- (3) A member of the Board may be removed by the President if he is satisfied that it is not in the interest of the Medical Centre or the interest of the public that the member continues in office.

Committee's Recommendation:

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

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

Clause 6: Allowance of the board members.

There shall be paid to every member of the Board such allowances and expenses as the Revenue Mobilization Allocation and Fiscal Commission may, from time to time, direct.

Committee's Recommendation:

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

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

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

Clause 7: Functions of the Board.

- (1) The Board shall:
 - (a) equip, maintain and operate the Medical Centre so as to provide facilities for diagnosis, curative, promotive and rehabilitative services in medical treatment;
 - (b) construct, equip, maintain and operate such training schools and similar institutions as the Board considers necessary for providing the Medical Centre at all times with a proper staff of the Medical Centre technicians and nurses;
 - (c) construct, equip, maintain and operate such clinics, out-patient departments, laboratories, research or experimental stations and other like institutions as the Board considers necessary for the efficient functioning of the Medical Centre.
- (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 Bill, the Board shall perform such other functions which in its opinion are calculated to facilitate the carrying out of its functions under this Bill.

Committee's Recommendation:

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

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 Centre;
- (b) provide facilities for the training of medical students of associate universities;
- (c) manage and superintend the affairs of the Medical Centre;
- (d) subject to the provisions of this Bill, make, alter and revoke rules and regulations for carrying on the functions of the Medical Centre;
- (e) fix terms and conditions of service, including remuneration of the employees of the Medical Centre subject to the approval of National Salaries Incomes and Wages Commission;
- (f) do such other things which in the opinion of the Board are necessary to ensure the efficient performance of the functions of the Medical Centre.

Committee's Recommendation:

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

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

PART III - STAFF OF THE MEDICAL CENTRE

Clause 9: Medical Director of the Medical Centre.

- (1) There shall be for the Medical Centre a Medical Director who shall be appointed by the President on the recommendation of Hon. Minister of Health on such terms and conditions as may be specified in his letter of appointment or as may be determined, from time to time, by the National Salaries Income and Wages Commission.
- (2) The Medical Director shall:
 - (a) be the chief executive and accounting officer of the Medical Centre;
 - (b) be responsible to the Board for the day-to-day administration of the Medical 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 person who is a medical practitioner and shall have been so qualified for a period of not less than 15 years;
 - (e) have considerable administrative experience in matters of health;
 - (f) hold a post-graduate specialist qualification obtained not less than ten years prior to the appointment as Medical Director.

Committee's Recommendation:

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

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

Clause 10: Appointment of Directors and other staff of the Medical Centre.

- (1) The Board shall appoint for the Medical Centre:
 - (a) a Director of Administration, who shall:
 - (i) be responsible to the Medical Director for the effective functioning of all the administrative divisions of the Medical Centre,
 - (ii) conduct the correspondence of the Board and keep the records of the Medical Centre, and
 - (iii) perform such other functions as the Board or the Medical Director, as the case may be, may, from time to time, assign to him;
 - (b) a Director of Clinical Services;
 - (c) a Director of Finance;

- (d) a Director of Maintenance.
- (2) The Directors appointed under paragraphs (b), (c) and (d) of subsection (1) of this section shall each be responsible to the Medical Director for the effective running of the clinical services, the finance and accounts and the co-ordination of the maintenance of the Medical Centre, as the case may be.
- (3) The Board shall appoint for the Medical Centre such number of employees as may in opinion of the Board expedient and necessary for the proper and efficient performance of the functions of the Medical Centre.
- (4) Notwithstanding the provisions of subsections (1) and (2) of this section the Board 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 discharge of any of its functions under this Bill.
- (5) Nothing in subsection (4) of this section shall preclude the Board from appointing persons from outside the public service of the Federation or of the State whenever it deems it necessary so to do.
- (6) The terms and conditions of service of the employees of the Medical Centre 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*).

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

Clause 11: Service in the Medical Centre to be pensionable.

- (1) Service in the Medical Centre shall be approved service for the purposes of the Pensions Reforms Act.
- (2) The officers and other persons employed in the Medical Centre shall be entitled to pensions, gratuities and other retirement benefits as are enjoyed by persons holding equivalent grades in the civil service of the Federation.
- (3) Nothing in subsections (1) and (2) of this section 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*).

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

Clause 12: Establishment of the Medical Advisory Committee, etc.

- (1) There shall be for the Medical Centre a Medical Advisory Committee which shall:

- (a) consist of a chairman who shall be the Director, Clinical Services and such number of other members as may be determined from time to time;
 - (b) be responsible to the Medical Director for all the clinical and training activities of the Medical Centre; and
 - (c) be appointed by the Board.
- (2) Subject to this Bill, the Board shall have power to appoint either directly or on secondment and discipline consultants holding or acting in any office in the hospital; and any such appointment shall be made having due regard to the approved personnel establishment of the Medical Centre.
- (3) Notwithstanding anything to the contrary, the Board may, from time to time, appoint consultants outside the hospital to perform such medical duties as the Board or the Medical Director may assign to such consultants.

Committee's Recommendation:

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

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

PART IV - FINANCIAL PROVISIONS

Clause 13: Fund of the Medical Centre.

There shall be established and maintained for the Medical Centre 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 Centre 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, from time to time, accrue to the Medical Centre.

Committee's Recommendation:

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

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

Clause 14: Expenditure of the Medical Centre.

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

- (a) the cost of administration and maintenance of the Medical Centre;
- (b) publicize and promote the activities of the Medical Centre;
- (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 Centre;
- (e) pay other overhead allowances, benefits and other administrative costs of the Medical Centre; and
- (f) undertake such other activities as are connected with all or any of the functions of the Medical Centre under this Bill.

Committee's Recommendation:

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

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

Clause 15: Power to accept gifts.

- (1) The Medical Centre may accept gifts of land, money or other property on such terms and conditions, if any, as may be specified by the person or organization making the gift.
- (2) The Medical Centre 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 Centre under this Bill.

Committee's Recommendation:

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

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

Clause 16: Annual estimate and expenditure.

- (1) The Board shall, not later than 30 September in each year, submit to the President through the Secretary to the Government of the Federation an estimate of the expenditure and income of the Medical Centre during the next succeeding year.
- (2) The Board shall cause to be kept proper accounts of the Medical Centre in respect of each year and proper records in relation thereto and shall cause the accounts to be audited not later than six months after the end of each year by auditors appointed from the list and in accordance with the guidelines supplied by the Auditor-General for the Federation.

Committee's Recommendation:

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

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

Clause 17: Annual report.

The Board shall prepare and submit to the President, not later than 30th June in each year, a report in such form as the President may direct 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 Federal Medical Centre for that year and the auditor's report thereon.

Committee's Recommendation:

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

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

Clause 18: Power of borrow.

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

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

Clause 19: Exemption from tax.

- (1) The Medical Centre shall not pay income tax on any income derived by the Federal Medical Centre under this Bill or accruing to it from any of its investments.
- (2) Accordingly, the provisions of any enactment relating to the taxation of companies or trust funds shall not apply to the Board of the Federal Medical Centre.

Committee's Recommendation:

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

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

Clause 20: Exemption from customs duties, etc.

The Medical Centre 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 Centre for the purposes of this Bill.

Committee's Recommendation:

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

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

PART V - GENERAL

Clause 21: Discipline of students.

- (1) Notwithstanding anything to the contrary contained in any other enactment, where it appears to the Board that any student of the Medical Centre has been guilty of misconduct, the Board may, without prejudice to any other disciplinary powers conferred on it by regulations, direct:
 - (a) that the 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) that the activities of the student shall, during such period as may be specified in the direction, be restricted in such manner as may be so specified;
 - (c) that the student be rusticated for such period as may be specified in the direction; or
 - (d) that the student be expelled from the Medical Centre.
- (2) The fact that an appeal from a direction is brought in pursuance of subsection (1) of this section shall not affect the operation of the direction while the appeal is pending.
 - (3) The Board may delegate its powers under this section to a disciplinary committee consisting of such members of the 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 Centre otherwise than on the ground of misconduct.
 - (5) A direction issued under subsection (1) (a) of this section may be combined with a direction issued under subsection (1) (b) of this section.
 - (6) Nothing in this Bill shall affect the provisions of any enactment relating to the discipline of medical practitioners, pharmacists, midwives, nurses or members of any other profession or calling.

Committee's Recommendation:

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

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 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 1 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 as aforesaid, the Board may so 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 forthwith be reported to the Board.
- (3) For good cause, any member of staff may be suspended from his duties or his appointment may be terminated or he may be dismissed by the Board and for the purposes of this section, "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 discharge of the functions of his office;
 - (b) any physical or mental incapacity which the Board, after obtaining medical advice, considers to be such as to 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) of this section 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 to:
 - (a) whether to continue the person's suspension and if so, on what terms (including the proportion of his emoluments to be paid to him);
 - (b) whether to reinstate the person, in which case the Board shall restore his full emoluments to him with effect from the date of suspension;
 - (c) whether to terminate the appointment of the person concerned, in which case he shall not be entitled to the proportion of his emoluments withheld during the period of suspension; or
 - (d) whether to take such lesser disciplinary action against the person (including the restoration of his emoluments that might have been withheld), as the Board may determine, and in any case where the Board, pursuant to this section, decides to continue a person's suspension or decides to take further disciplinary action against a person, the Board shall before the expiration of a period of three months from such decision come to a final determination in respect of the case concerning any such person.

- (5) It shall be the duty of the person by whom a letter of removal is signed in pursuance of subsection (1) of this section to use his best endeavours to cause a copy of the letter to be served as soon as reasonably practicable on the person to whom it relates.
- (6) Nothing in the foregoing provisions of this section shall preclude the Board from making such regulations not inconsistent with the provisions of this Bill 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) of this section need not be published in the Gazette but the Board shall cause them to be brought to the notice of all affected persons in such manner as it may, from time to time, determine.

Committee's Recommendation:

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

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

Clause 23: Discipline of junior staff.

- (1) If any junior staff is accused of misconduct or inefficiency, the Medical Director may suspend him for not more than a period of 3 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 of this Bill, 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 pursuant to subsection (1) (b) of this section, dismiss, or take such other disciplinary action against the officer concerned.
- (4) Any person aggrieved by a decision of the Medical Director made under subsection (3) of this section may, within a period of 21 days from the date of the letter communicating the decision to him, address a petition to the Board to reconsider his case.

Committee's Recommendation:

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

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

PART VI - MISCELLANEOUS

Clause 24: Regulations.

- (1) The Board may, with the approval of the President, make regulations
 - (a) as to the access of members of the public either generally or of a particular class, to premises under the control of the Board and as to the orderly conduct of members of the public on those premises; and

- (b) for safeguarding any property belonging to or controlled by the Board from damage by members of the public.
- (2) Bye-laws under this section shall not come into force until they are confirmed (with or without modification) by the National Assembly and published in such manner as he may direct.

Committee's Recommendation:

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

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

Clause 25: Power to give directives.

The Minister of Health 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 Bill, and it shall be the duty of the Board to comply with the directions; but no direction shall be given which is inconsistent with the duties of the Board under this Bill.

Committee's Recommendation:

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

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

Clause 26: Transition and savings provision.

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

Committee's Recommendation:

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

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:

"associate universities" means the universities whose medical students receive aspects of their training from the Medical Centre;

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

"chairman" means the chairman of the Board;

"functions" include powers and duties;

"Federal Medical Centre" means the Federal Medical Centre, Fufu, Kwara State;

"junior staff" means staff of such grade as may be determined, from time to time, by the Board;

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

- (a) designed (either alone or in conjunction with other courses) to enable him to qualify as a medical practitioner; or
- (b) designed for the further training of medical practitioners;

"Minister" means the Minister charged with responsibility for matters relating to health; 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 26 be retained (*Senate Leader*).

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

Clause 28: Short title.

This Bill may be cited as the Federal Medical Centre, Fufu (Establishment) Bill, 2022.

Committee's Recommendation:

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

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

SCHEDULE

SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD, ETC.

Proceedings of the Board

1. (1) Subject to this Bill and section 27 of the Interpretation Act, the Board may make standing orders regulating its proceedings or those of any committees.
- (2) The quorum of the Board shall be the chairman or the person presiding at the meeting and 5 other members of the Board, 2 of whom shall be ex-officio members, and the quorum of any Committee of the Board shall be as determined by the Board.
2. (1) The Board shall meet whenever it is summoned by the chairman and if the chairman is required to do so by notice given to him by not less than 8 other members, he shall summon a meeting of the Board to be held within 14 days from the date on which the notice is given.
- (2) At any meeting of the Board, the chairman shall preside but if he is absent, the members present at the meeting shall appoint one of their 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 toward a quorum.

Committees

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

Miscellaneous

4. (1) The fixing of the seal of the Medical Centre shall be authenticated by the signatures of the Chairman, the Medical Director or any person generally or specifically authorized 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 authorized 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 provisions 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 a Report on a Bill for an Act to Provide the Legal Framework to Establish the Federal Medical Centre, Fufu, Kwara State, to Provide for the Manner of Running the Hospital, Including Establishment of Board of Management, Chief Medical Director and Other Staff and to Provide for Discipline of Staff; and for Related Matters, 2022 and approved as follows:

Clauses 1-28 — As Recommended

Schedule — As Recommended

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

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

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

12. Veterinary Surgeons (Establishment) Bill, 2022 (HB. 70) — Concurrence:

Motion made: That A Bill for an Act to Repeal the Veterinary Surgeons Act, Cap. V3, Laws of the Federation of Nigeria, 2004 and Enact the Veterinary Surgeons Bill; and for Related Matters, 2022 be read the Second Time (*Senate Leader*).

Debate:

Question put and agreed to.

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

Motion made: Pursuant to Order 80(1), that the Senate do resolve into the Committee of the Whole to Consider a Report on a Bill for an Act to Repeal the Veterinary Surgeons Act, Cap. V3, Laws of the Federation of Nigeria, 2004 and Enact the Veterinary Surgeons Bill; and for Related Matters, 2022

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A REPORT ON A BILL FOR AN ACT TO REPEAL THE VETERINARY SURGEONS ACT, CAP. V3, LAWS OF THE FEDERATION OF NIGERIA, 2004 AND ENACT THE VETERINARY SURGEONS BILL; AND FOR RELATED MATTERS, 2022.

PART 1 — VETERINARY COUNCIL OF NIGERIA

Clause 1: Establishment and Functions of the Council.

- (1) There is established the Veterinary Council of Nigeria (in this Bill referred to as "the Council") which shall be a body corporate with perpetual succession and a common seal and may sue or be sued in its corporate name.
- (2) The Council shall be charged with the functions of :—
 - (a) determining the standards of knowledge and skills to be attained by persons seeking to be registered under this Bill as Veterinary surgeons and as Veterinary para-professionals and of raising those standards from time to time as circumstances may permit;
 - (b) securing in accordance with the provisions of this Bill the establishment and maintenance of Registers of persons registered under this Bill and the publication from time to time of lists of those persons;
 - (c) registering and regulating Veterinary Practice and Veterinary Practicing Premises;
 - (d) preparing and reviewing from time to time, the codes of conduct and professional ethics of veterinary surgeons and veterinary para-professionals which the Council considers desirable for the practice of the profession in Nigeria;

- (e) making regulations for the operation of clinical laboratory practice;
- (f) establishing, operating and supervising the Postgraduate College of Veterinary Surgeons Nigeria (hereafter in this Bill referred to as "the College") for specialist training;
- (g) registration and setting of standards of practice for Veterinary surgeons and Veterinary para-professionals and formulating policies on veterinary education at the professional and every other level;
- (h) maintaining discipline in the veterinary profession in accordance with the provisions of this Bill;
- (i) formulating National veterinary drug policy and veterinary drug formulary;
- (j) performing other functions conferred on the Council by this Bill.

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: Membership of the Council.

- (1) Subject to the provisions of this Bill, the Council shall consist of the following members, that is to say:—
 - (a) President and Vice-President both of whom shall be elected by members of the Council from among their number;
 - (b) the Executive Director of the National Veterinary Research Institute who shall be a registered Veterinary surgeon;
 - (c) the Director of the Federal Department of Veterinary Services and the Chief Veterinary Officer of Nigeria, who shall be a registered Veterinary surgeon;
 - (d) eight Provosts or Deans of Colleges or Faculties of veterinary medicine accredited by the Council who shall be registered veterinary surgeons to serve on rotation for three years at a time, the mode of rotation to be determined by the Council;
 - (e) six Directors of Veterinary Services or the Chief veterinary Officers of the States and the equivalent officer in the Federal Capital Territory who shall be registered veterinary surgeons to serve on rotation for three years at a time, the mode of rotation to be determined by the Council;
 - (f) the Provost or Head of the Postgraduate College of Veterinary Surgeons Nigeria;
 - (g) eleven registered persons (hereafter in this Bill referred to as "elected members of the Council"), eight of who shall be elected by registered Veterinary surgeons from among their

- number and three of who shall be elected by registered Veterinary para-professionals from among their number in the manner prescribed in the First Schedule to this Bill;
- (h) the National President of the Nigerian Veterinary Medical Association;
 - (i) the Head of Force Animal Branch of the Nigeria Police Force who shall be a registered veterinary surgeon.
- (2) The Second Schedule to this Bill shall have effect with respect to the tenure of office and procedure of the Council and other matters therein mentioned.

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: Financial provisions.

- (1) The Council shall maintain a fund from which shall be defrayed all expenditure incurred by the Council.
- (2) There shall be paid and credited to the fund:—
 - (a) such sums as may be provided by the Federal Government for the purpose of this Bill by way of grants in aid or budgetary appropriation; and
 - (b) such other funds or moneys as may from time to time accrue to the Council from contributions by registered Veterinary surgeons and Veterinary para-professionals, registration fees, practicing fee, donations, lease and sale of properties and from any other source.
- (3) The Council shall keep proper accounts in respect of each financial year, and proper records in relation to those accounts and when certified by the Council shall be audited within 6 months after the end of the financial year to which the accounts relate by auditors appointed by the Council from the list and in accordance with the guidelines supplied by the Auditor-General of the Federation.

Committee's Recommendation:

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

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

Clause 4: Control of Council by Minister.

- (1) The Minister may give to the Council directions of a general character or relating generally to particular matters (but not to an individual person or case) with regard to the exercise by the Council of functions, and it shall be the duty of the Council to comply with the direction.
- (2) Before giving a direction under the foregoing subsection the Minister shall serve a copy of the proposed direction on the Council and shall afford the Council an opportunity of making representations to him

with respect to the direction; and after considering any representations made to him in pursuance of this subsection, the Minister may give the direction either without modification or with such modifications as appear to him to be appropriate having regard to the representations.

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 Council.

The Council shall have powers: —

- (i) to acquire and own movable and immovable assets and to utilize, maintain or otherwise dispose of them as Council may determine; provided that the Council shall not dispose of any immovable property save with the approval of the President of the Federal Republic of Nigeria;
- (ii) subject to the consent of the Minister, to borrow money and may invest in securities created or issued by the Federal Government or any other approved by the Council;
- (iii) to establish and maintain zonal and states offices to enhance its activities in accordance with this Bill;
- (iv) may accept gifts of land, money or other property upon such terms and conditions if any as may be specified by the person making the gift;
- (v) the Council shall not accept any gift if the conditions attached by the person making the gift are inconsistent with the functions of the Council;
- (vi) subject to the provisions of this Bill, the Council shall have power to do anything which in its opinion is calculated to facilitate the carrying out of its activities under this Bill;
- (vii) the President, Vice-President, Registrar or any other officer of the Council or any person shall not have power to suspend, dissolve, or anyway tamper with the status of Council except as provided under the provisions of this Bill.

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.

PART II — THE REGISTRAR

Clause 6: Appointment of Registrar and maintenance of a register.

