1. The Senate met at 10:46 a.m. The President of the Senate read prayers.

2. **Closed Session:**
   - Closed Session: 10:50 a.m.
   - Open Session: 11:27 a.m.

   The President of the Senate reported that the Senate in a Closed Session deliberated on issues bordering on the workings of the Senate in particular and the National Assembly in general.

3. **Votes and Proceedings:**
   The Senate examined the Votes and Proceedings of Tuesday, 17th December, 2019.

   *Question was put and the Votes and Proceedings were approved.*

4. **Announcement:**
   **Acknowledgment:**
   The President of the Senate acknowledged the presence of the Members of Students Union Government, Bayero University, Kano, Kano State who were at the gallery to observe Senate Proceedings.

5. **Petitions:**
   (i) Rising on Rule 41, Senator George T. Sekibo (*Rivers East*) drew the attention of the Senate to a petition from his constituent, Chief Enyiinna Onuegbu Ksc & Co. on behalf of Engr. Vincent Agwanumu and Seventy-Four others, against the Nigerian Liquified Natural Gas Company Limited (NLNG), over non-payment of compensation for acquisition of right of way. He urged the Senate to look into the matter.

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

   (ii) Rising on Rule 41, Senator Enyinnaya H. Abaribe (*Abia South*) drew the attention of the Senate to a petition from his constituent, Osishadinma Odiwaragbo, against the Hon. Minister, Federal Ministry of Health, over non-payment of emolument. He urged the Senate to look into the matter.

   *Petition laid and accordingly referred to the Committee on Ethics, Privileges and Public Petitions [Rule 41(3)] to report within four (4) weeks.*
Rising on Rule 41, Senator Binos D. Yaroe *(Adamawa South)* drew the attention of the Directorate of Senate to a petition from his constituent, Ibibi M. George, against the Department of State Services, over his suspension from office. He urged the Senate to look into the matter.

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

Rising on Rule 41, Senator Stella A. Oduah *(Anambra North)* drew the attention of the Senate to a petition from her constituent, HRH Igwe O. C. Nnaji of Ogwu-Aniocha Community, Anambra State, against the Sterling Global Oil Exploration and Energy Production Company Limited, over alleged illegal oil exploration in the community. She urged the Senate to look into the matter.

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

6. **Matter of Urgent Public Importance:**
Rising on Rules 42 and 52, Senator Francis A. Fadahunsi *(Osun East)* drew the attention of the Senate to the Urgent need for the police to investigate the killing of Prof. Jerome Elusiyan of Obafemi Awolowo University Teaching Hospital, Ile Ife. He sought and obtained the leave of the Senate to present the matter forthwith:

The Senate:

- **Note** that Prof. Jerome Elusiyan, a Professor of Pediatrics and Child Health and Chairman, Medical Advisory Council of the Obafemi Awolowo University Teaching Hospital Complex, Ile Ife was attacked and killed at Truckpen, in Esan West Local Government Area of Edo State on Friday, 13th day of December, 2019 while on his way to Benin on official assignment;

- **Aware** that Prof. Jerome Elusiyan left Ife on Thursday for Ambrose Ali University, Expoma in Edo State, to supervise some students, as an external examiner;

- **Informed** that on his way coming back to Benin, where he intended to pass the night before moving to Ile-Ife on Saturday, he was attacked and killed by some unknown gunmen while his driver sustained gunshot injuries;

- **Further aware** that the 51 years old Professor, an indigene of Oke-Igbo in Ondo State delivered the 345th Inaugural lecture of the Obafemi Awolowo University, Ile Ife on Tuesday, 24th day of September, 2019 titled "between too little and too much: Unravelling the Mystery and Misery of Endocrine Disorders in Children";

- **Concerned** that the erudite scholar was killed by "the unknown gunmen" while he was in active service of impacting knowledge to the incoming generation may send fears into others who are in similar activities all over the country and other nationals who may be interested in coming to Nigeria now and in future; and

- **Regret** that till today the police authority is yet to arrest anyone in connection with this gruesome murder.

**Accordingly resolves to:**

(i) **Urge** the police authority to do thorough investigation into the killing towards apprehending the assailants and bring them to justice;

(ii) **Observe** a minute silence in honour of the erudite scholar who died in active service to his fatherland; and
(iii) urge the Federal Government to place high priority on the safety of all Nigerian citizens particularly during and after this festive period.

**Debate:**

**Proposed Resolution (i):**
*Question:* That the Senate do urge the police authority to do thorough investigation into the killing towards apprehending the assailants and bring them to justice — *Agreed to.*

**Proposed Resolution (ii):**
*Question:* That the Senate do observe a minute silence in honour of the erudite scholar who died in active service to his fatherland — *Agreed to.*

**Proposed Resolution (iii):**
*Question:* That the Senate do urge the Federal Government to place high priority on the safety of all Nigerian citizens particularly during and after this festive period — *Agreed to.*

**Resolved:**
That the Senate do:

(i) urge the police authority to do thorough investigation into the killing towards apprehending the assailants and bring them to justice;

(ii) observe a minute silence in honour of the erudite scholar who died in active service to his fatherland; and

(iii) urge the Federal Government to place high priority on the safety of all Nigerian citizens particularly during and after this festive period (*S/Res/106/01/19*).

*One minute silence accordingly observed in honour of the deceased.*

7. **Presentation of Bills:**

(i) Physically Challenged (Empowerment) Bill, 2019 (HB. 2) — *Read the First Time.*

(ii) Students Loan (Access to Higher Education) Bill, 2019 (HB. 6) — *Read the First Time.*

(iii) National Commission for the Prohibition of Small Arms and Light Weapons (Establishment, etc.) Bill, 2019 (SB. 283) — *Read the First Time.*

(iv) Federal Colleges of Education Bill, 2019 (SB. 284) — *Read the First Time.*

(v) Commodity and Grains Board (Establishment, etc.) Bill, 2019 (SB. 285) — *Read the First Time.*

8. **Committee on Federal Capital Territory (FCT):**

*Report on the 2020 FCT Appropriation Bill, 2019 (SB. 270):*

*Motion made:* That the Senate do receive the Report of the Committee on FCT on the 2020 FCT Appropriation Bill, 2019 (*Senator Abubakar S. Kyari — Borno North*).

*Question put and agreed to.*

*Report Laid.*
9. Executive Communication:

**Confirmation of the Nomination for Appointment as Chairman and Members of National Assembly Service Commission:**

*Motion made:* That the Senate do consider the request of Mr. President, Commander-in-Chief of the Armed Forces of the Federation on the confirmation of the nomination of the following persons for Appointment as Chairman and Members of National Assembly Service Commission (NASC):

<table>
<thead>
<tr>
<th>S/N</th>
<th>NAME</th>
<th>POSITION</th>
<th>STATE OF ORIGIN</th>
<th>GEOPOLITICAL ZONE/MDA</th>
</tr>
</thead>
<tbody>
<tr>
<td>(i)</td>
<td>Engr. Ahmed Kadi Amshi</td>
<td>Chairman</td>
<td>Yobe</td>
<td>North East</td>
</tr>
<tr>
<td>(ii)</td>
<td>Babagana Modu</td>
<td>Member</td>
<td>Borno</td>
<td>North East</td>
</tr>
<tr>
<td>(iii)</td>
<td>Sen. Abubakar Tatari</td>
<td>Member</td>
<td>Taraba</td>
<td>North East</td>
</tr>
<tr>
<td>(iv)</td>
<td>Hakeem Akano</td>
<td>Member</td>
<td>Lagos</td>
<td>South West</td>
</tr>
<tr>
<td>(v)</td>
<td>Tunrayo Akintonide</td>
<td>Member</td>
<td>Ondo</td>
<td>South West</td>
</tr>
<tr>
<td>(vi)</td>
<td>Atanomeyorwi Francis</td>
<td>Member</td>
<td>Delta</td>
<td>South South</td>
</tr>
<tr>
<td>(vii)</td>
<td>Engr. Bassey Eiuk</td>
<td>Member</td>
<td>Akwa Ibom</td>
<td>South South</td>
</tr>
<tr>
<td>(viii)</td>
<td>Hon. Ballysilma Yusuf Shinkafi</td>
<td>Member</td>
<td>Zamfara</td>
<td>North West</td>
</tr>
<tr>
<td>(ix)</td>
<td>Sanl Salihu Kazaure</td>
<td>Member</td>
<td>Jigawa</td>
<td>North West</td>
</tr>
<tr>
<td>(x)</td>
<td>Sen. Julius Ucha</td>
<td>Member</td>
<td>Ebonyi</td>
<td>South East</td>
</tr>
<tr>
<td>(xi)</td>
<td>Nnamdi Anyaehie</td>
<td>Member</td>
<td>Imo</td>
<td>South East</td>
</tr>
<tr>
<td>(xii)</td>
<td>Anwah Aliyu Ohindase</td>
<td>Member</td>
<td>Kogi</td>
<td>North Central</td>
</tr>
<tr>
<td>(xiii)</td>
<td>Muazu Is'haq</td>
<td>Member</td>
<td>Nasarawa</td>
<td>North Central</td>
</tr>
</tbody>
</table>

(Senate Leader).

*Question put and agreed to.*

Request accordingly referred to the Committee on Establishment and Public Service to report within two (2) weeks.

10. Executive Communication:

**Confirmation of Appointment of Two (2) Additional Nominees as Members of National Hajj Commission of Nigeria:**

*Motion made:* That the Senate do consider the request of Mr. President, Commander-in-Chief of the Armed Forces of the Federation on the confirmation of appointment of Two (2) additional nominees as members of National Hajj Commission of Nigeria:

<table>
<thead>
<tr>
<th>S/N</th>
<th>Name</th>
<th>Representing</th>
</tr>
</thead>
<tbody>
<tr>
<td>(i)</td>
<td>Dr. Bala Muhammad</td>
<td>Representative of Jama‘atul Nasril Islam</td>
</tr>
<tr>
<td>(ii)</td>
<td>Mr. Yusuf Chinedozi Nwoha</td>
<td>Representative of the Nigerian Supreme Council for Islamic Affairs</td>
</tr>
</tbody>
</table>

(Senate Leader).

*Question put and agreed to.*

Request accordingly referred to the Committee on Foreign Affairs to report within two weeks.

11. Committee on Communications:

**Report on the Universal Service Provision Fund (USPF) 2020 Budget:**

*Motion made:* That the Senate do consider the Report of the Committee on Communications on the 2020 Budget of the Universal Service Provision Fund (USPF) (Senator Ibrahim M. Boma – Yobe South).

*Question put and agreed to.*

Report Presented.

**Recommendations:**
### Recurrent Expenditure: Establishment Cost

#### Employee Costs

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff Costs</td>
<td>1,306,209,964</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>1,306,209,964</td>
</tr>
</tbody>
</table>

#### Operational Costs

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Printing &amp; Stationery</td>
<td>22,318,649</td>
</tr>
<tr>
<td>Postage &amp; Courier Services</td>
<td>1,238,038</td>
</tr>
<tr>
<td>Advertisements &amp; Publicity</td>
<td>24,055,000</td>
</tr>
<tr>
<td>Forum, Conf &amp; Seminars Local - Logistics</td>
<td></td>
</tr>
<tr>
<td>Forum, Conf &amp; Seminars Foreign - Logistics</td>
<td></td>
</tr>
<tr>
<td>Training &amp; Development - Foreign</td>
<td></td>
</tr>
<tr>
<td>Training &amp; Development (Local): Training Logistics (Per Diem, Tickets, Fare, etc.)</td>
<td>53,461,000</td>
</tr>
<tr>
<td>Local Training Fees</td>
<td>24,200,000</td>
</tr>
<tr>
<td>Local Travels &amp; Transport (Others); Local Industry Events</td>
<td></td>
</tr>
<tr>
<td>(including TCP, COP, Stakeholders For a, etc.)</td>
<td></td>
</tr>
<tr>
<td>International Travels &amp; Transport : Logistics (including Estacode, Flight Tickets, etc)</td>
<td>22,514,000</td>
</tr>
<tr>
<td>International Training Fees</td>
<td>91,450,807</td>
</tr>
<tr>
<td>International Travels &amp; Transport (Others): Telecoms Industry Events</td>
<td>72,418,500</td>
</tr>
<tr>
<td>(ITU, CTO, GSMA, WSIS, ATU, WATRA, etc)</td>
<td></td>
</tr>
<tr>
<td>Sponsorship</td>
<td>8,000,000</td>
</tr>
<tr>
<td>Protocol</td>
<td>21,748,000</td>
</tr>
<tr>
<td>Newspapers &amp; Periodicals</td>
<td>1,606,886</td>
</tr>
<tr>
<td>Subscriptions</td>
<td></td>
</tr>
<tr>
<td>Subscriptions to Professional Bodies</td>
<td>2,800,000</td>
</tr>
<tr>
<td>Internet Access Charges</td>
<td>2,552,000</td>
</tr>
<tr>
<td>Club Membership Subscription</td>
<td>8,000,000</td>
</tr>
<tr>
<td>Vehicle Running Expenses</td>
<td></td>
</tr>
<tr>
<td>Vehicle Repairs &amp; Maintenance</td>
<td>9,000,000</td>
</tr>
<tr>
<td>Vehicle Fueling</td>
<td>3,150,000</td>
</tr>
<tr>
<td>Vehicle Insurance</td>
<td>8,950,000</td>
</tr>
<tr>
<td>Professional Fees (Audit &amp; Other Accounting Consultancy)</td>
<td>19,416,854</td>
</tr>
<tr>
<td>Fund Managers' Fee</td>
<td>8,000,000</td>
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<tr>
<td>Procurement Process Expenses</td>
<td>12,750,000</td>
</tr>
<tr>
<td><strong>Total Operational Cost</strong></td>
<td><strong>549,058,302</strong></td>
</tr>
</tbody>
</table>

#### Administrative Costs

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Telephone Expenses</td>
<td>10,140,000</td>
</tr>
<tr>
<td>Maintenance of Equipment</td>
<td>8,939,213</td>
</tr>
<tr>
<td>Entertainment</td>
<td>8,160,000</td>
</tr>
<tr>
<td>General Office MtcE/Exps</td>
<td>14,272,570</td>
</tr>
<tr>
<td>Search/Due Diligence Fee</td>
<td>4,900,000</td>
</tr>
<tr>
<td>Legal Fees</td>
<td>50,215,750</td>
</tr>
<tr>
<td><strong>Total Admin Cost</strong></td>
<td><strong>96,627,533</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Board Expenses</td>
<td>398,160,000</td>
</tr>
<tr>
<td>Bank Charges</td>
<td>4,000,000</td>
</tr>
<tr>
<td><strong>Total Recurrent Expdt.</strong></td>
<td><strong>2,354,055,799</strong></td>
</tr>
</tbody>
</table>
### UNIVERSAL SERVICE PROVISION FUND

#### CAPITAL EXPENDITURE BUDGET 2020

<table>
<thead>
<tr>
<th>QTY</th>
<th>Item Description</th>
<th>Cost (₦)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td><strong>COMPUTERS</strong></td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>Computers</td>
<td>3,000,000</td>
</tr>
<tr>
<td>6</td>
<td>Printers</td>
<td>1,500,000</td>
</tr>
<tr>
<td>21</td>
<td>UPS</td>
<td>1,638,000</td>
</tr>
<tr>
<td></td>
<td>Laptops</td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Computer Projector</td>
<td>237,600</td>
</tr>
<tr>
<td>2</td>
<td>Computer Projector Screen</td>
<td>79,200</td>
</tr>
<tr>
<td>9</td>
<td>Computer Accessories</td>
<td>405,000</td>
</tr>
<tr>
<td>2</td>
<td>Digital Camera (18-13mm Lens)</td>
<td>300,000</td>
</tr>
<tr>
<td>1</td>
<td>World Radio Receiver - ICF-SW 7600GR</td>
<td>265,320</td>
</tr>
<tr>
<td></td>
<td><strong>SUB TOTAL</strong></td>
<td>7,425,120</td>
</tr>
<tr>
<td>2</td>
<td><strong>OFFICE EQUIPMENT</strong></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Automatic Thermal Binding Machine</td>
<td>108,790</td>
</tr>
<tr>
<td>2</td>
<td>Automatic Coil Binding Machine</td>
<td>475,200</td>
</tr>
<tr>
<td>3</td>
<td>Manual Binding Machine</td>
<td>244,500</td>
</tr>
<tr>
<td></td>
<td><strong>LOT</strong> Digital Document Conversion</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Shredding Machine</td>
<td>600,000</td>
</tr>
<tr>
<td>2</td>
<td>Photocopier</td>
<td>1,700,000</td>
</tr>
<tr>
<td></td>
<td><strong>SUB TOTAL</strong></td>
<td>17,353,490</td>
</tr>
<tr>
<td>3</td>
<td><strong>MOTOR VEHICLES</strong></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Project Vehicles - Peugeot 508</td>
<td>25,000,000</td>
</tr>
<tr>
<td>1</td>
<td>Project Vehicles - Toyota Corolla</td>
<td>22,000,000</td>
</tr>
<tr>
<td>1</td>
<td>Project Vehicle - Toyota Land Cruiser</td>
<td>68,000,000</td>
</tr>
<tr>
<td>1</td>
<td>Project Vehicle - Toyota Prado</td>
<td>47,000,000</td>
</tr>
<tr>
<td></td>
<td><strong>SUB TOTAL</strong></td>
<td>162,000,000</td>
</tr>
<tr>
<td>4</td>
<td><strong>FURNITURE AND FITTINGS</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Executive Chair</td>
<td></td>
</tr>
<tr>
<td>45</td>
<td>Swivel Chairs</td>
<td>6,300,000</td>
</tr>
<tr>
<td>17</td>
<td>File Cabinet</td>
<td>1,870,000</td>
</tr>
<tr>
<td></td>
<td>- Visitors Chair</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>Tender Box</td>
<td>800,000</td>
</tr>
<tr>
<td></td>
<td>- Office Table</td>
<td>360,000</td>
</tr>
<tr>
<td></td>
<td><strong>SUB TOTAL</strong></td>
<td>9,330,000</td>
</tr>
<tr>
<td></td>
<td><strong>TOTAL</strong></td>
<td>196,108,610</td>
</tr>
<tr>
<td>5</td>
<td><strong>CONNECTIVITY PROGRAMMES</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Base Transceiver Station (BTS): Conventional</td>
<td>2,741,101,502</td>
</tr>
<tr>
<td></td>
<td>Base Transceiver Station (BTS): Non-Conventional/Rural</td>
<td>950,475,509</td>
</tr>
<tr>
<td></td>
<td>Rural Broadband Initiative (RUBI)</td>
<td>507,227,580</td>
</tr>
<tr>
<td></td>
<td>University Inter Campus Connectivity (UniCC End User) Project</td>
<td>1,617,825,882</td>
</tr>
<tr>
<td></td>
<td>Bandwidth Provisioning/Aggregation</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>SUB TOTAL - CONNECTIVITY PROGRAMMES</strong></td>
<td>5,816,630,472</td>
</tr>
<tr>
<td>6</td>
<td><strong>ACCESS PROGRAMMES</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Schools Knowledge Centre (SKC)</td>
<td>1,145,472,283</td>
</tr>
<tr>
<td></td>
<td>Tertiary Institutions knowledge Centres (TIKC)</td>
<td>274,428,485</td>
</tr>
<tr>
<td></td>
<td>E-Health</td>
<td>190,791,728</td>
</tr>
</tbody>
</table>
E-Accessability/ICT for Challenged Groups 571,658,902
Deployment of Local Contents & Applications 38,360,620
SUB-TOTAL 2,220,712,019

7. TECHNICAL AUDIT
SUB-TOTAL 411,766,902

8. INSTITUTIONAL STRENGTHENING AND CONSULTANCY
Board and Management Retreat 16,635,000
Preparation and Publishing of Annual Reports 12,200,000
Website Management 4,240,000
GIS Development 15,254,375
Capacity Building of Community Based Organisations 183,648,000
Focused Industry Session 13,555,000
Project Monitoring, Evaluation & Commissioning 163,572,362
Innovative ICT Solutions and Entrepreneurship Development 75,850,000
USPF Database Management
Universal Service/Universal Access Study Visit for USPF Board 69,112,750
Update of Access Gap Clusters
SKC Desk Officers 8,203,000
USPF Corporate Visibility 14,175,000
SUB-TOTAL 576,445,487
CONSULTANCY ON ASSETS SWAP VALUATION 19,201,557
SUB-TOTAL 19,201,557
TOTAL - PROJECT & PROGRAMME COST 9,044,756,438

SUMMARY OF USPF 2020 BUDGET

A. REVENUE PROFILE
Income from AoI Contribution 7,500,000,000
Reserves 4,092,400,847
Tender Fees 2,520,000
Total Revenue 11,594,920,847

B. EXPENDITURES
Recurrent Expenditure
Employee Costs 1,306,209,964
Operational Costs 549,058,302
Administrative Costs 96,627,333
Board Expenses 398,160,000
Bank Charges 4,000,000
Total Recurrent Expenditure 2,254,055,799

C. CAPITAL EXPENDITURE
Computers 7,425,120
Office Equipment 17,353,490
Motor Vehicles 162,000,000
Furniture and Fittings 9,330,000
Total Capital Expenditure 196,108,610

D. PROJECTS EXPENDITURE
Connectivity Programs 5,816,630,472
Access Programmes 2,220,712,019
Technical Audit 411,766,902
Institutional Strengthening & Consultancy Programmes 576,445,487  
Consultancy on Assets Swap Valuation 19,201,557  
Total Projects Expenditure 9,044,756,438

E. TOTAL BUDGETED EXPENDITURE 11,594,920,847

The Total Budgeted Expenditure for the Year 2020 is Eleven Billion, Five Hundred and Ninety-Four Million, Nine Hundred and Twenty Thousand, Eight Hundred and Fourty Seven Naira (₦11,594,920,847) only.

Main Question:
That the expenditure of Eleven Billion, Five Hundred and Ninety Four Million, Nine Hundred and Twenty Thousand, Eight Hundred and Fourty Seven Naira (₦11,594,920,847) only for the purposes set out under the Budgeted Expenditure Costs for the Universal Service Provision Fund (USPF) stand part of the Recurrent and Capital Revenue Expenditure for 2020 — Agreed to.

12. Committee on Communications:  
Report on the Nigerian Communications Commission (NCC) Budget Proposal for the year 31st December, 2020:  
Motion made: That the Senate do consider the report of the Committee on Communications on the Nigerian Communications Commission (NCC) Budget Proposal for the year 31st December, 2020 (Senator Ibrahim M. Bomi — Yobe South).

Report presented.

Question put and agreed to.

Recommendations:

NIGERIAN COMMUNICATIONS COMMISSION BUDGET

<table>
<thead>
<tr>
<th>A. REVENUE PROFILE</th>
<th>₦'000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Licensing Fees</td>
<td>1,500,000</td>
</tr>
<tr>
<td>Annual Operating Levy</td>
<td>68,500,000</td>
</tr>
<tr>
<td>Spectrum Fees</td>
<td>47,653,419</td>
</tr>
<tr>
<td>Numbering Plan</td>
<td>4,500,000</td>
</tr>
<tr>
<td>Admin Charges</td>
<td>115,196</td>
</tr>
<tr>
<td>Type Approval Fees</td>
<td>780,000</td>
</tr>
<tr>
<td>Sanction Fees</td>
<td>50,000</td>
</tr>
<tr>
<td>Sundry Income</td>
<td>33,176</td>
</tr>
<tr>
<td>Broadband</td>
<td>17,251,800</td>
</tr>
<tr>
<td>Total Revenue</td>
<td>140,383,591</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>B. EXPENDITURES</th>
<th>₦'000</th>
</tr>
</thead>
<tbody>
<tr>
<td>RECURRENT EXPENDITURE</td>
<td></td>
</tr>
<tr>
<td>Establishment Costs</td>
<td>421,500</td>
</tr>
<tr>
<td>Staff Costs</td>
<td>25,568,734</td>
</tr>
<tr>
<td>Travel Costs</td>
<td>2,479,539</td>
</tr>
<tr>
<td>Operational Costs</td>
<td>5,500,687</td>
</tr>
<tr>
<td>Administration Costs</td>
<td>1,606,056</td>
</tr>
<tr>
<td>Spectrum Expenses</td>
<td>3,720,528</td>
</tr>
<tr>
<td>Total Recurrent Expenditure</td>
<td>39,297,044</td>
</tr>
</tbody>
</table>
CAPITAL EXPENDITURE
Internal Projects 4,289,131
School Support Programme 1,250,000
Digital Bridge Institute 2,196,000
Consultancies 394,331
**Total Capital Expenditure** 8,129,461

SPECIAL PROJECTS
Emergency Communications Centres 2,396,440
Broadband Infrastructure Development Project 17,251,800
GSM Networks Qos Compliance Monitoring 215,000
Subscribers Database Management 800,000
ICT Parks -
R&D in Emerging Trends in Telecoms 200,450
**Total Special Projects** 20,863,690

Transfer to Federal Govt. 64,208,446
Transfer to USPF 7,500,000
**Total Budgeted Expenditure** 139,998,642
Surplus 384,949

RECURRENT EXPENDITURE — A

**ESTABLISHMENT COSTS**

<table>
<thead>
<tr>
<th>Item</th>
<th>N'000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rents &amp; Rates</td>
<td>34,000</td>
</tr>
<tr>
<td>Insurance</td>
<td>387,500</td>
</tr>
<tr>
<td>Recruitment Expenses</td>
<td>-</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>421,500</td>
</tr>
</tbody>
</table>

**STAFF COSTS**

<table>
<thead>
<tr>
<th>Item</th>
<th>N'000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries &amp; Wages</td>
<td>16,850,260</td>
</tr>
<tr>
<td>Welfare Costs</td>
<td>343,423</td>
</tr>
<tr>
<td>Medical Expenses</td>
<td>1,802,770</td>
</tr>
<tr>
<td>Pension &amp; Gratuity</td>
<td>3,011,626</td>
</tr>
<tr>
<td>Training &amp; Developments</td>
<td>3,560,655</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>25,568,734</td>
</tr>
</tbody>
</table>

**TRAVEL COSTS**

<table>
<thead>
<tr>
<th>Item</th>
<th>N'000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transport &amp; Traveling - Foreign</td>
<td>1,930,647</td>
</tr>
<tr>
<td>Transport &amp; Traveling - Local</td>
<td>456,017</td>
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<tr>
<td>Vehicle Running Expenses</td>
<td>75,000</td>
</tr>
<tr>
<td>Relocation Allowance</td>
<td>17,875</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>2,479,539</td>
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</table>

**OPERATIONAL COSTS**

<table>
<thead>
<tr>
<th>Item</th>
<th>N'000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Printing &amp; Stationery</td>
<td>170,325</td>
</tr>
<tr>
<td>Postage &amp; Courier Services</td>
<td>16,769</td>
</tr>
<tr>
<td>Advertisements</td>
<td>705,244</td>
</tr>
<tr>
<td>Forum, Conf &amp; Seminars</td>
<td>2,060,761</td>
</tr>
<tr>
<td>Consumer Education and Protection</td>
<td>499,505</td>
</tr>
<tr>
<td>Protocol &amp; Public Relation Expenses</td>
<td>62,500</td>
</tr>
<tr>
<td>Subscription and Donations</td>
<td>30,000</td>
</tr>
<tr>
<td>Dues to Int. Organisations</td>
<td>319,990</td>
</tr>
</tbody>
</table>
IT Expenses 516,721
Studies/Research 319,246
Regulatory/Enforcement Expenses 799,625
TOTAL 5,500,687

ADMINISTRATION COSTS
Maintenance of Building & Equipment 283,675
Fuel & Diesel Expenses 130,000
Utilities 218,783
Library Expenses 12,500
Entertainment 13,000
Legal & Professional-Fees 212,015
General Office Expenses 66,500
Security Expenses 149,725
Audit Fees & Accountancy Fees 50,000
Board Expenses 459,733
Museum Expenses 10,125
TOTAL 1,606,056
Spectrum Expenses 3,720,528
TOTAL RECURRENT 39,297,0445

CAPITAL EXPENDITURE (INTERNAL PROJECTS)

BUILDINGS
1 Supply and installation of Service Lift in the Commission
Completion works DBI Mbora
Conversion of DBI Hostel Facility to NCC Annex, to solve the office space constraint in the Commission
Facility Management of Digital bridge Institute Campuses-Completion
Works DBI Mbora
 Provision of Parking Space, Infrastructure/Facility for the Staff
Supply and Installation of Cradle Equipment

Lot Supply and Install Retrofitted Automatic Fire Sprinkler System in the
Head Office Building
Construction of Kano Zonal Office

Lot Completion works and furnishing Kaduna Zonal Office
1 Completion works and furnishing Asaba Zonal Office
1 Construction of Proposed Yola Zonal Office
1 Construction of Lagos Communications House
Completion of Construction of Otukpo Zonal Office

UPGRADE AND IMPROVEMENT WORKS ON HO INFRASTRUCTURE
REHABILITATION OF HEAD OFFICE BUILDING
Rehabilitation of the external facade of the HQ building to include wall tiles and glazing
Rehabilitation of the internal tiled wall in the court yard of the HQ building
Remodeling of lift lobbies
Remodeling of the reception area
Installation security access control doors at the corridors 32,500,000
Installation of fire doors
Upgrade of CCTV equipment and associated works
Replacement/Maintenance of fittings
Replacement of ceiling at the common rooms and other associated areas
Removal of existing aluminium roof cover and dam proof and reroof with optimum gauge aluminium roof 50,000,000
Repairs on fence and other associated works 30,000,000
Furnishing of Staff Canteen -
Replacement of two (2) passenger lifts -
Lot Replacement of electrical panels, sockets, lighting points and other electrical works requiring upgrade. -
Re-chanelling of water flood at the basement 30,000,000
Replacement of broken pavements around the Headquarters 20,000,000
Upgrade and soft landscaping of the courtyard garden in the HQ -
**TOTAL BUILDINGS** 162,500,000

**PLANT AND MACHINERY**

**ENGINEERING TOOLS**

<table>
<thead>
<tr>
<th>Lot</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>16</td>
<td>30KVA Soundproof Generators</td>
<td>65,000,000</td>
</tr>
<tr>
<td></td>
<td>Renewal of Frequency Software License</td>
<td>31,920,000</td>
</tr>
<tr>
<td></td>
<td>Purchase of E and V Bands Monitoring Antenna and Accessories</td>
<td>42,262,585</td>
</tr>
<tr>
<td></td>
<td>Purchase of Radio Spectrum &amp; Drone Jamming System</td>
<td>68,486,771</td>
</tr>
<tr>
<td></td>
<td>Purchase of N9962A FledFox Handheld Microwave Spectrum Analyzer</td>
<td>54,745,530</td>
</tr>
<tr>
<td></td>
<td>Calibration and Maintenance of Monitoring Equipment</td>
<td>8,030,000</td>
</tr>
<tr>
<td></td>
<td>External Works - Hard, Soft Landscape and Cable Trench @ Space Mbora</td>
<td>50,000,000</td>
</tr>
<tr>
<td></td>
<td>Upgrade and maintenance of the online License Software</td>
<td>30,000,000</td>
</tr>
<tr>
<td></td>
<td>Purchase of two Pathloss Version 5.1 Software</td>
<td>3,248,000</td>
</tr>
<tr>
<td></td>
<td>ETUS: Spectrum Planning Research Tools</td>
<td>50,000,000</td>
</tr>
<tr>
<td></td>
<td>Renewal of License for the following tools: SEAMCAT and Mathlab</td>
<td>40,000,000</td>
</tr>
<tr>
<td>1</td>
<td>Spectrum Management Software for developing Countries (SMS4DC) upgraded version 4.1 including Training (10 Users)</td>
<td>14,064,840</td>
</tr>
</tbody>
</table>
**TOTAL PLANT & EQUIPMENT** 451,757,726

**FURNITURE, FITTINGS AND EQUIPMENT**

<table>
<thead>
<tr>
<th>Lot</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>15</td>
<td>Procurement of Office Furniture for Head Office and Zonal Offices</td>
<td>-</td>
</tr>
<tr>
<td>5</td>
<td>Supply and Installation of Photocopy Machines</td>
<td>-</td>
</tr>
<tr>
<td></td>
<td>Supply and Installation of Secured Key Management system</td>
<td>-</td>
</tr>
<tr>
<td></td>
<td>CCTV and Security Cameras for Head and Zonal Offices - IP Based</td>
<td>-</td>
</tr>
<tr>
<td>Lot</td>
<td>Replacement of Airconditioners</td>
<td>40,000,000</td>
</tr>
<tr>
<td>1</td>
<td>Document Scanning Machine</td>
<td>-</td>
</tr>
<tr>
<td>Lot</td>
<td>Mobile (Mechanical) Shelvin</td>
<td>30,000,000</td>
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</tbody>
</table>
**TOTAL INTERNAL FURNITURE AND FITTINGS** 70,000,000

**MOTOR VEHICLES**

<table>
<thead>
<tr>
<th>Lot</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>28</td>
<td>Pool Vehicles</td>
<td>-</td>
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</table>
**TOTAL MOTOR VEHICLES**

**ICT INFRASTRUCTURE AND SOLUTIONS**

<table>
<thead>
<tr>
<th>Lot</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>Procurement of Billing and Tariff Monitoring System/Training</td>
<td>-</td>
</tr>
<tr>
<td></td>
<td>Establishment of RCC center, complete with all equipment and</td>
<td>-</td>
</tr>
<tr>
<td></td>
<td>furniture-power and cooling facilities</td>
<td>-</td>
</tr>
<tr>
<td>Lot</td>
<td>Procurement of SIM Box Detection and Blocking System</td>
<td>2,500,000,000</td>
</tr>
<tr>
<td>1</td>
<td>Virtual Webhosting Server windows Server 2012 R2</td>
<td>-</td>
</tr>
<tr>
<td>Lot</td>
<td>Upgrade/Renewal of CMS</td>
<td>-</td>
</tr>
<tr>
<td></td>
<td>Windows 10 Deployment</td>
<td>-</td>
</tr>
<tr>
<td></td>
<td>Upgrade of eHR Solution</td>
<td>-</td>
</tr>
<tr>
<td></td>
<td>Internet Access Fees Renewal - Head Office and the Zonal Offices</td>
<td>-</td>
</tr>
<tr>
<td>1</td>
<td>Process Automation and Centralised Database for PCEA Department</td>
<td>-</td>
</tr>
<tr>
<td>Lot</td>
<td>Description</td>
<td>Amount</td>
</tr>
<tr>
<td>-----</td>
<td>-------------------------------------------------------------------------------</td>
<td>----------</td>
</tr>
<tr>
<td>1</td>
<td>Installation of Close Circuit Airconditioning Systems (CCAC) and Humidifier System</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>COMPUTER SECURITY INCIDENT RESPONSE TEAM (CSIRT)</strong></td>
<td></td>
</tr>
<tr>
<td>Lot</td>
<td>Preventive Maintenance and Upgrade of CSIRT Tools, Hardware and Software</td>
<td>25,000,000</td>
</tr>
<tr>
<td></td>
<td>Upgrade and Maintenance of Telecommunications Sector Computer Security Incident Response Team (CSIRT)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Preventive Maintenance and Upgrade of E-Forensic Tools Hardware and Software</td>
<td>20,000,000</td>
</tr>
<tr>
<td></td>
<td>Mobile Forensics Components UFED Chinex</td>
<td>10,000,000</td>
</tr>
<tr>
<td></td>
<td>UAD-UFED Analytical Desktop (Cellebrite)</td>
<td>10,000,000</td>
</tr>
<tr>
<td></td>
<td>Product Specific Technical Capacity Building (Cellebrite) ≡ Cost</td>
<td>13,335,000</td>
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<tr>
<td></td>
<td>Deployment fee</td>
<td>3,000,000</td>
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<tr>
<td></td>
<td>License Fee</td>
<td>2,000,000</td>
</tr>
<tr>
<td></td>
<td>Upgrade of National Internet Resource (NIR) Management Solution</td>
<td>15,000,000</td>
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<tr>
<td>1</td>
<td>Revenue Assurance/Monitoring Software</td>
<td>350,000,000</td>
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<tr>
<td>Lot</td>
<td>Digitalization of the NCC Library</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Museum Management</td>
<td>15,000,000</td>
</tr>
<tr>
<td></td>
<td>Acquisition of Knowledge Resources for the NCC Library</td>
<td></td>
</tr>
<tr>
<td>200</td>
<td>Procurement of Additional Microsoft Software Licenses</td>
<td>68,250,000</td>
</tr>
<tr>
<td></td>
<td>Acquisition of PoNT Manager Software License for the Jukebox</td>
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</tr>
<tr>
<td></td>
<td>Installation and Deployment of upgradeable Catalyst Switches</td>
<td>36,000,000</td>
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<tr>
<td></td>
<td>Deployment of Network Access Control Solution (LAN Security)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Installation of Sophos Central and Intercept-X Solution</td>
<td>12,750,000</td>
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<tr>
<td></td>
<td>Expansion of Existing Commission's Server Farm</td>
<td>21,000,000</td>
</tr>
<tr>
<td></td>
<td>Laying of Fibre cable from HQ to NCC Mbora</td>
<td>15,000,000</td>
</tr>
<tr>
<td></td>
<td>Deployment of Direct Attached Storage System for Zones</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Deployment of Secured Wireless Network Solution in the HQ</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Upgrade of Exchange Server 2013</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Installation of Precision Cooling and Humidifier System for the NCC Datacentre</td>
<td>18,000,000</td>
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<tr>
<td></td>
<td>Upgrade Spectrum Management System in line with User Department and Commission's Requirements</td>
<td>25,000,000</td>
</tr>
<tr>
<td></td>
<td>Upgrade of the Existing Internet Bandwidth for the 5 Zonal Offices</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Annual Maintenance and Servicing of ICT Network Equipment</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Upgrade of Commission's Network - Internal Firewall</td>
<td>19,500,000</td>
</tr>
<tr>
<td></td>
<td>Annual Maintenance for K116 Full HD LED Outdoor Information</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Electronic Billboard &amp; Capacity Building</td>
<td>7,300,000</td>
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<tr>
<td></td>
<td>Upgrade of Two-Factor Authenticator Solution</td>
<td>20,000,000</td>
</tr>
<tr>
<td></td>
<td>PCEA Process Automation &amp; Centralized Database and Data Validation</td>
<td></td>
</tr>
<tr>
<td></td>
<td>USPf Automation &amp; Centralized Database</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Implementation of Managed Print Solution - Assessment, Planning, License for Software and Optimisation of current environment</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Data Validation Technology</td>
<td>23,000,000</td>
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<tr>
<td></td>
<td>Supply and Installation of Bomb Sniffer for the Commission Head Office (Head Office, annex office and 5 Zonal Offices)</td>
<td>20,000,000</td>
</tr>
<tr>
<td></td>
<td>Deployment of Under-Vehicle Inspection System</td>
<td>15,000,000</td>
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<tr>
<td></td>
<td>Implementation of IT Governance Framework</td>
<td></td>
</tr>
<tr>
<td>100</td>
<td>Procurement of New ICT Tools and Accessories</td>
<td>40,000,000</td>
</tr>
<tr>
<td>Lot</td>
<td>Upgrade of SCCM Server 2012</td>
<td></td>
</tr>
<tr>
<td></td>
<td>ArcGis Software-Annual Enhancement Fee</td>
<td>46,298,000</td>
</tr>
</tbody>
</table>
Upgrade Numbering Management System 20,000,000
Upgrade Contact Center Database Server to also include complaints received at the Mobile Number Operators 30,000,000
Customize and Deploy Compliance Management Software 40,000,000
Lot Deployment of Network Access Control Solution (LAN Security) 23,940,000
Lot Procurement of e-Admin Software 10,000,000
Lot Purchase of additional Licenses; Payroll (160), HR-Focus (160), Microsoft Great Plains (160) 16,000,000
Deployment of Print Management software 10,000,000
Acquisition of Monitoring and Detection solutions (hardware/software purchases, licenses, maintenance) 4,500,000
Purchase of additional-Project Management server License 15,000,000
Deployment of Data Backup Solution 20,000,000
Upgrade of Online Licensing Portal Solution 15,000,000
TOTAL ICT INFRASTRUCTURE & SOLUTIONS 3,604,873,000
TOTAL INTERNAL PROJECTS 4,289,130,726

