

Extraordinary



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A BILL

FOR

AN ACT TO AMEND THE CURRENCY OFFENCES ACT, CAP C44, LAWS OF
THE FEDERATION, 2004 AND FOR RELATED MATTERS, 2019

Sponsored by Hon. Uchechuku G. Nnam-Obi

[] Commencement

ENACTED by the National Assembly of the Federal Republic of
Nigeria as follows:

- | | | |
|---|--|---------------|
| 1 | 1. The Currency Offences Act, Cap C44, LFN, 2004 (hereinafter | Cap. C44 LFN, |
| 2 | referred to as the "Principal Act") is amended as set out hereunder. | 2004 |
| 3 | 2. Section 4 (c) is amended by deleting the sum of N1,000.00 (One | Amendment of |
| 4 | thousand naira) and substituting it with the sum of N200,000.00 (two | Section 4 |
| 5 | hundred thousand naira). | |
| 6 | 3. This Bill may be cited as Currency Offences Act (Amendment) | Short Title |
| 7 | Bill, 2019. | |

EXPLANATORY NOTE

This Bill seeks to amend the Currency Offences Act to Provide for Stiffer
Penalties to meet Contemporary Realities.

A BILL

FOR

AN ACT TO ESTABLISH THE FEDERAL UNIVERSITY, OMOKU AND TO MAKE
COMPREHENSIVE PROVISIONS FOR ITS DUE MANAGEMENT AND
ADMINISTRATION AND FOR RELATED MATTERS

Sponsored by Hon. Prince Uchechuku G. Nnam-Obi

[] Commencement

BE IT ENACTED by the National Assembly of the Federal
Republic of Nigeria as follows:

1 PART 1- ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF THE
2 FEDERAL UNIVERSITY, OMOKU

3 1.-(1) There is established the Federal University, Omoku Establishment
4 (hereinafter referred to as “the University”).

5 (2) The University:

6 (a) shall be a body corporate with perpetual succession and a
7 common seal; and

8 (b) may sue or be sued in its corporate name.

9 2. The objectives of the University shall be to:

Objectives of
the University

10 (a) encourage the advancement of learning and to hold out to all
11 persons without distinction of race, creed, sex or political conviction the
12 opportunity of acquiring higher and liberal education;

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

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

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

20 (e) undertake other activities appropriate for a University of the

	1	highest standard.
Constitution of Members of Council	2	3.-(1) The University shall consist of:
	3	(a) a Chancellor;
	4	(b) a Pro-Chancellor and a Council;
	5	(c) a Vice Chancellor and a Senate;
	6	(d) a Deputy Vice Chancellor;
	7	(e) a body to be known as the Congregation;
	8	(f) a body to be known as the Convocation;
	9	(g) the campuses and colleges;
	10	(h) the faculties, schools, institutes and other teaching and research
	11	units;
	12	(i) the persons holding the offices constituted by the First Schedule to
	13	this Bill other than those mentioned in paragraphs (a) to (c) of this subsection;
	14	(j) all graduates and undergraduates; and
	15	(k) all other persons who are members of the University in accordance
Powers of the University	16	with provisions made by Statute in that behalf.
	17	(2) The First Schedule to this Bill shall have effect with respect to the
	18	Principal Officers of the University mentioned therein.
	19	(3) Provisions shall be made by Statute with respect to the
	20	constitution of the following bodies, namely:
	21	(a) the Council;
	22	(b) the Senate;
	23	(c) the Congregation; and
	24	(d) the Convocation.
	25	4. The University shall have power to:
	26	(a) establish such campuses, colleges, faculties, institutes, schools,
	27	extra-mural departments and other teaching or research units as may, from time
	28	to time, seem necessary or desirable, subject to the approval of the National
	29	Universities Commission;
	30	(b) institute professorships, readerships and associate professorships,

- 1 lectureships and other posts and offices and to make appointments thereto;
- 2 (c) institute and award fellowships, scholarships, exhibitions,
- 3 bursaries, medals, prizes and other titles, distinctions, awards and forms of
- 4 assistance;
- 5 (d) provide for the residence, discipline and welfare of members of
- 6 the University;
- 7 (e) hold examinations and award degrees, diplomas, certificates
- 8 and other distinctions to persons who have pursued courses of study
- 9 approved by the University and have satisfied such other requirements as the
- 10 University may lay down;
- 11 (f) award honorary degrees, fellowships or academic titles;
- 12 (g) demand and receive from any student or any other person
- 13 attending the University for the purpose of instruction such fees as the
- 14 University may from time to time determine, subject to the overall directives
- 15 of the appropriate authority;
- 16 (h) subject to section 22 of this Bill, acquire, hold, grant, charge or
- 17 otherwise deal with or dispose of movable and immovable property
- 18 wherever situated;
- 19 (i) accept gifts, legacies and donations, but without obligation to
- 20 accept the same for a particular purpose unless it approves the terms and
- 21 conditions attaching thereto;
- 22 (j) enter into contracts, establish trusts, act as trustee, solely or
- 23 jointly with any other person, and employ and act through agents;
- 24 (k) erect, provide, equip and maintain libraries, laboratories,
- 25 lecture halls, halls of residence, refectories, sports grounds, playing fields
- 26 and other buildings or things necessary, suitable or convenient for any of the
- 27 objects of the University;
- 28 (l) hold public lectures and undertake printing, publishing and
- 29 book selling;
- 30 (m) subject to any limitations or conditions imposed by Statute, to

1 invest any moneys appertaining to the University by law of endorsement,
2 whether for general or special purposes, and such other moneys as may not be
3 immediately required for current expenditure, in any investments or securities
4 or in the purchase or improvement of land, with power from time to time to vary
5 any such investments and to deposit any moneys for the time being un-invested
6 with any bank on deposit or current account;

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

12 (o) make gifts for any charitable purpose;

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

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

17 (2) Subject to the provisions of this Bill and of the Statutes made there
18 under and without prejudice to Section 9 (2) of this Bill, the powers conferred
19 on the University by subsection (1) of this section shall be exercised on behalf
20 of the University by the Council or by the Senate or in any other manner which
21 may be authorized by this Bill.