- (1) It shall be the duty of the Council to appoint a fit and proper person as Registrar and Chief Administrative Officer of the Council.
- (2) The Registrar shall be a registered Veterinary Surgeon and Fellow of the profession and a member of Public Service with not less than 15 years post qualification experience.

- (3) Notwithstanding the provisions of sub section (2) a registered Fellow in the private sector who possesses not less than 15 years post qualification experience, may be appointed by the Council as Registrar.
- (4) The Registrar shall be appointed for a term of 4 years and may be eligible for re-appointment for second and final term of 4 years.
- (5) The Council shall appoint such other persons as the Council may from time to time think necessary.
- (6) The remuneration, tenure of office and conditions of service of the Registrar and other officers or servants appointed under this subsection shall be determined by the Council.
- (7) Anything required by this Bill to be done by or to the Registrar may be done by or to any Deputy Registrar appointed by the Council.
- (8) The Registrar shall prepare and maintain, in accordance with the rules made by the Council under this section, a Register of the names, addresses and approved qualifications, and of such other particulars as may be specified of all persons who are entitled under the provisions of this Bill to be registered therein.
- (9) Subject to the following provisions of this section, the Council shall make rules with respect to the form and keeping of the registers and the making of entries therein, and in particular:—
 - (a) regulating the making of applications for registration and providing for the evidence to be produced in support of applications;
 - (b) providing for the notification to the Registrar, by the person to whom any registered particulars relate, of any change in those particulars;
 - (c) authorizing a registered person to have any qualification which is either an approved qualification or an accepted qualification for the purposes of section 8 of this Bill, registered in relation to his name in addition to or, as he may elect, in substitution for any other qualifications so registered;
 - (d) specifying the fees to be paid to the Council in respect of the entry of names in the Register and authorizing the Registrar to refuse to enter a name, in the register until any fees specified for the entry has been paid;
 - (e) prescribing the fees to be charged in respect of the retention in the Register of the name of a person in any year subsequent to the year in which he was first registered;
 - (f) prescribing the fees to be charged in respect of the registration of additional qualifications, registration and renewal of Veterinary Practising Premises and any other fees to be paid; and

- (g) specifying anything failing to be specified under the foregoing provisions of this section of this Bill.
- (10) Separate registers shall be maintained for Veterinary surgeons and Veterinary para-professionals respectively, with the register of Veterinary para-professionals categorized according to their specialization.

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: Correction of register and removal of certain names from the register.

- (1) The Registrar shall:—
- (a) correct, in accordance with the Council's directions, any entry in the Register which the Council directs him to correct as being in the Council's opinion an entry which was incorrectly made;
 - (b) make from time to time any necessary alterations in the registered particulars of registered persons;
 - (c) delete from the Register the name of every deceased person.
- (2) The Registrar may remove the name of a registered person from the register if: —
- (a) he has ceased to practice the profession, provided that this is done at his request or with his consent; or
 - (b) he fails to pay his annual practicing fee fees; or
 - (c) he fails to attend a peer approved professional Continuing Education Programme initiated or approved by the Council as regularly as Council may determine from time to time;
 - (d) he commits any act of misconduct and consequently contravenes any of the provisions of the codes of conduct and professional ethics issued by the Council in pursuance of Section 1 (2) (d) of this Bill or refuses to carry out or disobeys Council instruction or take any steps which undermine the status of Council or brings Council to disrepute in anyway.
- (3) Foundation fellows of the college and registered persons that are 70 years old and above and who have been in good standing with Council are exempted from payments of annual practicing fees and shall continue to enjoy all the benefits of a registered person.
- (4) If the Registrar:—
- (a) publishes the name in a national daily or sends by post or electronically to any registered person a registered letter addressed to him at his address on the register enquiring whether the registered particulars relating to him are correct or whether he has ceased to practice and receives no reply to the letter within the period of six months from the date of

publishing of the name or sending of the letter; and

- (b) upon the expiration of that period publishes in like manner the name of the person in a second similar publication or sends in like manner to the person in question a second similar letter and receives no response to that publication or letter within three months from the date of publishing or of sending it, the Registrar may remove the name and the other particulars relating to the person in question from the Register.
- (5) Where a person's name has been removed from the Register under subsection (2) or (4) of this section, the Council may, on the application of that person, direct the Registrar to restore the name or other particulars removed there from unless the original entry of his name or other particulars was incorrectly or fraudulently made or if the removal of his name was a disciplinary action.

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: Publication of register and list of corrections.

- (1) It shall be the duty of the Registrar:—
- (a) to cause the Registers of Veterinary surgeons, Veterinary para-professionals and of registered Veterinary practicing premises to be printed, published and put on sale to members of the public not later than two years from the beginning of the year in which this subsection comes into force;
- (b) in each year after that in which a Register is first published under paragraph (a) of this section, to cause to be printed, published and put on sale as aforesaid either a corrected edition of the Register or a list of alterations made to the Register since it was last printed;
- (c) the Council may direct that an electronic edition of the Register or the list of alterations in sub-section (b) be published electronically within three months and the publication of the hard copy thereof shall be made not later than two years; and
- (d) to cause a print of each edition of the Register and of each list of corrections to be deposited at the principal office of the Council.
- (2) The Council shall cause the Registers to be printed and published in the Federal Gazette as often as it thinks fit.
- (3) A document purporting to be a print of an edition of a Register published under this section by authority of the Registrar in the current year, or documents purporting to be prints of an edition of a Register so published in a previous year and of a list of corrections to that edition so published in the current year, or any publication of the Register made in the Federal Gazette in the current year shall (without prejudice to any other mode of proof) be admissible in any

proceedings as evidence that any person specified in the documents, or the documents read together or, as the case may be, in that Federal Gazette, as being registered as Veterinary surgeon or Veterinary para-professional is so registered, and that any person not so specified is not registered.

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 — QUALIFICATION FOR REGISTRATION, ETC.

Clause 9: Registration of Veterinary surgeons and Veterinary para-professionals.

- (1) Subject to this Bill, a person shall be entitled to be registered as a Veterinary Surgeon or as a Veterinary Para-professional if:—
- (a) he is of good character;
 - (b) he has attended a course of training approved by the Council under section 10 of this Bill;
 - (c) the course was conducted at an institution approved by the Council or partly at one such institution and partly at another or others;
 - (d) if the Council so requires, that he has had sufficient externship and internship and other relevant practical experience as may be prescribed by Council from time to time;
 - (e) he holds a qualification approved by the Council; and
 - (f) he has applied for registration with the Council within 12 months from the date of his graduation from an approved institution.
- (2) Subject as aforesaid, a person shall be entitled to be registered as a Veterinary surgeon or as a Veterinary para-professional if he satisfies the Council:—
- (a) that he is of good character;
 - (b) that he holds a qualification granted outside Nigeria and for the time being accepted by the Council for the purposes of this subsection;
 - (c) that he is by law entitled to practice (for all purposes) as a Veterinary surgeon or as a Veterinary para-professional in the country in which the qualification was granted and acceptable by the Council; and
 - (d) if he has had sufficient externship and internship and other relevant practical experience as may be prescribed by Council from time to time.

- (3) The Council shall from time to time publish in the Federal Gazette particulars of the qualifications for the time being accepted as aforesaid.
- (4) Where any application for registration is received by the Council from any person who is not entitled to registration under subsection (1) or (2) above, the Council may refer the application to the Board of Examiners for investigation under section 11 of this Bill.
- (5) A person who refuses or fails to register with the Council within 12 months as provided in sub-section (1) of this section shall not be qualified for registration by the Council unless he has been examined again as provided under section 11 of this Bill.
- (6) No person shall in any manner whatsoever practice as a Veterinary surgeon or as a Veterinary para-professional unless he is registered or deemed to be registered under this Bill to practice, and any person who practices in breach of this provision commits an offence.
- (7) A person to be registered by the Council, under this Bill shall swear or affirm to the Veterinary Surgeon's Oath or the Veterinary Para-professional's Oath contained in the Third Schedule to this Bill;
- (8) Subject to the provisions of this Bill, no veterinary surgeon or veterinary para professional shall practise as a veterinary surgeon or veterinary para professional as the case may be, in any year unless he has between January and February of the year paid to the Council in respect of the year the appropriate practicing fees prescribed hereunder:—
 - (a) in the case of a veterinary surgeon or veterinary para professional of not less than five years ?5000;
 - (b) in the case of veterinary surgeon or veterinary para professional of not less than ten years ?10,000;
 - (c) in the case of veterinary surgeon or veterinary para professional of not less than twenty years ?15,000;
 - (d) in the case of veterinary surgeon or veterinary para professional of over twenty years ?25,000;
 - (e) a veterinary surgeon or veterinary para professional during his service year in the National Youth Service Scheme shall be exempted from payment of practicing fee;
 - (f) the Council may, with the approval of the Minister from time to time, vary the practicing fee prescribed under this sub section.
- (9) The Council shall share the aggregate amount collected as practicing fees during the year as follows:—
 - (a) 70% to the Council;
 - (b) 30% to the States.

- (10) Any veterinary surgeon or veterinary para professional who in respect of any year and without paying the prescribed fee practices as such shall be guilty of an offence and be liable on conviction:—
- (a) in the case of a first offence, to a fine of twice the prescribed practicing fee;
 - (b) in the case of a second or subsequent offence, to a fine of not less than ten times the prescribed practicing fee and if the veterinary surgeon or veterinary para professional is in the employment of any person, that person shall also be guilty of an offence and punished in the like manner as the veterinary surgeon or veterinary para professional unless he proves that the failure to pay the practicing fee was without his knowledge, consent or connivance.

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: Approval of courses, qualifications and institutions and recognition of postgraduate degrees and postgraduate diplomas.

- (1) Subject to subsection (2) of this section, the Council may approve for the purposes of section (9) of this Bill.
- (a) any course of training which is intended for persons who are seeking to, become, or are already, Veterinary surgeons and which the Council considers is designed to confer on persons completing it sufficient knowledge and skill for efficient practice of veterinary medicine or as a Veterinary para-professional;
 - (b) any institution which the Council considers is properly organized and equipped for conducting the whole or any part of course of training approved by the Council under this section; subject to payment of one million Naira accreditation fee for initial year of accreditation and five hundred thousand Naira for each subsequent year of accreditation;
 - (c) any qualification which, as a result of an examination taken in conjunction with a course of training approved by the Council under this section, is granted to candidates reaching a standard at the examination indicating, in the opinion of the Council, that they have sufficient knowledge and skill for efficient practice of veterinary medicine or as a Veterinary para-professional as the case may be.
- (2) The Council shall not, in pursuance of registration of a Veterinary surgeon approve a qualification granted by an institution in Nigeria unless the qualification bears one of the following designations, that is to say:—
- (a) Bachelor of Veterinary Medicine;
 - (b) Bachelor of Veterinary Medicine and Surgery;
 - (c) Bachelor of Veterinary Science;

- (d) Master of Veterinary Science;
 - (e) Master of Veterinary Pharmacy;
 - (f) Doctor of Veterinary Medicine; or
 - (g) any other qualification which Council considers to be equivalent to any of the qualifications above.
- (3) The Council shall not approve a qualification granted by an institution in Nigeria for the registration of any Veterinary para-professional, unless the qualification bears one of the following designations, that is to say:—
- (a) Bachelor of Animal Health Technology;
 - (b) Bachelor of Veterinary Nursing;
 - (c) Bachelor of Veterinary Radiography;
 - (d) Ordinary or Higher National Diploma in Veterinary Nursing;
 - (e) Ordinary or Higher National Diploma in Veterinary Radiography;
 - (f) Ordinary or Higher National Diploma in Animal Health Technology;
 - (g) Ordinary or Higher National Diploma in Veterinary Laboratory Technology;
 - (h) Ordinary or Higher National Diploma in Leather Technology; or
 - (i) Ordinary or Higher National Diploma in Veterinary Pharmacy;
 - (j) any other qualification which Council considers to be equivalent or acceptable to any of the above qualifications.
- (3) The Council may, if it thinks fit, withdraw any approval given under this section in respect of any course, qualification or institution; but before withdrawing such an approval the Council shall:—
- (a) give notice that it proposes to do so to each person in Nigeria appearing to the Council to be a person by whom the course is conducted or the qualification is granted or the institution is controlled, as the case may be; and
 - (b) afford each such person an opportunity of making to the Council representation with regard to the proposal; and
 - (c) take into consideration any representations made as respects the proposal in pursuance of the last foregoing paragraph.
- (4) As respects any period during which the approval of the Council under this section for a course, qualification or institution is withdrawn, the course, qualification or institution shall not be treated

as approved under this section; but the withdrawal of such an approval shall not prejudice the registration or eligibility for registration of any person who by virtue of the approval was registered or eligible for registration immediately before the approval was withdrawn.

- (5) The giving or withdrawal of an approval under this section shall have effect from such date, either before or after the execution of the instrument signifying the giving or withdrawal of the approval, as the Council may specify in that instrument; and the Council shall:—
- (a) as soon as may be published a copy of every such instrument in the Federal Gazette; and
 - (b) not later than seven days before its publication as aforesaid, send a copy of the instrument to the Minister.
- (6) The Dean of each Faculty or College of Veterinary Medicine, and Heads of Departments of tertiary institutions in Nigeria, however called, at which there is held a course of training intended for persons who are seeking to become Veterinary surgeons or Veterinary para-professionals, shall furnish to the Registrar, not later than thirty-first day of March in every year, a list of the names, and of such other particulars as the Council may by order specify, of all persons who attended any such course at the institution in question at any time during the preceding year.
- (7) The Council shall for the purposes of specialist professional designation recognize:—
- (a) fellowship diplomas of the College or Fellowship diploma of similar institutions recognized by the Council; or
 - (b) academic post-graduate qualifications awarded by recognized universities in relevant areas.
- (8) A registered Veterinary surgeons may be appointed as a Consultant to the hospital if he has relevant clinical and other relevant experience for not less than 8 years and possesses the Fellowship diploma of the College of Veterinary Surgeons, Nigeria or Fellowship diploma of similar institutions recognized by the Council in a relevant clinical area.
- (9) Council shall have power to determine and review from time to time the requisite qualifications and experience for the professional and Consultant grade as it deems fit.

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: Supervision of instruction and examination leading to approved qualifications.

- (1) It shall be the duty of the Council to keep itself informed of:—
- (a) the instruction given at any approved institution to persons attending approved course of training; and

- (b) the examinations as a result of which approved qualifications are granted, and for the purpose of performing that duty, the Council may appoint either from among its own members or otherwise persons to visit approved institutions or to attend such examinations.
- (2) It shall be the duty of a visitor appointed under this section to report to the Council on:—
- (a) the courses of study, staffing, accommodation and equipment available for trainings in veterinary medicine or Veterinary para-professional training as the case may be and the other arrangements and facilities for such training in any institution visited by him;
- (b) the sufficiency of the instruction given to the persons attending approved courses at institutions visited by him;
- (c) the standard of the examinations attended by him; and
- (d) any other matter relating to the institution or examinations on which the Council may, either generally or in a particular case, request him to report, but no visitor shall interfere with the giving of any instruction or the holding of any examination.
- (3) On receiving a report made in pursuance of this section, the Council shall as soon as may be possible send a copy of the report to the person appearing to the Council to be in charge of the institution or responsible for the examinations to which the report relates requesting that person to make observations on the report to the Council within such period as may be specified in the requests, not being less than one month beginning with the date of the request.

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: Power of board of examiners to investigate certain applications, etc.

- (1) There shall continue to be established a Board of Examiners which shall consist of two or more registered Veterinary surgeons appointed by the Council.
- (2) The persons who immediately before the appointed day were members of the Board of Examiners shall on that date be deemed to constitute its membership until new appointments are made in pursuance of subsection (1) of this section.
- (3) The Board of Examiners shall investigate any application referred to it by the Council under section 8 (4) of this Bill and shall:—
- (a) where it is satisfied that the qualifications of the applicant afford sufficient assurance of his suitability for registration, recommend him to the Council for registration; or

- (b) where it considers that further assurance is required as to the suitability of the applicant, examine the applicant in any manner it deems appropriate and thereafter make such recommendation to the Council as the Board of Examiners deems fit.
- (4) Where any recommendation for registration of an applicant is made to the Council pursuant to subsection (3) of this section, the Council may, if it thinks fit, authorize and require the Registrar to insert the name of such applicant in the Register, on payment to the Council by the applicant of such fees as may be prescribed.

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 — PROFESSIONAL DISCIPLINE

Clause 13: Establishment of veterinary council investigation panel and the veterinary council disciplinary tribunal.

- (1) There shall be the Veterinary Council Investigation Panel (hereafter in this Bill referred to as "the Panel") and the Veterinary Council Disciplinary Tribunal (hereafter in this Bill referred to as "the Tribunal").
- (2) The Panel shall be charged with the duty of:—
- (a) conducting a preliminary investigation into any case where it is alleged that a registered person has misbehaved in his capacity as a Veterinary surgeon or as a Veterinary para-professional or should for any other reason be the subject of proceedings before the tribunal; and
- (b) deciding whether the case should be referred to the Tribunal or not.
- (3) The Fourth Schedule to this Bill shall have effect with respect to the membership of the Panel and procedure of its operation.
- (4) Subject to the provisions of paragraph 1 of the Fifth Schedule to this Bill, the Tribunal shall consist of the President of the Council and four other members appointed by the Council of whom at least two shall be elected members of the Council:—

Provided that at least one elected Veterinary para-professional shall be a member of the Tribunal to consider a case involving a Veterinary para-professional.

- (5) The Tribunal shall be charged with the duty of considering and determining any case referred to it by the Panel and any other case of which the Tribunal has cognizance under the provisions of this Bill.
- (6) The Fifth Schedule to this Bill shall have effect with respect to the Procedure of the Tribunal.

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: Penalties for unprofessional conduct, etc.

(1) Where: —

(a) a registered person is judged by the Tribunal to be guilty of infamous conduct in any professional respect; or

(b) a registered person is convicted by any court in Nigeria or elsewhere having power to award imprisonment, of an offence (whether or not an offence punishable, with imprisonment) which in the opinion of the tribunal is incompatible with the status of a Veterinary surgeon or of a Veterinary para-professional; or

(c) the Tribunal is satisfied that the name of any person has been fraudulently registered, the tribunal, may, if it thinks fit, give a direction reprimanding or suspending that person, or ordering the Registrar to strike his name off the Register.

(2) Any registered person whose case is before the Tribunal shall not be eligible to attend any meeting of Council if he is a member of Council, render any service to the Council or the College of Veterinary Surgeons, Nigeria, or serve in any committee or organ of Council or of the Nigerian Veterinary Medical Association or any other Veterinary para-professional association by whatever name called until his case is disposed of by the disciplinary tribunal.

(3) The Tribunal may, if it thinks fit, defer or further defer its decision as to the giving of a direction under the foregoing subsection until a subsequent meeting of the disciplinary tribunal; but:—

(a) no decision shall be deferred under this subsection for periods exceeding one year in the aggregate; and

(b) no person shall be a member of the Tribunal for the purposes of reaching a decision which has been deferred or further deferred unless he was present as a member of the disciplinary tribunal when the decision was deferred.

(4) For the purposes of this section a person shall not be treated as convicted as mentioned in paragraph (b) of that subsection unless the conviction stands at a time when no appeal or further appeal is pending or may (without extension of time) be brought in connection with the conviction.

(5) When the Tribunal gives a direction under subsection (1) of this section, the Tribunal shall cause notice of the direction to be served on the person to whom it relates.

(6) The person to whom such a direction relates may, at any time within twenty-eight days from the date of service on him of the notice of the direction, appeal against the direction to the Federal High Court; and the Tribunal may appear as respondent to the appeal and, for the purpose of enabling directions to be given as to the costs of the appeal

and of proceedings before the Tribunal, shall be deemed to be a party thereto whether or not it appears on the hearing of the appeal.