BREAKDOWN OF CONSULTANCY & PROFESSIONAL EXPENSES

Item Amount ₦
Review of Internal Policy Documents at the head and Zonal Offices 20,000,000
Annual QuickScore Maintenance Fee & Knowledge Transfer for CPSRM staff on QuickScore, new Upgrade 21,199,200
Consultancy for Process re-alignment 12,500,000
Consultancy for Risk Assessment Program 19,046,500
Consultancy on study and development of appropriate framework for OTT services 15,000,000
Consultancy/Stakeholder engagement on OEM 20,198,000
Consultancy study on Artificial Intelligence (AI) 15,000,000
Development of Communications Infrastructure Protection Plan/Guideline for Cyber Security 15,000,000
Consultancy-Assessment of environmental efficiency national status for Artificial Intelligence and related technologies 26,000,000
Consultancy-Development of technological guidelines related to deployment and acquisition of personal data on the emerging autonomous systems, artificial intelligence AAI and Big Data (BD) 15,000,000
Type Approval Regulation Review 15,000,000
Development of Appropriate guidelines and standards for new and emerging technologies 25,000,000
Consultancy Study on the Level of competition in the Nigerian Telecom Industry 51,386,800
Implementation of Budget Management Software 47,000,000
Finance Department process review 35,000,000
Tax Consultancy to Manage the Tax obligations of the Commission 42,000,000
TOTAL 394,330,500

DBI TALENT ACCELERATION PROGRAMME (TAP)

Lot Renovation of DBI Lagos as Talent Accelerator/Innovation Hub 250,000,000
Construction and Equipment of Laboratories 80,000,000
Lot Supply of UPS and Inverter Systems 20,000,000

Tap Centre Equipment
Administrative Equipment 50,000,000
Furniture & Fittings 45,000,000
Training Equipment 48,000,000
Data Room/Network Equipment 67,000,000
Digital Resource Room (Library) 37,000,000
Lot: Network Infrastructure 20,000,000
Internet Access 45,000,000
IP Phone System 34,000,000
Digital Job Creation 1,000,000,000
ICT Training and Rehabilitation for the North-East 500,000,000
TOTAL 2,196,000,000

SCHOOL SUPPORT PROGRAMME

200 Computers (Intel Core 2 Duo E8600 2.40GHZ with MS Windows 7)
   License MS Office Professional
10 Servers 8100 Intel Core i5-660 Processor (3.33GHZ, 4MB and MS WIN 7)
   - 20 User License
10 Local Area Network (Material + Installation)
10 VSAT High Power Broadband with 12 mths Subscription
10 HP Scan Jet
40 UPS 650VA Pro
   - UPS 1400 VA Pro
20 HP Laser Jet 2015 Printers
   - HP Deskjet 1280 Printers
210 Computer Tables and Chairs
20 Training of DAP Beneficiaries
   - Engagement of Consultant for Technical Audit of sites
   - Bandwidth Renewal/ Reactivation of Existing DAP Sites
10 Construction of Computer Laboratory 8mX10m floor space comprising of hall,
   Manager's Office, Server Room and 2 nos WC
60 Airconditioners for DAP
100 Branded Window Blinds @ 10 nos per site
10 Generators 20.5KVA Sound Proof plus installation costs inclusive of
   construction of concrete base, armoured cable, change over switch,
   generator house, transportation, etc
10 DAP Location Signage
   - Monitoring and Commissioning of Civil Works
   - Drawing and Supervision Fees

ADVANCED DIGITAL ACCESS PROGRAMME FOR TERTIARY INSTITUTIONS (ADAPTI)

2200 110 nos of Laptop Computer each for Tertiary Institutions in the 6
   Geopolitical Zones and Teaching Hospitals in the North and South
10 e-Learning Suite
10 Monitoring and Commissioning

WIRELESS INTERNET CLOUD

10 Wireless Internet Cloud for Institutions + 1 year maintenance
   support in the 6 Geopolitical Zones
10 Bandwidth Renewal for Existing Wireless Cloud
10 Monitoring and Official Commissioning

Data Sharing and e-Learning Platform

1 Data Sharing and e-health platform in University Teaching Hospitals
   in the Northern Zone (ASUU INTERVENTION)
1 Data Sharing and e-health platform in University Teaching Hospitals
   in the Southern Zone (ASUU INTERVENTION)
1 Data Sharing and e-learning platform in University Teaching Hospitals in the Northern Zone (ASUU INTERVENTION)

1 Data Sharing and e-learning platform in University Teaching Hospitals in the Southern Zone (ASUU INTERVENTION)

Monitoring and evaluation of implementation of e-health and other school support Projects including Training of DAP Beneficiaries, Bandwidth Renewal, etc

Implementation of Virtual Centers

6 Provision of Computer Based Test Centers for the conduct of Examinations by Government establishments (e.g. WAEC, NECO, JAMB, etc) and other approved uses

- Implementation of Virtual Aid Examination Centres in selected Schools in the Southern Zone
- Implementation of Virtual Aid Examination Centres in selected schools in the Northern Zone
- Provision of ICT tools and Local Area Network and internet infrastructure for the virtual Aid Exam centers in the Northern Zone
- Provision of ICT tools and Local Area Network and internet infrastructure for the virtual Aid Exam centers in the Northern Zone

Digital Access Empowerment Programme for Undergraduates (DAEP)

9000 Advanced Digital Appreciation Programme for Tertiary Institutions (ADAPTI-T) Training for Teachers 500,000,000

6000 Supply, configuration and integration of 1000 units e-pad with internet access and other educational contents in Ten (10) selected tertiary institutions in the 6 geopolitical zones

- Stakeholder meetings for Provision of college cloud E-learning platform

2500 DAP-TEA Training 300,000,000

- Telecom Book Donation to Tertiary Institutions
- Deployment of College cloud e-Platform
- Stakeholder meetings for provision of College Cloud E-Learning Platform

3 Deployment of Knowledge Parks to enhance/advance Knowledge Economy in Kano, Enugu and Ibadan

- Stakeholders Consultation on ICT Penetration
- Construction of Mini ICT Squares for R&D in Tertiary Institutions and Installation of Equipment

3000 Supply and Installation of e-Pads with learning suites to selected Tertiary Institutions nationwide HP e-Pad

- Social Intervention Programmes 450,000,000

TOTAL 1,250,000,000

SPECIAL PROJECTS

EMERGENCY COMMUNICATION CENTRES

EMERGENCY COMMUNICATION CENTERS (ECC)

6 Construction and Rehabilitation of all completed ECC sites 130,000,000

- Replacement of damaged/dilapidated support infrastructure 165,000,000

32 Security Management (Armed) NSCDC 106,440,000

20 Facility Management and supply of Consumables 150,000,000

Coordination and Monitoring of ECC activities

Deployment of SIM Card enabled PTT 4G LTE portable Radios - with video display screen (100 per State for 20 States) 25,000,000

Lot Digital Mapping Solution: Mapping Application that display Location Information, transmitted by Network Operators.
<table>
<thead>
<tr>
<th></th>
<th>Description</th>
<th>Cost</th>
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</thead>
<tbody>
<tr>
<td>20</td>
<td>Deployment/Management of Communications Equipment and Infrastructure to ECC Sites</td>
<td>230,000,000</td>
</tr>
<tr>
<td></td>
<td>Consultancy Services for ECC Infrastructure, Training and participation at International For a</td>
<td></td>
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<tr>
<td></td>
<td>on public safety communication infrastructure and services</td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>Managed Services/Business Process Operations</td>
<td>1,480,000,000</td>
</tr>
<tr>
<td>17</td>
<td>Stipends for ECC Dispatchers</td>
<td>60,000,000</td>
</tr>
<tr>
<td></td>
<td>Emergency Communication Centres Operation, Provision of Facility Management Services and Supply</td>
<td></td>
</tr>
<tr>
<td></td>
<td>of Consumables</td>
<td></td>
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<tr>
<td></td>
<td>Project Supervision</td>
<td>25,000,000</td>
</tr>
<tr>
<td></td>
<td>Programmes and activities for Commissioning of completed centers</td>
<td>25,000,000</td>
</tr>
<tr>
<td></td>
<td>National and International Emergency Communication Conference and Workshops</td>
<td></td>
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<tr>
<td></td>
<td>TOTAL</td>
<td>2,396,440,000</td>
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</tbody>
</table>

**GSM & CDMA NETWORKS QoS**

Quarterly Monitoring of Non-Technical Aspect of QoS Regulation and Collocation Service Providers’ KPIs to ensure Good Quality of Service Nationwide

- Hardware repairs and spares, software patches and updates
  - 1st, 2nd and 3rd level O&M support and report templates
  - configuration and capacity building
  - Fibre transmission leased capacity

Upgrade of hardware and software components to support new functionalities

- Carry out drive test in selected area across the country
- Provision of Hardware and Software support, equipment spares, faulty equipment replacement, 1st, 2nd and 3rd level operations and maintenance of QoE Reporting and monitoring system
- Provision of new protocol analyser system to enable signalling protocol analysis on interconnect links
- Holistic Assessment of QoS using multiple data sources
- End User SMS Authentication system for IMEI based mobile devices, Qr Coding of Type Approval Identifier label and hands on the system
- Local Site Approval, type Approval and Equipment Audit
- Upgrade of Tariff and billing monitoring system with servers and SIM simulators
- Financial Inclusion Desk Collaborative Meetings with CBN and other Stakeholders
- Formal Enforcement & Prosecution of QoS defaulters
- Enforcement Activities on Abandoned/Disused Masts and Towers
- Audit Exercise on Direction on Forceful Subscription & Auto Renewals
- Sensitization/Awareness Workshop in the 6 geo-political zones on EMF/Health and New Media

EMF Exposure Level Measurement in Nigeria

Implementation Framework for the Guideline on Accounting Separation

Determination of Tower overload
- Verify Tower torque
- Carry out Tower modelling
- Determine Tower structural integrity
- Certification of Tower

Compliance Monitoring of Number Portability Regime & Business Rules

Combat Mobile Crime in Nigeria/Deployment of Device Management Solution

100,000,000
Decommissioning of abandoned Masts/towers in the country & TOTAL GSM & CDMA NETWORKS QoS

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
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</thead>
<tbody>
<tr>
<td>Decommissioning of abandoned Masts/towers in the country</td>
<td>50,000,000</td>
</tr>
<tr>
<td><strong>MULTIPLE TAXATION &amp; REGULATION (MTR)</strong></td>
<td></td>
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<tr>
<td>Stakeholders' Workshop on Multiple taxation/Regulations in the industry to</td>
<td>20,000,000</td>
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<tr>
<td>be conducted in the 6 regions in the country to mitigate challenges</td>
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<tr>
<td>posed by multiple taxation, regulation in the country</td>
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<tr>
<td>National stakeholders’ Forum on Multiple Taxation and Regulation</td>
<td>25,000,000</td>
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<tr>
<td>Regulatory Intervention meetings with States on multiple taxation/</td>
<td></td>
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<tr>
<td>regulation</td>
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<tr>
<td>Facilitation of the meeting of the Industry working Group (IWG) on</td>
<td>20,000,000</td>
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<tr>
<td>multiple taxation/regulation</td>
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<tr>
<td><strong>SUBSCRIBER DATABASE MANAGEMENT</strong></td>
<td>215,000,000</td>
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<tr>
<td>Central Data Centre Maintenance and Management: Maintenance</td>
<td>150,000,000</td>
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<tr>
<td>&amp; Management of the NSIM Card Registration Central Database</td>
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<tr>
<td>AFIS Software License Fees: AFIS and workflow/identity Software</td>
<td>460,000,000</td>
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<tr>
<td>License fees for 60M records</td>
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<tr>
<td>Harmonisation of SIM Registration Database with National Identity Management System (NIMS)</td>
<td>80,000,000</td>
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<tr>
<td>Deployment of Data Recovery (DR) Site</td>
<td>50,000,000</td>
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<tr>
<td>Supply and Installation of Additional Power Backup Systems for SIM</td>
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<tr>
<td>Card Registration Datacenter</td>
<td></td>
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<tr>
<td>Supply and Installation of Additional Computer Processing System</td>
<td>60,000,000</td>
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<tr>
<td>Enclosure and Hard Drives for SIM Card Registration Datacenter</td>
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<tr>
<td>Data Storage</td>
<td></td>
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<tr>
<td>Monitoring of SIM Registration exercise Key Performance Indicators</td>
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<tr>
<td>SIM Registration Datacenter Cooling Systems Maintenance</td>
<td></td>
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<tr>
<td>HPE Networking, HP EVA and P6000 Administration and Management Training</td>
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<tr>
<td><strong>TOTAL SUBSCRIBER DATABASE MANAGEMENT</strong></td>
<td>800,000,000</td>
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<tr>
<td><strong>BROADBAND INFRASTRUCTURE DEVELOPMENT PROJECT</strong></td>
<td></td>
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<tr>
<td>Subsidy for Broadband deployment Phase 1&amp;2 (INFRACOS)</td>
<td>17,000,000,000</td>
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<tr>
<td>Fibre Deployment Study and Framework</td>
<td></td>
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<tr>
<td>Consultancy for Phase 1 &amp; 2 of the of the broadband deployment</td>
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<tr>
<td>Broadband Meetings and Milestone Monitoring</td>
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<td>IXPN Route Link Intervention</td>
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<tr>
<td>Consultancy for Broadband Parliament and Monitoring</td>
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<tr>
<td>Capacity Building for Broadband Implementation and Monitoring</td>
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<tr>
<td>Committee</td>
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<tr>
<td>Broadband Infrastructure Development Project Management and Evaluation</td>
<td>80,000,000</td>
</tr>
<tr>
<td>Project Vehicles</td>
<td>171,800,000</td>
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<tr>
<td><strong>Broadband Infrastructure Development Project</strong></td>
<td>17,251,800,000</td>
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<td><strong>TOTAL SPECIAL PROJECTS</strong></td>
<td>20,863,690,000</td>
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<td></td>
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<tr>
<td><strong>R&amp;D in Emerging Trends in Telecoms</strong></td>
<td>200,450,000</td>
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<tr>
<td>ICT Training for youths in the 6 geo-political zones, to stimulate</td>
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<tr>
<td>ICT Research</td>
<td></td>
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<tr>
<td><strong>TOTAL SPECIAL PROJECTS</strong></td>
<td>20,863,690,000</td>
</tr>
</tbody>
</table>
SUMMARY OF 2020 CAPITAL EXPENDITURE

Internal Projects 4,289,130,726
School Support Programme 1,250,000,000
Digital Job Creation (Social Intervention Programme) 2,196,000,000
Consultancies 394,330,500
Total Capital Expenditure 8,129,461,226

SPECIAL PROJECTS

Emergency Communications Centres (ECC) 2,396,440,000
Subscribers Database Management 800,000,000
Broadband Infrastructure Development Project 17,251,800,000
GSM & CDMA Networks QOS Driving and Online Monitoring 215,000,000
ICT Parks
R & d in Emerging Trends in Telecoms 200,450,000
Total Special Projects 20,863,690,000
Total Capital & Special Projects 28,993,151,226

Main Question,
That the expenditure of ₦140,383,591,000 (One Hundred and Forty, Billion, Three Hundred and Eighty-Three Million, Five Hundred and Ninety-One Thousand Naira only) be approved as the Nigerian Communications Commission’s Year 2020 Budget.

13. Joint Committee on Navy; Marine Transport; and Finance:
Report on the Investigation of the Illegal Security Activities by Ocean Marine Solutions Limited (OMSL) at the Secure Anchorage Area (SAA) of Lagos Ports:

Motion made: That the Senate do consider the Report of the Joint Committee on Navy; Marine Transport; and Finance on the Investigation of the Illegal Security Activities by Ocean Marine Solutions Limited (OMSL) at the Secure Anchorage Area (SAA) of Lagos Ports (Senator George T. Sekibo — Rivers East).

Question put and agreed to.

Report Presented.

Debate:

Proposed Resolution (i):

Question: That the Nigerian Navy, the Nigerian Ports Authority and NIMASA, should be commended for initiating and implementing a process that led to the provision of enhanced and advanced maritime security in the Secured Anchorage Area (SAA) in the Lagos waters in 2013 that has led in checkmating the high rate of attacks on vessels waiting to berth at the Lagos ports — Agreed to.

Proposed Resolution (ii):

Question: That Ocean Marine Solution Limited (OMSL) should be commended for its genuine national interests in investing over Four Hundred Million ($400,000,000) Dollars into the Security at the Secured Anchorage Area (SAA) in particular and the Nigerian waterways in general by providing the needed platforms and logistics for the Nigerian Navy to effectively perform 24/7/365 patrol operations as well as to provide the required protection for vessels waiting to berth at the Lagos ports — Agreed to.
Proposed Resolution (iii):
Question: That since no fraud is found in the operations of the OMSL and is operating at no cost to government, OMSL should be allowed to continue its operation at the SAA until such a time when a better and more cost effective system is put in place by the government — Agreed to.

Proposed Resolution (iv):
Question: That the Nigerian Navy should be properly funded to enable it procure needed vessels to clear the over one hundred and fifty (150) vessels deficit to enable them carry out their constitutional responsibilities without over depending on Private Maritime Logistics Support Companies (PMLSC) — Agreed to.

Resolved:
(i) That the Nigerian Navy, the Nigerian Ports Authority and NIMASA, should be commended for initiating and implementing a process that led to the provision of enhanced and advanced maritime security in the Secured Anchorage Area (SAA) in the Lagos waters in 2013 that has led in checkmating the high rate of attacks on vessels waiting to berth at the Lagos ports;

(ii) That Ocean Marine Solution Limited (OMSL) should be commended for its genuine national interests in investing over Four Hundred Million ($400,000,000) Dollars into the Security at the Secured Anchorage Area (SAA) in particular and the Nigerian waterways in general by providing the needed platforms and logistics for the Nigerian Navy to effectively perform 24/7/365 patrol operations as well as to provide the required protection for vessels waiting to berth at the Lagos ports;

(iii) That since no fraud is found in the operations of the OMSL and is operating at no cost to government, OMSL should be allowed to continue its operation at the SAA until such a time when a better and more cost effective system is put in place by the government; and

(iv) That the Nigerian Navy should be properly funded to enable it procure needed vessels to clear the over one hundred and fifty (150) vessels deficit to enable them carry out their constitutional responsibilities without over depending on Private Maritime Logistics Support Companies (PMLSC) (S/Res/107/01/19).

15. Committee on Tertiary Institutions and TETFUND:
Report on the Federal University of Gashua (Establishment, etc.) Bill, 2019 (SB. 152):
Motion made: That the Senate do receive and consider the Report of the Committee on Tertiary Institutions and TETFUND on the Federal University of Gashua (Establishment, etc.) Bill, 2019 (Senator Babba Kaita Ahmad — Katsina North).

Question put and agreed to.

Report Laid and presented.

Motion made: That the Senate do resolve into the Committee of the Whole to consider the Report (Deputy Chief Whip).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO ESTABLISH THE FEDERAL UNIVERSITY, GASHUA AND TO MAKE COMPREHENSIVE PROVISIONS FOR ITS DUE MANAGEMENT AND ADMINISTRATION AND OTHER RELATED MATTERS, 2019.
Clause 1: **Establishment and Objects of the Federal University, Gashua.**

(1) There is established the Federal University, Gashua (in this Bill referred to as "the University").

(2) The University:
(a) shall be a body corporate with perpetual succession and a common seal; and
(b) may sue or be sued in its corporate name and shall have power to acquire, hold and dispose of movable properties.

**Committee's Recommendation:**
That the provision of Clause 1 be retained *(Senator Ahmad, Babba Kaita) — Agreed to.*

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

Clause 2: **Objects of the University.**
The objects of the University shall be to:

(a) 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 higher and liberal education;

(b) provide courses of instruction and other facilities for the pursuit of learning in all its branches, and to make those facilities available on proper terms to such persons as are equipped to benefit from them;

(c) encourage and promote scholarship and conduct research in restricted fields of learning and human endeavour;

(d) relate its activities to the social, cultural and economic needs of the people of Nigeria; and

(e) undertake other activities appropriate for a university of the highest standard.

**Committee's Recommendation:**
That the provision of Clause 2 be retained *(Senator Ahmad, Babba Kaita) — Agreed to.*

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

Clause 3: **Constitution of the University and its Constituent Bodies, etc.**

(1) The University shall consist of:

(a) a Chancellor;

(b) a Pro-Chancellor and a Council;

(c) a Vice Chancellor and a Senate;

(d) a Deputy Vice-Chancellor;

(e) a body to be called Congregation;

(f) a body to be called Convocation;

(g) the campuses and colleges of the University;
(h) the faculties, schools, institutes and other teaching and research units of the University;

(i) the persons holding the offices constituted by the First Schedule to this Bill other than those mentioned in paragraphs (a) to (c) of this subsection;

(j) all graduates and undergraduates; and

(k) all other persons who are members of the University in accordance with provisions made by Statute in that behalf.

(2) The First Schedule to this Bill shall have effect with respect to the Principal Officers of the University mentioned therein.

(3) Provision shall be made by Statute with respect to the constitution of the following bodies, namely:

(a) the Council;

(b) the Senate;

(c) the Congregation; and

(d) the Convocation.

Committee's Recommendation:
That the provision of Clause 3 be retained (Senator Ahmad, Babba Kaita) — Agreed to.

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

Clause 4: Powers of the University.

(1) For the carrying out of its objects as specified in Section 2 of this Bill, the University shall have power to:

(a) establish such campuses, colleges, faculties, institutes, schools, extra-mural departments and other teaching and research units within the University as may from time to time seem necessary or desirable, subject to the approval of the National Universities Commission;

(b) institute professorships, readerships and associate professorships, lectureships and other posts and offices and to make appointments thereto;

(c) institute and award fellowships, scholarships, exhibitions, bursaries, medals, prizes and other titles, distinctions, awards and forms of assistance;

(d) provide for the residence, discipline and welfare of members of the University;

(e) hold examinations and award degrees, diplomas, certificates and other distinctions to persons who have pursued a course of study approved by the University and have satisfied such other requirements as the University may lay down;
(f) award honorary degrees, fellowships or academic titles;

(g) demand and receive from any student or any other person attending the University for the purpose of instruction such fees as the University may from time to time determine, subject to the overall directives of the appropriate authority;

(h) subject to section 22 of this Bill, to acquire, hold, grant, charge or otherwise deal with or dispose of movable and immovable property wherever situate;

(i) accept gifts, legacies and donations, but without obligation to accept the same for a particular purpose unless it approves the terms and conditions attaching thereto;

(j) enter into contracts, establish trusts, act as trustee, solely or jointly with any other person, and employ and act through agents;

(k) erect, provide, equip and maintain libraries, laboratories, lecture halls, halls of residence, refectories, sports grounds, playing fields and other buildings or things necessary, suitable or convenient for any of the objects of the University;

(l) hold public lectures and undertake printing, publishing and book selling;

(m) subject to any limitations or conditions imposed by Statute, to invest any moneys appertaining to the University by law of endorsement, whether for general or special purposes, and such other moneys as may not be immediately required for current expenditure, in any investments or securities or in the purchase or improvement of land, with power from time to time to vary any such investments and to deposit any moneys for the time being un-invested with any bank on deposit or current account;

(n) borrow, whether on interest or not, and if need be, upon the security of any or all of the property movable or immovable of the University, such moneys as the Council may from time to time in its discretion find necessary or expedient to borrow or to guarantee any loan, advances or credit facilities;

(o) make gifts for any charitable purpose;

(p) do anything which it is authorized or required by this Bill or by any other Statute to do; and

(q) do all such acts or things, whether or not incidental to the foregoing powers, as may advance the objects of the University.

(2) Subject to the provisions of this Bill and of the Statutes made thereunder and without prejudice to Section 9 (2) of this Bill, the powers conferred on the University by subsection (1) of this section shall be exercisable on behalf of the University by the Council or by the Senate or in any other manner which may be authorized by this Bill.
Committee’s Recommendation:
That the provision of Clause 4 be retained (Senator Ahmad, Babba Kaita) — Agreed to.

Question that Clause 4 do stand part of the Bill, put and 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 is present shall preside at all meetings of convocation held for conferring degrees.

(2) The Pro-Chancellor shall, in relation to the University, take precedence before all other members of the University except the Chancellor, and except for the Vice-Chancellor when acting as Chairman of Congregation or Convocation, and the Pro-Chancellor shall when he is present, be the Chairman at all meetings of the Council.

Committee’s Recommendation:
That the provision of Clause 5 be retained (Senator Ahmad, Babba Kaita) — Agreed to.

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

Clause 6: Establishment and Composition of Council.
(1) There shall be a Council for the University consisting of:
   (a) the Pro-Chancellor;
   (b) the Vice-Chancellor;
   (c) the Deputy Vice-Chancellors;
   (d) one person from the Federal Ministry responsible for Education;
   (e) four persons representing a variety of interest and broadly representative of the whole Federation;
   (f) four persons appointed by the Senate from among its members;
   (g) two persons appointed by the congregation from among its members; and
   (h) one persons appointed by Convocation from among its members.

(2) Persons to be appointed to the Council shall be persons of proven integrity, knowledgeable and familiar with the affairs and tradition of the University.

Committee’s Recommendation:
That the provision of Clause 6 be retained (Senator Ahmad, Babba Kaita) — Agreed to.

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

Clause 7: Functions of the Council and its Finance and General Purpose.
(1) Subject to the provisions of this Bill relating to the Visitor, the Council shall be the Governing Body of the University and shall be charged with the general control and superintendence of the policy, finances and property of the University, including its public relations.
(2) There shall be a committee of the Council to be known as the Finance and General Purposes Committee, which shall, subject to the directions of the Council, exercise control over the property and expenditure of the Council as the Council may from time to time delegate to it.

(3) Provision shall be made by Statute with respect to the constitution of the Finance and General Purposes Committee.

(4) The Council shall ensure proper accounts of the University are kept and that the accounts of the University are audited annually by auditors appointed by the Council from the list and in accordance with guidelines supplied by the Auditor-General of the Federation, and that an annual report is published by the University together with certified copies of the said accounts as audited.

(5) Subject to this Bill and the Statutes, the Council and the Finance and General Purposes Committee may each make rules for the purpose of exercising any of their respective functions or of regulating their own procedure.

(6) Rules made under subsection (5) of this section by the Finance and General Purposes Committee shall not come into force unless approved by the Council, and where any rule so made by the Committee conflict with any directions given by the Council (whether before or after the coming into force of the rules in question), the direction of the Council shall prevail.

(7) There shall be paid to the members of the Council, the Finance and General Purposes Committee and of any other committee set up by the Council, allowances in respect of travelling and other reasonable expenses, at such rates as may from time to time be fixed by extant government circulars.

(8) The Council shall meet as and when necessary for the performance of its functions under this Bill, and shall meet at least four times every year.

(9) If required in writing by any five members of the Council, the Chairman shall within twenty-eight days after the receipt of such request call a meeting of the Council:

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

Committee's Recommendation:
That the provision of Clause 7 be retained (Senator Ahmad, Babba Kaita) — Agreed to.

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

Clause 8: Functions of the Senate.

(i) Subject to section 5 of this Bill and subsections (3) and (4) of this section and to the provisions of this Bill relating to the Visitor, it shall be the general function of the Senate to organize and control teaching in the University, admission of students, the discipline of students and to promote research in the University.
(2) Without prejudice to the generality of the provisions of subsection (1) of this section, it shall in particular be the function of the Senate to make provision for the:

(a) establishment, organization and control of campuses, colleges, faculties, departments, schools, institutes and other teaching and research units of the University, and the allocation of responsibility for different branches of learning;

(b) organization and control of courses of study in the University and of the examinations held in conjunction with those courses, including the appointment of examiners, both internal and external;

(c) award of degrees, and such other qualifications as may be prescribed, in connection with examinations conducted by the University;

(d) making of recommendations to the Council with respect to the award to any person of an honorary fellowship or honorary degree or the title of professor emeritus;

(e) establishment, organization and control of halls of residence and similar institutions in the University;

(f) supervision of the welfare of students in the University and the regulation of their conduct;

(g) granting of fellowships, scholarships, prizes and similar awards in so far as the awards are within the control of the University; and

(h) determination of what description of dress shall be academic dress for the purposes of the University, and regulating the use of academic dress.

(3) The Senate shall not establish any new campus, college, faculty, department, school, institute or other teaching and research units of the University, or any hall of residence or similar institution at the University without the approval of the Council.

(4) (a) Subject to this Bill and the Statutes, the Senate may make regulations for the purpose of exercising any function conferred on it either by the provisions of this section or for the purpose of providing for any matter for which provision by regulation is authorized or required by this Bill or by Statute.

(b) The Senate shall, by regulation, provide that at least one of the persons appointed as examiners at each final or professional examination held in conjunction with any course of study in the University is not a teacher at the University but is a teacher at the branch of learning to which the course relates in some other university of high repute.

(5) Subject to a right of appeal to the Council from a decision of the Senate under this subsection, the Senate may deprive any person of any degree, diploma or other award of the University which has been conferred on him if after due enquiry he is shown to have been guilty of any dishonourable or scandalous conduct in gaining admission into the University or obtaining that award.
Committee's Recommendation:
That the provision of Clause 8 be retained (Senator Ahmad, Babba Kaita) — Agreed to.

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

Clause 9: Functions of the Vice-Chancellor.
(1) The Vice-Chancellor shall, in relation to the University, take precedence before all other members of the University except the Chancellor and, subject to section 5 of this Bill, the Pro-Chancellor and any other person for the time being acting as Chairman of the Council.

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

Committee's Recommendation:
That the provision of Clause 9 be retained (Senator Ahmad, Babba Kaita) — Agreed to.

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

PART II - TRANSFER OF PROPERTY

Clause 10: Transfer of Property to the University.
(1) All property held by or on behalf of the Provisional Council shall, by virtue of this subsection and without further assurance, vest in the University and be held by it for the purpose of the University.

(2) The provisions of the Second Schedule to this Bill shall have effect with respect to the transfer of property by this section and to matters arising therefrom and with respect to other matters mentioned in that Schedule.

Committee's Recommendation:
That the provision of Clause 10 be retained (Senator Ahmad, Babba Kaita) — Agreed to.

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

PART III - STATUTES OF THE UNIVERSITY

Clause 11: Power of the University to make Statutes.
(1) Subject to this Bill, the University may make Statutes for any of the following purposes:
   (a) making provision with respect to the composition and constitution of any authority of the University;

   (b) specifying and regulating the powers and duties of any authority of the University, and regulating any other matter connected with the University or any of its authorities;

   (c) regulating the admission of students where it is done by the University, and their discipline and welfare;
(d) determining whether any particular matter is to be treated as an academic or non-academic matter for the purposes of this Bill and of any Statute, regulation or other instrument made there-under; and

(e) making provision for other matters for which provision by Statute is authorized or required by this Bill.

(2) Subject to section 25 (6) of this Bill, the Interpretation Bill shall apply in relation to any Statute made under this section as it applies to a subsidiary instrument within the meaning of section 27 (1) of that Bill.

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

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

Committee’s Recommendation:
That the provision of Clause 11 be retained (Senator Ahmad, Babba Kaita) — Agreed to.

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

Clause 12: Mode of Exercising the Power to Make Statutes.
(1) The power of the University to make Statutes shall be exercised in accordance with the provisions of this section.

(2) A proposed Statute shall not have the force of law until it has been approved at a meeting of the:
(a) Senate, by the votes of not less than two thirds of the members present and voting; and

(b) Council by the votes of not less than two thirds of the members present and voting.

(3) A proposed Statute may originate either in the Senate or Council, and may be approved as required by subsection (2) of this section by both bodies in no particular order.

(4) A Statute which:
(a) makes provision for or alters the composition or constitution of the Council, the Senate or any other authority of the University; or

(b) provides for the establishment of a new campus or college or for the amendment or revocation of any Statute whereby a campus or college is established;

shall not come into operation unless it has been approved by the Visitor.

(5) For the purpose of section 2 (2) of the Interpretation Act, a Statute shall be treated as being made on the date on which it is approved by the Council and the Senate in accordance with subsection (3) of this section or in the case of a Statute falling within subsection (4) of this section, on the date on which it is approved by the President.
Committee's Recommendation:
That the provision of Clause 12 be retained (Senator Ahmad, Babba Kaita) — Agreed to.

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

Clause 13: Proof of Statute.
A Statute may be proved in any court by the production of a copy thereof bearing or having affixed to it a certificate signed by the Vice-Chancellor or the Registrar to the effect that the copy is a true copy of a Statute of that University.

Committee's Recommendation:
That the provision of Clause 13 be retained (Senator Ahmad, Babba Kaita) — Agreed to.

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

Clause 14: Power to Decide the Meaning of Statute.
(1) In the event of any doubt or dispute arising at any time as to the meaning of any provision of a Statute, the matter may be referred to the Visitor, who shall take such advice and make such decision thereon as he deems fit.

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

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

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

Committee's Recommendation:
That the provision of Clause 14 be retained (Senator Ahmad, Babba Kaita) — Agreed to.

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

PART IV - SUPERVISION AND DISCIPLINE

Clause 15: The Visitor.
(1) The President shall be the Visitor of the University.

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

Committee's Recommendation:
That the provision of Clause 15 be retained (Senator Ahmad, Babba Kaita) — Agreed to.

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

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

(2) It shall be the duty of the Minister to use his best endeavours to cause a copy of the instrument embodying a direction under subsection (1) of this section to be served as soon as reasonably practicable on the person to whom it relates.

Committee's Recommendation:
That the provision of Clause 16 be retained (Senator Ahmad, Babba Kaita) — Agreed to.

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

Clause 17: Removal and Discipline of Academic, Administrative and Professional Staff.
(1) If it appears to the Council that there are reasons for believing that any person employed as a member of the academic, administrative or professional staff of the University, other than the Vice-Chancellor, should be removed from office or on grounds of misconduct or inability to perform the functions of his office Council shall:
(a) give notice of those reasons to the person in question;
(b) afford such person an opportunity of making representation in person on the matter to the Council; and
(c) take a decision to terminate or not to terminate the appointment.

(2) If the affected staff or any three members of the Council so request within a period of one month from the date of receipt of the notice of the Council's decision, the Council shall make arrangements for:
(a) a joint committee of the Council and the Senate to review the matter and to report on it to the Council;
(b) the person in question to be afforded an opportunity to appear before and be heard by an investigating committee with respect to the matter;

and if the Council after considering the report of the investigating committee, is satisfied that the person in question should be removed, the Council may so remove him by an instrument in writing signed on the directions of the Council.
(3) The Vice-Chancellor may, in a case of gross misconduct by a member of staff which in the opinion of the Vice-Chancellor is prejudicial to the interest of the University, suspend such member and any such suspension shall immediately be reported to the Council.

(4) Any member of staff may be suspended from duty or his appointment may be terminated by Council for a good cause and for the purposes of this subsection "good cause" means:

(a) conviction for any offence which the Council considers to be such as to render the person concerned unfit for the discharge of the functions of his office;

(b) any physical or mental incapacity which the Council, after obtaining medical advice, considers to be such as to render the person concerned unfit to continue to hold office;

(c) conduct of a scandalous or disgraceful nature which the Council considers to be such as to render the person concerned unfit to continue to hold office; or

(d) conduct which the Council considers to be such as to constitute failure or inability of the person concerned to discharge the functions of his office or to comply with the terms and conditions of his service.

(5) Any person suspended pursuant to subsection (3) of this section shall be on half pay and the Council shall before the expiration of a period of three months from the date of such suspension consider the case against that person and come to a decision as to whether to:

(a) continue such person's suspension and if so on what terms (including the proportion of his emoluments to be paid to him);

(b) reinstate such person in which case the Council shall restore his full emoluments with effect from the date of suspension;

(c) terminate the appointment of the person concerned in which case such a person will not be entitled to the proportion of his emoluments withheld during the period of suspension; or

(d) take such lesser disciplinary action against such person (including the restoration of such proportion of his emoluments that might have been withheld) as the Council may determine.

(6) Where the Council, pursuant to this section, decides to continue a person's suspension or decides to take further disciplinary action against the person, the Council shall, before the expiration of three months from such decision come to a final determination in respect of the case concerning such a person.

(7) It shall be the duty of the person by whom an instrument of removal is signed in pursuance of subsection (1) above to use his best endeavours to cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it relates.

(8) Nothing in the foregoing provisions of this section shall prevent the Council from making regulations for the discipline of staff and workers of the University as may be appropriate.
Committee’s Recommendation:
That the provision of Clause 17 be retained (Senator Ahmad, Babba Kaita) — Agreed to.

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

Clause 18: Removal of Examiners.
(1) If, on the recommendation of the Vice-Chancellor, it appears to the Senate that a person appointed as an examiner for any examination of the University ought to be removed from his office or appointment, then, the Senate may, after affording the examiner an opportunity of making representations in person on the matter, direct the Vice-Chancellor to remove the examiner by an instrument in writing signed by the Registrar.

(2) Subject to the provisions of any regulation made pursuant to section 8 (4) of this Bill, the Vice-Chancellor may, on the recommendation of Senate, appoint an appropriate person as examiner in the place of the examiner removed.

(3) It shall be the duty of the Registrar on signing an instrument of removal pursuant to this section, to use his best endeavours to cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it relates.

Committee’s Recommendation:
That the provision of Clause 18 be retained (Senator Ahmad, Babba Kaita) — Agreed to.

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

Clause 19: Discipline of Students.
(1) Subject to the provisions of this section, where it appears to the Vice-Chancellor that any student is guilty of misconduct, the Vice-Chancellor may, without prejudice to any other disciplinary powers conferred on him by Statute or regulations, direct that the:
(a) student shall not, during such period as may be specified in the direction, participate in such activities of the University or make use of such facilities of the University as may be so specified;
(b) activities of the student shall, during such period as may be specified in the direction, be restricted in such manner as may be so specified;
(c) student be rusticated for such period as may be specified in the direction; or

(2) Where a direction is given under subsection (1) paragraphs (c) or (d) of this section in respect of any student, the student may, within the prescribed period and in the prescribed manner, appeal against the direction to the Senate.

(3) Where an appeal is brought pursuant to subsection (2) of this section, the Senate shall, after causing such inquiry to be made in the matter as the Senate considers just, either confirm or set aside the direction or modify it in such manner as the Senate thinks fit.

(4) The fact that an appeal from a direction is brought pursuant to subsection (2) of this section shall not affect the operation of the direction while the appeal is pending.
(5) The Vice-Chancellor may delegate his powers under this section to a disciplinary board consisting of such members of the University as he may nominate.

(6) Nothing in this section shall be construed as preventing the restriction or termination of a student's activities at the University for conduct which in the opinion of Senate is prejudicial to the interest of the University or to its corporate objective or image.

(7) A direction under subsection (1) (a) of this section may be combined with a direction under subsection (1) (b) of this section.

Committee’s Recommendation:
That the provision of Clause 19 be retained (Senator Ahmad, Babba Kaita) — Agreed to.

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

PART V - MISCELLANEOUS AND GENERAL PROVISIONS

Clause 20: Exclusion or Discrimination on Account of Race, Religion, etc.
(1) No person shall be required to satisfy requirements as to any of the following matters, that is to say, race (including ethnic grouping) sex, place of birth, family origin, religious or political persuasion, as a condition for becoming or continuing to be a:
(a) student in the University;
(b) holder of any degree, appointment or employment in the University; or
(c) member of any body established by virtue of this Bill.

(2) No person shall be subjected to any disadvantage or accorded any advantage in relation to the University by reference to any of the matters referred to in subsection (1) of this section.

(3) Nothing in subsection (1) of this section shall be construed as preventing the University from imposing any disability or restriction on any of the persons specified in subsection (1) of this section where such persons wilfully refuse or fail on grounds of religious belief to undertake any duty generally and uniformly imposed on all such persons or any group of them which duty, having regard to its nature and the special circumstances, is in the opinion of the University reasonably justifiable in the national interest.