Functions of the
Chancellor and
Pro-Chancellor

22 5.-(1) The Chancellor shall in relation to the University, take
23 precedence before all other members of the University, and when he is present
24 shall preside at all meetings of convocation held for conferring degrees.

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

1	6.-(1) There shall be a Council for the University which shall	Establishment and Composition of Council
2	consist of:	
3	(a) the Pro-Chancellor;	
4	(b) the Vice-Chancellor;	
5	(c) the Deputy Vice-Chancellor;	
6	(d) one person from the Federal Ministry responsible for	
7	Education;	
8	(e) four persons representing a variety of interest and broadly	
9	representative of the whole Federation to be appointed by the President;	
10	(f) four persons appointed by the Senate from among its members;	
11	(g) two persons appointed by the Congregation from among its	
12	members; and	
13	(h) one person appointed by Convocation from among its members	Functions of the Council and its Finance and General Purposes
14	(2) Persons to be appointed to the Council shall be persons of	
15	proven integrity, knowledgeable and familiar with the affairs and tradition	
16	of the University	
17	7.-(1) Subject to the provisions of this Bill relating to the Visitor,	
18	the Council shall be the Governing Body of the University and shall be	
19	charged with the general control and superintendence of the policy, finances	
20	and property of the University, including its public relations.	
21	(2) There shall be a Committee of the Council to be known as the	
22	Finance and General Purposes Committee, which shall, subject to the	
23	directions of the Council, exercise control over the property and expenditure	
24	of the Council as the Council may from time to time delegate to it.	
25	(3) Provision shall be made by Statute with respect to the	
26	constitution of the Finance and General Purposes Committee.	
27	(4) The Council shall ensure proper accounts of the University are	
28	kept and that the accounts of the University are audited annually by auditors	
29	appointed by the Council from the list and in accordance with guidelines	
30	supplied by the Auditor-General of the Federation, and that an annual report	

1 is published by the University together with certified copies of the said
2 accounts as audited.

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

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

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

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

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

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

Functions of
the Senate

26 8.-(1) Subject to section 5 of this Bill and subsections (3) and (4) of
27 this section and other provisions of this Bill relating to the Visitor, it shall be the
28 general function of the Senate to organize and control teaching in the
29 University, admission to Post-graduate courses and other admission of
30 students, the discipline of students and to promote research in the University.

1 (2) Without prejudice to the generality of the provisions of
2 subsection (1) of this section, it shall in particular be the function of the
3 Senate to make provision for the:

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

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

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

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

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

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

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

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

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

29 (4) (a) Subject to this Bill and the Statutes, the Senate may make
30 regulations for the purpose of exercising any function conferred on it either

1 by the provisions of this section or for the purpose of providing for any matter
2 for which provision by regulation is authorized or required by this Bill or by
3 Statute;

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

9 (5) Subject to a right of appeal to the Council from a decision of the
10 Senate under this subsection, the Senate may deprive any person of any degree,
11 diploma or other award of the University which has been conferred on him if
12 after due enquiry he is shown to have been guilty of any dishonorable or
13 scandalous conduct in gaining admission into the University or obtaining that
14 award.

Functions of the
Vice-Chancellor

15 9.-(1) The Vice-Chancellor shall in relation to the University, take
16 precedence before all other members of the University except the Chancellor
17 and, subject to section 5 of this Bill, the Pro-Chancellor and any other person
18 for the time being acting as Chairman of the Council.

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

24 PART II - TRANSFER OF PROPERTY

Transfer of
Property

25 10.-(1) All property held by or on behalf of the Provisional Council
26 shall, by Transfer virtue of this subsection and without further assurance, vest
27 in the University Property.

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

1 PART III- STATUTES OF THE UNIVERSITY

2 11.-(1) Subject to this Bill, the University may make Statutes for
3 any of the following purposes: Power of the
University to make
Statutes

4 (a) making provision with respect to the composition and
5 constitution of any authority of the University;

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

9 (c) regulating the admission of students where it is done by the
10 University, and their discipline and welfare;

11 (d) determining whether any particular matter is to be treated as an
12 academic or non-academic matter for the purposes of this Bill and of any
13 Statute, regulation or other instrument made there-under; and

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

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

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

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

26 12.-(1) The power of the University to make Statutes shall be Mode of exercising
the Power to make
Statutes
27 exercised in accordance with the provisions of this section.

28 (2) A proposed Statute shall not have the force of law until it has
29 been approved at a meeting of the:

30 (a) Senate, by the votes of not less than two thirds of the members

1 present and voting; and

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

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

7 (4) A Statute which:

8 (a) makes provision for or alters the composition or constitution of the
9 Council, the Senate or any other authority of the University; or

10 (b) provides for the establishment of a new campus or college or for
11 the amendment or revocation of any Statute whereby a campus or college is
12 established; Shall not come into operation unless it has been approved by the
13 Visitor.

14 (5) For the purpose of section 2 (2) of the Interpretation Act, a Statute
15 shall be treated as being made on the date on which it is approved by the
16 Council and the Senate in accordance with subsection (3) of this section or in
17 the case of a Statute falling within subsection (4) of this section, on the date on
18 which it is approved by the President.

Proof of Statute

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

Power to decide
meaning of
Statute

23 **14.-(1)** In the event of any doubt or dispute arising at any time as to the
24 meaning of any provision of a Statute, the matter may be referred to the Visitor,
25 who shall take such advice and make such decision thereon as he deems fit.

26 (2) The decision of the Visitor on any matter referred to him under this
27 section shall be binding upon the authorities, staff and students of the
28 University and where any question as to the meaning of any provision of a
29 statute has been decided by the Visitor under this section, no question as to the

1 meaning of that provision shall be entertained by any other authority in
2 Nigeria:

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

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

15 PART IV - SUPERVISION AND DISCIPLINE

16 15.-(1) The President shall be the Visitor of the University.