- (7) A direction of the Tribunal under subsection (1) of this section shall take effect: —
- (a) where no appeal under this section is brought against the direction within the time limited for the appeal, on the expiration of that time;
 - (b) where such an appeal is brought and is withdrawn or struck out for want of prosecution, on the withdrawal or striking out of the appeal;
 - (c) where such an appeal is brought and is not withdrawn or struck out as aforesaid, if and when the appeal is dismissed; and shall not take effect except in accordance with the foregoing provisions of this subsection.

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: Regulation of veterinary practicing premises.

- (1) The Council shall have power to register all categories of Veterinary Practising Premises in Nigeria (hereafter in this Bill referred to as "the Premises").
- (2) The procedures for registration and control of the Premises shall be in the manner prescribed in the Sixth Schedule to this Bill and the Guidelines for registration of Veterinary Practising Premises, published by the Council from time to time.
- (3) All Veterinary or animal hospital, veterinary or animal clinic, veterinary pharmacy, ambulatory services or House call and veterinary diagnostic center shall be headed by a registered Veterinary Surgeon.
- (4) Only registered premises shall display the veterinary emblem.
- (5) The Council may close any of the Premises for reasons of non-registration or non-compliance with any of the Regulations contained in Sixth Schedule to this Bill.
- (6) Any person who keeps any animal or animals:—
 - (a) shall maintain the animal under his control and confinement at all times and prevent the animal from straying and damaging other people's properties or crop or farm land; and
 - (b) shall not carry out or facilitate in any way or allow his premises to be used for any act of cruelty to the animals, including baiting animals to fight, starving of animal, over-crowding animals, overloading of animal, over driving of animal, or operating on an animal without anesthesia;

- (c) shall not carry out drug or vaccine trials or conduct out any experiments on or using animals without veterinary supervision.
- (7) Any person who keeps a wild animal as a companion animal or for game or for circus performance, or for ornamental purposes or for any other purpose, shall: —
- (a) register such a wild animal with the Director of Veterinary Services of the State;
- (b) provide suitable accommodation, lighting, feeding and care for the wild animal to the satisfaction of a veterinary officer;
- (c) obtain appropriate vaccination, routine examination and treatment of diseases for such a wild animal from a registered Veterinary Surgeon and obtain appropriate veterinary certificate; and
- (d) restrain and control such wild animal at all times, so as to prevent the wild animal from causing injury to any person or to other animal or animals and from constituting a nuisance to any person or the public.
- (8) (a) Any person who is in violation of any provision of this section or who operates a premises contrary to the manner prescribed in the Sixth Schedule to this Bill, shall be guilty of an offence and liable on conviction to a fine of not less than One hundred thousand naira or to imprisonment for a term not exceeding 6 months or to both fine and imprisonment.
- (b) When the offence is committed by a body corporate, the body corporate shall be liable on conviction to a fine of not less than Five hundred thousand naira.
- (9) Where any person is guilty of:—
- (a) displaying the veterinary emblem illegally or displaying fake emblem, the Veterinary Inspector shall confiscate the emblem;
- (b) any person who is in violation of sub-section(a) shall be guilty of an offence and liable on conviction to 3 months imprisonment or fifty thousand naira fine;
- (c) violating the provisions relating to the keeping of any animal or wild animal, the Veterinary Officer may confiscate the animal or wild animal;
- (d) any person who is in violation of sub-section (c) shall be guilty of an offence and liable on conviction to 3 months imprisonment or fifty thousand Naira fine.

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: Establishment of the postgraduate college of veterinary surgeons Nigeria.

- (1) There is hereby established the Postgraduate College of Veterinary Surgeons Nigeria (hereafter in this Bill referred to as "the College") of the Council.
- (2) The College shall have power to organize specialist and clinical training for the award of Fellowship diploma and any other certificates that may be approved by the Council.
- (3) The College shall organize trainings in various specialties as may be approved by the Council from time to time.
- (4) The Seventh Schedule to this Bill shall have effect with respect to the procedures for the operations of the College.

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 — MISCELLANEOUS AND GENERAL**Clause 17: Offences.**

- (1) If any person who is not a registered Veterinary surgeon:—
 - (a) practices or holds himself out to practice as a Veterinary surgeon; or
 - (b) takes or uses the title of Veterinary surgeon; or
 - (c) offers to perform or performs any service involving knowledge of veterinary science; or
 - (d) renders professional service or assistance in or about matters of principle or details relating to veterinary professional procedure or the processing of data; or
 - (e) renders any other service, which may be regulations made by the Council, be designated as service constituting practice as veterinary surgeon or veterinary para professional under this Bill; or
 - (f) without reasonable excuse takes or uses any name, title, addition or description implying that he is authorized by law to practice as a Veterinary surgeon, or veterinary para professional he shall be guilty of an offence,
- (2) If any person, for the purpose of procuring the registration of any name, qualification, or Premises or for any other matter under this Bill: —
 - (a) makes a statement which he believes to be false in a material particular; or
 - (b) recklessly makes a statement which is false in a material particular, he shall be guilty of an offence.

- (3) If any person who is not a registered Veterinary para-professional practices, holds himself out to practice as a Veterinary para-professional or makes a statement which is believed to be false in material particular he shall be guilty of an offence.
- (4) If the Registrar or any other person employed by the Council makes any falsification in any matter relating to the Register or commits any act of misconduct his case shall be referred to the Staff Disciplinary Committee and dealt with in accordance with the procedure in the Eighth Schedule to this Bill.
- (5) A person who is guilty of an offence under this section shall be liable on conviction to a fine not exceeding Two Hundred thousand naira or to imprisonment for a term not exceeding two years, or to both.
- (6) Except as otherwise provided in this Bill, any person who is guilty of an offence, non-compliance or contravention of any section of this Bill or of the regulations, shall be guilty of an offence and shall be liable on conviction to a fine of not less than five hundred thousand Naira or to imprisonment for a term not exceeding two years, or to both fine and imprisonment.
- (7) Where an offence under this Bill which has been committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any action or neglect on the part of any Head, Dean, Director, Manager, Secretary or other similar officer of the body corporate, or any person purporting to act in any such capacity, he, as well as the body corporate shall be deemed to be guilty of that offence punishable by a fine of not less than one million Naira for the corporate body and five hundred thousand Naira for each of the categories of officers of the corporate body stated in this sub-section.

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: Miscellaneous supplementary provisions.

- (1) Where any office in the public service of the Federation or of a State or a local government therein or in the Armed Forces or in the Nigeria Police Force or any other security services or any educational institution or in the private sector requires a veterinary qualification, a person shall not be appointed to that office, or hold or remain in that office unless he is a registered Veterinary surgeon.
- (2) Where any office in the public service of the Federation or of a State therein, or in the Armed Forces or in the Nigeria Police Force of the Federation or in any educational institution or in the private sector, requires a Veterinary para-professional qualification, a person shall not be appointed to that office, or hold or remain in that office unless he is a registered by Council as a Veterinary para-professional.
- (3) A registered Veterinary surgeon shall be entitled to practice as Veterinary surgeon throughout the Federation.

- (4) A registered Veterinary para-professional shall be entitled to practice as a Veterinary para-professional throughout the Federation.
- (5) Where any veterinary document or veterinary certificate is required by any law for the time being in force in the Federation, to be issued or signed after this subsection comes into force, it shall be invalid unless it is issued or signed by a Veterinary surgeon registered under this Bill.
- (6) Without prejudice to the rule of law whereby a contract may be void if it is inconsistent with the provisions of an enactment, no person other than a registered Veterinary surgeon or Veterinary Para-Professional shall be entitled to bring any proceedings in any court of law for the purpose of recovering any fee or other consideration whatsoever payable in respect of services rendered or facilities or things supplied by him when purporting to act as a Veterinary surgeon.
- (7) Any approval, consent, direction, notice, observation, report, representation or request authorized or required to be given or made by or under this Bill shall be in writing and may, without prejudice to any other method of service but subject to the provisions of to this Bill, be served by post.
- (8) Subject to the provisions of Section 174 of the Constitution of the Federal Republic of Nigeria, 1999 (which relates to the power of the Attorney-General of the Federation to institute, continue or discontinue criminal proceedings against any person in a court of Law), the Council may, with the consent of the Attorney-General of the Federation, conduct criminal proceedings in respect of offences under this Bill or Regulations made under this Bill.

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: Regulations, rules and orders.

- (1) Any power to make regulations, rules or orders conferred on the Minister or Council by this Bill shall include power:—
 - (i) to make provision for such incidental and supplementary matters as the authority making the instrument considers expedient for the purposes of the instrument; and
 - (ii) to make different provision for different circumstances.
- (2) Subject to the approval of the Minister, the Council shall have powers to make or to amend Regulations on functions of the Council as contained in section 1 (2) and on any other matter or function of the Council contained in this Bill.
- (3) Any power to make regulations, rules or orders conferred by this Bill shall include power:—
 - (a) to make provision for such incidental and supplementary matters as the authority making the instrument considers expedient for the purposes of the instrument;

- (b) to make different provision for different circumstances;
 - (c) all regulations, rules or orders made shall not come into effect until approved by the Minister.
- (4) It shall be responsibility of the Council to issue standards, policies and guidelines on the operations of the College, animal research issues, the use of animal restrain facilities, distribution, sale and usage of veterinary drugs, biologics, vaccines and designing animal environments and, zoological gardens, fish ponds for the purposes of disease prevention and control.
- (5) Nothing in this Bill shall be construed as indicating a contrary intention for the purposes of section 12 (1) of the Interpretation Act (which contains additional provisions with respect to powers to make subordinate legislation).

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: Repeal, savings and transitional provisions.

- (1) The Veterinary Surgeons Act, Cap, V3, Laws of Federation of Nigeria, 2004 is hereby repealed.
- (2) Notwithstanding subsection 1 of this section:—
 - (a) any register kept in pursuance of the repealed enactment shall be deemed to be part of the registers to be kept in pursuance of this Bill;
 - (b) any Regulation made by the Minister under the repealed Act shall remain valid and shall be deemed to have been made under relevant sections of this Bill.
- (3) (a) Any person whose name was immediately before the coming into force of this Bill included in the register maintained under the repealed enactment shall, without further application or payment of any other fee, be deemed to be registered under the appropriate provision of this Bill.
 - (b) Any person whose name was not immediately before the coming into force of this Bill included in the register maintained under the repealed enactment, by reason of having been erased or removed in consequence of inquiry into his conduct held under section 14 of that Act shall be deemed to have had his name removed from the Register maintained under this Bill.
- (4) Any institution approved by Council to grant qualification to persons who have completed a course of study in veterinary medicine conducted at an institution recognized by the repealed Act, the institution, course and qualification shall be deemed to be approved under section 8 of this Bill.

- (5) The persons who were elected to serve as elected members of the Council before the activities of Council were interrupted in 2015, shall continue to serve as elected members of the Council under this Bill and shall complete their tenure of five years as provided for in section 2 (1) of this Bill.
- (6) Where any offence, being an offence for continuance of which a penalty was provided, has been committed under the repealed enactment, proceedings may be taken under this Bill in respect of the continuance of the offence after the commencement of this Bill, in the same manner as if the offence had been committed under the corresponding provisions of this Bill.
- (7) Any document referring to a provision of the repealed enactment shall be construed as a reference to the corresponding provision of this Bill.
- (8) Any document referring to a provision of the repealed Act shall be construed as a reference to the corresponding provision of this Bill.
- (9) As from the commencement of this Bill, the President without reference to any person or authority, shall convene a regular meeting of the Council.
- (10) All assets, funds, resources and other movable or immovable assets or properties which immediately before the commencement of this Bill were vested in the Council established in the repealed enactment shall by virtue of this Bill and without any further assurances vested in the Council.
- (11) As from the commencement of this Bill:—
 - (a) the rights, interests, obligations and liabilities of the Council referred to in subsection 10 of this section existing immediately before the commencement of this Bill under any contract or instrument or at law or in equity are hereby assigned to and vested in the Council without further assurance; and
 - (b) any such contract or instrument shall be of the same force and effect against or in favour of the Council and shall be enforceable as fully and effectively as if instead of the Council mentioned in the repealed enactment, the Council has been named therein or had been a party thereto.
- (12) Any proceedings or cause of action pending or existing immediately before the commencement of this Bill by or against the Council mentioned in the repealed enactment in respect of any right, interest, obligation or liabilities of the Council aforesaid may be continued or, as the case may be, commenced and any determination of a court of law, tribunal or other authority or person may be enforced by or against the Council to the same extent that any such proceeding, cause of action or determination could have been continued, commenced or enforced by or against the body aforesaid as if this Bill had not been made.

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: Interpretation.

In this Bill, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say: —

"abattoir" means premises where animals are slaughtered and where ante-mortem and post-mortem inspection are carried out by the Veterinary surgeons to detect and prevent transmission of diseases to man;

"animal" means horse, mule, donkey, camel, cattle, buffalo, sheep, goat, swine, dog, cat, laboratory animals, rabbit, lion, non-human primates, tortoise, snakes, crocodiles, and poultry including domestic fowl, turkey, duck, goose, pigeon, guinea fowl, ostrich, bees, aquatic animals which shall include fish, molluscs and crustaceans and any other domestic or wild animal species;

"Animal facility" means premises where animals are kept for research;

"approved" means for the time being approved under section 9 of this Bill;

"approved qualification" means a qualification which is approved under section 9 of this Bill;

"Board of Examiners" means the Board of examination established under section 12 of this Bill;

"the College" means the Postgraduate College of Veterinary Surgeons established under this Bill;

"the Council" means the Veterinary Council of Nigeria established under this Bill; and vested with the authority to set standards and authorize tasks for each category of animal health workers (Veterinary surgeons and Veterinary para-professionals) depending on qualifications, training and needs;

"the Director" has the meaning assigned thereto by section 2 (1) (c) and (e) of this Bill;

"elected member of the Council" has the meaning assigned thereto by section 2 (1) (g) of this Bill;

"Externship" means a field practice programme in a veterinary hospital or clinic, livestock farms, zoological garden, fish ponds, diagnostic laboratory, abattoir and veterinary control posts;

"ex-officio member" means a member of the Council by virtue of holding an office in the public service;

"the Federal Gazette" means an official periodic publication of the Federal government of Nigeria authorized to publish legal and public notices;

"Foundation fellows" includes registered Veterinary surgeons that were awarded Fellowships at the inception of the College's academic programme in 1998;

"investigation panel" has the meaning assigned thereto by section 13 of this Bill;

"Internship" means a qualified veterinary surgeon who works in an approved hospital or veterinary practicing premises in order to gain work experience or satisfy requirements for full registration;

"the Minister" means the Minister of the Government of the Federation responsible for matters relating to animal health and production;

"the Panel" has the meaning assigned thereto by section 13 of this Bill;

"prescribed" means prescribed by regulations;

"President" means the President of the Council elected in pursuance of section 2 (1) (a) of this Bill;

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

"the Registrar" means the registrar appointed in pursuance of section 6 of this Bill;

"regulations" means Regulations made by the Minister;

"State" means any of the states listed in the Constitution of the Federal Republic of Nigeria, 1999 or any other such state created in accordance with the constitution of the Federal Republic of Nigeria;

"the Disciplinary Tribunal" has the meaning assigned thereto by section 13 of this Bill;

"Veterinary" means the practice or science of prevention and cure or elevation of disease and injury in animals and other measures for the protection of animal health and welfare;

"Veterinary drugs" means any substance of plant, animal or mineral origin or any organic or inorganic preparations or admixture thereof, applied or administered to any animal species for the diagnosis, treatment, mitigation or prevention of any disease, disorder, abnormal physical state or the symptoms thereof in animals; and restoring, correcting or modifying organic functions in animals; and for disinfection or the control of vermin, insects or pests;

"veterinary drug formulary" means a compendium of drugs, vaccine and biologics that are approved to be prescribed in the national animal health care system, published by the Council and included recommended doses, the side-effects, contra-indications and withdrawal periods of such drugs, vitamins, vaccines and biologics;

"veterinary emblem" means the symbol indicating a registered veterinary practicing premises issued by the Council;

"Veterinary para-professional" means a person who is authorized by the Council to carry out certain diagnostic and clinical tasks on animals depending on qualification and delegated under the supervision and responsibility of a Veterinary surgeon; and these shall include Veterinary nurses,

superintendents, technologists, Veterinary radiographers and Veterinary pharmacists;

"veterinary practicing premises" means any premises established either partly or wholly for the purposes of providing veterinary services under this Bill, or for dispensing any medicines or drugs, or other substances for the care and treatment of such animals or livestock and shall include premises used as House call, Veterinary clinic, Veterinary hospital, Veterinary pharmacy and Abattoirs;

"Veterinary surgeon" means a person trained and certified with a degree in Veterinary Medicine registrable by the Council in accordance with this Bill;

"veterinary surgery" means the art and science of veterinary surgery and medicine and, without prejudice to the generality of the foregoing shall be taken to include: —

- (i) the diagnosis of diseases in, and injuries to, animals including tests performed on animals for diagnostic purposes;
- (ii) the giving of advice based upon such diagnosis;
- (iii) the medical or surgical treatment of animals;
- (iv) the performance of surgical operations on animals;
- (v) ante-mortem and post-mortem inspection of animal slaughter for food for man and animals; and
- (vi) handling, uses and sale of veterinary drugs, medicaments, vaccines, biologics, and veterinary medical devices;

"wild animals" include monkeys, chimpanzee, gorilla other non-human primates, elephant, antelope, hyena, tiger, lion, leopard, monkeys and tortoises, turtles, terrapin, snakes, crocodiles, cane rat, civet cat, parrot, owl, peacock, peahen, pigeon, and any other aquatic or terrestrial wild animals.

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: Citation.

This Bill may be cited as the Veterinary Surgeons Bill, 2022.

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.

SCHEDULES

FIRST SCHEDULE

NOTIFICATION OF VACANCY

1. Subject to the provisions of Section 2 (1) g of this Bill, whenever at the expiration occurs among the elected members of the Council and that vacancy is required under this Bill to be filled by a fresh election, the Registrar shall:—
 - (a) inform all registered persons then in Nigeria of the vacancy;
 - (b) invite nominations to fill the vacancy; and
 - (c) require that such nominations shall be received by him on or before a date fixed by the President.

Signing of nominations

2. No person other than a registered:—
 - (a) Veterinary surgeon shall propose or second a nomination of a registered Veterinary surgeon; and
 - (b) Veterinary para-professional shall propose or second a nomination of a registered Veterinary para-professional.

Election of persons nominated

3. If by midnight on the date fixed for the receipt of nominations, the number of nominations received does not exceed the number of vacancies to be filled, the persons nominated shall be deemed elected.

Voting papers

4. If the number of nominations received exceeds the number of vacancies the Registrar shall:—
 - (a) issue to each registered Veterinary surgeon and each registered Veterinary para-professional a voting paper on which shall be recorded the number of vacancies to be filled and the names of the persons nominated to fill them; and
 - (b) require that such voting paper be returned to him on or before a date fixed by the President.

Methods of voting

5. Each registered Veterinary surgeon shall vote either manually or by electronic means:—
 - (a) record his vote by marking a line through the name or names of the person or persons for whom he wishes to vote for provided that the number of names so marked shall not exceed the number of vacancies; and
 - (b) sign the voting paper, and return it to the Registrar by means provided for in the election rules.

Counting of votes

6.
 - (1) The Registrar shall appoint two persons to be approved by the Council (hereinafter called Scrutinizers), not being registered Veterinary surgeons or registered Veterinary para-professionals to count the voting papers received by the Registrar.
 - (2) On the day following the closing date fixed for the receipt of voting papers, the scrutinizers shall proceed to open the envelopes or voting portal and to count the votes at the office of the Registrar.