Committee’s Recommendation:
That the provision of Clause 20 be retained (Senator Ahmad, Babba Kaita) — Agreed to.

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

Clause 21: Transfer of Land to the University.
(1) For the purpose of the Land Use Act (which provides for the compulsory acquisition of land for public purposes) any purpose of the University shall be the same as that of the Federation.

(2) Where an estate or interest in land is acquired by the Government pursuant to this section, the Government may, by a certificate under the hand and seal of the Chief Federal Lands Officer or any other person authorized in that behalf transfer it to the University.
Committee’s Recommendation:
That the provision of Clause 21 be retained (Senator Ahmad, Babba Kaita) — Agreed to.

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

Clause 22: Restriction on Disposal of Land by University.
Without prejudice to the provisions of the Land Use Act, the University shall not dispose of or charge any land or an interest in any land (including any land transferred to the University by this Bill) except with the prior written consent, either general or special, of the Visitor:

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

Committee’s Recommendation:
That the provision of Clause 22 be retained (Senator Ahmad, Babba Kaita) — Agreed to.

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

Clause 23: Quorum and Procedure of Bodies Established by this Bill.
Except as may be otherwise provided by Statute or by Regulation, the quorum and procedure of any body of persons established by this Bill shall be such as may be determined by that body.

Committee’s Recommendation:
That the provision of Clause 23 be retained (Senator Ahmad, Babba Kaita) — Agreed to.

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

Clause 24: 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 authorize a committee established by it to:

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

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

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

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

(4) The Pro-Chancellor and the Vice-Chancellor shall be members of every committee of which the members are wholly or partly appointed by the Council, (other than a committee appointed to inquire into the conduct of the officer in question) and the Vice-Chancellor shall be a member of every committee of which the members are wholly or partly appointed by the Senate.
Nothing in the foregoing provisions of this section shall be construed as enabling:

(a) statutes to be made otherwise than in accordance with section 11 of this Bill;

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

Committee’s Recommendation:
That the provision of Clause 24 be retained (Senator Ahmad, Babba Kaita) — Agreed to.

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

Clause 25: Miscellaneous Administrative Provisions.

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

(a) in the case of certificates issued by the University, be authenticated by the Vice-Chancellor and the Registrar; and

(b) in the case of any other document, be authenticated by any member of Council, the Vice-Chancellor and the Registrar or any other person authorized by Statute.

(2) Any document purporting to be a document executed under the seal of the University shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed.

(3) Any contract or instrument which, if made or executed by a person not being a body corporate, would not be required to be under seal, may be made or executed on behalf of the University by any person generally or specially authorized to do so by the Council without seal.

(4) The validity of the proceedings of anybody established pursuant to this Act shall not be affected by any vacancy in the membership of the study, or by any defect in the appointment of a member of the body or by reason that any person not entitled to do so took part in the preceding.

(5) Any member of any such body who has a personal interest in any matter proposed to be considered by that body shall disclose his interest to the body and shall not vote on any question relating to that matter.

(6) Nothing in section 12 of the Interpretation Bill (which provides for the application, in relation to subordinate legislation, of certain incidental provisions) shall apply to Statutes or Regulations made pursuant to this Bill.

(7) The power conferred by this Bill on anybody to make Statute or Regulations shall include power to revoke or vary any:

(a) Statute (including the Statute contained in the Third Schedule to this Bill);

(b) regulation by a subsequent Statute or Regulation as the case may be;

PROVIDED that the Statutes and Regulations may have different provisions in relation to different circumstances.
Clause 26: Interpretation.

(1) In this Bill:
"the Act" means the Federal University, Gashua Act;

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

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

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

"graduate" means a person on whom a degree (other than an honorary degree) has been conferred by the University;

"gross misconduct" means any act of misconduct and improper behaviour that may be designated as gross misconduct by any Statute or Regulation made, pursuant to this Bill.

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

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

"notice" means notice in writing;

"officer" does not include the Visitor;

"prescribed" means prescribed by Statute or Regulation made under this Bill;

"professor" means a person designated as a professor of the University in accordance with provisions made in that behalf by Statute or by Regulations;

"property" includes rights, liabilities and obligations;

"the provisional Council" means the provisional Council appointed for the University by the President with effect from September 2011;

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

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

"Statute" means a Statute made by the University under section 11 of this Bill and in accordance with the provisions of section 12 of this Bill;
"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;

"Government" means the Federal Government of Nigeria;

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

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

"undergraduate" means a person in statu pupillari in the University, other than:
(a) a graduate; and
(b) a person of such description as may be prescribed for the purposes of this definition.

"the University" the Federal University, Gashua as incorporated and constituted by this Bill; and

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

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

**Committee's Recommendation:**
That the provision of Clause 26 be retained (Senator Ahmad, Babba Kaita) — Agreed to.

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

**Clause 27: Short Title.**
This Bill may be cited as the Federal University, Gashua (Establishment, etc.) Bill, 2019.

**Committee's Recommendation:**
That the provision of Clause 27 be retained (Senator Ahmad, Babba Kaita) — Agreed to.

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

**SCHEDULES**
**FIRST SCHEDULE**

*Section 3 (2)*

**Principal Officers of the University**

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

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

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

4. Deputy Vice-Chancellor.
(1) There shall be for the University, two Deputy Vice-Chancellors or such number of Deputy Vice-Chancellors as the Council may, from time to time, deem necessary for the proper administration of the University.

(2) The procedure for the appointment and removal of the Deputy Vice-Chancellor shall be in accordance with the provisions of the Universities (Miscellaneous Provisions) Act 1993 as amended.

(3) A Deputy Vice-Chancellor shall:
(a) assist the Vice-Chancellor in the performance of his functions;

(b) act in place of the Vice-Chancellor when the post of the Vice-Chancellor is vacant or if the Vice-Chancellor is, for any reason, absent or unable to perform his functions as Vice-Chancellor; and

(c) perform such other functions as the Vice-Chancellor or the Council may, from time to time, assign to him.

5. Office of the Registrar, Bursar and University Librarian.
(1) There shall be for the University, a Registrar, who shall be the Chief Administrative Officer of the University and shall be responsible to the Vice-Chancellor for the day-to-day administration of the University except as regards matters for which the Bursar is responsible in accordance with paragraph 6 (2) below.

(2) The person holding the office of Registrar shall by virtue of that office be Secretary to the Council, the Senate, Congregation and Convocation.

(3) The Registrar, Bursar and Librarian shall hold office for a single term of five (5) years only beginning from the effective date of appointment and on such terms and conditions as may be specified in the appointment letter.

In addition to the above, the Councils may, upon satisfactory performance, extend the tenure of the Registrar, Bursar or Librarian for a further period of one (1) year only and thereafter the Registrar, Bursar or Librarian shall relinquish the post and be assigned to other duties in the University.

period and on such terms and conditions as to emoluments as may be specified in his letter of appointment.

6. (1) There shall be for the University, the following Principal Officers in addition to the Registrar, that is:
(a) the Bursar; and

(b) the University Librarian.
(2) The Bursar shall be the Chief Financial Officer of the University and shall be responsible to the Vice-Chancellor for the day-to-day administration and control of the financial affairs of the University.

(3) The University Librarian shall be responsible to the Vice-Chancellor for the administration of the University Library and the co-ordination of all library services in the University and its campuses, colleges, faculties, schools, departments and institutes and other teaching or research units.

(4) The Bursar and the University Librarian:
(a) shall each hold office for such period and on such terms and conditions as to emoluments as may be specified in his letter of appointment.

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

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

9. Resignation and re-appointment.
(1) Any officer mentioned in the foregoing provisions of this schedule may resign his office in:
(a) the case of the Chancellor or Pro-Chancellor, by notice to the Visitor;
(b) the case of the Vice-Chancellor by notice to the Council which shall immediately notify the Minister; and

(2) A person who has ceased to hold an office so mentioned otherwise than by removal for misconduct shall be eligible for re-appointment to that office.

*Question that the provisions in the First Schedule stand part of this Bill — agreed to.*

**SECOND SCHEDULE**

**Section 10 (2)**

**TRANSFER OF PROPERTY, FUNCTIONS, ETC.**

*Transfer of Property to the University*

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

2. (1) All agreements, contracts, deeds and other instruments to which the provisional Council was a party shall, so far as possible and subject to any necessary modifications, have effect as if the University established by this Bill had been a party to it in place of the provisional Council.
(2) Documents not falling within sub-paragraph (1) above, including enactments, which refer whether specially or generally to the provisional Council shall be construed in accordance with that subparagraph so far as applicable.

(3) Any legal proceedings or application to any authority pending by or against the provisional Council may be continued by or against the University established by this Bill.

Registration of Transfers

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

(2) It shall be the duty of the body to which any property is transferred by this Bill to furnish the necessary particulars of the transfer to the proper officer of the registration authority, and of that officer to register the transfer accordingly.

4. (1) The first meeting of the Council shall be convened by the Pro-Chancellor on such date and in such manner as he may determine.

(2) The persons who were members of the provisional Council shall be deemed to constitute the Council until the date when the Council set up under the Third Schedule to this Bill must have been duly constituted.

(3) The first meetings of the Senate as constituted by this Bill shall be convened by the Vice-Chancellor on such date and in such manner as he may determine.

(4) The persons who were members of the Senate immediately before the coming into force of this Bill shall be deemed to constitute the Senate of the University until the date when the Senate as set up under the Third Schedule of this Bill must have been duly constituted.

(5) Subject to any regulations which may be made by the Senate after the date on which this Bill is made, the faculties, faculty boards and students of the University immediately before the coming into force of this Bill shall on that day become faculties, faculty boards and students of the University as established by this Bill.

(6) Persons who were deans or associate deans of faculties or members of faculty boards shall continue to be deans or associate deans or become members of the corresponding faculty boards, until new appointment are made in pursuance of the Statutes under this Bill.

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

6. Questions as to the scope of the responsibilities of the aforesaid officers shall be determined by the Vice-Chancellor.

Question that the provisions in the Second Schedule stand part of this Bill — agreed to.
THIRD SCHEDULE

FEDERAL UNIVERSITY, GASHUA STATUTE NO. 1

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

The Council
(1) Any member of Council holding office pursuant to section 6 (e) (f) (g) or (h) of this Bill may, by notice to the Council resign his office.

(2) A member of Council holding office pursuant to section 6 (e) (f) (g) or (h) of this Bill shall, unless he previously vacates it, vacate that office on the expiration of a period of four years starting from 1st August in the year in which he was appointed.

(3) Where a member of Council holding office pursuant to section 6 (e) (f) (g) or (h) of this Bill vacates office before the expiration of his tenure, the body that appointed him may appoint a successor to hold office for the residue of his unexpired term.

(4) A person ceasing to hold office as a member of Council otherwise than by removal for misconduct shall be eligible for reappointment for only one further period of four years.

(5) The quorum of the Council shall be five, at least one of whom shall be a member pursuant to Section 6 (d) and (e) of this Bill.

(6) If the Pro-Chancellor is not present at a meeting of the Council, the members present at the meeting may appoint one of them to be the Chairman at that meeting, and subject to section 5 of this Bill and the provisions of this paragraph the Council may regulate its own procedure.

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

(8) The Council constituted by this Bill shall have a four year tenure from the date of its inauguration, provided that where a Council is found to be incompetent and corrupt, it shall be dissolved by the visitor and a new Council shall be immediately constituted for the effective functioning of the University.

(9) The powers of the Council shall be exercised in accordance with the laws and Statutes of the University, and to that extent, establishment circulars that are inconsistent with the laws and Statutes of the University shall not apply to the University.
The Finance and General Purpose Committee

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

(2) The quorum of the Committee shall be six.

(3) Subject to any directions given by the Council, the committee may regulate its own procedure.

The Senate

3. (1) There shall be a Senate for the University consisting of:
   (a) the Vice-Chancellor;
   (b) the Deputy Vice-Chancellor;
   (c) all Professors of the University;
   (d) all Deans, Provosts and Directors of Academic units of the University;
   (e) all Heads of Academic Departments, Units and Research Institutes of the University;
   (f) the University Librarian; and

(2) The Vice-Chancellor shall be the chairman at all meetings of the Senate when he is present and in his absence, one of the Deputy Vice-Chancellors appointed by him shall be the chairman at the meeting.

(3) The quorum of the Senate shall be one-quarter (or the nearest whole number less than one quarter), and subject to paragraph (2) above the Senate may regulate its own procedure.

(4) If so requested in writing by any ten members of the Senate, the Vice-Chancellor, or in his absence a person duly appointed by him, shall convene a meeting of the Senate to be held not later than the tenth day following that on which the request was received.

Congregation

4. (1) Congregation shall consist of:
   (a) the Vice-Chancellor and the Deputy Vice-Chancellor;
   (b) the full time members of the academic staff;
   (c) the Registrar;
(d) the Bursar; and

(e) every member of the administrative and technical staff who holds a degree of any University recognized for the purpose of this Statute by the Vice-Chancellor, not being an honorary degree.

(2) Subject to section 5 of this Bill, the Vice-Chancellor shall be the Chairman at all meetings of congregation when he is present, and in his absence one of the Deputy Vice Chancellors appointed by him shall be the chairman at the meeting.

(3) The quorum of congregation shall be one-third (or the nearest whole number to one-third) of the total number of members of congregation or fifty, whichever is less.

(4) A certificate signed by the Vice-Chancellor specifying:-
(a) the total number of members of Congregation for the purposes of any particular meeting or meetings of Congregation; or
(b) the names of the persons who are members of Congregation during a particular period;

shall be conclusive evidence of that number or as the case may be of the names of those persons.

(5) Subject to the provisions of this schedule, congregation may regulate its own procedure.

(6) Congregation shall be entitled to express by resolution or otherwise its opinion on all matters affecting the interest and welfare of the University and shall have such other functions in addition to the function of electing a member of the Council, as may be provided by Statute or Regulations.

Convocation

5. (1) Convocation shall consist of:
(a) the Officers of the University mentioned in Schedule 1 to this Bill;
(b) all teachers within the meaning of this Bill; and
(c) all other persons whose names are registered in accordance with paragraph (2) below.

(2) A person shall be entitled to have his name registered as a member of convocation if he:
(a) is either a graduate of the University or a person satisfying such requirements as may be prescribed for the purposes of this paragraph; and
(b) applies for the registration of his name in the prescribed manner and pays the prescribed fee.

(3) Regulations shall provide for the establishment and maintenance of a register for the purpose of this paragraph and, subject to paragraph (3) below, may provide for the payment from time to time of further fees by persons whose names are on the register and for the removal from the register of the name of any person who fails to pay those fees.
(4) The person responsible for maintaining the register shall, without the payment of any fees, ensure that the names of all persons who are for the time being members of convocation by virtue of paragraph (1) (a) or (b) of this paragraph are entered and retained on the register.

(5) A person who reasonably claims that he is entitled to have his name on the register shall be entitled on demand to inspect the register, or a copy of the register at the principal offices of the University at all reasonable times.

(6) The register shall, unless the contrary is proved, be sufficient evidence that any person named therein is, and that any person not named therein is not, a member of convocation; but for the purpose of ascertaining whether a particular person was such a member on a particular date, any entries in and deletions from the register made on or after that date shall be disregarded.

(7) The quorum of convocation shall be fifty or one-third (or the whole number nearest to one-third) of the total number of members of convocation whichever is less.

(8) Subject to section 5 of this Bill, the Chancellor shall be chairman at all meetings of convocation when he is present, and in his absence the Vice-Chancellor shall be the chairman at the meeting.

(9) Convocation shall have such functions, in addition to the function of appointing a member of the Council, as may be provided by statute.

Organisation of Faculties and Branches thereof
6. Each Faculty shall be divided into such number of branches as may be prescribed.

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

(2) Each Faculty Board shall consists of:
   (a) the Vice-Chancellor;
   (b) the persons severally in charge of the branches of the faculty;
   (c) such number of the teachers assigned to the faculty and having the prescribed qualifications as the Board may determine; and
   (d) such persons whether or not members of the University as the Board may determine with the general or special approval of Senate.

(3) The quorum of the Board shall be eight members or one-quarter of the members of the Board for the time being whichever is greater.
Subject to the provisions of this statute and to any provision made by regulations in that behalf, the Board may regulate its own procedure.

The Dean of the Faculty

8. (1) The Dean of a faculty shall be a professor elected by the Faculty Board and such Dean shall hold office for a term of two years. He will be eligible for re-election for another term of two years after which he may not be elected again until two years have elapsed.

(2) If there is no professor in a faculty, the Vice-Chancellor shall appoint an Acting Dean who shall not be below the rank of Senior Lecturer for the faculty, who will act for a period of one year in the first instance, renewable for another one year only.

(3) In the absence of the Vice-Chancellor, the Dean shall be the chairman at all meetings of the Faculty Board when he is present and he shall be a member of all committees and other boards appointed by the faculty.

(4) The Dean of a faculty shall exercise general superintendence over the academic and administrative affairs of the faculty and it shall be the function of the Dean to present to the convocation for the conferment of Degrees, persons who have qualified for the Degrees of the University at examinations held in the branches of learning for which responsibility is allocated to that faculty.

(5) There shall be a committee to be known as the Committee of Deans which shall consist of all the Deans of the several faculties and that committee shall advise the Vice-Chancellor on all academic matters and on particular matters referred to the Committee by the Senate.

(6) The Dean of a faculty may be removed from office for a good cause by the Faculty Board after a vote would have been taken at a meeting of the Board, and in the event of a vacancy occurring following the removal of the Dean, an Acting Dean may be appointed by the Vice-Chancellor provided that at the next faculty board meeting an election shall be held for a new Dean.

(7) In this article, "good cause" has the same meaning as in section 17 (4) of this Bill.

Selection of Certain Principal and other key Officers

9. (1) When a vacancy occurs in the Office of the Registrar, Bursar, the University Librarian, Director of Works or Director of Health Services, a Selection Board shall be constituted by the Council and shall consist of:

(i) the Pro-Chancellor;

(ii) the Vice-chancellor;

(iii) two members appointed by the Council, not being members of Senate; and

(iv) two members appointed by the Senate not being members of Council.

(2) The Selection Board, after making such inquiries as it thinks fit, shall recommend a candidate to the Council for appointment to the vacant office, and after considering the recommendation of the Board the Council may make an appointment to that office.
(3) A person appointed to the office of Director of Works or Director of Health Services shall hold office for such period and on such terms and conditions as may be specified in his letter of appointment.

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

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

Appointment of Administrative and Technical Staff
12. (1) The administrative and technical staff of the University, other than those mentioned in paragraph 9 of this schedule shall be appointed by the Council on its behalf by the Vice-Chancellor or the Registrar in accordance with any delegation of powers made by the Council in that behalf.

(2) In the case of administrative or technical staff that has close and important contacts with the academic staff, there shall be Senate participation in the process of selection.

Question that the provision of Schedule 1-3 stand part of the Bill — Agreed to.

Chairman to report Bill.

(SENATE IN PLENARY)

The Senate President reported that the Senate in the Committee of the Whole considered the Report of the Committee on Tertiary Institutions and TETFUND on the Federal University of Gashua (Establishment, etc.) Bill, 2019 and approved as follows:

Clauses 1-27 — As Recommended
Schedules 1-3 — As Recommended

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

Motion made: That the Bill be now Read the Third Time (Deputy Chief Whip).

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

Extension of Time:
Motion made: That the Senate do sit this day beyond the time appointed for the termination of the Sitting of the Senate (Rule 13) (Senate Leader).

Question put and agreed to.
16. Committee on Tertiary Institutions and TETFUND:
Report on the Federal Polytechnic Orogun Delta State (Establishment, etc.) Bill, 2019 (SB.34):

Motion made: That the Senate do receive and consider the Report of the Committee on Tertiary Institutions and TETFUND on the Federal Polytechnic Orogun Delta State (Establishment, etc.) Bill, 2019 (Senator Babba Kaita Ahmad — Katsina North — Katsina North).

Question put and agreed to.

Report Laid and presented.

Motion made: That the Senate do resolve into the Committee of the Whole to consider the Report (Deputy Chief Whip).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE FEDERAL POLYTECHNIC OROGUN, DELTA STATE; AND FOR OTHER MATTERS CONNECTED THEREWITH, 2019.

Clause 1: Establishment of the Federal Polytechnic, Orogun, Delta State.

(1) There is hereby established the Federal Polytechnic Orogun, Delta State which shall have such powers and exercise such functions as is conferred on it by this Act.

(2) The Polytechnic shall be a body corporate with perpetual succession and a common seal and shall have power to acquire and dispose of interests in movable and immovable property and may sue and be sued in its corporate name.

Committee’s Recommendation:
That the provision of Clause 1 be retained (Senator Ahmad, Babba Kaita) — Agreed to.

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

Clause 2: Functions of the Polytechnic

(1) The functions of the polytechnic shall be:

(a) To provide full-time and part-time courses of instruction and training to produce middle and high level manpower:

(i) in technology, applied science, commerce and management; and

(ii) in such other fields of applied learning relevant to the needs of the development of Nigeria in the areas of industrial and agricultural production and distribution and for research in the development and adaptation of techniques as the Council may from time to time determine;

(b) to arrange conference, seminars and study groups relative to the fields of learning specified in paragraph (a) of this subsection (1);
(c) to perform such other functions as in the opinion of the Council may serve to promote the objectives of the polytechnic.

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

Committee's Recommendation:
That the provision of Clause 2 be retained (Senator Ahmad, Babba Kaita) — Agreed to.

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

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

(1) There shall be established for the polytechnic a Governing Council.

(2) The Council shall consist of a Chairman and the following other members:
   (a) Four persons representing a variety of interests and broadly representative of the whole federation, at least one of whom shall be a woman;
   (b) one person to representing the alumni association;
   (c) A representative of the community where the polytechnic is situated;
   (d) The Rector;
   (e) The Deputy Rector(s);
   (f) one person representing the Federal Ministry of Education or regulatory agency;
   (g) Two persons not below the rank of Chief Lecturer elected by the Academic Board from among its members;
   (h) Three persons not below the rank of Senior Lecturer or its equivalent elected by the Congregation from among its members in which one shall be non-teaching staff.

(3) (i) The Chairman and members of the Council other than ex-officio members shall be appointed by the President and Commander-in-Chief of the Armed Forces.
    (ii) Persons to be appointed to the Council shall be persons of proven integrity, knowledgeable and acquainted with the working and tradition of the Technical and Vocational education.

(4) Any member of the Council other than an ex-officio member shall hold office for a period of three years at the first instance and may be eligible for re-appointment for another period of three years and no more.

(5) The governance structure of the polytechnic shall be composed of:
   (a) Governing Council;
(b) Academic Board;
(c) Management Committee;
(d) School Board; and
(e) Departmental Board.

(6) The provisions set out in the First Schedule to this Bill, shall apply in relation to the Council, governance structure and other matters therein specified.

Committee's Recommendation:
That the provision of Clause 3 be retained (Senator Ahmad, Babba Kaita) — Agreed to.

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

Clause 4: Visitation
(1) The President and Commander-in-Chief of the Armed Forces shall be the Visitor to the Polytechnic.

(2) The Visitor shall, not less than once in every five years, conduct a visitation of the college or appoint a Visitation Panel, consisting of not less than five experts, to conduct the visitation—
(a) for the purpose of evaluating the academic and administrative performance of the polytechnic;
(b) for such other purpose or in respect of any other affairs of the polytechnic as the Visitor may deem fit. [1993 No. 5]

Committee's Recommendation:
That the provision of Clause 4 be retained (Senator Ahmad, Babba Kaita) — Agreed to.

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

Clause 5: Registrar of the polytechnic
(1) There shall be a Registrar to the polytechnic who shall be responsible to the Rector for the day-to-day administration of the polytechnic and shall perform such other duties as the Council or as the case may be, the Rector may from time to time require him.

(2) The Registrar shall be the secretary to the Council, the Academic Board and any committee of the Council and shall attend all the meetings of those bodies unless excused for good reason by the chairman of the Council.

(3) In the absence of the Registrar, the Chairman of the Council may, after consultation with the Rector, appoint a suitable person to act as secretary for any particular meeting of the Council.

(4) The Secretary to the Council or a person appointed to act under subsection (3) of this section, shall not vote on any question before the Council or count towards a quorum unless he is so entitled as a member of the Council. Retained as in the Bill.
Committee's Recommendation:
That the provision of Clause 5 be retained (Senator Ahmad, Babba Kaita) — Agreed to.

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

Clause 6:  Tenure of Office of the Registrar
(1) A Registrar shall hold office for a single tenure of five years beginning from the effective date of his appointment and on such terms and conditions as may be specified in the letter of his appointment;

(2) Where a Registrar has held office for five years or less on the commencement of this Act, he shall be deemed to have been serving his final term of office.

Committee's Recommendation:
That the provision of Clause 6 be retained (Senator Ahmad, Babba Kaita) — Agreed to.

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

Clause 7:  General Functions of the Council
(1) Subject to provision of this Act, the Council shall be the governing body of the polytechnic concerned and shall have the general management of the affairs of the polytechnic, and in particular, the control of the property and finances of the polytechnic; and shall have power to do anything which in its opinion is calculated to facilitate the carrying out of the activities of the polytechnic and promote its best interests.

(2) The Council may acquire and hold such movable or immovable property as may be necessary or expedient for carrying into effect the provisions of this Act, and for the same purpose may sell, lease, mortgage or otherwise alienate or dispose of any property so acquired.

(3) The Council may enter into such contracts as may be necessary or expedient for carrying into effect the provisions of this Act.

(4) The Minister may give to the Council directions of a general character or relating generally to particular matters (but not any individual person or case) with regard to the exercise by the Council of its functions and it shall be the duty of the Council to comply with the directions.

Committee's Recommendation:
That the provision of Clause 7 be retained (Senator Ahmad, Babba Kaita) — Agreed to.

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

Clause 8:  The Rector of the Polytechnic
(1) There shall be a Rector of the polytechnic ("the Rector") who shall be appointed by the President, Commander-in-Chief of the Armed Forces in accordance with the provision of this section.

(2) Where a vacancy occurs in the post of the Rector, the Council shall:
(a) advertise the vacancy not later than six (6) months to the expiration of the term of the sitting Rector in not less than two national newspapers in Nigeria, specifying:
(i) the qualifications of the persons who may apply for the
post, which shall be a Chief Lecturer in the Polytechnic
sector with at least five years of experience on that
position among other criteria; and

(ii) the terms and conditions of service applicable to the
post, and thereafter, draw up a short list of suitable
candidates for consideration;

(b) constitute a Search Team consisting of:
(i) a member of the Council, not being a member of the
Academic Board, as Chairman;

(ii) two members of the Academic Board, not below the
rank of Chief Lecturer;

(iii) two members of Academic Staff not below the rank of
Chief Lecturers to be elected from among its members.

(3) A Joint Council, Academic Board and Congregation Selection Board
consisting of:
(a) the Chairman of the Council;

(b) two members of the Council not being members of the
Academic Board;

(c) two members of the Academic Board not below the rank of
Chief Lecturer, who were not members of the Search Team
elected among its members; and

(d) two members of the Congregation not below the rank of Chief
 Lecturer who were not members of the Search Team elected
among its members, shall consider the candidates on the short
list drawn up under subsection (2) of this section through an
examination of their curriculum vitae and interaction with them
and recommend in order of performance ranking through the
Council, to the President and Commander-in-Chief of the
Armed Forces, three candidates for his consideration.

(4) The President shall appoint, as Rector, one of the candidates
recommended to him under the provisions of subsection (3) of this
section.

(5) Subject to this Act and the general control of the Council, the Rector
shall be the Chief Executive of the Polytechnic and shall be charged
with general responsibility for matters relating to the day-to-day
management operations of the polytechnic.

(6) The Rector shall:
(a) (i) hold office for a single term of five years beginning
with the effective date of his appointment and on such
terms and conditions as may be specified in his letter of
appointment"
(ii) where a Rector was appointed on four-year tenure on the commencement of this Act, his tenure shall be extended for a period of one year to complete the single-tenure of five years in line with subsection (6a) above.

(iii) where a Rector is serving second tenure of four years on the commencement of this Act, he shall be deemed to have been serving his final term of office.

(b) have power to exercise general authority over staff and be responsible for discipline in the polytechnic; and

(c) his remuneration shall be determined by the National Salaries and Wages Commission.

Committee's Recommendation:
That the provision of Clause 8 be retained (Senator Ahmad, Babba Kaita) — Agreed to.

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

Clause 9: Deputy Rectors

(1) There shall be for the polytechnic such number of Deputy Rectors as the Council may, from time to time, deem necessary for the proper administration of the Polytechnic.

(2) Where a vacancy occurs in the post of Deputy Rector, the Rector shall forward to the Academic Board a list of two candidates for each post of Deputy Rector that is vacant.

(3) The Academic Board shall elect for each vacant post one candidate from each list forwarded to it under subsection (2) of this section and forward his name to the Council for confirmation.

(4) Where-

(a) the Academic Board rejects the two candidates forwarded to it by the Rector under subsection (2) of this section, the Rector shall submit another list.

(b) the Council rejects the name sent to it under subsection (3) of this section, the Academic Board shall send the name of the other candidate on the list forwarded to it by the Rector under subsection (2) of this section.

(5) The Deputy Rector(s) shall:

(a) assist the Rector in the performance of his functions;

(b) act in the place of the Rector when the post of Rector is vacant or if the Rector is for any reason absent or unable to perform their functions as Rector; and

(c) perform such other functions as the Rector or the Council may from time to time assign to him.
(6) The Deputy Rectors:
(a) shall hold office for a single tenure of four years beginning from the effective date of his appointment and on such terms and conditions as may be specified in his letter of appointment.

(b) where a Deputy Rector was appointed on two year tenure on the commencement of this Act, his tenure shall be extended for a period of two years to complete the single-tenure of four years in line with subsection (6a) above.

(c) where a Deputy Rector is serving second tenure of two years on the commencement of this Act, he shall be deemed to have been serving his final term of office.

Committee's Recommendation:
That the provision of Clause 9 be retained (Senator Ahmad, Babba Kaita) — Agreed to.

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

Clause 10: Other Principal Officers of the Polytechnic

(1) There shall be for the polytechnic the following other principal officers in addition to the Deputy Rector(s):
(a) the Registrar;

(b) the Bursar; and

(c) the polytechnic Librarian, who shall be appointed by the Council on the recommendation of the Selection Board constituted under section 12 of this Act.

(2) The Bursar shall be the Chief Financial Officer of the polytechnic and be responsible to the Rector for the day-to-day administration and control of the financial affairs of the polytechnic.

(3) The polytechnic Librarian shall be responsible to the Rector for the administration of the polytechnic library and the co-ordination of the library services in the teaching units of the polytechnic.

(4) The Bursar or Librarian-
(a) shall hold office for a single tenure of five years beginning from the effective date of his appointment and on such terms and conditions as may be specified in his letter of appointment;

(b) where a Bursar or Librarian has held office for five years or less on the commencement of this Act, he shall be deemed to have been serving his final term of office.

Committee’s Recommendation:
That the provision of Clause 10 be retained (Senator Ahmad, Babba Kaita) — Agreed to.

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

Clause 11: Resignation of appointment of Principal Officers
A principal officer may resign his appointment:
(a) In the case of the Rector, by notice to the Visitor.
(b) In any other case;
by notice to the Council.

Committee's Recommendation:
That the provision of Clause 11 be retained (Senator Ahmad, Babba Kaita) — Agreed to.

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

Clause 12: Selection Board for other Principal Officers
(1) There shall be, for the Polytechnic a Selection Board which shall consist of:
(a) the chairman of the Council;

(b) the Rector;

(c) four members of the Council not being members of the Academic Board;

(d) two members of the Academic Board not being members of Council and not below the rank of Chief Lecturer elected from among its members; and

(e) three members of the congregation not below the rank of Principal Lecturer or its equivalent elected from among its members in which one shall be non-teaching staff.

(2) The functions and procedure and other matters relating to the Selection Board constituted under subsection (1) of this section shall be as the Council may, from time to time, determine.

Committee's Recommendation:
That the provision of Clause 12 be retained (Senator Ahmad, Babba Kaita) — Agreed to.

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

Clause 13: Other Employees of the Polytechnic
(1) The Council may appoint such other persons to be employees of the polytechnic as the Council may determine to assist the Rector and the principal officers of the polytechnic in the performance of their functions under this Act.

(2) The power to appoint all other employees of the polytechnic shall be exercised:
(a) in the case of senior employees, by the Council on the recommendation of Appointment and Promotions Committee set up under the provisions of paragraph 3(2)(a) of the First Schedule to this Act;

(b) in the case of junior employees, by the Rector on the recommendation of the Junior Staff Appointment and Promotions Committee constituted under paragraph 3(2)(b) of the First Schedule to this Act.
Subject to the provisions of this Act, the remuneration, tenure of office and conditions of service of the employees of the Council shall be determined by the Council in consultation with the Federal Civil Service Commission.

**Committee’s Recommendation:**
That the provision of Clause 13 be retained *(Senator Ahmad, Babba Kaita) — Agreed to.*

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

**Clause 14:** Application of the Pensions Act

1. The Federal Civil Service Commission may by order published in the Federal Gazette declare the office of the Rector or any other person employed by the Council to be a pensionable office for the purposes of the Pensions Act.
   [Cap. P4]

2. Nothing in the provisions of subsection (1) of this section shall prevent the appointment of any person to any office on terms which preclude the grant of a pension or gratuity in respect of service in that office.

3. A law or rule requiring a person to retire from the Public Service after serving for thirty-five (35) years or having attained the age of 60 years in service, shall not apply to staff of Polytechnic.

4. Notwithstanding anything to the contrary contained in the Pensions Reform Act, the compulsory retirement age of staff of Polytechnic shall be sixty-five (65) years.

**Committee’s Recommendation:**
That the provision of Clause 14 be retained *(Senator Ahmad, Babba Kaita) — Agreed to.*

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

**Clause 15:** Establishment of the Academic Board:

1. There shall be established for the polytechnic a board to be known as the Academic Board which shall consist of the following members:
   (a) the Rector of the polytechnic, as the Chairman;

   (b) the Deputy Rector(s) of the polytechnic;

   (c) all Heads of academic Departments and units;

   (d) the polytechnic Librarian;

   (e) not more than two members of the academic staff who are not members of the Academic Board and not below the rank of Senior Lecturer elected from among its members, such members shall serve for non-renewable term of three (3) years.

   (f) all Deans and academic Directors; and

   (g) all Chief Lecturers.
(2) The Academic Board shall be responsible for:
(a) the direction and management of academic matters of the polytechnic including the regulation of admission of students, the award of certificates and diplomas, scholarships, prizes and other academic distinctions;
(b) the making to the Council of such periodic reports on such academic matter as the Academic Board may think fit or as the Council may from time to time direct; and
(c) the discharge of any other functions which the Council may delegates to it.

Committee’s Recommendation:
That the provision of Clause 15 be retained (Senator Ahmad, Babba Kaita) — Agreed to.

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

Tenure of Office

Clause 16: Removal from office of members of the Council and the Rector
(1) Where it appears to the Governing Council that a member of the Council other than an ex-officio member or the Rector should be removed from office on the ground of misconduct or inability to perform the functions of his office, the Council shall make a recommendation through the Minister to the Federal Executive Council approves of it, the Minister shall declare the office of such member or Rector vacant.

(2) The Minister may recommend the removal of any member of the Governing Council or Rector to the Federal Executive Council, if he is satisfied that it is not in the interest of the Public or of the Polytechnic that such a person should continue as a member of the Council.

(3) In case of vacancy in the office of the Rector, the Council shall appoint an acting Rector who shall not be in office for more than 6 months.

(4) There shall be no sole administration in any Polytechnic in Nigeria.

Committee’s Recommendation:
That the provision of Clause 16 be retained (Senator Ahmad, Babba Kaita) — Agreed to.

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

Clause 17: Removal and Discipline of Academic, Administrative and Technical Staff
(1) If it appears to the Council that there are reasons for believing that any person employed as a member of the academic, administrative or technical staff of the polytechnic, other than the Rector, should be removed from office on the ground of misconduct or inability to perform the functions of his office, the Council shall:
(a) give notice of those reasons to the person in question;
(b) afford him an opportunity of making representations in person on the matter to the Council; and
(c) if he or any three members of the Council so request within the period of one month beginning with the date of the notice, make arrangements:

(i) he is an academic staff, for a joint committee of the Council and the Academic Board to investigate the matter and to report on it to the Council, or

(ii) for a committee of the Council to investigate the matter, where it relates to any other member of the staff of the polytechnic and to report on it to the Council; and

(iii) for the person in question to be afforded an opportunity of appearing before and being heard by the investigating committee with respect to the matter, and if the Council, after considering the report of the investigating committee, is satisfied that the person in question should be removed as aforesaid, the Council may so remove him by an instrument in writing signed on the directions of the Council.

(2) The Rector may, in a case of misconduct by a member of the staff which in the opinion of the Rector is prejudicial to the interests of the polytechnic, 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 office or his appointment may be terminated by the Council and for the purpose of this subsection, "good cause" means:

(a) any physical or mental incapacity which the Council, after obtaining medical advice, 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 medical advice, considers to be such as to render the person concerned unfit to continue to hold his office;

(c) conduct of a scandalous or other disgraceful nature which the Council considers to be such as to render the person concerned unfit to continue to hold his office;

(d) conduct which the Council considers to be such as to constitute failure or inability of the person concerned to discharge the functions of his office or to comply with the terms and conditions of his service.

(4) Any person suspended pursuant to subsection (2) or (3) of this section, shall be placed on half pay and the Council shall before the expiration of the 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 this emoluments to be paid to him);
(b) whether to reinstate such person, in which case the Council shall restore his full emoluments to him with effect from the date of suspension;

(c) whether to terminate the appointment of the person in question, in which case such a person, will not be entitled to the proportion of his emoluments withheld during the period of suspension;

(d) whether to take such lesser disciplinary action against such person (including the restoration of such proportion of his emoluments that might have been withheld) as the Council may determine, and in any case where the Council, pursuant to this section, decides to continue a person’s suspension or decides to take further disciplinary action against a person, the Council shall before the expiration of a period of three months from such decision come to a final determination in respect of the case concerning any such person.

(5) It shall be the duty of the person by whom an instrument of removal is signed in pursuance of subsection (1) of this section, to use his best endeavours to cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it relates.

(6) Nothing in the foregoing provisions of this section shall prevent the Council from making such regulations for the discipline of other categories of staff and workers of the polytechnic as it may think fit.

Committee’s Recommendation:
That the provision of Clause 17 be retained (Senator Ahmad, Babba Kaita) — Agreed to.

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

Clause 18: Discipline of Students
(1) Subject to the provisions of this section, where it appears to the Rector that any student of the polytechnic has been guilty of misconduct, the Rector may, without prejudice to any other disciplinary powers conferred on him by this Act or regulations made hereunder direct:
(a) that the student shall not during such period as may be specified in the direction, participate in such activities of the polytechnic, or make use of such facilities of the polytechnic, as he may specify;

(b) that the activities of the student shall, during such period as may be specified in the directions, be restricted in such manner as may be so specified;

(c) that the student be suspended for such period as may be specified in the directions; and

(d) that the student be expelled from the polytechnic.
(2) Where there is temporarily no Rector or where the Rector refuses to apply any disciplinary measures, the Council, either directly or through some other staff, may apply such disciplinary actions as are specified in subsection (1) of this section to any student of the polytechnic who is guilty of misconduct.

(3) Where a direction is given under subsection (1)(c) or (d) of this section in respect of any student, the student may, within a period of 21 days from the date of the letter communicating the decision to him, appeal from the direction to the Council; and where such an appeal is brought, the Council shall, after causing such inquiry to be made in the matter as the Council considers just, either confirm or set aside the direction or modify it in such manner as the Council may think fit.

(4) The fact that an appeal from a direction is brought in pursuance of subsection (3) of this section shall not affect the operation of the direction while the appeal is pending.