Supervision and
Discipline

17 (2) The Visitor shall as often as the circumstances may require, not
18 being less than once every five years, conduct a visitation of the University
19 or direct that such a visitation be conducted by such persons as the Visitor
20 may deem fit and in respect of any of the affairs of the University.

21 (3) It shall be the duty of the bodies and persons comprising the
22 University to:

23 (a) make available to the Visitor, and to any other persons
24 conducting a visitation in pursuance of this section, such facilities and
25 assistance as he or they may reasonably require for the purpose of the
26 visitation; and

27 (b) give effect to any instructions consistent with the provisions of
28 this Bill which may be given by the Visitor in consequence of the visitation.

29 16.-(1) If it appears to the Council that a member (other than the
30 Pro-Chancellor or the Vice-Chancellor) should be removed from office on

Removal of certain
Members of the
Council

Removal and
Discipline of
Academic,
administrative
and Professional
Staff

1 grounds of misconduct or inability to perform the functions of his office, the
2 Council shall make a recommendation to that effect through the Minister to the
3 Federal Executive Council and if the Federal Executive Council, after making
4 such enquiries (if any) as may be considered necessary, approves the
5 recommendation it may direct the removal of the member from office.

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

10 17.-(1) If it appears to the Council that there are reasons for believing
11 that any person employed as a member of the academic, administrative or
12 professional staff of the University, other than the Vice-Chancellor, should be
13 removed from office or on grounds of misconduct or inability to perform the
14 functions of his office Council shall:

15 (a) give notice of those reasons to the person in question;

16 (b) afford such person an opportunity of making representation in
17 person on the matter to the Council; and

18 (c) take a decision to terminate or not to terminate the appointment.

19 (2) If the affected staff or any three members of the Council so request
20 within a period of one month from the date of receipt of the notice of the
21 Council's decision, the Council shall make arrangements for:

22 (a) a joint committee of the Council and the Senate to review the
23 matter and to report on it to the Council;

24 (b) the person in question to be afforded an opportunity to appear
25 before and be heard by an investigating committee with respect to the matter;
26 and if the Council after considering the report of the investigating committee, is
27 satisfied that the person in question should be removed, the Council may so
28 remove him by an instrument in writing signed on the directions of the Council.

29 (3) The Vice-Chancellor may, in a case of gross misconduct by a
30 member of staff which in the opinion of the Vice-Chancellor is prejudicial to

1 the interest of the University, suspend such member and any such
2 suspension shall immediately be reported to the Council.

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

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

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

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

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

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

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

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

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

29 (d) take such lesser disciplinary action against such person
30 (including the restoration of such proportion of his emoluments that might

1 have been withheld) as the Council may determine.

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

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

11 (8) Nothing in the foregoing provisions of this section shall prevent
12 the Council from making regulations for the discipline of staff and workers of
13 the University as may be appropriate.

Removal of
Examiners

14 **18.**-(1) If, on the recommendation of the Vice-Chancellor, it appears
15 to the Senate that a person appointed as an examiner for any examination of the
16 University ought to be removed from his office or appointment, then, the
17 Senate may, after affording the examiner an opportunity of making
18 representations in person on the matter, direct the Vice-Chancellor to remove
19 the examiner by an instrument in writing signed by the Registrar.

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

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

Discipline of
Students

28 **19.**-(1) Subject to the provisions of this section, where it appears to
29 the Vice-Chancellor that any student has committed an act of misconduct, the
30 Vice-Chancellor may, without prejudice to any other disciplinary powers

1 conferred on him by Statute or regulations, direct that the:

2 (a) student shall not, during such period as may be specified in the
3 direction, participate in such activities of the University or make use of such
4 facilities of the University as may be so specified;

5 (b) activities of the student shall, during such period as may be
6 specified in the direction, be restricted in such manner as may be so
7 specified;

8 (c) student be rusticated for such period as may be specified in the
9 direction; or

10 (d) student be expelled from the University.

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

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

19 (4) The fact that an appeal from a direction is brought pursuant to
20 subsection (2) of this section shall not affect the operation of the direction
21 while the appeal is pending.

22 (5) The Vice-Chancellor may delegate his powers under this
23 section to a disciplinary board consisting of such members of the University
24 as he may nominate.

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

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

1 PART V - MISCELLANEOUS AND GENERAL PROVISIONS

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

2 **20.**-(1) No person shall be required to satisfy requirements as to any of
3 the following matters, that is to say, race (including ethnic grouping) sex, place
4 of birth, family origin, religious or political persuasion, as a condition for
5 becoming or continuing to be a:

6 (a) student in the University;

7 (b) holder of any degree, appointment or employment in the
8 University; or

9 (c) member of anybody established under this Bill.

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

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

Transfer of Land
to the University t

20 **21.**-(1) For the purpose of the Land Use Act (which provides for the
21 compulsory acquisition of land for public purposes) any purpose of the
22 University shall be the same as that of the Federation.

23 (2) Where an estate or interest in land is acquired by the Government
24 pursuant to this section, the Government may, by a certificate under the hand
25 and seal of the Chief Federal Lands Officer or any other person authorized in
26 that behalf transfer it to the University.

Restriction on
disposal of land
by University

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

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

5 **23.** Except as may be otherwise provided by Statute or by
6 Regulation, the quorum and procedure of any body of persons established
7 by this Bill shall be such as may be determined by that body.

Quorum and
procedure of
bodies established
by this Act

8 **24.**-(1) Anybody of persons established by this Bill shall, without Appointment of
9 prejudice to the generality of the powers of that body, have power to appoint Committees, etc.
10 committees, which need not consist exclusively of members of that body
11 and authorize a committee established by it to:

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

14 (b) co-opt members and direct whether or not co-opted members
15 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.

Miscellaneous
administrative
provisions

1 (5) Nothing in the foregoing provisions of this section shall be
2 construed as enabling:

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

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

7 **25.**-(1) The seal of the university shall be such as may be determined
8 by the Council and approved by the Chancellor and the affixing of the seal
9 shall:

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

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

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

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

22 (4) The validity of the proceedings of anybody established under this
23 Bill shall not be affected by:

24 (a) any vacancy in the membership of the body;

25 (b) any defect with appointment of a member of the body; or

26 (c) by reason that any person not entitled to do so took part in the
27 proceedings.