- (3) The candidate receiving the highest number of votes shall be deemed elected. If there are two vacancies to be filled, the candidate receiving the higher number of votes shall be deemed to be elected.
- (4) The Scrutinizers shall then report the result of the ballot to the Registrar.
- (5) The Scrutinizers shall reject any voting paper which has not been completed in accordance with these rules.

Safe custody of voting papers

6. All voting papers, whether valid or rejected, shall be retained in safe custody by the Scrutinizers until the Council directs their destruction.

Announcement of results

7. (1) On completion of the election, the Registrar shall inform the successful candidates of their election in a letter sent by post or by electronic means.
- (2) The results of the election may also be published in the Federal Gazette and in popular National Newspapers, after 14 days that the results have been announced to the successful candidates.

Power to order fresh election

8. (1) Any person nominated as a candidate for election who is dissatisfied with the conduct of an election may lodge a complaint in writing with the Registrar within 14 days of the announcement of the result of the election.
- (2) The Council shall inquire into such complaint and may, in its discretion, annul the election and order a further election to be held forthwith.

Citation

9. These rules may be cited as the Veterinary Council (Elections) Rules, 2022

Question that the provisions in the First Schedules stand part of the Bill — Agreed to.

SECOND SCHEDULE**[SECTION 2(2)]****SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL****Eligibility and tenure of office of a member of Council**

1. (1) Subject to the provision of Section 2 (1) of the Principal Act, a person shall not be a member of the Council unless he is registered with the Council.
 - (2) Subject to the provisions of this Schedule, the term of office of an elected member of Council elected in pursuance to Section 2 (1) (g) of the Principal Act, shall be five years and the day on which a member of the Council ordinarily retires shall be the day immediately before the regular general meeting of the Council.
 - (3) The President and Vice-President of the Council shall each hold offices for a term of three years and be eligible for one more term of two years, so however that a person who ceases to be a member of the Council shall cease to be a President or Vice-President.
2. An elected member of the Council may at any time by notice in writing addressed to the Registrar, resign his office as a member.

3. An elected member of the Council shall cease to hold office if he ceases to be a registered person.
4. If any University or institution ceases to be an approved institution for the purposes of this Bill, any member representing that University or institution on the Council shall there upon cease to hold office.

Elections, Appointments and Casual Vacancies

5. A member of Council convicted for offense under this Bill or fraud or dishonesty shall cease to be a member of the Council.
6. Elections or appointments to fill any vacancy occurring under paragraph 1 of this Schedule shall be held or made before the regular general meeting of the Council at which the vacancy occurs.
7. (1) Where a casual vacancy occurs among the elected members of the Council, the vacancy shall be filled: —
 - (a) by the unsuccessful candidate at the previous ordinary election of such members who at that election received the greatest number of votes and has not since become a member; or
 - (b) if two or more such candidates received an equal number of votes, by the candidate who has been registered longest on the Register or, if two or more such candidates have been registered longer than any other but for the same period as each other, by one of them with the lowest Veterinary Council number; or
 - (c) if there were no unsuccessful candidates at that election by a person elected from among themselves by registered persons at a special election: provided that no such election need be held if an ordinary election of elected member will take place within twelve months after the casual vacancy occurred.
- (2) Where a casual vacancy occurs among members of the Council appointed by the Minister the vacancy shall be filled by the Minister.
- (3) A person filling a casual vacancy among the elected members of the Council shall hold office until the date on which the person whose vacancy he fills would have regularly retired.
8. A person ceasing to be a member of the Council shall be eligible to be re-elected or reappointed.
9. Elections of elected members of the Council shall be conducted in accordance with rules made by the Council.
10. (1) When in the opinion of the Council the President is temporarily unable to perform the functions of his office or due to allegations of misconduct against him, the Vice-President shall perform those functions; and in the absence of the Vice-President, a person elected by the Council shall perform those functions.
- (2) The Council may suspend a member of Council from attending one or two meetings of Council for unruly behaviour and may refer the case to the Veterinary Council Investigation Panel.

Powers of the Council

11. (1) Subject to the following sub-paragraph and to any directions of the Minister under this Bill, the Council shall have power to do anything which in its opinion is calculated to facilitate the carrying on of its functions.
- (2) The Council shall not have power to pay remuneration including pensions, allowances or other expenses to any member, officer or servant of the Council or to any other person except in accordance with scales approved by the Federal government, except on items that there is no existing approved scale, in that case, Council shall approve as appropriate.
- (3) The Council shall be represented at local and international conferences or meetings organized to promote animal health, veterinary education, aquaculture and public health by the President, Registrar and any member or person, provided Council has approved the attendance.

Proceedings of Council

12. (1) Subject to this Bill and section 27 of the Interpretation Act, the Council shall make Rules regulating its procedure and those of its Committees.
- (2) The Council shall hold regular general meetings two times in each year, and may hold such other meetings as the President of the Council may determine.
- (3) Subject to Sub-paragraph (1) of this paragraph, the meetings of the Council shall be held on such days and at such place and time as the President of the Council may determine.
- (4) Every member of the Council shall be entitled to vote on any question coming or arising before the Council, and all such questions shall be determined by a majority of the members present and voting thereon.
- (5) The President of the Council shall be the Chairman at all meetings of the Council and when he is absent the Vice-President shall preside, but when both are absent, the members present at the meeting shall elect one of their number to preside at the meeting.
- (6) At any meeting of the Council, the President or Vice-President or the member presiding at the meeting, as the case may be, and nine other members, of whom at least three shall be elected members, shall form a quorum.
- (7) Where the Council desires to obtain the advice of any person upon any particular matter, the Council may co-opt that person to be member for any meeting or meetings of the Council, and that person while so co-opted shall have all the powers of a member, save that he shall not be entitled to vote on any question and his presence at any meeting shall not count towards the constitution of a quorum.
- (8) Subject to the foregoing provisions of this Schedule and to Section 27 of the Interpretation Act (which provides for decisions of a body to be taken by a majority of the members of the body and for the chairman to have a second or casting vote), the Council may make standing orders regulating the proceedings of the Council or any of its Committees.

Committees

13. (1) The Council may appoint one or more Committees to carry out, on behalf of the Council, such of its functions as the Council may determine.

- (2) A Committee appointed under this paragraph shall consist of the number of persons determined by the Council, and not more than one-third of those persons may be persons who are not members of the Council; and a person other than a member of the Council shall hold office on the Committee in accordance with the terms of the instrument by which he is appointed.
- (3) A decision of a Committee of the Council shall be of no effect until it is confirmed by the Council.

Supplementary

14. (1) The fixing of the seal of the Council shall be authenticated by the signature of the President or Registrar or of some other member authorized generally or specially by the Council to act for that purpose.
 - (2) Any document purporting to be a document duly executed under the seal of the Council shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed.
15. The powers of the Council and of any of its Committees may be exercised notwithstanding any vacancy, and no proceedings of the Council or any of its Committees shall be invalidated by any defect in the election or appointment of a member or by reason that a person not entitled to do so took part in the proceedings.
16. A person shall not, by reason only of his membership of the Council, be treated as holding an office of emolument under the Federal Government or the government of a State.
17. A person shall not, by reason only of his membership of the Council, be treated as holding an office of emolument under the Federal Government or the government of a State.
18. In these Regulations, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say:—
 - "elected member" means a person elected into Council by virtue of election conducted in accordance with Section 2 (1) (g) of the Principal Act;
 - "ex-officio member" means a person who is a member of Council by virtue of holding an office in the Public service;
 - "Public service" means government institutions and agencies providing public duties such as education, health care, security and municipal services to the people.

Citation

19. These Regulations may be cited as the Supplementary Provisions Relating to Council, 2022.

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

THIRD SCHEDULE

[SECTION 8(7)]

THE OATH OF THE VETERINARY PROFESSION

1. **The Veterinary Oath**

"Being admitted to the profession of Veterinary Medicine, I, Solemnly declare and pledge to use my scientific knowledge and professional skills for the benefit of the society, through the protection of animal health, promotion of animal welfare, the prevention and relief of animal suffering, the conservation of animal resources, the promotion of animal production and public health and the advancement of veterinary medical knowledge.

I will practice my profession conscientiously with dignity, respect for my teachers and senior professional colleagues and in keeping with the principles of veterinary ethics. I accept as a life-long obligation the continual improvement of my professional knowledge and competence", so help me God.....

Signature of Declarant.....

Signature of Registrar.....

Signature of Dean.....
Faculty/College of Veterinary Medicine

Date.....

2. **Veterinary para-professional Oath**

I, being admitted to the Veterinary para-profession declare and pledge that I shall dedicate myself to aiding society by collaborating with the Veterinary Surgeon in providing excellent care and services for the relief of animal suffering, the promotion of animal production and public health.

I accept as a life-long obligation to practice my profession conscientiously and with dignity, adhering to the Code of Ethics of the Veterinary para-profession and furthering my knowledge and competence through a commitment to life-long learning.....

So help me God.

Signature of Declarant.....

Signature of Registrar.....

Signature of Head College of Animal Health.....
Date.....

(3) The Council shall have the power to amend the oath in sub-paragraphs (1) and (2) from time to time but such amendments will not take effect until it is approved by the Minister.

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

FOURTH SCHEDULE

[SECTION 12(6)]

VETERINARY COUNCIL (DISCIPLINARY TRIBUNAL AND ASSESSORS) RULES, 2022

Composition of Tribunal

1. (1) There shall be five members of the Tribunal of whom at least two shall be elected members; one of which shall be a Veterinary Para-professional.
- (2) Where the person to appear before the Tribunal is a Veterinary para-professional, an elected Veterinary para-professional is to serve as a member of the Tribunal.
- (3) For the purpose of advising the Tribunal on questions of law arising in proceedings before it, there shall in all such proceedings be an assessor to the Tribunal who shall be a legal practitioner of not less than ten years of practicing experience.
- (4) The quorum of the Tribunal shall be three of whom at least one shall be an elected member of the Council.
- (5) The President of the Council, or in his absence anyone appointed in that behalf among themselves, shall be the chairman of the Tribunal.

Composition of Tribunal Panel for Hearing

2. Whenever any case of professional misconduct against any registered person is referred to the Tribunal by the Panel, such a case shall be heard by a division of not less than three members of whom at least one shall be an elected member.

Parties and appearances

3. (1) Parties to proceedings before the Tribunal shall be:—
 - (a) the complainant;
 - (b) the respondent;
 - (c) any other person required by the Tribunal to be joined or joined by leave of the Tribunal.
- (2) Any party to the proceedings may appear in person or be represented by a legal practitioner, so however that the Tribunal may order a party to the proceedings to appear in person if it is of the opinion that it is necessary in the interest of justice but without prejudice to his right to counsel.

Notice of hearing and service

4. (1) On the direction of the chairman, the Secretary shall fix a day for the hearing of the case and forth with thereafter shall, in the form in the Appendix to these Rules, serve notice thereof on each party to the proceedings.
- (2) The Secretary shall serve on each party, other than the complainant, copies of the report and all the charges prepared by the Panel and all documents considered by the Panel.
- (3) It shall be sufficient compliance with this rule; if, any process required to be served is handed to the party concerned or effected personally or is sent by registered post to the last known place of residence or abode of the party, or electronically or by publication in a popular Newspaper.

Hearing in absence of parties

5. (1) Subject to the next succeeding paragraph, the Tribunal may hear and determine a case in the absence of any party
- (2) Any party to the proceedings before a Tribunal who fails to appear or be represented may apply, within thirty days after the date when the pronouncement of the findings and directions of the Tribunal were given, for a re-hearing on the ground of want of notice or other good and sufficient reason: and the Tribunal may, in appropriate cases, grant the application upon such terms as to costs or otherwise as it thinks fit.

Witness and evidence

6. The Tribunal may in the course of its proceedings hear such witnesses and receive such documentary evidence as in its opinion may assist in arriving at a conclusion as to the truth or otherwise of the charges referred to it by the Panel; and in the application of this rule, the provisions of the Evidence Act or Law in force in the State where the Tribunal holds its sitting shall apply to any such proceedings.

Amendment of charges

7. Any party to the proceedings may appear in person or be represented by a legal practitioner, so however that the Tribunal may order a party to the proceedings to appear in person if it is of the opinion that it is necessary in the interest of justice but without prejudice to his right to counsel.

Proceedings to be in public

8. The proceedings of the Tribunal shall be held, and its findings and directions shall be pronounced, in public.

Adjournment of hearing

9. The disciplinary tribunal may, of its own motion, or upon application of any party, adjourn the hearing on such terms as to costs or otherwise as the disciplinary tribunal may think fit.

Witness and evidence

10. If any person willfully gives false evidence on oath before the Tribunal during the course of any proceedings, or willfully makes a false statement in any affidavit sworn for the purpose of any such proceedings, the disciplinary tribunal may refer the matter to the Attorney-General of the Federation for any action he may deem fit.

Findings and costs

11. If after the hearing, the disciplinary tribunal adjudges that the charge of professional misconduct has not been proved, the disciplinary tribunal:—
 - (a) shall record a finding that the respondent is not guilty of such conduct in respect of the matters to which the charge relates;
 - (b) may, without any misconduct proved against the respondent, nevertheless order any party (except the complainant) to pay the costs of the proceedings if, having regard to his conduct and to all the circumstances of the case, the disciplinary tribunal thinks fit so to order.

Publication of disciplinary tribunal's findings

12. Subject to section 15 of the Bill (which relates to appeals), any direction given by the Tribunal shall be published in the Federal Gazette as soon as may be after the direction takes effect.

Records of proceedings

13. (1) Shorthand notes, electronic records and transcripts of proceedings may be taken by a person appointed by the Tribunal and any party who appeared at the proceedings shall be entitled to inspect the records thereof
- (2) The Secretary shall supply to any person entitled to be heard upon an appeal against the direction of the Tribunal, and the Council, but to no other person, a copy of the records of such records of proceedings on the payment of such charges as may be determined by the Registrar.
- (3) If no shorthand notes are taken, the chairman shall take a note of the proceedings and, accordingly, the provisions of these Rules as to inspection and taking of copies shall apply to such notes.

Dispensing with certain provisions

14. The Tribunal may dispense with any requirement of these Rules respecting notices, affidavits, documents, service or time in any case where it appears to the Tribunal to be just to do so; and the Tribunal may in any appropriate case extend the time to do anything under these Rules.

Power to retain exhibits pending appeal

15. The Tribunal may order that any documents or other exhibits produced or used at the hearing shall be retained by the Secretary until the time within which an appeal may be entered has expired, and if notice of appeal is given, until the appeal is heard or otherwise disposed of Appointment and duties of assessors
16. (1) An assessor, when nominated in accordance with paragraph 1 (3) of this Schedule to the Act, shall be appointed by the Council by instrument, and the assessor shall hold and vacate office as provided in the instrument; and where the appointment is not a general one, it shall have effect only in respect of a particular meeting of the Tribunal.
- (2) Subject to the terms of his appointment, an assessor shall attend any meeting of the Tribunal as and when requested to do so by notice in writing given to him by the Secretary not later than three clear days before the date appointed for the meeting: and he shall there advise the Tribunal on questions of law arising in proceedings before it.
- (3) Except where the Tribunal is deliberating in private, the advice of the assessor on questions of law as to evidence, procedure and as to compliance with the Act shall be tendered in the presence of every party or of his counsel.
- (4) If the advice by the assessor to the Tribunal is given otherwise than in the presence of all parties, or as the case may be of their counsel, the assessor shall, as soon as may be thereafter.
- (5) Fees to be paid to the assessor shall be such as may be determined by the Council from time to time with the consent of the assessor.

Interpretation

17. In these Rules unless the context otherwise requires:—
"chairman" means the chairman of the Veterinary Council Disciplinary Tribunal;
"complainant" means the Veterinary Council Investigating Panel or any member thereof;

"respondent" means the person required to answer any charge of professional misconduct;

"Secretary" means a person appointed to act as the Registrar under section 1 (5) of the Act.

"Secretary" means a person appointed to act as the Registrar under section 5 (1) of the Act.

Citation

18. These Rules may be cited as the Veterinary Council (Disciplinary Tribunal and Assessors) Rules, 2022.

Appendix

Notice of hearing by the Veterinary Council Disciplinary Tribunal in the matter of the Veterinary Surgeons Act; and

In the matter of A.B. a Veterinary Surgeons or a Veterinary para-professional

Take Notice that the report and charges prepared by the Veterinary Council Investigating Panel in the above matter are fixed for hearing by the Veterinary Council Disciplinary Tribunal at.....on the day of, 20.....

COPIES of:—

- (a) the report;
- (b) the charges; and
- (c) are annexed hereto.

Dated at, this day of, 20.....

Question that the provisions in the Fourth Schedules stand part of the Bill — Agreed to.

FIFTH SCHEDULE

[SECTION 14 (2)]

VETERINARY PRACTICING PREMISES REGISTRATION AND CONTROL REGULATIONS, 2022

Special Powers of Council on Veterinary Practicing Premises

1. Council shall have power to:—
 - (a) approve the application for veterinary practice and practicing premises of all categories;
 - (b) appoint Veterinary inspectors for the purpose of enforcing the provisions of these Regulations;
 - (c) cause investigations to be conducted to ascertain persons involved in offences under these Regulations;
 - (d) determine whether any person has committed an offence under these Regulations; and
 - (e) close any practicing premises for breaching any of the following conditions:
 - (i) change of ownership without approval of Council;

- (ii) non-compliance with prescribed standard of practice, including breach of professional ethics, non-engagement of adequate and qualified veterinary personnel;
- (iii) in appropriate location or unsanitary conditions of the premises;
- (iv) unsanitary conditions of premises;
- (v) on the request of the owner of the premises;
- (vi) operating without a license;
- (vii) operating without registration or possession of a valid annual license.

Establishment of Veterinary Practising Regulation Committee for the States

2. (1) There is hereby established a Veterinary Practising Regulation Committee for each State and the Federal Capital Territory (hereafter in these Regulations referred to as "the Committee").
- (2) The Committee shall consist of:—
- (a) the Director of Veterinary Services of the State or Head of Animal Health Section of Federal Capital Territory (as the case may be) as the Chairman;
 - (b) Zonal or State Officer of the Council;
 - (c) Chairman of the Nigerian Veterinary Medical Association of the State or of the Federal Capital Territory;
 - (d) Chairman, Association of Private Veterinary Practitioners of the State or Federal Capital Territory;
 - (e) representative of the Federal Department of Veterinary Services;
 - (f) the Coordinator of Veterinary Inspectors (to be appointed by the Committee); and
 - (g) any other person that may be co-opted by the Committee on the approval of the Council.

Establishment of Veterinary Practising Committee of Council of the Veterinary Council of Nigeria

3. (1) There is hereby established a Veterinary Practice Premises Regulation Committee of the Veterinary Council of Nigeria.
- (2) The Committee shall consist of five members to be appointed by Council.
- (3) The Committee shall be charged with the following functions:—
- (a) receive, collate and analyse reports of Veterinary Practising Committees of States and the Federal Capital Territory;
 - (b) submit quarterly reports of to the Council;
 - (c) advice Council on matters relating to Veterinary Practising Regulations;

- (d) implements decisions of the Council on Veterinary Practicing Regulations;
- (e) carry out any other functions directed by Council.