(5) The Rector may delegate his power under this section to a disciplinary committee consisting of such members of the polytechnic as he may nominate.

(6) Nothing in this section shall be construed as preventing the restriction or termination of a student’s activities at the polytechnic otherwise than on the ground of misconduct.

(7) It is hereby declared that a direction under subsection (1)(a) of this section may be combined with a direction under subsection (1)(b) of this section.

(8) In all cases under this section, the decision of the Council shall be final.

Committee’s Recommendation:
That the provision of Clause 18 be retained (Senator Ahmad, Babba Kaita) — Agreed to.

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

Clause 19: Discipline of Junior Staff
(1) If any junior staff is accused of misconduct or inefficiency, the Rector may suspend him for not more than three months and forthwith shall direct the Junior Staff Appointments and Promotions Committee:
   (a) to consider the case; and
   (b) to make recommendations as to the appropriate action to be taken by the Rector.

(2) In all cases under this section, the officer shall be informed of the charge against him and shall be given reasonable opportunity to defend himself.

(3) The Rector may, after considering the recommendation made pursuant to subsection (1)(b) of this section, dismiss, terminate, retire or down-grade the officer concerned.
(4) Any person aggrieved by the Rector's decision under subsection (3) of this section, may within a period of 21 days from the date of the letter communicating the decision to him, address a petition to the Council to consider his case and the Council's decision thereon shall be final.

(5) In any case of gross misconduct on the part of a junior staff, the Rector shall forthwith suspend him and thereafter refer the matter to the Junior Staff Appointments and Promotions Committee to be dealt with according to the foregoing provision of this section.

Committee's Recommendation:
That the provision of Clause 19 be retained (Senator Ahmad, Babba Kaita) — Agreed to.

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

Clause 20: Audit of Accounts
(1) The Council shall keep proper accounts and proper records in relation thereto and shall cause to be prepared, not later than 1 October in each financial year, an estimate of its revenue and expenditure for the ensuing financial year and when prepared, the estimate shall be submitted to the National Board for Technical Education for approval.

(2) At the end of each financial year but not later than 30 June the Council shall cause to be prepared a statement of its income and expenditure during the previous financial year.

(3) The statement of accounts referred to in subsection (2) of this section shall, when certified by the Rector, be audited by a firm of auditors appointed from the list and in accordance with the guidelines supplied by the Auditor General of the Federation and shall be published in the annual report of the polytechnic.

Committee's Recommendation:
That the provision of Clause 20 be retained (Senator Ahmad, Babba Kaita) — Agreed to.

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

Clause 21: Funds of the Council
The funds of the Council shall include—
(a) fees charged by and payable to the Council in respect of students;

(b) any other amounts due to or recoverable by the Council;

(c) revenue from time to time accruing to the Council from the Federal Government by way of subvention, grant-in-aid, endowment or otherwise howsoever; and

(d) donations and legacies accruing to the Council from any source for the special purpose of the Council.

Committee's Recommendation:
That the provision of Clause 21 be retained (Senator Ahmad, Babba Kaita) — Agreed to.

Question that Clause 21 do stand part of the Bill, put and agreed to.
Clause 22: Donations for Particular Purposes:
(1) Donations of money to be applied to any particular purpose shall be placed to the credit of a special reserve account approved by the Council until such time as they may be expended in fulfillment of such purpose.

(2) No Council shall be obliged to accept a donation for a particular purpose unless it approves of the terms and conditions attached to such donation.

Committee’s Recommendation:
That the provision of Clause 22 be retained (Senator Ahmad, Babba Kaita) — Agreed to.

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

Clause 23: Payment into bank
All sums of money received on account of the Council shall be paid into such bank for the credit of the Council as may be approved by the Council.

Committee’s Recommendation:
That the provision of Clause 23 be retained (Senator Ahmad, Babba Kaita) — Agreed to.

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

Clause 24: Annual Report
The Council shall on or before 31 December in each year prepare and submit to the President through the Minister, a report of the activities during the preceding financial year and shall include in the report, the audited accounts of the polytechnic in respect of that financial year and the auditor’s comments on the account.

Committee’s Recommendation:
That the provision of Clause 24 be retained (Senator Ahmad, Babba Kaita) — Agreed to.

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

Miscellaneous and Supplemental

Clause 25: Power to Make Bye-laws:
(1) The Council may make bye-laws relating to any matter within its competence under this Act other than matters for which provision is to be made by standing orders pursuant to paragraph 7 of the Schedule to this Act.

(2) All such bye-laws shall be in writing and shall come into force when sealed with the seal of the Council unless some other date for their commencement is prescribed therein.

(3) (Nothing in subsection (2) of this section, shall make it obligatory for the Council to publish any of the said bye-laws in the Federal Gazette but the Council shall bring such bye-laws to the notice of all affected thereby.

Committee’s Recommendation:
That the provision of Clause 25 be retained (Senator Ahmad, Babba Kaita) — Agreed to.
Question that Clause 25 do stand part of the Bill, put and agreed to.

Clause 26: Exclusion of Discrimination on Account of Race, Religion, Etc.
No person shall be required to satisfy requirements as to any of the following matters, that is to say race (including ethnic grouping), sex, place of birth or of family origin or religious or political persuasion or as a condition of becoming or continuing to be a student at the polytechnic or as a holder of any certificate of the polytechnic, or of any appointment or employment at the polytechnic, or a member of anybody established by virtue of this Act; and no person shall be subjected to any disadvantage or accorded any advantage in relation to the polytechnic by reference to any of those matters.

Provided that, nothing in this section shall be construed as preventing the polytechnic from imposing any disability or restriction on any of the aforementioned persons where such a person willfully refuses or fails on grounds of religious belief to undertake any duty, having regard to its nature and the special circumstances pertaining thereto is, in the opinion of the polytechnic, reasonably justifiable in the national interest.

Committee's Recommendation:
That the provision of Clause 26 be retained (Senator Ahmad, Babba Kaita) — Agreed to.

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

Clause 27: Quorum and procedure of bodies established under this Act:
Subject to the provisions of paragraph 6(2) of the First Schedule to this Act and any standing orders or bye-law made under this Act, the quorum and procedure of any body of persons established by this Act shall be such as may be determined by that body.

Committee's Recommendation:
That the provision of Clause 27 be retained (Senator Ahmad, Babba Kaita) — Agreed to.

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

Clause 28: Interpretation
In this Act, unless the context otherwise requires:

"the Academic Board" means the board establish under section 10 of this Act;

"the Appointments and Promotions Committee" means a body by that name established under paragraph 3(2)(a) of the Schedule to this Act;

"polytechnic" means the respective Polytechnic set up under this section 1 of this Act;

"the Junior Staff Appointments and Promotion Committee" means a body by that name set up under paragraph 3(2)(b) of the Schedule to this Act;

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

"the Registrar" means the Registrar of the polytechnic appointed under section 4(1) of this Act.
Committee's Recommendation:
That the provision of Clause 28 be retained (Senator Ahmad, Babba Kaita) — Agreed to.

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

Clause 29:  Short Title.
This Act may be cited as the Federal Polytechnic Orogun, Delta State, 2019.

Committee's Recommendation:
That the provision of Clause 29 be retained (Senator Ahmad, Babba Kaita) — Agreed to.

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

"FIRST SCHEDULE

PUBLIC OFFICERS FOR THE PURPOSES OF THE CODE OF
CONDUCT SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

Terms of office of members

1. (1) A member of the Council other than an ex-officio member shall hold office for a period of three years beginning with the date on which he was appointed and shall be eligible for re-appointment for a further term of three years and thereafter he shall no longer be eligible for re-appointment.

(2) Members of the Council holding office as specified in paragraph 1(1) of this Schedule, shall be paid remuneration or allowance in accordance with rates specified from time to time by the National Council of Ministers.

(3) A member of the Council holding office as specified in paragraph 1(1) of this Schedule may by notice in writing to the Minister resign his office.

2. (1) Where a vacancy occurs in the membership of the Council, that vacancy shall be filled by the appointment of a successor to hold office for the remainder of the term of office of his predecessor, so however that the successor shall represent the same interest as his predecessor.

(2) The Council may act notwithstanding any vacancy in its membership or the absence of any member or that a person not entitled to do so took part in its proceedings.

Committees

3. (1) The Council may appoint one or more committees to which it may delegate any of its functions.

(2) Without prejudice to the generality of sub-paragraph (1) of this Schedule, the Council shall appoint the following committees, that is:
(a) the Appointments and Promotions Committees which shall:
   (i) consist of Rector as the chairman and four other members who shall be appointed by the Council;
   (ii) be charged with the responsibility for making recommendations to the Council on the appointment and promotion of the academic and senior non-teaching staff of the polytechnic and have a quorum of three members:
the Junior Staff Appointments and Promotions Committee which shall consist of a Deputy Rector as chairman and four other members to be appointed by the Rector and shall have the powers set out in section 13(2)(b) and section 19 of this Act;

the Committee on Students’ Affairs which shall consist of the following members:
(i) a Deputy Rector as chairman;
(ii) one member of the Council;
(iii) Dean of Students Affairs;
(iv) "two members of the academic staff not below the rank of Senior Lecturer; and

two representatives of the Students Union of the polytechnic; and a committee on students affairs shall be charged with the duty of:
(i) considering any matter which relates to the welfare of students;
(ii) any other matter referred to it by either the Council or management of the polytechnic;
(iii) any matter which the students wish to refer to the Council shall be referred to the management in the first instance which may in turn refer the matter to the Committee on Students’ Affairs.

(3) No decision of a committee of the council shall have effect unless it is confirmed by the Council.

Proceedings of the Council

4. (1) The Council shall meet for the conduct of business once in a quarter except for emergency.

(2) The chairman of the Council may at any time and shall at the request in writing of not less than five members of the Council summon a meeting of the Council.

(3) Particulars of the business to be transacted shall be circulated to members with the notice of the meeting at least two weeks before the date of the meeting.

5. Where the Council desires to obtain the advice of any person on any particular matter, it may co-opt such person as a member for a meeting whether or not expressly convened for the purpose of considering the particular matter but no co-opted member shall be entitled to vote or shall count towards quorum.

6. (1) Every question put before the Council at a meeting shall be decided by a simple majority of the members present and voting.

(2) Two third of members shall form a quorum at any meeting of the Council.

(3) The Chairman shall, at any meeting of the Council, have a vote and, in the case of an equality of votes, may exercise a casting vote.
7. Subject as aforesaid, the Council may make standing orders with respect to the holding of meetings, the nature of notices to be given, the proceedings thereat, the keeping of minutes of such proceedings and the custody and production for inspection of such minutes.

8. If the Chairman of the Council is absent from a meeting of the Council, the members present shall elect one of their number to act as chairman for the purposes of the meeting.

Miscellaneous

9. Composition and Functions of Management Committee, School and Departmental Boards:
   (a) (i) There shall be a Management Committee made up of all the Principal Officers of the Polytechnic, all Deans and Directors in the Polytechnic;
        (ii) the Rector shall be the Chairman of the Management Committee; and
        (iii) the Management Committee shall meet at least once in a month to discuss and take decisions on matters of general interest to the Polytechnic.
   (b) (i) There shall be a School Board for each school in the Polytechnic made up of all the Academic Staff in that School;
        (ii) the School Board deal with academic matters and any other matter of interest to the School or any matter assigned to it by the Council, the Rector or the Academic Board;
        (iii) the Dean shall be the chairman of the School Board; and
        (iv) the Dean shall be elected from among the Academic Staff not below the rank of Chief Lecturer in that School for a tenure of three years and not immediately renewable.
   (c) (i) there shall be a Departmental Board for each Department in the Polytechnic made up of all the Academic Staff in that department;
        (ii) the Departmental Board shall deal with academic matters and any other matter of interest to the Department;
        (iii) the Head of Department shall be chairman of the Departmental Board; and
        (iv) the Head of Department shall be elected from among the Academic staff not below the rank of Senior Lecturer in that department for a tenure of three years and not immediately renewable.
   (d) Where there is no qualified candidate for the position of Dean or Head of Department, the Rector shall appoint an Acting Dean not below the rank of Senior Lecturer or Acting Head of Department not below the rank of Lecturer I for a period of one year in the first instance and renewable once and no more.
   (e) Nothing in this Act shall prevent the management Committee and Boards from making supplementary rules to guide their proceedings provided such rules are not inconsistent with the provisions of this Act.
10. Establishment of the Congregation:
There shall be for the polytechnic, a Congregation made of both Academic and Senior Non-Teaching staff, who holds at least a first degree or its equivalent:
(a) the Rector shall be the Chairman of the Congregation; and
(b) the Congregation shall meet at least once in a year.

11. Any contract or instrument which if entered into by a person not being a body corporate would not be required to be under seal, may in like manner be entered into or executed on behalf of the Council by any person generally or specifically authorized by it for that purpose.

12. (1) The common seal of the Council shall not be used or affixed to any document except in pursuance of a resolution duly passed at a properly constituted meeting of the Council and recorded in the minutes of such meeting.

(2) The fixing of the seal of the Council shall be authenticated by the signature of the Chairman of the Council and some other member authorized generally or specifically by the Council to act for that purpose.

(3) Any document purporting to be a document duly executed under the seal of the Council shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed.

13. Any member of the Council or a committee thereof who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Council or a committee thereof, shall forthwith disclose his interest to the Council and shall not vote on any question relating to such contract or arrangement.

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

Chairman to report Bill.

(SENATE IN PLENARY)

The Senate President reported that the Senate in the Committee of the Whole considered the Report of the Committee on Tertiary Institutions and TETFUND on the Federal Polytechnic Orogun Delta State (Establishment, etc.) Bill, 2019 and approved as follows:

Clauses 1-29 — As Recommended

Schedule — As Recommended

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

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

*Question put and agreed to.*

*Bill accordingly Read the Third Time and Passed.*

Question put and agreed to.

Report Laid and presented.

Motion made: That the Senate do resolve into the Committee of the Whole to consider the Report (Deputy Chief Whip).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE FEDERAL COLLEGE OF EDUCATION ILLO, KEBBI STATE; AND FOR OTHER MATTERS CONNECTED THEREWITH, 2019.

Clause 1: Establishment of Federal College of Education Illo, Kebbi State.
(1) There is hereby established the Federal College of Education Illo, Kebbi State which shall have such powers and exercise such functions as is conferred on it by this Act.

(2) The College shall be a body corporate with perpetual succession and a common seal and shall have power to acquire and dispose of interests in movable and immovable property and may sue and be sued in its corporate name.

Committee's Recommendation:
That the provision of Clause 1 be retained (Senator Ahmad, Babba Kaita) — Agreed to.

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

Clause 2: Functions of the College.
The functions of the College shall be:
(a) to provide full-time and part-time courses in teaching, instruction and training to produce middle and high level teachers:
   (i) in technology, sciences/applied sciences, commerce, arts, social sciences, humanities and management, and
   (ii) in such other fields of applied learning relevant to the needs of the development of Nigeria in the areas of industrial and agricultural production and distribution and for research in the development and adaptation of techniques as the Council may from time to time determine;

   (b) to conduct courses in education for qualified teachers;

   (c) to arrange conferences, seminars, inaugural lectures and workshops relative to the fields of learning specified in paragraph (a) of this section; and
(d) to perform such other functions as in the opinion of the Council may serve to promote the objectives of the College.

Committee's Recommendation:
That the provision of Clause 2 be retained (Senator Ahmad, Babba Kaita) — Agreed to.

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

Clause 3: Governing Council of College
(1) The governance of the College and the direction of its affairs shall vest in the Governing Council of the College (hereafter in this Act referred to as "the Council").

(2) Without prejudice to the generality of subsection (1) of this section, it shall be the responsibility of the Council to consider and approve:
(a) the plan of activities of the College;
(b) the programme of studies, courses and research to be undertaken by the College;
(c) the annual estimates of the College, and
(d) the investment plans of the College.

(3) The provisions of Schedule 1 to this Act shall have effect with respect to the Council as specified therein.

Committee's Recommendation:
That the provision of Clause 3 be retained (Senator Ahmad, Babba Kaita) — Agreed to.

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

Clause 4: Membership of the Governing Council.
(1) The Council of the College shall consist of a Chairman to be appointed by the President, Commander-in-Chief of the Armed Forces, and the following other members:
(a) the Hon. Minister of Education or his Representative;
(b) two elected representatives of the Academic Board and the congregation (one each) of the College;
(c) an elected Representative of the National Commission for Colleges Education;
(d) a Representative of the Alumni Association of the College;
(e) four persons of note in the areas of Arts, Sciences and Technical Education, who shall be former or serving teachers/educationists, to be appointed by the President, Commander-in-Chief of the Armed Forces;
(f) the Provost of the College.
(g) the Deputy Provost of the College and
(h) the Registrar shall be a member and Secretary;
Committee’s Recommendation:
That the provision of Clause 4 be retained (Senator Ahmad, Babba Kaita) — Agreed to.

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

Clause 5: Tenure of Council Members.
(1) A member of the Council shall hold office for a term of four years and, subject to the provisions of subsection (2) of this section, shall be eligible for re-appointment for a further period of four years.

(2) The office of a member appointed under sections 4 (1) (d) and 4 (2) (d) of this Act shall become vacant if:
(a) the member resigns his office by notice in writing under his own hand, addressed to the Minister; or
(b) the Minister is satisfied that it is not in the interest of the College for the person appointed to continue in office and notifies the member in writing to that effect.

Committee’s Recommendation:
That the provision of Clause 5 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

(1) For the carrying out of the functions of the College, the Council shall have power to:
(a) hold examinations and award diplomas, professional certificates, Degrees and other distinctions of the College, to persons who have pursued a course of study approved by the Council and who have satisfied such other requirements as the Council as accredited by NCCE;

(b) demand and receive from any student or any other person attending the College for the purpose of instruction such fees as the Council may, with the prior approval of NCCE from time to time determine;

(c) hold public lectures and undertake printing, publishing and bookselling;

(d) make gifts for any charitable purpose;

(e) hold examinations in education for qualified teachers;

(f) provide amenities for and make such other provision for the welfare of the staff of the College;

(g) invest the funds of the College in securities specified by law or in such other securities in Nigeria as may be approved by the NCCE;

(h) borrow money within Nigeria in such manner and upon such security as the NCCE may from time to time authorize;
recruit staff of the right caliber and determine the career structure of such staff;

establish and maintain such schools and other teaching units within the College or extramural departments as the Council may from time to time decide;

provide such courses of instruction either alone or in association with other institutions whether in Nigeria or not as the Council may determine approve;

institute and award fellowships, medals, prizes and other titles;

mount exhibitions and displays designed to foster an appreciation of trends in the scope and requirements of education;

erect, provide, equip and maintain such educational, recreational and residential facilities as the College may require;

create lecturerships and other academic posts and offices and to make appointments thereto;

encourage and make provision for research and research grant in the College,

do such acts and things whether or not incidental to the foregoing powers as may advance the objects of the College; and

the President and Commander-in-chief shall be the visitor to College:
(i) The Minister shall arrange visitation every 4 years on behalf of the visitor.

The power of the Council to establish further schools within the College shall be exercisable by order and not otherwise.

Committee's Recommendation:
That the provision of Clause 6 be retained (Senator Babba Kaika Ahmad — Katsina North) — Agreed to.

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

Clause 7: The Academic Board and its functions.

(1) There shall be established for the College a Board to be known as the Academic Board, which shall consist of the following members:
(a) the Provost of the College, who shall be the Chairman;
(b) all Heads of Academic Units;
(c) the College Librarian, and
(d) not more than two members of the academic staff Congregation, other than Heads of Department to be appointed by the congregation.

(e) Deputy Provosts, Deans, Academic Directors/Coordinators, All Chief lecturers with Ph.D/Professors.

(2) The Academic Board shall be responsible for:
(a) the direction and management of academic matters of the College including the regulation of admission of students, the award of certificates, scholarships, teaching and research, prizes and other academic distinctions;
(b) making periodic reports on such academic matters to the Council, and
(c) discharging any other functions which the Council may from time to time delegate to it.

Committee’s Recommendation:
That the provision of Clause 7 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 8: Establishment of Management Committee.
(a) (i) There shall be a Management Committee made up of all the Principal Officers of the College, all Deans and Directors in the College;

(ii) the Provost shall be the Chairman of the Management Committee; and

(iii) the Management Committee shall meet at least once in a month to discuss and take decisions on matters of general interest to the College.

Committee’s Recommendation:
That the provision of Clause 8 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 9: Establishment of School/Departmental Board.
(a) (i) There shall be a School Board for each school in the College of Education made up of all the Academic Staff in that School;

(ii) the School Board deal with academic matters and any other matter of interest to the School or any matter assigned to it by the Council, the Provost or the Academic Board;

(iii) the Dean shall be the Chairman of the School Board; and
(iv) the Dean shall be elected from among the Academic Staff not below the rank of Chief Lecturer in that School for a tenure of three years and not immediately renewable.

(b) (i) there shall be a Departmental Board for each Department in the College of Education made up of all the Academic Staff in that department;

(ii) the Departmental Board shall deal with academic matters and any other matter of interest to the Department;

(iii) the Head of Department shall be chairman of the Departmental Board; and

(iv) the Head of Department shall be elected from among the Academic staff not below the rank of Senior Lecturer in that department for a tenure of three years and not immediately renewable.

(c) Where there is no qualified candidate for the position of Dean or Head of Department, the Provost shall appoint an Acting Dean not below the rank of Senior Lecturer or Acting Head of Department not below the rank of Lecturer I for a period of one year in the first instance and renewable once and no more.

(d) Nothing in this Act shall prevent the management Committee and Boards from making supplementary rules to guide their proceedings provided such rules are not inconsistent with the provisions of this Act.

Committee's Recommendation:
That the provision of Clause 9 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 10: Establishment of the Congregation.
There shall be for the College of Education, a Congregation made of both Academic and Senior Non-Teaching staff, who holds at least a first degree or its equivalent:
(a) the Provost shall be the Chairman of the Congregation; and

(b) the Congregation shall meet at least once in a year.

Committee's Recommendation:
That the provision of Clause 10 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 11: Power of Minister over Council.
Subject to the provisions of this Act, the Minister may give to the Council directives of a general character or relating generally to matters of policy with regard to the exercise by the Council of its functions under this Act, and it shall be the duty of the Council to comply with such directives.
Committee's Recommendation:
That the provision of Clause 11 be retained (Senator Babba Kaita Ahmad — Katsina North) —
Agreed to.

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

Clause 12: Office of Provost.

(1) There shall be a Provost of the College (in his Act referred to as "the Provost who shall be appointed by the President, Commander-in-Chief of the Armed Forces in accordance with the provisions of this section.

(2) Where vacancy occurs in the post of Provost, the Council shall:
   (a) advertise the vacancy in a reputable journal or a widely read newspaper in Nigeria specifying:
      (i) The qualifications of the person who may apply for the post; and
      (ii) the terms and conditions of service applicable to the post, and thereafter draw up a short list of suitable candidates for consideration;
   (b) constitute a Search Team consisting of:-
       (i) a member of Council, not being a member of the Academic Board, as Chairman.
       (ii) two members of the Academic Board not below the rank of Chief Lecturer/Professor;
       (iii) two members of the academic community of the college not below the rank of Principal Lecturer/Associate Professor/Reader and not members of Academic Board to be selected by the Academic Staff Congregation. To identify and draw up a short list of suitable persons who are not likely to apply for the post for any reason whatsoever.

(3) A Joint Council and Academic Board Selection Committee consisting of:-
   (a) the Chairman of the Council;
   (b) two members of the Council, not being members of the Academic Board; and
   (c) two members of the Academic Board not below the rank of Chief Lecturer/Professor, who were not members of the Search Team, shall consider the candidates and persons on the shortlists drawn up under subsection (2) of this section through an examination of their curriculum vitae and interaction with them and recommend, through the Council, to the President, Commander-in-Chief of the Armed Forces, three candidates for his consideration.

(4) The President, commander-in-Chief of the Armed Forces shall appoint as Provost one of the candidates recommended to him under the provisions of subsection (3) of this section.
Subject to this Act and the general control of the Council, the Provost shall be the chief executive of the College and shall be charged with general responsibility for matters relating to the day-to-day management operations of the College.

Committee's Recommendation:
That the provision of Clause 12 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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


(1) The Provost shall hold office for a period of 5 years only beginning with the effective date of his appointment and on such terms and conditions as may be specified in his letter of appointment.

(2) Where on the commencement of this section a Provost appointed before the commencement of this section has held office.

(a) for less than five years, he shall be deemed to be serving his 5 years single tenure and shall not have right for the renewal of his appointment for a further term of four years.

(b) for more than five years and has more than 1 year to complete his second term, the Council may allow him to serve as Provost for a further period of one year only and thereafter he shall relinquish his post and be assigned other duties in the College.

(c) for more than 5 years and has less than 1 year to complete his second term, the Council may allow him to serve as Provost to complete his second term and thereafter he shall relinquish his post and be assigned other duties in the College.

(3) The Provost may be removed from office by the Visitor on grounds of gross misconduct of inability to discharge the functions of his office as a result of infirmity of the body or mind after due consultation with the Council and the Academic Board acting through the Minister of Education.

(b) when the proposal for the removal of the Provost is made, the Council shall constitute a joint committee of Council and Academic Board consisting of :

(i) three members of the Council one of whom shall be the chairman of the Committee, and

(ii) two members of Academic Board, provided that where the ground for the removal is infirmity of the body or mind, the Council shall seek appropriate medical opinion.

(c) The committee shall conduct investigation into the allegations made against the Provost and shall report it findings to the Council.

(d) The Council shall where the allegations are proved inform the Visitor who shall remove the Provost.
(e) There shall be no sole administrator in any Nigerian College of Education.

(f) In any case of a vacancy in the office of the Provost, the Council shall appoint an acting Provost on the recommendation of the Academic Board.

(g) An acting Provost in all circumstances shall not be in office for more than 6 months.

Committee's Recommendation:
That the provision of Clause 13 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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


(1) There shall be for the College Deputy Provosts.

(2) The Council shall appoint the Deputy Provost from among the Chief Lecturers in the college in one of the following ways; that is—

(a) from a list of three candidates, in order of preference, submitted by the Provost; or

(b) on the nomination of one candidate by the Academic Board through election.

(3) The Deputy Provost shall:

(a) assist the Provost in the performance of his functions;

(b) act in the place of the Provost when the post of the Provost is vacant or if the Provost is, for any reason, absent or unable to perform his functions as Provost; and

(c) perform such other functions as the Provost or the Council may, from time to time, assign to him.

(4) The Deputy Provost 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 the further period of two years and no more;

(c) A Deputy Provost may be removed from office for good cause by the Council acting on the recommendation of the Provost and Academic board;

(d) "Good cause" for the purpose of this section means gross misconduct or inability to discharge the functions of his office arising from infirmity of body or mind
Committee’s Recommendation:
That the provision of Clause 14 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 15:  Other Principal Officers.
(1) There shall be for the college, the following principal officers, in addition to the Provost and Deputy Provost, that is—
(a) the Registrar
(b) the Bursar; and
(c) the College Librarian

Who shall be appointed by the Council on the recommendation of the Selection Board constituted under section 12 (3).

Committee’s Recommendation:
That the provision of Clause 15 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 16:  Functions of 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 Provost may from time to time direct.

(2) The Registrar shall, in addition to the other duties conferred on him by or under this Act, be a Secretary to the Council; Secretary to Academic Board and any committee of the Council and in his 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) A Registrar shall hold office for a single term of five years only beginning from the effective date of his appointment and such terms and conditions as may be specified in his letter of appointment.

(b) Where on the commencement of this section a Registrar appointed before the commencement of this section has held office:
(i) for less than five years, he shall be allowed to complete the five years specified in his appointment letter and shall not have right for the renewal of his appointment for a further term of five years.
(ii) for more than five years and has more than 1 year to complete his second term, the council may allow him to serve as Registrar for a further period of one year only and thereafter be shall relinquish his post and be assigned other duties in the College.
(iii) for more than five years and has less than 1 year to complete his second term, the council may allow him to serve as Registrar for a further period of one year only and thereafter he shall relinquish his post and be assigned other duties in the College.

Committee’s Recommendation:
That the provision of Clause 16 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 17: Functions of Bursar and Tenure.
(1) The Bursar shall be the Chief Financial Officer of the College and be responsible to the Provost for the day-to-day administration and control of financial affairs of the college.

(2) (a) A Bursar shall hold office for a single term of five years only beginning from the effective date of his appointment and such terms and conditions as may be specified in his letter of appointment.

(b) Where on the commencement of this section a Bursar appointed before the commencement of this section has held office—

(i) for less than five years, he shall be allowed to complete the five years specified in his appointment letter and shall not have right for the renewal of his appointment for a further term five years.

(ii) for more than five years and has more than 1 year to complete his second term, the Council may allow him to serve as Bursar for a further period of one year only and thereafter he shall relinquish his post and be assigned other duties in the College.

(iii) for more than five years and has less than 1 year to complete his second term, the Council may allow him to serve as Registrar for a further period of one year only and thereafter he shall relinquish his post and be assigned other duties in the College.

Committee’s Recommendation:
That the provision of Clause 17 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 18: Functions of College Librarian and Tenure.
(1) The College Librarian shall be responsible to the Provost for the administration of the College Library and co-ordination of the Library services in the teaching units of the College.

(2) (a) A College Librarian shall hold office for a single term of five years only beginning and such terms and conditions as may be specified in his letter of appointment.
(b) Where on the commencement of this section a College Librarian appointed before the commencement of this section has held office-

(i) for less than five years, he shall be allowed to complete the five years specified in his appointment letter and shall not have right for the renewal of his appointment for a further term of five years.

(ii) for more than five years and has more than 1 year to complete his second term, the Council may allow him to serve as College Librarian for a further period of one year only and thereafter he shall relinquish his post and be assigned other duties in the College.

(iii) for more than 5 years and has less than 1 year to complete his second term, the Council may allow him to serve as College Librarian to complete his second term and thereafter he shall relinquish his post and be assigned other duties in the College.

Committee’s Recommendation:
That the provision of Clause 18 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 19: How a Principal Officer can Resign.

(1) (1) A Principal Officer may resign his appointment-

(a) in the case of the Provost, by notice to the Visitor;

(b) in any other case, by notice to the Council

Committee’s Recommendation:
That the provision of Clause 19 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 20: Appointment of Registrar, College Librarian and Bursar.

(1) (a) There shall be for the College, a Selection Board which shall consists of -

(i) the Chairman of the Council

(ii) The Provost

(iii) four members of the Council not being members of Academic Board; and

(iv) two members of Academic Board

(b) The functions, procedure and other matters relating to the Selection Board constituted under subsection (i) of this section shall be as the Council may determine from time to time.
Committee's Recommendation:
That the provision of Clause 20 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 21: Appointment of Other Staff of the College that are not Principal Officers.

1. The Council may appoint such other persons to be employees of the College as the Council may determine to assist the Provost and the Principal Officers of the College in the performance of their functions under this Act.

2. Subject to the provisions of this Act, the remuneration, tenure of office and conditions of service of the employees of the Council shall be determined by the Council in consultation with appropriate authorities.

3. The Council may appoint such other persons to be employees of the College as the council may determine to assist the Provost in the exercise of his functions under this Act.

Committee's Recommendation:
That the provision of Clause 21 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 22: Remuneration of Provost and Other Employees.
The remuneration, tenure of office and conditions of service of the Provost and other employees of the Council shall be determined by the Council, in consultation with the Head of the Civil Service of the Federation/Revenue Mobilisation, Allocation and Fiscal Commission, National Salaries, National Salaries, Income and Wages Commission.

Committee's Recommendation:
That the provision of Clause 22 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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


1. It is hereby declared that service in the College shall be approved service for the purposes of the Pensions Act and accordingly, officers and other persons employed in the College, except Principal Officers shall, in respect of their service in the College, be entitled to pensions, gratuities and other retirement benefits as are prescribed thereunder, so however that nothing in this Act shall prevent the appointment of a person to any office on terms which preclude the grant of a pension and gratuity in respect of that office.

2. For the purposes of the application of the provisions of the Pensions Act, any power exercisable thereunder by a Minister or other authority of the Government of the Federation (other than the power to make regulations under section 23 thereof) shall be exercisable by the College and not by any other person or authority.
Committee's Recommendation:
That the provision of Clause 23 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

PART II - FINANCIAL PROVISIONS

(1) The Council shall establish and maintain a fund which shall be applied towards the promotion of the objectives specified in this Act;

(2) There shall be paid and credited to the fund established under subsection (1) of this section:
   (a) such sums as may from time to time be granted to the Council by the Government of the Federation;

   (b) all monies raised for the purposes of the Council by way of gifts, grants-in-aid or testamentary disposition, and

   (c) all subscriptions, fees and charges for services rendered by the Council and all other sums that may accrue to the Council from any source.

(3) The Council shall submit to the Minister, not later than 3 months before the end of each financial year or at least at such other time as he may direct, an estimate of its revenue and expenditure for the succeeding financial year.

Committee’s Recommendation:
That the provision of Clause 24 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 25: Power to Accept Gifts.
(1) The Council may accept gifts of land, money or other property upon such terms and conditions, if any, as may be specified by the person making the gift.

(2) The Council shall not accept any gift if the conditions attached by the person making the gift are inconsistent with the functions of the Council.

Committee’s Recommendation:
That the provision of Clause 25 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 26: Accounts and Audit.
The Council shall keep proper accounts of its receipts, payments, assets and liabilities and shall in respect of each year cause the accounts to be audited.
Committee's Recommendation:
That the provision of Clause 26 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

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

Committee's Recommendation:
That the provision of Clause 27 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

PART III - MISCELLANEOUS AND SUPPLEMENTARY

Clause 28: Offices and Premises.
(1) For the purpose of providing offices and premises necessary for the performance of its functions, the Council may:
(a) purchase any interest in or take on lease any land, and
(b) build, equip and maintain offices and premises.

(2) The Council may, with the approval of the Minister, sell any interest in or lease any land, offices or premises held by it and no longer required for the performance of its functions.

Committee's Recommendation:
That the provision of Clause 28 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 29: Discipline of Students.
(1) The Council may make rules providing for the Provost to conduct enquiries into alleged breaches of discipline (including lack of diligence) by students and such rules may make different provisions for different circumstances.

(2) The rules shall provide for the procedure and rules of evidence to be followed at enquiries under this section.

(3) Subject to the provisions of subsection (1) of this section, where it is proved during the enquiry that any student of the College has been found culpable guilty of misconduct, the Provost may, without prejudice to any other disciplinary powers conferred on him by this Act or any regulations made thereunder, direct:
(a) that the student shall not, during such period as may be specified in the direction, participate in such activities of the College, or make use of such facilities of the College, as he may specify; or
(b) that the activities of the student shall, during such period as may be specified in the directions, be restricted in such manner as may be so specified; or

(c) that the student be suspended for such period as may be specified in the direction, or

(d) that the student shall be expelled from the College.

(4) Where there is temporarily no Provost or where the Provost refuses to apply any disciplinary measures, the Council may, either directly or through some other staff, apply such disciplinary actions as are specified in subsection (3) of this section to any student of the College who is guilty of misconduct.

(5) Where a direction is given under subsection 3(c) or (d) of this section in respect of any student, the student may, within 21 days from the date of the letter communicating the decision to him appeal from the decision to the Council, and where such an appeal is, brought, the Council shall, after causing such inquiry to be made in the matter as the Council considers just, either confirm or set aside the decision or modify it in such manner as the Council may think fit.

(6) The fact that an appeal from a decision is brought in pursuance of the last foregoing subsection shall not affect the operation of the decision while the appeal is pending, except the Council direct otherwise.

(7) The Provost may delegate his powers under this section to a disciplinary committee, consisting of such members of the College as he may nominate.

(8) Nothing in this section shall be construed as preventing or restriction or termination of a student's activities at the College otherwise than on the ground of misconduct.

(9) It is hereby declared that a direction under subsection (3) (a) of this section may be combined with a direction under subsection (3) (b) of this section.

(10) In all cases under this section, the decision of the Council shall be final unless reversed by the Minister on appeal by the student.

Committee's Recommendation:
That the provision of Clause 29 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 30: Interpretation.
In this Act, unless the context otherwise requires-

"Chairman" means the Chairman of the Council,

"College" means any of the Federal College of Education specified in Schedule 1 to this Act and
"Council" means the Governing Council of the College established by or pursuant to section 1 of this Act;

"Provost" means the Provost of a College appointed under section 9 of this Act;

"function" includes powers and duties;

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

"member" means a member of the Council including the Chairman.

Committee’s Recommendation:
That the provision of Clause 30 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 31: Short Title.
This Act may be cited as the Federal College of Education Illo, Kebbi State, 2019.

Committee’s Recommendation:
That the provision of Clause 31 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

SCHEDULE
SECTION 3 (3)

SCHEDULE I

SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL, ETC

Terms of Service
Remuneration of Council Members

1. There may be paid to the members of the Council or any Committee, such remuneration and allowances as may from time to time be determined by the President, Commander-in-Chief of the Armed Forces.

Vacancy of Council Seat

2. Where a vacancy occurs in respect of the membership specified in section 4 (1) (a), it shall be filled by the appointment of a successor to hold offices for the remainder of the term of office of his predecessor.

3. The Council may act notwithstanding any vacancy in its membership or any defect in the appointment of a member or the absence of a member.

Proceedings

4. (1) The Council shall meet for the conduct of business at such times, places and on such days as the Chairman may appoint but shall meet not less than once in every three months.
(2) The Chairman may at any time and shall, at the request in writing of not less than 6 members, convene a meeting of the Council.

(3) At any meeting of the Council the Chairman shall preside; but in his absence, members present shall elect one of their members to preside at the meeting.

(4) Where the Council desires to obtain the advice of any person on any particular matter, the Council may co-opt persons who are not members of the Council but persons co-opted shall not be entitled to vote at a meeting of the Council.

(5) The quorum of the Council shall be one half of the total members of the Council at least one of whom shall be a member appointed by the President, Commander-in-Chief of the Armed Forces.

(6) Decisions of the Council shall be made on approval by a simple majority of members.

Miscellaneous

5. (1) The fixing of the seal of the College shall be authenticated by the signature of the Chairman, Provost and some other members of the Council authorized generally or specially by the Council to act for that purpose.

(2) Any contract or instrument which, if made or executed by a person other than a body corporate would not be required to be under seal may be made and executed on behalf of the College by any person generally or specially authorized to act for that purpose by the Council.

(3) Any document purporting to be duly executed under the seal of the College shall be received in evidence and shall, unless the contrary is proved, be presumed to be so executed.

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

Chairman to report Bill.

(SENATE IN PLENARY)

The President of the reported that the Senate in the Committee of the Whole considered the Report of the Committee on Tertiary Institutions and TETFUND on the Federal College of Education Illo (Establishment, etc.) Bill, 2019 and approved as follows:

Clauses 1-31 — As Recommended
Schedule — As Recommended

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

Motion made: That the Bill be now Read the Third Time (Deputy Chief Whip).

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.
18. Committee on Tertiary Institutions and TETFUND:
Report on the Federal University of Education Kontagora (Establishment, etc.) Bill, 2019 (SB.5):

Motion made: That the Senate do receive and consider the Report of the Committee on Tertiary Institutions and TETFUND on the Federal University of Education Kontagora (Establishment, etc.) Bill, 2019 (Senator Babba Kaita Ahmad — Katsina North).

Question put and agreed to.

Report Laid and presented.

Motion made: That the Senate do resolve into the Committee of the Whole to Consider the Report. (Deputy Chief Whip).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE FEDERAL UNIVERSITY OF EDUCATION, KONTAGORA; AND FOR OTHER MATTERS CONNECTED THEREWITH, 2019

PART I — ESTABLISHMENT, CONSTITUTION AND FUNCTIONS
OF THE FEDERAL UNIVERSITY OF EDUCATION, KONTAGORA

Clause 1: Establishment and Objectives of the Federal University of Education, Kontagora.

(1) There is hereby Federal College of Education, Kontagora upgraded and established as the Federal University of Education, Kontagora.