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

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

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

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

9 (b) regulation by a subsequent Statute or Regulation as the case
10 may be:

11 PROVIDED that the Statutes and Regulations may have different
12 provisions in relation to different circumstances.

13 (8) No stamp or other duty shall be payable in respect of any
14 transfer of property to the University by virtue of sections 10, 21, and the
15 Second Schedule to this Bill.

16 (9) Any notice or other instrument authorized to be served by virtue
17 of this Bill may, without prejudice to any other mode of service, be served by
18 post.

19 **26.-(1)** In this Bill:

Interpretation

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

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

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

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

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

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

30 "misconduct" means any conduct which is prejudicial to the good name of e

- 1 the University and or discipline and the proper administration of the business
2 of the University;
- 3 "notice" means notice in writing;
- 4 "officer" does not include the Visitor;
- 5 "prescribed" means prescribed by Statute or Regulation made under this Bill;
- 6 "professor" means a person designated as a professor of the University in
7 accordance with provisions made in that behalf by Statute or by Regulations;
- 8 "property" includes rights, liabilities and obligations;
- 9 "the Provisional Council" means the Provisional Council appointed for the
10 University by the President during any transition period;
- 11 "regulations" means regulations made by the Senate or Council;
- 12 "Senate" means the Senate of the University establish by the Bill;
- 13 "Statute" means a Statute made by the University under section 11 of this Bill
14 and in accordance with the provisions of section 12 of this Bill;
- 15 "the Statutes" means all such Statutes as are in force from time to time;
- 16 "teacher" means a person holding a full time appointment as a member of the
17 teaching or research staff of the University;
- 18 "Government" means the Federal Government of Nigeria;
- 19 "Constitution" means the Constitution of the Federal Republic of Nigeria,
20 1999;
- 21 "undergraduate" means a person in statupupilari in the University, other than:
22 (a) a graduate; and
23 (b) a person of such description as may be prescribed for the purposes
24 of this definition.
- 25 "the University" means the Federal University, Omoku, Rivers State as
26 incorporated and constituted by this Bill; and
- 27 "the Bill" means the Federal University, Omoku, River States Bill;
- 28 (2) Where in any provisions of this Bill, it is laid down that proposals
29 are to be submitted or a recommendation is to be made by one authority to
30 another through one or more intermediate authorities, it shall be the duty of

1 every such intermediate authority to forward any proposals or
2 recommendations received by it pursuant to that provision to the appropriate
3 authority; but any such intermediate authority may, if it thinks fit, forward
4 therewith its own comments thereon.

5 **27.** This Bill may be cited as the Federal University, Omoku, Citation
6 (Establishment, etc.) Bill, 2019.

7 SCHEDULES

8 *Section 3(2)*

9 PRINCIPAL OFFICERS OF THE UNIVERSITY

10 *The Chancellor*

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

13 *The Pro-Chancellor*

14 2.-(1) The Pro-Chancellor shall be appointed or removed from
15 office by the President.

16 *The Vice Chancellor*

17 3. The procedure for the appointment and removal of the Vice-
18 Chancellor shall be in accordance with the provision of the University
19 (Miscellaneous Provisions)(Amendment) Act, No 1 of 2007.

20 *Deputy Vice-Chancellors*

21 4.-(1) There shall be for the University, two Deputy Vice-
22 Chancellors or such number of Deputy Vice Chancellors as the Council may,
23 from time to time, deem necessary for the proper administration of the
24 University.

25 (2) The procedure for the appointment and removal of the Deputy
26 Vice-Chancellors shall be in accordance with the provision of the University
27 (Miscellaneous Provisions) Act.

28 (3) A Deputy Vice-Chancellor shall:

29 (a) assist the Vice-Chancellor in the performance of his functions;

30 (b) act in place of the Vice-Chancellor when the post of the Vice-t

1 Chancellor is vacant or if the Vice-Chancellor is, for any reason, absent or
2 unable to perform his functions as Vice-Chancellor; and

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

5 *Office of the Registrar*

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

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

13 (3) The Registrar shall hold office for such period and on such terms
14 and conditions as to emoluments as may be specified in his letter of
15 appointment.

16 *Other Principal Officers, Bursar, the University Librarian*

17 6.-(1) There shall be for the University, the following Principal
18 Officers in addition to the Registrar, that is:

19 (a) the Bursar; and

20 (b) the University Librarian.

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

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

29 (4) The Bursar and the University Librarian:

30 (a) shall each hold office for such period and on such terms and conditions as to

1 emoluments as may be specified in each person's letter of appointment.

2 *Other Officers of the University*

3 7. There shall be for the University, a Director of Works, who shall
4 be responsible:

5 (a) to the Vice Chancellor for the administration of the Department
6 of Works;

7 (b) for all works, services and maintenance of University facilities.

8 *Health Centre*

9 8. There shall be for the University, a Director of Health Services
10 who shall be:

11 (a) responsible to the Vice-Chancellor for the administration of the
12 Health Centre;

13 (b) the Chief Medical Officer of the University and shall
14 coordinate all matters relating to the health of staff and students.

15 *Resignation and Re-Appointment*

16 9.-(1) Any officer mentioned in the foregoing provisions of this
17 schedule may resign his office in:

18 (a) the case of the Chancellor or Pro-Chancellor, by notice to the
19 Visitor;

20 (b) the case of the Vice-Chancellor by notice to the Council which
21 shall immediately notify the Minister; and

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

25 SECOND SCHEDULE

26 *Section 10(2)*

27 TRANSITIONAL PROVISIONS AS TO PROPERTY, FUNCTIONS, ETC.

28 *Transfer of Property to the University*

29 1. Without prejudice to the generality of Section 10 (1) of this Bill:

30 (a) reference in the subsection to property held by the provisional

1 Council and the University shall include a reference to the right to receive and
2 give a good discharge for any grants or contributions which may have been
3 voted or promised to the provisional Council and the University; and

4 (b) all outstanding debts and liabilities of the provisional Council
5 shall become debts and liabilities of the University established by this Bill.

