



**SENATE OF THE
FEDERAL REPUBLIC OF NIGERIA
VOTES AND PROCEEDINGS**

Thursday, 15th October, 2026

1. The Senate met at 11:33 a.m; recited the National Anthem and thereafter, the Deputy President of the Senate read prayers.

2. **Votes and Proceedings:**

The Senate examined the Votes and Proceedings of Wednesday, 14th October, 2026.

Question was put and the Votes and Proceedings were approved.

3. **Announcement:**

Acknowledgment:

The Deputy President of the Senate acknowledged the presence of Delegates from Danbatta/Makoda Federal Constituency, Kano State led by Hon. Auwalu Isah Jibga, Chairman Makoda Local Government Area and Hon. Abubakar Sadiq Muhammad, Vice-Chairman, Danbatta Local Government Area who were at the gallery to observe the Senate proceedings.

4. **Matter of Urgent Public Importance:**

Rising on Orders 41 and 51, Senator Osita, Ngwu (*Enugu West*) drew the attention of the Senate to the Need for Federal Intervention and Reconstruction of the Nkwuni-Awlaw Mmam Bridge linking Enugu and Abia States. He sought and obtained the leave of the Senate to present the matter forthwith:

The Senate:

notes that the Nkwuni-Awlaw Mmam Bridge is a strategic interstate link that connects Inyi, Achi and Awlaw in Oji-River Local Government Area of Enugu State to Mbala, Amuda and Leru in Umunneochi Local Government Area of Abia State on the Enugu-Port Harcourt Expressway;

The bridge provides a critical crossing over the Mmam River whose source is from Mmaku and which divides Awlaw into two, and was originally constructed during the colonial period;

The bridge was destroyed during the Nigerian Civil War, after which the Nigerian Army Engineers built a temporary Bailey bridge which was subsequently dismantled and taken away by the Army, leaving the Mmam River at Nkwuni without a bridge for over 50 years;

At present, the people of Awlaw rely solely on bamboo rafts to cross to their farmlands across Mmam River, with attendant risk to their economic mainstay of subsistence farming, hunting and fishing activities;

The absence of the bridge has forced vehicular movement to take extremely circuitous and costly routes;

The Mmam River Valley farmlands housed more than 8 temporary refugee camps during the Civil War, and these fertile lands have now been taken over by miscreants and hoodlums who use the ungoverned forest as a fortress, thereby promoting insecurity in the South-East;

The continued absence of this bridge constrains free movement of persons, goods and services, isolates nodal markets of Nkwo, Eke, Orié and Afor, and discourages investment and industrial development, with attendant insecurity due to lack of motorable access; and

The construction of the Nkwuni-Awlaw Mmam Bridge is a strategic public infrastructure intervention that will eliminate transportation bottleneck, improve interstate connectivity, reduce poverty, improve evacuation of agricultural produce, facilitate access to markets and essential services, strengthen security response and stimulate economic activities;

Accordingly resolves to:

- (i) urge the Federal Government to include the Reconstruction of Nkwuni-Awlaw Mmam Bridge, Oji-River LGA, Enugu State in the 2027 Appropriation Bill under the Federal Ministry of Works and the Border Communities Development Agency;
- (ii) mandate its Committee on Works to liaise with the Federal Ministry of Works, to produce a final design for a permanent all-weather bridge; and
- (iii) urge the Office of the National Security Adviser and the Nigeria Police Force to carry out immediate security clearance of the Mmam Valley Fortress as an interim measure to reclaim farmlands from criminal elements.

Debate:

Proposed Resolution (i):

Question: That the Senate do urge the Federal Government to include the Reconstruction of Nkwuni-Awlaw Mmam Bridge, Oji-River LGA, Enugu State in the 2027 Appropriation Bill under the Federal Ministry of Works and the Border Communities Development Agency — *Agreed to.*

Proposed Resolution (ii):

Question: That the Senate do mandate its Committee on Works to liaise with the Federal Ministry of Works, to produce a final design for a permanent all-weather bridge — *Agreed to.*

Proposed Resolution (iii):

Question: That the Senate do urge the Office of the National Security Adviser and the Nigeria Police Force to carry out immediate security clearance of the Mmam Valley Fortress as an interim measure to reclaim farmlands from criminal elements — *Agreed to.*

Resolved:

That the Senate do:

- (i) urge the Federal Government to include the Reconstruction of Nkwuni-Awlaw Mmam Bridge, Oji-River LGA, Enugu State in the 2027 Appropriation Bill under the Federal Ministry of Works and the Border Communities Development Agency;
- (ii) mandate its Committee on Works to liaise with the Federal Ministry of Works, to produce a final design for a permanent all-weather bridge; and
- (iii) urge the Office of the National Security Adviser and the Nigeria Police Force to carry out immediate security clearance of the Mmam Valley Fortress as an interim measure to reclaim farmlands from criminal elements (S/Res/29/04/2026).

5. Matter of Urgent Public Importance:

Rising on Orders 41 and 51, Senator Aniekan, Bassey Etim (*Akwa Ibom North-East*) drew the attention of the Senate to the tragic and avoidable death of Comrade Etimbuk Daniel at the National Youth Service Corps Orientation Camp in Enugu State: An urgent need for a review of medical services in NYSC Camps nationwide. He sought and obtained the leave of the Senate to present the matter forthwith:

The Senate:

notes with deep shock and profound grief, the sudden and untimely passing of Comrade Etimbuk Daniel, a vibrant, patriotic young Nigerian who, until his demise, was a corps member undergoing his mandatory National Service at the National Youth Service Corps (NYSC) Orientation Camp in Enugu State;

further notes that Comrade Etimbuk Daniel was an outstanding student leader, a shining light of his community, and the immediate past Students' Union Government (SUG) President of Akwa Ibom State University (AKSU), who had just set out to serve his fatherland with dedication and high hopes;

concerned by troubling reports surrounding the circumstances of his death, which indicate that Comrade Daniel succumbed to complications arising from a seemingly minor headache after allegedly experiencing a severe delay in obtaining proper, timely, and adequate medical attention at the camp's clinic;

worried that this tragic incident is not an isolated case but highlights a recurring, deeply concerning pattern of systemic negligence, poor medical infrastructure, and an absence of qualified emergency healthcare personnel or rapid referral protocols across various NYSC orientation camps in Nigeria;

recognizes that the primary constitutional responsibility of the Government is the security and welfare of its citizens, as enshrined in Section 14(2)(b) of the 1999 Constitution of the Federal Republic of Nigeria (as amended). Consequently, the State owes an absolute duty of care to young graduates mobilized away from their homes to serve the nation; and

distressed that a bright future has been cut short prematurely, plunging his immediate family, the student community of Akwa Ibom State University, and the entire Akwa Ibom State including the whole country into deep mourning due to failures in basic emergency healthcare delivery.

Accordingly resolves to:

- (i) observe a minute silence in honour of the late Comrade Etimbuk Daniel and pray for God to grant his family and loved ones the fortitude to bear this irreplaceable loss; and
- (ii) direct its Committees on Youth & Community Engagement; Judiciary, Human Rights and Legal Matters; Police Affairs; and Health (Secondary & Tertiary) to conduct a thorough investigation into the circumstance surrounding his death.

Debate:

Proposed Resolution (i):

Question: That the Senate do observe a minute silence in honour of the late Comrade Etimbuk Daniel and pray for God to grant his family and loved ones the fortitude to bear this irreplaceable loss — *Agreed to.*

Proposed Resolution (ii):

Question: That the Senate do direct its Committees on Youth & Community Engagement; Judiciary, Human Rights and Legal Matters; Police Affairs; and Health (Secondary & Tertiary) to conduct a thorough investigation into the circumstance surrounding his death — *Agreed to.*

Resolved:

That the Senate do:

- (i) observe a minute silence in honour of the late Comrade Etimbuk Daniel and pray for God to grant his family and loved ones the fortitude to bear this irreplaceable loss; and
- (ii) directs its Committees on Youth & Community Engagement; Judiciary, Human Rights and Legal Matters; Police Affairs; and Health (Secondary & Tertiary) to conduct a thorough investigation into the circumstance surrounding his death(S/Res/30/04/2026).

6. Matter of Urgent Public Importance:

Rising on Order 41(2), Senator Konbowei, Benson Friday (*Bayelsa Central*) drew the attention of the Senate to the Need to save Obogoro Community from Extinction. He sought and obtained the leave of the Senate to present the matter on the next legislative day.

Matter to stand over to the next Legislative Day [Order 41(2)].

7. Presentation of Bills:

- (i) West African Gas Pipeline Project Act (Amendment) Bill, 2026 (HB. 2744) — *Read the First Time.*

(PRESIDENT OF THE SENATE IN CHAIR)

- (ii) National Drug Law Enforcement Agency Act (Amendment) Bill, 2026 (SB. 1077) — *Read the First Time.*
- (iii) Nigerian Safety Investigation Bureau Act (Amendment) Bill, 2026 (SB. 1078) — *Read the First Time.*
- (iv) Geneva Conventions and Additional Protocols Bill, 2026 (SB. 1079) — *Read the First Time.*
- (v) Rome Statute of the International Criminal Court (Enforcement) Bill, 2026 (SB. 1080) — *Read the First Time.*

8. Motions:

Rescission and Re-committal of Employees' Compensation Trust Fund (Establishment) Bill, 2026 and the Federal Polytechnics Act (Amendment) Bill, 2026 Pursuant to Orders 1(b) and 52(6) of the Senate Standing Orders, 2026:

The Senate:

notes that the Employees' Compensation Trust Fund (Establishment) Bill, 2026 and the Federal Polytechnics Act (Amendment) Bill, 2026, were passed on Tuesday, 2nd June, 2026 and 7th July, 2026 respectively;

also notes that certain provisions in Sections 2, 8, and 31 of the Polytechnic Act and several provisions of the Employees' Compensation Trust Fund (Establishment) Bill, 2026 require further legislative scrutiny, review and amendment to ensure administrative clarity and a comprehensive legal framework;

cognizant of the need to recommit both Bills to the Committee of the Whole;

relying on the provisions of Orders 1(b) and 52(6) of the Senate Standing Orders, 2026.

Accordingly resolves to:

- (i) rescind its earlier decision on both Bills as previously passed; and
- (ii) re-commit same to the Committee of the Whole for reconsideration and passage.

Debate:

Proposed Resolution (i):

Question: That the Senate do rescind its earlier decision on both Bills as previously passed — *Agreed to.*

Proposed Resolution (ii):

Question: That the Senate do re-commit same to the Committee of the Whole for reconsideration and passage — *Agreed to.*

Resolved:

That the Senate do:

- (i) rescind its earlier decision on both Bills as previously passed; and
- (ii) re-commit same to the Committee of the Whole for reconsideration and passage (S/Res/31/04/2026).

Motion made: Pursuant to Resolution No.(S/Res/31/04/2026), that the Senate do resolve into Committee of the Whole to consider the Bill.

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

(a) Federal Polytechnic Act (Amendment) Bill, 2026 (HB. 2114)

CONSIDERATION OF THE REPORT ON A BILL FOR AN ACT TO AMEND THE FEDERAL POLYTECHNIC ACT CAP. F17, LAWS OF THE FEDERATION OF NIGERIA, 2004 TO REVIEW THE FUNCTIONS OF THE POLYTECHNICS; AND FOR RELATED MATTERS, 2026.

Clause 1: Amendment of Cap. F17, LFN, 2004

The Federal Polytechnics Act Cap.F17, Laws of the Federation of Nigeria 2004 (in this Bill referred to as "the Principal Act") is amended as set out in 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: Amendment of section 2

Section 2 of the Principal Act is amended in sub-section (1) by -

- (a) inserting after paragraph (b), a new paragraph "(c)" -
 - "(c) award the Bachelor of Technology (B.Tech. Hons.) degree in Science, Engineering and Technology programmes to holders of the National Diploma (ND), Higher National Diploma (HND) or

Postgraduate Diploma, subject to accreditation by the National Universities Commission (NUC) and relevant regulatory bodies; and"

- (b) renumbering the old paragraph (c) as new paragraph "(d)".

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: Substitution for section 8

Substitute for section 8 of the Principal Act, a new section "8" -

"8. Appointment of Rector

- (1) There shall be for each Polytechnic a Rector, who shall be appointed by the Council.
- (2) The Rector shall -
 - (a) be the Chief Accounting Officer of the Polytechnic;
 - (b) be responsible for the management and operations of the Polytechnic;
 - (c) exercise general authority over the staff of the Polytechnic; and
 - (d) be responsible for discipline in accordance with this Act and any other applicable law.
- (3) The Rector shall -
 - (a) hold office for a term of five years and no more and on such terms and conditions as may be specified in the letter of appointment;
 - (b) where he was appointed to serve for a term of four years on the commencement of this Act, have his tenure extended for one year to complete the single term of five years in line with paragraph (a); and
 - (c) where he is serving a second tenure of four years on the commencement of this Act, be deemed to be serving his final term of office.
- (4) The Council shall, where a vacancy occurs in the post of the Rector -
 - (a) advertise the vacancy not later than six months to the expiration of the term of the sitting Rector in at least two national newspapers in Nigeria, specifying the -
 - (i) person applying for the post shall possess a doctorate in a relevant field, published works in relevant areas of expertise, and possess relevant industry experience, and
 - (ii) terms and conditions of service applicable to the post,

- (b) draw up a short list of suitable candidates for consideration;
- (5) The Council shall constitute a Search Team consisting of -
 - (a) a member of the Council, not being a member of the Academic Board, who shall be the Chairman;
 - (b) two members of the Academic Board not below the rank of Chief Lecturer; and
 - (c) two academic staff not below the rank of Chief Lecturer, elected by the academic staff from among themselves.
- (6) The Search Team shall identify and draw up a short list of persons who may not apply on their own because they think it is inappropriate to do so.
- (7) A Joint Council, Academic Board, Congregation and Selection Board, comprising-
 - (a) the Chairman of the Council;
 - (b) two members of the Council who are not members of the Academic Board; and
 - (c) two members of the Academic Board, not below the rank of Chief Lecturer, who did not participate in the Search Team, shall consider the shortlisted candidates under subsection (5), assess their curriculum vitae and interview them, and appoint one of the three highest-ranked candidates based on merit and performance, and the Council shall notify the Minister of the appointment.

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: Amendment of section 31

Section 31 of the Principal Act is amended by substituting the definition of "Minister" with a new definition -

"Minister" means the Minister charged with responsibility for education";

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: Citation

This Bill may be cited as the Federal Polytechnics (Amendment) Bill, 2026.

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.

Chairman to report Bill.

(SENATE IN PLENARY)

The President of the Senate reported that the Senate in the Committee of the Whole considered the Report on a Bill for An Act to Amend the Federal Polytechnic Act Cap. F17, Laws of the Federation of Nigeria 2004 to Review the Functions of the Polytechnics; and for Related Matters, 2026 and approved as follows:

Clauses 1 - 5 — 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.

Motion made: Pursuant to Resolution No.(S/Res/31/04/2026), that the Senate do resolve into Committee of the Whole to consider the Bill.

Question put and agreed to.

(b) Employees' Compensation Trust Fund (Establishment) Bill, 2026 (SB. 557)

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF THE REPORT ON A BILL FOR AN ACT TO REPEAL THE NIGERIA SOCIAL INSURANCE TRUST FUND ACT, CAP. N88 LFN, 2004 AND THE EMPLOYEES' COMPENSATION ACT NO.13, 2010, AND TO ENACT THE NIGERIA EMPLOYEES' COMPENSATION TRUST FUND AGENCY ACT TO PROVIDE COMPENSATION FOR DEATH, INJURY, DISEASE OR DISABILITY ARISING OUT OF, OR IN THE COURSE OF WORK; AND FOR RELATED MATTERS, 2026.

PART I — OBJECTIVES AND APPLICATION

Clause 1: Objective.

The objectives of the Bill are to —

- (a) provide for an open and fair system of guaranteed and adequate compensation for all employees or their dependants in the case of death, injury, disease or disability arising out of, or in the course of work;
- (b) provide rehabilitation to employees with work-related disabilities;
- (c) establish and maintain a solvent compensation fund managed in the interest of employees and employers;
- (d) provide for fair and adequate assessment for employers;
- (e) provide an appeal procedure that is simple, fair and accessible, with minimal delays; and
- (f) combine efforts and resources of relevant stakeholders for the prevention of workplace accidents and disabilities, including promoting compliance with occupational safety and health standards.

Committee's Recommendation:

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

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

Clause 2: Application.

- (1) This Bill applies to an employer and employee in the public and private sector, including the informal economy, self-employed and an employee in compulsory national service, including industrial training attachment and the national youth service scheme.
- (2) An employer and employee to which this Bill applies shall be registered with the Nigeria Employees' Compensation Trust Fund Agency in the prescribed manner.
- (3) An employer who fails to register an employee in accordance with the provision of sub-section (2), commits an offence and is liable on conviction, to pay compensation to the employee that would have been payable to the employee for any injury, disease or death arising out of, or in the course of work within the scope of this Bill.

Committee's Recommendation:

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

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

Clause 3: Exemption.

Notwithstanding section 2 of this Bill, this Bill shall not apply to any member of the armed forces of the Federal Republic of Nigeria other than a person employed in a civilian capacity.

Committee's Recommendation:

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

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

PART II — ESTABLISHMENT OF THE NIGERIA EMPLOYEES'
COMPENSATION TRUST FUND AGENCY

Clause 4: Establishment of the Agency.

- (1) There is established the Nigeria Employees' Compensation Trust Fund Agency ("Agency").
- (2) The Agency —
 - (a) shall be a body corporate with perpetual succession;
 - (b) may sue or be sued in its corporate name; and
 - (c) may acquire, hold and dispose of property for the purpose of carrying out its functions under this Bill.

Committee's Recommendation:

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

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

Clause 5: Functions of the Agency.

The Agency shall —

- (a) carry out an assessment of the amounts to be paid into the Fund under this Bill;
- (b) undertake regular actuarial valuation of industries, sectors and workplaces, and determine the rates of contributions by employers into the Fund by an industry, sector or workplace;
- (c) receive money payable into the Fund an employer under this Bill;

- (d) pay compensation or benefit to a person entitled to compensation or benefit and make disbursements required to be made out of the Fund established under this Bill;
- (e) invest money standing to the credit of the Fund in accordance with the advice of the Investment Committee established under this Bill;
- (f) collaborate with the stakeholders responsible for occupational safety and health, for the prevention of occupational accidents and diseases, and for the promotion of safety and health culture at the workplace;
- (g) issue certificate of compliance on request by the employer and the certificate shall be a requirement for an employer in its dealings with government at any level, including seeking procurement and contracts from Federal, State, and Local Government and their Ministries, Departments, and Agencies; and
- (h) carry out other activities as are necessary to ensure the effective performance of its functions under this Bill.

Committee's Recommendation:

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

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

Clause 6: Power of the Agency.

The Agency shall be responsible for the —

- (a) administration of the Fund and the investment of sums forming part of the Fund;
- (b) payment of the benefits provided under this Bill to persons entitled to the benefit; and
- (c) general administration of this Bill and its regulations.

Committee's Recommendation:

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

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

Clause 7: Establishment of the Board.

- (1) There is established for the Agency, a Board ("the Board").
- (2) The Board shall consist of —
 - (a) the Chairman;
 - (b) two persons each from —
 - (i) Nigeria Employers' Consultative Association, and
 - (ii) Nigeria Labour Congress;
 - (c) a representative, not below the rank of a director from the —
 - (i) Ministry responsible for labour, employment and productivity, and
 - (ii) Central Bank of Nigeria;
 - (d) the Managing Director; and
 - (e) the three Executive Directors.

- (3) The Chairman and other members of the Board, other than ex-officio shall —
 - (a) be appointed by the President on the recommendation of the Minister; and
 - (b) be persons of proven integrity.
- (4) Membership of the Board shall be on a part-time basis.
- (5) The supplementary provisions set out in the First Schedule to this Bill shall have effect with respect to the proceedings of the Board and the other related matters.

Committee's Recommendation:

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

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

Clause 8: Powers of the Board.

The Board shall —

- (a) formulate and review policy for the administration of the Agency and the Fund;
- (b) approve investment on the advice of the Investment Committee established under this Bill;
- (c) fix the terms and conditions of service, including remuneration and allowances of the employees of the Agency;
- (d) formulate policies and strategy for assessment of compensation, rehabilitation and welfare of employees who sustain injuries or contract occupational diseases at the workplace or in the course of work;
- (e) enforce occupational safety and health policy;
- (f) review benefits payable under this Bill;
- (g) provide a regulatory framework for the informal economy in relation to the Employees' Compensation Scheme; and
- (h) perform other functions, as may be necessary to ensure the efficient performance of the Agency under this Bill.