(2) The University shall be a body corporate with perpetual succession and a common seal and may sue or be sued in its corporate name.

(3) The University shall be a training institution for the development of teacher education in the country.

(4) The University shall be supervised by the Federal Ministry of Education through the National Universities Commission (NUC) who shall be responsible for approving and regulating all academic programmes run in the University, to ensure quality compliance and provide funds for academic and research programmes, infrastructures and remunerations of employees.

(5) The objective of the University shall be —

(a) to encourage the advancement of learning and to hold out to all persons without distinction of race, creed, sex or political conviction.

(b) to develop and offer academic and professional programmes leading to the award of certificates, first degrees, post-graduate, diploma and higher degrees with emphasis on planning, developmental and adaptive skills in education, technology, applied science, agriculture, commerce, arts, social science, humanities, management and allied professional disciplines.
(c) to produce socially matured educated men and women with capabilities not only understand educational need of Nigeria as a nation, but also to exploit existing educational infrastructure and improve on it to develop new ones.

(d) to act as agents and catalysts for effective educational system, through post graduate training, research and innovation, for effective economic utilization and conservation of the country's human resources.

(e) to collaborate with other national and international institutions involved in training, research and development of education with a view to promoting governance, leadership and management skills among educational managers.

(f) to identify educational needs of the society with a view to finding solutions to them within the context of overall national development.

(g) to provide and promote sound basic education training as a foundation for the development of Nigeria, taking into account indigenous culture and the need to enhance national unity.

(h) to provide higher education and foster a systematic advancement of the science and art of teacher education.

(i) to provide for instruction in such branches of teacher education as it may deem necessary to make provision for research advancement and dissemination of knowledge in such manner as it may determine.

(j) to provide teachers with operational competence for teaching in pre-tertiary institutions, basic, senior secondary schools and non-formal education institutions.

(l) to undertake any other activities that is appropriate for a university of education of the highest standard.

Committee's Recommendation:
That the provision in Clause 1 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 2: Constitution and Principal Officers of the University.

(1) The University shall consist of —

(a) a Chancellor;

(b) a Pro-Chancellor and a Council;

(c) a Vice-Chancellor and a Senate;

(d) a body to be called Congregation;

(e) a body to be called Convocation;
(f) the campuses and colleges of the University;

(g) the colleges, institutes and other teaching and research units of the University;

(h) the persons holding the offices constituted by the First Schedule to this Bill other than those mentioned in paragraphs (a) to (c) of this subsection;

(i) all graduates and undergraduates of the University; and

(j) all other persons who are members of the University in accordance with provisions made by statute in that behalf.

(2) The First Schedule to this Bill shall have effect with respect to the principal officers of the University.

(3) Subject to section 5 of this Bill provision shall be made by statute with respect to the constitution of the Council, the Senate, Congregation and Convocation.

Committee’s Recommendation:
That the provision in Clause 2 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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


(1) For the carrying out of its objects as specified in section 1 of this Bill, Federal University of Education, Kontagora shall have power —

(a) to offer courses of instruction, training and research in education and allied areas for the production of quality and skilled teachers required to teach at lower, middle and higher levels of education in Nigeria in particular and the world at large.

(b) to establish such colleges, campuses, institutes, schools, departments and other teaching and research units within the University as may from time to time be deemed necessary or desirable subject to the approval of National Universities Commission;

(c) to institute professorships, readerships or associate professorships, lectureships, and other posts and offices and to make appointments thereto;

(d) to institute and award fellowships, scholarships, exhibitions, bursaries, medals, prizes and other titles, distinctions, awards and forms of assistance;

(e) to provide for the discipline and welfare of members of the University;
(f) to hold examinations and grant degrees, diplomas, certificates and other distinctions to persons who have pursued a course of study approved by the University and have satisfied such other requirements as the University may lay down;

(g) to grant honorary degrees, fellowships or academic titles;

(h) to demand and receive from any student or any other person attending the University for the purposes of instruction, such fees as the University may from time to time determine subject to the overall directives of the Minister;

(i) subject to section 20 of this Bill, to acquire, hold, grant, charge or otherwise deal with or dispose of movable and immovable property wherever it is situate;

(j) to accept gifts, legacies and donations, but without obligation to accept the same for a particular purpose unless it approves the terms and conditions attached thereto;

(k) to enter into contracts, establish trusts, act as trustee, solely or jointly with any other person, and employ and act through agents;

(l) to erect, provide, equip and maintain libraries, laboratories, workshops, lecture halls, halls of residence, refectories, sports grounds, playing fields and other buildings or things necessary, suitable or convenient for any of the objects of the University;

(m) to hold public lectures and to undertake printing, publishing and book selling;

(n) subject to any limitations or conditions imposed by statute, to invest any moneys appertaining to the University by way of endowment it, not being immediately required for current expenditure in any investments or securities or in the purchase or improvement of land, with power from time to time, to vary any such investments to deposit any moneys for the time being not invested with any bank on deposit or current account;

(o) to borrow, whether on interest or not and if need be upon the security of any or all of the property, movable or immovable, of the University, such moneys as the Council may from time to time in its discretion find it necessary or expedient to borrow of to guarantee any loan, advances or credit facilities;

(p) to make gifts for any charitable purpose;

(q) to do anything which it is authorized or required by this Bill or by statute to do; and

(r) to do all such acts or things, whether or not incidental to the foregoing powers, as may advance the objects of the University.
(2) Subject to the provisions of this Bill and of the statutes and without prejudice to section 7(2) of this Bill, the powers conferred on the University by subsection (1) of this section shall be exercisable on behalf of the University by the Council or by the Senate or in 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 provision in Clause 3 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 4: Functions of the Chancellor and Pro-Chancellor.
(1) The Chancellor shall, in relation to the University, take precedence before all other members of the University, and when he is present, shall preside at all meetings of Convocation held for conferring degrees.

(2) The Pro-Chancellor shall, in relation to the University, take precedence before all other members of the University, except the Chancellor and except the Vice-Chancellor when acting as chairman of Congregation or Convocation and the Pro-Chancellor shall, when he is present, be the chairman at all meetings of the Council.

Committee’s Recommendation:
That the provision in Clause 4 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 5: Composition, Tenure and Powers of the Council of the University.
(1) The Council of the University shall consist of —
(a) the Pro-Chancellor who shall be appointed by the President on the recommendation of the Honourable Minister of Education;

(b) the Vice-Chancellor;

(c) the Deputy Vice-Chancellor(s);

(d) one person from the Minister of Education;

(e) four persons representing a variety of interests and broadly representative of the whole Federation to be appointed from —
(i) the Teacher’s Registration Council;

(ii) Tertiary Education Trust Fund; and

(iii) two other persons, one of whom shall be a representative of the University host community.

(f) four persons appointed by the Senate from among its members;
(g) two persons appointed by Congregation from among its members

(h) one person appointed by Convocation from among its members.

(i) two persons representing the community appointed by the President.

(2) Persons to be appointed to the Council shall be of proven integrity, knowledgeable and familiar with the affairs and tradition of the University.

(3) The Council so constituted shall have a tenure of four years from the date of its inauguration provided that where a Council is found to be incompetent and corrupt, it shall be dissolved by the Visitor and a new Council shall be immediately constituted for the effective functioning of the University.

(4) The powers of the Council shall be exercised, as in this Bill and to that extent establishment circulars that are inconsistent with this Bill shall not apply to the University.

(5) The Council shall be free in the discharge of its functions and exercise of its responsibilities for the good management, growth and development of the University.

(6) The Council in the discharge of its functions shall ensure that disbursement of funds of the University complies with the approved budgetary ratio for —

(a) personnel cost;

(b) overhead cost;

(c) research and development;

(d) library developments; and

(e) the balance in expenditure between academic vis-à-vis non-academic activities.

Committee’s Recommendation:
That the provision in Clause 5 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 6: Functions of the Council and its Finance and General Purpose Committee

—

(1) Subject to the provisions of this Bill relating to the Visitor, the Council shall be the governing body of the University and shall be charged with the general control and superintendence of the policy, finances and property of the University.
(2) There shall be a committee of the Council, to be known as the Finance, and General Purposes Committee, which shall, subject to the directions of the Council, exercise control over the property and expenditure of the University and perform such other functions of the Council as the Council may from time to time delegate to it.

(3) Provision shall be made by statute with respect to the constitution of the Finance and General Purposes Committee.

(4) The Council shall ensure that proper accounts of the University are kept and that the accounts of the University are audited annually by an independent firm of auditors approved by the Council and that an annual report is published by the University together with certified copies of the said accounts as audited.

(5) Subject to this Bill and the statutes, the Council and the Finance and General Purposes Committee may each make rules for the purpose of exercising any of their respective functions or of regulating their own procedure.

(6) Rules made under sub-section (5) of this section by the Finance and General Purposes Committee shall not come into force unless approved by the Council; and in so far as the extent that any rules so made by that Committee conflict with any direction given by the Council, whether before or after the coming into force of the rules in question, the directions of the Council shall prevail.

(7) There shall be paid to the members respectively of the Council, the Finance and General Purposes Committee and of any other committee set up by the Council, allowances in respect of travelling and other reasonable expenses, at such rates as may from time to time be fixed by the Minister.

(8) The Council shall meet as and when necessary for the performance of its functions under this Bill and shall meet at least three times in every year.

(9) If requested in writing by any five members of the Council, the chairman shall within 28 days after the receipt of such request call a meeting of the Council.

(10) Any request made under sub-section (9) of this section shall specify the business to be considered at the meeting and no business not so specified shall be transacted at that meeting.

Committee’s Recommendation:
That the provision in Clause 6 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 7: Functions of the Senate of the University —

(1) Subject to section 6 of this Bill and subsections (3) and (4) of this section and the provisions of this Bill relating to the Visitor, it shall be the general function of the Senate to organize and control the teaching by the University, the admission of student where no other enactment
provides to the contrary and the discipline of students; and to promote research at the University.

(2) Without prejudice to the generality of subsection (1) of this section and subject as therein mentioned, it shall in particular be the function of the Senate to make provision for —

(a) the establishment, organization and control of campuses, colleges, schools, institutes and other teaching and research units of the University and the allocation of responsibility for different branches of learning;

(b) the organization and control of courses of study at the University and of the examinations held in conjunction with those courses, including the appointment of examiners, both internal and external;

(c) the award of degrees, and such other qualifications as may be prescribed in connection with examinations held as aforesaid;

(d) the making of recommendations to the Council with respect to the award to any person of an honorary fellowship or honorary degree or the title of professor emeritus;

(e) the establishment, organization and control of halls of residence and similar institutions at the University;

(f) the supervision of the welfare of students at the university and the regulation of their conduct;

(g) the granting of fellowships, scholarships, prizes and similar awards in so far as the awards are within the control of the University; and

(h) determining what descriptions of dress shall be academic dress for the purposes of the University, and regulating the use of academic dress.

(3) The Senate shall not establish any new campus, college, school, department, institute or other teaching and research units of the university, or any hall of residence or similar institution at the University without the approval of the Council.

(4) Subject to this Bill and the statutes, the Senate may make regulations for the purpose of exercising any function conferred on it either by the foregoing provisions of this section or otherwise or for the purpose of making provision for any matter for which provision by regulations is authorized or required by this Bill or by statute.

(5) Regulations shall provide that at least one of the persons appointed as the examiners at each final or professional examination held in conjunction with any course of study at the University is not a teacher at the University but is a teacher of the branch of learning to which the course relates at some other University of high repute or a person engaged in practicing the profession in a reputable organization or institution.
(6) Subject to right of appeal to the Council from a decision of the Senate under this sub-section, the Senate may deprive any person of any degree, diploma or other award of the University which has been conferred upon him if after due enquiry he is found to have been guilty of dishonourable or scandalous conduct in gaining admission into the University or obtaining that award.

Committee's Recommendation:
That the provision in Clause 7 be retained (Senate babba Kaita Ahmad — Katsina Norht) — Agreed to.

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

Clause 8: Functions of the Vice Chancellor —
(1) The Vice-Chancellor shall, in relation to the University, take precedence before all other members of the University except the Chancellor and subject to section 4 of this Bill except the Pro-Chancellor and any other person for the time being acting as Chairman of the Council.

(2) Subject to sections 6, 7 and 14 of this Bill, the Vice-Chancellor shall have the general function, in addition to any other functions conferred on him by this Bill or otherwise of directing the activities of the University and shall be the Chief Executive and Accounting Officer of the University and ex-officio Chairman of the Senate.

(3) The Vice-Chancellor shall be the Chairman of the University Tenders' Board, which is saddled with the responsibility of approving the conduct of public procurement of goods, works and services within the approved threshold from time to time.

(4) It shall be the responsibility of the Vice Chancellor to establish and appoint members of the Tenders' Board in line with the extant Public Procurement Rules and Regulations.

Committee's Recommendation:
That the provision in Clause 8 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

PART II — GENERAL FUND, TRANSFER OF PROPERTY, ETC,
TO THE UNIVERSITY AND CONDITION OF SERVICE OF EMPLOYEES

Clause 9: General fund of the University.
(1) There shall be a general fund of the university which shall consist of the following —
(a) grants-in-aid;
(b) fees;
(c) income derived from investments;
(d) gifts, legacies, endowments and donations not accepted for a particular purpose;
(e) income derived from the exercise of any functions conferred or imposed on the University by this Bill;

(f) any other amounts, charges or dues recoverable by the University;

(g) revenue, from time to time, accruing to the University by way of subvention;

(h) interests on investments;

(i) donations and legacies accruing to the University from any source for the general or special purposes of the University;

(j) Regular TETFund interventions;

(2) The general fund shall be applied for the purposes of the University.

Committee's Recommendation:
That the provision in Clause 9 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 10: Transfer of Property.
(1) All property held by or on behalf of the Provisional Council of the University shall, by virtue of this sub-section and without further assurance, vest in the University and be held by it for the purpose of the University.

(2) The provisions of the Second Schedule to this Bill shall have effect with respect to, and to matters arising from, the transfer of property by this section and with respect to the other matters mentioned in that Schedule.

Committee's Recommendation:
That the provision in Clause 10 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

PART III — STATUTES OF THE UNIVERSITY

Clause 11: Power of the University to make Statutes.
(1) Subject to this Bill, the University may make statutes for any of the following purposes, that is to say —

(a) Making provision with respect to the composition and constitution of any authority of the University;

(b) Specifying and regulating the powers and duties of any authority of the University, and regulating any other matter connected with the University or any of its authorities;

(c) Regulating the admission of students (where no other enactment provides to the contrary), and their discipline and welfare;
(d) Determining whether any particular matter is to be treated as an academic or non-academic matter for the purposes of this Bill and of any statute, regulation or other instrument made thereunder; or

(e) Making provision for any other matter for which provision by statute is authorized or required by this Bill.

(2) Subject to section 25(6) of this Bill, the Interpretation Act shall apply in relation to any statute made under this section as it applies to a subsidiary instrument within the meaning of section 28(1) of that Act.

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

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

Committee's Recommendation:
That the provision in Clause 11 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 12: Mode of Exercising Power to Make Statutes.
(1) The power of the University to make statutes shall be exercised in accordance with the provisions of this section and not otherwise.

(2) A proposed statute shall not become law unless it has been approved—
(a) at a meeting of the Senate, by the votes of not less than two thirds of the members present and voting; and

(b) at a meeting of the Council, by the votes of not less than two thirds of the members present and voting.

(3) A proposed statute may originate either in the Senate or in the Council, and may be approved as required by subsection (2) of this section by either one of those bodies or the other.

(4) A statute which —
(a) makes provision for or alters the composition or constitution of the Council, the Senate or any other authority of the University; or

(b) provides for the establishment of a new campus or college or for the amendment or revocation of any statute.

(5) For the purpose of section 2(2) of the Interpretation Act, a statute shall be treated as being made on the date on which it is duly approved by the Council after having been duly approved by the Senate, or on the date on which it is duly approved by the Senate after having been duly approved by the Council, as the case may be or, in the case of a statute falling within subsection (4) of this section, on the date on which it is approved by the President.
(6) In the event of any doubt or dispute arising at any time —  
(a) as to the meaning of any provision of a statute; or  
(b) as to whether any matter is for the purposes of this Bill an  
academic or non-academic matter as they relate to such doubt  
or dispute, the matter may be referred to the Visitor, who shall  
take such advice and make such decision thereon as he shall  
think fit.

(7) The decision of the Visitor on any matter referred to him under  
sub-section (6) of this section shall be binding upon the authorities, staff  
and students of the University and where any question as to the meaning  
of any provision of a statute has been decided by the Visitor under that  
sub-section, no question as to the meaning of that provision shall be  
etertained by any court of law in Nigeria.

(8) Nothing in sub-section (7) of this section shall affect any power of a  
court of competent jurisdiction to determine whether any provision of a  
statute is wholly or partly void as being ultra vires or as being  
inconsistent with the Constitution of the Federal Republic of Nigeria,  
1999.

Committee’s Recommendation:  
That the provision in Clause 12 be retained (Senator Babba Kaita Ahmad — Katsina North) —  
Agreed to.

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

Clause 13: Proof of Statute.  
A statute may be proved in any court by the production of a copy thereof  
bearing or having affixed to it a certificate purporting to be signed by the  
Vice-Chancellor or the Secretary to the Council to the effect that the copy is a  
true copy of a statute of the University.

Committee’s Recommendation:  
That the provision in Clause 13 be retained (Senator Babba Kaita Ahmad — Katsina North) —  
Agreed to.

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

PART IV — SUPERVISION AND DISCIPLINE

Clause 14: The Visitor.  
(1) The President shall be the Visitor of the University.

(2) The Visitor shall cause a visitation to the University when necessary,  
at least every five years, or direct that such a visitation be conducted by  
such person or persons as the Visitor may deem fit and in respect of  
any of the affairs of the University.

(3) It shall be the duty of the bodies and persons comprising the University  
to make available to the Visitor and to any other person conducting a  
visitation in pursuance of this section, such facilities and assistance as  
he or they may reasonably require for the purposes of a visitation.
(4) The Visitor shall make the report of such visitations and white paper thereon available to the Council which shall implement same.

Committee’s Recommendation:
That the provision in Clause 14 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

(1) If it appears to the Council that a member of the Council (other than the Pro-Chancellor or the Vice-Chancellor) should be removed from office on the ground of misconduct or inability to perform the functions of his office or employment, the Council shall make a recommendation to that effect through the Minister to the President, and the President, after making such enquiries (if any) as he may consider appropriate approves the recommendation, he may direct the removal of the person in question from office.

(2) It shall be the duty of the Minister to use his best endeavours to cause a copy of the instrument embodying a direction under subsection (1) of this section to be served as soon as reasonably practicable on the person to whom it relates.

Committee’s Recommendation:
That the provision in Clause 15 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 16: Removal and Discipline of Academic, Administrative and Professional Staff.
(1) If it appears to the Council that there are reasons for believing that any person employed as a member of the academic, administrative or professional staff of the University, other than the Vice-Chancellor, should be removed from his office or employment on the ground of misconduct or of professional inability to perform the functions of his office or employment, the Council shall —
(a) give notice of those reasons to the person in question;
(b) afford him an opportunity of making representations in person on the matter by the Council; and
(c) for the person in question to be afforded an opportunity of appearing before and being heard by the investigating committee with respect to the matter, and if the Council, after considering the report of the investigating committee, is satisfied that the person in question should be removed as aforesaid, the Council may so remove him by an instrument in writing signed on the directions of the Council.

(2) The Vice-Chancellor may, in a case of misconduct by a member of the staff which in the opinion of the Vice-Chancellor is prejudicial to the interest of the University, suspend such member and any such suspension shall forthwith be reported to the Council.
(3) For good cause, any member of the staff may be suspended from his duties or his appointment may be terminated by the Council; and for the purposes of this subsection "good cause" means —
(a) conviction for any offence which the Council considers to be such as to render the person concerned unfit for the discharge of the functions of his office;
(b) any physical or mental incapacity which the Council, after obtaining medical advice, considers to be such as to render the person concerned unfit to continue to hold his office;
(c) conduct of a scandalous or other disgraceful nature which the Council considers to be such as to render the person concerned unfit to continue to hold his office;
(d) conduct which the Council considers to be such as to constitute failure or inability of the person concerned to discharge the functions of his office or to comply with the terms and conditions of his service;
(e) conduct which the Council considers to be generally of such nature as to render the continued appointment or service of the person concerned prejudicial or detrimental to the interest of the University.

(4) Any person suspended pursuant to subsection (2) or (3) of this section shall be on half pay and the Council shall before the expiration of a period of three months after the date of such suspension consider the case against that person and come to a decision as —
(a) whether to continue such person's suspension and if so on what terms (including the proportion of his emoluments to be paid to him);
(b) whether to reinstate such person, in which case the Council shall restore his full emoluments to him with effect from the date of suspension;
(c) whether to terminate the appointment of the person concerned, in which case such a person shall not be entitled to the proportion of his emoluments withheld during the period of suspension; or
(d) whether to take such lesser disciplinary action against such person (including the restoration of such proportion of his emoluments that might have been withheld) as the Council may determine.

(5) In any case where the Council, pursuant to this section, decides to continue a person's suspension or decides to take further disciplinary action against a person, the Council shall before the expiration of a period of three months from such decision come to a final determination in respect of the case concerning any such person.

(6) It shall be the duty of the person by whom an instrument of removal is signed in pursuance of subsection (1) of this section to use his best endeavours to cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it relates.
(7) Nothing in the foregoing provisions of this section shall—
(a) apply to any directive given by the Visitor in consequence of
any visitation; or
(b) prevent the Council from making regulations for the discipline
of other categories of workers of the University as may be
prescribed.

Committee’s Recommendation:
That the provision in Clause 16 be retained (Senator Babba Kaita Ahmad — Katsina North) —
Agreed to.

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

Clause 17: Removal of Examiners.

(1) If, on the recommendation of the Senate, it appears to the
Vice-Chancellor that a person appointed as an examiner for any
examination of the University ought to be removed from his office or
appointment, then, except in such cases as may be prescribed by the
Vice-Chancellor may, after affording the examiner an opportunity of
making representations in person on the matter to the Vice-Chancellor,
remove the examiner from the appointment by an instrument in writing
signed by the Vice-Chancellor.

(2) Subject to the provisions of regulations made in pursuance of section
7(5) of this Bill, the Vice-Chancellor may, on the recommendation of
the Senate, appoint an appropriate person as examiner in the place of
the examiner removed in pursuance of subsection (1) of this section.

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

Committee’s Recommendation:
That the provision in Clause 17 be retained (Senator Babba Kaita Ahmad — Katsina North) —
Agreed to.

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

Clause 18: Participation and Discipline of Students.

(1) The Students shall be—
(a) represented in the University’s Students Welfare Board and
other committees that deal with the affairs of students;
(b) Participate in various aspects of curriculum development;
(c) Participate in the process of assessing academic staff in respect
of teaching; and
(d) Be encouraged to be more self-assured as part of the national
development process.
Subject to the provisions of this section, where it appears to the Vice-Chancellor that any student of the University has been guilty of misconduct, the Vice-Chancellor may, without prejudice to any other disciplinary powers conferred on him by statute or regulations, direct—

(a) that the student shall not, during such period as may be specified in the directions, participate in such activities of the University, or make use of such facilities of the University, as may be so specified, or

(b) that the activities of the student shall, during such period as may be specified in the direction, be restricted in such manner as may be so specified, or

(c) that the student be rusticated for such period as may be specified in the direction; or

(d) that the student be expelled from the University.

Where a direction is given under subsection (1)(c) or (d) of this section in respect of any student, that student may, within the prescribed period and in the prescribed manner, appeal to the Council; and where such an appeal is brought, the Council shall, after causing such inquiry to be made in the matter as the Council considers just either confirm or set aside the direction or modify it in such manner as the Council thinks fit.

The fact that an appeal from a direction is brought in pursuance to subsection (2) of this section shall not affect the operation of the direction while the appeal is pending —

(a) The Vice-Chancellor may delegate his powers under this section to a disciplinary board consisting of such members of the University as he may nominate.

(b) Nothing in this section shall be construed as preventing the restriction or termination of students' activities at the University otherwise than on the ground of misconduct.

(c) A direction under subsection (2)(a) of this section may be combined with a direction under subsection (2)(b) of this section.

Committee’s Recommendation:
That the provision in Clause 18 be retained (Senator Babba Kaila Ahmad — Katsina North) — Agreed to.

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

PART V — MISCELLANEOUS AND GENERAL

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

(1) No person shall be required to satisfy requirements as to any of the following matters, that is to say, race (including ethnic grouping), sex, account of race, place of birth or of family origin, or religious or political persuasion, as a condition of becoming or continuing to be a student at the university, the holder of any degree of the University or of any appointment or employment at the University, or a member of
anybody established by virtue of this Bill; and no person shall be subject to any disadvantage or accorded any advantage relation to the University, by reference to any of those matters.

(2) Nothing in subsection (1) of this section shall be construed as preventing the University from imposing any disability or restriction on any of the persons mentioned in that subsection where such person wilfully refuses or fails on grounds of religious belief to undertake any duty generally and uniformly imposed on all such person or any group of them which duty, having regard to its nature and the special circumstances pertaining thereto, is in the opinion of the University reasonably justifiable in the national interest.

Committee’s Recommendation:
That the provision in Clause 19 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 20: Restriction on Disposal of Land by University.
Without prejudice to the provisions of the Land Use Act, the University shall not dispose of or charge any land or an interest in any land (including any land transferred to the University by this Bill) except with the prior written consent, either general or special, of the Governor:

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

Committee’s Recommendation:
That the provision in Clause 20 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 21: Quorum and Procedure of Bodies Established by this Bill.
Except as may be otherwise provided by statute or by regulations, the quorum and procedure of any body of persons established by this Bill shall be as determined by that body.

Committee’s Recommendation:
That the provision in Clause 21 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 22: Appointment of Committee, etc.
(1) Anybody of persons established by this Bill shall, without prejudice to the generality of the powers of that body, have power to appoint committees, which need not consist exclusively of members of that body, and to authorize a committee established by it —

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

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

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

(4) Nothing in the provisions of subsection (1), (2) and (3) of this section shall be construed as —
   (a) enabling the statutes to be made otherwise than in accordance with section 1 of this Bill; or
   (b) enabling the Senate to empower any other body to make regulations of the award degrees or other qualifications.

(5) The Pro-Chancellor and the Vice-Chancellor shall be members of every committee of which the members are wholly or partly appointed by the Council (other than a committee appointed to inquire into the conduct of the officer in question); and the Vice-Chancellor shall be a member of every committee of which the members are wholly or partly appointed by the Senate.

Committee's Recommendation:
That the provision in Clause 22 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 23: Retiring Age of Academic Staff.
(1) Notwithstanding anything to the contrary in the Pension Act, the compulsory retiring age of the following categories of staff shall be as follows —
   (a) Academic staff of the University in the non-Professorial cadre shall be 65 years;
   (b) Academic staff of the University in the Professorial Cadre shall be 70 years;
   (c) Non-academic staff of the University shall be 65 years.

(2) A law or rule requiring a person to retire from the public service after serving for 35 years shall not apply to an academic staff of the University.

Committee's Recommendation:
That the provision in Clause 23 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

Question that Clause 23 do stand part of the Bill, put and agreed to.
Clause 24: Special Provisions Relating to Pension of Professors.
An academic staff of the University who retires as a Professor in the University shall be entitled to pension at a rate equivalent to his annual salary provided that the Professor has served continuously in the University up to the retirement age.

Committee’s Recommendation:
That the provision in Clause 24 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 25: Miscellaneous Administrative Provisions.
(1) The seal of the University shall be such as may be determined by the Council and approved by the Chancellor, and the affixing of the seal shall be authenticated by any member of the Council and by the Vice-Chancellor, Secretary to the Council or any other person authorized by statute.

(2) Any document purporting to be a document executed under the seal of the University shall be received in evidence and shall, unless the contrary is proved, be presumed to be so executed.

(3) Any contract or instrument which if made or executed by a person not being a body corporate would not be required to be under seal, may be made or executed on behalf of the University by any person generally or specially authorized to do so by the Council.

(4) The validity of any proceedings of anybody established in pursuance of this Bill shall not be affected by any vacancy in the membership of the body, or by any defect in the appointment of a member of the body or by reason that any person not entitled to do so took part in the preceding.

(5) Any member of any such body who has a personal interest in any matter proposed to be considered by that body shall forthwith disclose his interest to the body and shall vote on any question relating to that matter.

(6) Nothing in section 12 of the Interpretation Act (which provides for the application in relation to subordinate legislation of certain incidental provisions) shall apply to statutes or regulations made in pursuance to this Bill.

(7) The power conferred by this Bill on anybody to make statutes or regulations shall include power to revoke or vary any statute (including the statute contained in the Third Schedule of this Bill) or any regulation by a subsequent statute or as the case may be, by a subsequent regulation and statutes and regulations may make different provisions in relation to different circumstances.

(8) No stamp or other duty shall be payable in respect of any transfer of property to the University by virtue of section 8 or section 18 of this Bill or the Second Schedule to this Bill.
Any notice or other instrument authorized to be served by virtue of this Bill may, without prejudice to any other mode of service, be served by post.

Committee's Recommendation:
That the provision in Clause 25 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 26: Restriction of Suits and Execution.
(1) Pre-Action Notice —
(a) No legal proceeding shall be instituted and/or commenced against the University or any of its agents in the course of their official duties unless a 3 months' Pre-Action Notice of such intention is served on the University by an aggrieved party;

(b) The Notice shall state the reason and the cause of action intended to be taken against the University, the particulars of the claim, the name and place of abode of the intending plaintiff and the relief which he claims.

(c) For the avoidance of doubt, it is hereby declared that no suit shall be commenced against an officer or servant of the University, in any case where the University is vicariously liable for any alleged act, neglect or default of the officer or servant in the performance or intended performances of his duties, unless three months at least has elapsed after written notice of intention to commence the same shall have been served on the University by the intending plaintiff or his agent.

(d) In any suit against this University, no execution or attachment or process in the nature thereof shall be issued against the University, but any sums of money which may be judgment of the court be awarded against the University shall, subject to any direction given by the court where notice of appeal has been given by the University in respect of the said judgment, be paid by the University from its general fund.

(2) Service of Notices —
Service upon the University of any notice, order or other document may be effected by delivering the same or by sending it by registered post addressed to the Registrar and Secretary of the Council.

Committee's Recommendation:
That the provision in Clause 26 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 27: Interpretation.
(1) In this Bill, unless the context otherwise requires:—

"Campus" means any campus which may be established by the University;
"College" means the College established pursuant to section 2 (1) (b) of this Bill for the University;

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

"Functions" includes powers and duties

"Graduate" means a person on whom a degree, other than an honorary degree, has been conferred by the University and any other person as may be designated as a graduate by the Council, acting in accordance with the recommendation of the Senate; (Erroneously omitted)

"Minister" means the Hon. Minister of Education;

"Notice" means notice in writing;

"Officer" does not include the Visitor;

"Prescribed" means prescribed by statute or regulations;

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

"Property" includes rights, liabilities and obligations;

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

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

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

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

"Statute" means a statute made by each University under section 10 of this Bill and in accordance with the provisions of section 11 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 registered as a student undergoing a course of study for a first degree of the University or such other course in the University as may be approved by the Senate as qualifying a student undergoing it for the status of an under-graduate;

"University" means Federal University of Education, Kontagora established and incorporated by section I of this Bill.
(2) It is hereby declared that where in any provision of this Bill it is laid down that the proposals are to be submitted or a recommendation is to be made by one authority or another through one or more intermediate authorities, it shall be the duty of every such intermediate authority to forward any proposals of that or recommendations received by it in pursuance of that provision to the appropriate authority; but any such intermediate authority may, if it thinks fit, forward therewith its own comments thereon.

Committee’s Recommendation:
That the provision in Clause 27 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 28: Short Title.
This Bill may be cited as the Federal University of Education, Kontagora Bill, 2019.

Committee’s Recommendation:
That the provision in Clause 28 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

FIRST SCHEDULE

[Section 2(2)]

PRINCIPAL OFFICERS OF THE UNIVERSITY

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

The Pro-Chancellor.
2. (1) The Pro-Chancellor who shall be the Chairman of Council shall be appointed or removed from office by Mr President upon recommendation by the Minister of Education.

(2) Subject to the provisions of this Bill, the Pro-Chancellor shall hold office for a period of four years beginning with the date of his appointment.

The Vice-Chancellor.
3. (1) There shall be a Vice-Chancellor of the University who shall be appointed by the Council in accordance with the provisions of this paragraph.

(2) Where a vacancy occurs in the post of a Vice-Chancellor, the Council shall—
(a) advertise the vacancy in a reputable journal or a widely read newspaper in Nigeria, specifying —
(i) the qualities of the persons who may apply for the post; and
(ii) the terms of conditions of service applicable to the post, and thereafter draw up a short list of suitable candidates for the post for consideration:
(b) constitute a Search Team consisting of —
   (i) a member of the Council, who is not a member of the Senate, as chairman;
   (ii) two members of the Senate who are not members of the Council, one of whom shall be a Professor;
   (iii) two members of Congregation who are not members of the Council, one of whom shall be a Professor, to identify and nominate for consideration, suitable persons who are not likely to apply for the post on their own volition because they felt that it is not proper to do so.

(3) A Joint Council and Senate Selection Board consisting of —
   (a) the Pro-Chancellor, as chairman:
   (b) two members of the Council, not being members of the Senate;
   (c) two members of the Senate who are Professors, but who were not members of the Search Team, shall consider the candidates and persons in the shortlist drawn up under subsection (2) of this paragraph through an examination of their curriculum vitae and interaction with them, and recommend to the Council three candidates for further consideration.

(4) The Council shall select and appoint as the Vice-Chancellor one candidate from among the three candidates recommended to it under subsection (3) of this section and thereafter inform the Visitor.

(5) The Vice-Chancellor shall hold office for a single term of five years only on such terms and conditions as may be specified in his letter of appointment.

(6) The Vice Chancellor may be removed from office by the Council on grounds of gross misconduct or inability to discharge the functions of his office as a result of infirmity of the body or mind, at the initiative of the Council, Senate or the Congregation after due process.

(7) When the proposal for the removal of the Vice-Chancellor is made, the Council shall constitute a Joint Committee of Council and Senate consisting of —
   (i) three members of the Council, one of whom shall be the Chairman of the committee; and
   (ii) two members of the Senate, Provided that where the ground for removal is infirmity of the body or mind, the Council shall seek appropriate medical opinion.

(8) The committee shall conduct investigation into the allegations made against the Vice-Chancellor and shall report its findings to the Council.

(9) The Council may where the allegations are proved remove the Vice-Chancellor or apply any other disciplinary action it may deem fit and notify the Visitor accordingly provided that a Vice-Chancellor who is removed shall have right of appeal to the Visitor.

(10) There shall be no sole administrator in the University.
(11) In any case of a vacancy in the office of the Vice-Chancellor, the Council shall appoint an acting Vice-Chancellor on recommendation of the Senate.

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

**Deputy Vice-Chancellor.**

4. (1) There shall be for the University such number of Deputy Vice-Chancellors as Council may from time to time deem necessary for the proper administration of the University.

(2) Where a vacancy occurs in the post of Deputy Vice-Chancellor, the Vice-Chancellor shall forward to the Senate a list of two candidates for each post of Deputy Vice-Chancellor that is vacant.

(3) The Senate shall select for each vacant post one candidate from each list forwarded to it under subsection (2) of this paragraph and forward his name to the Council for confirmation.

(4) A Deputy Vice-Chancellor shall —
   (a) assist the Vice-Chancellor in the performance of his functions;
   (b) act in the place of the Vice-Chancellor when the post of the Vice-Chancellor is vacant or if the Vice-Chancellor is, for any reason, absent or unable to perform his functions as Vice-Chancellor; and
   (c) perform such other functions as the Vice-Chancellor or the Council may, from time to time, assign to him.

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

**Deputy Vice-Chancellor.**

4. (1) There shall be for the University such number of Deputy Vice-Chancellors as Council may from time to time deem necessary for the proper administration of the University.

(2) Where a vacancy occurs in the post of Deputy Vice-Chancellor, the Vice-Chancellor shall forward to the Senate a list of two candidates for each post of Deputy Vice-Chancellor that is vacant.

(3) The Senate shall select for each vacant post one candidate from each list forwarded to it under subsection (2) of this paragraph and forward his name to the Council for confirmation.
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.

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 reappointed for one further period of two years and no more.

(c) may be removed from office for good cause by the Council acting on the recommendations of the Vice-Chancellor and Senate.

(d) "Good cause" for the purpose of this section means gross misconduct or inability to discharge the functions of his office arising from infirmity of the body or mind.

Office of the Registrar.
5. (1) There shall be for the University, a Registrar, who shall be the chief administrative officer of the University and shall be responsible to the Vice-Chancellor for the day-to-day administrative work of the University except as regards matters for which the Bursar is responsible in accordance with paragraph 6(2) of this Schedule.

(2) The person holding the office of the Registrar shall by virtue of that office be Secretary to the Council, the Senate, Congregation and Convocation.

Other Principal Officers of the University.
6. (1) There shall be for the University the following principal officers, in addition to the Registrar, that is —
(a) the Bursar; and

(b) the University Librarian, who shall be appointed by the Council on the recommendation of the Selection Board constituted under paragraph 7 of this Schedule.

(2) The Bursar shall be the Chief Financial Officer of the University and be responsible to the Vice-Chancellor for the day-to-day administration and control of the financial affairs of the University.

(3) The University Librarian shall be responsible to the Vice-Chancellor for the administration of the University Library and the co-ordination of the library services in the University and its campuses, colleges, schools, departments, institutes and other teaching or research units.

(4) Any question as to the scope of the responsibilities of the aforesaid officers shall be determined by the Vice-Chancellor.
Selection Board for other Principal Officers.

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

(a) the Pro-Chancellor, as chairman;

(b) the Vice-Chancellor;

(c) four members of the Council not being members of the Senate; and

(d) two members of the Senate.

(2) The functions, procedure and other matters relating to the Selection Board constituted under subsection (1) of this paragraph shall be as the Council may, from time to time, determine.

(3) The Registrar, Bursar and Librarian shall hold office for a single term of five years only beginning from the effective date of their appointments and on such terms and conditions as may be specified in their letters of appointment.

(4) Notwithstanding subsection (3) of this section, the Council may, upon satisfactory performance, extend the tenure of the Registrar, Bursar or Librarian for a further period of one year only and thereafter such principal officer shall relinquish his post and be assigned to other duties in the University.

Resignation and Re-appointment.

8.   (1) Any officer mentioned in the foregoing provisions of this Schedule may resign his office—

(a) in the case of the Chancellor or Pro-Chancellor, by notice to the Visitor;

(b) in any other case, by notice to the Council and the Council shall, in the case of the Vice-Chancellor, immediately notify the Visitor.

(2) Without prejudice to paragraph 4 of this Schedule, a person who has ceased to hold an office so mentioned otherwise than by removal for misconduct shall be eligible for re-appointment to that office.

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

SECOND SCHEDULE

TRANSITIONAL PROVISIONS AS TO PROPERTY, FUNCTIONS, ETC.

Transfer of Property to University.

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

(a) the reference in that subsection to property held by the Provisional Council shall include a reference to the right to receive and give a good discharge for any grants or contributions which may have been voted or promised to the Provisional Council;

(b) all debts and liabilities of the Provisional Council outstanding shall become debts or liabilities of the University.
2. (1) All agreements, contracts, deeds and other instruments to which the Provisional Council was a party shall, so far as possible and subject to any necessary modifications, have effect as if the University had been a party thereto in place of the Provisional Council.

(2) Documents not falling within subsection (1) of this paragraph, including enactment which refer, whether specially or generally, to the Provisional Council, shall be construed in accordance with that sub-section so far as applicable.

(3) Any legal proceedings or application to any authority pending by or against the Provisional Council may be continued by or against the University.

Registration of Transfers.

3. (1) If the law in force at the place where any property transferred by this Bill is 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.

Transfer of Functions, etc.