6 *The Provisional Council*

7 2.-(1) All agreements, contracts, deeds and other instruments to
8 which the provisional Council was a party shall, so far as possible and subject
9 to any necessary modifications, have effect as if the University established by
10 this Bill had been a party to it in place of the provisional Council.

11 (2) Documents not falling within sub-paragraph (1) above, including
12 enactments, which refer whether specially or generally to the provisional
13 Council shall be construed in accordance with that sub-paragraph so far as
14 applicable.

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

18 *Registration of Transfers*

19 3.-(1) If the law in force at the place where any property transferred by
20 this Bill is situated provides for the registration of transfers of property of the
21 kind in question (whether by reference to an instrument of transfer or
22 otherwise), the law shall, so far as it provides for alterations of a register (but
23 not for avoidance of transfers, the payment of fees of any other matter) apply,
24 with the necessary modifications to the transfer of the property in question.

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

29 *Meeting*

30 4.-(1) The first meeting of the Council shall be convened by the Pro-

1 Chancellor on such date and in such manner as he may determine.

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

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

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

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

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

21 *The Staff*

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

27 *The Scope*

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

1 THIRD SCHEDULE

2 *Section 11 (3)*

3 FEDERAL UNIVERSITY, OMOKU

4 STATUTE NO.1

5 *The Council*

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

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

11 (3) Where a member of Council holding office pursuant to section
12 6(e) (f) (g) or (h) of this Bill vacates office before the expiration of his tenure,
13 the body that appointed him may appoint a successor to hold office for the
14 residue of his unexpired term.

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

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

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

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

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

1 shall be immediately constituted for the effective functioning of the
2 University.

3 (9) The powers of the Council shall be exercised in accordance
4 with the laws and Statutes of the University, and to that extent, establishment
5 circulars that are inconsistent with the laws and Statutes of the University
6 shall not apply to the University

7 *The Finance and General Purpose Committee*

8 2.-(1) The Finance and General Purpose Committee of the Council
9 shall consist of:

10 (a) the Pro-Chancellor, who shall be the Chairman of the
11 Committee at any meeting at which he is present;

12 (b) the Vice-Chancellor and a Deputy Vice-Chancellor;

13 (c) six other members of the Council appointed by the Council two
14 of whom shall be selected from among the four members of the council
15 appointed by the Senate and one of whom shall be selected from among
16 members of the Council appointed by the congregation; and

17 (d) the Permanent Secretary, Federal Ministry of Education or, in
18 his absence, such officer of the Ministry as he may designate to represent
19 him.

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

21 (3) Subject to any directions given by the Council, the Committee
22 shall regulate its own procedure.

23 *The Senate*

24 3.-(1) There shall be a Senate for the University consisting of:

25 (a) the Vice-Chancellor;

26 (b) the Deputy Vice-Chancellor;

27 (c) all Professors of the University;

28 (d) all Deans, Provosts and Directors of Academic Units of the
29 University;

30 (e) all Heads of Academic Departments, Units and Research y;

1 Institutes of the University;
2 (f) the University Librarian; and
3 (g) academic members of the congregation who are not Professors as
4 specified in the Laws of the University.

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

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

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

15 *Congregation*

16 4.-(1) The Congregation shall consist of:

- 17 (a) the Vice-Chancellor and the Deputy Vice-Chancellors;
18 (b) the full time members of the academic staff;
19 (c) the Registrar;
20 (d) the Bursar; and
21 (e) every member of the administrative and technical staff who holds
22 a degree of any University recognized for the purpose of this Statute by the
23 Vice-Chancellor, not being an honorary degree.

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

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

- 1 (4) A certificate signed by the Vice-Chancellor specifying:
2 (a) the total number of members of Congregation for the purposes
3 of any particular meeting or meetings of Congregation; or
4 (b) the names of the persons who are members of Congregation
5 during a particular period; shall be conclusive evidence of that number or as
6 the case may be of the names of those persons.
7 (5) Subject to the provisions of this schedule, congregation may
8 regulate its own procedure.
9 (6) Congregation shall be entitled to express by resolution or
10 otherwise its opinion on all matters affecting the interest and welfare of the
11 University and shall have such other functions in addition to the function of
12 electing a member of the Council, as may be provided by Statute or
13 Regulations.

14 *Convocation*

- 15 5.-(1) The Convocation shall consist of:
16 (a) the Officers of the University mentioned in Schedule 1 to this
17 Bill;
18 (b) all teachers within the meaning of this Act; and
19 (c) all other persons whose names are registered in accordance with
20 paragraph (2) below.
21 (2) A person shall be entitled to have his name registered as a
22 member of convocation if he:
23 (a) is either a graduate of the University or a person satisfying such
24 requirements as may be prescribed for the purposes of this paragraph; and
25 (b) applies for the registration of his name in the prescribed manner
26 and pays the prescribed fee.
27 (3) Regulations shall provide for the establishment and
28 maintenance of a register for the purpose of this paragraph and, subject to
29 paragraph (3) below, may provide for the payment from time to time of
30 further fees by persons whose names are on the register and for the removal

1 from the register of the name of any person who fails to pay those fees.

2 (4) The person responsible for maintaining the register shall, without
3 the payment of any fees, ensure that the names of all persons who are for the
4 time being members of convocation by virtue of paragraph (1)(a) or (b) of this
5 paragraph are entered and retained on the register.

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

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

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

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

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

24 *Organization of Faculties and Branches thereof*

25 6. Each Faculty shall be divided into such number of branches as may
26 be prescribed.

27 *The Faculty Board*

28 7.-(1) There shall be established in respect of each Faculty, a Faculty
29 Board, which, subject to the provisions of this Bill, and subject to the directions
30 of the Vice-Chancellor, shall:

1 (a) regulate the teaching and study of, and the conduct of
2 examinations connected with the subjects assigned to the faculty;

3 (b) deal with other matters assigned to it by Statute, by the Vice-
4 Chancellor or by the Senate; and

5 (c) advise the Vice-Chancellor or Senate on any matter referred to
6 it by the Vice-Chancellor or Senate.