Committee's Recommendation:

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

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

Clause 9: Tenure of office.

- (1) The Chairman and Members of the Board other than ex-officio members shall hold office for a term of four years and may be re-appointed for another term of four years and no more.
- (2) Members of the Board shall be paid such allowances as may be determined by the Minister.
- (3) Where a vacancy occurs in the membership of the Board, it shall be filled by the appointment of a successor to hold office for the remainder of the term of office of his predecessor and the successor shall —
 - (a) represent the same interest; and

- (b) be appointed by the President on the recommendation of the Minister.

Committee's Recommendation:

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

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

Clause 10: Resignation by a member of the Board.

A member of the Board other than an ex-officio member, may resign his appointment by a notice in writing addressed to the Minister.

Committee's Recommendation:

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

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

Clause 11: Cessation of Membership of the Board.

A member of the Board shall cease to hold office, where such member —

- (a) becomes of unsound mind and incapable of carrying out official duties;
- (b) becomes bankrupt or makes compromise with his creditors;
- (c) is convicted of a felony or any offence involving fraud or dishonesty;
- (d) is guilty of corrupt practices or serious misconduct in relation to his duties;
- (e) ceases to hold the office in respect of which the member is appointed;
- (f) is absent for more than three consecutive meetings of the Board without permission of the Board; or
- (g) is a professional who is disqualified or suspended, other than at his own request, from practicing his profession by the order of any competent authority.

Committee's Recommendation:

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

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

Clause 12: Removal of a Member of the Board.

Notwithstanding the provision of section 9 of this Bill, the President may remove a member of the Board from office on account of corruption or any other activity that negates public interest or security.

Committee's Recommendation:

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

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

PART III — THE MANAGEMENT AND STAFF OF THE AGENCY

Clause 13: Appointment of the Managing Director and Executive Directors.

- (1) There shall be appointed for the Agency —
 - (a) a Managing Director, who shall be —
 - (i) appointed by the President, on the recommendation of the Minister,

- (ii) a person of unquestionable character and integrity, and
 - (iii) university graduate with not less than 10 years relevant working experience as is appropriate for a person required to perform the functions of the Managing Director under this Bill; and
- (b) three Executive Directors who shall —
 - (i) be appointed by the President, on the recommendation of the Minister;
 - (ii) be university graduates with not less than 10 years relevant working experience as is appropriate for a person required to perform the functions of an Executive Director under this Bill;
 - (iii) be responsible for the management of the directorates of the Agency; and
 - (iv) report to the Managing Director.
- (2) The Managing Director shall be —
 - (a) the chief executive and accounting officer of the Agency;
 - (b) responsible for the day-to-day management of the Agency; and
 - (c) responsible for the execution of the policies and decisions of the Board.
- (3) The Managing Director and Executive Directors shall hold office —
 - (a) for a term of four years in the first instance and may be appointed for a further term of four years and no more; and
 - (b) on such terms and conditions as may be specified in their letter of appointment.
- (4) The Minister may consult with the Nigeria Labour Congress, and the Nigeria Employers Consultative Association in making recommendations to the President on the appointment of the Managing Director or an Executive Director.

Committee's Recommendation:

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

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

Clause 14: Removal from office of the Managing Director and Executive Directors. Notwithstanding the provision of section 13(3) of this Bill, the President may remove the Managing Director or an Executive Director from office on account of corruption or any other activity that negates public interest or security.

Committee's Recommendation:

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

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

Clause 15: Appointment of Secretary.

- (1) There is for the Board, a Secretary who shall be —
 - (a) appointed by the Board;
 - (b) a lawyer or a Chartered Secretary and Administrator with at least 10 years cognate experience; and
 - (c) responsible to the Board and the Managing Director.
- (2) The Secretary shall arrange the business of the meetings of the Board, conduct the correspondence of the Board and perform such other functions as the Board or the Managing Director may, direct.

Committee's Recommendation:

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

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

Clause 16: Staff of the Agency.

- (1) The Board shall be responsible for the appointment, promotion and discipline of staff of the Agency.
- (2) The terms and conditions of service including remuneration, allowances, pensions, gratuities and other benefits of staff of the Agency shall be determined by the Board.

Committee's Recommendation:

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

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

Clause 17: Service in the Agency.

- (1) Service in the Agency shall be approved service for the purpose of the Pension Reform Act and staff of the Agency shall be entitled to pension and other retirement benefits as prescribed under the Pension Reform Act.
- (2) For the purpose of the application of the provisions of the Pension Reform Act, any power exercisable by the President or other authority of government other than the power to make regulations under the Pension Reform Act is vested in and shall be exercisable by the Board and not by any other person or authority.
- (3) Without prejudice to the provisions of subsection (1), nothing in this Bill shall prevent the appointment of a person, where necessary, to any office on terms which preclude the grant of a pension, gratuity or other retirement benefits of the office.

Committee's Recommendation:

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

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

Clause 18: Staff Regulations.

- (1) The Agency may, subject to the approval of the Board make staff regulations relating to the conditions of service of the staff and such regulations may provide for —
 - (a) the appointment, promotion and disciplinary control of staff;
 - (b) appeal by a staff against any disciplinary measures;

- (c) remuneration, allowances and fringe benefits; and
 - (d) such other matters, as may be considered necessary, to ensure the efficient performance of the functions of the Agency.
- (2) Any instrument relating to the conditions of service of staff in the Public Service of the Federation shall be applicable until the regulations referred to under subsection (1) are made.

Committee's Recommendation:

That the provisions in Clause 18 be retained (*Senate Leader*).

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

PART IV — ESTABLISHMENT AND MANAGEMENT OF THE
NIGERIA EMPLOYEES' COMPENSATION TRUST FUND

Clause 19: Establishment of the Fund.

There is established the Nigeria Employees Compensation Fund ("the Fund") into which shall be credited money, funds or contributions by employers for adequate compensation to employees or their dependants for death, injury, disability or disease arising out of, or in the course of work.

Committee's Recommendation:

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

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

Clause 20: Management of the Fund.

- (1) The Fund shall be managed by the Agency for the purposes prescribed in this Bill.
- (2) The Agency shall deploy and manage the Fund for the administration of the Employees' Compensation Scheme.

Committee's Recommendation:

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

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

Clause 21: Sources of the Fund.

The sources of the Fund shall consist of —

- (a) contributions payable by employers into the Fund pursuant to the provisions of this Bill;
- (b) fees and assessments charged or made pursuant to this Bill, its regulations or an Order of the Board;
- (c) the proceeds of investments of the Fund;
- (d) donations, gifts and grants from any national or international organisations; and
- (e) money that may accrue to the Fund from any other source

Committee's Recommendation:

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

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

Clause 22: Utilisation of the Fund.

The money in the Fund shall be utilised for —

- (a) payment of adequate compensation for employees or their dependants for any injury, disease or disability arising out of, or in the course of work;
- (b) the provision of rehabilitation to employees with work-related disabilities;
- (c) payment of remuneration and allowances of members and staff of the Agency;
- (d) the support of activities and programmes on the prevention of occupational accidents and hazards;
- (e) the promotion of occupational safety and health at the workplace;
- (f) purchase of an equipment or material required for carrying out the functions of the Agency under this Bill; and
- (g) the performance of any of the functions of the Agency.

Committee's Recommendation:

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

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

Clause 23: Annual Estimate.

The Agency shall not later than 31st day of August in each year, prepare and submit to the Minister an estimate of its income and expenditure for the succeeding year.

Committee's Recommendation:

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

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

Clause 24: Accounts of the Agency.

The Agency shall, in respect of its activities and the Fund, ensure that proper accounts and other records relating to such accounts are kept.

Committee's Recommendation:

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

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

Clause 25: Annual Report.

The Agency shall, not later than three months before the end of the financial year, prepare and submit to the Minister a report of its activities and the administration of the Fund during the preceeding year and include in such report the auditor's report.

Committee's Recommendation:

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

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

Clause 26: Audit.

- (1) The Agency shall appoint an auditor in accordance with the guidelines for the appointment of auditors issued by the Auditor-General for the Federation.

- (2) The accounts kept by the Agency shall be examined by the auditor.
- (3) The auditor shall within six months after the end of each financial year, make a report to the Agency and the Minister on the statement of accounts of the Agency.
- (4) The Minister shall submit to the National Assembly the audited statement of accounts of the Agency within one month following the receipt of the auditor's report.

Committee's Recommendation:

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

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

PART V — ESTABLISHMENT OF THE INVESTMENT COMMITTEE

Clause 27: Investment Committee.

- (1) There is established a committee of the Board known as the Investment Committee ("the Committee").
- (2) The Committee shall consist of —
 - (a) the Managing Director of the Agency;
 - (b) the representative of the Central Bank of Nigeria;
 - (c) a representative, of the Nigeria Labour Congress;
 - (d) a representative of the Nigeria Employers' Consultative Association;
 - (e) a representative of the Federal Ministry responsible for labour, employment and productivity; and
 - (f) the Executive Director in charge of finance and investment.
- (3) The Committee shall —
 - (a) carry out investment surveys and draw up a list of safe and profitable investment, including treasury bills, bonds, commercial papers and real estate;
 - (b) advise the Board on the investment of any money standing to the credit of the Fund;
 - (c) review yearly and submit to the Board for approval the investment policy of the Board;
 - (d) make its standing orders and rules for its proceedings; and
 - (e) perform any other duty or activity as the Board may direct.

Committee's Recommendation:

That the provisions in Clause 27 be retained (*Senate Leader*).

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

PART VI — PROCEDURE FOR MAKING CLAIMS

Clause 28: Employee's Notification of Injury.

- (1) In the case of an injury, occupational disease or death of an employee in a workplace, or in the course of work, within the scope of this Bill, the employee, dependants or any other person, may —
 - (a) within seven days of the occurrence; or
 - (b) on receipt of the information of the occurrence, inform the employer by giving information of the disease or injury to a manager, supervisor, first-aid attendant, agent in charge of the work, where the injury occurred or other appropriate representative of the employer.
- (2) The information provided under subsection (1) shall include —
 - (a) the name of the employee;
 - (b) the time and place of the occurrence; and
 - (c) in ordinary language, the nature and cause of the disease or injury if known.
- (3) In the case of an occupational disease, the employer to be informed of the death or disability, is the employer who last employed the employee in the employment to the nature of which the disease was due.
- (4) The employee shall, where he is fit to do so, and on request of the employer, provide to the employer, particulars of the injury or occupational disease in the prescribed form.
- (5) Failure to provide the information required under sub-section (1) is a bar to a claim for compensation under this Bill, unless the Agency is satisfied that the —
 - (a) information is sufficient to describe the disease or injury suffered;
 - (b) employer or the employer's representative had knowledge of it; or
 - (c) employer has not been prejudiced and the Agency considers that the interests of justice requires that the claim be allowed.

Committee's Recommendation:

That the provisions in Clause 28 be retained (*Senate Leader*).

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

Clause 29: Employer's Obligation to Report.

- (1) An employer shall report to the Agency and the nearest office of the body in charge of Occupational Safety and Health in the State within three days or on receipt of information or knowledge of the injury or death of an employee that is, or is claimed to be, one arising out of, and in the course of work.
- (2) An employer shall report to the Agency, within three days or on receiving information under section 28 of this Bill, an occupational disease, claim for, or allegation of, an occupational disease.
- (3) A report under this section shall be transmitted electronically or in such form and manner as prescribed by the Agency and shall state —
 - (a) the name and address of the employee;

- (b) the time and place of the disease, injury or death;
 - (c) the nature of the injury or alleged injury;
 - (d) the name and address of any specialist, or accredited medical or trade-medical practitioner who attended to the employee; and
 - (e) any other particulars required by the Agency under this Bill, its regulations or an order by the Board.
- (4) The failure to make a report within the stipulated time as provided by this section, constitutes an offence under this Bill, unless the Agency is satisfied that the report could not have been made.
 - (5) Where the employer fails to make a report as provided by this section, the employee, his dependants or any other interested person may make a report to the Agency.
 - (6) The Board may, by order or regulations, define and prescribe a category of minor injuries not required to be reported under this section.
 - (7) The Agency shall not be bound to process or pay any claim where the injury, disease or death for which a claim for compensation is raised has not been reported to it prior to the claim application.
 - (8) The report required to be made under sub-section (1) may be transmitted electronically or in any other manner as may be prescribed by the Agency.
 - (9) The Board may make rules of procedure for making claims for compensation under this Bill.

Committee's Recommendation:

That the provisions in Clause 29 be retained (*Senate Leader*).

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

Clause 30: Application for Compensation.

- (1) An application for compensation may be made on the form prescribed by the Agency and shall be signed by the employee, or the deceased employee's dependants:

Provided that in the case of death, where the dependant of the deceased employee is unable to apply for compensation, the employer shall apply on behalf of the deceased's dependant.

- (2) Where an employer is required to sign a claim application but refuses to do so, the employee or dependant may notify the Agency of such refusal within a reasonable time.
- (3) Compensation shall not be payable where an application is filed or a determination is made within one year after the date of death, injury or disability arising from an occupational accident or disease except as otherwise provided in sub-section (5).

- (4) Where the Board is satisfied that there existed special circumstances which precluded the filing of an application within one year after the date of the occurrence, the Board may approve the payment of the compensation provided by this Bill, if the application is filed within three years after that date.
- (5) The Board may approve the payment of the compensation provided under this Bill for the period commencing on the date the Agency received the application for compensation, where —
 - (a) it is satisfied that special circumstances existed which precluded the filing of an application within one year after the date referred to in sub-section (3); and
 - (b) the application is filed not more than three years after the date referred to in subsection (3).
- (6) Notwithstanding the time limits set in sub-sections (3) and (4), the Board may approve the payment of compensation for an occupational disease provided under this Bill where —
 - (a) sufficient medical or scientific evidence was not available on those dates for the Agency to recognise the disease as an occupational disease and this evidence became available at a later date; and
 - (b) the application is re-filed.

Committee's Recommendation:

That the provisions in Clause 30 be retained (*Senate Leader*).

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

PART VII — COMPENSATION FOR DEATH, INJURY OR DISEASE

Clause 31: Compensation for Injury.

- (1) An employee, who suffers any injury arising out of, or in the course of work shall be entitled to payment of compensation in accordance with Part VIII of this Bill.
- (2) An employee is entitled to payment of compensation with respect to any accident sustained while on the way —
 - (a) between the place of work and the employee's place of residence and vice versa;
 - (b) to and from the place where the employee usually takes meals; or
 - (c) to and from the place where the employee usually receives remuneration provided that the employer has prior notification of such places.
- (3) Where the injury or disease is caused by accident and the accident arose out of the employment, unless the contrary is shown, it shall be presumed that the injury occurred in the course of the employment.
- (4) Where an injury disables an employee from earning full remuneration at the workplace, compensation shall be payable from the first working day following the day of the injury, and only a health care benefit shall be payable in respect of the day of the injury.

- (5) Where an injury or disease is superimposed on an already existing disability, compensation shall be allowed only for the proportion of the disability following the personal injury or disease that may reasonably be attributed to the personal injury or disease and the measure of the disability attributable to the personal injury or disease shall, unless the contrary is shown, be the amount of the difference between the employee's disability before and disability after the occurrence of the personal injury or disease.

Committee's Recommendation:

That the provisions in Clause 31 be retained (*Senate Leader*).

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

Clause 32: Compensation for Mental Stress.

- (1) An employee shall be entitled to compensation for mental stress not resulting from an injury for which the employee is otherwise entitled to compensation, only if the mental stress is —
- (a) an acute reaction to a sudden and unexpected traumatic event arising out of or in the course of the employee's work; or
- (b) diagnosed by an accredited medical practitioner as a mental or physical condition amounting to mental stress arising out of the nature of work, or the occurrence of any event in the course of the employee's work.
- (2) Where the mental stress is caused as a result of the decision of the employer to change the work or the working conditions, in such a way as to unfairly exceed the work ability and capacity of the employee, leading to mental stress, such situation shall be liable to compensation to the degree as may be determined by the Board.
- (3) For the purpose of ascertaining the conditions under sub-sections (1) and (2), the Agency may appoint a Medical Board of Inquiry consisting of relevant specialists to determine whether or not the employee is entitled to compensation for mental stress.

Committee's Recommendation:

That the provisions in Clause 32 be retained (*Senate Leader*).

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

Clause 33: Compensation for Occupational Disease.

- (1) Compensation and health care benefits shall be payable, where—
- (a) an employee suffers from an occupational disease and is disabled from earning full remuneration at the workplace;
- (b) the death of an employee is caused by an occupational disease;
- (c) the disease is shown to be due to the nature of an employment in which the employee was employed, under one or more employments; or
- (d) an employee suffers from any occupational disease as published by the Agency.
- (2) The date of occurrence of the disability shall be treated as the date of disability.

- (3) An employee in a workplace who becomes disabled from an uncomplicated disease or from a disease complicated by any other disease, the condition or factor shall be entitled to compensation for total or partial disability or as determined under this Bill.
- (4) Where death results from any disability under sub-section (3), the dependants of the employee shall be entitled to compensation under this Bill.
- (5) An employee or a dependant shall not be entitled to compensation for disability or death unless the employee —
 - (a) has been in the employment in a workplace associated with exposure to an agent or agents leading to that condition; and
 - (b) was free from the disease and complicating disease before being first exposed to the agent causing the disease in the workplace.
- (6) Where an employee has been exposed to the agent causing the disease in two or more classes or subclasses of industry in the workplace, the Agency may apportion the cost of compensation among the funds provided by those classes or subclasses on the basis of the duration and severity of the exposure in each.
- (7) Where a deceased employee was, at the date of death, under the age of 70 years and suffering from an occupational disease of a type that impairs the capacity of the vital organs of non-traumatic origin, it shall be presumed that the death resulted from the occupational disease.
- (8) The compensation payable for occupational disease may, in addition to the provision of this section, be determined by an order or regulations made by the Board.
- (9) The occupational diseases as identified by the Agency are contained in the Second Schedule to this Bill.
- (10) For the purpose of ascertaining occupational disease under this section, the Agency may appoint a Medical Board of Inquiry consisting of relevant specialists to determine whether or not the employee is entitled to compensation.

Committee's Recommendation:

That the provisions in Clause 33 be retained (*Senate Leader*).

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

Clause 34: Compensation for Hearing Impairment.

- (1) Where an employee suffers from hearing impairment of non-traumatic origin, but arising out of or in the course of work, the employee shall be entitled to compensation.
- (2) Where the hearing impairment referred to in sub-section (1) amounts to total deafness, but with no loss of earnings resulting from the hearing impairment, compensation shall be calculated as may be provided by an order or regulations made by the Board in respect of—
 - (a) the range of hearing impairment;
 - (b) the percentage of disability;

- (c) the method or frequency used to measure hearing impairment; and
 - (d) any other matter relating to hearing impairment.
- (3) Where a loss or reduction of earnings results from the hearing impairment, the employee shall be entitled to compensation for a total or partial disability as established under this Bill.
- (4) The compensation paid for the hearing impairment of an employee under sub-section (3) shall not be less than the amount determined under sub-section (2).
- (5) Where a hearing impairment is superimposed on an already existing hearing impairment, compensation shall be allowed only for the proportion of the impairment following the hearing impairment that may reasonably be attributed to the exposure in two or more classes or subclasses of industry in a workplace, unless the contrary is shown, and the amount of compensation shall be the difference between the employee's impairment before and impairment after the occurrence of the last exposure.
- (6) Where an employee suffers from hearing impairment caused by exposure to causes of hearing impairment in two or more classes or subclasses of industry in a workplace, the Agency may apportion the cost of compensation among the funds provided by those classes or subclasses on the basis of the duration or severity of the exposure in each.
- (7) An application for compensation under this section shall be accompanied by —
- (a) a report of a medical practitioner who specializes in ailments of ear or hearing accredited by the Agency;
 - (b) an audiogram and a report by the employer of the working environment where the employee has been in employment; or
 - (c) other evidence of hearing impairment, as the Agency may determine.
- (8) For the purposes of sub-section (7), the Board may, in consultation with the Nigerian Medical and Dental Practitioners Council and other relevant professional bodies, make rules, regulations and guidelines for accreditation of medical practitioners and other specialists.

Committee's Recommendation:

That the provisions in Clause 34 be retained (*Senate Leader*).