4. (1) The first meeting of the Council shall be convened by the Pro-Chancellor on such date and in such manner as he may determine.

(2) The persons who were members of the Provisional Council shall be deemed to constitute the Council until the date when the Council as set up under the Third Schedule to this Bill shall have been duly constituted.

(3) The first meeting of the Senate as constituted by this Bill shall be convened by the Vice-Chancellor on such date and in such manner as he may determine.

(4) The 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 provision of Second Schedule stand part of the Bill — Agreed to.
Statute No. 1.
ARRANGEMENT OF ARTICLES
ARTICLES
1. The Council.
2. The Finance and General Purposes Committee
3. The Senate
4. The Congregation
5. Convocation
6. Division of Colleges
7. College/School Boards
8. Dean of the College
9. Selection of certain Principal Officers
10. Creation of academic posts
11. Appointment of academic staff
12. Appointment of administrative and professional staff
13. Interpretation.
14. Short Title

The Council.
1. (1) The composition of the Council shall be as provided in section 5 of this Bill.

(2) Any member of the Council holding office otherwise than in pursuance of section 5 (a), (b), (c), or (d) of this Bill may, by notice to the Council, resign his office.

(3) A member of the Council holding office otherwise than in pursuance of section 5 (a), (b), (c), or (d) of this Bill shall, unless he previously vacates it, vacate that office on the expiration of the period of four years beginning with effect from 1 August in the year which he was appointed.

(4) Where a member of the Council holding office otherwise than in pursuance of section 5 (a), (b), (g), or (h) of this Bill vacates office before the expiration of the period aforesaid, the body or person by whom he was appointed may appoint a successor to hold office for the residue of the term of his predecessor.

(5) A person ceasing to hold office as a member of the Council otherwise than by removal for misconduct shall be eligible for re-appointment for only one further period of four years.
(6) The quorum of the Council shall be five, at least one of whom shall be a member appointed pursuant to section 5 (d) or (e) of this Bill.

(7) If the Pro-Chancellor is not present at a meeting of the Council, such other member of the Council present at the meeting as the Council may appoint as respects that meeting shall be the chairman at that meeting, and subject to section 4 of this Bill and the foregoing provisions of this paragraph, the Council may regulate its own procedure.

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

The Finance and General Purposes Committee.

2. (1) The Finance and General Purposes Committee of the Council shall consist of—

(a) the Pro-Chancellor, who shall be the chairman of the Committee at any meeting at which he is present;

(b) the Vice-Chancellor and Deputy Vice-Chancellors;

(c) six other members of the Council appointed by the Council, two of whom shall be selected from among the four members of the Council appointed by the Senate and one member appointed to the Council by Congregation;

(d) the Permanent Secretary of the Federal Ministry of Education, or in his absence, such member of his Ministry as he may designate to represent him; and

(e) the Executive Secretary of the Petroleum Technology Development Fund, or in his absence, such member of the Fund as he may designate to represent him.

(2) The quorum of the Committee shall be five.

(3) Subject to any directions given by the Council, the Committee may regulate its own procedure.

Annual Budget and Estimates, etc.

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

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

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

Gifts, Donations, etc.

(5) (i) The Council may on behalf of the University accept by way of grants, gift, testamentary disposition or otherwise, property and money in aid of the finances of the University on such conditions as it may approve.
(ii) Registers shall be kept of all donations to the University including the names of donors and any special conditions under which any donation may have been given.

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

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

Payment into Bank.

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

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

Audit.

3. (1) The Council shall cause the accounts of the University to be audited by auditors appointed by the Council as soon as may be after the end of each financial year or for any such other period as the Council may require.

(2) The appointment and other matters relative to the auditors, their continuance in office and their functions, as the case may be, shall, subject to the provisions of this section, be prescribed by statute.

The Senate.

4. (1) The Senate shall consist of—

(i) the Vice-Chancellor

(ii) Deputy Vice-Chancellors;

(iii) the Deans of respective Colleges;

(iv) the Professors in the University;

(v) Heads of Academic Departments and Units;

(vi) the University Librarian;

(vii) One elected representative of each College;

(viii) Two members of Academic Staff elected by the Congregation;

(ix) One elected representative of each department;

(x) Two members representing a variety of interests of the professional bodies outside the University appointed by the Senate on the recommendation of the Vice-Chancellor;

(xi) Registrar - Secretary.
(2) The procedure for election of members of Senate to the Council shall be prescribed by Regulations.

(3) The Vice-Chancellor shall be the chairman at all meetings of the Senate when he is present, and in his absence any of the Deputy Vice-Chancellors present at the meeting as the Senate may appoint for that meeting shall be the chairman at the meeting.

(4) The quorum of the Senate shall be one quarter or the nearest whole number less than one quarter; and subject to paragraph (3) of this Article, the Senate may regulate its own procedure.

(5) An elected member may, by notice to the Senate, resign his office.

(6) Subject to paragraph (8) of this article, there shall be elections for the selection of elected members which shall be held in the prescribed manner on such day in the month of May or June in each year as the Vice-Chancellor may from time to time determine.

(7) An elected member shall hold office for the period of two years beginning with 1 August in the year of his election, and may be a candidate at any election held in pursuance to paragraph (6) of this article in the year in which his period of office expires, so however that no person shall be such a candidate if at the end of his current period of office he will have held office as an elected member for a continuous period of six years or would have so held office if he had not resigned it.

(8) No election shall be held in pursuance of this article in any year if the number specified in the certificate given in pursuance to paragraph (11) of this article does not exceed by more than one the figure which is thrice the number of those elected members holding office on the date of the certificate who do not vacate office during that year in pursuance of paragraph (7) of this article.

(9) For the avoidance of doubt it is hereby declared that no person shall be precluded from continuing in or taking office as an elected member by reason only of reduction in the after 30 April in any year in which he is to continue in or take office as an elected member.

(10) If so requested in writing by any fifteen members of the Senate, the Vice-Chancellor or in his absence any of the Deputy Vice-Chancellor duly appointed by him, shall convene a meeting of the Senate to be held not later than the tenth day following that on which the request was received.

(11) In this article "total of non-elected members" means as respect any year, such number as may be certified by the Vice-chancellor on 30 April of that year to be the number of persons holding office as members of the Senate on that day otherwise than as elected members.

Congregation.

5. (1) Congregation shall consist of —

   (i) Vice-Chancellor

   (ii) the Deputy Vice-Chancellors;

   (iii) the full-time members of the academic staff
(iv) The Registrar;

(v) The Librarian

(vi) Every member of the administrative staff who holds a degree, other than honorary degree, of any University recognized for the purposes of this statute by the Vice-Chancellor.

(2) Subject to section 4 of this Bill, the Vice-Chancellor shall be the chairman at all meetings of Congregation when he is present; and in his absence any of the Deputy Vice Chancellors present at the meeting as Congregation may appoint for that meeting, shall be the chairman at the meeting.

(3) The quorum of Congregation shall be one third or the whole number nearest to one third of the total number of members of Congregation of fifty, whichever is less.

(4) A certificate signed by the Vice-Chancellor specifying —

(a) the total number of members of Congregation for the purpose of any particular meeting or meetings of Congregation; or

(b) the names of the persons who are members of Congregation during a particular period, shall be conclusive evidence of that number or, as the case may be, of the names of those persons.

(5) The procedure for election of members of Congregation to the Council and the Senate shall be prescribed by Regulations.

(6) Subject to the foregoing provisions of this article, Congregation may regulate its own procedure.

(7) Congregation shall be entitled to express by resolutions or otherwise its opinion on all matters affecting the interest and welfare of the University and shall have such other functions, in addition to the function of electing a member of the Council, as may be provided by statute or regulations.

Convocation.

6. (1) Convocation shall consist of—

(i) the officers of the University mentioned in the First Schedule to this Bill;

(ii) All teachers within the meaning of this Bill;

(iii) All other persons whose names are registered in accordance with paragraph (2) of this article.

(2) A person shall be entitled to have his name registered as a member of convocation if —

(a) he is either a graduate of a University or a person satisfying such requirements as may be prescribed for the purposes of this paragraph; and

(b) he applies for the registration of his name in the prescribed manner and pay the prescribed fees.
(3) Regulations shall provide for the establishment and maintenance of a register for the purpose of this paragraph and subject to paragraph (4) of this article may provide for the payment, from time to time, of further fees by persons whose names are on the register and for the removal from the register of the name of any person who fails to pay those fees.

(4) The person responsible for maintaining the register shall, without the payment of any fees, ensure that the names of all persons who are for the time being members of the Convocation by virtue of paragraph (1) (a) or (b) of this article are entered and retained on the register.

(5) A person who reasonably claims that he is entitled to have his name on the register shall be entitled on demand to inspect the register or a copy of the register at the principal times of the University at all reasonable times.

(6) The register shall, unless the contrary is proved, be sufficient evidence that any person named therein is not, a member of Convocation; but for the purpose of ascertaining whether a particular person was such a member on a particular date, any entries in and deletions from the register made on or after that date shall be disregarded.

(7) The quorum of Convocation shall be fifty or one third or the whole number nearest to one third or the whole number of members of Convocation whichever is less.

(8) Subject to section 4 of the Act, the Chancellor shall be chairman at all meetings of Convocation when he is present, and in his absence the Vice-chancellor shall be the chairman at the meeting.

(9) Convocation shall have such functions, in addition to the function of appointing a member of the Council, as may be provided by statute or regulations.

Division of Colleges.
7. Each College shall be divided into such number of branches as may be prescribed.

College Boards.
8. (1) There shall be established in respect of each College, a Board of Studies which, subject to the provisions of this Statute, and subject to the directions of the Vice-Chancellor, shall—
   (a) Regulate the teaching and study of, and the conduct of examinations connected with, the subjects assigned to the college;
   (b) Deal with any other matter assigned to it by statute or by the Vice-Chancellor or by the Senate; and
   (c) Advise the Vice-Chancellor or the Senate on any matter referred to it by the Vice-Chancellor or the Senate.

(2) Each College Board of Studies shall consist of—
   (a) the Vice-Chancellor;
   (b) the Dean;
   (c) the persons severally in charge of the branches of the school;
   (d) the College Examination Officer;
(e) such of the teachers assigned to the college and having the prescribed qualifications as the Board may determine; and

(f) such persons, whether or not members of the University, as the Board may determine with the general or special approval of the Senate.

(3) The quorum of the Board shall be eight members or one quarter, whichever is greater, of the members for the time being of the board; and subject to the provisions of this statute and to any provision made by regulations in that behalf, the Board may regulate its own procedure.

Deans of the Colleges

9. (1) The Board of each College shall, at a meeting in the last term of any academic year which the term of office of the Dean expires, nominate one of its members, being one of the Professors assigned to that teaching unit, for appointment by the Senate as Dean of the College.

(2) The person appointed under paragraph 1 of this Article shall act as Dean of the College and chairman of all meetings of the College Board when he is present and shall be a member of all committees and other boards appointed by the College.

(3) The Dean shall hold office for two years and shall be eligible for re-appointment one further period of two years. Thereafter he shall not be eligible for re-appointment until two years have elapsed.

(4) The Dean of a College shall exercise general superintendence over the academic and administrative affairs of the College.

(5) It shall be the function of the Dean to present to Convocation for the conferment of degrees to persons who have qualified for the degrees of the University at examination held in the branches of learning for which responsibility is allocated to that College.

(6) There shall be a committee to be known as the Committee of Deans consisting of all the Deans of the several Colleges and that Committee shall advise the Vice-Chancellor on all academic matters and on particular matters referred to the University by the Senate.

(7) The Dean of a College may be removed from office for good cause by the College Board after a vote would have been taken at a meeting of the Board, and in the event of a vacancy occurring following the removal of a Dean, an acting Dean may be appointed by the Vice-Chancellor:

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

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

Departmental Board of Studies

10. (1) There shall be a Departmental Board of Studies whose membership shall be made of all academic staff of the Department;

(2) It shall be headed by a Professor who shall be appointed by the Vice Chancellor and in the absence of a Professor, a senior academic staff shall be appointed in acting capacity;
(3) For a Professor the term is for 3 years while 1 year is for acting capacity.

(4) The Board shall superintend over all teachings and examinations in the Department;

(5) The Board shall handle all disciplinary matters in the Department and make recommendations to the College where necessary;

(6) Allocation of courses in the department shall be done by the Departmental Board on recommendation of the Head of Department.

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

11. (1) When a vacancy occurs in the office of the Directors of Physical Planning and Development, Works and Services and Health, a Selection Board shall be constituted by the Council which shall consist of:
   (a) the Pro-Chancellor;
   (b) the Vice-Chancellor;
   (c) two members appointed by the Council, not being members of the Senate;
   (d) Two members appointed by the Senate.

(2) The Selection Board after making such inquiries as it thinks fit, shall recommend a candidate to the Council for appointment to the vacant office; and after considering the recommendation of the board the Council may make an appointment to that office.

Tenure of Directors.

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

Creation of Academic Posts.

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

Appointment of Academic Staff.

14. (1) Subject to the Act and statutes, the filling of vacancies in academic posts (including newly created ones) shall be the responsibility of the Council through the Departments and Colleges.

(2) For the purpose of filling such vacancies, suitable selection boards to select and make appointments on behalf of the Council shall be set up.

(3) For appointment to Professorships, Associate Professorship or Readerships or equivalent posts, a Board of Selection, with power to appoint, shall consist of:
   (a) the Vice-Chancellor -Chairman
   (b) Deputy Vice-Chancellor - Member
   (c) The Dean of the College - Member
   (d) Head of Department - Member
(e) Registrar - Secretary

(f) such other person(s), not exceeding two in number, deemed capable of helping the Board in assessing both the professional and academic suitability of a candidate under consideration, as the Senate may from time to time appoint.

(4) For other academic posts, a Selection Board, with power to appoint, shall consist of:
   (a) the Vice-Chancellor or his representative-Chairman:
   (b) The Dean of the College-Member
   (c) Head of the Department concerned - Member
   (d) An internal member of Council (not below the Rank of Senior Lecturer from the sister college in the Candidate's subject-area) - Member
   (e) Registrar or his representative - Secretary

(5) All appointments to senior library posts shall be made in the same way as equivalent appointments in the academic cadre; and for all such posts other than that of the Librarian, the Librarian shall be a member of the Selection Board.

(6) Boards of Selection may interview candidates directly or consider the reports of specialist interviewing panels and shall in addition, in the case of Professorships, Associate Professorship, Readerships or equivalent Posts, consider the reports of External Assessors relevant to the area in which the appointment is being considered. Quorum shall be three (3) including the Chairman.

Appointment of Administrative and Professional Staff.

15. (1) The administrative and professional staff of the University other than principal officers shall be appointed by the Council or on its behalf by the Vice-Chancellor in accordance with delegation of powers made by the Council on its behalf.

(2) A Selection Board, with power to appoint, shall consist of:
   (i) Vice Chancellor;
   (ii) Deputy Vice Chancellor;
   (iii) Registrar
   (iv) Bursar
   (v) University Librarian
   (vi) The Head of Department concerned
   (vii) Establishment and Human Resources Officer who shall serve as Secretary Quorum shall be three (3) including the Chairman.
Interpretation.
16. In this Statute, the expression "the Act" means the Federal University of Education, Kontagora Act and any word or expression defined in the Act has the same meaning in this Statute.

Short Title.
17. This Statute may be cited as the Federal University of Education, Kontagora Statute No.1.

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

Chairman to report Bill.

(SENATE IN PLENARY)

The President of the Senate reported that the Senate in the Committee of the Whole considered Report of the Committee on Tertiary Institutions and TETFUND on the Federal University of Education Kontagora (Establishment, etc.) Bill, 2019 and approved as follows:

Clauses 1-28 — As Recommended

Schedules 1-3 — As Recommended

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

Motion made: That the Bill be now Read the Third Time (Deputy Chief Whip).

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

19. 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 Federal Polytechnic Daura Act (Amendment) Bill, 2019 (Senator Babba Kaita Ahmad — Katsina North).

Question put and agreed to.

Report Laid and presented.

Motion made: That the Senate do resolve into the Committee of the Whole to consider the Report (Deputy Chief Whip).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

Consideration of an Act to Amend the Federal Polytechnic Daura, Katsina State (Establishment) Act, 2019 (In this Bill referred to as "The Principal Act") is amended as set out in this Bill to Make Provision for a Change of Name of the Federal Polytechnic Daura, Katsina State, to Mustapha Bukar Federal Polytechnic Daura, Katsina State and for Related Matters, 2019.
Clause 1: 
Amendment of the Long Title.
There is hereby established the Mustapha Bukar Federal Polytechnic Daura, Katsina State; and for related matters.

Committee's Recommendation:
That the provision of Clause 1 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 2: 
Amendment of Section 28.
Section 28 of the Principal Act is amended by substituting for the definition of the word "Polytechnic" in line 4, a new definition of Polytechnic"

"Polytechnic" means the Mustapha Bukar Federal Polytechnic, Daura, Katsina State established under section 1 of this Bill.

Committee's Recommendation:
That the provision of Clause 2 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 3: 
Short Title.
This Bill may be cited as the Mustapha Bukar Federal Polytechnic, Daura, Katsina State (Establishment) Act (Amendment), Bill 2019.

Committee's Recommendation:
That the provision of Clause 3 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

Question that Clause 3 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 Report of the Committee on Tertiary Institutions and TETFUND on the Federal Polytechnic Daura Act (Amendment) Bill, 2019 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 (Deputy Chief Whip).

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.
20. Committee on Tertiary Institutions and TETFUND:
Report on the Modibbo Adama University of Technology (Establishment, etc.) Bill, 2019
(SB.51):

Motion made: That the Senate do receive and consider the Report of the Committee on Tertiary
Institutions and TETFUND on the Modibbo Adama University of Technology (Establishment,
etc.) Bill, 2019 (Senator Babba Kaita Ahmad — Katsina North).

Question put and agreed to.

Report Laid and presented.

Motion made: That the Senate do resolve into the Committee of the Whole to consider the
Report (Deputy Chief Whip).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE MODIBBO
ADAMA UNIVERSITY, YOLA; AND FOR OTHER MATTERS CONNECTED THEREWITH, 2019.

Clause 1: Establishment and Objects of the Modibbo Adama University.

(1) There is hereby established the Modibbo Adama University, Yola,
Adamawa State (in this Bill referred to as 'the University')

(2) (a) The University shall be a body corporate with perpetual
succession and a common seal and may sue and be sued in its
corporate name and shall have power to acquire, hold and
dispose of movable and immovable properties.

(b) provide regular and liberal courses of instruction in
Humanities, the sciences and other spheres of learning of
standard required and expected of a University of the highest
standing.

(3) 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 and liberal
education;

(b) provide courses of instruction and other facilities for the pursuit
of learning leading to award of diplomas, first degree,
postgraduate research and higher degrees in all its branches,
and to make those facilities available on proper terms to such
persons as are equipped to benefit from them;

(c) encourage and promote scholarship and conduct research in all
fields of learning and human endeavor;

(d) relate its activities to the social, cultural and economic needs of
the people of Nigeria; and

(e) undertake any other activities appropriate for a university of the
highest standard.
Committee's Recommendation:
That the provision of Clause 1 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 2: 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) Campus and colleges of the University;
(h) Schools, Institutes and other teaching and research units of the University;
(i) the persons holding the offices constituted by the First Schedule to this Bill other than those mentioned in paragraph (a) to (d) of this subsection;
(j) all graduates and undergraduate of the University; and
(k) all other persons who are members of the University in accordance with provisions made by statute in that behalf.

(2) The First Schedule to this Bill shall have effect with respect to the principal officers of the University.

(3) Provision shall be made by statute to the constitution of the following bodies, namely the Council, the Senate, Congregation and Convocation.

Committee’s Recommendation:
That the provision of Clause 2 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 3: Powers of the University and their Exercises.
(1) For the carrying out of its objects as specified in section 2 of this Bill, the University shall have power:-
(a) to establish such campuses, colleges, institutes, schools, extra-mural departments and other teaching and research units within the University as may from time to time, be deemed necessary or desirable, subject to the approval of the National Universities Commission;
(b) to institute professorship, readerships or associate professorships, lectureships and other posts and offices and to make appointment thereto;

(c) to institute and award fellowships, scholarships, exhibitions, bursaries, medals, prizes and other titles, distinctions, awards and other forms of assistance;

(d) to provide for the discipline and welfare of members of the University;

(e) to hold examinations and grant degrees, diplomas, certificates and other distinctions to persons who have pursued a course of study approved by the University and have satisfied such other requirements as the University may lay down;

(f) to grant honorary degree, fellowships or academic titles;

(g) to demand and receive from any student or any other person attending the University for the purpose of instructions such fees as the university may from time to time, determine subject to the overall directives of the Council;

(h) subject to section 22 of this Bill, to acquire, hold, grant, charge or otherwise deal with or dispose of movable and immovable property wherever situate;

(i) to accept gifts, legacies and donations, but without obligation to accept the same for a particular purpose unless it approves the terms and conditions attaching thereto;

(j) to enter into contracts, establish trusts, act as trustee, solely or jointly with any other person and employ and act through agents;

(k) to erect, provide, equip and maintain libraries, laboratories, lecture halls, halls of residence, refectories, sports grounds, playing fields, and other buildings, or things necessary or suitable or convenient for any of the object of the University;

(l) to 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) to borrow, whether on interest or not if need be upon the security of any or all of the property, movable or immovable, of the University, and moneys as the Council may, from time to time, in its discretion find it necessary of expedient to borrow or to guarantee any loan, advances or credit facilities;
(o) to do anything which it is authorized or required by the Bill or by statutes to do; and

(p) to do all such acts or things, incidental to the foregoing powers, as may advance the object of the University.

(2) Subject to the provision of this Bill and of the statutes and without prejudice to section 8(2) of this Bill, the powers conferred on the University by subsection (1) of this section shall be exercisable on behalf of the University by the Council or by the Senate or in any other manner which may be authorized by statute;

(3) The power of the University to establish further campuses and colleges within the University shall be exercisable by statute and not otherwise.

Committee’s Recommendation:
That the provision of Clause 3 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 4: Functions of the Chancellor.

(1) The Chancellor shall, in relation to the University, take precedence before all other members of the University and when he is present shall preside at all meetings of the Convocation held for conferring degrees, certificates and other awards of the university.

(2) The Chancellor shall exercise such other powers and perform such other duties as may be conferred or imposed on him by this Bill or the statutes.

Committee’s Recommendation:
That the provision of Clause 4 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 5: Functions of the Pro-Chancellor.

(1) The Pro-Chancellor shall, in relation to the University, take precedence before all other members of the University, except the Chancellor and except the Vice-Chancellor when acting as Chairman of Congregation or Convocation and the Pro-Chancellor shall, when he is present, be the chairman at all meetings of the Council.

(2) Subject to the provisions of this Bill, the Pro-Chancellor shall hold office for period of four years beginning with the date of his appointment.

Committee’s Recommendation:
That the provision of Clause 5 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

Question that Clause 5 do stand part of the Bill, put and agreed to.
Clause 6: Composition of the Council
(1) The Council of each University shall consist of:-
(a) the Pro-Chancellor;
(b) the Vice-Chancellor;
(c) the Deputy Vice-Chancellor(s);
(d) one person from the Ministry responsible for education;
(e) four person representing a variety of interests and broadly representative of the whole Federation to be appointed by the President;
(f) four persons appointed by the Senate from among its members;
(g) two persons appointed by the Congregation from among its members;
(h) one person appointed from among its members.

(2) Persons to be appointed to the Council shall be persons of proven integrity, knowledgeable and familiar with the affairs and tradition of the University.

Committee's Recommendation:
That the provision of Clause 6 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

Question that Clause 6 do stand part of the Bill, put and 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 each University and shall be charged with the general control and superintendence of the policy, finance and property of the University including its public relations.

(2) There shall be a committee of the Council to be known as the Finance and General Purposes Committee, which shall subject to the directions of the Council, exercise control over the property and expenditure of the 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 the Bill and the statutes, the Council and the Finance and General Purposes Committee may each make rules for regulating their own procedure.
(6) Rules made under subsection (5) of this section by the Finance and General Purposes Committee shall not come into force unless approved by the Council; and in so far and to the extent that any rules so made by that Committee conflict with any directions given by the Council (whether before or after the coming into force of the rules in question), the directions of the Council shall prevail.

(7) There shall be paid to the members 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 extant government circulars.

(8) The Council shall meet as and when necessary for the performance of its 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.

PROVIDED that after 28 days of the receipt or delivery to him of such request, the Chairman fails or neglects to call a meeting, the Registrar shall within 14 days thereafter cause a meeting of the Council to be conveyed for that purpose.

(10) Any request made under subsection (9) of this section 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 provision of Clause 7 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 8: Functions of the Senate.

(1) Subject to section 7 of this Bill and subsections (3) and (4) of this section and to the provisions of this Bill relating to the Visitor, it shall be the general function of the Senate to organize and control the teaching by the University, the admission of students where no other enactment provides to the contrary and the discipline of students, and to promote research at the University.

(2) Without prejudice to the generality of subsection (1) of this section and subject as there mentioned, it shall in particular be the function of the Senate to make provision for:

(a) the establishment and organization and control of campuses, colleges, schools, institute and other teaching and research units of the University and allocation of responsibility for different branches of learning;

(b) The organization and control of courses of study in the University and of the examination held in conjunction with those courses, including the appointment of examiners, both internal and external;
(c) the award of degrees, and such other qualifications as may be prescribed, in connection with examination held as aforesaid;

(d) the making of recommendations to the Council with respect to the award to any person of an honorary fellowship or degree or the title of professor emeritus;

(e) the establishment, organization and control of halls of residence and similar institutions at the University;

(f) the supervision of the welfare of students at the University and the regulation of their conduct;

(g) the granting of fellowships, scholarships, prizes and similar awards in so far as the awards are within the control of the University;

(h) determining what description of dress shall be academic dress for the purpose 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 this 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 section 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 person appointed as the examiner 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 subsection the Senate may deprive any person of any degree, diploma or other award of the university which has been conferred upon him if after due enquiry he is shown to have been guilty of dishonorable or scandalous conduct in gaining admission into the University or obtaining that award.

Committee's Recommendation:
That the provision of Clause 8 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

Question that Clause 8 do stand part of the Bill, put and 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 sections 7, 8 and 14 of this Bill, the Vice-Chancellor shall have the general function, in addition to any other functions conferred on him by this Bill or otherwise of directing the activities of the University and shall be the chief executive and academic officer of the University and ex-officio chairman of the Senate.

Committee’s Recommendation:
That the provision of Clause 9 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 10: Savings and Transfer of Property to the Modibbo Adama University.
(1) All statutory functions, rights, interests, obligations, liabilities and properties of the Modibbo Adama University of Technology, Yola existing before the commencement of this Bill under any contract, or instrument, or in law or in equity, shall by virtue of this Bill be deemed to have been assigned to and vested in the Modibbo Adama University, Yola established under this Bill.

(2) The provision of the Second Schedule to this Bill shall have effect with respect to the other matters arising from the transfer of property by this section and with respect to the other matters mentioned in that schedule.

Committee’s Recommendation:
That the provision of Clause 10 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 11: Powers of the University to make Statute.
(1) Subject to this Bill, the University may make statutes for any of the following purpose, that is to say:-
(a) making provision with respect to the composition and constitution of any authority of the University;
(b) specifying and regulating the powers and duties of any authority of the University and regulating any other matter connected with the University or any of its authorities;
(c) regulating the admission of students (where no other enactment provides to the contrary), and their discipline and welfare;
(d) determining whether any particular matter is to be treated as an academic or non-academic matter for the purpose of this Bill and of any statute, regulation or other instrument made there-under; and
(e) making provision for any other matter for which provision by statute is authorized or required by this Bill.

(2) Subject to section 27 (6) of this Bill, the Interpretation Act shall apply in relation to any statute made under this section as it applies to a subsidiary instrument within the meaning of section 27 (1) of that Act.
(3) The statute contained in the Second Schedule to this Bill shall be deemed to have been into force on the commencement of this section of this Bill and shall be deemed to have been made under this section by the University.

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

Committee's Recommendation:
That the provision of Clause 11 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 12: Mode of Exercising Power to make Status.

(1) The power of the University to make statutes shall be exercised in accordance with the provisions of the section and not otherwise.

(2) A proposed statute shall not become law unless it has been approved:

(a) at a meeting of the Senate, by the votes of not less two thirds of the members present and voting; and

(b) at a meeting of the Council, by the votes of not less than two thirds of the members present and voting.

(3) A proposed statute may originate either in the Senate or in the Council, and may be approved as required by subsection (2) of this section by either one of those bodies 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 in consultation with the National Universities Commission.

(5) For the purpose of section 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-section (4) of this section, on the date on which it is approved by the Visitor.

(6) In the event of any doubt or dispute arising 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 sub-section (6) of this section shall be binding upon the authorities, staff and students of the University and where any question as to the meaning of any provision of a statute has been decided by the Visitor under that
sub-section, no question as to the meaning of that provision shall be entertained by any court of law in Nigeria.

(8) Nothing in sub-section (7) of this section shall affect any power of a court of competent jurisdiction to determine whether any provision of a statute is wholly or partly void as being ultra vires or as being inconsistent with the Constitution of the Federal Republic of Nigeria 1999 (as amended).

Committee’s Recommendation:
That the provision of Clause 12 be retained *(Senator Babba Kaita Ahmad — Katsina North) — Agreed to.*

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

Clause 13: Proof of Statutes.
A statute may be proved in any court by the production of a copy thereto bearing affixed to it a certificate purporting to be signed by the Vice-Chancellor or the Secretary to the Council to the effect that the copy is a true copy of a statute of the University.

Committee’s Recommendation:
That the provision of Clause 13 be retained *(Senator Babba Kaita Ahmad — Katsina North) — Agreed to.*

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

Clause 14: The Visitor.
(1) The President shall be the Visitor of the University.

(2) The Visitor shall as often as the circumstances may require, not being less than once every five years, conduct a visitation of the University or direct that such a visitation be conducted by such person or persons as the Visitor may deem fit and in respect of any of the affairs of the University.

(3) It shall be the duty of the bodies and persons comprising the University to make available to the Visitor, and to any other person conducting a visitation in pursuance of this section, such facilities and assistance as he or they may reasonably require for the purposes of a visitation.

Committee’s Recommendation:
That the provision of Clause 14 be retained *(Senator Babba Kaita Ahmad — Katsina North) — Agreed to.*

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

(1) If it appears to the Council that a member of the Council (other than the Pro-Chancellor or the Vice-Chancellor) should be removed from office on the ground of misconduct or inability to perform the functions of his office or employment, the Council shall make a recommendation to that effect through the Minister to the President, after making such enquiries (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 endeavors to cause a copy of the instrument embodying a direction under subsection (1) of this section to be served as soon as reasonably practicable on the person to whom it relates.

Committee's Recommendation:
That the provision of Clause 15 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

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

(1) It if appears to the Council that there are reasons for believing that any person employed as a member of the academic, administrative or professional staff of the University, other than the Vice-Chancellor, should be removed from his office or employment on the ground of misconduct or of inability to perform the functions of his office or employment, the Council shall:

(a) give notice of those reasons to the person in question;

(b) afford him an opportunity of making representations in person on the matter to Council;

(c) if he so requests or any three members of the Council so request within the period of one month beginning with the date of the notice, make arrangements—

(i) For a joint committee of the Council and Senate to investigate the matter and to report on it to the Council; and

(ii) For the person in question to be afforded an opportunity of appearing before and being heard by the investigating committee with respect to the matter,

(d) 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 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 the staff which in the opinion of the Vice-Chancellor is prejudicial to the interest of the university, suspend such member and any such suspension shall forthwith be reported to the Council.

(3) For good cause, any member of the staff may be suspended from his duties or his appointment may be terminated by the Council; and for the purposes of this subsection "good cause" means:

(a) conviction for any offence which the Council considers to be such as to render the person concerned unfit for the discharge of the functions of his office; or

(b) any physical or mental incapacity which the Council, after obtaining medical advice, considers to be such as to render the person concerned unfit to continue to hold his office; or

(c) conduct of a scandalous or other disgraceful nature which the Council considers to be such as to render the person concerned unfit to continue to hold his office; or
(d) conduct which the Council considers to be such as to constitute failure or inability of the person concerned to discharge the functions of his office or to comply with the terms and conditions of his service; or

(e) conduct which the Council considers to be generally of such nature as to render the continued appointment or service of the person concerned prejudicial or detrimental to the interest of the University.

(4) Any person suspended pursuant to subsection (2) or (3) of this section shall be on half pay and the Council shall before the expiration of a period of three months after the date of such suspension consider the case against that person and come to a decision as:

(a) whether to continue such person's suspension and if so on what terms (including the proportion of his emoluments to be paid to him);

(b) whether to reinstate such person, in which case the Council shall restore his full emoluments to him with effect from the date of suspension; or

(c) whether to terminate the appointment of the person concerned, in which case such a person shall not be entitled to the proportion of his emoluments withheld during the period of suspension; or

(d) whether to take such lesser disciplinary action against such person (including the restoration of such proportion of his emoluments that might have been withheld) as the Council may determine.

(5) In any case where the Council, pursuant to this section, decides to continue a person's suspension or decides to take further disciplinary action against a person, the Council shall before the expiration of a period of three months from such decision come to a final determination in respect of the case concerning any such person.

(6) It shall be the duty of the person by whom an instrument of removal is signed in pursuance of subsection (1) of this section to use his best endeavors to cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it relates.

(7) Nothing in the foregoing provisions of this section shall:

(a) apply to any directive given by the Visitor in consequence of any visitation; or

(b) prevent the Council from making regulations for the discipline of other categories of workers of the University as may be prescribed.

Committee's Recommendation:
That the provision of Clause 16 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.
Question that Clause 16 do stand part of the Bill, put and agreed to.

Clause 17: Procedure 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 may determine, to consider the report of the Investigation Panel.

(4) The report and recommendation of the Staff Disciplinary Committee shall be forwarded to the Council for consideration and decision.

Committee’s Recommendation:
That the provision of Clause 17 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 18: Appointment of External Examiner.
Subject to the provision of regulations made in pursuance to this Bill, the Vice-Chancellor may on the recommendation of Senate, appoint an appropriate person as external examiner.

Committee’s Recommendation:
That the provision of Clause 18 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 19: Removal of Examiners.
(1) If, on the recommendation of the Senate, it appears to the Vice-Chancellor that a person appointed as an examiner for any examination of the University ought to be removed from his office or appointment, then, except in such cases as may be prescribed by the Vice-Chancellor may, after affording the examiner an opportunity of making representations in person on the matter to the Vice-Chancellor, remove the examiner from the appointment by an instrument in writing signed by the Vice-Chancellor.

(2) Subject to the provisions of regulations made in pursuance of section 9 (5) of this Bill, the Vice-Chancellor may, on the recommendation of the Senate, appoint an appropriate person as examiner in the place of the examiner removed in pursuance of subsection (1) of this section.

(3) It shall be the duty of the Vice-Chancellor, to sign an instrument of removal pursuant to this section, to use his best endeavors to cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it relates.
Committee's Recommendation:
That the provision of Clause 19 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 20: Discipline of Students.

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

(2) Where a direction is given under subsection (1) (c) or (d) of this section in respect of any student, that student may, within the prescribed period and in the prescribed manner, appeal to the Council; and where such an appeal is brought, the Council shall, after causing such inquiry to be made in the matter as the Council considers just, either confirm or set aside the direction or modify it in such manner as the Council thinks fit.

(3) The fact that an appeal from a direction is brought in pursuance of subsection (2) of this section shall not affect the operation of the direction while the appeal is pending.

(4) The Vice-Chancellor may delegate his powers under this section to a disciplinary board consisting of such members of the University as he may nominate.

(5) Nothing in this section shall be construed as preventing the restriction or termination of a student's activities at the University otherwise than on the ground of misconduct.

(6) A direction under subsection (1) (a) of this section may be combined with a direction under subsection (1) (b) of this section.

(7) No staff or student shall resort to a law court without proof of having exhausted the internal avenues for settling disputes or grievances or for seeking redress.

(8) The Visitor shall be the final arbiter on staff and student discipline and his decision shall not be contestable in any court of law on Nigeria.
(9) Nothing in this section shall affect any power of a court of competent jurisdiction to enforce the fundamental rights of any aggrieved citizen as enshrined in the Constitution of the Federal Republic of Nigeria 1999 (as amended).

Committee's Recommendation:
That the provision of Clause 20 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 21: Exclusion of Discrimination on Account of Race, Religion, etc.

(1) No person shall be required to satisfy requirements as to any of the following matters, that is to say, race (including ethnic grouping), sex, place of birth or of family origin, or religious or political persuasion, as a condition of becoming or continuing to be a student at the university, the holder of any degree of the University or of any appointment or employment at the University, or a member of anybody established by virtue of this Act; and no person shall be subject to any disadvantage or accorded any advantage in relation to the University, by reference to any of those matters.

(2) Nothing in subsection (1) of this section shall be construed as preventing the University from imposing any disability or restriction on any of the persons mentioned in that subsection where such person willfully refuses or fails on grounds of religious belief to undertake any duty generally and uniformly imposed on all such persons or any group of them which duty, having regard to its nature and the special circumstances pertaining thereto, is in the opinion of the University reasonably justifiable in the national interest.

Committee's Recommendation:
That the provision of Clause 21 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 22: Restriction on Disposal of Land by University.

(1) 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 Act) except with the prior written consent, either general or special, of President:

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

Committee's Recommendation:
That the provision of Clause 22 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

Question that Clause 22 do stand part of the Bill, put and agreed to.
Clause 23: 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 provision of Clause 23 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 24: 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 to:
   (a) exercise, on its behalf, such of its functions as it may determine;
   (b) co-opt members, and may direct that 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 section, shall be such as may be determined by the body or bodies which have decided to establish the committee or hold the meeting.

(4) Nothing in the provisions of this section shall be construed as enabling:
   (a) the statute to be made otherwise than in accordance with section 12 of this Bill; or
   (b) the Senate to empower any other body to make regulations or to award degrees or other qualifications.

(5) The Pro-Chancellor and the Vice-Chancellor shall be members of every committee of which the members are wholly or partly appointed by the Council (other than a committee appointed to inquire into the conduct of the officer in question); and the Vice-Chancellor shall be a member of every committee of which the members are wholly or partly appointed by the Senate.

Committee’s Recommendation:
That the provision of Clause 24 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

Question that Clause 24 do stand part of the Bill, put and agreed to.
Clause 25: Retiring age of Academic Staff of the University.

(1) Notwithstanding anything to the contrary in the Pension Act, the compulsory retiring age of an academic staff of the University shall be 65 years except for those in the professorial cadre which is 70 years.

(2) A law or rule requiring a person to retire from the public service after serving for 35 years shall not apply to an academic staff of each University.

Committee’s Recommendation:
That the provision of Clause 25 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 26: Special provision relating to Pension of Professors.

(1) A person who retires as a professor having served:

(a) an academic staff who retires as a professor in a recognized university shall be entitled to pension at a rate equivalent his annual salary provided that the professor has served continuously in a recognized university up to retirement age

(b) Notwithstanding subsection (1) where the professors has not served up to retirement age he shall be entitled to the rate of pension mentioned under subsection (1) provided that he has served a minimum of 20 years as a professor in a recognized university.

(c) Where an academics joins a Nigerian university as a professor, such a professor shall have served continuously for at least (20) years in a recognized university.

Committee’s Recommendation:
That the provision of Clause 26 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 27: Miscellaneous Administrative Provisions.

(1) The seal of each University shall be such as may be determined by the Council and approved by the Chancellor, and the affixing of the seal shall be authenticated by any member of the Council and by the Vice-Chancellor, secretary to the Council or any other person authorized by statute.

(2) Any document purporting to be a document executed under the seal of the University shall be received in evidence and shall, unless the contrary is proved, be presumed to be so executed.