7 (2) Each Faculty Board shall consist of:

8 (a) the Vice-Chancellor;

9 (b) the persons severally in charge of the branches of the Faculty;

10 (c) such number of the teachers assigned to the Faculty and having
11 the prescribed qualifications as the Board may determine; and

12 (d) such persons whether or not members of the University as the
13 Board may determine with the general or special approval of Senate.

14 (3) The quorum of the Board shall be eight members or one-quarter
15 of the members of the Board for the time being whichever is greater.

16 (4) Subject to the provisions of this statute and to any provision
17 made by regulations in that behalf, the Board may regulate its own
18 procedure.

19 *The Dean of the Faculty*

20 8.-(1) The Dean of a Faculty shall be a professor elected by the
21 Faculty Board and such Dean shall hold office for a term of two years. He
22 will be eligible for re-election for another term of two years after which he
23 may not be elected again until two years have elapsed.

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

28 (3) In the absence of the Vice-Chancellor, the Dean shall be the
29 Chairman at all meetings of the Faculty Board when he is present and he .

1 shall be a member of all committees and other boards appointed by the faculty.

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

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

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

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

19 *Selection of Certain Principal and other Key Officers*

20 9.-(1) When a vacancy occurs in the Office of the Registrar, Bursar,
21 the University Librarian, Director of Works or Director of Health Services, a
22 Selection Board shall be constituted by the Council and shall consist of:

23 (i) the Pro-Chancellor;

24 (ii) the Vice-Chancellor;

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

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

29 (2) The Selection Board, after making such inquiries as it thinks fit,
30 shall recommend a candidate to the Council for appointment to the vacant

1 office, and after considering the recommendation of the Board the Council
2 may make an appointment to that office.

3 (3) A person appointed to the office of Director of Works or
4 Director of Health Services shall hold office for such period and on such
5 terms and conditions as may be specified in his letter of appointment.

6 *Creation of Academic Post*

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

10 *Appointment of Academic Staff*

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

14 *Appointment of Administrative and Technical Staff*

15 12.-(1) The administrative and technical staff of the University,
16 other than those mentioned in paragraph 9 of this schedule shall be
17 appointed by the Council or on its behalf by the Vice-Chancellor or the
18 Registrar in accordance with any delegation of powers made by the Council
19 in that behalf.

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

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal University, Omoku to ensure equity and access to tertiary education in the country. The University is a conventional University with restricted programmes and limited and focused faculties.

A BILL

FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A PALM OIL DEVELOPMENT FUND, WHICH SHALL BE RESPONSIBLE FOR THE DEVELOPMENT, CO-ORDINATING AND ENCOURAGING THE EXPORTATION AND UTILISATION OF PALM OIL IN NIGERIA; AND FOR RELATED MATTERS, 2019

Sponsored by Hon. Francis Charles Uduyok

[] Commencement

ENACTED by the National Assembly of the Federal Republic of Nigeria as follows:

- 1 1.-(1) There is established a Fund to be known as the Palm Oil Establishment
2 Development Fund (in this Bill referred to as "the Fund"). of the Fund
- 3 (2) The fund shall be domiciled in the Nigerian Institute for Palm
- 4 Oil Research (NIFOR), Benin, Edo State (in this oil referred to as "the
- 5 Institute").
- 6 (3) The sources of the Fund shall consist of:
- 7 (a) such monies as the Federal Government may provide to the
- 8 Fund annually; through appropriation by the National Assembly;
- 9 (b) such sums as may be charged for Developing Palm Oil;
- 10 (c) such sums as may be raised from time to time by the Institute by
- 11 way of Contributions or Donations from any person(s);
- 12 (d) monies earned or realized from any property or investment
- 13 acquired by or invested in the Fund under or pursuant to this Bill; and
- 14 (e) such sums as may be contributed by International Organization.
- 15 (4) All monies under Subsection (2) shall be deposited with a
- 16 reputable bank for the purpose of the Fund.
- 17 2. There shall be a Committee responsible for the management of Composition of
18 the fund (herein referred to as "the Committee"). the Committee

Functions of
the Committee

- 1 The composition of the Committee shall be:
- 2 (a) the Director-General of the Institute who shall be Chairman of the
- 3 Committee, and the committee shall sit quarterly;
- 4 (b) two other Directors from the Institute;
- 5 (c) a representative of each of the following Federal Ministries:
- 6 (i) Agricultural and Natural Resources;
- 7 (ii) Finance;
- 8 (iii) Education;
- 9 (iv) Commerce;
- 10 (v) Trade; and
- 11 (d) two other persons knowledgeable in Palm Oil Development.
- 12 **3.** The functions of the Committee shall be to:
- 13 (a) Administer the funds for the provision of Palm Oil;
- 14 (b) to device ways and means of raising contributions and donations
- 15 for the Fund;
- 16 (c) advise the Government of the Federation or the States on the
- 17 advantages of Palm Oil Development;
- 18 (d) organize seminars, workshops and conferences in order to
- 19 increase awareness on Palm Oil Development;
- 20 (e) charge such sums as is reasonable for the Development of Palm
- 21 Oil in any community that requests for it;
- 22 (f) undertake research in the Development of Palm Oil;
- 23 (g) serve as a centre for gathering and disseminating of information
- 24 relating to national policy in the field of Palm Oil development;
- 25 (h) serve as centre for solving any inter-related problems that may
- 26 arise in the implementation of policies relating to the Palm Oil development;
- 27 (i) inquire into and advise the Government of the Federation or any
- 28 State on the adequate funding for research and development of Palm Oil sector;
- 29 (j) promote training and manpower development with regards to Palm
- 30 Oil and other ancillary products both for export and internal consumption and;

1 (k) Undertake such necessary processes towards informal
2 production of Palm Oil;

3 (l) carry out such other activities as are conducive to the discharge
4 of its functions.