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

- Clause 35: Compensation for Injuries Occurring Outside the Normal Workplace.**
Where injury to an employee occurs while the employee is working outside the normal workplace, which would otherwise entitle the employee to compensation under this Bill, if the injury occurred in the workplace, compensation shall be paid to the employee, if the —
- (a) nature of the business of the employer extends beyond the usual workplace;

- (b) nature of the employment is such that the employee is required to work both within and out of the workplace; or
- (c) employee has the permission of the employer to work outside the normal work place.

Committee's Recommendation:

That the provisions in Clause 35 be retained (*Senate Leader*).

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

Clause 36: Limitation of Actions, Subrogations, etc.

- (1) The provisions of this Bill are in lieu of any right of action, statutory or otherwise, founded on a breach of duty of care or any other cause of action, whether that duty or cause of action is imposed by, or arises by reason of law or contract, , to which an employee, dependant of the employee is, or may be entitled against the employer of the employee, or against any employer within the scope of this Bill, or against any employee, in respect of any death, injury or disability arising out of, and in the course of work and where no action in respect of it lies.
- (2) The provision of sub-section (1) shall apply only when the action or conduct of the employer, the servant or agent of the employer or the employee, which caused the breach of duty, arose out of and in the course of work within the scope of this Bill.
- (3) Where the cause of death, injury or disability of an employee is such that an action lies against a person, other than an employer or employee, the injured employee or deceased employee's dependant may claim compensation, or may bring an action and if the employee or dependant elects to claim compensation, the employee or dependant shall do so within 6 months of the occurrence of the injury or death or any longer period, as the Agency may, determine and an election by the employee or dependant to bring an action in court shall be a bar to claim compensation from the Agency in respect of such injury, disability or death.
- (4) Where the Agency is satisfied that, due to physical or mental disability, an employee is unable to exercise his or her right of election under sub-section (3), and an undue hardship results, the Agency may pay the compensation under this Bill until the employee is able to make an election and if the employee then elects not to claim compensation, no further compensation may be paid, but the compensation so paid shall be a first charge against any sum recovered.
- (5) An application for compensation filed by a parent or guardian on behalf of a dependant of a deceased employee, who is under 18 years of age, shall be a valid election under this section.
- (6) Where the employee or dependant applies to the Agency claiming compensation under this Bill, neither the making of the application nor the payment of compensation under it restricts or impairs any right of action against the party liable, and to every such claim, the Agency is subrogated to the rights of the employee or dependant, and may maintain an action in the name of the employee or dependant, or in the name of the Agency, and if more is recovered and collected than the amount of the compensation to which the employee or dependant would be entitled under this Bill, the amount of the excess, less costs and administrative charges shall be paid to the employee or dependant.

- (7) The Agency shall, with respect to the provisions of sub-section (6), have exclusive competence to determine whether to maintain an action or compromise the right of action, and its decision shall be final.
- (8) Nothing in this Bill shall prevent an employer of the injured or deceased from maintaining an action upon contract or indemnity agreement against another employer or independent contractor in respect of the personal injury or death of an employee.
- (9) Where the Agency is of the opinion that another employer or an independent contractor caused the injury or death of the employee referred to in sub-section (8), it may order that the compensation be charged in whole or in part to the other employer or independent contractor.
- (10) In any action brought under this section, an award for damages shall include —
 - (a) health care provided under section 50 of this Bill; and
 - (b) remuneration paid by an employer during the period of disability for which regard has been had by the Agency, or would have been had if the employee had elected to claim compensation, in fixing the amount of a periodical payment of compensation.

Committee's Recommendation:

That the provisions in Clause 36 be retained (*Senate Leader*).

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

Clause 37: Compensation Cannot be Waived.

- (1) An employee, his dependant, next of kin or beneficiary shall not agree with his employer or the deceased employee's employer to waive, or forgo any benefit or right to compensation to which the employee or the dependants are, or may become entitled under this Bill.
- (2) An agreement in whatever form between the employer and the employee in contravention of sub-section (1) shall be void and unenforceable.

Committee's Recommendation:

That the provisions in Clause 37 be retained (*Senate Leader*).

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

Clause 38: Contribution by Employees for Compensation Prohibited.

- (1) An employer shall not directly or indirectly, deduct from the remuneration of an employee any part of a sum which the employer is or may become liable to pay into the Fund established under section 19 of this Bill, or to require or permit the employee to contribute in any manner towards indemnifying the employer against a liability which the employer has incurred or may incur under this Bill.
- (2) A person who contravenes the provisions of sub-section (1) commits an offence and shall —
 - (a) be liable on conviction to imprisonment for a term not less than one year or to a fine not less than ₦1,000,000.00 or to both; and

- (b) in addition to the penalty in paragraph (a), repay to the employee any sum which has been so deducted or contributed from the remuneration of the employee.
- (3) Where the offence in sub-section (2) was committed by a body corporate, it shall -
 - (a) be liable on conviction to a fine of not less than ₦10,000,000; and
 - (b) in addition to the penalty in paragraph (a), repay to the employee any sum which has been so deducted or contributed from the remuneration of the employee.
- (4) An employer shall not by reason of its liability for any contribution or penalty under this Bill or its regulations, reduce, directly or indirectly, the remuneration or allowances of any employee on behalf of whom the contribution is payable.

Committee's Recommendation:

That the provisions in Clause 38 be retained (*Senate Leader*).

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

Clause 39: Compensation not Assignable or Liable to Attachment.

A sum payable, as compensation or by way of computation of a periodic payment in respect of it, shall not be assigned, charged or attached, nor shall it pass by operation of the law.

Committee's Recommendation:

That the provisions in Clause 39 be retained (*Senate Leader*).

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

Clause 40: Vocational Rehabilitation, etc.

- (1) The Agency may, in getting an injured employee back to work or in assisting to lessen or remove a resulting disability, take any measure and make expenditure from the Fund it considers necessary, regardless of the date on which the employee first became entitled to compensation.
- (2) The Agency may, provide counselling to employees or dependants.

Committee's Recommendation:

That the provisions in Clause 40 be retained (*Senate Leader*).

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

PART VIII — SCALE OF COMPENSATION

Clause 41: Compensation in Fatal Cases.

- (1) Where death results from the injury of an employee, compensation shall be paid to the dependants of the deceased —
 - (a) where the dependants are wholly dependent on the earnings of the deceased, the surviving spouse —
 - (i) and two or more children, a monthly payment of a sum equal to 90% of the total monthly remuneration of the employee as at the date of death,
 - (ii) and one child, a monthly payment of a sum equal to 85% of the total monthly remuneration of the deceased employee as at the date of death,

- (iii) without a child, who, at the date of death of the employee, is 50 years of age or above, or is an invalid or disabled spouse, or any of the spouse is invalid or disabled, a monthly payment of a sum equal to 60% of the total monthly remuneration of the deceased employee, and
 - (iv) who, at the date of the death of the employee is not an invalid spouse, is under the age of 50 years and has no dependent children, a monthly payment of a sum that is equal to the percentage determined by subtracting one per cent from 60% for each year for which the age of the dependant, at the date of death of the employee, is under the age of 50 years, and provided that the total percentage shall not be less than 30%;
- (b) where the deceased employee leaves a surviving spouse not wholly dependent on his earnings, but had a reasonable expectation of pecuniary benefit from the continuation of the life of the employee, the surviving spouse —
 - (i) one child, a monthly payment of a sum equal to 40% of the total monthly rate of compensation under the Bill would be payable,
 - (ii) two children, a monthly payment of a sum equal to 50% of the total monthly rate of compensation under the Bill would be payable, or
 - (iii) three or more children, a monthly payment of a sum equal to 60 per cent of the total monthly rate of compensation under the Bill would be payable;
- (c) where the deceased employee leaves a surviving spouse not wholly dependent on his earnings, but had a reasonable expectation of pecuniary benefit from the continuation of the life of the employee, the surviving spouse shall be treated as wholly dependant where the earnings of the surviving spouse is less than the National minimum wage;
- (d) where there is no surviving spouse eligible for monthly payments under this section, and the —
 - (i) dependant is a child, a monthly payment of a sum equal to 45% of the total monthly rate of compensation under this Bill that would have been payable if the deceased employee had, at the date of death, sustained a permanent total disability,
 - (ii) dependants are 2 children, a monthly payment of a sum equal to 80% of the monthly rate or compensation under this Bill that would have been payable if the deceased employee had, at the date of death, sustained a permanent total disability, or

- (iii) dependants are 3 or more children, a monthly payment of a sum equal to 90 of the total monthly rate of compensation under this Bill that would have been payable if the deceased had, at the date of death, sustained a permanent total disability;
 - (e) monthly payments to eligible children under this Bill shall be made to children up to the age of 21 or until they complete undergraduate studies, whichever comes first;
 - (f) where the surviving child is disabled, the Agency shall determine the period of the monthly payment to such a period where the child would not have been dependent on the deceased employee;
 - (g) where the deceased employee does not leave a surviving spouse or child entitled to compensation, but leaves other dependants or next of kin who were wholly dependent on the deceased employee, the Agency shall determine a one-off sum reasonable and proportionate to the pecuniary loss suffered by such dependants or next of kin by reason of death of the employee;
 - (h) where —
 - (i) no compensation is payable under subsection (1) (a)-(e); or
 - (ii) the compensation is payable only to a surviving spouse, a child or children, or a parent, and the employee leaves a spouse, child or parent who, though not dependent on the remuneration of the employee at the time of the death of the employee, had a reasonable expectation of pecuniary benefit from the continuation of the life of the employee, the Agency shall make monthly payment of an amount to be determined by it to such spouse, child or children, or parent in line with the provisions of sub-section (15); and
 - (i) where the employee leaves no dependent widow or widower or the widow or widower subsequently dies, and the Agency considers it desirable to continue the existing household, and when a suitable person acts as a foster parent or an administrator of the estate of the deceased employee in keeping up the household and taking care of and maintaining the children entitled to compensation, in a manner satisfactory to the Agency, the same allowance shall be payable to the foster parent or administrator and on behalf of the children as would have been payable to a widow or widower and children, and shall be continued as long as those conditions continue.
- (2) Where an invalid or disabled surviving spouse ceases to be an invalid or disabled, or a surviving spouse with dependent children, no longer has dependent children or there is a reduction in the number of dependent children, the spouse or children shall be entitled to the same category of benefits as would have been payable if the death of the employee had occurred on the date the invalid or disabled spouse ceases to be invalid or disabled or the spouse no longer has dependent children or the number of dependent children is reduced, as the case may be.

- (3) Where there is a surviving spouse and a child or children, and the spouse subsequently dies, the allowance to the children shall, if they are in other respects eligible, continue and be calculated in the same manner as if the employee had died leaving no dependent spouse.
- (4) Where at the date of death the surviving spouse is not wholly invalid or disabled, but is suffering from a disability that results in a substantial impairment of work ability and earning capacity, the Agency may, having regard to the degree of disability or the extent of impairment of work ability or earning capacity, pay the spouse a proportion of the compensation that would have been payable if the spouse had been disabled.
- (5) Where employees in a workplace are married to each other, and both are contributing to the support of a common household, each is deemed to be a dependant of the other.
- (6) Where parents contribute to the support of a common household in which their children also reside, the children are deemed to be dependants of the parent whose death is compensable under this Bill, and for the purpose of this section, compensation shall be payable in respect of each parent.
- (7) Where compensation is payable as the result of the death of an employee, or of injury resulting in death, and where at the date of death the employee and dependent spouse were living apart, and there was —
 - (a) in force at the date of death, a court order or separation agreement providing periodic payment for support of the dependent spouse or children living with that spouse, no compensation under sub-section (1) shall be payable to the spouse or children living with the spouse, except monthly payment in respect of that spouse and those children equal to the periodic payment due under the order or agreement; or
 - (b) no court order or separation agreement in force at the date of death providing periodic payment for support of the dependent spouse, or children living with that spouse, and the employee and dependent spouse were —
 - i. living apart for a period of less than three months preceding the date of death of the employee, compensation shall be payable in accordance with the provisions of sub-section (1), or
 - ii. separated with the intention of living apart for a period of three months or longer preceding the death of the employee, monthly payments shall be made up to the level of support which the Agency believes the spouse and those children would have been likely to receive from the employee if the death had not occurred.
- (8) The compensation payable under sub-section (7) shall not exceed the compensation that would have been payable under sub-section (1) had there been no separation.
- (9) Where an employee has lived with and contributed to the support and maintenance of an ex-wife or ex-husband and the employee and the ex-wife or ex-husband have —
 - (a) no children, for a period of 3 years; or
 - (b) children, for a period of one year, immediately preceding the death of the employee, and

- (c) where the employee does not leave a dependent widow or widower, the Agency may pay the compensation to which a dependent widow or widower would have been entitled under this Bill to the ex-wife or ex-husband.
- (10) Where —
 - (a) an employee has lived with and contributed to the support and maintenance of a ex-wife or ex-husband for the period set out in sub-section (9);
 - (b) an employee also left, surviving, a dependent widow or widower from whom, at the date of death, the employee was living separate and apart; and
 - (c) there is a difference in the amount of compensation payable to the widow or widower by reason of the separation and the amount of compensation that would have been payable to that spouse if that spouse and the employee had not been living separate and apart, the Agency may pay compensation to the ex-wife or ex-husband up to the amount of the difference.
- (11) Where in any situation there is a need to apportion allowances payable among dependants, the formula for apportionment shall be determined by the Agency, unless the Agency has grounds for a different apportionment, the sharing formula shall be equally among the dependants where there —
 - (a) is a dependent spouse with no child;
 - (b) is a dependent spouse and one child;
 - (c) is a dependent spouse and more than one child; and
 - (d) are children but no dependent spouse.
- (12) Where a dependant is entitled to receive compensation as a result of the death of an employee, and subsequent death of another employee, the total compensation payable for the dependant as a result of those deaths shall be the amount of compensation payable for both deceased employees.
- (13) The compensation to the surviving spouse shall be payable, until —
 - (a) 10 years after the date of death of the employee, or
 - (b) the date when the deceased employee's spouse remarries.
- (14) Payment of compensation to eligible children under this Bill shall be made to children up to the age of 21 or until they complete undergraduate studies, whichever comes first.
- (15) The Agency may, in special circumstances, create and manage Trust accounts for minor dependants and disabled employees who are entitled to compensation payable under this Bill.
- (16) Where a situation arises that is not expressly covered by this section, or where some special additional facts are present that would, in the opinion of the Agency, make the strict application of this section inappropriate, the Agency may make rules and take decisions it considers fair in the circumstances.

Committee's Recommendation:

That the provisions in Clause 41 be retained (*Senate Leader*).

Question that Clause 41 do part of the Bill — Agreed to.

Clause 42: Compensation Relating to Hostile Actions.

Where death, injury, disability or disease of an employee occurs in the course of work as a direct result of hostility, armed conflict, or counteraction, and provision has been made for compensation in respect of such hostility, armed conflict, or counteraction for the employee or the deceased employee's dependants by the government, the employee, or his dependants are entitled to compensation under this Bill only where the compensation provided by the government is less than that provided by the Bill, and shall be to the extent of the difference.

Committee's Recommendation:

That the provisions in Clause 42 be retained (*Senate Leader*).

Question that Clause 42 do part of the Bill — Agreed to.

Clause 43: Period for Making Payments.

The Agency shall make monthly payments for a period as provided by the Bill or as determined by the Board.

Committee's Recommendation:

That the provisions in Clause 43 be retained (*Senate Leader*).

Question that Clause 43 do part of the Bill — Agreed to.

Clause 44: Proof of Existence of Beneficiaries.

The Agency may, periodically require the proof of the existence and condition of injured employees or dependants and beneficiaries, who are in receipt of compensation payments by the Agency, and pending the receipt of that proof, the Agency may review or withhold further payments.

Committee's Recommendation:

That the provisions in Clause 44 be retained (*Senate Leader*).

Question that Clause 44 do part of the Bill — Agreed to.

Clause 45: Permanent Total Disability.

Where a permanent total disability results from the injury of an employee, the Agency shall pay to the employee compensation, a monthly payment equal to 90% of the remuneration of the employee.

Committee's Recommendation:

That the provisions in Clause 45 be retained (*Senate Leader*).

Question that Clause 45 do part of the Bill — Agreed to.

Clause 46: Permanent Partial Disability or Disfigurement.

- (1) Where a permanent partial disability results from the injury of the employee, the Agency shall —
 - (a) estimate the impairment of earning capacity from the nature and degree of the injury; and
 - (b) pay the employee compensation, a monthly payment equal to 90% of an estimate of the loss of remuneration resulting from the impairment.
- (2) The compensation referred to in sub-section (1) shall be determined and calculated in accordance with the percentage of disability in accordance with the table as contained in the Third Schedule to this Bill.

- (3) The Board may by order provide for additional percentages of calculation for disability not contained the Third schedule to this Bill.
- (4) Where —
- (a) a permanent partial disability results from the injury of an employee; and
- (b) the Agency makes a determination under sub-section (5) with respect to the employee, the Agency may pay the employee compensation of a monthly payment that is equal to 90% of the difference between the remuneration of the employee before the injury and whichever of the following amounts the Agency considers better represents the loss of earnings of the employee, the remuneration that the —
- (i) employee is earning after the injury; or
- (ii) Agency estimates the employee is capable of earning in a suitable occupation after the injury.
- (5) A payment may be made under sub-section (4) where the Agency determines that the combined effect of the occupation of the employee at the time of the injury and the disability resulting from the injury is so exceptional that an amount determined under sub-section (1) does not appropriately compensate the employee for the injury.
- (6) In making a determination under sub-section (5), the Agency shall consider the ability of the employee to continue in his occupation at the time of the injury or to adapt to another suitable occupation.
- (7) Where permanent partial disability results from the injury, the minimum compensation awarded under this section shall be calculated in the same manner as provided by section 48 of this Bill for temporary total disability, and to the extent of the partial disability.
- (8) Where the employee has suffered a serious and permanent disfigurement which the Agency considers is capable of impairing the employee's earning capacity, a lump sum in compensation may be paid, although the amount the employee was earning before the injury has not been diminished.
- (9) The disability percentages for different body parts as prescribed by the Third Schedule to this Bill shall serve as a guide in computing the one-off lump sum payment for disfigurement.

Committee's Recommendation:

That the provisions in Clause 46 be retained (*Senate Leader*).

Question that Clause 46 do part of the Bill — Agreed to.

Clause 47: Period of Payment for Permanent Total or Partial Disability.

The compensation payable under section 45, 46, 48 or 49 of this Bill may be paid to an employee, where the employee is —

- (a) less than 60 years of age on the date of the injury, until —
- (i) the date the employee reaches 60 years of age,
- (ii) the Agency is satisfied that the employee would retire after attaining 60 years of age, or
- (iii) the date the employee would retire, as may be determined by the Agency;

- (b) 60 years of age or older on the date of the injury, until —
 - i. 2 years after the date of the injury,
 - ii. the Agency is satisfied that the employee would retire after the date referred to in sub paragraph (i) of this paragraph, or
 - iii. the date the employee would retire, as may be determined by the Agency; and
- (c) less than 60 years of age on the date of injury, and with less than two years to retire, until two years after the date of injury.

Committee's Recommendation:

That the provisions in Clause 47 be retained (*Senate Leader*).

Question that Clause 47 do part of the Bill — Agreed to.

Clause 48: Temporary Total Disability.

- (1) Where a temporary total disability results from an employee's injury, the Agency may pay the employee compensation of a lump sum in accordance with the percentage of disability as prescribed in the Third Schedule to this Bill.
- (2) The payment referred to in sub-section (1) shall not be in respect of any disability that lasts for a period of more than 12 months.

Committee's Recommendation:

That the provisions in Clause 48 be retained (*Senate Leader*).

Question that Clause 48 do part of the Bill — Agreed to.

Clause 49: Temporary Partial Disability.

- (1) Where a temporary partial disability results from an employee's injury, the Agency may pay the employee compensation of a lump sum in accordance with the percentage of disability as prescribed in the Third Schedule to this Bill.
- (2) The payment referred to in sub-section (1) shall not be in respect of any disability that lasts for a period of more than 12 months.

Committee's Recommendation:

That the provisions in Clause 49 be retained (*Senate Leader*).

Question that Clause 49 do part of the Bill — Agreed to.

Clause 50: Healthcare and Disability Support.

- (1) In addition to the other compensation provided by this Bill, the Agency may provide for the injured employee, medical, surgical, hospital, nursing and other care or treatment, transport, medicines, crutches and apparatus, including artificial members, that it may consider reasonably necessary at the time of the injury and during the disability, to cure or relieve the employee from the effects of the injury, and the Agency may adopt guidelines with respect to furnishing health care to the injured employee.
- (2) The Agency may make a daily allowance for the subsistence of an injured employee when, under its direction, the employee is undergoing treatment at a place other than the place where the employee resides, and the daily allowance for subsistence under this section extends to an injured employee who receives compensation, regardless of the date the employee first became entitled to compensation.