Categories and Location of Veterinary Practicing Premises

4. (1) There shall be the following types of Veterinary Practicing Premises, namely:
- (i) Veterinary or Animal Hospital;
 - (ii) Veterinary or Animal Clinic;
 - (iii) ambulatory services or house call,
 - (iv) Veterinary Pharmacy;
 - (v) Veterinary Diagnostic Center;
 - (vi) Animal Hotel or animal boarding for veterinary care;
 - (v) Animal security outfit;
 - (vi) Veterinary day shop;
 - (vii) Abattoirs (including slaughter house and slaughter slabs);
- (2) Except veterinary pharmacy, no premises shall be located in market places, motor parks or an environment where commercial activities are conducted.
- (3) No premises shall be located in an unhygienic environment or any area subject to flooding.
- (4) Any premises located in any such places as stated in sub-regulation (2) and (3) of this regulation shall relocate to a suitable place not later than 90 days after formal notification to that effect by the Veterinary Inspector.

Powers of Veterinary Inspector

4. The Veterinary inspector shall have power to: —
- (a) enter into any premises in which he reasonably believes that an article to which these regulations apply is manufactured, prepared, stored., preserved., packaged., dispensed, or marketed therein;
 - (b) examine any article in the premises to which these Regulations apply which he reasonably believes is used or its capable of being used for the manufacture, preparation, preservation, packaging, storage or sale of any such article;
 - (c) take sample or specimen of any article to which these Regulations apply, open and examine while in the premises and in the presence of the owner or his representative any container or package which he reasonably believes may have any article to which these Regulations apply;
 - (d) examine any books, documents or other records found in the premises which he reasonably believes may contain information relevant to the enforcement of these Regulations and to make copies of the same;

- (e) seize and detain for such time as may be necessary any article by means of which he reasonably believes any provision of these Regulations has been contravened;
- (f) seize and detain for such time as may be necessary any article kept, displayed, sold or dispensed in any unauthorized premises or place;
- (g) seize and detain for such time as may be necessary any article he may reasonable grounds to suspect that such items are or likely to be unwholesome, impure, fake, expired, adulterated or banned;
- (h) inspect premises proposed for registration as veterinary practicing premises and make appropriate recommendations to the Committee; and
- (i) conduct periodic inspection on all categories of the premises with or without prior notice.

Seizure of articles

5. (1) Any article seized under these Regulations shall be kept or stored in such place as the Veterinary inspectors may direct.
- (2) Any such article seized under these Regulations may be submitted to an analyst for examination for the purpose of determining its chemical properties and content.
- (3) The analyst making such examination shall issue a report setting out the result of his findings on the article.
- (4) The Veterinary inspector shall on demand deliver a copy of the analyst's report to the owner of the article if it is a subject of proceedings under these Regulations.
- (5) If upon examination the article is found to conform with the requirements of these Regulations, the Veterinary inspector shall return it to the owner or the person from whom it was seized without paying any compensation.

Duty of owner of veterinary Practicing Premises

6. (1) The owner or person in charge of any premises where veterinary articles are kept, displayed, sold or dispensed (whether authorized or not), and every person found therein shall co-operate with and give all necessary assistance to Veterinary inspectors, including making available to such inspectors such information as may be required for the purpose of giving effect to these Regulations.
- (2) Any person who conducts business in any premises which, in the opinion of a Veterinary inspector, amounts to selling or dealing in veterinary drugs, wares, vaccines, agro-chemicals or veterinary devices (whether wholesale or retail) shall, on being required by the Inspector, state the name and other particulars of the owner of the business and produce all books, documents and other information as may be necessary for the purpose of verifying the nature and status of such business by the Inspector.

Requirement for Registration of Veterinary Practicing Premises

7. (1) (a) Personnel - All Veterinary or animal hospital, veterinary or animal clinic, veterinary pharmacy, ambulatory services or House call shall have a registered Veterinary Surgeon as the head of the medical team.

- (b) A veterinary or animal hospital shall have the following facilities:—
- (i) reception room;
 - (ii) examination rooms or facilities for small and large animals;
 - (iii) functional laboratory;
 - (iv) sterilization room and facility;
 - (v) small and large animal surgical theatre;
 - (vi) avian clinic;
 - (vii) hospitalization facility for all animal species;
 - (viii) post mortem room;
 - (ix) incineration or carcass disposal facility;
 - (x) consulting rooms;
 - (xi) facilities for aquatic practice (where applicable);
 - (xii) hospital pharmacy;
 - (xiii) store;
 - (xiv) radiography;
 - (xv) electro-cardiography; and
 - (xvi) ultrasound.
- (c) Conditions:—
- (i) a Veterinary Surgeon shall be available 24 hours on service to attend to in-patients and out-patients, and such other staff as animal health technologists, laboratory attendants, cleaners, etc must be present round the clock to ensure continual veterinary care for patients;
 - (ii) clinical standards must be maintained and improved by monitoring performance and outcome of treatment;
 - (iii) quality range of facilities and equipment must be available at all times;
 - (iv) the standard of the premises and facilities must be examined periodically to ensure cleanliness and sterility; and
 - (v) a hospital shall satisfy the Council that it has met the diagnostic and hospitalization requirements specific to its type of practice as the type of care and facilities suitable to meet the needs of animals vary.

- (2) To register a veterinary or animal clinic, the proprietor shall:—
- (a) a complement of staff headed by a Veterinary surgeon;

- (b) provide 24 hour emergency services to patients either by the clinic itself or by an emergency house call provider affiliated to the clinic;
 - (c) have arrangement for taking care of patients kept overnight;
 - (d) have a system for monitoring the outcome of treatment;
 - (e) show on-going commitment to educating and training feedback;
 - (f) keep the premises clean and well maintained;
 - (g) have a policy for communicating with clients and obtaining feedback;
 - (h) ensure that clients are given estimates of the costs of treatments and that their consent is obtained before procedures are undertaken;
 - (i) have access to laboratory facility for diagnosis;
 - (j) meet legal and health safety requirements covering its premises, equipment, clients and employees;
 - (k) must establish a good referral system;
 - (l) must establish a good referral system; and
 - (m) a good record system.
- (3) For the purpose of registration, the proprietor of an ambulatory services or house call shall have:—
- (a) a permanent communication base;
 - (b) a specific non-mobile area set aside for the storage of drugs and equipment, sterilization facility and other facilities for minor surgery;
 - (c) a record of Veterinary examination with procedures and confidentiality strictly maintained; and
 - (d) animal restraining equipment for the type of practice.
- (4) To register a veterinary pharmacy, the applicant shall meet the following requirements:—
- (a) a well-ventilated, air-conditioned room for display of drugs;
 - (b) availability of compartmentalized drug shelves;
 - (c) veterinary drugs, veterinary vaccines and biologics which require cold storage must be put in drug freezers and refrigerators;
 - (d) a sworn and signed statement averring that only drugs, biologics and equipment for veterinary use will be kept and dispensed;
 - (e) sanitary control shall be ensured at all time;
 - (f) drugs on shelves shall have adequate labels and literature to guide users;

- (g) manufacture and expiry dates must be visible on the containers;
- (h) a special room or a drug box or cupboard for controlled veterinary drugs; and
- (i) a special room shall be provided for animal feeds.

Application and approval procedures

8. (1) An applicant requesting for registration of a premises shall obtain the Veterinary Practising Premises Application Form from any office of the Council or office of the Director of Veterinary Services of each State or Head of Animal Health section of the Federal Capital Territory.
- (2) The duly completed application form shall be submitted to the Council through the Committee accompanied by:—
- (a) an application fee of ₦5,000.00 (five thousand Naira);
 - (b) list of facilities and equipment of the proposed practice;
 - (c) a copy of the certificate of registration of the Veterinary Surgeon(s) in charge and his/their current practicing license or certificates of any person in charge (for premises that does not need the presence of a veterinary surgeon); and
 - (d) photocopy of the registration certificate of the company or business entity with the Corporate Affairs Commission or any other registration document acceptable to Council.
- (3) A report of the inspection conducted to the proposed premises by the States Veterinary Practising Premises Regulation Committee shall accompany the documents submitted by the applicant to the Council.
- (4) The approval given by the Council shall relate to, and be used, only for the premises indicated on the application form, subject to review from time to time.

Fees

9. (1) The annual registration fees shall be as follows:—
- Veterinary animal hospital - ₦20,000.00;
 - Veterinary or animal clinic - ₦15,000.00;
 - Ambulatory services or House Call - ₦10,000.00;
 - Veterinary pharmacy - ₦20,000;
 - Animal hotel and Animal security outfit - ₦10,000
 - Abattoir (including slaughter house or slab - ₦20,000.00;
- (2) The Council shall have power to review all fees stated in these Regulations from time to time.

Interpretation

10. In these Regulations, unless the context otherwise appears:—

"Ambulatory services or house call" means a veterinary practice that offers health care services to animals and its environment in places where animals are kept and managed including a private home, a livestock farm, a poultry, a zoological garden and fish pond;

"Animal hotel or animal boarding" means premises used for accommodation and feeding of animals on behalf of the owner for a fee;

"Article" includes any veterinary drug, veterinary device, agro chemicals or anything used in the manufacture, preparation, preservation, packaging and storing of any veterinary drug, agro chemicals or veterinary device and any labelling or advertising of material relating to or for use in with any veterinary drug or veterinary device, agro chemical;

"Prescribed officer" means a person duly authorized by the Council to perform a duty or exercise a power in relation to which the expression is used;

"Veterinary or animal clinic" means a veterinary practicing premises for rendering primary veterinary services for small animals, farm animals, equines or emergency veterinary services for sick animals but may not include hospitalization for animals undergoing treatment;

"Veterinary or animal hospital" means veterinary practicing premises which provides secondary or tertiary animal health services and which includes hospitalization for animals undergoing treatment;

"Veterinary day shop" means a premises where animal accessories such as collars, animal models, horse shoes, animal grooming and restraining equipment are sold;

"Veterinary Inspector" means a registered Veterinary Surgeon duly appointed by the Council as such under these Regulations;

"Veterinary pharmacy" means a building or premises designated for sale, procurement and dispensing veterinary drugs, veterinary vaccines, biologics, pet food agro-chemicals and veterinary medical equipment;

Citation

11. These Regulations may be cited as the Veterinary Practicing Premises Registration and Control Regulations, 2022.

Question that the provisions in the Fifth Schedules stand part of the Bill — Agreed to.

SIXTH SCHEDULE

[SECTION 15(4)]

POSTGRADUATE COLLEGE OF VETERINARY SURGEONS NIGERIA REGULATIONS, 2022

Administrative organs of the College

1. (1) The administrative and academic organs of the College shall consist of the Congregation, the Academic Board (therein after referred to as "the Board") and the Heads of Specialties or Faculties.
- (2) Provost and Deputy-Provost, who shall be elected at the first meeting of the Board after the election of the Board by the Congregation.

- (3) There shall be a College Secretary who shall be a fellow of the College and shall serve as the administrative officer of the College.
- (4) The tenure of the College Secretary shall be determined by the Council.
- (5) The Provost shall be responsible to the Council.

The Congregation

2. (1) The Congregation shall consist of all the Fellows of the College.
- (2) The Congregation shall meet every three years, provided that the Provost may with the approval of the President of Council, call an emergency meeting of the Congregation.
- (3) The Provost shall be the Chairman of the Congregation when he is present, and in his absence, the Deputy Provost shall be the Chairman of the meeting.
- (4) The quorum at a regular meeting of the Congregation shall be twenty, provided that at least three members from each specialty are present.

Power of the Congregation

3. The Congregation shall have power to:—
 - (a) elect members of the Board;
 - (b) consider issues concerning the academic programme of the College or issues of importance to the Veterinary profession, livestock production and zoonoses control in Nigeria and make appropriate recommendations to the Board and the Council; and
 - (c) consider any other issue or item referred to the Congregation by the Board and the Council).

Membership of the Board

4. (1) The Board shall consists of:—
 - (a) four members of each Specialty elected among their members at Congregation;
 - (b) the Provost and the Deputy provost who shall be elected by the members of the Board from among their members and who shall be of different Specialties/Faculties;
 - (c) a representative of each study center;
 - (d) the Registrar of the Council.
- (2) Where a vacancy occurs among the representatives of the specialty as a result of the election of the Provost and Deputy Provost, resignation, expulsion of a member due to act of misconduct or death or incapacity of a member, the vacancy shall be filled:—
 - (a) by the unsuccessful candidate at the previous specialty election of such representative who at the election received the higher number of votes and has not since become a representative of the specialty in the Board; or

- (b) if two or more such candidates receive an equal number of votes, by the candidate, who first obtained the Fellowship Diploma qualification and if two or more obtained the qualification on the same date, by the candidate who has been registered longest on the register of Council and if two or more such candidates have been registered on the same date, by the candidate with the lowest (oldest) Veterinary Council of Nigeria number (VCN Number);
 - (c) if there were no unsuccessful candidates at that election, by a person elected from among members of the specialty at a special election congress organized by the Provost, provided that no such election need be held if an election of representatives of the specialty will take place within 12 months after the vacancy occurred.
- (3) A person may be co-opted to provide information or make a special contribution to the meeting of the Board, but his presence shall not count towards satisfying the requirements of a quorum and he shall not have a voting right.

Tenure of Office of the Academic Board and Officers of the College

5. (1) The tenure of office of an elected member of the Board shall be three years and may be re-appointed for a final term of three years.
- (2) An elected member of the Board may resign his membership of the Board, by way of notice in writing to the Provost.
- (3) No person can serve as Provost, Deputy-Provost and Head of Specialty for more than two terms.
- (4) Where a member of the Academic Board conducts himself in an unruly manner, the Provost shall have the power to suspend him from not more two sittings of the Board, provided that he may be restored after showing remorse otherwise his case shall be referred to the Veterinary Council Investigating Panel.
- (5) The Board shall remove a member if such a member is found guilty of an act of misconduct by the Veterinary Council's Disciplinary Tribunal.

Meetings of the Board

6. (1) The President of Council shall inaugurate the first meeting of the Board after the election of members at Congregation and supervise the election of the Provost and Deputy Provost, and Heads of Specialties.
- (2) The Board shall meet two times a year, provided the Provost may with the approval of the President of Council call emergency meeting of the Board.
- (3) The quorum at a regular meeting of the Board shall be eight members, provided there is at least one member from each specialty.
- (4) The Provost shall be the chairman at all meetings of the Academic Board and in his absence, the Deputy Provost shall chair the meeting.
- (5) In the absence of the Provost and the Deputy-Provost, the Board shall appoint a Fellow to act until a new Provost is appointed.

Powers of the Board

7. (1) The Board shall have power to: —
- (a) accredit institutions as study centers for College training;
 - (b) conduct all the academic activities including de-centralized examinations in study centers and centralized examinations of the College;
 - (c) appoint invigilator for each decentralized examination from a different study center;
 - (d) appoint external examiners for Fellowship final examinations;
 - (e) set rules and conditions for each examination of the college;
 - (f) assign distinct colour codes to each academic Specialty or Faculty;
 - (g) discipline erring students or residents and further refer the case to Veterinary Council Investigation Panel;
 - (h) recommend erring resource persons to the Veterinary Council Investigating Panel and erring staff of the College to Staff Disciplinary Committee of the Council;
 - (i) organize annual convocation of the College in consultation with the Council;
 - (j) consider the award of Honorary Fellowship (Honoury causa) to deserving members of the public subject to a prior approval by Council; and
 - (k) carry out any activity referred to the Board and the Council or any other activities for the progress of the College with the approval of Council.
- (2) The Board may set up Committees on finance, residents or student discipline and any other Committee as the Board may consider necessary.
- (3) The Board shall be responsible to the Council.

Specialties of the College

8. (1) There shall be the following specialties that is to say:—
- (a) medicine;
 - (b) surgery;
 - (c) theriogenology;
 - (d) pathology;
 - (e) public health and preventive medicine;
 - (e) pathology; and
 - (f) any other specialty as may be approved by Council on the recommendation of the Board from time to time.

- (2) Each specialty shall be headed by a Head who shall be elected by members belonging to that specialty.
- (3) The Head of Specialty shall coordinate all the academic activities of the Specialty and report to the Board.
- (4) There shall be an academic supervisor for each specialty in each study centre, who shall coordinate the activities at each study centre and report to the Head of Specialty.

Convocation

9. (1) The Convocation of the College shall be held every year.
- (2) The Convocation shall: —
 - (a) award Fellowship Diplomas to deserving residents;
 - (b) award prizes and recognition of Distinctions for deserving residents;
 - (c) award Honorary Fellowship to deserving individuals;
 - (d) award any other certificates of the College to deserving individuals;
 - (e) carry out the investiture of the Grand Patrons and Patrons of the College; and
 - (f) carry out any other activities as may be approved by the Council from time to time.

Interpretation

10. In these regulations, unless otherwise requires, the following expressions have the meaning hereby assigned to them respectively, that is to say -

"Academic Board" means the Board of the Postgraduate College of Veterinary Surgeons Nigeria;

"College" means the Postgraduate College of Veterinary Surgeons Nigeria established by the Veterinary Surgeons Act;

"Provost" means Provost of the Postgraduate College of Veterinary Surgeons Nigeria elected by the Board of the College;

"Resident" means student of the College;

"Specialty" means a specialized training field recognized for the award of fellowship or other types of certificate by the College; and

"Study Centre" means a University or Institution which has been accredited by the College to conduct academic activities of the College in one or more Specialties.

Citation

11. These regulation may be cited as the Postgraduate College of Veterinary Surgeons Nigeria Regulations, 2022

Question that the provisions in the Sixth Schedules stand part of the Bill — Agreed to.

SEVENTH SCHEDULE

[SECTION 16(4)]

VETERINARY COUNCIL STAFF AND STUDENTS DISCIPLINARY PROCEDURES

Members of the Staff Disciplinary Committee

1. (1) There shall be established the Staff Disciplinary Committee of Council (hereafter in this Schedule referred to as "the Committee").
- (2) There shall be five members of the Committee of whom at least two shall be elected members of the Council.
- (3) The Council shall appoint one of the members as the Chairman.
- (4) The Registrar or his representative shall be the Secretary.
- (5) No staff having a case or an allegation before the Committee shall serve in the Committee, except as a witness.

Powers of the Staff disciplinary committee

2. (1) The Committee shall have power to: —
 - (a) set or amend its regulations for its operations, but such regulations shall not be applied until they are approved by the Council;
 - (b) co-opt any person to assist the Committee in its investigation;
 - (c) invite any staff or other persons that may provide useful information on any matter, to witness before the Committee; and
 - (d) set up a panel consisting of three persons including at least two of its members to carry out specific investigation on any matter before it, but shall not include the head of department or unit of the staff on trial or the complainant in each case.
- (2) Regulations made in section 1 (a) of this Schedule, need not be published in the Federal Gazette but the Registrar shall bring them to the notice of all staff in such manner as he may from time to time determine.

Meetings of disciplinary committees

3. (1) The Committee shall meet at least once in a year and as regularly as may be necessary to prevent delays of cases.
- (2) The quorum of the Committee shall be three, of whom at least one shall be elected member of Council, provided that the presence of any co-opted person or anyone attending the meeting in attendance shall not count towards the constitution of a quorum.

Disciplinary procedures

4. (1) The Committee on receiving a report in accordance with Section 15(4) of the Principal Act shall: —
 - (a) give notice of those allegations in writing to the person; and
 - (b) afford him reasonable opportunity to defend himself including an opportunity to make representations in writing and in person on the matter to the Committee.

- (2) Any person on trial or appearing as a witness before the Committee shall testify on oath, to be administered by the Secretary.
- (3) In a situation that a case against a person under suspension is not concluded within three months, the Committee may extend his suspension for a specified period.
- (4) The decisions of the Committee shall be arrived at by consensus or through a positive vote by a simple majority of members present with the Chairman having a deciding vote in case of a tie.
- (5) Each case before the Committee shall be considered on its own merit.
- (6) The decision of the Committee shall not be faulted by reason of any vacancy in the membership of the committee.