5 **4.-(1)** There shall be for the Fund a Secretary who shall be
6 responsible for the running of the day-to-day affairs of the Fund and shall be
7 appointed by the Committee. Secretary of the
Fund and
Functions

8 (2) The Secretary shall be a person knowledgeable in Palm Oil
9 development matters and shall be a staff of the Institute.

10 (3) The Secretary shall report and take directives from the
11 Director-General of the Institute.

12 (4) The Secretary shall in addition to his function be responsible
13 for:

14 (a) the payment of all disbursements by the Committee;

15 (b) accounting for all moneys collected, paid or otherwise
16 expended under this Bill; and

17 (c) carrying out any directives of the Committee.

18 **5.** The Fund shall pay such pensions and gratuities of comparative Pensions and
Gratuity
19 rank in the Public Services of the Federation in accordance with the Pension
20 Reform Act, 2014.

21 **6.** The Fund shall be exempted from the payment of income tax or Exemption from
Tax
22 income accruing from the investment in the Fund or otherwise and
23 accordingly the provisions of any enactment relating to the taxation of
24 companies or Trust Funds shall not apply to the Fund.

25 **7.** The Committee shall keep proper accounts in respect of moneys Account and
Audit of the
Fund
26 forming part of the funds and proper records in relation to such moneys.

27 **8.** The Committee shall prepare and submit not later than 3 months Annual Report
28 report to the President through the Minister of Agriculture during the
29 preceding year containing:

30 (a) an account of its operations and transactions throughout that

	1	preceding year; and
	2	(b) a statement of the Fund for that preceding year audited III
	3	accordance with Section 7 of Bill.
Regulations	4	9. The Committee may, with the approval of the Minister of
	5	Agriculture, make such regulations that are necessary for carrying out into
	6	effects the provisions of this Bill.
Interpretation	7	10. In this Bill, unless the context otherwise requires:
	8	"Minister" means the Minister of Agriculture and Natural Resources;
	9	"President" means the President of the Federal Republic of Nigeria.
Short Title	10	11. This Bill may be cited as the Palm Oil Development Bill, 2019.

EXPLANATORY MEMORANDUM

This Bill seeks to make a Special Provision for Development of Palm Oil. It seeks to set aside a Special Fund that will be used to Develop and Encourage the Production of Palm Oil and other Ancillary Products both for Export and Internal consumption.

This Bill also seeks to Develop all Products Associated with Palm Oil for the purpose of Consumption and Revenue Earning for Nigeria.

AGRICULTURE (CONTROL OF IMPORTATION) (AMENDMENT) BILL, 2019

ARRANGEMENT OF SECTIONS

Clauses:

1. Authorized Officers
2. Minister May Make Regulations
3. Regulations to be laid before the National Assembly
4. Diseases and Pests
5. Furnishing of Information
6. Offences
7. Prosecution.
8. Defence in Civil and Criminal Proceedings
9. Power to Sue for Fees, etc.
10. Transitional Provisions
11. Interpretation
12. Short title

A BILL

FOR

AN ACT TO AMEND THE AGRICULTURE (CONTROL OF IMPORTATION) ACT
CAP. C231964, AND FOR RELATED MATTERS

Sponsored by Hon. Francis Charles Uduyok

[] Commencement

BE IT ENACTED by the National Assembly of the Federal
Republic of Nigeria as follows-

1 **1.**-(1) Agriculture (Control of Importation) Act, herein referred to
2 as “the Principal Act” is amended as set out hereunder.

3 **2.** Section 2 item 6 under interpretation is hereby amended by Amendment of
4 inserting the words "seed, etc" as follows- Section 2 item
6 “Plant”

5 “Plant” means any plant or parts of a plant such as cuttings,
6 suckers, bulbs, tubers, roots, haulms, and fruits, seeds, etc; but does not
7 include the manufactured or processed products of plants.”

8 **3.** Section 4(2) (a) of the Principal Act is hereby amended as by Amendment of
9 substituting the existing amount "N200" with the amount "N500,000.00" Section 4 (2)
10 and the Words "Six Months" with the words "Twelve Months" respectively
11 as follows-

12 “(2) Regulations made under this section may provide that a Minister may
13 contravention of any specified regulations shall be an offence and may make Regulations
14 provide penalties in respect thereof:

15 Provided that, the penalties provided in respect of any such offence
16 shall not exceed a fine of N500,000.00 and imprisonment for a term of
17 Twelve Months.”

18 **4.** Section 6 of the Principal Act is amended in by inserting the Amendment of
19 word "her" immediately after the word "his" as follows: Section 6

20 “Where plants, seeds, soil, containers, straw or other packing Diseases and
21 materials or any other similar goods or things are on importation found or Pests

	1	suspected to be infected with any plant disease or pest, an authorized officer
	2	may order them to be destroyed or may direct that they shall not be imported
	3	until they have been treated to his/her satisfaction for the removal of the plant
	4	disease or pest.”
Amendment of Section 8 (c)	5	5. Section 8 (c) of the Principal Act is amended in by substituting the
	6	existing amount "W400" with the amount "N1,000,000.00" and the word "One
	7	Year" with the words "Two years" accordingly as follows:
Offences	8	“(c) without lawful excuse, fails to furnish any information lawfully
	9	demand under this Act or furnishes information which he knows to be false
	10	in a material particular or does not believe to be true, shall be guilty of an
	11	offence and liable on conviction to a fine of N1 , 000,000.00 and imprisonment
	12	for a term of Two years.”
Amendment of Section 9 (1)	13	6. Section 9 (1) of the Principal Act is amended in by substituting the
	14	words "Director of the Federal Department of Research" with the words "the
	15	Honourable Minister of the Federal Ministry of Agriculture" as follows:
Prosecution	16	“(1) No prosecution for an offence against this Act shall be
	17	commenced except with the consent of the Honourable Minister of the Federal
	18	Ministry of Agriculture.”
Interpretation	19	7. In this Bill unless the context otherwise requires-
	20	"Minister" Honourable Minister of the Federal Ministry of Agriculture;
Short Title t	21	8. This Bill may be cited as the Plants, etc (Control of Importation)
	22	(Amendment) Bill, 2019.