- (3) Where in a case of emergency, or for other justifiable cause, an accredited medical or trade-medical practitioner other than the one provided by the Agency is called in to treat the injured employee, and if the Agency finds there was a justifiable cause and that the charge for the service is reasonable, the cost of the service shall be paid by the Agency.
- (4) The Agency may authorise employers to provide health care at the expense of the Agency on terms fixed by the Agency, and the employer shall provide to an injured employee, where necessary, immediate transport to a hospital or approved medical or trade-medical practitioner for initial treatment.
- (5) Where an injured, disabled employee or an employee with occupational disease, personally paid for the medical bills or treatment pursuant to sub-section (4), the employer shall forward a letter of indemnity to the Agency of any liability which may arise as a result of the direct payment to the affected employee before the medical expenses refund shall be made directly to the affected employee.
- (6) Health care provided under sub-section (3) or (4) shall be subject to the direction, supervision and control of the Agency and the Agency may enter into contract or approve any medical or trade-medical practitioner, nurse or other person, authorised to treat human ailments, hospitals and other institutions for any health care required, and to agree on a scale of fees or remuneration for that health care and questions as to the necessity, character and sufficiency of health care to be provided shall be determined by the Agency.
- (7) The fees for health care provided under this section shall not be more than the fees that would be properly and reasonably charged if the employee were paying, and the Agency may, fix and determine the amount, on the advice of the Minister charged with responsibility for health.
- (8) Without limiting the powers of the Agency under this section to supervise and provide health care in every case where it considers the exercise of such powers expedient, the Agency shall permit health care to be administered by the medical or trade-medical practitioner who may be selected or employed by the injured employee.
- (9) The Agency may assume the responsibility of replacement and repair of —
 - (a) artificial appliances, including artificial members damaged or broken as the result of an accident arising out of and in the course of the employment of an employee; and
 - (b) eye glasses, dentures and hearing aids broken as a result of an accident arising out of, and in the course of employment if such breakage is accompanied by objective signs of personal injury, or where there is no personal injury, if the accident is established.
- (10) Where an injury to an employee results in serious impairment of the sight of the employee, the Agency may, to protect the remaining vision of the employee, provide the employee with protective eye glasses.

Committee's Recommendation:

That the provisions in Clause 50 be retained (*Senate Leader*).

Question that Clause 50 do part of the Bill — Agreed to.

Clause 51: Duty of Medical or Trado-medical Practitioner and other Specialists.

- (1) An accredited medical or trado-medical practitioner attending or consulted on a case of injury or alleged case of injury to an employee in a workplace within the scope of this Bill shall —
 - (a) provide the reports in respect of the injury in the form required by the Agency or regulations made by the Board, but the first report containing the information requested in it shall be supplied to the Agency within seven days after the date of his first attendance on the employee;
 - (b) provide a report within seven days after the employee is, in the opinion of the medical or trado-medical practitioner able to resume work and, where treatment is being continued after resumption of work, to furnish further adequate reports;
 - (c) where a specialist whose opinion is requested by the attending accredited medical or trado-medical practitioner or the Agency, or if the specialist continues to treat the employee after being consulted as a specialist, the specialist shall be required to provide his first report to the Agency within seven days after completion of consultation, and if the specialist is regularly treating the employee, the specialist shall submit reports as required in paragraphs (a) and (b); and
 - (d) give all reasonable and necessary information, advice and assistance to the injured employee and a deceased employee's dependant in making application for compensation, to provide the required certificate and proof, without charge to the employee.
- (2) A specialist or accredited medical or trado-medical practitioner who attends to an injured employee is subject to the same duties and responsibilities of care, and any health care provided by the specialist or accredited medical or trado-medical practitioner is subject to the direction, supervision and control of the Agency.
- (3) Except the Agency otherwise directs, a claim for medical services or health care shall not be paid where it is submitted later than 90 days from the date that the —
 - (a) last treatment was given; or
 - (b) accredited medical or trado-medical practitioner providing the medical service was first aware that the Agency may be liable for his services, whichever first occurs.
- (4) An accredited medical or trado-medical practitioner authorized to render health care under this Bill shall confine his treatment of injuries to the parts of the body he is authorised to treat under the Medical and Dental Practitioners Act or the relevant professional body under which he is permitted to practice, and any unauthorised treatment shall not be paid for by the Agency.
- (5) An accredited medical or trado-medical practitioner who fails to submit prompt, adequate and accurate reports, and accounts as required by the Agency, commits an offence under this Bill, and the

approval to render health care pursuant to this Bill may be canceled by the Agency or suspended for a period to be determined by the Agency.

- (6) Where the accreditation of a medical or trade-medical practitioner is cancelled or suspended under sub-section (5), the Agency shall notify-
- (a) the medical or trade-medical practitioner;
 - (b) inform the Nigerian Medical and Dental Council established under the Medical and Dental Practitioners Act or the relevant professional body by which the person is authorized to treat human ailment; and
 - (c) the injured employee and his employer who seeks treatment from him of the cancellation or suspension.

Committee's Recommendation:

That the provisions in Clause 51 be retained (*Senate Leader*).

Question that Clause 51 do part of the Bill — Agreed to.

Clause 52: Retirement Benefit Contribution

- (1) This section applies to an employee who is receiving monthly disability payment under section 45 or 46 of this Bill.
- (2) A monthly payment under this Bill shall not prejudice the beneficiary from receiving any entitlement under the Pension Reform Act.
- (3) The Agency shall make a monthly payment as retirement benefit contribution for an employee under subsection (1), of an amount that is -
 - (a) equal to 10% of the monthly payment or as prescribed by the Pension Reform Act; and
 - (b) in addition to the monthly payment.
- (4) Subject to the Pension Reform Act, an employee may apply to the Agency to voluntarily contribute to the amount paid under subsection (3), an amount that is not less than one percent and not greater than 10% of each subsequent monthly payment made to the employee.
- (5) Subject to sub-section (6), where the employee makes an application under sub-section (4), the Agency shall, deduct the amount of contribution of the employee from each subsequent monthly payment made to the employee and remit this contribution along with the amount paid under sub-section (2) to the retirement savings account of the employee pursuant to the Pension Reform Act.
- (6) The deductions made by the Agency under sub-section (5) may not be varied, except in response to an application by the employee to stop the deductions or transfer the deductions into his retirement savings account.
- (7) An application made under sub-section (4) or (6) shall be made in a form prescribed by the Agency.

Committee's Recommendation:

That the provisions in Clause 52 be retained (*Senate Leader*).

Question that Clause 52 do part of the Bill — Agreed to.

Clause 53: Payment of Retirement Benefits.

- (1) Any amount paid as a retirement benefit under section 52 of this Bill shall be paid to the employee as part of his accrued retirement benefits in accordance with the provisions of the Pension Reform Act.
- (2) The provisions of sections 41 - 52 and 53 (1) shall not apply to the informal economy, provided the scale of compensation for the informal economy shall be as the Board may prescribe by an order or regulations.

Committee's Recommendation:

That the provisions in Clause 53 be retained (*Senate Leader*).

Question that Clause 53 do part of the Bill — Agreed to.

PART IX — EMPLOYERS' ASSESSMENT AND CONTRIBUTIONS**Clause 54: Employers' Contribution to the Fund.**

- (1) An employer shall, make a minimum monthly contribution of 1.0% of the gross total monthly payroll into the Fund.
- (2) The contributions payable by Federal, State and Local Governments in respect of their employees may be deductible from the Federal, State and Local Governments' monthly allocations and Internally Generated Revenue and remitted into the Fund established under section 19 of this Bill;
- (3) Without prejudice to the provision of subsection (1), the Agency shall, make regulations prescribing -
 - (a) the categorisation of risk factors of each class or subclass of economy, industry, sector or workplace and the amount of contributions to be made into the Fund; and
 - (b) different assessment rates applicable to each class and subclass of economy, industry, sector or workplace.
- (4) A person who contravenes the provision of subsection (1) commits an offence and shall be liable on conviction to -
 - (a) imprisonment for a term not less than one year or to a fine of not less than ₦1,000,000.00 or to both; and
 - (b) in the case of a body corporate, a fine of not less than ₦5,000,000.00
- (5) In the case of a body corporate every -
 - (a) director, manager, secretary or other officer of the body corporate;
 - (b) partner or officer of the body corporate, who was purporting to act in the capacity referred to in paragraph (a) and (b) shall be deemed to have committed the offence and be liable on conviction to imprisonment for a term not less than one year or a fine not less than ₦1,000,000.00 or to both, unless he proves that the act or omission constituting the offence took place without his knowledge, consent or connivance.
- (6) Where an employer fails to pay a contribution payable in respect of his employee prior to the date of the occurrence of the accident resulting in an injury, disease or death of the employee, the employer commits an offence and is liable on conviction to the penalty prescribed in subsection (4) and (5).

- (7) The employer in subsection (6) shall in addition to the penalty prescribed in subsection (4) and (5) be liable to pay to the Agency, the assessed compensation due to the employee or his dependents.

Committee's Recommendation:

That the provisions in Clause 54 be retained (*Senate Leader*).

Question that Clause 54 do part of the Bill — Agreed to.

Clause 55: Assessment.

- (1) The Agency shall assess employers for such sums due as contribution in such manner, form and procedure as the Agency may, determine for the due administration of this Bill.
- (2) Assessments shall, in the first instance, be based upon estimates -
- (a) of the employer's payroll for the year provided under section 60 of this Bill; or
- (b) as determined by the Agency under section 61 of this Bill.
- (3) The Agency may, by order, establish a minimum assessment threshold.

Committee's Recommendation:

That the provisions in Clause 55 be retained (*Senate Leader*).

Question that Clause 55 do part of the Bill — Agreed to.

Clause 56: Assessment Payable.

- (1) Payment of an assessment made under section 55 of this Bill shall be due on the 1st January in the year for which it relates.
- (2) The Agency may provide for the payment of the amount of assessment by instalments, and the assessment for the year shall be payable on the dates determined by the Agency.

Committee's Recommendation:

That the provisions in Clause 56 be retained (*Senate Leader*).

Question that Clause 56 do part of the Bill — Agreed to.

Clause 57: Liability for Assessment, etc.

- (1) The Agency shall have a cause of action for any unpaid assessment and shall be entitled to the costs of any action to recover the unpaid assessment.
- (2) Where, an employer liable to assessment is not assessed by the Agency, the employer shall be liable for the amount for which the employer should have been assessed, and payment of that amount may be enforced as if the employer had been assessed for that amount.
- (3) Subject to the power of the Attorney-General of the Federation to institute, continue or discontinue criminal proceedings, any employee of the Agency authorised in that behalf by the Agency and who is a legal practitioner may before any court of competent jurisdiction conduct or defend any complaint or other proceedings arising under this Bill.
- (4) The court before whom any person is convicted of an offence under this Bill may, without prejudice to any civil remedy, order that person to pay to the Fund the amount of any contributions together with any

interest or penalty on the contribution, certified by the Agency to be due from that person to the Fund at the date of the conviction, and the amount shall be paid into the Fund for the credit, of the employees concerned.

- (5) Proceedings in respect of an offence under this Bill may be commenced at any time after the commission of the offence.
- (6) An action for the recovery of contribution or other penalty under this section may be instituted in the name of the Agency by an employee of the Agency authorised to do so.

Committee's Recommendation:

That the provisions in Clause 57 be retained (*Senate Leader*).

Question that Clause 57 do part of the Bill — Agreed to.

Clause 58: Assessment Rates.

- (1) The Board may provide for different assessment rates applicable to each class and subclass of industry classified under section 59 of this Bill.
- (2) A statement of the percentages and rates applicable to specific industries fixed by the Board, shall be published in the Federal Gazette and the official website of the Agency, and constitutes an assessment upon, and notice to, each employer in those industries for the period named in the Federal Gazette and the official website of the Agency.

Committee's Recommendation:

That the provisions in Clause 58 be retained (*Senate Leader*).

Question that Clause 58 do part of the Bill — Agreed to.

Clause 59: Employer Classification.

- (1) The Board may establish classes and subclasses of industries as it deems appropriate.
- (2) The Board shall assign an employer to an appropriate class or subclass based upon the industry in which the employer operates.
- (3) The Board may, by order or regulations -
 - (a) consolidate or rearrange any existing class and subclass; and
 - (b) assign an employer, independent operator or industry to one or more classes or subclasses.
- (4) Where the Board exercises authority under sub-section (3), it may make the adjustment and disposition of the funds, reserves and accounts of the classes and subclasses affected as the Board considers just and expedient.

Committee's Recommendation:

That the provisions in Clause 59 be retained (*Senate Leader*).

Question that Clause 59 do part of the Bill — Agreed to.

Clause 60: Employer to Provide an Estimate of Payroll.

- (1) Except in the case of the informal economy, an employer shall -

- (a) keep at all times, at some place in Nigeria, the location and address of which the employer has given notice to the Agency, complete and accurate particulars of the employer's payroll;
- (b) cause to be furnished to the Agency -
 - (i) when the employer becomes an employer within the scope of this Bill,
 - (ii) at any other time, as required by the Agency, or any regulation made by the Board of general application, or
 - (iii) an estimate of the probable amount of the payroll of each of the employer's industries within the scope of this Bill, together with any further information required by the Agency, and provide signed copies of reports of the employer's payroll, not later than the 31st December in each year or at such other times and in the manner required by the Agency.
- (2) Where the employer fails to comply with sub-section (1), the employer is liable to pay as a penalty for the default, a percentage of the assessment prescribed by regulations or determined by the Board, and the Agency may make its own estimate of the payroll, assess and levy on that estimate, and the employer is bound by it.
- (3) In computing the amount of the payroll for the purpose of assessment, regard shall be had only to that portion of the payroll that represents workers and employment within the scope of this Bill.
- (4) Where an employer does not comply with sub-section (1), or if a statement made in pursuance of its requirements is not true and accurate, the employer, for every failure to comply and for every such statement shall be liable on conviction -
 - (a) in the case of an individual, to imprisonment for a term not less than one year or fine of not less than ₦500,000 or to both; and
 - (b) in the case of a body corporate, to a fine of not less than ₦5,000,000 and any -
 - (i) director, manager, secretary or other officer of the body corporate, or
 - (ii) partner of the body corporate, who was purporting to act in the capacity referred to in subparagraph (i) and (ii) shall be deemed to have committed the offence and be liable on conviction to imprisonment for a term not less than one year or a fine not less than ₦1,000,000.00 or to both, unless he proves that the act or omission constituting the offence took place without his knowledge, consent or connivance.

Committee's Recommendation:

That the provisions in Clause 60 be retained (*Senate Leader*).

Question that Clause 60 do part of the Bill — Agreed to.

Clause 61: Statement and Estimate of Earnings.

- (1) An employer shall, not later than the last day of February in each year or at such other time as may be required by the Agency, provide, a statement of -
 - (a) the total amount of all earnings paid to its employees in the preceding year;
 - (b) an estimate of the earnings that will be paid to its employees in the current year or any part of it;
 - (c) the nature of the work activities; and
 - (d) any additional information as the Agency may require.
- (2) Where the statement is found to be incorrect, the Agency shall reassess the employer for each year that the statement was incorrectly made, and may charge the employer interest, at the prevailing Central Bank of Nigeria's interest rate, on any assessment that was not paid.
- (3) An employer shall declare the earnings of any employee who would be entitled to compensation and who is employed outside Nigeria as if the worker were employed in Nigeria.
- (4) The earnings paid to an employee in excess of the maximum assessable earnings shall not be included in the employer's statement under sub-section (1).
- (5) Unless satisfactory evidence of an employer's actual payroll for any period is provided to the Agency, the payroll estimated by the Agency under this section or under section 60 (1) shall be deemed to be the actual payroll of the employer.
- (6) Where any person is deemed under this Bill to be an employee, the Agency may deem an amount to be the earnings for that employee.
- (7) Where the activity or business of the employer is carried on in more than one industry, the Agency may require separate statements for each industry.

Committee's Recommendation:

That the provisions in Clause 61 be retained (*Senate Leader*).

Question that Clause 61 do part of the Bill — Agreed to.

Clause 62: Employer's Experience Account.

- (1) The Agency shall maintain an experience account for each employer, indicating the assessments levied and the cost of all claims chargeable in respect of the employer.
- (2) Where, in the opinion of the Agency, an employee's disability results, from the negligence of an employer who is not the employer of the disabled employee, or an employee of that employer -
 - (a) the cost of any claim, as determined by the Agency, may be charged to the experience account of that employer; and
 - (b) where the employer is in a separate class or subclass from the disabled employee's employer, the Agency may charge the cost of the claim, as determined by the Agency, to the class or subclass in which that employer is included in proportion to the degree of negligence attributed to that employer or that employer's employee.

- (3) Where an employee suffers a work-related disability, the disabled employee's employer may, within 24 months of the disability, request that subsection (2) be applied by the Agency.

Committee's Recommendation:

That the provisions in Clause 62 be retained (*Senate Leader*).

Question that Clause 62 do part of the Bill — Agreed to.

Clause 63: Super Assessment.

- (1) Where, in any year or other period determined by the Agency, the claims cost charged to the experience account of an employer are in excess of 105% of the ordinary assessment of that employer for the same year, the Agency may, within four years, assess and levy the employer in that year a super-assessment of an amount directed by the Agency, but not exceeding 133% of the employer's ordinary assessment for the year, having regard to the amount of the excess and the extent of the amounts previously charged against that employer's experience account.
- (2) Where the Agency has levied an assessment under subsection (1), the employer shall continue to be liable for the ordinary assessment for the year.

Committee's Recommendation:

That the provisions in Clause 63 be retained (*Senate Leader*).

Question that Clause 63 do part of the Bill — Agreed to.

Clause 64: Merit Rating.

The Agency may by a decision adopt a system of merit rating for employers.

Committee's Recommendation:

That the provisions in Clause 64 be retained (*Senate Leader*).

Question that Clause 64 do part of the Bill — Agreed to.

Clause 65: Liability for Assessment of Independent Contractors and Subcontractors.

- (1) Where a principal employs an independent contractor to perform any work in a workplace, both the person or organisation, and the independent contractor shall be liable -
- (a) jointly for any assessment under this Bill relating to that work; and
- (b) for that amount which may, at the discretion of the Agency, be collected from them jointly or either of them.
- (2) Where any work is performed under a sub-contract, the principal, the contractor and the sub-contractor shall be liable -
- (a) jointly for any assessment relating to that work; and
- (b) for that amount which may be collected from them jointly or either of them.
- (3) A person or organisation referred to in sub-section (1) may withhold from the money payable to that contractor, any amount for which the principal is liable under this section and pay such amount to the Fund and between the principal, contractor and sub-contractor, the payment shall be deemed to be a payment on the contract or sub-contract or both.

- (4) A contractor may withhold from any money payable to a subcontractor, the amount that the contractor is liable to pay under this section to the sub-contractor and pay that amount to the Fund, and between the contractor and the sub-contractor, the payment shall be deemed to be a payment on the sub-contract.
- (5) In the absence of any term in the contract to the contrary, where -
 - (a) a principal does not withhold any money payable to a contractor under sub-section (3) and pays its liability under sub-section (1) to the Fund, the contractor shall be indebted to the principal for that amount, and the principal shall have a cause of action against the contractor in respect of that debt; or
 - (b) the contractor does not withhold any money under sub-section (4) and pays its liability under sub-section (2), the subcontractor shall become indebted to the contractor for that amount, and the contractor shall have a cause of action against the sub-contractor in respect of that debt.

Committee's Recommendation:

That the provisions in Clause 65 be retained (*Senate Leader*).

Question that Clause 65 do part of the Bill — Agreed to.

Clause 66: Security for Payment of Assessment.

- (1) The Agency may serve notice on an employer requiring the employer to provide security, in an amount and form deemed appropriate by the Agency, for the payment of assessments that are levied against an employer, or might have been levied against an employer, had the employer submitted himself for assessment.
- (2) Where at any time the Agency considers that the security provided is no longer sufficient, the Agency may require such further security as it deems appropriate.
- (3) An employer shall, within 30 days after being served with a notice, provide the security required by the Agency

Committee's Recommendation:

That the provisions in Clause 66 be retained (*Senate Leader*).

Question that Clause 66 do part of the Bill — Agreed to.

Clause 67: Penalty for Nonpayment of Assessment or Provision of Security.

Where an assessment is not paid when required by the Agency, or security is not provided when required, the Agency may assess a penalty in an amount equal to 10% of the unpaid assessment or the value of the security required, the payment of which may be enforced in the same manner as the payment of an assessment.