Disciplinary penalties

- 5.(1) The Committee shall submit its report to Council which shall include observations on whether the person is guilty of the allegation against him or not and a clear determination of the appropriate punishment for the staff if he is confirmed to be guilty.
- (2) The Committee upon concluding investigation and trial, may recommend to Council that the staff or student be acquitted if the allegations against him cannot be established
 - (3) In case the person is confirmed to be guilty, the Committee may recommend that the staff be subjected to one or more of these sanctions: —
 - (a) reprimanded in writing;
 - (b) loss of annual increment or delay in promotion for a specified period;
 - (c) interdicted;
 - (d) surcharged;
 - (e) loss of headship or other administrative position or responsibility;
 - (f) deferment of confirmation of appointment;
 - (g) disciplinary probation for a specified period;
 - (h) demotion;
 - (i) forced resignation (non-compliance leads to termination of appointment);
 - (j) termination of appointment; or
 - (k) dismissal.
 - (4) In all cases, disciplinary sanctions shall depend on the level of involvement, the gravity of the offence and the person's previous disciplinary records.

Handling of special cases

6. (1) For a good cause, any member of staff may be suspended from his duties for a specified period or his appointment may be terminated or he may be reprimanded or warned by the Registrar based on the recommendations of the Committee, and for the purposes of this section, "good cause" means: —
- (a) a conviction for a criminal offence by a court of law which the Committee considers to be such as to render the person concerned unfit for the discharge of the functions of his office; and
- (b) any physical or mental incapacity which the Committee, after obtaining medical advice, considers to be such as to render the person concerned unfit to continue to hold office or take part in the activities of the Council.
- (2) Where a staff is found guilty of embezzling funds belonging to the Council, a client or a union or an association recognized by the Council, the Registrar shall take steps to recover the amount from the salary or other emoluments of the staff in addition to other sanctions that the Committee may impose on him.

Handling cases of criminal offence

7. (1) Where a staff is suspected to have committed such criminal offence as rape, cultism, murder, vandalism, armed robbery, possession of fire arms, possession, use of or trafficking in hard drugs, arson, advanced fee fraud, the Registrar shall report the case to the Police for investigation and possible prosecution in a Court of competent jurisdiction and inform the Council and the Committee.
- (2) If he is convicted, the Council may terminate his appointment on the recommendation of the Committee.

Implication of suspension of a staff

8. (1) Any staff placed on suspension, interdiction or disciplinary probation by the Registrar or on the recommendation of the Committee shall be paid half of his monthly emolument during the period of his suspension, interdiction or disciplinary probation.
- (2) Where a staff under trial is acquitted of the allegations against him or he is to be warned or reprimanded, his emoluments that was withheld during the period of his suspension shall be paid to him, but if he is retired from service or his appointment is terminated, he shall not be entitled to the proportion of his emoluments that was withheld.
- (3) Any staff facing the disciplinary procedure cannot be considered for promotion to the next grade until the case against him is disposed of by the Committee.
- (4) In case of professional misconduct involving a staff who is a Veterinary surgeon or a Veterinary para-professional staff and where the veterinary ethics or ethics of any other professional body is suspected to be violated by the action or inaction of the staff, the Registrar shall hereafter forward the report to the Veterinary Council Investigating Panel for further sanctions.

Appeal

9. (1) The Registrar shall ensure that the letter(s) containing the decisions of the Committee are promptly communicated to the staff concerned as soon as reasonably practicable.

- (2) In case a person is dissatisfied with the decisions of the Committee against him, he shall within a period of 21 days from the date of the letter communicating the decision, address a petition to the Council to reconsider his case.
- (3) The decision of the Council on the matter shall be final.

Interpretation

10. (1) In these Regulations, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say: —

"Examination misconduct" shall include any acts or inaction of any staff or student especially in around the examination hall or carried out in any other place which is considered to be inimical to the integrity of the examination process;

"indecent behaviour" shall include sexual gestures, drunkenness, indecent dressing, crossing the lawn, violation of environmental rules of the Council, and any other behaviour that the Committee may regard as indecent behaviour;

"misconduct" means a specific act of wrong doing or an improper behaviour which is inimical to the image of the service such as habitual lateness to work, delays in treating official records, failure to keep records, unauthorized removal of public records, dishonesty, negligence, insubordination, refusal to carry out assignment, disregard for the dress code of the Council, malingering and any action or inaction which the Committee may regard as a misconduct;

"scandalous conduct" means immoral behaviour, unruly behaviour, use of foul language, assault, battery, improper dressing, sleeping on duty, discourteous behaviour of the public, sexual harassment, hawking merchandise within Council's premises, and any action or inaction which the Committee may regard as a scandalous conduct.

"serious misconduct" shall include a specific act of very serious wrongdoing such as absenteeism, general inefficiency, falsification or suppression or damage to records, absence from duty without leave, cultism, false claim against government official, engaging in partisan political activities, bankruptcy and serious financial embarrassment, unauthorised disclosure of official information, bribery, corruption, embezzlement, misappropriation, advanced fee fraud and holding more than one full paid jobs, nepotism, divided loyalty, sabotage, cybercrime, willful damage to public property and any action or inaction which the Committee may regard as a serious misconduct;

"unruly behaviour" means disorderly behaviour indicating lack of self-restraint especially on the premises of the Council.

- (2) Such acts may include reckless driving, disturbance of peace, damage to Council or other persons' property, defacing public building or facilities, throwing missiles, fighting, pilfering, and other action or inaction which the Committee may regard as unruly behaviour.

Citation

11. These Regulations may be cited as the Veterinary Council Staff Disciplinary Procedures, 2022.

Question that the provisions in the Eight Schedules stand part of the Bill — Agreed to.

Chairman to report Bill.

(SENATE IN PLENARY)

The President of the Senate reported that the Senate in the Committee of the Whole considered a Report on a Bill for an Act to Repeal the Veterinary Surgeons Act, Cap. V3, Laws of the Federation of Nigeria, 2004 and Enact the Veterinary Surgeons Bill; and for Related Matters, 2022 and approved as follows:

Clauses 1-22 — As Recommended

Schedules 1-7 — As Recommended

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

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

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

13. **Federal University of Sports, Afuze, Edo State (Establishment) Bill, 2022 (HB. 628) — Concurrence:**

Consideration of Bill stood down to another legislative day.

By the leave of Senate, the Senate Leader was mandated to engage with the Leader of the House of Representatives to ascertain the status of this Bill and other Senate Bills.

14. **Satellite Town Development Agency (Establishment) Bill, 2022 (HB. 43) — Concurrence:**

Motion made: That a Bill for an Act to Establish the Satellite Towns Development Agency for Providing, Maintaining, Regulating and Operating Public Infrastructure, Economic and Strategic Development Plans and Ancillary Purposes for the Federal Capital Territory; and for Related Matters, 2022 be read the Second Time (*Senate Leader*).

Debate:

Question put and agreed to.

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

Motion made: Pursuant to Order 80(1), that the Senate do resolve into the Committee of the Whole to Consider a Report on a Bill for an Act to Establish the Satellite Towns Development Agency for Providing, Maintaining, Regulating and Operating Public Infrastructure, Economic and Strategic Development Plans and Ancillary Purposes for the Federal Capital Territory; and for Related Matters, 2022

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A REPORT ON A BILL FOR AN ACT TO ESTABLISH THE SATELLITE TOWNS DEVELOPMENT AGENCY FOR PROVIDING, MAINTAINING, REGULATING AND OPERATING PUBLIC INFRASTRUCTURE, ECONOMIC AND STRATEGIC DEVELOPMENT PLANS AND ANCILLARY PURPOSES FOR THE FEDERAL CAPITAL TERRITORY; AND FOR RELATED MATTERS, 2022

PART I - ESTABLISHMENT OF THE AGENCY, FUNCTIONS AND POWERS

Clause 1: Establishment of the Satellite Towns Development Agency

- (1) There is established in the Federal Capital Territory the Satellite Towns Development Agency (in this Bill referred to as "the Agency").
- (2) The Agency shall be a body corporate with perpetual succession, a common seal and powers to sue and be sued in its corporate name.

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: Functions and powers of the Agency

- (1) Subject to and in accordance with the provisions of this Bill and not withstanding anything to the contrary contained in any written enactment, the Agency shall be charged with the responsibility for—
 - (a) the preparation of the master plan for satellite towns and for land use and plans with respect to lands in the Federal Capital Territory designated as satellite towns;
 - (b) the construction, provision and procurement of public infrastructure and complementary services in the satellite towns in accordance with the master plan, land use and plans referred to in paragraph (a);
 - (c) the determination of standards and specifications for construction of public infrastructure within the satellite towns in the Federal Capital Territory;
 - (d) the development, operation and management of public infrastructure in the satellite towns in the Area Councils by way of grant of concessions, partnerships or issuance of operating licenses to private sector investors;
 - (e) the preparation of appropriate economic and strategic development plans for each of the satellite town of the Federal Capital Territory; and;
 - (f) the provision of affordable housing with complimentary infrastructure in such manner as would be determined by the Agency;
 - (g) the establishment, management, leasing and regulation of the operations of markets within the satellite towns;

- (h) the establishment, management, leasing and regulation of the operations of public toilets within satellite towns to eliminate open defecation and the consequences on public health;
- (i) the establishment, management, leasing and regulation of the operations of parks and gardens other recreational facilities within satellite towns;
- (j) the establishment, management, leasing and regulation of the operations of cottage industries community vocational centers within satellite towns;
- (k) the establishment, management, leasing and regulation of the operations of amusement parks and civic or community centers within satellite towns;
- (l) regulating the business and operations of heavy duty trucks and machines within the satellite towns and to charge tolls for access to and use of public infrastructure
- (m) evaluation, relocation and regularization of satellite towns based development activities and filling stations, Banks, eateries, markets institutions and informal sectors.
- (n) ensuring proper environmental practices by coordinating and carrying out regular waste collection and disposal, sewage management, drainage management and control, inspection of residential, commercial and public buildings to ensure proper sanitary practices and enforce appropriate penalties on defaulters;
- (o) regulating and controlling the usage of public infrastructure in satellite towns, roads, markets, buildings, parks, etc.
- (p) enforcing compliance with planning, development and environmental laws and policies applicable in satellite towns.
- (q) evaluating buildings and other structures for purposes required carrying out the Agency's enforcement functions and activities.
- (r) processing and obtaining approval from the Minister and paying compensation for acquired land and structures in satellite towns.
- (s) bringing on board private investment to boost the economic structure of satellite towns; and
- (t) engaging in such other activities, in furtherance of the performance of the functions conferred by this Bill, as the president may, on the recommendation of the Minister, permit or assign to it by order published in the Federal Government Gazette.

- (2) The Agency shall have power for the purpose of carrying out its function to do all such acts as appear to it to be requisite, advantageous or convenient for or in connection with the carrying out of its functions or to be incidental to their proper discharge and may carry on activities in that behalf either alone or in association with any other person or body including, without prejudice to the generality of the power to-
- (a) sue and be sued in its corporate name;
 - (b) hold, manage and dispose of real and personal property, investment and intellectual property rights;
 - (c) undertake public works as may be necessary for, or conducive to the discharge of its function under this Bill.

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 - GOVERNING BOARD AND STAFF OF THE AGENCY

Clause 3: Governing Board of the Agency

- (1) There is established a Governing Board of the Agency (in this Bill referred to as "the Board") which shall consist of -
- (a) a Chairman;
 - (b) the Director-General of the Agency;
 - (c) the Executive Secretary of the Federal Capital Development Authority;
 - (d) a Secretary of the Agency who shall be a legal practitioner and Secretary to the Board;
 - (e) a representative of each of the six geo-political zones; and
 - (f) a representative each of the six Area Councils of the Federal Capital Territory.
- (2) Members of the Board shall be appointed by the President upon the recommendation of the Minister.
- (3) The President may, on the recommendation of the Minister, vary the composition of the Board by order published in the Federal Government Gazette.

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: Director-General and other staff of the Agency

- (1) There shall be appointed by the President upon the recommendation of the Minister a Director-General who shall be the executive officer of the Agency and shall be responsible for the day to day running of the affairs of the Agency.

- (2) The Director-General shall be a person qualified for appointment by reason of professional qualification and experience and shall hold office on such terms as to emoluments and otherwise as may be specified by his instrument of appointment for a term of four years and may be eligible for appointment for a further term of four years and no more.
- (3) The Agency may appoint such other persons to be officers and staff of the Agency as it may deem fit.
- (4) The remuneration and tenure of the officers (other than the Director-General) and staff of the Agency shall be determined by the Agency after consultation with the Establishment Directorate of the Federal Capital Territory Administration.

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: Tenure, vacancies, resignation and removal of members of the Board

- (1) A member of the Board shall, unless his appointment is terminated by the President or he otherwise ceases to be a member, hold office for four years from the date he takes the oath of office.
- (2) Any member of the Board may at any time resign by giving notice in writing to the President and from the date specified in the notice or, if no date is specified, from the date of the receipt by the President of the notice, he shall cease to be a member of the Board.
- (3) If any member of the Board is, without permission of the Board, absents for more than three consecutive meetings of the Board, or without such permission is absent from the country for a period exceeding one year, he shall cease to be a member of the Board.
- (4) Where any of the member of the Board ceases to be a member before the expiration of his term of office, the President, after consulting the Minister, may appoint another person in his stead to hold office until such first named person's term of office would have expired had he not ceased to be a member.
- (5) If the President is satisfied that a member of the Board-
 - (a) has become bankrupt or made arrangements with his creditors,
 - (b) is incapacitated by physical or mental illness,
 - (c) is found guilty of serious misconduct in relation to his duties as a member of the Board,
 - (d) has been convicted at any time by any court of law in Nigeria or elsewhere for an offence involving financial dishonesty, or
 - (e) is otherwise unable or unfit to discharge the functions of the member the President may declare his office as a member of the Board vacant and the office shall become vacant of the Board.

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: Proceedings of the Board.

- (1) The Board shall establish such number of committees which in the opinion of the Board shall be required to effectively carry out its duties as set out in the Schedule of this Bill.

Schedule

- (2) The Board may make regulations with respect to the -
 - (a) quorum, proceedings and meetings of the Board and the resolutions of the Board; and
 - (b) execution of instruments and the mode of entering into contracts by or on behalf of the Board, and the proof of documents purporting to be executed, issued or signed by the Board, or an officer or staff of the Agency.
- (3) Subject to the provisions of any regulation made under subsection (2), the Board shall have power to regulate its own procedure.

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: Disclosure of interest

- (1) A member who is in any way, directly or indirectly interested in a transaction or project of the Board shall disclose the nature of the interest at the meeting of the Board.
- (2) The disclosure by a member of such interest shall be recorded in the minutes of the meeting of the Board and the members shall not take part in any deliberation of the Board with respect to the transaction or projects.

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: Pension

Service in the Agency shall be public service for the purpose of the Pension Reform Act and accordingly, employees of the Agency shall be entitled to pensions, gratuities and other retirement benefits as are prescribed under the Pension Reform Act.

Act No. 4, 2014.

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 - FINANCIAL PROVISIONS

Clause 9: Funding of the Agency

- (1) The Agency shall establish and maintain a Fund from which shall be defrayed all expenditure incurred by the Agency.
- (2) There shall be paid into and credited to the Fund established under subsection (1)-
 - (a) any takeoff grants and special intervention funds;
 - (b) such sum as may be appropriated to it by the National Assembly in the national budget and the Federal Capital Territory statutory budget;
 - (c) such sum as may be appropriated or allocated to it annually from the internally generated revenue fund of the Federal Capital Territory Administration;
 - (d) any loan or grant to the Agency by the Federal Capital Territory Administration or any of the Area Councils, Federal Government, or any federal ministry, department or agency;
 - (e) any sum or property which may from time to time be granted or lent to or be payable or vest in the Agency by international or multilateral donor agencies, non-governmental organizations or private entities;
 - (f) any sum or property which may be donated to the Agency, but the Agency shall not be obliged to accept a donation for a particular purpose unless it approves of the terms and conditions attached to such a donation;
 - (g) any sum paid to the Agency by way of grants, subsidies, fees, levies, rates, subscriptions, rent, interest, and royalties;
 - (h) any sum derived from the sale of any property held or on behalf of the Agency;
 - (i) any other sum and property lawfully received by the Agency for the purposes of the Agency; and
 - (j) all accumulations of income derived from any such property or money.
- (3) The Fund shall be managed in accordance with the rules made by the Board.

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: Expenditure of the Agency

The Agency shall apply the funds at its disposal to-

- (a) the cost of establishing and maintaining the Head Office of the Agency at the Federal Capital Territory, Abuja and its offices located in other Area Councils;

- (b) pay allowances and other benefits of members of the Board and of its Committees;
- (c) the cost of compliance monitoring and enforcement activities;
- (d) pay the salaries and entitlements of the Director-General, other staff of the Agency;
- (e) pay the personnel, overhead, allowances, pensions, gratuities, benefits and other administrative costs of the Agency;
- (f) pay for attendance at local and international conferences related to its functions;
- (g) build capacity of staff of the Agency;
- (h) publicise and promote the activities of the Agency;
- (i) attend national and international scientific and professional seminars on construction and development matters;
- (j) develop and maintain any property vested in or owned by the Agency;
- (k) pay for services and contracts entered into by the Agency; and
- (l) undertake any other activity in connection with all or any of the functions of the Agency.

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: Directives by the Minister

The Minister may give to the Agency directives of a general nature relating to matters of policy with regard to the performance by the Agency of its functions and it shall be the duty of the Agency to comply with such directives.

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: Annual estimates and audit

The Agency shall-

- (a) not later than 30th September in each financial year, submit to the Minister an estimate of the expenditure and income of the Agency during the succeeding year; and
- (b) cause to be kept proper accounts and records in respect of each financial year and shall prepare a statement of accounts in relation thereto in such forms as its auditors, who shall be appointed from the list and in accordance with the guidelines furnished by the Auditor-General for the Federation, may deem fit.

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: Annual reports

The Agency shall prepare and submit to the President not later than 30th June in each financial year, a report in such form as the President may direct, on the activities of the Agency during the immediate preceding year, and shall include in the report a copy of the audited accounts of the Agency for that year.

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: Power to accept gifts

The Agency may accept gifts of land, money or other property, within or outside Nigeria, upon such terms and conditions, if any, as may be specified by the person or organisation making the gift provided that the terms and conditions are not contrary to the objectives and functions of the Agency under this Bill nor inimical to national interests.

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 borrow

The Agency may, subject to the approval of the Board, with the consent or general authority given by the Federal Government, borrow by way of loan, from any lawful source, money required by the Agency for meeting its obligations and performing its functions under this Bill, but where the sum or the aggregate of the sums involved at any one time does not exceed ₦5,000,000.00, no such consent or authority is required.

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: Exemption from Tax

All income derived by the Agency from the sources specified in this clause of this Bill and all contributions to the Fund shall be exempted from income tax.

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 IV - MISCELLANEOUS PROVISIONS**Clause 17: Regulations**

The Board may make regulations generally for carrying into effect the provisions of this Bill.

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: Limitation of suits against the Agency, etc.

- (1) A suit shall not be commenced against the Agency before the expiration of a period of 30 days after written notice of intention to commence the suit shall have been served on the Agency by the intending plaintiff or his agent and the notice shall clearly state the -
 - (a) cause of action;
 - (b) particulars of the claim;
 - (c) name of the intending plaintiff; and
 - (d) relief claimed.
- (2) The notice to in subsection (1) and any summons, notice or other document required or authorised to be served on the Agency under the provisions of this Bill or any other enactment or law may be served by-
 - (a) delivering it to the office of the Director-General; or
 - (b) sending it by registered post addressed to the Director-General at the head office of the Agency.
- (3) Notwithstanding anything contained in any other written enactment, no suit against the Agency, any member of the Board or any officer or employee of the Agency for any act done in pursuance or execution of this Bill or any written enactment or law of any public duty or authority in respect of any alleged neglect or default in pursuance or execution of this Bill, any such written enactment, law, public duty or authority shall lie or be instituted in any court unless it commenced-
 - (a) within three months next after the act, neglect or default complained of; or
 - (b) in the case of a continuance of damage or injury within three month next after the ceasing thereof.