(3) Any contract or instrument which if made or executed by a person not being a body corporate would not be required to be under seal, may be made or executed on behalf of the University by any person generally or specially authorized to do so by the Council.
(4) The validity of any proceedings of anybody established in pursuance of this Bill shall not be affected by any vacancy in the membership of the body, or by any defect in the appointment of a member of the body or by reason that any person not entitled to do so took part in the preceding.

(5) Any member of any such body who has a personal interest in any matter proposed to be considered by that body shall forthwith disclose his interest to the body and shall vote on any question relating to that matter.

(6) Nothing in section 12 of the Interpretation Act (which provides for the application in relation to subordinate legislation of certain incidental provisions) shall apply to statutes of regulations made in pursuance of this Bill.

(7) The power conferred by this Bill on anybody to make statutes or regulations shall include power to revoke or vary any statute (including the statute contained in the Third Schedule of this Bill) or any regulation by a subsequent statute or, as the case may be, by a subsequent regulation and statutes and regulations may make different provisions in relation to different circumstances.

(8) No stamp duty or other duty shall be payable in respect of any transfer of property to the University by virtue of section 10 or section 22 of this Bill or the Second Schedule to this Bill.

(9) Any notice or other instrument authorized to be served by virtue of this Act may, without prejudice to any other mode of service, be served by post.

Committee's Recommendation:
That the provision of Clause 27 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 28: Interpretation.
(1) In this Bill, unless the context otherwise requires:

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

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

"Council" means the Council established pursuant to section 2 (1) (b) of 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;

"Officer" does not include the Visitor;
"Prescribed" means prescribed by statute or regulations;

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

"Property" includes rights, liabilities and obligations;

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

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

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

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

"Statute" means a statute made by each University under section 11 of this Bill and in accordance with the provisions of section 12 of this Bill, and "the statutes" means all such statutes as are in force from time to time;

"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 et each University other than:

(a) a graduate; and

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

"University" means Modibbo Adama University, Yola

"Visitor" means the President of the federal Republic of Nigeria.

(2) It is hereby declared that where in any provision of this Bill it is laid down that the proposals are to be submitted or a recommendation is to be made by one authority or another through one or more intermediate authorities, it shall be the duty of every such intermediate authority to forward any proposals or recommendations received by it in pursuance of that provision to the appropriate authority; but any such intermediate authority may, if it thinks fit, forward therewith its own comments thereon.

Committee's Recommendation:
That the provision of Clause 28 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 29: Repeal.
Section 1(e) of the Federal Universities of Technology Act cap F23 LFN 2004 is hereby repealed.

Committee’s Recommendation:
That the provision of Clause 29 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.
Question that Clause 29 do stand part of the Bill, put and agreed to.

Clause 30: Short Title.
This Bill may be cited as the Modibbo Adama University, Yola (Establishment etc.) Bill, 2019.

Committee’s Recommendation:
That the provision of Clause 30 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

SCHEDULES
FIRST SCHEDULE

[Section 2 (2)].

Principal Officers of the University

The Chancellor
1. (1) The Chancellor shall be appointed by the President of Nigeria.

(2) The Chancellor shall hold office at the pleasure of the President.

(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 function of his office, the Visitor may by notice in the Federal Gazette remove the Chancellor from office.

The Pro-Chancellor
2. (1) The Pro-Chancellor shall be appointed or removed by the President.

(2) Subject to the provisions of this Bill, the Pro Chancellor shall hold office for a period of four years beginning with the date of his/her appointment.

The Vice-Chancellor
3. (1) The Vice-Chancellor of the University shall be appointed by the Council in accordance with the provisions of this paragraph.

(2) Where a vacancy occurs in the post of a Vice-Chancellor, the Council shall:
(a) advertise the vacancy in a reputable journal or a widely read newspaper in Nigeria, specifying:
(i) the qualities of the persons who may apply for the post; and
(ii) the terms 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 of 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 in the short list drawn up under subparagraph (2) of this paragraph through an examination of their curriculum vitae and interaction with them, and recommend to the Council suitable candidates for further consideration.

(4) The Council shall select and appoint as Vice-Chancellor one from among the three candidates recommended to it under subparagraph (3) and thereafter inform the Visitor.

(5) The Vice-Chancellor shall hold office for a single term of five years only on such terms and conditions as may be specified in his letter of appointment.

(6) The Vice-Chancellor may be removed from office by the Governing Council on the ground of gross misconduct or inability to discharge the functions of his office as result of the infirmity of the body or mind at the time at the initiative of the Council, Senate or Congregation after due process.

(7) When the proposal for the removal of Vice-Chancellor is made, the Council shall constitute a joint committee of Council and Senate consisting of:
(i) three members of Council of whom one shall be Chairman of the Committee; and
(ii) two members of Senate, provided that where the ground for removal is infirmity of the body or mind, the Council shall seek appropriate medical opinion.

(8) The Committee shall conduct investigation made into the allegation made against the Vice-Chancellor and shall report its findings to the Council.

(9) The Council may where the allegations are proved, remove the Vice-Chancellor or apply any other disciplinary action it may deem fit and notify the Visitor accordingly provided that a Vice-Chancellor who is removed shall have a right of appeal to the Visitor.

Deputy Vice-Chancellor

4. (1) There shall be for the University such number of Deputy Vice-Chancellors as Council may, from time to time, deem necessary for the proper administration of the University.
(2) Where a vacancy occurs in the post of Deputy Vice-Chancellor, the Vice-Chancellor shall forward to the Senate a list of two candidates for each post of Deputy Vice-Chancellor that is vacant.

(3) The Senate shall select for each vacant post one candidate from each list forwarded to it under subparagraph (2) of this paragraph and forward his name to the Council for confirmation.

(4) A Deputy Vice-Chancellor shall:
(a) assist the Vice-Chancellor in the performance of his functions;
(b) act in the place of the Vice-Chancellor when the post of the Vice-Chancellor is vacant or if the Vice-Chancellor is, for any reason, absent or unable to perform his functions as Vice-Chancellor; and
(c) perform such other functions as the Vice-Chancellor of the Council may, from time to time, assign to him.

(5) A Deputy Vice-Chancellor:
(a) shall hold office for a period of two years beginning from the effective date his appointment and on such terms and conditions as may be specified in his letter of appointment; and
(b) may be re-appointed for one further period of two years and no more.

(6) The Deputy Vice-Chancellor(s) may be removed from office for good cause by the Council, acting on the recommendation of the Vice-Chancellor and Senate.

(7) Good cause for the purpose of this subparagraph means gross misconduct or the inability to discharge the function of his office arising from infirmity of the body or mind.

Office of the Registrar
5. (1) There shall be for the University, a Registrar, who shall be the chief administrative officer of the University and shall be responsible to the Vice-Chancellor for the day-to-day administrative work of the University except as regards matters for which the Bursar is responsible in accordance with paragraph 6 (2) of this Schedule.

(2) The person holding the office of the Registrar shall by virtue of that office be Secretary to the Council, the Senate, Congregation and Convocation.

Other Principal Officers of the University
6. (1) There shall be for the University the following principal officers, in addition to the Registrar, that is:
(a) the Bursar; and
(b) the University Librarian, who shall be appointed by the Council on the recommendation of the Selection Board constituted under paragraph 7 of this Schedule.
(2) The Bursar shall be the Chief Financial Officer of the University and be responsible to the Vice-Chancellor for the day-to-day administration and control of the financial affairs of the University.

(3) The University Librarian shall be responsible to the Vice-Chancellor for the administration of the university library and the co-ordination of the library services in the University and its campuses, colleges, 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.

(5) The Registrar, Bursar and Librarian shall hold office for a single term of five years only beginning from the effective date of his appointment and on such terms and condition as may be specified in his letter of appointment.

(6) Notwithstanding subparagraph (5) of this paragraph, the Council may, upon satisfactory performance, extend the tenure of the Registrar, Bursar and Librarian for a further period of one year only thereafter the Registrar, Bursar or Librarian shall relinquish his post and be assigned to other duties in the University.

Selection Board for other Principal Officers

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

(a) the Pro-Chancellor, as chairman;

(b) the Vice-Chancellor;

(c) four members of the Council not being members of the Senate; and

(d) two members of the Senate.

(2) The functions, procedure and other matters relating to the Selection Board constituted under subparagraph (1) of this paragraph shall be as the Council may, from time to time, determine.

(3) The Registrar, Bursar and Librarian shall hold office for such period and on such terms as to the emoluments of their offices and otherwise as may be specified in their letters of appointment.

Resignation and Re-appointment

8. (1) Any officer mentioned in the foregoing provisions of this Schedule may resign his office: -

(a) in the case of the Chancellor or Pro-Chancellor, by notice to the President;

(b) in any other case, by notice to the Council and the Council shall immediately notify the Minister in the case of the Vice-Chancellor.

(2) Subject to paragraph 4 and 5 of this Schedule, a person who has ceased to hold an office so mentioned otherwise than by removal for misconduct shall be eligible for re-appointment to that office.
SECOND SCHEDULE

Transitional Provisions Section 10 (2)

Transitional Provisions as the Property, Functions etc

Transfer of Property to the University

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

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

Registration of Transfers

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

4. (1) The first meeting of the Council shall be convened by the Pro-Chancellor on such date and in such manner as he may determine.
   (2) The persons who were members of the provisional council shall be deemed to constitute the Council until the date when the Council as set up under the Third Schedule to this Bill must have been duly constituted.
   (3) The first meeting of the Senate as constituted by this Bill shall be convened by the Vice-Chancellor on such date and in such manner as he may determine.
   (4) The persons who were members of the Senate immediately before the coming into force of this Bill shall be deemed to constitute the Senate of the University until the date when the Senate as set up under the Third Schedule 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 faculties, faculty boards and students of the University immediately before the coming into force of this Bill shall on that day become faculties, faculty boards and students of the University as constituted by this Bill.

(6) Persons who were Deans or associate Deans of faculties or members of faculty boards, shall continue to be Deans or associate Deans or become members of the corresponding school boards, until new appointments are made in pursuance of the statutes under this Bill.

5. Any person who was a member of the staff of the University as established or was otherwise employed by the provisional council shall 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.

THIRD SCHEDULE

MODIBBO ADAMA UNIVERSITY STATUTE NO. 1

ARRANGEMENT OF ARTICLES

ARTICLES

1. The Council.
2. The Finance and General Purposes Committee;
3. The Senate
4. The Congregation.
5. Convocation.
6. Organization of School thereof
7. School Boards.
8. Dean of the School
9. Head of Department
10. Selection of Director of Works.
11. Creation of academic posts.
12. Appoinment of academic staff.
13. Appointment of Administrative and professional staff.
15. Citation

The Council

1. (1) The composition of the Council shall be as provided in section 6 of this Bill.

(2) Any member of the Council holding office otherwise than in pursuance of section 6(a), (b), (c), or (d) of this Bill may, by notice to the Council, resign his office.

(3) A member of the Council holding office otherwise than in pursuance of section 6(a), (b), (c), or (d) of this Bill shall, unless he previously vacates it, vacate that office on the expiration of the period of four years beginning with effect from the date of inauguration of the Council.

(4) Where a member of the Council holding office otherwise than in pursuance of section 6(a), (b), (c), or (d) of this Bill vacates office before the expiration of the period aforesaid, the body or person by whom he was appointed may appoint a successor to hold office for the residue of the term of his predecessor.
(5) A person ceasing to hold office as a member of the Council otherwise than by removal for misconduct shall be eligible for re-appointment for only one further period of four years.

(6) The quorum of the Council shall be five, at least one of whom shall be a member appointed pursuant to section 6 (d), (e) or (h) of this Bill.

(7) If the Pro-Chancellor is not present at a meeting of the Council, such other member of the Council present at the meeting as the Council may appoint as respects that meeting shall be the chairman at that meeting, and subject to section 4 and 5 of this Bill and the foregoing provisions of this paragraph, the Council may regulate its own procedure.

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

**The Finance and General Purposes Committee**

2. (1) The Finance and General Purposes Committee of the Council shall consist of:

   (a) the Pro-Chancellor, who shall be the chairman of the Committee at any meeting at which he is present;

   (b) the Vice-Chancellor and Deputy Vice-Chancellors;

   (c) six other members of the Council appointed by the Council, two of whom shall be selected from among the three members of the Council appointed by the Senate and one member appointed to the Council by Congregation;

   (d) the Permanent Secretary of the Federal Ministry of Education, or in his absence, such member of his Ministry as he may designate to represent him.

(2) The quorum of the Committee shall be five.

(3) Subject to any directions given by the Council, the Committee may regulate its own procedure.

**The Senate**

3. (1) The Senate shall consist of:

   (a) The Vice-Chancellor who shall be the chairman;

   (b) and Deputy Vice-Chancellor(s)

   (c) all Professor of the university;

   (d) All Deans, Provost and Directors of academic units of the university;

   (e) all Heads of academic Department, Units and Research Institutes of the university, and;

   (f) University Librarian; and

   (g) Academic members of Congregation who are not Professors as specified in the Bill.
(2) The Vice-Chancellor shall be the chairman at all meeting of the Senate when he is present, and in his absence any of the Deputy Vice-Chancellors present at the meeting as the Senate may appoint for that meeting shall be the chairman at the meeting.

(3) The quorum of the Senate shall be one quarter (or the nearest whole number less than one quarter) and subject to paragraph (2) of this article, the Senate may regulate its own procedure.

(4) 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 held in the prescribed manner on such day in the month of May or June in each year as the Vice-Chancellor may from time to time determine.

(6) An elected member shall hold office for the period of two years beginning with August in the year of his election, and may be a candidate at any election held in pursuance of paragraph (5) of this article in the year in which his period of office expires, so however that no person shall be such a candidate if at the end of his current period of office he will have held office as 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 shall be held in pursuance of this article in any year if the number specified in the certificate given in pursuance of paragraph (10) of this article does not exceed by more than one the figure which is thrice the number of those elected members holding office on the date of the certificate who do not vacate office during that year in pursuance of paragraph (6) of this article.

(8) For the avoidance of doubt it is hereby declared that no person shall be precluded from continuing in or taking office as an elected member by reason only of reduction in the number of non-elected members occurring on or after 30 April in any year in which he is to continue in or take office as an elected member.

(9) If so requested in writing by any fifteen members of the Senate, the Vice-Chancellor or in his absence any of the Deputy Vice-Chancellors duly appointed by him, shall convene a meeting of the Senate to be held not later than the tenth day following that on which the request was received.

(10) In this article "total of non-elected members" means as respect any year, such number as may be certified by the Vice-Chancellor on 30 April of that year to be the number of persons holding office as members of the Senate on that day otherwise than as elected members.

Congregation
4. (1) Congregation shall consist of:
(a) the Vice-Chancellor and the Deputy Vice-Chancellors;
(b) the full-time members of the academic staff;
(c) the Registrar;
(d) the Bursar;
(c) 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 honorary degree, of any University recognized for the purposes of this statute by the Vice-Chancellor.

(2) Subject to section 4 and 5 of this Bill, the Vice-Chancellor shall be the chairman at all meetings of Congregation when he is present; and in his absence any of the Deputy Vice-Chancellors present at the meeting as Congregation may appoint for that meeting, shall be the chairman at the meeting.

(3) The quorum of Congregation shall be one third (or the whole number nearest to one third of the total number of members of Congregation of fifty, whichever is less.

(4) A certificate signed by the Vice-Chancellor specifying:

(a) the total number of members of Congregation for the purpose of any particular meeting or meetings of Congregation; or

(b) the names of the persons who are members for the congregation during a particular meeting shall be conclusive evidence of that number or as the case may be, of the names of those persons.

(5) Subject to the foregoing provisions of this article, Congregation may regulate its own procedure.

(6) Congregation shall be entitled to express by resolutions or otherwise its opinion on all matters affecting the interest and welfare of the University and shall have such other functions, in addition to the function of electing a member of the Council, as may be provided by statute or regulations.

Convocation

5. (1) Convocation shall consist of:

(i) the officers of the University mentioned in the First Schedule to this Bill;

(ii) all teachers within the meaning of this Bill;

(iii) all other persons whose names are registered in accordance with paragraph (2) of this article.

(2) A person shall be entitled to have his name registered as a member of Convocation if:

(a) he/she is either a graduate of the University or a person satisfying such requirements as may be prescribed for the purposes of this paragraph; and
(b) he/she applies for the registration of his name in the prescribed manner and pay the prescribed fees.

(3) Regulations shall provide for the establishment and maintenance of a register for the purpose of this paragraph and subject to paragraph (4) of this article may provide for the payment, from time to time, of further fees by persons whose names are on the register and for the removal from the register of the name of any person who fails to pay those fees.

(4) The person responsible for maintaining the register shall, without the payment of any fees, ensure that the names of all persons who are for the time being members of the Convocation by virtue of paragraph (1) (a) or (b) of this article are entered and retained on the register.

(5) A person who reasonably claims that he is entitled to have his name on the register shall be entitled on demand to inspect the register or a copy of the register at the principal offices of the University at all reasonable times.

(6) The register shall, unless the contrary is proved, be sufficient evidence that any person named therein is a member of Convocation; but for the purpose of ascertaining whether a particular person was a member on a particular date, any entries in and deletions from the register made on or after that date shall be disregarded.

(7) The quorum of Convocation shall be fifty or one third or the whole number nearest to one third or the whole number of members of Convocation whichever is less.

(8) Subject to section 5 of the Bill, the Chancellor shall be chairman at all meetings of Convocation when he is present, and in his absence the Vice-Chancellor shall be the chairman at the meeting.

(9) Convocation shall have such functions, in addition to the function of appointing a member of the Council, as may be provided by statute or regulations.

Division of Schools
6. (1) Each School shall be divided into such number of branches as may be prescribed.

School Boards
7. (1) There shall be established in respect of each School, a School Board which, subject to the provisions of this Statute, and subject to the directions of the Vice-Chancellor, shall:

(a) regulate the teaching and study of, and the conduct of examinations connected with the subjects assigned to the School;

(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 School Board shall consist of:

(a) the Vice-Chancellor;

(b) the Dean;
(c) the persons severally in charge of the branches of the school;

(d) such of the teachers assigned to the school and having the prescribed qualifications as the board may determine; and

(e) such persons, whether or not members of the University, as the Board may determine with the general or special approval of the Senate.

(3) The quorum of the board shall be eight members or one quarter, whichever is greater, of the members for the time being of the Board; and subject to the provisions of this statute and any provision made by regulations in that behalf, the Board may regulate its own procedure.

The Dean of School

8. (1) The Dean of a school shall be a professor elected by the School Board and such Dean shall hold office for a term of two years, and shall be eligible for re-appointment for another term two 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 School Board when he is present and shall be a member of all committee and other boards appointed by the School.

(3) The Dean of a School shall exercise general superintendence over the academic and administrative affairs of the school and it shall be the function of 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 school.

(4) There shall be a Committee to be known as the Committee of Deans, consisting of all Deans of the Schools and that committee shall advice the Vice-Chancellor on all academic matters and on particular matters referred to it by the University Council.

(5) The Dean of School may be removed from office for good cause by the School Board after a vote would have been taken at a meeting of the board, and in the event of a vacancy occurring following the removal of a Dean, an acting Dean may be appointed by the Vice-Chancellor provided that at the next School Board meeting, an election shall be held for a new Dean.

(6) In this article 'good cause' has the same meaning as in section 14 (3) of this Bill.

Head of Department

9. (1) The Head of Department shall be appointed by the Vice-Chancellor and such head shall hold office for a period of two years and shall be eligible for re-appointment for another term of two 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.

Selection of Director of Works.

10. (1) When a vacancy occurs in the office of the Director of Works, a selection board shall be constituted by the Council which shall consist of:
(a) the Pro-Chancellor, as chairman;
(b) the Vice-Chancellor;
(c) two members appointed by the Council not being members of the Senate; and
(d) two members appointed by the Senate.

(2) The Selection Board, after making such inquiries as it thinks fit, shall recommend a candidate to the Council for appointment to the vacant office; and after considering the recommendation of the Board, the council may make an appointment to that office.

Creation of Academic posts
11. Recommendations for the creation of posts shall be made Senate to the Council through the Finance and General Purposes Committee.

Appointment of Academic Staff
12. (1) Subject to the Bill and statutes, the filling of vacancies in academic posts (including newly created ones) shall be the responsibility of the Senate.

(2) For the purpose of filling such vacancies, suitable selection boards to select and make appointments on behalf of Council shall be set up.

(3) For appointment to professorships, associate professorship or readerships or equivalent posts, a board of selection, with power to appoint, shall consist of:

(a) the Vice-Chancellor;
(b) two members appointed by the Council;
(c) four members appointed by the Senate, at least two of whom shall be members of Senate, while the other two members shall be professional peers in the professional area in which an appointment is to be considered;
(d) if the post is tenable at a college, the Provost of that college;
(e) if the post is within a school, institute or other teaching unit of the university, the Dean of the School or the teaching unit, or the Director of the institute, as the case may be; and
(f) such other persons, not exceeding two in number, or deemed capable of helping the Board in assessing both the professional and academic suitability of a candidate under consideration, as the Senate may from time to time appoint.

(4) For other academic posts, a Selection Board, with power to appoint, shall consist of:

(a) the Vice-Chancellor;
(b) four members appointed by the Senate, at least two of whom shall be members of Senate, while the other two members shall be professional peers in the professional area in which an appointment is to be considered;
(c) if the post is tenable at a college, the Provost of that college;

(d) if the post is within a school, institute or other teaching unit of the university, the Dean of the School or the teaching unit, or the Director of the institute, as the case may be; and

(e) such other persons, not exceeding two in number, or deemed capable of helping the Board in assessing both the professional and academic suitability of a candidate under consideration, as the Senate may from time to time appoint.

(5) All appointments to senior library posts shall be made in the same way as equivalent appointments in the academic cadre; and for all such posts other than that of the Librarian, the Librarian shall be a member of the selection board.

(6) Boards of selection may interview candidates directly or consider the reports of assessors or specialist interviewing panels and shall in addition, in case of professorships, associate professorships, readerships or equivalent posts, consider the reports of external assessors relevant to the area in which the appointment is being considered.

Appointment of Administrative and professional Staff
13. (1) The administrative and professional 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 delegation of any powers made by the Council in that behalf.

(2) In the case of administrative or professional staff who have close and important contract with the academic staff, there shall be Senate or (in case of a college) academic board participation in the process of selection.

Interpretation
14. In this Statute, the expression "the Bill" means the Modibbo Adama University Bill and any expression defined in the Bill has the same meaning in this Statute.

Short Title
15. This Statute may be cited as the Modibbo Adama University Statute No. 1.

Question that the provision of Schedules 1-3 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 Report of the Committee on Tertiary Institutions and TETFUND on the Modibbo Adama University of Technology (Establishment, etc.) Bill, 2019 and approved as follows:

Clauses 1-29 — As Recommended

Schedules 1-3 — As Recommended

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

Motion made: That the Bill be now Read the Third Time (Deputy Chief Whip).
Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

21. Committee on Tertiary Institutions and TETFUND:

Report on the Federal University of Agriculture and Technology Funtua (Establishment, etc.) Bill, 2019 (SB. 150):

Motion made: That the Senate do receive and consider the Report of the Committee on Tertiary Institutions and TETFUND on the Federal University of Agriculture and Technology Funtua (Establishment, etc.) Bill, 2019 (Senator Babba Kaita Ahmad — Katsina North).

Question put and agreed to.

Report Laid and presented.

Motion made: That the Senate do resolve into the Committee of the Whole to consider the Report (Deputy Chief Whip).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

Consideration of a Bill for an Act to Establish the Federal University of Agriculture and Technology, Funtua to Make Comprehensive Provisions for Its Due Management and Administration; and for Related Matters, 2019.

Clause 1: Establishment and Objects of the Federal University of Agriculture and Technology Funtua.

(1) There is established the Federal University of Agriculture and Technology, Funtua (in this Bill referred to as "the University").

(2) The University:
(a) shall be a body corporate with perpetual succession and a common seal; and

(b) may sue or be sued in its corporate name.

Committee’s Recommendation:
That the provision of Clause 1 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 2: Objects of the University.
The objects of the University shall be to-
(a) encourage the advancement of learning and to hold out to all persons without distinction of race, creed, sex or political conviction the opportunity of acquiring tertiary education in Agriculture and Technology;
(b) to develop and offer technical, academic and professional programmes leading to the award of diplomas, first degrees, post-graduate research and higher degrees with emphasis on Agricultural and Technological research, planning, adaptive, technical, creative, innovative, maintenance, developmental and productive skills in the engineering, scientific, and allied professional disciplines with the aim of producing socially mature men and women with capability not only to understand, use and adapt existing technologies in Agriculture, but also to improve on them and develop new ones;

(c) to act as agents and catalysts, through post-graduate training, research and innovation for the effective and economic utilization, exploitation and conservation of the country's agricultural and technological resources;

(d) to offer to the general population particularly in the area of Agriculture and Technology as a form of public service, the results of training and research and to foster the practical applications of these results;

(e) to establish appropriate relationships with other national institutions involved in training, innovation, research and development of technologies in the Agriculture sector;

(f) to identify the problems and needs of the Agriculture sector in Nigeria and to find solutions to them within the context of overall national development;

(g) to provide and promote sound basic scientific training as a foundation for the development of Agriculture in Nigeria, taking into account indigenous cultures and the need to enhance national unity;

(h) to encourage and promote scholarship and conduct research in restricted fields of learning and human endeavor;

(i) to relate its activities to the technological, social, cultural and economic needs of the people of Nigeria; and

(j) to undertake other activities appropriate for an Agriculture and Technology university of the highest standard.

Committee's Recommendation:
That the provision of Clause 2 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 3: Constitution of the University and its Constituent Bodies, etc.

(1) The University shall consist of:
   (a) a Chancellor;
   (b) a Pro-Chancellor and a Council;
   (c) a Vice Chancellor and a Senate;
   (d) a Deputy Vice-Chancellor;
(e) a body to be called Congregation;

(f) a body to be called Convocation;

(g) the Campuses and Colleges of the University;

(h) the Faculties, Schools, Institutes and other teaching and research units of the University;

(i) the persons holding the offices constituted by the First Schedule to this Bill other than those mentioned in paragraphs (a) to (c) of this subsection;

(j) all graduates and undergraduates; and

(k) all other persons who are members of the University in accordance with provisions made by Statute in that behalf.

(2) The First Schedule to this Bill shall have effect with respect to the Principal Officers of the University mentioned therein.

(3) Provision shall be made by Statute with respect to the constitution of the following bodies, namely:

(a) the Council;

(b) the Senate;

(c) the Congregation; and

(d) the Convocation.

Committee’s Recommendation:
That the provision of Clause 3 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 4: Powers of the University.

(1) For the carrying out of its objects as specified in Section 2 of this Bill, the University shall have power to:

(a) establish such Campuses, Colleges, Faculties, Institutes, Schools, Extra-mural Departments and other teaching and research units within the University as may from time to time seem necessary or desirable, subject to the approval of the National Universities Commission;

(b) institute professorships, readerships and associate professorships, lectureships and other posts and offices and to make appointments thereto;

(c) institute and award fellowships, scholarships, exhibitions, bursaries, medals, prizes and other titles, distinctions, awards and forms of assistance;
(d) provide for the residence, discipline and welfare of members of
the University;

(e) hold examinations and award degrees, diplomas, certificates
and other distinctions to persons who have pursued a course of
study approved by the University and have satisfied such other
requirements as the University may lay down;

(f) award honorary degrees, fellowships or academic titles;

(g) demand and receive from any student or any other person
attending the University for the purpose of instruction such fees
as the University may from time to time determine, subject to
the overall directives of the appropriate authority;

(h) subject to section 22 of this Bill, to acquire, hold, grant, charge
or otherwise deal with or dispose of movable and immovable
property wherever situate;

(i) accept gifts, legacies and donations, but without obligation to
accept the same for a particular purpose unless it approves the
terms and conditions attaching thereto;

(j) enter into contracts, establish trusts, act as trustee, solely or
jointly with any other person, and employ and act through
agents;

(k) erect, provide, equip and maintain libraries, laboratories,
lecture halls, halls of residence, refectories, sports grounds,
playing fields and other buildings or things necessary, suitable
or convenient for any of the objects of the University;

(l) hold public lectures and undertake printing, publishing and
book selling;

(m) subject to any limitations or conditions imposed by Statute, to
invest any moneys appertaining to the University by law of
endorsement, whether for general or special purposes, and such
other moneys as may not be immediately required for current
expenditure, in any investments or securities or in the purchase
or improvement of land, with power from time to time to vary
any such investments and to deposit any moneys for the time
being un-invested with any bank on deposit or current account;

(n) borrow, whether on interest or not, and if need be, upon the
security of any or all of the property movable or immovable of
the University, such moneys as the Council may from time to
time in its discretion find necessary or expedient to borrow or
to guarantee any loan, advances or credit facilities;

(o) make gifts for any charitable purpose;

(p) do anything which it is authorized or required by this Bill or by
any other Statute to do; and
(g) do all such acts or things, whether or not incidental to the foregoing powers, as may advance the objects of the University.

(2) Subject to the provisions of this Bill and of the Statutes made thereunder and without prejudice to Section 9 (2) of this Bill, the powers conferred on the University by subsection (1) of this section shall be exercisable on behalf of the University by the Council or by the Senate or in any other manner which may be authorized by this Bill.

Committee's Recommendation:
That the provision of Clause 4 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

Question that Clause 4 do stand part of the Bill, put and 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 is present shall preside at all meetings of convocation held for conferring degrees.

(2) The Pro-Chancellor shall, in relation to the University, take precedence before all other members of the University except the Chancellor, and except for the Vice Chancellor when acting as Chairman of Congregation or Convocation, and the Pro-Chancellor shall when he is present, be the Chairman at all meetings of the Council.

Committee's Recommendation:
That the provision of Clause 5 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 6: Establishment and Composition of Council.
(1) There shall be a Council for the University consisting of:
   (a) the Pro-Chancellor;
   (b) the Vice-Chancellor;
   (c) the Deputy Vice-Chancellor;
   (d) one person from the Ministry responsible for Education;
   (e) four persons representing a variety of interest and broadly representative of the whole Federation to be appointed by the President;
   (f) four persons appointed by the Senate from among its members;
   (g) two persons appointed by the congregation from among its members; and
   (h) one persons appointed by Convocation from among its members.
(2) Persons to be appointed to the Council shall be persons of proven integrity, knowledgeable and familiar with the affairs and tradition of the University.

Committee's Recommendation:
That the provision of Clause 6 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

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

(1) Subject to the provisions of this Bill relating to the Visitor, the Council shall be the Governing Body of the University and shall be charged with the general control and superintendence of the policy, finances and property of the University, including its public relations.

(2) There shall be a committee of the Council to be known as the Finance and General Purposes Committee, which shall, subject to the directions of the Council, exercise control over the property and expenditure of the Council as the Council may from time to time delegate to it.

(3) Provision shall be made by Statute with respect to the constitution of the Finance and General Purposes Committee.

(4) The Council shall ensure proper accounts of the University are kept and that the accounts of the University are audited annually by auditors appointed by the Council from the list and in accordance with guidelines supplied by the Auditor-General of the Federation, and that an annual report is published by the University together with certified copies of the said accounts as audited.

(5) Subject to this Bill and the Statutes, the Council and the Finance and General Purposes Committee may each make rules for the purpose of exercising any of their respective functions or of regulating their own procedure.

(6) Rules made under subsection (5) of this section by the Finance and General Purposes Committee shall not come into force unless approved by the Council, and where any rule so made by the Committee conflict with any directions given by the Council (whether before or after the coming into force of the rules in question), the direction of the Council shall prevail.

(7) There shall be paid to the members of the Council, the Finance and General Purposes Committee and of any other committee set up by the Council, allowances in respect of travelling and other reasonable expenses, at such rates as may from time to time be fixed by extant government circulars.

(8) The Council shall meet as and when necessary for the performance of its functions under this Bill, and shall meet at least four times every year.

(9) If required in writing by any five members of the Council, the Chairman shall within 28 days after the receipt of such request call a meeting of the Council:
PROVIDED that if after 28 days of the receipt or delivering to him of such request, the chairman fails or neglects to call a meeting, the Registrar shall within 14 days thereof, cause a meeting of the Council to be convened for that purpose. The request shall specify the business to be considered at the meeting and no business not so specified shall be transacted at that meeting.

Committee's Recommendation:
That the provision of Clause 7 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 8: Functions of the Senate.

(1) Subject to section 5 of this Act and subsections (3) and (4) of this section and to the provisions of this Bill relating to the Visitor, it shall be the general function of the Senate to organize and control teaching in the University, admission to Postgraduate courses and other admission of students, the discipline of students and to promote research in the University.

(2) Without prejudice to the generality of the provisions of subsection (1) of this section, it shall in particular be the function of the Senate to make provision for the:

(a) establishment, organization and control of campuses, colleges, faculties, departments, schools, institutes and other teaching and research units of the University, and the allocation of responsibility for different branches of learning;

(b) organization and control of courses of study in the University and of the examinations held in conjunction with those courses, including the appointment of examiners, both internal and external;

(c) award of degrees, and such other qualifications as may be prescribed, in connection with examinations conducted by the University;

(d) making of recommendations to the Council with respect to the award to any person of an honorary fellowship or honorary degree or the title of professor emeritus;

(e) establishment, organization and control of halls of residence and similar institutions in the University;

(f) supervision of the welfare of students in the University and the regulation of their conduct;

(g) granting of fellowships, scholarships, prizes and similar awards in so far as the awards are within the control of the University; and

(h) determination of what description of dress shall be academic dress for the purposes of the University, and regulating the use of academic dress.
(3) The Senate shall not establish any new campus, college, faculty, department, school, institute or other teaching and research units of the University, or any hall of residence or similar institution at the University without the approval of the Council.

(4) (a) Subject to this Bill and the Statutes, the Senate may make regulations for the purpose of exercising any function conferred on it either by the provisions of this section or for the purpose of providing for any matter for which provision by regulation is authorized or required by this Bill or by Statute.

(b) The Senate shall, by regulation, provide that at least one of the persons appointed as examiners at each final or professional examination held in conjunction with any course of study in the University is not a teacher at the University but is a teacher at the branch of learning to which the course relates in some other university of high repute.

(5) Subject to a right of appeal to the Council from a decision of the Senate under this subsection, the Senate may deprive any person of any degree, diploma or other award of the University which has been conferred on him if after due enquiry he is shown to have been guilty of any dishonorable or scandalous conduct in gaining admission into the University or obtaining that award.

Committee’s Recommendation:
That the provision of Clause 8 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 9: Functions of the Vice-Chancellor.
(1) The Vice-Chancellor shall, in relation to the University, take precedence before all other members of the University except the Chancellor and, subject to section 5 of this Bill, the Pro-Chancellor and any other person for the time being acting as Chairman of the Council.

(2) Subject to the provisions of this Bill, the Vice-Chancellor shall have general function, in addition to any other functions conferred on him by this Bill or otherwise, of directing the activities of the University, and shall to the exclusion of any other person or authority be the Chief Executive and Academic Officer of the University and Ex-officio Chairman of the Senate.

Committee’s Recommendation:
That the provision of Clause 9 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

PART II - TRANSFER OF PROPERTY

Clause 10: Transfer of Property to the University.
(1) All property held by or on behalf of the Provisional Council shall, by virtue of this subsection and without further assurance, vest in the University and be held by it for the purpose of the University.
(2) The provisions of the Second Schedule to this Bill shall have effect with respect to the transfer of property by this section and to matters arising therefrom and with respect to other matters mentioned in that Schedule.

Committee’s Recommendation:
That the provision of Clause 10 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

PART III - STATUTES OF THE UNIVERSITY

Clause 11: Power of the University to make Statutes.

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

(2) Subject to section 36 (6) of this Bill, the Interpretation Act shall apply in relation to any Statute made under this section as it applies to a subsidiary instrument within the meaning of section 27 (1) of that Act.

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

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

Committee’s Recommendation:
That the provision of Clause 11 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

Question that Clause 11 do stand part of the Bill, put and agreed to.
Clause 12: Mode of exercising the power to make Statutes.

(1) The power of the University to make Statutes shall be exercised in accordance with the provisions of this section and not otherwise.

(2) A proposed Statute shall not have the force of law until it has been approved at a meeting of the-

(a) Senate, by the votes of not less than two thirds of the members present and voting; and

(b) Council by the votes of not less than two thirds of the members present and voting.

(3) A proposed Statute may originate either in the Senate or Council, and may be approved as required by subsection (2) of this section by both bodies in no particular order.

(4) A Statute which:

(a) makes provision for or alters the composition or constitution of the Council, the Senate or any other authority of the University; or

(b) provides for the establishment of a new campus or college or for the amendment or revocation of any Statute whereby a campus or college is established; shall not come into operation unless it has been approved by the Visitor.

(5) For the purpose of section 2 (2) of the Interpretation Act, a Statute shall be treated as being made on the date on which it is approved by the Council and the Senate in accordance with subsection (3) of this section or in the case of a Statute falling within subsection (4) of this section, on the date on which it is approved by the President.

Committee's Recommendation:
That the provision of Clause 12 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 13: Proof of Statute.
A Statute may be proved in any Court by the production of a copy thereof bearing or having affixed to it a certificate signed by the Vice-Chancellor or the Registrar to the effect that the copy is a true copy of a Statute of that University.

Committee's Recommendation:
That the provision of Clause 13 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 14: Power to decide the meaning of Statute.

(1) In the event of any doubt or dispute arising at any time as to the meaning of any provision of a Statute, the matter may be referred to the Visitor, who shall take such advice and make such decision thereon as he deems fit.
(2) The decision of the Visitor on any matter referred to him under this section shall be binding upon the authorities, staff and students of that University and where any question as to the meaning of any provision of a statute has been decided by the Visitor under this section, no question as to the meaning of that provision shall be entertained by any other authority in Nigeria.

Provided that nothing in this subsection shall affect the power of a court of competent jurisdiction to determine whether any provision of a statute is wholly or partly void as being ultra vires or as being inconsistent with the Constitution of the Federal Republic of Nigeria, 1999.

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

Committee’s Recommendation:
That the provision of Clause 14 be retained *(Senator Babba Kaita Ahmad — Katsina North)* — Agreed to.

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

PART IV - SUPERVISION AND DISCIPLINE

Clause 15: The Visitor.

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

(2) The Visitor shall as often as the circumstances may require, not being less than once every five years, conduct a visitation of the University or direct that such a visitation be conducted by such persons as the Visitor may deem fit and in respect of any of the affairs of the University.

(3) It shall be the duty of the bodies and persons comprising the University to:
   
   (a) make available to the Visitor, and to any other persons conducting a visitation in pursuance of this section, such facilities and assistance as he or they may reasonably require for the purpose of the visitation; and

   (b) give effect to any instructions consistent with the provisions of this Bill which may be given by the Visitor in consequence of the visitation.

Committee’s Recommendation:
That the provision of Clause 15 be retained *(Senator Babba Kaita Ahmad — Katsina North)* — Agreed to.

Question that Clause 15 do stand part of the Bill, put and agreed to.
Clause 16: Removal of certain Members of the Council.

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

(2) It shall be the duty of the Minister to use his best endeavors to cause a copy of the instrument embodying a direction under subsection (1) of this section to be served as soon as reasonably practicable on the person to whom it relates.

Committee's Recommendation:
That the provision of Clause 16 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 17: Removal and discipline of Academic, Administrative and Professional Staff.

(1) If it appears to the Council that there are reasons for believing that any person employed as a member of the academic, administrative or professional staff of the University, other than the Vice-Chancellor, should be removed from office or on grounds of misconduct or inability to perform the functions of his office Council shall:

(a) give notice of those reasons to the person in question;

(b) afford such person an opportunity of making representation in person on the matter to the Council; and

(c) take a decision to terminate or not to terminate the appointment.

(2) If the affected staff or any three members of the Council so request within a period of one month from the date of receipt of the notice of the Council’s decision, the Council shall make arrangements for:

(a) a Joint Committee of the Council and the Senate to review the matter and to report on it to the Council;

(b) the person in question to be afforded an opportunity to appear before and be heard by an investigating Committee with respect to the matter; and

(c) if the Council after considering the report of the investigating Committee, is satisfied that the person in question should be removed, the Council may so remove him by an instrument in writing signed on the directions of the Council.