Committee's Recommendation:

That the provisions in Clause 67 be retained (*Senate Leader*).

Question that Clause 67 do part of the Bill — Agreed to.

Clause 68: Decision of the Agency.

Where an employer -

- (a) defaults in providing the security required by the Agency;
- (b) defaults in the payment of any amount due to the Agency; or

- (c) contravenes any decisions of the Board, the employer commits an offence under this Bill.

Committee's Recommendation:

That the provisions in Clause 68 be retained (*Senate Leader*).

Question that Clause 68 do part of the Bill — Agreed to.

Clause 69: Provisional Assessment.

- (1) Where -
- (a) an employer fails to comply with section 60 of this Bill within the time required; or
- (b) the information provided under section 60 of this Bill does not, in the opinion of the Agency, reflect the probable number of employees and amount of the payroll of the employer or correctly describe the nature of the work carried on, the Agency may assess such sum as is in its opinion, the probable payroll of the employer or the nature of the employer's industry.
- (2) Where it is later determined that the assessment under subsection (1) is different from the required assessment, the employer or the Agency shall be liable to pay to the other the difference.

Committee's Recommendation:

That the provisions in Clause 69 be retained (*Senate Leader*).

Question that Clause 69 do part of the Bill — Agreed to.

Clause 70: Temporary Industry.

- (1) Where an employer engages in any industry within the scope of this Bill and has not been assessed in respect of it, the Agency, if it considers that the industry is to carry on business temporarily, may require the employer to pay or to give security for the payment to the Fund of a sum sufficient to pay the assessment for which the employer may be liable, where the industry had been in existence when the last preceding assessment was made.
- (2) An employer who defaults in complying with the requirement under subsection (1) commits an offence under this Bill.

Committee's Recommendation:

That the provisions in Clause 70 be retained (*Senate Leader*).

Question that Clause 70 do part of the Bill — Agreed to.

Clause 71: Employer Commencing or Recommencing a Business.

Where an employer commences or recommences a business, the employer shall provide, to the Agency the statements required under section 60 of this Bill, within 30 days of the commencement or recommencement.

Committee's Recommendation:

That the provisions in Clause 71 be retained (*Senate Leader*).

Question that Clause 71 do part of the Bill — Agreed to.

Clause 72: Ceasing to be an Employer.

A person who ceases to be an employer shall notify the Agency within 30 days of cessation and shall provide a statement of the total payroll for the year.

Committee's Recommendation:

That the provisions in Clause 72 be retained (*Senate Leader*).

Question that Clause 72 do part of the Bill — Agreed to.

Clause 73: Record of Remuneration and Operations.

An employer shall keep an accurate record of accounts of all remuneration paid to its employees, including the executive management, and expatriates, and of any other particulars of its operations as may be required by the Agency.

Committee's Recommendation:

That the provisions in Clause 73 be retained (*Senate Leader*).

Question that Clause 73 do part of the Bill — Agreed to.

Clause 74: Examination.

- (1) A person authorised by the Agency may examine the books and accounts of any employer as the Agency deems necessary for administering this Bill.
- (2) Any person authorised by the Agency may, at all reasonable hours, enter any part of the establishment of any employer or person who may be an employer.
- (3) An employer shall produce, within 14 days of receiving notice from the Agency and in the manner set out in the notice, all documents, deeds, papers and computer records which are in the possession, custody or power of the employer that relate to the subject matter of an examination under this section.
- (4) For the purpose of an examination or inquiry under this section, the Agency or any person authorised by it, shall have the power of a Board of Inquiry appointed under this Bill.
- (5) Any person authorised by the Agency to make an examination under this section may require and take a statement in respect of the subject matter of an examination under this section.
- (6) An employer or other person who obstructs or hinders the making of an examination, or who refuses to permit it to be made, or who neglects or refuses to produce such relevant documents and information or make a statement required in the notice under this section, commits an offence.
- (7) In this section, an employer includes a person whom the Agency considers to be an employer or a principal.

Committee's Recommendation:

That the provisions in Clause 74 be retained (*Senate Leader*).

Question that Clause 74 do part of the Bill — Agreed to.

Clause 75: Enforcement Powers.

- (1) An officer of the Agency may, for the purpose of carrying out his duties under this Bill, its regulation or an order of the Board -
 - (a) enter any workplace at any time with or without notice;
 - (b) require the production of, and inspect or examine, any licence, document, record or report;

- (c) remove any licence, document, record or report inspected or examined for the purpose of making copies or extracts and upon making such copies or extracts, shall promptly return same to the person who produced or furnished them;
 - (d) in an inspection, examination or inquiry, may be accompanied and assisted by a police officer or any other law enforcement agent, and any other person having special, expert or professional knowledge of any matter in respect of which the inspection is being carried out;
 - (e) make inquiries of any person who is or was in a workplace, either separate or in the presence of any other person who may be relevant to an inspection, examination or enquiry; and
 - (f) require that records or documents in a workplace are not disturbed for a reasonable period of time for the purpose of carrying out an examination, investigation or enquiry.
- (2) The report arising out of an enquiry, inspection or examination shall be the property of the Agency and be held in confidence.
- (3) Where an employer fails or neglects to comply with an obligation under this Bill, the Agency may apply ex-parte to a court of competent jurisdiction for an interim order authorising it to seal the whole or any part of the employer's business premises, including any plant, machinery or equipment used in connection with the business, and any premises or equipment so sealed shall remain sealed, and shall not be unsealed except by an order of court, without prejudice to the continued liability of the employer for any outstanding contributions or penalties under this Bill.

Committee's Recommendation:

That the provisions in Clause 75 be retained (*Senate Leader*).

Question that Clause 75 do part of the Bill — Agreed to.

Clause 76: Right of Appeal.

- (1) A person aggrieved by any decision of the Agency may appeal to the Board for a review of such decision.
- (2) An appeal under sub-section (1) shall be made in writing to the Board within 180 days of the date of the decision, otherwise the person shall lose his right to appeal the Board.
- (3) The appeal shall be disposed of in the manner determined by the Board within a period of 180 days.
- (4) An appeal shall lie from any decision of the Board under sub-section (1) to the National Industrial Court.

Committee's Recommendation:

That the provisions in Clause 76 be retained (*Senate Leader*).

Question that Clause 76 do part of the Bill — Agreed to.

PART X — MISCELLANEOUS PROVISIONS

Clause 77: Power to make regulations

The Board may with the approval of the Minister, make Regulations generally for giving full effect to the provisions of this Bill.

Committee's Recommendation:

That the provisions in Clause 77 be retained (*Senate Leader*).

Question that Clause 77 do part of the Bill — Agreed to.

Clause 78: Exemption from Trustee Investments Act

The provisions of the Trustee Investments Act shall not apply to the investment of money by the Agency.

Committee's Recommendation:

That the provisions in Clause 78 be retained (*Senate Leader*).

Question that Clause 78 do part of the Bill — Agreed to.

Clause 79: Providing false information

- (1) Any person required under the Bill to provide information to the Agency who knowingly provides the Agency with false or misleading information is guilty of an offence and is liable on—
 - (a) first conviction to imprisonment for a term not less than six months or a fine not less than ₦500,000 or to both; or
 - (b) each subsequent conviction to imprisonment for a term not less than one year or to a fine not less than ₦1,000,000 or to both.
- (2) The institution of proceedings or imposition of a penalty under this section shall not relieve an employer from liability to pay to the Agency the amount due.

Committee's Recommendation:

That the provisions in Clause 79 be retained (*Senate Leader*).

Question that Clause 79 do part of the Bill — Agreed to.

Clause 80: Confidentiality

- (1) A member of the Board, employee, agent of the Agency or person authorised to make an examination or inquiry under this Bill shall not disclose or allow to be disclosed, any information obtained in the administration of this Bill, except in the performance of his duties or under authority of the Agency.
- (2) Where information in respect of a specific claim, other than information that is statistical in nature, is to be provided to another institution to which the Agency may have a working agreement, the Agency shall notify the employee or the employer of the information to be provided.
- (3) A person who violates the provisions of this section commits an offence under this Bill.

Committee's Recommendation:

That the provisions in Clause 80 be retained (*Senate Leader*).

Question that Clause 80 do part of the Bill — Agreed to.

Clause 81: Non-compellability

A member of the Board, employee or agent of the Agency shall not be required to testify in a civil suit to which the Agency is not a party with regard to information obtained in the discharge of a duty or obligation under this Bill, except when required to do so by the court or in such other circumstances as may be prescribed by the Agency.

Committee's Recommendation:

That the provisions in Clause 81 be retained (*Senate Leader*).

Question that Clause 81 do part of the Bill — Agreed to.

Clause 82: Records and notices

- (1) Where the Agency sends a notice to an employer that requires it to be posted in the employer's workplace, the employer shall post such notice in a prominent location in the workplace readily accessible to the employees.
- (2) An order, notice or other document may be served by email or by any other electronic means, courier, a staff of the Agency or by registered mail to the last known address of the employer, employee, or the person it is addressed to, and when served by registered mail, courier or a staff of the Agency, pasting it on the employer's premises shall be deemed to be good and sufficient service.
- (3) An order, notice or other document served under sub-section (2) shall be deemed to be served on the date the email was sent successfully.

Committee's Recommendation:

That the provisions in Clause 82 be retained (*Senate Leader*).

Question that Clause 82 do part of the Bill — Agreed to.

Clause 83: Illiteracy

The Agency may waive any requirement under this Bill for an illiterate person to provide written notice and may accept notice in any form the Agency deems appropriate.

Committee's Recommendation:

That the provisions in Clause 83 be retained (*Senate Leader*).

Question that Clause 83 do part of the Bill — Agreed to.

Clause 84: Priority as to Amounts due to the Fund in the Case of the Employer's Insolvency.

- (1) Notwithstanding anything contained in this Bill, where an employer becomes insolvent, any amount due or required by an employer to be paid to the Fund on an assessment made under this Bill or on a judgement for it, shall constitute a lien in favour of the Fund payable in priority over all liens, charges or mortgages of every person, created or to be created, with respect to the property or proceeds of property, used in or in connection with the industry with respect to which the employer was assessed or the amount became payable, excepting liens for wages due to employees by their employers.
- (2) The lien created in favour of the Fund in subsection (1) shall remain valid and in force with respect to each assessment until the expiration of five years from the end of the calendar year for which the assessment was levied.

Committee's Recommendation:

That the provisions in Clause 84 be retained (*Senate Leader*).

Question that Clause 84 do part of the Bill — Agreed to.

Clause 85: Exemption from Stamp Duty, etc.

Notwithstanding the provisions of any law, deductions shall not be made on the Fund established under section 19 of this Bill, and stamp duty shall not be payable on any receipt, contract, instrument or other document given or executed by or on behalf of the Agency.

Committee's Recommendation:

That the provisions in Clause 85 be retained (*Senate Leader*).

Question that Clause 85 do part of the Bill — Agreed to.

Clause 86: Exemption from Tax.

The Agency shall not be liable to pay income tax, and tax by whatever name called shall not be payable in respect of any property vested in the Agency.

Committee's Recommendation:

That the provisions in Clause 86 be retained (*Senate Leader*).

Question that Clause 86 do part of the Bill — Agreed to.

Clause 87: Exemption of Benefits from Tax.

Benefits payable under this Bill shall be exempted from taxation and shall not be liable to attachment for debt under any process of law.

Committee's Recommendation:

That the provisions in Clause 87 be retained (*Senate Leader*).

Question that Clause 87 do part of the Bill — Agreed to.

Clause 88: Indemnity from Personal Liability.

A member of the Board, officer, servant or agent of the Agency shall not incur personal liability for any act done in good faith while engaged in the business of the Agency.

Committee's Recommendation:

That the provisions in Clause 88 be retained (*Senate Leader*).

Question that Clause 88 do part of the Bill — Agreed to.

Clause 89: Legal Proceedings Against the Agency.

(1) Subject to the provisions of this Bill, the provision of the Public Officers Protection Act shall apply in relation to any suit instituted against a member of the Board, the Managing Director, any officer or staff of the Agency for a lawful act done under or in execution of this Bill or any public duty of the Agency.

(2) Notwithstanding anything contained in any other law, no suit shall lie against any member of the Board, the Managing Director, any officer or staff of the Agency for any lawful act done in pursuance or execution of this Bill or any other law on public duty or authority, or in respect of any alleged neglect or default in the execution of this Bill, such law, duty or authority, shall not lie or be instituted in any court unless -

(a) it is commenced within three months after the act, neglect or default complained of; or

(b) in the case of a continuation of damage or injury, within six months after ceasing.

Committee's Recommendation:

That the provisions in Clause 89 be retained (*Senate Leader*).

Question that Clause 89 do part of the Bill — Agreed to.

Clause 90: Service of Document.

- (1) Civil action shall not be commenced against the Agency or its authorised officers before the expiration of 30 days after written notice of the intention to commence the suit has been served on the Agency by the intending plaintiff or agent and the notice shall explicitly state the -
 - (a) cause of action;
 - (b) particulars of the claim;
 - (c) name and place of abode of the intending plaintiff; and
 - (d) relief sought.
- (2) 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, may be done by sending it either by registered mail, electronic means or courier addressed to the Managing Director at the Head Office of the Agency.

Committee's Recommendation:

That the provisions in Clause 90 be retained (*Senate Leader*).

Question that Clause 90 do part of the Bill — Agreed to.

Clause 91: Restriction on Execution Against the Property of the Agency.

- (1) In any action or suit against the Agency, no execution shall be levied or attachment processes issued against the Agency, unless not less than three months' notice of the intention to execute or to attach is given to the Agency.
- (2) Any sum of money which may by the judgment of any court be awarded against the Agency shall, subject to any direction given by the court, where notice of appeal of the said judgment is not given, be paid from the general reserve fund of the Agency.

Committee's Recommendation:

That the provisions in Clause 91 be retained (*Senate Leader*).

Question that Clause 91 do part of the Bill — Agreed to.

Clause 92: General Penalty.

- (1) A person who contravenes any provision of this Bill for which no specific penalty is provided, commits an offence and shall be liable on conviction to -
 - (a) a fine of ₦500, 000 in the first instance of non-compliance or imprisonment for a term not less than six months or;
 - (b) a fine of ₦1,000,000 for each subsequent case of non-compliance or to imprisonment for a term of not less than one year or to both.
- (2) Where an offence under this Bill is committed by a body corporate,
 - a -
 - (a) director, manager, secretary or other officer of the body corporate;
 - (b) partner of the firm; or

- (c) person who was purporting to act in such capacity mentioned in paragraphs (a) and (b) of this subsection, shall be deemed to have committed the offence unless he proves that the act or omission constituting the offence took place without his knowledge, consent or connivance, or he took reasonable steps to prevent the commission of the offence.
- (3) The National Industrial Court of Nigeria shall have jurisdiction to try all offences under this Bill.

Committee's Recommendation:

That the provisions in Clause 92 be retained (*Senate Leader*).

Question that Clause 92 do part of the Bill — Agreed to.

Clause 93: Repeal.

The following Acts are repealed ("repealed Acts") -

- (a) the Nigeria Social Insurance Trust Fund Act,
- (b) the Employees' Compensation Act, 2010.

Committee's Recommendation:

That the provisions in Clause 93 be retained (*Senate Leader*).

Question that Clause 93 do part of the Bill — Agreed to.

Clause 94: Savings and Transfer of Liabilities, Staff, etc.

- (1) Without prejudice to section 6 of the Interpretation Act, the repealed Acts specified in section 90 of this Bill shall not affect anything done under the repealed Acts.
- (2) Anything made or done under the repealed Acts or having effect before the commencement of this Bill, which have any resulting or continuing effect, shall be treated as from the commencement of this Bill, as if it were made or done by the Agency under this Bill.
- (3) The statutory functions, rights, interests, obligations and liabilities of the Agency or the Board, existing before the commencement of this Bill under any contract or instrument, or in law or in equity apart from any contract or instrument shall, by virtue of this Bill, be deemed to have been assigned to and vested in the Agency established by this Bill.
- (4) Any proceedings or cause of action pending or existing immediately before the commencement of this Bill, by or against the Board existing before the commencement of this Bill in respect of any right, interest, obligation or liability of the Board existing before the commencement of this Bill 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 Agency established by this Bill to the same extent that such proceeding or cause of action or determination might have been continued, commenced or enforced by or against the Board existing before the commencement of this Bill.
- (5) From the commencement of this Bill, any staff or officer who immediately before the commencement of this Bill, holds office under the repealed Acts is deemed to have been appointed to the Agency established under this Act on such terms and conditions as those before the commencement of this Bill.

- (6) Service or employment under the repealed Acts is deemed to be service or employment in the Agency established under this Bill.
- (7) Properties, assets and funds held before the commencement of this Bill on behalf of the Board under the repealed Acts by any person or entity, shall by virtue of this Bill, be vested in the Agency established under this Bill.
- (8) Any regulations, rules and similar instruments made under the repealed Acts and in force before the commencement of this Bill shall, except they are subsequently revoked or amended by any authority having power in that regard.

Committee's Recommendation:

That the provisions in Clause 94 be retained (*Senate Leader*).

Question that Clause 94 do part of the Bill — Agreed to.

Clause 95: Interpretation.

In this Bill -

"accident" means an occurrence arising out of, or in the course of work which results in fatal or non-fatal occupational injury that may lead to compensation under this Bill;

"accredited medical or trade-medical practitioner" means a registered medical or trade-medical practitioner or a specialist accredited by the Agency for the purposes of this Bill;

"agency" means the Nigeria Employees' Compensation Trust Fund Agency established under this Bill;

"beneficiary" means a person entitled to benefits, compensation, payment or service under this Bill;

"Board" means the Nigeria Employees' Compensation Trust Fund Agency Board "Chairman" means the Chairman of the Board;

"child" means any person not more than 21 years old and includes any step-child and child adopted in a manner recognised as lawful in Nigeria;

"compensation" means any amount payable or service provided under this Bill in respect of an employee and includes cash and non-cash benefits;

"contribution" means the statutory amount payable by an employer into the Fund in respect of its employees;

"dependant" includes those members of the family, including adoptive and foster family of the deceased or disabled employee who were dependent upon his earnings at the time of his death, or would, but for the disability due to the occupational accident or diseases, have been so dependent;

"disabled spouse" means a spouse temporarily incapable of earning income in any occupation by reason of some specific disease or bodily or mental disablement;

"employee" means a person employed by an employer under oral or written contract of employment whether on a continuous, part-time, temporary, apprenticeship or casual basis and includes a digital platform worker and a domestic servant who is not a member of the family of the employer including any person employed in the Federal, State and Local Governments, those on compulsory national service including industrial training attachment and

national youth service scheme and those employed by any of the government agencies, and those employed in the formal or informal economy including chief executives, expatriate workers and self-employed;

"employer" means any individual, informal economy, body corporate, Federal, State or Local Government, or any of the government agencies that has entered into a contract of employment to employ any person as an employee or apprentice and includes a self-employed individual and marginal employers;

"enemy hostile action" includes civil insurrection, riots, commotion, armed conflict and terrorist act;

"Fund" means the Nigeria Employees' Compensation Trust Fund established under this Bill;

"gross total monthly payroll" means the complete and accurate schedule of all employees and moneys or compensation fixed by mutual agreement, or by law which are payable monthly by an employer to an employee, for work done, or to be done or services rendered, or to be rendered and allowances which include rental, transport, meals and utility, bonuses, overtime allowance or earnings), and other allowances as may be determined by the Board.

"industry" includes establishment, undertaking, work, trade, business and any other workplace;

"injury" includes bodily injury or disease resulting from an accident or exposure to critical agents and conditions in a workplace;

"interest" means monetary interest calculated at a rate and in a manner set by the Agency for the purposes of this Bill;

"invalid" means incapable of earning income in any occupation by reasons of some specific disease or bodily or mental disablement and includes an invalid spouse;

"Managing Director" means the person appointed the Managing Director under section 13 of this Bill as the chief executive and accounting officer of the Agency;

"minor injuries" are injuries as categorised as such by the Board;

"Minister" means the Minister charged with responsibilities for matters relating to labour, employment and productivity;

"monthly payments" means monthly payments to eligible persons under this Bill;

"not wholly dependent" as used under this Bill shall include anyone whose income is equal to, or above the National minimum wage;

"occupational disease" means a disease contracted, arising out of or in the course of exposure to risk factors at work;

"permanent total disability" means the medically certified physical functions or conditions, mental capacity or physiological health conditions, arising from and in the course of work that cause a deviation typical of the respective age which restricts participation in the life of society and includes disfigurement;

"permanent partial disability" means the medically certified physical functions or conditions, mental capacity or physiological health conditions, arising from and in the course of work that cause a deviation for an employee who is still able to work, but not with the skill and efficiency demonstrated prior to the workplace incident;

"place of residence" includes secondary place of residence

"serious and permanent disfigurement" means medically certified loss of important bodily functions or tissues, debilitating internal disorder and includes any defect of appearance related to a physical injury, or any disease process that modifies the physical functioning of the individual.