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: Service of documents

A notice, summons or other document required or authorised to be served on the Agency under the provisions of this Bill or any other enactment or law may be served by delivering it to the Director-General or at the principal office of the Agency.

Committee's Recommendation:

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

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

Clause 20: Restriction on execution against property of the Agency

- (1) In any action or suit against the Agency, no execution or attachment of process in the nature thereof shall be issued against the Agency unless at least 30 days notice of the intention to execute or attach has been given to the Agency.
- (2) Any sum of money which by the judgment of any court has been awarded against the Agency shall, subject to any direction given by the court where notice of appeal against the judgment has been given, be paid from the Fund of the Agency.

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: Indemnity of Officers

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

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: Interpretation

In this Bill-

"Agency" means the Satellite Towns Development Agency established by section 1 of this Bill;

"Area Councils" means Kuje, Gwagwalada, Bwari, Abuja Municipal, Abaji, and Kwali;

"Board" means the Governing Board of the Agency;

"Chairman" means the Chairman of the Board;

"Constitution" means Constitution of the Federal Republic of Nigeria, 1999 as amended;

"Director-General" means the Director-General appointed for the Agency in section 4 of this Bill;

"Financial year" in relation to the Agency, means period of 12 months beginning from 1 January in any year;

"function" includes powers, rights responsibilities and duties;

"Gazette" means the Official Gazette of the Federation of Nigeria;

"member of the Board" includes the Chairman;

"Minister" means the minister charged with by the President with responsibility for matters relating to the affairs of the satellite towns and Area Councils;

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

"satellite towns" include -

- (a) Kusaki Yanga;
 - (b) Kuje;
 - (c) Rubochi; Kuje Area Council
 - (d) Abuja South West;
 - (e) Anagada;
 - (f) Dobi;
 - (g) Gwagwalada; Gwagwalada Area Council
 - (h) Zuba;
 - (i) Dei Dei;
 - (j) Abaji Area Council;
 - (k) Kwali Area Council;
 - (l) Kubwa;
 - (m) Bwari; Bwari Area Council
 - (n) Karshi;
 - (o) Gousa; Abuja Municipal Area Council
 - (p) Abuja North West;
 - (q) Karu;
 - (r) Nyanya; and
- (s) any other part of the Federal Capital Territory which the Minister may by regulation designate as satellite town.

"suit" includes action and means a civil proceeding commenced by writ or in such other manner as may be provided for by rules of court, and does not include a criminal proceeding;

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: Citation

This Bill may be cited as the Satellite Towns Development Agency (Establishment) Bill, 2022.

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.

SCHEDULE

Section 6 (1)

SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD, ETC.

PROCEEDINGS OF THE BOARD

Cap. 123, LFN, 2004

1. (1) Subject to this Bill and section 27 of the Interpretation Act, the Board may make standing order 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, Managing Director or one Executive Director and one-third of other members of the Board. The quorum of any Committee of the Commission 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 four 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 member to preside at the meeting.

COMMITTEES

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

MISCELLANEOUS

4. (1) The fixing of the seal of the Commission shall be authenticated by the signatures of the Chairman or any other member of the Board generally or specifically authorised by the Board to act for that purpose and the Managing Director.
- (2) A document purporting to be a document duly executed under the seal of the Commission shall be received in evidence and shall, unless and until the contrary is proved, be presumed to be so executed.
5. The validity of any proceedings of the 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 of this schedule stand part of the Bill — Agreed to.

Chairman to report Bill.

(SENATE IN PLENARY)

The President of the Senate reported that the Senate in the Committee of the Whole considered a Report on a Bill for an Act to Establish the Satellite Towns Development Agency for Providing, Maintaining, Regulating and Operating Public Infrastructure, Economic and Strategic Development Plans and Ancillary Purposes for the Federal Capital Territory; and for Related Matters, 2022 and approved as follows:

Clauses 1-23 — As Recommended

Schedule — As Recommended

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

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

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

15. Federal University of Medical and Health Sciences Ondo, Ondo State Bill, 2022 (HB.1770) — Concurrence:

Motion made: That a Bill for an Act to Establish the Federal University of Medical and Health Sciences, Ondo, Ondo State for Training and Research in the Field of Medical and Health Sciences in Nigeria; and for Related Matters, 2022 be read the Second Time (*Senate Leader*).

Debate:

Question put and agreed to.

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

Motion made: Pursuant to Order 80(1), that the Senate do resolve into the Committee of the Whole to Consider a Report on a Bill for an Act to Establish the Federal University of Medical and Health Sciences, Ondo, Ondo State for Training and Research in the Field of Medical and Health Sciences in Nigeria; and for Related Matters, 2022

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A REPORT ON A BILL FOR AN ACT TO ESTABLISH THE FEDERAL UNIVERSITY OF MEDICAL AND HEALTH SCIENCES, ONDO, ONDO STATE FOR TRAINING AND RESEARCH IN THE FIELD OF MEDICAL AND HEALTH SCIENCES IN NIGERIA; AND FOR RELATED MATTERS, 2022.

**PART I - ESTABLISHMENT OF THE FEDERAL UNIVERSITY OF MEDICAL AND HEALTH SCIENCES,
ONDO, ONDO STATE**

**Clause 1: Establishment of the Federal University of Medical and Health Sciences,
Ondo, Ondo State.**

- (1) There is established the Federal University of Medical and Health Sciences, Ondo, Ondo State (in this Bill referred to as "the University").
- (2) The University shall be a body corporate with perpetual succession and a common seal and may sue and be sued in its corporate name and shall have power to acquire, hold and dispose of movable properties.

Committee's Recommendation:

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

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

Clause 2: Objects of the University.

The objects of the University shall be to -

- (a) teach and train health-care professionals;
- (b) provide healthcare services and consultancy;
- (c) conduct research and participate in extension, outreach and community services;
- (d) operate various schools and specialties that offer training and quality research in health care;
- (e) facilitate the acquisition of knowledge and skills in different specialties for effective and efficient management of health care;
- (f) provide solution to the lack and the inequitable distribution of health professionals serving rural communities;
- (g) train clinically competent and socially conscious health workers;
- (h) develop a training model for the training of community oriented health workers that could be replicated in other areas of Nigeria;
- (i) facilitate collaboration and enhancement of health sciences research and education endeavors;
- (j) provide support for education and research across the health sciences sector;
- (k) promote inter-professional and institutional education across all health professional programs; and
- (l) ensure that the health sciences sector is adequately and appropriately represented at all levels of University governance.

Committee's Recommendation:

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

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

Clause 3: Functions of the University.

The University shall -

- (a) encourage the advancement of learning and to hold out to all persons without distinction of race, creed, sex or political conviction, the opportunity of acquiring a higher education in Medicine and other medical and health sciences;
- (b) develop and offer academic and professional programs leading to the award of diplomas, first degrees, postgraduate research and higher degrees with emphasis on planning, adaptive, technical, maintenance, developmental and productive skills in the field of Medicine and related disciplines, with the aim of producing graduates with capacity not only to understand, use and adapt existing technologies in the health industry, but also to improve on those disciplines and develop new ones, and to contribute to the scientific transformation of medical and other health practices in Nigeria;
- (c) promote training, research and innovation for the effective and economic utilization, exploitation and conservation of Nigeria's natural, economic and human resources;
- (d) offer results of training and research in medicine and related studies and foster the practical application of those results;
- (e) establish appropriate relationships with other national institutions involved in training, research and development of health care;
- (f) identify the health problems and needs of Nigeria and proffer solutions;
- (g) provide and promote sound basic scientific training as a foundation for the development of medicine and related studies, taking into account the need to vastly increase the practical content of training, and adequate preparation of students for self-employment in medicine and related professions;
- (h) promote and emphasize teaching and research in health extension services and outreach programs, in-service training, continuing education, and adaptive research;
- (i) establish institutional linkages in order to foster collaboration and integration of training, research, and extension activities;
- (j) advise and report regularly to the ministry of education on all matters relevant to the health sciences sector and its education and research programs; and
- (k) undertake any other activities appropriate for the University and necessary or expedient for the performance of its functions under this Bill.

Committee's Recommendation:

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

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

Clause 4: Composition of the University.

- (1) The University shall consist of -
 - (a) Chancellor;
 - (b) Pro-Chancellor and a Council;
 - (c) Vice-Chancellor and a Senate;
 - (d) Deputy Vice-Chancellor(s);
 - (e) a body to be called Congregation;
 - (f) a body to be called Convocation;
 - (g) campuses and colleges of the University;
 - (h) schools, institutes and other teaching and research units;
 - (i) persons holding the offices constituted by the First Schedule to this Bill other than those mentioned in paragraph (a) to (d) of this subclause;
 - (j) all graduates and undergraduates of the University; and
 - (k) all other persons who are members of the University in accordance with provisions made by statute in that behalf.
- (2) The First Schedule to this Bill shall have effect with respect to the principal officers of the University.
- (3) Subject to clause 6 of this Bill, provisions shall be made by statute with respect to the constitution of the following bodies of the University: the Council, the Senate, Congregation and Convocation.

Committee's Recommendation:

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

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

PART II - MANAGEMENT BOARD OF THE UNIVERSITY**Clause 5: Appointment and functions of the Chancellor.**

There shall be appointed a Chancellor for the University, who shall -

- (a) in relation to the University, take precedence before all other members of the University and when present, and shall preside at all meetings of Convocation held for conferring degrees;
- (b) confirm each proposal to confer an honorary degree;
- (c) exercise such other powers and perform such other functions as may be conferred or imposed by this Bill or the statutes; and
- (d) subject to the provisions of this Bill hold office for a period of four years, and no more.

Committee's Recommendation:

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

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

Clause 6: Appointment and functions of the Vice-Chancellor.

- (1) There shall be appointed for the University a Vice-Chancellor, who shall, in relation to the University, take precedence before all other members of the University, except the Chancellor, and any other person for the time being acting as Chairman of the Council.
- (2) Subject to the provisions of this Bill, the Vice-Chancellor shall have the general function, in addition to any other functions conferred on him by this Bill or otherwise, of directing the activities of the University and shall be the Chief Executive and Academic Officer of the University and Ex-officio Chairperson of the Senate.

Committee's Recommendation:

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

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

Clause 7: Appointment and functions of the Pro-Chancellor.

There shall be appointed a Pro-Chancellor for the University, who shall -

- (a) in relation to the University, take precedence before all other members of the University, except the Chancellor and the Vice-Chancellor when Billing as Chairman of Congregation or Convocation;
- (b) when present, be the chairperson at all meetings of the Council; and
- (c) subject to the provisions of this Bill hold office for a period of five years, and no more.

Committee's Recommendation:

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

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

Clause 8: Establishment and composition of the Council.

There is established for the management of the affairs of the University, a Council (in this Bill referred to as "the Council"), which shall consist of -

- (a) Pro-Chancellor;
- (b) Vice-Chancellor;
- (c) Deputy Vice-Chancellor (s);
- (d) one person from the Ministry responsible for matters relating to education;
- (e) nine persons representing a variety of interests and broad representative of the Federation to be appointed by the President;
- (f) four persons appointed by the Senate from among its members;

- (g) two persons appointed by the Congregation from among its members; and
- (h) one person appointed by Convocation from among its members.

Committee's Recommendation:

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

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

Clause 9: Functions of the Council and its Finance and General Purposes Committee.

- (1) The Council shall -
 - (a) subject to the provisions of this Bill relating to the Visitor, be the governing body of the University and shall be charged with the general control and superintendence of the policy, finance and property of the University;
 - (b) have 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;
 - (c) shall make a statute with respect to the constitution of the Finance and General Purposes Committee;
 - (d) ensure that proper accounts of the University are kept and that the accounts are audited annually by an independent firm of auditors approved by the Council, and that an annual report shall be published by the University together with certified copies of the audited accounts;
 - (e) in conjunction with the Finance and General Purposes Committee and subject to this Bill and the statutes, make rules for regulating their own procedure;
 - (f) approve the rules made under paragraph (e) of this clause by the Finance and General Purposes Committee before coming into force, and in so far and to the extent that any rules made by that Committee conflict with any directions given by the Council (whether before or after the coming into force of the rules in question), the direction of the Council shall prevail; and
 - (g) meet as and when necessary for the performance of its functions under this Bill and shall meet at least three times in every year.
- (2) There shall be paid to the members of the Council, the Finance and General Purposes Committee and any other Committee set up by the Council an allowance in respect of travelling and other reasonable expenses, at such rates as may, from time to time, be fixed by the Minister.

- (3) Where a written request for a meeting is made 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, and such request shall specify the business of the meeting and a business not so specified shall not be transacted at the meeting.

Committee's Recommendation:

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

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

Clause 10: Functions of the Senate.

- (1) The Senate shall organize and control the teaching by the University, the admission (where no other enactment provides to the contrary), and the discipline of students; and promote research at the University.
- (2) Without prejudice to the generality of sub-clause (1) the Senate shall
- (a) establish, organize and control of campuses, colleges, schools, institutes and other teaching and research units of the University and allocation of responsibility for different branches of learning;
 - (b) organize and control courses of study in the University and examinations, appointment of examiners, both internal and external;
 - (c) award degrees, and such other qualifications as may be prescribed, in connection with examinations held;
 - (d) make recommendations to the Council with respect to the award to any person of an honorary fellowship or degree or the title of professor emeritus;
 - (e) establish, organize and control halls of residence and similar institutions at the University;
 - (f) supervise the welfare of students at the University and the regulation of their conduct;
 - (g) grant fellowships, scholarships, prizes and similar awards in so far as the awards are within the control of the University; and
 - (h) determine academic dress for the purposes of the University, and regulating the use of academic dress;
 - (i) provide that at least one of the persons appointed as the examiners at each final or professional examination held in conjunction with any course of study at the University, as may be prescribed by the Senate from time to time, 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; and

- (j) not establish any new campus, college, school, department, institute or other teaching and research units of the University without the approval of the Council.
- (3) Subject to this Bill and statutes, the Senate may make regulations for the purpose of exercising any function conferred on it either by the provisions of this clause or for the purpose of making provisions for any matter for provided and authorized by regulations or required by this Bill or by statute.
- (4) Subject to a right of appeal to the Council from a decision of the Senate, the Senate may deprive any person of any degree, diploma or other award of the University which has been conferred upon the person, if after due enquiry there is proof of dishonorable or scandalous conduct in gaining admission into the University or obtaining that award.

Committee's Recommendation:

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

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

PART III - STATUTES OF THE UNIVERSITY

Clause 11: Power of the University to make statutes.

- (1) Subject to this Bill, the University may make statutes for -
 - (a) the composition and constitution of any authority of the University;
 - (b) specifying and regulating the powers and duties of any authority of the University and regulating any other matter connected with the University or any of its authorities;
 - (c) regulating the admission of students (where no other enactment provides to the contrary), and their discipline and welfare;
 - (d) determining whether any particular matter is to be treated as an academic or non-academic matter for the purposes of this Bill and of any statute, regulation or other instrument made thereunder;
 - (e) making provision for any other matter for which provision by statute is authorized or required by this Bill.
- (2) The Interpretation provision of this Bill shall apply to any statute or subsidiary instrument made under this Bill.
- (3) The power to make statutes under this clause shall not be prejudiced or limited in any way by reason of the inclusion or omission of any matter in or from the statute contained in the Second Schedule to this Bill or any subsequent statute.

Committee's Recommendation:

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

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

Clause 12: Mode of exercising power to make statutes.

- (1) 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.
- (2) A proposed statute may originate either in the Senate or in the Council, and may be approved as required by this clause.
- (3) A statute which makes provision for or alters the composition or constitution of the Council, the Senate or any other authority of the University shall not come into operation unless it has been approved by the President.
- (4) A statute shall be deemed made, on the date on which it is duly approved by the Council and the Senate, or in the case of a statute falling within sub-clause (3) of this clause, on the date on which it is approved by the President.
- (5) In the event of any doubt or dispute arising at any time as to the meaning of any provision of a statute; or whether any matter is for the purpose of this Bill, an academic matter, the matter may be referred to the Visitor.
- (6) The decision of the Visitor on any matter referred to him under sub-clause (5) of this clause shall be final and binding upon the authorities, staff and students of the University, and, the dispute so determined shall not be entertained by any court of law in Nigeria.
- (7) Nothing in subclause (7) of this clause shall affect any power of a court of competent jurisdiction to determine whether any provision of a statute is wholly or partially void as being ultra vires or as being inconsistent with the 1999 Constitution of the Federal Republic of Nigeria.

Committee's Recommendation:

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

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

Clause 13: Proof of statutes.

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

Committee's Recommendation:

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

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

PART IV - SUPERVISION AND DISCIPLINE

Clause 14:

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

Committee's Recommendation:

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

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

Clause 15: Removal of members of Council.

- (1) If it appears to the Council that a member of the Council (other than the Pro-Chancellor or the Vice-Chancellor) should be removed from office on the ground of misconduct or inability to perform the functions of his office or employment, the Council shall make a recommendation to that effect through the Minister to the President, after making such enquiry, if any, as may be considered appropriate, and if the President approves the recommendation, the President may direct the removal of the member from office.
- (2) The Minister shall cause a copy of the instrument containing a direction under sub clause (1) of this clause to be served as soon as reasonably practicable on the person to whom it relates.

Committee's Recommendation:

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

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

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

- (1) Where the Council has any reason for the removal of an academic, administrative or professional staff of the University, other than Vice-Chancellor, on the ground of misconduct or inability to perform the functions of office or employment, the Council shall -
 - (a) give notice of those reasons to the person and afford the person an opportunity of making representations in person on the matter;
 - (b) appoint a Staff Disciplinary Committee; and
 - (c) if the Council, after considering the report of the Staff Disciplinary Committee, is satisfied that the person should be removed, the Council may so remove the person by an instrument in writing signed on the directions of the Council.

- (2) The Vice-Chancellor may, in case of misconduct by a member of staff, which in the opinion of the Vice-Chancellor is prejudicial to the interests of the University, suspend such member and any such suspension shall be reported to the Council.
- (3) Any staff suspended under sub clause (2) may be dismissed from duties or appointment by the Council, where -
 - (a) the staff is unfit for the discharge of the functions of the office;
 - (b) any physical or mental incapacity will render the person unfit to continue to hold his office;
 - (c) conduct of a scandalous or other disgraceful nature can render the person unfit to continue to hold the office;
 - (d) a conduct which the Council constitutes failure or inability of the person to discharge the functions of the office or to comply with terms and conditions of service; or
 - (e) a conduct is generally of such nature as to render the continued appointment or service of the person prejudicial or detrimental to the interest of the University.
- (4) Any person suspended this clause shall be on half pay and the Council shall before the expiration of three months after the date of such suspension consider the case against that person and come to a decision 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) re-instate the person, in which case the Council shall restore full emoluments with effect from the date of suspension;
 - (c) terminate the appointment of the person and the person shall not be entitled to the proportion of emoluments withheld during the period of suspension; or
 - (d) take such lesser disciplinary action against such person (including the restoration of a proportion of the person's emoluments as might have been withheld) as the Council may determine.
- (5) Where the Council, pursuant to this clause, decides to continue a person's suspension or decides to take further disciplinary action against a person, the Council shall before the expiration of three months from such decision come to a final determination in respect of the case concerning any the person.
- (6) A person who signs an instrument of removal pursuant to this clause shall cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it relates.