(3) The Vice-Chancellor may, in a case of gross misconduct by a member of staff which in the opinion of the Vice-Chancellor is prejudicial to the interest of the University, suspend such member and any such suspension shall immediately be reported to the Council.
(4) Any member of staff may be suspended from duty or his appointment may be terminated by Council for a good cause and for the purposes of this subsection "good cause" means:

(a) conviction for any offence which the Council considers to be such as to render the person concerned unfit for the discharge of the functions of his office;

(b) any physical or mental incapacity which the Council, after obtaining medical advice, considers to be such as to render the person concerned unfit to continue to hold office;

(c) conduct of a scandalous or disgraceful nature which the Council considers to be such as to render the person concerned unfit to continue to hold office;

(d) conduct which the Council considers to be such as to constitute failure or inability of the person concerned to discharge the functions of his office or to comply with the terms and conditions of his service; or

(e) conduct which the council considers to be generally of such nature as to render the continued appointment or service of the person concerned prejudicial or detrimental to the interest of the university.

(5) Any person suspended pursuant to subsection (3) of this section shall be on half pay and the Council shall before the expiration of a period of three months from the date of such suspension consider the case against that person and come to a decision as to whether to:

(a) continue such person's suspension and if so on what terms (including the proportion of his emoluments to be paid to him);

(b) reinstate such person in which case the Council shall restore his full emoluments with effect from the date of suspension;

(c) terminate the appointment of the person concerned in which case such a person will not be entitled to the proportion of his emoluments withheld during the period of suspension; or

(d) take such lesser disciplinary action against such person (including the restoration of such proportion of his emoluments that might have been withheld) as the Council may determine.

(6) Where the Council, pursuant to this section, decides to continue a person's suspension or decides to take further disciplinary action against the person, the Council shall, before the expiration of three months from such decision come to a final determination in respect of the case concerning such a person.

(7) It shall be the duty of the person by whom an instrument of removal is signed in pursuance of subsection (1) above to use his best endeavors to cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it relates.
(8) Nothing in the foregoing provisions of this section shall prevent the Council from making regulations for the discipline of staff and workers of the University as may be appropriate.

Committee's Recommendation:
That the provision of Clause 17 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 18: Removal of Examiners.
(1) If, on the recommendation of the Vice-Chancellor, it appears to the Senate that a person appointed as an examiner for any examination of the University ought to be removed from his office or appointment, then, the Senate may, after affording the examiner an opportunity of making representations in person on the matter, direct the Vice-Chancellor to remove the examiner by an instrument in writing signed by the Registrar.

(2) Subject to the provisions of any regulation made pursuant to section 8 (4) of this Bill, the Vice-Chancellor may, on the recommendation of Senate, appoint an appropriate person as examiner in the place of the examiner removed.

(3) It shall be the duty of the Registrar on signing an instrument of removal pursuant to this section, to use his best endeavours to cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it relates.

Committee's Recommendation:
That the provision of Clause 18 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 19: Discipline of Students.
(1) Subject to the provisions of this section, where after due process it appears to the Vice-Chancellor that any student is guilty of misconduct, the Vice-Chancellor may, without prejudice to any other disciplinary powers conferred on him by Statute or regulations, direct that the:

(a) student shall not, during such period as may be specified in the direction, participate in such activities of the University or make use of such facilities of the University as may be so specified;

(b) activities of the student shall, during such period as may be specified in the direction, be restricted in such manner as may be so specified; or

(c) student be rusticated for such period as may be specified in the direction;

(2) Where a direction is given under subsection (1) paragraphs (a) to (d) of this section in respect of any student, the student may, within the prescribed period and in the prescribed manner, appeal against the direction to the Senate.
(3) Where an appeal is brought pursuant to subsection (2) of this section, the Senate shall, after causing such inquiry to be made in the matter as the Senate considers just, either confirm or set aside the direction or modify it in such manner as the Senate thinks fit.

(4) The fact that an appeal from a direction is brought pursuant to subsection (3) of this section shall not affect the operation of the direction while the appeal is pending.

(5) The Vice-Chancellor may delegate his powers under this section to a disciplinary Board consisting of such members of the University as he may nominate.

(6) Nothing in this section shall be construed as preventing the restriction or termination of a student's activities at the University for conduct which in the opinion of Senate is prejudicial to the interest of the University or to its corporate objective or image.

(7) A direction under subsection (1) (a) of this section may be combined with a direction under subsection (1) (b) of this section.

Committee's Recommendation:
That the provision of Clause 19 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

PART V - FINANCIAL PROVISIONS

Clause 20: Finance and General Purposes Committee.

(1) The Council shall appoint a committee of the Council to be known as the Finance and General Purposes Committee which, subject to the directions and supervision of the Council, shall 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.

(2) The constitution of the Finance and General Purposes Committee and its functions shall be such as may be prescribed by statute.

Committee's Recommendation:
That the provision of Clause 20 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 21: Bank Accounts.

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.

Committee's Recommendation:
That the provision of Clause 21 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

Question that Clause 21 do stand part of the Bill, put and agreed to.
Clause 22: Financial Year, Accounts, etc.

(1) The Council shall fix the financial year for the purpose of the accounts of the University.

(2) The Council shall cause proper accounts to be kept in respect of each financial year and proper records in relation to those accounts, and without prejudice to any other requirement as to accounting or control, imposed whether by this Law or otherwise, with respect to the finance of and the lands, endowment and other property held by or for the purposes of the University.

(3) The accounts of the University for the preceding financial year, including an annual statement thereof, shall be prepared in such form and shall contain such information as the Council may from time to time direct.

Committee’s Recommendation:
That the provision of Clause 22 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 23: Annual Estimates.

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

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

(2) The annual and supplementary estimates shall be prepared in such form and shall contain such information as the Council may direct for incorporation in the budget of the Federation.

Committee’s Recommendation:
That the provision of Clause 23 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 24: Gifts, Donations, Etc.

(1) The Council may on behalf of the University accept by way of grants, gifts, testamentary disposition or otherwise, property and moneys in aid of the finances of the University on such conditions as it may approve.

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

(3) All property, money or funds donated for any specific purposes shall be applied and administered in accordance with the purposes for which they are donated and shall be accounted for separately.
Committee’s Recommendation:
That the provision of Clause 24 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 25: General Fund of the University.

(1) There shall be a general fund of the University, which shall consist of the following —

(a) Grants-in-aid;

(b) Fees

(c) Income derived from investments;

(d) Gifts, legacies, endowments and donations not accepted for a particular purpose;

(e) Income derived from the exercise of any functions conferred or imposed on the University by this Bill;

(f) All other moneys belonging to the University from whatsoever source derived.

(2) The general fund shall be applied for the purposes of the University.

Committee’s Recommendation:
That the provision of Clause 25 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 26: 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 section, be prescribed by statute.

Committee’s Recommendation:
That the provision of Clause 26 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

Question that Clause 26 do stand part of the Bill, put and agreed to.
Clause 27: Retirement benefits, Superannuation, Etc.
Provision may be made by statute for the contribution by the University to any superannuation fund or other similar scheme or for the establishment of any other retirement benefits scheme for the benefit of the members of its staff.

Committee’s Recommendation:
That the provision of Clause 27 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 28: Retiring Age of Academic Staff of the University.
(1) Notwithstanding anything to the contrary in the Pensions Reform Act, the compulsory retiring age of an academic staff of a University shall be seventy (70) 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 provision of Clause 28 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

PART VI - MISCELLANEOUS AND GENERAL PROVISIONS

Clause 29: Exclusion or Discrimination on Account of Race, Religion, etc.
(1) No person shall be required to satisfy requirements as to any of the following matters, that is to say, race, (including ethnic grouping), sex, place of birth, family origin, religious or political persuasion, as a condition for becoming or continuing to be a:

(a) student in the University;

(b) Holder of any degree, appointment or employment in the University; or

(c) member of anybody established by virtue of this Bill.

(2) No person shall be subjected to any disadvantage or accorded any advantage in relation to the University by reference to any of the matters referred to in subsection (1) of this section.

(3) Nothing in subsection (1) of this section shall be construed as preventing the university from imposing any disability or restriction on any of the persons mentioned in that subsection where such person will fully 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 circumstances pertaining thereto, is in the opinion of the university reasonably justifiable in the national interest.
Committee's Recommendation:
That the provision of Clause 29 be retained (Senator Babba Kaita Ahmad — Katsina North) —
Agreed to.

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

Clause 30: Transfer of land to the University.
(1) For the purpose of the Land Use Act (which provides for the compulsory acquisition of land for public purposes) any purpose of the University shall be the same as that of the Federation.

(2) Where an estate or interest in land is acquired by the Government pursuant to this section, the Government may, by a certificate under the hand and seal of the person so authorized or any other person authorized in that behalf transfer it to the University.

Committee's Recommendation:
That the provision of Clause 30 be retained (Senator Babba Kaita Ahmad — Katsina North) —
Agreed to.

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

Clause 31: 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 Act) except with the prior written consent, either general or special, of the Visitor:

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

Committee's Recommendation:
That the provision of Clause 31 be retained (Senator Babba Kaita Ahmad — Katsina North) —
Agreed to.

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

Clause 32: Quorum and Procedure of Bodies Established by this Bill.
Except as may be otherwise provided by Statute or by Regulation, the quorum and procedure of any body of persons established by this Bill shall be such as may be determined by that body.

Committee's Recommendation:
That the provision of Clause 32 be retained (Senator Babba Kaita Ahmad — Katsina North) —
Agreed to.

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

Clause 33: Appointment of Committees, etc.
(1) Anybody of persons established by this Bill shall, without prejudice to the generality of the powers of that body, have power to appoint committees, which need not consist exclusively of members of that body and authorize a Committee established by it to:
(a) exercise on its behalf, such of its functions as it may determine; and

(b) co-opt members and direct whether or not co-opted members shall be entitled to vote in that Committee.

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

(3) Except as may be otherwise provided by Statute or Regulations, the quorum and procedure of a Committee established or meeting held pursuant to this section shall be such as may be determined by the body or bodies which have decided to establish the Committee or hold the meeting.

(4) The Pro-Chancellor and the Vice-Chancellor shall be members of every Committee of which the members are wholly or partly appointed by the Council, (other than a Committee appointed to inquire into the conduct of the officer in question) and the Vice-Chancellor shall be a member of every Committee of which the members are wholly or partly appointed by the Senate.

(5) Nothing in the foregoing provisions of this section shall be construed as enabling:

(a) statutes to be made otherwise than in accordance with section 11 of this Bill; or

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

Committee's Recommendation:
That the provision of Clause 33 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 34: Service of Notices, Etc.
Service upon the University of any notice, order or other document may be affected by delivering the same or by sending it by registered post addressed to the secretary of the Council.

Committee's Recommendation:
That the provision of Clause 34 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

Question that Clause 34 do stand part of the Bill, put and agreed to.
Clause 35: Restriction of Suits and Execution.

(1) No suit shall be commenced against the University until at least three months after written notice of intention to commence the same shall have been served on the University by the intending plaintiff or his agent; and such notice shall clearly state the cause of action, the particulars of the claim, the name and place of abode of the intending plaintiff and the relief which he claims.

(2) For the avoidance of doubt, it is hereby declared that no suit shall be commenced against an officer or servant of the University, in any case where the University is vicariously liable for any alleged act, neglect or default of the officer or servant in the performance or intended performance of his duties, unless three months at least has elapsed after written notice of intention to commence the same shall have been served on the University by the intending plaintiff or his agent.

(3) In any suit against the University, no execution or attachment or process in the nature thereof shall be issued against the University, but any sums of money which may by the judgment of the court be awarded against the University shall, subject to any directions given by the court where notice of appeal has been given by the University in respect of the said judgment, be paid by the University from its general fund.

Committee’s Recommendation:
That the provision of Clause 35 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 36: Miscellaneous Administrative Provisions.

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

(a) in the case of certificates issued by the University, be authenticated by the Vice-Chancellor and the Registrar; and

(b) in the case of any other document, be authenticated by any member of Council, the Vice-Chancellor and the Registrar or any other person authorized by Statute.

(2) Any document purporting to be a document executed under the seal of the University shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed.

(3) Any contract or instrument which, if made or executed by a person not being a body corporate, would not be required to be under seal, may be made or executed on behalf of the University by any person generally or specially authorized to do so by the Council without seal.
(4) The validity of the proceedings of any body established pursuant to this Bill shall not be affected by any vacancy in the membership of the body, or by any defect in the appointment of a member of the body or by reason that any person not entitled to do so took part in the proceedings.

(5) Any member of any such body who has a personal interest in any matter proposed to be considered by that body shall disclose his interest to the body and shall not vote on any question relating to that matter.

(6) Nothing in section 12 of the Interpretation Act (which provides for the application, in relation to subordinate legislation, of certain incidental provisions) shall apply to Statutes or Regulations made pursuant to this Bill.

(7) The power conferred by this Bill on any body to make Statute or Regulations shall include power to revoke or vary any:
   (a) Statute (including the Statute contained in the Third Schedule to this Bill; or

   (b) regulation by a subsequent Statute or Regulation as the case may be:

Provided that the Statutes and Regulations may have different provisions in relation to different circumstances.

(8) No stamp or other duty shall be payable in respect of any transfer of property to the University by virtue of sections 10, 21 and the Second Schedule to this Bill.

(9) Any notice or other instrument authorized to be served by virtue of this Bill may, without prejudice to any other mode of service, be served by post.

Committee’s Recommendation:
That the provision of Clause 36 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 37: Interpretation.
(1) In this Bill—

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

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

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

"graduate" means a person on whom a degree (other than an honorary degree) has been conferred by the University;
"gross misconduct" means any act of misconduct and improper behavior that may be designated as gross misconduct by any Statute or Regulation made, pursuant to this Bill.

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

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

"notice" means notice in writing;

"officer" does not include the Visitor;

"prescribed" means prescribed by Statute or Regulation made under this Act;

"professor" means a person designated as a professor of the University in accordance with provisions made in that behalf by Statute or by Regulations;

"property" includes rights, liabilities and obligations;

"the provisional Council" means the provisional Council appointed for the University by the President with effect from the commencement of the Bill;

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

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

"Statute" means a Statute made by the University under section 11 of this Bill and in accordance with the provisions of section 12 of this Bill;

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

"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;

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

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

"undergraduate" means a person in stipendipari in the University, other than-

(a) a graduate; and

(b) a person of such description as may be prescribed for the purposes of this definition.
"the University" means the FEDERAL UNIVERSITY OF AGRICULTURE AND TECHNOLOGY, FUNTUA incorporated and constituted by this Bill; and

"the Bill" means the Federal University of Agriculture and Technology, Funtua (Establishment Etc.) Bill.

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

Committee’s Recommendation:
That the provision of Clause 37 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

Clause 38: Citation.
This Bill may be cited as the Federal University of Agriculture and Technology, Funtua, (Establishment, Etc.) Bill, 2019.

Committee’s Recommendation:
That the provision of Clause 38 be retained (Senator Babba Kaita Ahmad — Katsina North) — Agreed to.

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

SCHEDULES
FIRST SCHEDULE

Section 3 (2)

Principal Officers of the University

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

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

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

Deputy Vice-Chancellor
4. (1) There shall be for the University, two Deputy Vice-Chancellors or such number of Deputy Vice-Chancellors as the Council may, from time to time, deem necessary for the proper administration of the University.
(2) The procedure for the appointment and removal of the Deputy Vice Chancellor shall be in accordance with the provisions of the Universities {Miscellaneous Provisions} Act 1993 as amended.

(3) A Deputy Vice-Chancellor shall-
(a) assist the Vice-Chancellor in the performance of his functions;
(b) act in place of the Vice-Chancellor when the post of the Vice-Chancellor is vacant or if the Vice-Chancellor is, for any reason, absent or unable to perform his functions as Vice-Chancellor; and
(c) perform such other functions as the Vice-Chancellor or the Council may, from time to time, assign to him.

Office of the Registrar, Bursar
5. (1) There shall be for the University, a Registrar, who shall be the Chief Administrative Officer of the University and shall be responsible to the Vice-Chancellor for the day-to-day administration of the University except as regards matters for which the Bursar is responsible in accordance with paragraph 6 (2) below.

(2) The person holding the office of Registrar shall by virtue of that office be Secretary to the Council, the Senate, Congregation and Convocation.

(3) The Registrar shall hold office for such period and on such terms and conditions as to emoluments as may be specified in his letter of appointment.

Office of the Bursar University Librarian
6. (1) There shall be for the University, the following Principal Officers in addition to the Registrar, that is:
(a) the Bursar; and
(b) the University Librarian.

(2) The Bursar shall be the Chief Financial Officer of the University and shall be responsible to the Vice-Chancellor for the day-to-day administration and control of the financial affairs of the University.

(3) The University Librarian shall be responsible to the Vice-Chancellor for the administration of the University Library and the co-ordination of all library services in the University and its campuses, colleges, faculties, schools, departments and institutes and other teaching or research units.

(4) The Bursar and the University Librarian:
(a) shall each hold office for such period and on such terms and conditions as to emoluments as may be specified in his letter of appointment.
(b) any question as to the scope of the responsibilities of the aforesaid officers shall be determined by the Vice-Chancellor.

Other Officers of the University
7. There shall be for the University, a Director of Works, who shall be responsible to the Vice Chancellor for the administration of the Works Department. He shall be responsible for all works, services and maintenance of University facilities.
Other Officers of the University
8. There shall be for the University, a Director of Health Services, who shall be responsible to the Vice Chancellor for the administration of the Health Centre. He shall be the Chief Medical Officer of the University and shall coordinate all matters relating to the health of all staff and students.

Resignation and re-appointment
9. (1) Any officer mentioned in the foregoing provisions of this schedule may resign his office in-
   (a) the case of the Chancellor or Pro-Chancellor, by notice to the Visitor;
   (b) the case of the Vice-Chancellor by notice to the Council which shall immediately notify the Minister; and

   (2) A person who has ceased to hold an office so mentioned otherwise than by removal for misconduct shall be eligible for re-appointment to that office.

SECOND SCHEDULE

Section 10 (2)

Transitional Provisions as to Property, Functions, Etc.

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

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

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

4. (1) The first meeting of the Council shall be convened by the Pro-Chancellor on such date and in such manner as he may determine.

(2) The persons who were members of the provisional Council shall be deemed to constitute the Council until the date when the Council set up under the Third Schedule to this Bill must have been duly constituted.

(3) The first meetings of the Senate as constituted by this Bill shall be convened by the Vice-Chancellor on such date and in such manner as he may determine.

(4) The persons who were members of the Senate immediately before the coming into force of this Bill shall be deemed to constitute the Senate of the University until the date when the Senate as set up under the Third Schedule of this Bill must have been duly constituted.

(5) Subject to any regulations which may be made by the Senate after the date on which this Bill is made, the faculties, faculty boards and students of the University immediately before the coming into force of this Bill shall on that day become faculties, faculty boards and students of the University as established by this Bill.

(6) Persons who were deans or associate deans of faculties or members of faculty boards shall continue to be deans or associate deans or become members of the corresponding faculty boards, until new appointment are made in pursuance of the Statutes under this Bill.

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

6. Questions as to the scope of the responsibilities of the aforesaid officers shall be determined by the Vice-Chancellor.

THIRD SCHEDULE

Section 11 (3)

Federal University of Agriculture and Technology. Funtua Statute No. 1

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

The Council
1. (1) The composition of the Council shall be as provided in section 6 of this Bill.
(2) Any member of Council holding office pursuant to section 6 (e) (f) (g) or (h) of this Bill may, by notice to the Council resign his office.

(3) A member of Council holding office pursuant to section 6 (e) (f) (g) or (h) of this Bill shall, unless he previously vacates it, vacate that office on the expiration of a period of four years starting from 1st August in the year in which he was appointed.

(4) Where a member of Council holding office pursuant to section 6 (e) (f) (g) or (h) of this Bill vacates office before the expiration of his tenure, the body that appointed him may appoint a successor to hold office for the residue of his unexpired term.

(5) A person ceasing to hold office as a member of Council otherwise than by removal for misconduct shall be eligible for reappointment for only one further period of four years.

(6) The quorum of the Council shall be five, at least one of whom shall be a member pursuant to Section 6 (d) and (e) of this Bill.

(7) If the Pro-Chancellor is not present at a meeting of the Council, the members present at the meeting may appoint one of them to be the Chairman at that meeting, and subject to section 5 of this Bill and the provisions of this paragraph the Council may regulate its own procedure.

(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.

(9) The Council constituted by this Bill shall have a four years tenure from the date of its inauguration, provided that where a Council is found to be incompetent and corrupt, it shall be dissolved by the visitor and a new Council shall be immediately constituted for the effective functioning of the University.

(10) The powers of the Council shall be exercised in accordance with the laws and Statutes of the University, and to that extent, establishment circulars that are inconsistent with the laws and Statutes of the University shall not apply to the University.

The Finance and General Purpose Committee

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

(2) The quorum of the Committee shall be six.

(3) Subject to any directions given by the Council, the committee may regulate its own procedure.

The Senate

3. (1) There shall be a Senate for the University consisting of:

(a) the Vice-Chancellor;

(b) the Deputy Vice-Chancellor;

(c) all Professors of the University;

(d) all Deans, Provosts and Directors of Academic units of the University;

(e) all Heads of Academic Departments, Units and Research Institutes of the University;

(f) the University Librarian; and

(g) academic members of the congregation who are not Professors as specified in the Laws of the University.

(2) The Vice-Chancellor shall be the Chairman at all meetings of the Senate when he is present and in his absence, one of the Deputy Vice-Chancellors appointed by him shall be the chairman at the meeting.

(3) The quorum of the Senate shall be one-quarter (or the nearest whole number less than one quarter), and subject to paragraph (2) above the Senate may regulate its own procedure.

(4) If so requested in writing by any ten members of the Senate, the Vice-Chancellor, or in his absence a person duly appointed by him, shall convene a meeting of the Senate to be held not later than the tenth day following that on which the request was received.

Congregations

4. (1) Congregation shall consist of:

(a) the Vice-Chancellor and the Deputy Vice-Chancellor;

(b) the full-time members of the academic staff;

(c) the Registrar;

(d) the Bursar;

(e) the Librarian;

(f) the Director of Works; and

(g) the Director of Health services
(h) every member of the administrative and technical staff who holds a degree of any University recognized for the purpose of this Statute by the Vice-Chancellor, not being an honorary degree.

(2) Subject to section 5 of this Bill, the Vice-Chancellor shall be the Chairman at all meetings of congregation when he is present, and in his absence one of the Deputy Vice-Chancellors appointed by him shall be the chairman at the meeting.

(3) The quorum of congregation shall be one-third (or the nearest whole number to one-third) of the total number of members of congregation or fifty, whichever is less.

(4) A certificate signed by the Vice-Chancellor specifying:
(a) the total number of members of Congregation for the purposes of any particular meeting or meetings of Congregation; or

(b) the names of the persons who are members of Congregation during a particular period; shall be conclusive evidence of that number or as the case may be of the names of those persons.

(5) Subject to the provisions of this schedule, congregation may regulate its own procedure.

(6) Congregation shall be entitled to express by resolution or otherwise its opinion on all matters affecting the interest and welfare of the University and shall have such other functions in addition to the function of electing a member of the Council, as may be provided by Statute or Regulations.

Convocation

5. (1) Convocation shall consist of:
(a) the Officers of the University mentioned in Schedule 1 to this Bill;

(b) all teachers within the meaning of this Bill; and

(c) all other persons whose names are registered in accordance with paragraph (2) below.

(2) A person shall be entitled to have his name registered as a member of convocation if he:
(a) is either a graduate of the University or a person satisfying such requirements as may be prescribed for the purposes of this paragraph; and

(b) applies for the registration of his name in the prescribed manner and pays the prescribed fee.

(3) Regulations shall provide for the establishment and maintenance of a register for the purpose of this paragraph and, subject to paragraph (4) below, may provide for the payment from time to time of further fees by persons whose names are on the register and for the removal from the register of the name of any person who fails to pay those fees.

(4) The person responsible for maintaining the register shall, without the payment of any fees, ensure that the names of all persons who are for the time being members of convocation by virtue of paragraph (1) (a) or (b) of this paragraph are entered and retained on the register.
(5) A person who reasonably claims that he is entitled to have his name on the register shall be entitled on demand to inspect the register, or a copy of the register at the principal offices of the University at all reasonable times.

(6) The register shall, unless the contrary is proved, be sufficient evidence that any person named therein is, and that any person not named therein is not, a member of convocation; but for the purpose of ascertaining whether a particular person was such a member on a particular date, any entries in and deletions from the register made on or after that date shall be disregarded.

(7) The quorum of convocation shall be fifty or one-third (or the whole number nearest to one-third) of the total number of members of convocation whichever is less.

(8) Subject to section 5 of this Bill, the Chancellor shall be chairman at all meetings of convocation when he is present, and in his absence the Vice Chancellor shall be the chairman at the meeting.

(9) Convocation shall have such functions, in addition to the function of appointing a member of the Council, as may be provided by statute.

Organization of Faculties and Branches thereof

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

7. (1) There shall be established in respect of each Faculty, a Faculty Board, which, subject to the provisions of this Bill, and subject to the directions of the Vice-Chancellor, shall:

   (a) regulate the teaching and study of, and the conduct of examinations connected with the subjects assigned to the faculty;

   (b) deal with other matters assigned to it by Statute, by the Vice-Chancellor or by the Senate; and

   (c) advice the Vice-Chancellor or Senate on any matter referred to it by the Vice-Chancellor or Senate.

(2) Each Faculty Board shall consists of:

   (a) the Vice-Chancellor;

   (b) the persons severally in charge of the branches of the faculty;

   (c) such number of the teachers assigned to the faculty and having the prescribed qualifications as the Board may determine; and

   (d) such persons whether or not members of the University as the Board may determine with the general or special approval of Senate.

(3) The quorum of the Board shall be eight members or one-quarter of the members of the Board for the time being whichever is greater.

(4) Subject to the provisions of this statute and to any provision made by regulations in that behalf, the Board may regulate it own procedure.
The Dean of the Faculty

8. (1) The Dean of a faculty shall be a professor elected by the Faculty Board and such Dean shall hold office for a term of two years. He will be eligible for re-election for another term of two years after which he may not be elected again until two years have elapsed.

(2) If there is no professor in a faculty, the Vice-Chancellor shall appoint an Acting Dean who shall not be below the rank of Senior Lecturer for the faculty, who will act for a period of one year in the first instance, renewable for another one year only.

(3) In the absence of the Vice-Chancellor, the Dean shall be the chairman at all meetings of the Faculty Board when he is present and he shall be a member of all committees and other boards appointed by the faculty.

(4) The Dean of a faculty shall exercise general superintendence over the academic and administrative affairs of the faculty and it shall be the function of the Dean to present to the convocation for the conferment of Degrees, persons who have qualified for the Degrees of the University at examinations held in the branches of learning for which responsibility is allocated to that faculty.

(5) There shall be a committee to be known as the Committee of Deans which shall consist of all the Deans of the several faculties and that committee shall advise the Vice-Chancellor on all academic matters and on particular matters referred to the Committee by the Senate.

(6) The Dean of a faculty may be removed from office for a good cause by the Faculty Board after a vote would have been taken at a meeting of the Board, and in the event of a vacancy occurring following the removal of the Dean, an Acting Dean may be appointed by the Vice-Chancellor provided that at the next faculty board meeting an election shall be held for a new Dean.

(7) In this article, "good cause" has the same meaning as in section 17 (4) of this Bill.

Selection of Certain Principal and other key Officers

9. (1) When a vacancy occurs in the Office of the Registrar, Bursar, the University Librarian, Director of Works or Director of Health Services, a Selection Board shall be constituted by the Council and shall consist of:

(i) the Pro-Chancellor;

(ii) the Vice-chancellor;

(iii) two members appointed by the Council, not being members of Senate; and

(iv) two members appointed by the Senate not being members of Council.

(2) The Selection Board, after making such inquiries as it thinks fit, shall recommend a candidate to the Council for appointment to the vacant office, and after considering the recommendation of the Board the Council may make an appointment to that office.

(3) A person appointed to the office of Director of Works or Director of Health Services shall hold office for such period and on such terms and conditions as may be specified in his letter of appointment.
Creation of Academic Post
10. Recommendation for the creation of posts other than those mentioned in paragraph 9 of this Schedule shall be made by the Senate to the Council through the Finance and General Purposes Committee.

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

Appointment of Administrative and Technical Staff
12. (1) The administrative and technical staff of the University, other than those mentioned in paragraph 9 of this schedule shall be appointed by the Councilor on its behalf by the Vice-Chancellor or the Registrar in accordance with any delegation of powers made by the Council in that behalf.

(2) In the case of administrative or technical staff that has close and important contacts with the academic staff, there shall be Senate participation in the process of selection.

*Question that the provision of Schedules 1-3 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 Report of the Committee on Tertiary Institutions and TETFUND on the Federal University of Agriculture and Technology Funtua (Establishment, etc.) Bill, 2019 and approved as follows:

Clauses 1-30 — As Recommended

Schedules 1-3 — As Recommended

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

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

*Question put and agreed to.*

*Bill accordingly Read the Third Time and Passed.*

22. Committee on Banking, Insurance and Other Financial Institutions:
*Report on the Confirmation of Mr. Edward Lametek Adamu for Appointment as Chairman AMCON:*

*Motion made: That the Senate do receive and consider the Report of the Committee on Banking, Insurance and Other Financial Institutions on the confirmation of Mr. Edward Lametek Adamu for appointment as Chairman of the Asset Management Corporation of Nigeria (AMCON)(Senator Uba Sani — Kaduna Central).*

*Question put and agreed to.*

*Report Laid and presented.*
Motion made: That the Senate do resolve into the Committee of the Whole to consider the Report (Deputy Chief Whip).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

Consideration of the Report of the Committee on Banking, Insurance and Other Financial Institutions on the confirmation of Mr. Edward Lametek Adamu for appointment as Chairman of the Asset Management Corporation of Nigeria (AMCON).

Nominee recommended for confirmation:
Mr. Edward Lametek Adamu — Agreed to.

Chairman to report progress.

(SENATE IN PLENARY)

The President of the Senate reported that the Senate in the Committee of the Whole considered the Report of the Committee on Banking, Insurance and Other Financial Institutions on the confirmation of Mr. Edward Lametek Adamu for appointment as Chairman of the Asset Management Corporation of Nigeria (AMCON) and approved the nomination.

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

Confirmation of nomination:

Question:
"Will the Senate confirm the nomination of Mr. Edward Lametek Adamu for appointment as Chairman of the Asset Management Corporation of Nigeria (AMCON)?" — Resolved in the Affirmative.

Nomination of Mr. Edward Lametek Adamu for appointment as Chairman of the Asset Management Corporation of Nigeria (AMCON) accordingly confirmed.

23. Committee on Finance:
Report on the Confirmation of Appointment of Chairman and Members of the Federal Inland Revenue Service (FIRS):
Motion made: That the Senate do receive and consider the Report of the Committee on Finance on the Confirmation of the following persons for appointment as Chairman and Members of the Federal Inland Revenue Service (FIRS):

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<tr>
<th>S/N</th>
<th>NAME</th>
<th>POSITION</th>
<th>GEOPOLITICAL ZONE/MDA</th>
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<tbody>
<tr>
<td>1</td>
<td>Muhammad Mamman Nami</td>
<td>Executive Chairman</td>
<td>North Central</td>
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REPRESENTATIVES OF GEOPOLITICAL ZONES

2. James Yakwen Ayuba Member North Central
3. Ado Danjuma Member North West
4. Adam Baba Mohammed Member North East
5. A. Ikeme Osakwe Member South East
6. Adewale Oguguyomade Member South West
7. Ehile Adetola Aibangbee Member South South

REPRESENTATIVES OF MDAs

8. Ladidi Bara’atu Mohammed Member Attorney-General of the Federation
9. Godwin I. Emsiefle Member Central Bank of Nigeria
10. Fatima Z. Hayatu Member Ministry of Finance
11. Maagbe S. Adaa  
   Member  
   Revenue Mobilization Allocation and Fiscal Commission

12. Umar Ajiya  
   Member  
   Nigerian National Petroleum Corporation

13. DCG. T. M. Isah  
   Member  
   Nigeria Customs Service

14. Registrar General  
   Member  
   Corporate Affairs Commission  
   (Senator Solomon O. Adeola — Lagos West).

Question put and agreed to.

Report Laid and presented.

Motion made: That the Senate do resolve into the Committee of the Whole to consider the Report (Deputy Chief Whip).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

Consideration of the Report of the Committee on Finance on the Confirmation for the appointment as Chairman and Members of the Federal Inland Revenue Service (FIRS).

Nominees recommended for confirmation:

<table>
<thead>
<tr>
<th>Nominee</th>
<th>Position</th>
<th>Agreement</th>
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<tbody>
<tr>
<td>(i)</td>
<td>Muhammad Mamman Nami (Executive Chairman)</td>
<td>Agreed to</td>
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<td>(ii)</td>
<td>James Yakwe Ayuba (Member)</td>
<td>Agreed to</td>
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<td>(iii)</td>
<td>Ado Danjuma (Member)</td>
<td>Agreed to</td>
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<td>(iv)</td>
<td>Adam Baba Mohammed (Member)</td>
<td>Agreed to</td>
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<td>(v)</td>
<td>A. Ikeme Osakwe (Member)</td>
<td>Agreed to</td>
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<td>(vi)</td>
<td>Adewale Ogunyomade (Member)</td>
<td>Agreed to</td>
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<td>(vii)</td>
<td>Ehile Adetola Albangbe (Member)</td>
<td>Agreed to</td>
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<td>(viii)</td>
<td>Ladidi Bara'atu Mohammed (Member)</td>
<td>Agreed to</td>
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<td>(ix)</td>
<td>Godwin I. Emefiele (Member)</td>
<td>Agreed to</td>
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<td>(x)</td>
<td>Fatima Z. Hayatu (Member)</td>
<td>Agreed to</td>
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<td>(xi)</td>
<td>Maagbe S. Adaa (Member)</td>
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<td>(xii)</td>
<td>Umar Ajiya (Member)</td>
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<td>DCG. T. M. Isah (Member)</td>
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<tr>
<td>(xiv)</td>
<td>Registrar General Corporate Affairs Commission (Member)</td>
<td>Agreed to</td>
</tr>
</tbody>
</table>

Chairman to report progress.

(SENATE IN PLENARY)

The President of the Senate reported that the Senate in the Committee of the Whole considered the Report of the Committee on Finance on the Confirmation for the appointment as Chairman and Members of the Federal Inland Revenue Service (FIRS) and approved the nominations.

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

Confirmation of nominations:

Question:

“Will the Senate confirm the nomination of Muhammad Mamman Nami (Executive Chairman) for appointment as Chairman of the Federal Inland Revenue Service (FIRS)?” — Resolved in the Affirmative.

Nomination of Muhammad Mamman Nami (Executive Chairman) for appointment as Chairman of the Federal Inland Revenue Service (FIRS) accordingly confirmed.
Question:
"Will the Senate confirm the nomination of James Yakwen Ayuba (Member) for appointment as Member of the Federal Inland Revenue Service (FIRS)?" — Resolved in the Affirmative.

Nomination of James Yakwen Ayuba (Member) for appointment as Member of the Federal Inland Revenue Service (FIRS) accordingly confirmed.

Question:
"Will the Senate confirm the nomination of Ado Danjuma (Member) for appointment as Member of the Federal Inland Revenue Service (FIRS)?" — Resolved in the Affirmative.

Nomination of Ado Danjuma (Member) for appointment as Member of the Federal Inland Revenue Service (FIRS) accordingly confirmed.

Question:
"Will the Senate confirm the nomination of Adam Baba Mohammed (Member) for appointment as Member of the Federal Inland Revenue Service (FIRS)?" — Resolved in the Affirmative.

Nomination of Adam Baba Mohammed (Member) for appointment as Member of the Federal Inland Revenue Service (FIRS) accordingly confirmed.

Question:
"Will the Senate confirm the nomination of A. Ikeme Osakwe (Member) for appointment as Member of the Federal Inland Revenue Service (FIRS)?" — Resolved in the Affirmative.

Nomination of A. Ikeme Osakwe (Member) for appointment as Member of the Federal Inland Revenue Service (FIRS) accordingly confirmed.

Question:
"Will the Senate confirm the nomination of Adewale Ogunyomade (Member) for appointment as Member of the Federal Inland Revenue Service (FIRS)?" — Resolved in the Affirmative.

Nomination of Adewale Ogunyomade (Member) for appointment as Member of the Federal Inland Revenue Service (FIRS) accordingly confirmed.

Question:
"Will the Senate confirm the nomination of Ehile Adetola Aibangbee (Member) for appointment as Member of the Federal Inland Revenue Service (FIRS)?" — Resolved in the Affirmative.

Nomination of Ehile Adetola Aibangbee (Member) for appointment as Member of the Federal Inland Revenue Service (FIRS) accordingly confirmed.

Question:
"Will the Senate confirm the nomination of Ladidi Bara'atu Mohammed (Member) for appointment as Member of the Federal Inland Revenue Service (FIRS)?" — Resolved in the Affirmative.

Nomination of Ladidi Bara'atu Mohammed (Member) for appointment as Member of the Federal Inland Revenue Service (FIRS) accordingly confirmed.
Question:
"Will the Senate confirm the nomination of Godwin I. Emefiele (Member) for appointment as Member of the Federal Inland Revenue Service (FIRS)?" — Resolved in the Affirmative.

Nomination of Godwin I. Emefiele (Member) for appointment as Member of the Federal Inland Revenue Service (FIRS) accordingly confirmed.

Question:
"Will the Senate confirm the nomination of Fatima Z. Hayatu (Member) for appointment as Member of the Federal Inland Revenue Service (FIRS)?" — Resolved in the Affirmative.

Nomination of Fatima Z. Hayatu (Member) for appointment as Member of the Federal Inland Revenue Service (FIRS) accordingly confirmed.

Question:
"Will the Senate confirm the nomination of Maagbe S. Adua (Member) for appointment as Member of the Federal Inland Revenue Service (FIRS)?" — Resolved in the Affirmative.

Nomination of Maagbe S. Adua (Member) for appointment as Member of the Federal Inland Revenue Service (FIRS) accordingly confirmed.

Question:
"Will the Senate confirm the nomination of Umar Ajeya (Member) for appointment as Member of the Federal Inland Revenue Service (FIRS)?" — Resolved in the Affirmative.

Nomination of Umar Ajeya (Member) for appointment as Member of the Federal Inland Revenue Service (FIRS) accordingly confirmed.

Question:
"Will the Senate confirm the nomination of DCG. T. M. Isah (Member) for appointment as Member of the Federal Inland Revenue Service (FIRS)?" — Resolved in the Affirmative.

Nomination of DCG. T. M. Isah (Member) for appointment as Member of the Federal Inland Revenue Service (FIRS) accordingly confirmed.

Question:
"Will the Senate confirm the nomination of Registrar General Corporate Affairs Commission(Member) for appointment as Member of the Federal Inland Revenue Service (FIRS)?" — Resolved in the Affirmative.

Nomination of Registrar General Corporate Affairs Commission(Member) for appointment as Member of the Federal Inland Revenue Service (FIRS) accordingly confirmed.

24. Electric Power Sector Reform Act 2005 (Amendment) Bill, 2019 (HB. 01) - Concurrence:

Consideration of Bill deferred to another Legislative Day.

25. FCT Health Insurance Agency (Establishment, etc.) Bill, 2019 (HB. 60) - Concurrence:

Consideration of Bill deferred to another Legislative Day.

26. Chartered Institute of Treasury Management (Establishment, etc.) Bill, 2019 - Concurrence:

Consideration of Bill deferred to another Legislative Day.
27. Adjournment:
And it being 3:01 p.m. the President of the Senate adjourned the Senate till Thursday, 19th December, 2019 at 10.00 a.m.

Adjourned accordingly at 3:01 p.m.

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