"reasonable hours" means from 6am-6pm, and includes the occupational work hours of an industry category

"remuneration" means basic wages, salaries or earnings designated or calculated, capable of being expressed in terms of money and fixed by mutual agreement or by law which are payable by an employer to an employee for work done or to be done or services rendered or to be rendered; and allowances which include rental, transport, meals and utility, bonuses, overtime allowance or earnings, and other allowances as may be determined by the Board;

"spouse" means a person or persons, who at the date of the employee's death was legally married to the employee;

"wages" means remuneration in money paid to an employee under contract of service or apprenticeship and agreed to be paid at fixed or determined intervals of time.

"wholly dependent" as used under this Bill shall include anyone whose income is below the National minimum wage.

"workplace" includes any premises or place where a person performs work, needs to be or is required to be in the course of work;

"work-related" in reference to the disability of an employee means a disability arising out of, and in the course of work of an employee.

Committee's Recommendation:

That the provisions in Clause 95 be retained (*Senate Leader*).

Question that Clause 95 do stand part of the Bill — Agreed to.

Clause 96: Short Title.

This Bill may be cited as the Nigeria Employees' Compensation Trust Fund Agency (Establishment) Bill, 2026.

Committee's Recommendation:

That the provisions in Clause 96 be retained (*Senate Leader*).

Question that Clause 96 do stand part of the Bill — Agreed to.

FIRST SCHEDULE

[Section 7(5)]

Supplementary provisions relating to the proceedings of the Board

1. Subject to the provisions of this Act and section 27 of the Interpretation Act, the Board may make standing orders regulating its proceedings and those of its committees.

2. The quorum of the Board shall be the Chairman and four other members and the Board shall determine the quorum of its committees.
3. The Board shall meet at least four times in each year, and whenever it is summoned by the Chairman, or if the Chairman is required to do so by notice given to him by at least six members of the Board, he shall summon a meeting of the Board to be held within 14 days from the date on which the notice was given.
4. At any meeting of the Board, the Chairman shall preside but, in his absence, the members present at the meeting shall appoint one of them to preside at the meeting.
5. Where the Board desires to obtain the advice of any person on a particular matter, the Board may co-opt the person for such period as it deems fit, but a person who is in attendance by virtue of this subparagraph is not entitled to vote at any meeting of the Board and does not count towards a quorum.
6. Members of the Board shall have equal rights and privileges, and where there is tie in vote, the Chairman or the member presiding over the meeting, shall have a casting vote.
7. Voting at any meeting of the Board shall be by a simple majority of members present.

Committees

8. The Board may constitute such number of committees to perform, on behalf of the Board such of its functions as the Board may determine.
9. A Committee set up under paragraph 8 shall consist of such number of persons not necessarily members of the Board as may be determined by the Board, and the person, other than a member of the Board, shall hold office on the committee in accordance with the terms of his appointment.
10. A decision of a committee of the Board is of no effect until it is confirmed or ratified by the Board.

Fixing of seal

11. The fixing of the seal of the Agency shall be authenticated by the signature of the Managing Director or of any other person authorised to act for that purpose by the Managing Director.
12. Any contract or instrument made or executed by a person not being a body corporate, that would not be required to be under seal may be made or executed on behalf of the Board by the Managing Director or any person authorised to act for that purpose by the Managing Director.
13. Any document purporting to be a document duly executed under the seal of the Agency shall be received in evidence and is, unless the contrary is proved, presumed to be so executed.
14. A member of the Board or any of its committees who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Board shall-
 - (a) disclose the nature of the interest to the members of the Board or the committee through prior written notice;
 - (b) not influence or seek to influence a decision to be made in relation to the matter;
 - (c) take no part in any consideration of the matter; and
 - (d) be absent from the meeting or that part of the meeting during which the matter is discussed.

15. Where a member of the Board or committee discloses an interest under paragraph 14, the disclosure shall be recorded in the minutes of the meeting.

Question that the provision in the First Schedule stand part of the bill put and agreed to.

SECOND SCHEDULE

LIST OF OCCUPATIONAL DISEASES

1. Diseases Caused by Agents
 - 1.1. Diseases Caused by Chemical Agents
 - 1.1.1. Diseases caused by beryllium or its toxic compounds.
 - 1.1.2. Diseases caused by cadmium or its toxic compounds.
 - 1.1.3. Diseases caused by phosphorus or its toxic compounds.
 - 1.1.4. Diseases caused by chromium or its toxic compounds.
 - 1.1.5. Diseases caused by manganese or its toxic compounds.
 - 1.1.6. Diseases caused by arsenic or its toxic compounds.
 - 1.1.7. Diseases caused by mercury or its toxic compounds.
 - 1.1.8. Diseases caused by lead or its toxic compounds.
 - 1.1.9. Diseases caused by fluorine or its toxic compounds.
 - 1.1.10. Diseases caused by carbon disulphide.
 - 1.1.11. Diseases caused by the toxic halogen derivatives of aliphatic or aromatic hydrocarbons.
 - 1.1.12. Diseases caused by benzene or its toxic homologues.
 - 1.1.13. Diseases caused by toxic nitro- and amino-derivatives of benzene or its homologues.
 - 1.1.14. Diseases caused by nitroglycerine or other nitric acid esters.
 - 1.1.15. Diseases caused by alcohols, glycols or ketones.
 - 1.1.16. Diseases caused by asphyxiants: carbon monoxide, hydrogen cyanide or its toxic derivatives, hydrogen sulphide
 - 1.1.17. Diseases caused by acrylonitrile.
 - 1.1.18. Diseases caused by oxides of nitrogen.
 - 1.1.19. Diseases caused by vanadium or its toxic compounds.
 - 1.1.20. Diseases caused by antimony or its toxic compounds.
 - 1.1.21. Diseases caused by hexane.
 - 1.1.22. Diseases caused of teeth due to mineral acids.
 - 1.1.23. Diseases due to pharmaceuticals agents.
 - 1.1.24. Diseases due to thallium or its compounds.
 - 1.1.25. Diseases due to osmium or its compounds.
 - 1.1.26. Diseases due to selenium or its compounds.
 - 1.1.27. Diseases due to copper or its compounds.
 - 1.1.28. Diseases due to tin or its compounds.
 - 1.1.29. Diseases due to zinc or its compounds.
 - 1.1.30. Diseases due to ozone, phosgene.
 - 1.1.31. Diseases due to irritants: benzoquinone and other corneal irritants.
 - 1.1.32. Diseases caused by any other chemical agents not mentioned in the preceding items 1.1.1. to 1.1.31. where a link between the exposure of an employee to these chemical agents and the diseases suffered is established.
 - 1.2. Diseases Caused by Physical Agents
 - 1.2.1. Hearing impairment caused by noise.
 - 1.2.2. Diseases caused by vibration (disorders of muscles, tendons, bones, joints, peripheral blood vessels or peripheral nerves).
 - 1.2.3. Diseases caused by work in compressed air.
 - 1.2.4. Diseases caused by ionizing radiations.
 - 1.2.5. Diseases caused by heat radiation.
 - 1.2.6. Diseases caused by ultraviolet radiation.
 - 1.2.7. Diseases due to extreme temperature (eg. sunstroke, frostbite)
 - 1.2.8. Diseases caused by any other physical agents not mentioned in the preceding items 1.2.1. to 1.2.7, where a direct link between the exposure of a worker to these physical agents and the diseases suffered is established.
 - 1.3. Biological Agents

- 1.3.1 Infectious or parasitic diseases contracted in an occupation where there is a particular risk of contamination.
2. Diseases by Target Organ Systems
 - 2.1. Occupational Respiratory Diseases
 - 2.1.1. Pneumoconioses caused by sclerogenic mineral dust (silicosis, anthracosilicosis, asbestosis) and silicotuberculosis, provided that silicosis is an essential factor in causing the resultant incapacity or death.
 - 2.1.2. Bronchopulmonary diseases caused by hard metal dust.
 - 2.1.3. Bronchopulmonary diseases caused by cotton, flax, hemp or sisal dust (byssinosis).
 - 2.1.4. Occupational asthma caused by recognized sensitizing agents or irritants inherent to the work process.
 - 2.1.5. Extrinsic allergic alveolitis caused by the inhalation of organic dusts as prescribed by national legislation.
 - 2.1.6. Siderosis.
 - 2.1.7. Chronic obstructive pulmonary diseases.
 - 2.1.8. Diseases of lung, due to aluminum.
 - 2.1.9. Upperairways disorders caused by recognized sensitizing agents or irritants inherent to the work process.
 - 2.1.10. Any other respiratory disease not mentioned in items 2.1.1 to 2.1.11. caused by an agent where a direct link between the exposure of an employee to this agent and the disease suffered is established.
 - 2.2. Occupational Skin Diseases
 - 2.2.1. Skin diseases caused by physical, chemical or biological agents not included under other items.
 - 2.2.2. Occupational vitiligo.
 - 2.3. Occupational musculo-skeletal disorders
 - 2.3.1. Musculo-skeletal diseases caused by specific work activities or work environment where particular risk factors are present such as -
 - (a) rapid or repetitive motion;
 - (b) forceful exertion;
 - (c) excessive mechanical force concentration ;
 - (d) awkward or non-neutral postures
 - (e) vibration Local or environmental cold may potentate risk
3. Occupational Cancer
 - 3.1. Cancer caused by the following agents.
 - 3.1.1. Asbestos.
 - 3.1.2. Benzidine and salts.
 - 3.1.3. Bis chloromethyl ether (BCME).
 - 3.1.4. Chromium and chromium compounds.
 - 3.1.5. Coal tars and coal tar pitches; soot.
 - 3.1.6. Betanaphthylamine.
 - 3.1.7. Vinyl chloride.
 - 3.1.8. Benzene or its toxic homologues.
 - 3.1.9. Toxic nitro- and amino-derivatives of benzene or its homologues.
 - 3.1.10. Ionizing radiations.
 - 3.1.11. Tar, pitch, bitumen, mineral oil, anthracene, or the compounds, products or residues of these substances.
 - 3.1.12. Coke oven emissions.
 - 3.1.13. Compounds of nickel.
 - 3.1.14. Dust from wood.
 - 3.1.15. Cancer caused by any other agents not mentioned in the preceding items 3.1.1. to 3.1.14, where a direct link between the exposure of an employee to this agent and the cancer suffered is established.
4. Others.
 - 4.1. Miners' nystagmus.

Question that the provision in the Second Schedule stand part of the bill put and agreed to.

THIRD SCHEDULE

[Sections 46(2), (9); 48(1) and 49(1)]

Injury	PERCENTAGE OF DISABILITY	Percentage of Disability
Loss of limb		100
Loss of both hands or of all finger and thumbs		100
Loss of both feet		100
Total loss of sight		100
Total paralysis		100
Injuries resulting in being permanently bedridden		100
Any other injury resulting in having permanent total disability		100
Loss of arm at shoulder		80
Loss of arm between elbow and shoulder		70
Loss of arm at elbow		70
Loss of arm between wrist and elbow		70
Loss of hand at wrist		70
Loss of four fingers		70
Loss of thumb - both phalanges		35
one phalange		10
Loss of index finger-three phalanges		15
two phalanges		10
one phalange		6
Loss of middle finger-three phalanges		10
two phalanges		6
one phalange		4
Loss of ring finger-three phalanges		6
two phalanges		5
one phalange		3
Loss of little finger-three phalanges		5
two phalanges		4
one phalange		3
Loss of metacarpals-1st or 2nd (additional) 3 rd		4
4th or 5th (additional)		3
Loss of leg-at or above knee		75
Loss of leg-at or below knee		60
Loss of foot		40
Loss of toes--all of one foot		20
great-both phalanges		10
one phalange		3
other than great, if more than one toe lost, each		2
Loss of sight of one eye		30
Loss of hearing-of one ear		10
Total loss of hearing		100
Loss of remaining eye by one eyed employee		100
Loss of remaining arm by one-armed employee		100
Loss of remaining leg by one-legged employee		100

- (1) Total permanent loss of the use of a member shall be treated as loss of such member.
- (2) In the case of a right-handed employee, an injury to the left arm or hand and in the case of a left-handed employee, to right arm or hand shall be rated at 90% or the above percentages.
- (3) Where there is loss of two or more parts of the hand, the percentage of incapacity shall not be more than for loss of the whole hand, and necessary lesser percentage shall be applied accordingly.

Question that the provision in the Third Schedule stand part of the bill put and agreed to.

Chairman to report Bill.

(SENATE IN PLENARY)

The President of the Senate reported that the Senate in the Committee of the Whole considered the Report on a Bill for An Act to Repeal the Nigeria Social Insurance Trust Fund Act, Cap. N88 LFN 2004 and the Employees' Compensation Act No.13, 2010, and to Enact the Nigeria Employees' Compensation Trust Fund Agency Bill, to Provide Compensation for Death, Injury, Disease or Disability Arising out of, or in the course of work; and for Related Matters, 2026 and approved as follows:

Clauses 1 - 96 — 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 Agricultural Colleges and Institutions:

Motion made: That the Senate do Receive and Consider the Reports of the Committee on Agricultural Colleges and Institutions on:

- a. *A Bill for an Act to Establish Agricultural Research Council of Nigeria Act, Cap. A12, LFN, 2004 (As Amended) to Make Provision for the Establishment of Federal College of Agriculture Shani, Borno State (SB. 829); and*
- b. *A Bill for an Act to Amend the Federal Universities of Agriculture Act, 2026 (SBs. 436, 732 & 872).*

(Senator Ani, Anthony Okorie — Ebonyi South).

Question put and agreed to.

Reports Laid and thereafter, presented.

- a. *Agricultural Research Council of Nigeria Act, Cap. A12, LFN, 2004 (As Amended) to Make Provision for the Establishment of Federal College of Agriculture Shani, Borno State (SB. 829):*

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 AGRICULTURAL COLLEGES AND INSTITUTIONS ON A BILL FOR AN ACT TO AMEND THE AGRICULTURAL RESEARCH COUNCIL OF NIGERIA ACT, CAP. A12, LFN, 2004 (AS AMENDED) TO MAKE PROVISION FOR THE ESTABLISHMENT OF FEDERAL COLLEGE OF AGRICULTURE SHANI, BORNO STATE; AND FOR RELATED MATTERS, 2026

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

The Agricultural Research Council of Nigeria Act, Cap. A12, Laws of the Federation of Nigeria, 2004 (as amended) (in this Act referred to as "the Principal Act") is amended as set out in this Bill.

Committee's Recommendation:

That the provisions in Clause 1 be retained (*Senator Ani, Anthony Okorie — Ebonyi South*).

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

Clause 2: Amendment of Third Schedule

The Third Schedule of the Principal Act is amended by inserting a new paragraph 17 to read thus: "Federal College of Agriculture Shani, Borno State".

Committee's Recommendation:

That the provisions in Clause 2 be retained (*Senator Ani, Anthony Okorie — Ebonyi South*).

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

Clause 3: Citation

This Bill may be cited as the Agricultural Research Council of Nigeria Act (Amendment) Bill, 2026.

Committee's Recommendation:

That the provisions in Clause 3 be retained (*Senator Ani, Anthony Okorie — Ebonyi South*).

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

Chairman to report Bill.

(SENATE IN PLENARY)

The President of the Senate reported that the Senate in the Committee of the Whole considered the Report of the Committee on Agricultural Colleges and Institutions on a Bill for An Act to Amend the Agricultural Research Council of Nigeria Act, Cap. A12, LFN, 2004 (As Amended) to Make Provision for the Establishment of Federal College of Agriculture Shani, Borno State; and for Related Matters, 2026 and approved as follows:

Clauses 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.

(b) *Federal Universities of Agriculture Act (Amendment) Bill, 2026 (SBs. 436, 732 & 872).*

(i) *A Bill for an Act to Amend the Federal Universities of Agriculture Act, Cap. F22, Laws of the Federation of Nigeria, 2024 and Establish the Federal University of Agriculture, Mubi, Adamawa State (SB. 436):*

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 AGRICULTURAL COLLEGES AND INSTITUTIONS ON A BILL FOR AN ACT TO AMEND THE FEDERAL UNIVERSITIES OF AGRICULTURE ACT, CAP. F22, LAWS OF THE FEDERATION OF NIGERIA, 2024 AND ESTABLISH THE FEDERAL UNIVERSITY OF AGRICULTURE, MUBI, ADAMAWA STATE; AND FOR RELATED MATTERS, 2026

Clause 1: **Amendment of the Federal Universities of Agriculture Act, Cap. F22, LFN, 2004.**
The Federal Universities of Agriculture Act, Cap. F22, LFN, 2004 (in this Bill referred to as the "Principal Act") is amended as set out in this Bill.

Committee's Recommendation:

That the provisions in Clause 1 be retained (*Senator Ani, Anthony Okorie — Ebonyi South*).

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

Clause 2: **Amendment of section 2**
Section 2 of the Principal Act is amended by inserting after the existing subsection "(1) (c)", a new paragraph "(d)" -

"(d) Federal University of Agriculture, Mubi, Adamawa State";

Committee's Recommendation:

That the provisions in Clause 2 be retained (*Senator Ani, Anthony Okorie — Ebonyi South*).

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

Clause 3: **Short title**
This Bill may be cited as the Federal Universities of Agriculture Act (Amendment) Bill, 2026.

Committee's Recommendation:

That the provisions in Clause 3 be retained (*Senator Ani, Anthony Okorie — Ebonyi South*).

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

Chairman to report Bill.

(SENATE IN PLENARY)

The President of the Senate reported that the Senate in the Committee of the Whole considered the Report of the Committee on Agricultural Colleges and Institutions on a Bill for An Act to Amend the Federal Universities of Agriculture Act, Cap. F22, Laws of the Federation of Nigeria, 2024 and Establish the Federal University of Agriculture, Mubi, Adamawa State; and for Related Matters, 2026 and approved as follows:

Clauses 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.

(ii) ***A Bill for an Act to Amend the Federal Universities of Agriculture Act, Cap. F22, Laws of the Federation of Nigeria, 2024 and Establish the Federal University of Agriculture, Akure, Ondo State (SB. 732):***

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

Question put and agreed to.

- (iii) **A Bill for an Act to Amend the Federal Universities of Agriculture Act, Cap. F22, Laws of the Federation of Nigeria, 2024 and Establish the Federal University of Agriculture Emugham, Rivers State (SB. 872):**

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 AGRICULTURAL COLLEGES AND INSTITUTIONS ON A BILL FOR AN ACT TO AMEND THE FEDERAL UNIVERSITIES OF AGRICULTURE ACT, CAP. F22, LAWS OF THE FEDERATION OF NIGERIA, 2024 AND ESTABLISH THE FEDERAL UNIVERSITY OF AGRICULTURE EMUGHAM, RIVERS STATE AND FOR RELATED MATTERS, 2026

Clause 1: **Amendment of the Federal Universities of Agriculture Act, Cap. F22, LFN, 2004.**
The Federal Universities of Agriculture Act, Cap. F22, LFN, 2004 (in this Bill referred to as the "Principal Act") is amended as set out in this Bill.

Committee's Recommendation:

That the provisions in Clause 1 be retained (*Senator Ani, Anthony Okorie — Ebonyi South*).

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

Clause 2: **Amendment of section 2**
Section 2 of the Principal Act is amended by inserting after the existing subsection "(1) (c)", a new paragraph "(f)"-

"(f) Federal University of Agriculture, Emugham, Rivers State".

Committee's Recommendation:

That the provisions in Clause 2 be retained (*Senator Ani, Anthony Okorie — Ebonyi South*).

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

Clause 3: **Short title**
This Bill may be cited as the Federal Universities of Agriculture Act (Amendment) Bill, 2026.

Committee's Recommendation:

That the provisions in Clause 3 be retained (*Senator Ani, Anthony Okorie — Ebonyi South*).

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

Chairman to report Bill.

(SENATE IN PLENARY)

The President of the Senate reported that the Senate in the Committee of the Whole considered the Report of the Committee on Agricultural Colleges and Institutions on a Bill for An Act to Amend the Federal Universities of Agriculture Act, Cap. F22, Laws of the Federation of Nigeria, 2024 and Establish the Federal University of Agriculture Emugham, Rivers State and for Related Matters, 2026 and approved as follows:

Clauses 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.