- (7) Nothing in this clause shall apply to any directive given by the Visitor in consequence of any visitation, or prevent the Council from making regulations for the discipline of other categories of workers of the University as may be prescribed.

Committee's Recommendation:

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

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

Clause 17: Staff discipline.

- (1) The Vice-Chancellor or Senate shall constitute an Investigation Panel to determine whether or not a prima facie case has been established against any member of staff.
- (2) The Investigation Panel shall include the President or the Chairman of the union to which the staff being investigated belongs.
- (3) The Vice-Chancellor shall constitute a Staff Disciplinary Committee, which shall consist of such members of the Senate as he may determine, to consider the report of the Investigating Panel.
- (4) The report and recommendation of the Staff Disciplinary Committee shall be forwarded to the Council for consideration and decision.

Committee's Recommendation:

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

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

Clause 18: Appointment of external Examiners.

The Senate shall appoint external examiners.

Committee's Recommendation:

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

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

Clause 19: 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 office or appointment, then except in such cases as may be prescribed, the Vice-Chancellor may, after affording the examiner an opportunity of making representations in person on the matter to the Vice-Chancellor, remove the examiner from the office or appointment by an instrument in writing signed by the Vice-Chancellor.
- (2) Subject to the provisions of regulations made under 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 pursuance of sub clause (1) of this clause.
- (3) The Vice-Chancellor shall cause a copy of the instrument of removal under this clause to be served as soon as is reasonably practicable on the person to whom it relates.

Committee's Recommendation:

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

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

Clause 20: Discipline of students.

- (1) Subject to the provisions of this clause, where it appears to the Vice-Chancellor that any student of the University has been guilty of misconduct, the Vice-Chancellor may, in consultation with the Senate and, without prejudice to any other disciplinary power conferred on the Vice-Chancellor by statute or regulations, direct that the -
 - (a) student shall not, during such period as may be specified in the direction, participate in such activities of the University, or make use of such facilities of the University, as may be so specified;
 - (b) activities of the student shall, during such period as may be specified in the direction, be restricted in such manner as may be so specified;
 - (c) student be rusticated for such period as may be specified in the direction; or
 - (d) student be expelled from the University.
- (2) Where a direction is given under subclause (1) (c) or (d) of this clause in respect of any student, that student may, within the prescribed period and in the prescribed manner, appeal to the Council; and where such an appeal is brought, the Council shall after causing such inquiry to be made in the matter as the Council considers just, confirm or set aside the direction or modify it in such manner as the Council thinks fit.
- (3) The fact that an appeal from a direction is brought in pursuance of subclause (2) of this clause shall not affect the operation of the direction while the appeal is pending.
- (4) The Vice-Chancellor may delegate his powers under this clause to a Disciplinary Committee consisting of such members of the University as he may nominate.
- (5) Nothing in this clause shall be construed as preventing the restriction or termination of a student's activities at the University otherwise than on the ground of misconduct.
- (6) Without prejudice to the provision of subclause (1) of this clause, nothing shall prevent the Vice-Chancellor from taking an immediate disciplinary Billion against a student where he deems fit, and report thereafter to the Senate.
- (7) It is hereby declared that a direction under subclause (1) (a) of this clause may be combined with a direction under subclause (1) (b) of this clause.

- (8) No staff or student shall resort to a law court without proof of having exhausted the integral avenues for settling disputes or grievances or for seeking redress.
- (9) The Visitor shall be the final arbiter on staff and student discipline, and his decision shall not be contestable in any court of law in Nigeria.
- (10) Nothing in this clause shall affect any power of a court of competent jurisdiction to enforce the fundamental right of any aggrieved citizen as enshrined in the Constitution of the Federal Republic of Nigeria, 1999.

Committee's Recommendation:

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

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

PART V - MISCELLANEOUS AND GENERAL

Clause 21: Exclusion of discrimination on account of race, religion, etc.

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

Committee's Recommendation:

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

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

Clause 22: Restriction on disposal of land by University.

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

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

Committee's Recommendation:

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

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

Clause 23: Quorum and procedure of bodies established under this Bill.

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

Committee's Recommendation:

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

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

PART VI - MISCELLANEOUS

Clause 24: Appointment of committees.

- (1) A body of persons established by this Bill shall, without prejudice to the generality of the powers of that body, have power to appoint committees, which need not consist exclusively of members of that body and to authorize such committee to -
 - (a) exercise, on its behalf, such of its functions as it may determine;
 - (b) co-opt members, and may direct whether or not co-opted members shall be entitled to vote in that committee.
- (2) Any two or more such bodies may arrange for the holding of joint meetings of those bodies or for the appointment of committees consisting of members of those bodies 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 clause 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 clause shall be construed as enabling -
 - (a) statutes to be made otherwise than in accordance with clause 11 of this Bill; or
 - (b) the Senate to empower any other body to make regulations or to award degrees or other qualifications.
- (5) The Pro-Chancellor and the Vice-Chancellor shall be members of every committee of which the members are wholly or partly appointed by the Council (other than a committee appointed to inquire into the conduct of any officer in question); and the Vice-Chancellor shall be a member of the Council and the Vice-Chancellor shall be a member of every committee of which the members are wholly or partly appointed by the Senate.

Committee's Recommendation:

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

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

Clause 25: Retiring age of academic staff of the University.

Notwithstanding anything to the contrary in the Pensions Bill, the compulsory retiring age of an academic staff of a University shall be 65 years except for the professor, which is 70 years.

Committee's Recommendation:

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

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

Clause 26: Special provisions relating to pension of Professors.

A person who retires as a professor having served -

- (a) a minimum period of fifteen years as a Professor in the University or continuously in the service of a University in Nigeria up to the retiring age; and
- (b) who during the period of service was absent from the University only on approved national or University assignments,

shall be entitled to pension at a rate equivalent to his last annual salary and such allowances as the Council may, from time to time, determine as qualifying for pension and gratuity, in addition to any other retirement benefits to which the person may be entitled.

Committee's Recommendation:

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

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

Clause 27: Miscellaneous administrative provisions.

- (1) The seal of the University 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, made or executed by a person not being a body corporate would not be required to be under seal, but may be made or executed on behalf of the University by any person generally or specifically authorized to do so by the Council.
- (4) The validity of any proceedings of any body 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 proceedings.
- (5) Any member of any such body who has a personal interest in any matter proposed to be considered by that body shall forthwith disclose his interest to the body and shall not vote on any question relating to that matter.

- (6) Nothing in section 12 of the Interpretation Act (which provides for the application in relation to subordinate legislation of certain incidental provisions) shall apply to statutes or regulations made in pursuance of this Bill.

Second Schedule.

- (7) The power conferred by this Bill on a body to make statutes or regulations shall include power to revoke or vary any statute (including the statute contained in the Second Schedule of this Bill) or any regulation by a subsequent statute, or, as the case may be, by a subsequent regulation and statute and regulations.
- (8) No stamp duty or other duty shall be payable in respect of any transfer of property to the University by virtue of any provision of this Bill.
- (9) Any notice or other instrument 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 27 be retained (*Senate Leader*).

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

Clause 28: Interpretation.

In this Bill, unless the context otherwise requires -

"Campus" means any Campus established by the University;

"College" means any College established by the University;

"Council" means the Council established by this Bill;

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

"Minister" means the Minister charged with responsibility relating to education;

"Notice" means Notice in writing;

"Office" does not include the Visitor;

"Prescribed" means prescribed by statutes or regulations;

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

"Property" includes rights, liabilities and obligations;

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

"Senate" means the Senate of the University established under this Bill;

"Statute" means a Statute made by the University under this Bill;

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

"Undergraduate" means a person in statu pupillari at the University other than a graduate and a person of such description as may be prescribed for the purposes of this definition.

Committee's Recommendation:

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

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

Clause 29: Short title.

This Bill may be cited as the Federal University of Medical and Health Sciences, Ondo, Ondo State (Establishment) Bill, 2022.

Committee's Recommendation:

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

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

SCHEDULES

FIRST SCHEDULE

[Clause 4 (2)]

PRINCIPAL OFFICERS OF THE UNIVERSITY

The Chancellor

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

The Pro-Chancellor

2. (1) The Pro-Chancellor shall be appointed or removed by the President on the recommendation of the Minister.
- (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/her appointment.

The Vice-Chancellor

3. (1) There shall be a Vice-Chancellor of the University who shall be appointed by the President 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 and conditions of service applicable to the post, and thereafter draw up a short list of suitable candidates for the post for consideration;
- (b) constitute a search team consisting of -
 - (i) a member of the Council, who is not a member of the Senate, as chairman;
 - (ii) two members of the Senate who are not members of the Council, one of whom shall be a professor;
 - (iii) two members of Congregation who are not members of the Council, one of whom shall be a professor, to identify and nominate for consideration, suitable persons who are not likely to apply for the post on their own volition because they feel that it is not proper to do so.
- (3) A joint Council and Senate Selection Board consisting of -
 - (a) the Pro-Chancellor, as chairman;
 - (b) two members of the Council, not being members of the Senate;
 - (c) two members of the Senate who are professors, but who were not members of the Search Team, shall consider the candidates and persons on the short list drawn up under subparagraph (2) of this paragraph through an examination of their curriculum vitae and interaction with them, and recommend to the Council suitable candidates for further consideration.
- (4) The Council shall select three candidates from among the candidates recommended to it under subparagraph (3) of this paragraph and may indicate its order of preference stating the reasons therefor and forward the names to the President.
- (5) The President may appoint as Vice-Chancellor anyone of the candidates recommended to him in accordance with the provisions of subparagraph (4) of this paragraph.
- (6) The Vice-Chancellor shall hold office for a single term of five years only on such terms and conditions as may be specified in his letter of appointment.
- (7) The Vice-Chancellor may be removed from office by the Visitor after due consultation with the Council and the Senate Billing through the Minister of Education.

Deputy Vice-Chancellors

- 4. (1) There shall be for the University such number of Deputy Vice Chancellors as the 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 subparagraph (2) of this paragraph and forward his name to the Council for confirmation.
- (4) A Deputy Vice-Chancellor shall -
 - (a) assist the Vice-Chancellor in the performance of his functions;
 - (b) act in the place of the Vice-Chancellor when the post of the Vice-Chancellor is vacant or if the Vice-Chancellor is, for any reason, absent or unable to perform his functions as Vice-Chancellor; and
 - (c) perform such other functions as the Vice-Chancellor or the Council may, from time to time, assign to him.
- (5) A Deputy Vice-Chancellor -
 - (a) shall hold office for a period of two years beginning from the effective date of his appointment and on such terms and conditions as may be specified in his letter of appointment; and
 - (b) may be re-appointed for one further period of two years and no more.

Office of the Registrar

5. (1) There shall be for 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.
 - (3) The Registrar shall hold office for such period and on such terms as to the emoluments of his/her office and otherwise as may be specified Other principal officers of the University.
6. (1) There shall be for each University the following principal officers, in addition to the Registrar, that is -
 - (a) the Bursar; and
 - (b) the University Librarian, who shall be appointed by the Council on the recommendation of the Selection Board constituted under paragraph 8 of this Schedule.
- (2) The Bursar shall be the chief financial officer of 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, faculties, schools, departments, institutes and other teaching or research units.
- (4) The Bursar and Librarian shall hold office for such period and on such terms as to the emoluments of their offices and otherwise as may be specified.

- (5) 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 sub-paragraph (1) of this paragraph shall be as the Council may, from time to time, determine.
- (3) The Registrar, Bursar and Librarian shall hold office for such period and on such terms as to the emoluments of their offices and otherwise as may be specified in their letters of appointment.

Resignation and re-appointment

8. (1) Any officer mentioned in the foregoing provisions of this Schedule may resign his office -
- (a) in the case of the Chancellor, by notice to the President; and
 - (b) in any other case, by notice to the Council and the Council shall immediately notify the Minister in the case of the Vice-Chancellor.
- (2) Subject to paragraphs 4 and 5 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 First Schedule stand part of the Bill — Agreed to

SECOND SCHEDULE

FEDERAL UNIVERSITY OF MEDICAL AND HEALTH SCIENCES STATUTE NO.1

The Council

1. (1) The composition of the Council shall be as provided in clause 8 of this Bill.
- (2) Any member of the Council holding office otherwise than in pursuance of clause 8 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 clause 8 of this Bill shall, unless he previously vacates it, vacate that office on the expiration of the period of five years beginning with effect from 1 August in the year in which he was appointed.
- (4) Where a member of the Council holding office otherwise than in pursuance of clause 8 of this Bill vacates before the expiration of the period aforesaid, the body or person by whom he was appointed may appoint a successor to hold office for the residue of the term of his predecessor.

- (5) A person ceasing to hold office as a member of the Council otherwise than by removal for misconduct shall be eligible for re-appointment for only one further period of five years.
- (6) The quorum of the Council shall be five, at least one of whom shall be a member appointed pursuant to clause 8 (d), (e), or (h) 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 clauses 6 and 7 of this Bill and the fore-going provisions the Council may regulate its own procedure.
- (8) Where the Council desires to obtain advice with respect to any particular matter, it may co-opt not more than two persons for that purpose and the persons co-opted may take part in the deliberations of the Council at any meeting but shall not be entitled to vote.

The Finance and General Purposes Committee

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

The Senate

3. (1) The Senate shall consist of -
 - (a) the Vice-Chancellor and Deputy Vice-Chancellors;
 - (b) Deans of Colleges;
 - (c) the Directors of Institutes and Research Centres;
 - (d) the Heads of academic Departments;
 - (e) the Librarian;
 - (f) one member of not less than the rank of senior lecturer of each college;
 - (g) four persons representing the Congregation.

- (2) The Vice-Chancellor shall be the chairman at all meetings of the Senate when he is present; and in his absence any of the Deputy Vice-Chancellors present at the meeting as the Senate may appoint for that meeting shall be chairman at the meeting.
- (3) The quorum of the Senate shall be one quarter (or the nearest whole number less than one quarter) and subject to paragraph 2 of this article, the Senate may regulate its own procedure.
- (4) An elected member may, by notice to the Senate, resign his office.
- (5) Subject to paragraph (7) of this article, there shall be elections for the selection of elected members, which shall be in the prescribed manner on such day in the month of May or June in each year as the Vice-Chancellor may, from time to time, determine.
- (6) An elected member shall hold office for the period of two years beginning with 1 August in the year of his election, and may be a candidate at any election held in pursuance of paragraph (5) of this article in the year in which his period of office expires, so however that no person shall be such a candidate if at the end of his current period of office he will hold office as an elected member for a continuous period of six years or would have so held office if he had not resigned it.
- (7) No election held in pursuance of this article in any year if the number specified in the certificate given in pursuance of paragraph (10) of this article does not exceed by more than one the figure which is thrice the number of those elected members holding office on the date of the certificate who do not vacate office during that year in pursuance of paragraph (6) of this article.
- (8) For the avoidance of doubt it is hereby declared that no person shall be precluded from continuing in or taking office as an elected member by reason only of a reduction in the total of non-elected members occurring on or after 30 April in any year in which he is to continue in or take office as an elected member.
- (9) If so requested in writing by any fifteen members of the Senate, the Vice-Chancellor, or in his absence, any of the Deputy Vice-Chancellors duly appointed by him, shall convene a meeting of the Senate to be held not later than the tenth day following that on which the request was received.
- (10) In this article "total of non-elected members" means as respects any year, such number as may be certified by the Vice-Chancellor on 30 April of that year to be the number of persons holding office as members of the Senate on that day otherwise than as elected members.

Congregation

4. (1) Congregation shall consist of -
 - (a) the Vice-Chancellor and the Deputy Vice-Chancellors;
 - (b) the full-time members of the academic staff;
 - (c) the Registrar;
 - (d) the Bursar;

- (e) the Librarian;
 - (f) the Director of Works;
 - (g) the Director of Academic Planning;
 - (h) the Director of Physical Planning;
 - (i) the Director of Health Services; and
 - (j) every member of the administrative staff who holds a degree other than an honorary degree of any university recognized for the purposes of this statute by the Vice-Chancellor.
- (2) Subject to clauses 5 and 6 of the Bill, the Vice-Chancellor shall be the chairman at all meetings of Congregation when he is present; and in his absence any of the Deputy Vice-Chancellors present at the meeting as Congregation may appoint for that meeting, shall be the chairman at the meeting.
- (3) The quorum of Congregation shall be one third (or the whole number nearest to one third) of the total numbers of Congregation or fifty, whichever is less.
- (4) A certificate signed by the Vice-Chancellor specifying -
- (a) the total number of members of Congregation for the purposes of any particular meeting or meetings of Congregation; or
 - (b) the names of the persons who are members of Congregation during a particular shall be conclusive evidence of that number or as the case may be, of the names of those persons.
- (5) Subject to the foregoing provision of this article, Congregation may regulate its own procedure.
- (6) Congregation shall be entitled to express by resolution or otherwise its opinion on all matters affecting the interest and welfare of the University and shall have such other functions in addition to the function of electing a member of the Council, as may be provided by statute or regulations.

Convocation

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

- (b) he/she applies for the registration of his name in the prescribed manner and pays the prescribed fees.
- (3) Regulations shall provide for the establishment and maintenance of a register for the purposes of this 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 any person who fails to pay those fees.
- (4) The person responsible for maintaining the register shall, without the payment of any fees, ensure that the names of all persons who are for the time being members of Convocation by virtue of paragraph (1) (a) or (b) of this article are entered and retained on the register.
- (5) A person who reasonably claims that he is entitled to have his name on the register shall be entitled on demand to inspect the register or a copy of the register at the principal offices of the University at all reasonable times.
- (6) The register shall, unless the contrary is proved, be sufficient evidence that any persons named therein is, and that any person not named therein is not, a member of Convocation; but for the purpose of ascertaining whether a particular person was such a member on a particular date, any entries in and deletions from the register made on or after that date shall be disregarded.
- (7) The quorum of Convocation shall be fifty or one third (or the whole number nearest to one third) of the total number of members of Convocation, whichever is less.
- (8) Subject to clause 5 of this Bill, the Chancellor shall be the chairman at all meetings of Convocation when he is present, and in his absence the Vice-Chancellor shall be the chairman at the meeting.
- (9) Convocation shall have such other functions, in addition to the functions of appointing a member of the Council, as may be provided by 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 College Board, which, subject to provisions of this statute, and subject to the directions of the Vice-Chancellor, shall -
 - (a) regulate the teaching and study of, and the conduct of examinations connected with the subjects assigned to the college;
 - (b) deal with any other matter assigned to it by statute or by the Vice-Chancellor or by the Senate; and
 - (c) advise the Vice-Chancellor or the Senate on any matter referred to it by the Vice-Chancellor or the Senate.
- (2) Each College Board shall consist of -
 - (a) the Vice-Chancellor;
 - (b) the Deputy Vice-Chancellor;

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

Appointments and Promotions Committee

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

Dean of College

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

Deputy Dean of College

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

Director of Institute or Centre

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

Head of Department

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

Creation of Academic Posts

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

Appointment of Academic Staff

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

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

Appointment of Administrative and Technical Staff

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

Question that the provision of this schedules stand part of the Bill — Agreed to.

Chairman to report Bill.

(SENATE IN PLENARY)

The President of the Senate reported that the Senate in the Committee of the Whole considered a Report on a Bill for an Act to Establish the Federal University of Medical and Health Sciences, Ondo, Ondo State for Training and Research in the Field of Medical and Health Sciences in Nigeria; and for Related Matters, 2022 and approved as follows:

Clauses 1-29 — As Recommended

Schedules 1-2 — As Recommended

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

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

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

16. Adjournment:

Motion made: That the Senate do now adjourn till Wednesday, 30th November, 2022 at 10:00a.m. (*Senate Leader*).

Question put and agreed to.

Adjourned accordingly at 12.43 p.m.

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