10. Committee on Tertiary Institutions and TETFUND:

Motion made: That the Senate do Receive and Consider the Report of the Committee on Tertiary Institutions and TETFUND on the:

- a. *A Bill for An Act to Establish the Federal University of Medical and Health Sciences Funtua, Katsina State and Related Matters, 2026 (SB. 690); and*
- b. *Federal Universities of Technology Act (Amendment) Bill, 2026 (SBs. 395 & 635).
(Senator Mohammed, Dandutse Muntari — Katsina South).*

Question put and agreed to.

Report Laid and thereafter, presented.

- a. *A Bill for An Act to Establish the Federal University of Medical and Health Sciences Funtua, Katsina State and Related Matters, 2026 (SB. 690):*

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

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF THE REPORT OF THE COMMITTEE ON TERTIARY INSTITUTIONS AND TETFUND ON A BILL FOR AN ACT TO ESTABLISH THE FEDERAL UNIVERSITY OF MEDICAL AND HEALTH SCIENCES FUNTUA, KATSINA STATE AND RELATED MATTERS, 2026

PART I - ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF FEDERAL UNIVERSITY OF MEDICAL AND HEALTH SCIENCES FUNTUA, KATSINA STATE

Clause 1: Establishment of the University

- (1) There is established the Federal University of Medical and Health Sciences Funtua, Katsina State.
- (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.

Committee's Recommendation:

That the provisions in Clause 1 be retained (*Senator Mohammed, Dandutse Muntari — Katsina South*).

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

Clause 2: Objects of the University

- (1) The general objects of the University shall be to-
 - (a) encourage the advancement of learning and to hold out to all persons without distinction of race, creed, sex or political conviction, the opportunity of acquiring a higher education in 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 Health Sciences, biomedical engineering, scientific, and allied professional disciplines relating to health sciences with the aim of producing socially mature persons 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) act as agents and catalysts, through postgraduate training, research and innovation for the effective and economic utilization, exploitation and conservation of Nigeria's natural, economic and human resources;
 - (d) offer to the general population, as a form of public service, the results of training and research in health sciences and allied disciplines and to foster the practical application of those results;
 - (e) establish appropriate relationships with other national institutions involved in training, research and development of health care;
 - (f) identify the health problems and needs of Nigeria and to find solutions to them within the context of overall national development;
 - (g) provide and promote sound basic scientific training as a foundation for the development of health and allied disciplines, taking into account indigenous culture, the need to enhance national unity, the need to vastly increase the practical content of student training, and adequate preparation of graduates for self-employment in health and allied professions;
 - (h) promote and emphasize teaching, research and extension of health knowledge, including health extension services and outreach programs, in-service training, continuing education, and adaptive research;
 - (i) offer academic programs in relation to the training of manpower for health, medicine and allied profession in Nigeria;
 - (j) organize research relevant to training of manpower and health technology;
 - (k) organize extension services and outreach programs for health technology transfer;
 - (l) establish institutional linkages in order to foster collaboration and integration of training, research, and extension activities; and
 - (m) undertake any other activities appropriate for a University of Health Science.
- (2) The University has the mandate to:
- (i) teach and train high caliber health-care professionals;
 - (ii) provide healthcare services and consultancy;
 - (iii) conduct research and participate in extension, outreach and community services;

- (iv) operate various schools and specialties that offer exemplary training and quality research in health care;
- (v) facilitate the acquisition of knowledge and skills in different specialties for effective and efficient management of health care;
- (vi) provide solution to the lack and the inequitable distribution of health professionals serving rural communities;
- (vii) train clinically, competent and socially conscious health workers who will stay and serve in depressed and underserved communities especially in the rural areas of Nigeria;
- (viii) develop a training model for the training of community oriented health workers that could be replicated in other areas of Nigeria;
- (ix) facilitate collaboration and enhancement of health sciences research and education endeavors;
- (x) advance the national and international reputation as a university for health sciences education and research in Nigeria;
- (xi) advise and report regularly to the ministry of education on all matters relevant to the health sciences sector and its education and research programs;
- (xii) work collectively on common health academic issues and their implementation;
- (xiii) provide management support for education and research across the health sciences sector;
- (xiv) promote inter-professional education across all health professional programs and optimize the resources to do so; and
- (xv) ensure that the health sciences sector is adequately and appropriately represented at all levels of University governance.

Committee's Recommendation:

That the provisions in Clause 2 be retained (*Senator Mohammed, Dandutse Muntari — Katsina South*).

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

Clause 3: Composition of the University

- (1) The University shall consist of-
 - (a) Chancellor;
 - (b) Pro-Chancellor and a Council;
 - (c) Vice-Chancellor and a Senate;
 - (d) Deputy Vice-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 each University therein mentioned.
- (First Schedule)
- (3) Subject to clause 6 of this Bill, provision shall be made by statute with respect to the constitution of the following bodies, namely the Council, the Senate, Congregation and Convocation.

Committee's Recommendation:

That the provisions in Clause 3 be retained (*Senator Mohammed, Dandutse Muntari — Katsina South*).

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

Clause 4. Powers of the University and their exercise.

- (1) For the carrying out of its objects as specified in clause 2 of this Bill, the University shall have power to -
- (a) establish such campuses, colleges, institutes, schools, extramural departments and other teaching and research units within the University as may, from time to time, be deemed necessary or desirable, subject to the approval of the Federal Ministry of Education;
 - (b) institute professorships, readerships or associate professorships, and other posts and offices and to make appointments thereto;
 - (c) institute and award fellowships, scholarships, exhibitions, bursaries, medals, prizes and other titles, distinctions, awards and other forms of assistance;
 - (d) provide for the discipline and welfare of members of the University;
 - (e) hold examinations and grant degrees, diplomas, certificates and other distinctions to persons who have pursued a course of study approved by the University and have satisfied such other requirements as the University may lay down;
 - (f) grant honorary degrees, fellowships or academic titles;
 - (g) demand and receive from any student or any other person attending the University for the purpose of instruction such fees as the University may, from time to time, determine subject to the overall directives of the Minister;

- (h) acquire, hold, grant, charge or otherwise deal with or dispose of movable and immovable property wherever situate;
 - (i) accept gifts, legacies and donations, but without obligation to accept the same for a particular purpose unless it approves the terms and conditions attaching thereto;
 - (j) enter into contracts, establish trusts, act as trustee, solely or jointly with any other person, and employ and act through agents;
 - (k) erect, provide, equip and maintain libraries, laboratories; lecture halls, halls of residence, refectories, sports grounds, playing fields and other buildings or things necessary or suitable or convenient for any of the objects of the University;
 - (l) hold public lectures and to undertake printing, publishing and book -selling;
 - (m) subject to any limitations on conditions imposed by statute, to invest any money appertaining to the University by way of endowment, not being immediately required for current expenditure, in any investments or securities or the purchase or improvement of land, with power from time to time to vary any such investments and to deposit any money for the time being not invested with any bank on deposit or current account;
 - [n] borrow, whether on interest or not and if need be upon the security of any or all of the property, movable or immovable, of the University, such moneys as the Council may from time to time, in its discretion, find it necessary or expedient to borrow or to guarantee any loan, advances or credit facilities;
 - [o] do anything which it is authorized or required by this Bill or by statute to do; and
 - [p] do all such acts or things, whether or not incidental to the foregoing powers, as may advance the objects of the University.
- [2] Subject to the provisions of this Bill and of the statutes and without prejudice to clause 9[2] of this Bill, the powers conferred on the University by subclause [1] of this clause shall be exercisable on behalf of the University by the Council or by the Senate or in any other manner which may be authorized by the statute.
- [3] The power of the University to establish further campuses and colleges within the University shall be exercisable by statute and not otherwise.

Committee's Recommendation:

That the provisions in Clause 4 be retained (*Senator Mohammed, Dandutse Muntari — Katsina South*).

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

Clause 5. Functions of the Chancellor and Pro -Chancellor

- [1] The Chancellor shall, in relation to the University, take precedence before all other members of the University, and when he/she is present, shall preside at all meetings of Convocation held for conferring degrees.
- [2] The Pro-Chancellor shall, in relation to the University, take precedence before all other members of the University, except the Chancellor and except the Vice-Chancellor when acting as chairman of Congregation or Convocation and the Pro-Chancellor shall, when he/she is present, be the chairman at all meetings of the Council

Committee's Recommendation:

That the provisions in Clause 5 be retained (*Senator Mohammed, Dandutse Muntari — Katsina South*).

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

Clause 6. Composition of the Council.

The Council of the University shall consist of -

- [a] the Pro-Chancellor;
- [b] the Vice-Chancellor;
- [c] the Deputy Vice-Chancellor;
- [d] one person from the Ministry responsible for education;
- [e] four persons representing a variety of interests and broadly representative of the whole Federation to be appointed by the President.

Committee's Recommendation:

That the provisions in Clause 6 be retained (*Senator Mohammed, Dandutse Muntari — Katsina South*).

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

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

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

- (5) Subject to this Bill and the statutes, the Council and the Finance and General Purposes Committee may each make rules for regulating their own procedure.
- (6) Rules made under subclause (5) of this clause by the Finance and General Purposes Committee shall not come into force unless approved by the Council; and to the extent that any rules so 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.
- (7) There shall be paid to the members of the Council, the Finance and General Purposes Committee respectively and of any other committee set up by the Council an allowance in respect of travelling and other reasonable expenses, at such rates as may, from time to time, be fixed by the Minister.
- (8) The Council shall meet as and when necessary for the performance of its functions under this Bill and shall meet at least three times in every year.
- (9) If requested in writing by any five members of the Council the chairman shall within 28 days after the receipt of such request call a meeting of the Council.
- (10) Any request made under subclause (9) of this clause shall specify the business to be considered at the meeting and a business not so specified shall not be transacted at the meeting.

Committee's Recommendation:

That the provisions in Clause 7 be retained (*Senator Mohammed, Dandutse Muntari — Katsina South*).

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

Clause 8: Functions of the Senate of the University.

- (1) Subject to clause 8 of this Bill and subclauses (3) and (4) of this clause and to the provisions of this Bill relating to the Visitor, it shall be the general function of the Senate to organize and control the teaching by the University, the admission (where no other enactment provides to the contrary, of students) and the discipline of students; and to promote research at the University.
- (2) Without prejudice to the generality of subclause (1) of this clause and subject as there mentioned, it shall in particular be the function of the Senate to make provision for the-
 - (a) establishment, organization 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) organization and control of courses of study in the University and of the examinations held in conjunction with those courses, including the appointment of examiners, both internal and external;

- (c) award of degrees, and such other qualifications as may be prescribed, in connection with examinations held;
 - (d) making of recommendations to the Council with respect to the award to any person of an honorary fellowship or degree or the title of professor emeritus;
 - (e) establishment, organization and control of halls of residence and similar institutions at the University;
 - (f) supervision of the welfare of students at 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) determining of what description of dress shall be academic dress for the purposes of the University, and regulating the use of academic dress.
- (3) The Senate shall not establish any new campus, college, school, department, institute or other teaching and research units of the University without the approval of the Council.
- (4) Subject to this Bill and statutes, the Senate may make regulations for the purpose of exercising any function conferred on it either by the foregoing provisions of this clause or otherwise or for the purpose of making provisions for any matter for which provision by regulations is authorized or required by this Bill or by statute.
- (5) Regulations shall provide that at least one of the persons appointed as the examiners at each final or professional examination held in conjunction with any course of study at the University, 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.
- (6) Subject to a right of appeal to the Council from a decision of the Senate under this subclause, the Senate may deprive any person of any degree, diploma or other award of the University which has been conferred upon him if after due enquiry he is shown to have been guilty of dishonorable or scandalous conduct in gaining admission into the University or obtaining that award.

Committee's Recommendation:

That the provisions in Clause 8 be retained (*Senator Mohammed, Dandutse Muntari — Katsina South*).

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

Clause 9: Functions of the Vice-Chancellor.

- (1) The Vice-Chancellor shall, in relation to the University, take precedence before all other members of the University, except the Chancellor, and any other person for the time being acting as chairman of the Council.

- (2) Subject to clauses 8, 9, and 15 of this Bill, the Vice-Chancellor shall have the general function, in addition to any other functions conferred on him by this Bill or otherwise, of directing the activities of the University and shall be the chief executive and academic officer of the University and ex-officio chairman of the Senate.

Committee's Recommendation:

That the provisions in Clause 9 be retained (*Senator Mohammed, Dandutse Muntari — Katsina South*).

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

PART II — FUNDS, TRANSFERS OF PROPERTY, ETC., & STATUTES
OF THE UNIVERSITY

Clause 10: Funds of the University.

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

Committee's Recommendation:

That the provisions in Clause 10 be retained (*Senator Mohammed, Dandutse Muntari — Katsina South*).

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

Clause 11: Transfer of Property to the University

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

Committee's Recommendation:

That the provisions in Clause 11 be retained (*Senator Mohammed, Dandutse Muntari — Katsina South*).

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

Clause 12. Powers of the University to make statutes.

- (1) Subject to this Bill, the University may make statutes for any of the following purposes, that is to -
 - (a) make provision with respect to the composition and constitution of any authority of the University;
 - (b) specify and regulate the powers and duties of any authority of the University and regulate any other matter connected with the University or any of its authorities;
 - (c) regulate the admission of students (where no other enactment provides to the contrary), and their discipline and welfare;
 - (d) determine 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) make provision for any other matter for which provision by statute is authorized or required by this Bill.
- (2) Subject to clause 28 (6) of this Bill, the Interpretation Act shall apply in relation to any statute made under this clause as it applies to a subsidiary instrument within the meaning of clause 29 (1) of that Act.
- (3) The statute contained in the Second 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 clause by the University.
- (4) The power to make statutes conferred by 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 provisions in Clause 12 be retained (*Senator Mohammed, Dandutse Muntari — Katsina South*).

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

Clause 13. Mode of Exercising Power to Make Statutes

- (1) The power of the University to make statutes shall be exercised in accordance with the provisions of this clause and not otherwise.
- (2) A proposed statute shall not become law unless it has been approved-
 - (a) at a meeting of the Senate, by the votes of not less than two thirds of the members present and voting; and
 - (b) at a meeting of the Council, by the votes of not less than two thirds of the members present and voting.
- (3) A proposed statute may originate either in the Senate or in the Council, and may be approved as required by subclause (2) of this clause by either one of those bodies before the other.

- (4) A statute which makes provision for or alters the composition or constitution of the Council, the Senate or any other authority of the University shall not come into operation unless it has been approved by the President.
- (5) For the purposes of clause 1 (2) of the Interpretation Act a statute shall be treated as being made on the date on which it is duly approved by the Council after having been approved by the Senate, as the case may be or, in the case of a statute falling within sub- clause (4) of this clause, on the date on which it is approved by the President.
- (6) In the event of any doubt or dispute arising at any time-
 - (a) as to the meaning of any provision of a statute; or
 - (b) as to whether any matter is for the purpose of this Bill an academic matter as they relate to such doubt or dispute, the matter may be referred to the Visitor, who shall take such advice and make such decision therein as he shall think fit.
- (7) The decision of the Visitor on any matter referred to him under subclause (6) of this clause shall be final and binding upon the authorities, staff and students of the University and where any question as to the meaning of any provision of a statute has been decided by the Visitor under that subclause, the question as to the meaning of that provision shall not be entertained by any court of law in Nigeria.
- (8) 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 Constitution of the Federal Republic of Nigeria 1999 (as amended).

Committee's Recommendation:

That the provisions in Clause 13 be retained (*Senator Mohammed, Dandutse Muntari — Katsina South*).

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

Clause 14. Proof of statutes

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

Committee's Recommendation:

That the provisions in Clause 14 be retained (*Senator Mohammed, Dandutse Muntari — Katsina South*).

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

PART III - SUPERVISION AND DISCIPLINE

Clause 15: The Visitor

- (1) The President shall be the Visitor of the University.

- (2) The Visitor shall as often as the circumstances may require, not 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 in respect of any of the affairs of the University.
- (3) It shall be the duty of the bodies and persons comprising the University to make available to the Visitor and to any other person conducting a visitation in pursuance of this clause, such facilities and assistance as he or they may reasonably require for the purposes of a visitation.

Committee's Recommendation:

That the provisions in Clause 15 be retained (*Senator Mohammed, Dandutse Muntari — Katsina South*).

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

Clause 16. Removal of certain members of Council

- (1) If it appears to the Council that a member of the Council (other than the Pro-Chancellor or the Vice-Chancellor) should be removed from office on the grounds of misconduct or inability to perform the functions of his/her 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 he may direct the removal of the person in question from office.
- (2) It shall be the duty of the Minister to use his best endeavor to cause a copy of the instrument embodying a direction under subclause (1) of this clause to be served as soon as reasonably practicable on the person to whom it relates.

Committee's Recommendation:

That the provisions in Clause 16 be retained (*Senator Mohammed, Dandutse Muntari — Katsina South*).

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

Clause 17: Removal and discipline of staff of the University

- (1) If it appears to the Council that there are reasons for believing that any person employed as a member of the academic, administrative or professional staff of the University, other than Vice-Chancellor, should be removed from his/her office or employment on the grounds of misconduct or of inability to perform the functions of his/her office or employment, the Council shall-
 - (a) give notice of those reasons to the person in question; afford him/her an opportunity of making representations in person on the matter;
 - (b) appoint a Staff Disciplinary Committee;
 - (c) and if the Council, after considering the report of the Staff Disciplinary Committee, is satisfied that the person in question should be removed as aforesaid, the Council may so remove him/her 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 forthwith be reported to the Council.
- (3) For good cause, any member of staff may be suspended from his duties or his appointment may be terminated by the Council; and for the purposes of this subclause "good cause" means-
 - (a) conviction for any offence which the Council considers to be such as to render the person concerned unfit for the discharge of the functions of his office;
 - (b) any physical or mental incapacity which the Council, after obtaining medical advice, considers to be such as to render the person concerned unfit to continue to hold his office;
 - (c) conduct of a scandalous or other disgraceful nature which the Council considers to be such as to render the person concerned unfit to continue to hold his office;
 - (d) conduct which the Council considers to be such as to constitute failure or inability of the person concerned to discharge the functions of his office or to comply with terms and conditions of his service; or
 - (e) conduct which the Council considers to be generally of such nature as to render the continued appointment or service of the person concerned prejudicial or detrimental to the interest of the University.
- (4) Any person suspended pursuant to subclause (2) or (3) of this clause shall be on half pay and the Council shall before the expiration of a period of three months after the date of such suspension consider the case against that person and come to a decision as to-
 - (a) whether to continue such person's suspension and if so on what terms (including the proportion of his emoluments to be paid to him/her);
 - (b) whether to re-instate such person in which case the Council shall restore his full emoluments with effect from the date of suspension;
 - (c) whether to terminate the appointment of the person concerned in which case such person shall not be entitled to the proportion of his/her emoluments withheld during the period of suspension; or
 - (d) whether to take such lesser disciplinary action against such person (including the restoration of such proportion of his/her emoluments as might have been withheld) as the Council may determine.
- (5) In any case 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 a period of three months from such decision come to a final determination in respect of the case concerning such person.
- (6) It shall be the duty of the person by whom an instrument of removal is signed in pursuance of subclause (1) of this clause to use his/her best endeavor to cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it relates.

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

Committee's Recommendation:

That the provisions in Clause 17 be retained (*Senator Mohammed, Dandutse Muntari — Katsina South*).

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

Clause 18. Procedures for 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/she 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 provisions in Clause 18 be retained (*Senator Mohammed, Dandutse Muntari — Katsina South*).

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

Clause 19. Appointment of external Examiners

The Senate shall appoint external examiners.

Committee's Recommendation:

That the provisions in Clause 19 be retained (*Senator Mohammed, Dandutse Muntari — Katsina South*).

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

Clause 20. Removal of Examiners

- (1) If on the recommendation of the Senate, it appears to the Vice-Chancellor that a person appointed as an examiner for any examination of the University ought to be removed from his office or appointment, then except in such cases as may be prescribed, the Vice-Chancellor may, after affording the examiner an opportunity of making representations in person 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 in pursuance of clause 9 (5) of this Bill, the Vice-Chancellor may, on the recommendation of the Senate, appoint an appropriate person as examiner in place of the examiner removed in pursuance of subclause (1) of this clause.

- (3) It shall be duty of the Vice-Chancellor to sign an instrument of removal in pursuance of this clause, to use his best endeavor to cause a copy of this instrument to be served as soon as is reasonably practicable on the person to whom it relates.

Committee's Recommendation:

That the provisions in Clause 20 be retained (*Senator Mohammed, Dandutse Muntari — Katsina South*).

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

Clause 21. Retiring age of Academic Staff

- (1) Notwithstanding anything to the contrary in the Pensions Reform Act, the compulsory retiring age of an academic staff in the Professorial Cadre of a University shall be seventy (70) years. And other academic staff is sixty five (65) years.
- (2) A law or rule requiring a person to retire from the public service after serving for thirty-five (35) years or sixty-five years whichever comes first shall not apply to an academic staff of the University.

Committee's Recommendation:

That the provisions in Clause 21 be retained (*Senator Mohammed, Dandutse Muntari — Katsina South*).

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

Clause 22. 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 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) 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 action 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 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 subclause 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 (as amended).

Committee's Recommendation:

That the provisions in Clause 22 be retained (*Senator Mohammed, Dandutse Muntari — Katsina South*).

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

PART IV- MISCELLANEOUS AND GENERAL

Clause 23: Exclusion of discrimination on account of race, religion, etc.

- (1) No person shall be required to satisfy the requirements of any of the following matters- race (including ethnic grouping), 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 a body 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 provisions in Clause 23 be retained (*Senator Mohammed, Dandutse Muntari — Katsina South*).

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

Clause 24. Restriction on disposal of land by University

Without prejudice to the provisions of the Land Use Act, the University shall not dispose of or charge any land or an interest in any land (including any land transferred to the University by this Bill) except 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 provisions in Clause 24 be retained (*Senator Mohammed, Dandutse Muntari — Katsina South*).

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

Clause 25. Quorum and procedure of bodies established by this Bill:

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

Committee's Recommendation:

That the provisions in Clause 25 be retained (*Senator Mohammed, Dandutse Muntari — Katsina South*).

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

Clause 26. Appointment of committees, etc.

- (1) Any 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 a committee established by it—
 - (a) to exercise, on its behalf, such of its functions as it may determine;
 - (b) to co-opt members, and may direct whether or not co-opted members (if any) shall be entitled to vote in that committee.
- (2) Any two or more such bodies may arrange for the holding of joint meetings of those bodies or for the appointment of committees consisting of members of those bodies or any of them and either of dealing with it or of reporting on it to those bodies or any of them.
- (3) Except as may be otherwise provided by 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 the foregoing provisions of this clause shall be construed as—
 - (a) enabling statutes to be made otherwise than in accordance with clause 13 of this Bill; or
 - (b) enabling 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 provisions in Clause 26 be retained (*Senator Mohammed, Dandutse Muntari — Katsina South*).

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

Clause 27. Special provisions relating to pension of professors.

A person who retires as a professor having served-

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

Committee's Recommendation:

That the provisions in Clause 27 be retained (*Senator Mohammed, Dandutse Muntari — Katsina South*).

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

Clause 28. Miscellaneous administrative provisions

- (1) The seal of the University shall be such as may be determined by the Council and approved by the Chancellor, and the affixing of the seal shall be authenticated by any member of the Council and by the Vice Chancellor, Secretary to the Council or any other person authorized by statute.
- (2) Any document purporting to be a document executed under the seal of the University shall be received in evidence and shall, unless the contrary is proved, be presumed to be so executed.
- (3) Any contract or instrument, which if made or executed by a person not being a body corporate would not be required to be under seal, may be made or executed on behalf of the University by any person generally or 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.
- (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 clause 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
- (7) The power conferred by this Bill on any body to make statutes or regulations shall include power to revoke or vary any statute (including the statute contained in the Second Schedule of this Bill or any regulation by a subsequent statute, or, as the case may be, by a subsequent regulation and statute and regulations may make different provisions in reaction to different circumstances.
- (8) No stamp duty or other duty shall be payable in respect of any transfer of property to the University by virtue of any provision of this Bill.
- (9) Any notice or other instrument 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 provisions in Clause 28 be retained (*Senator Mohammed, Dandutse Muntari — Katsina South*).

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

Clause 29. Proposal and Recommendation

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 provisions in Clause 29 be retained (*Senator Mohammed, Dandutse Muntari — Katsina South*).

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

Clause 30. Pre-Action Notice

A person who has a cause of action against the University shall-

- (a) give the University three months' notice, in writing, of intention to commence an action, disclosing the cause of action and serve the processes to the principal office of the University; and
- (b) Commence the legal action within two years from the date the cause of action arose.

Committee's Recommendation:

That the provisions in Clause 30 be retained (*Senator Mohammed, Dandutse Muntari — Katsina South*).

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

Clause 31. Savings and Transitional Provisions

- (1) On the commencement of this Bill, any person employed by or serving in, Federal University of Medical and Health Sciences Funtua, Katsina State shall be deemed to have been employed or serving in the University established under this Bill.

- (2) All assets or liabilities belonging to Federal University of Medical and Health Sciences Funtua, Katsina State shall be deemed to belong to the University established under this Bill.

Committee's Recommendation:

That the provisions in Clause 31 be retained (*Senator Mohammed, Dandutse Muntari — Katsina South*).

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

Clause 32. Interpretation

In this Bill-

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

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

"Council" means the Council established by this Bill for the University;

"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 for 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 pursuant to clause 3 (1) (c) of this Bill;

"Statute" means a statute made by the University under clause 12 of this Bill and in accordance with the provisions of clause 13 of this Bill; and

"The Statutes" means all such statutes as are in force from time to time;

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

"Undergraduate" means a person in statu pupillari at the University other than-

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

"University" means the Federal University of Health Sciences Funtua, Katsina State established under clause 1 of this Bill.

Committee's Recommendation:

That the provisions in Clause 32 be retained (*Senator Mohammed, Dandutse Muntari — Katsina South*).

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

Clause 33. Short Title
This Bill may be cited as the Federal University of Medical and Health Sciences Funtua, Katsina State Bill, 2026.

Committee's Recommendation:

That the provisions in Clause 33 be retained (*Senator Mohammed, Dandutse Muntari — Katsina South*).

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

FIRST SCHEDULE

PRINCIPAL OFFICERS OF THE UNIVERSITY

Section 3 (2)

1. The Chancellor
 - (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.
2. The Pro-Chancellor
 - (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.
3. The Vice-Chancellor
 - (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 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 acting through the Minister of Education.
4. Deputy Vice-Chancellors
- (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.
5. Office of the Registrar
- (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.
6. Other Principal Officers
- (1) There shall be for the University the following principal officers, in addition to the Registrar, that is-
- (a) the Bursar; and
- (b) the University Librarian, who shall be appointed by the Council on the recommendation of the Selection Board constituted under paragraph 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) Any question as to the scope of the responsibilities of the aforesaid officers shall be determined by the Vice-Chancellor.
7. Functions of the Registrar and Tenure
- (1) The Registrar shall keep the records and conduct the correspondence of the Council and shall perform such other duties as the Council subject thereto as the Vice Chancellor may from time to time direct.
- (2) The Registrar shall, in addition to the other duties conferred on him/her by or under this Bill, be a Secretary to the Council, Senate, Convocation and Congregation and in his/her absence, the Council or any such committee may appoint some other persons to act as Secretary. The Registrar shall not vote on any question before the Council or count towards a quorum.
- (3) A Registrar shall
- (a) hold office for a single term of five years only beginning from the effective date of his/her appointment and such terms and conditions as may be specified in his/her letter of appointment.
- (b) Where on the commencement of this Bill a Registrar appointed before the commencement of this Bill has held office:
- (i) for less than five years, he/she shall be allowed to complete the five years specified in his/her appointment letter and shall not have right for the renewal of his/her appointment for a further term of five years;
- (ii) for more than five years and has more than 1 year to complete his/her second term, the council may allow him/her to serve as Registrar for a further period of one year only and thereafter he/she shall relinquish his/her post and be assigned other duties in the University;
- (iii) for more than five years and has less than 1 year to complete his/her second term, the council may allow him/her to serve as Registrar for a further period of one year only and thereafter he/she shall relinquish his/her post and be assigned other duties in the University.

8. Functions of the Bursar and Tenure

- (1) 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 financial affairs of the University.
- (2)
 - (a) A Bursar shall hold office for a single term of five years only beginning from the effective date of his/her appointment and such terms and conditions as may be specified in his/her letter of appointment.
 - (b) Where on the commencement of this Bill a Bursar appointed before the commencement of this Bill has held office-
 - (i) for less than five years, he/she shall be allowed to complete the five years specified in his/her appointment letter and shall not have right for the renewal of his/her appointment for a further term of five years;
 - (ii) for more than five years and has more than 1 year to complete his/her second term, The Council may allow him/her to serve as Bursar for a further period of one year only and thereafter he/she shall relinquish his/her post and be assigned other duties in the University;
 - (iii) for more than five years and has less than 1 year to complete his/her second term, The Council may allow him/her to serve as Bursar for a further period of one year only and thereafter he/she shall relinquish his/her post and be assigned other duties in the University.

9. Functions of the University Librarian and Tenure

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

10. **Director of Works**
There shall be for the University, a Director of Works, who shall be responsible to the Vice Chancellor for the administration of the Works Department, and shall be responsible for all works, services and maintenance of Institute facilities.
11. **Director of Health Services**
There shall be for the University, a Director of Health Services, who shall be responsible to the Vice Chancellor for the administration of the Health Centre and he/she shall be the Chief Medical Officer of the University and shall coordinate all matters relating to the health of all staff and students.
12. **Resignation and Re-Appointment**
 - (1) In the case of the Vice-Chancellor by notice to the Council which shall immediately notify the Minister; and
 - (2) A person who has ceased to hold an office so mentioned otherwise than by removal for misconduct shall be eligible for re-appointment to that office.

Question that the provisions of the First Schedule stand part of the bill put and agreed to.

SECOND SCHEDULE

TRANSITIONAL PROVISIONS AS TO PROPERTY, FUNCTIONS, ETC.

1. **Transfer of Property to University**
Without prejudice to the generality of clause 11 (1) of this Bill:-
 - (a) the reference in that subclause to property held by the Provisional Council shall include a reference to the right to receive and give a good discharge for any grants or contributions which may have been voted or promised to the Provisional Council;
 - (b) all debts and liabilities of the Provisional Council outstanding shall become debts or liabilities of the University.
 - (1) All agreements, contracts, deeds and other instruments to which the provisional Council was a party shall, so far as possible and subject to any necessary modifications, have effect as if the University had been a party thereto in place of the Provisional Council.
 - (2) Documents not falling within subclause (1) of this paragraph, including enactment which refer, whether specially or generally, to the Provisional Council, shall be construed in accordance with that sub-clause.
 - (3) Any legal proceedings or application to any authority pending by or against the Provisional Council may be continued by or against the University.
2. **Registration of Transfers**
 - (1) If the law in force at the place where any property transferred by this Bill is situate provides for the registration of transfers of property of the kind in question (whether by reference to an instrument of transfer or otherwise), the law shall, so far as it provides for alterations of a register (but not for avoidance of transfers, the payment of fees or any other matter) apply, with necessary modifications, to the property aforesaid.
 - (2) It shall be the duty of the body to which any property is transferred by this Bill to furnish the necessary particulars of the transfer to the proper officer of the registration authority, and of that officer to register the transfer accordingly.

3. Transfer of Functions

- (1) The first meeting of the Council shall be convened by the Pro-Chancellor on such date and in such manner as he/she may determine.
- (2) The persons who were members of the Provisional Council shall be deemed to constitute the Council until the date when the Council as set up under the Third Schedule to this Bill shall have been duly constituted.
- (3) First meeting of the Senate as constituted by this Bill shall be convened by the Vice-Chancellor on such date and in such manner as he/she may determine.
- (4) The persons who were members of the Academic Board immediately before the coming into force of this Bill shall be deemed to constitute the Senate of the University until the date when the Senate as set up under the Third Schedule to this Bill shall have been duly constituted.
- (5) Subject to any regulations which may be made by the Senate after the date on which this Bill is made, the schools, school boards and students of the University immediately before the coming into force of this Bill shall on that day become schools, school boards and students of the University as constituted by this Bill.
- (6) Persons who were Deans of Schools and Heads of Academic Departments shall continue to be Deans or HODs of the corresponding School/Department, until new appointments are made in pursuance of the statutes.
- (7) Any person who was a member of the staff of the University as established or was otherwise employed by the Provisional Council shall become the holder of an appointment at the University with the status, designation and functions which correspond as nearly as may be to those which appertained to him as member of that staff or as such an employee.

Question that the provisions of the Second Schedule stand part of the bill put and agreed to.

THIRD SCHEDULE

1. The Council

- (1) The Council shall consist of-
 - (a) the Pro-Chancellor;
 - (b) the Vice-Chancellor and the deputy Vice-Chancellor;
 - (c) four persons representing a variety of interests and broadly representative of the whole Federation appointed by the National Council of Ministers.
 - (d) four persons appointed by the Senate from among the members of that body;
 - (e) one person appointed by congregation from among the members of that body;
 - (f) one person appointed by convocation from among the members of that body; and
 - (g) the Permanent Secretary, Federal Ministry of Education or, in his/her absence, such member of his/her Ministry as may be designated to represent him/her; and of paragraph (1) (a), (b), (g) or (h) of this article may, by notice to the Council, resign his/her office.

- (2) Any member of the Council holding office otherwise than in pursuance of paragraph (1) (a), (b), (g) or (h) of this article may, by notice to the Council, resign his/her;
 - (3) A member of the Council holding office otherwise than in pursuance of paragraph (1) (a), (b), (g) or (h) of this article shall, unless he/she previously vacates it, vacate that office on the expiration of the period of four years beginning with effect from the 1st of August in the year in which he/she was appointed.
 - (4) Where a member of the Council holding office otherwise than in pursuance of paragraph (1) (a), (b), (g) or (h) of this article vacates office before the expiration of the period aforesaid, the body or person by whom he/she was appointed may appoint a successor to hold office for the residue of the term of his/her predecessor.
 - (5) A person ceasing to hold office as a member of the Council otherwise than by the removal for misconduct shall be eligible for re-appointment for only one further period of four years.
 - (6) The quorum of the Council shall be five at least one of whom shall be a member appointed pursuant to paragraph (1) (c), (f), (g) and (h) of this article.
 - (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 with respect to that meeting shall be the chairman at that meeting, and subject to clause 4 of the Bill and the foregoing provisions of this paragraph, the Council may regulate its own procedure.
 - (8) Where the Council desires to obtain advice with respect to any particular matter, 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.
2. The Finance and General Purposes Committee
- (1) The Finance and General-Purpose Committee of the Council shall consist of-
 - (a) the Pro-Chancellor, who shall be the Chairman of the Committee at any meeting at which he/she is present;
 - (b) the Vice Chancellor and Deputy Vice Chancellors;
 - (c) six other members of the Council appointed by the Council two of whom shall be selected from among the four members of the Council appointed by the Senate and one of whom shall be selected from among members of the Council appointed by the congregation; and
 - (d) the Permanent Secretary, Federal Ministry of Education or, in his/her absence, one person from the Federal Ministry responsible for Education.
 - (2) The quorum of the Committee shall be five.
 - (3) Subject to any direction given by the Council, the Committee may regulate its own procedure.
3. The Senate
- (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 1st August in the year of his election, and may be a candidate at any election held in pursuance of paragraph (5) of this article in the year in which his period of office expires, so however that no person shall be such a candidate if at the end of his current period of office he will 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 pursuant to 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 30th 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, such number as may be certified by the Vice-Chancellor on 30th 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.

4. Congregation

- (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 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.
5. Convocation
- (1) Convocation shall consist of-
- (a) the officers of the University mentioned in the First Schedule to the Bill;
 - (b) all lecturers 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/her 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, 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.
6. Division of colleges
Each college shall be divided into such number of branches as may be prescribed.
7. Organization of College Boards
- (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 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.
- 8. Appointments and Promotions Committee
 - (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.
- 9. Dean of college
 - (1) The Dean of a college shall be a professor appointed by the Appointments and Promotions Committee and such Dean shall hold office for a term of three years, and shall be eligible for re-appointment for another term of three years after which he may not be re- appointed again until two years have elapsed.
 - (2) The Dean shall be the chairman at all meetings of the College Board when he is present and shall be a member of all committees and other boards appointed by the College.
 - (3) The Dean of a college shall exercise general superintendence over the academic and administrative affairs of the college and it shall be the function of the Dean to present to Convocation or for the conferment of degrees on persons of the University at examinations held in the branches of learning for which responsibility is allocated to that college.
 - (4) There shall be a committee to be known as the Committee of Deans consisting of all Deans of the colleges and that Committee shall advise the Vice-Chancellor on all academic matters and on particular matters referred to the University Council.
- 10. Deputy Dean of college
 - (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.
- 11. Director of Institute or Centre
 - (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.

12. Head of Department
 - (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
13. Payment into Bank

The Council shall arrange that all moneys received on account of the University shall be paid into such bank as may be approved by the Council to the credit of one or other of the accounts of the University to be opened with such bank or banks in accordance with the directions of the Council.
14. Audit
 - (1) The Council shall cause the accounts of the University to be audited by auditors appointed by the Council as soon as may be after the end of each financial year or for any such other period as the Council may require.
 - (2) The appointment and other matters relative to the auditors, their continuance in office and their functions, as the case may be, shall, subject to the provisions of this clause, be prescribed by statute.
15. Creation of academic posts

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
16. Appointment of academic staff
 - (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.
17. **Tenure of Directors**
A Director shall hold office on such terms and conditions as may be specified in his/her letter of appointment subject to the extant Regulations
18. **Appointment of administrative and Professional Staff**
- (1) The administrative and technical staff of the University, other than principal officers, shall be appointed by the Council or on its behalf by the Vice-Chancellor or the Registrar in accordance with any delegation of powers made by the Council in that behalf.
 - (2) Administrative and technical staff of a college, other than principal officers, shall be appointed by the board of the college or by the Provost or secretary of the college in accordance with any delegation of powers 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 provisions of the Third Schedule stand part of the bill put and agreed to.

Chairman to report Bill.

(SENATE IN PLENARY)

The President of the Senate reported that the Senate in the Committee of the Whole considered the Report of the Committee on Tertiary Institutions and TETFUND on a Bill for An Act to Establish the Federal University of Medical and Health Sciences Funtua, Katsina State and Related Matters, 2026 and approved as follows:

Clauses 1 - 33 — 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.

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

Question put and agreed to.

- (ii) **A Bill for an Act to Amend the Federal Universities of Technology Act, Cap. F23, LFN 2004 to Establish University of Technology, Babura, Jigawa State; and Related Matters, 2026 (SB. 635).**

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF THE REPORT OF THE COMMITTEE ON TERTIARY INSTITUTIONS AND TETFUND ON A BILL FOR AN ACT TO AMEND THE FEDERAL UNIVERSITIES OF TECHNOLOGY ACT, CAP. F23, LFN 2004 TO ESTABLISH UNIVERSITY OF TECHNOLOGY, BABURA, JIGAWA STATE; AND RELATED MATTERS, 2026.

Clause 1: Amendment the Federal Universities of Technology Act, Cap. F23, LFN 2004
The Federal Universities of Technology Act, Cap. F23, LFN 2004 (herein called "the Principal Act") is amended as set out in this Bill.

Committee's Recommendation:

That the provisions in Clause 1 be retained (*Senator Mohammed, Dandudtse Muntari — Katsina South*).

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

Clause 2: Amendment of the First Schedule
Section 1 subsection 1 of the Principal Act is amended by inserting new paragraph as follows "L"-

(L) Federal University of Technology Babura, Jigawa State;

Committee's Recommendation:

That the provisions in Clause 2 be retained (*Senator Mohammed, Dandudtse Muntari — Katsina South*).

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

Clause 3: Short title
This Bill may be cited as the Federal Universities of Technology Act, Cap. F23, LFN 2004 (Amendment) Bill, 2026.

Committee's Recommendation:

That the provisions in Clause 3 be retained (*Senator Mohammed, Dandudtse Muntari — Katsina South*).

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

Chairman to report Bill.

(SENATE IN PLENARY)

The President of the Senate reported that the Senate in the Committee of the Whole considered the Report of the Committee on Tertiary Institutions and TETFUND on a Bill for An Act to Amend the Federal Universities of Technology Act, Cap. F23, LFN 2004 to Establish University of Technology, Babura, Jigawa State; and Related Matters, 2026 and approved as follows:

Clauses 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. Adjournment:

Motion made: That the Senate do adjourn till Tuesday, 20th October, 2026 at 11:00 a.m. (*Senate Leader*).

Question put and agreed to.

Senate adjourned accordingly at 1:48 p.m.

Godswill Obot Akpabio, GCON
President,
Senate of the Federal Republic of Nigeria