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Agriculture (Control of Importation) Act, to strengthen the Regulations, Offences and give Powers to Prosecute to the Honourable Minister of the Federal Ministry of Agriculture other than the Director of the Federal Department of Agricultural Research. This Amendment is necessitated to meet International Best Practice.

A BILL

FOR

AN ACT TO AMEND THE TRADE UNIONS ACT, CAP T14, LAWS OF THE
FEDERATION OF NIGERIA 2004 AND FOR RELATED MATTERS

Sponsored by Hon. Francis Charles Uduyok

[] Commencement

ENACTED by the National Assembly of the Federal Republic of
Nigeria as follows:

- | | | |
|----|---|--|
| 1 | 1. The trade union Act, Cap T14, LFN, 2004 (hereinafter referred | Amendment of |
| 2 | to as the Principal Act) is amended as set out in this Bill. | Trade Unions
Act, Cap. T14
LFN, 2004 |
| 3 | 2. Section 13(6) of the principal Act is amended by deleting the | Amendment of |
| 4 | amount N100 and substituting it with N100,000. | Section 13(6) |
| 5 | 3. Section 16(2) of the principal Act is amended by deleting | Amendment of |
| 6 | N5,000 and substituting it with N50,000. | Section 16(2) |
| 7 | 4. Section 21(4) of the principal Act is amended by deleting N10 | Amendment of |
| 8 | and substituting it with N10,000. | Section 21(4) |
| 9 | 5. Section 37(6) of the principal Act is amended by deleting N10 | Amendment of |
| 10 | and substituting it with N10,000. | Section 37(6) |
| 11 | 6. Section 48 (4) of the principal Act is amended by deleting N200 | Amendment of |
| 12 | and substituting it with N50,000. | Section 48(4) |
| 13 | 7. Section 49 of the principal Act is amended by deleting N200 and | Amendment of |
| 14 | substituting it with N50,000 | Section 49 |
| 15 | 8. Section 50 of the principal Act is amended by deleting N50 and | Amendment of |
| 16 | substituting it with N50,000. | Section 50 |
| 17 | 9. This Bill may be cited as the Trade Unions Act (Amendment) | Short Title |
| 18 | Bill, 2019. | |

EXPLANATORY NOTE

This Bill seeks to amend the Trade Union Act to increase the penalties for breaches of the provisions of this Act to bring it in term with contemporary realities of modern day.

It will further strengthen the law by providing for stiffer penalties to safeguard abuses of the provisions of this Act.

NOTIONAL UNIVERSITIES COMMISSION ACT, 2019

ARRANGEMENT OF CLAUSES

PART I - OBJECTIVES, APPLICATION AND SCOPE

1. Objective of the Bill
2. Application and Scope

PART II - ESTABLISHMENT, FUNCTIONS AND THE GOVERNING

BOARD OF THE COMMISSION

3. Establishment of the Commission
4. Functions of the Commission
5. Establishment of the Governing Board
6. Remunerations and Allowances of the Board Members
7. Qualifications of the Board Members
8. Appointment and Tenure of Board Member
9. Resignation of a Board Members
10. Removal of a Board Member
11. Vacancy on the Governing Board

PART III - MANAGEMENT AND STAFFING OF THE COMMISSION

12. Executive Secretary of the Commission
13. Other Staff of the Commission
14. Conditions of Service
15. Application of the Pensions Act

PART IV - LICENCES

16. Licensing Processes and Principles
17. Licence Conditions
18. Prohibition of Illegal and Unauthorized Degree-awarding Institutions
19. Assignment of Licence and Compliance with Licence Conditions
20. Suspension or Revocation
21. Effects of suspension and Revocation
22. Register of Licenses
23. Access to Register by Public

PART V - POWERS AND PROCEDURES OF THE COMMISSION

24. Issuance of Directives
25. Modification of Directives
26. Non-compliance with Directives
27. Visitation Exercise and Oversight Inquiry

28. Public Oversight Inquiry
29. Private Oversight Inquiry
30. Investigation for Purpose of Administration and Oversight Inquiry
31. Publication of Report
32. Information-gathering Powers
33. Non Compliance
34. Evidence of Compliance
35. Record and Publication of Information

PART VI - NATIONAL UNIVERSITIES COMMISSION FUND

36. Establishment of the National Universities Commission Fund
37. Maintenance of a Separate Fund by the Commission
38. Expenditure of the Commission
39. Borrowing Powers and Gift
40. Financial Year and Audit of the Commission's Account
41. Annual Report to the National Assembly

PART VII - SUPPLEMENTARY AND MISCELLANEOUS
ENFORCEMENT POWERS

42. Power to Inspect
43. Power to Search, Seize and Arrest
44. Obstruction of Authorized Officer
45. Authorized Officer to disclose Identity
46. Procedure in Respect of Suits against the Commission
47. Service of Documents
48. Restriction of Execution against Property of the Commission
49. Indemnity of Board Members and Employees of the Commission
50. Delegation of Functions
51. Power to Make Regulations
52. Regulatory Review
53. Jurisdiction
54. Repeal and Savings
55. Interception
56. Short Title

FIRST SCHEDULE

SECOND SCHEDULE

A BILL

FOR

AN ACT TO REPEAL THE NATIONAL UNIVERSITIES COMMISSION ACT, CAP. N81 LAWS OF THE FEDERATION OF NIGERIA, 2004 AND ENACT THE NATIONAL UNIVERSITIES COMMISSION ACT FOR THE PURPOSE OF ESTABLISHING THE NATIONAL UNIVERSITIES COMMISSION TO REFORM THE NIGERIAN UNIVERSITY SYSTEM IN LINE WITH MODERN REALITIES AND INTERNATIONAL BEST PRACTICES; AND FOR RELATED MATTERS

Sponsored by Hon. Dachung Musa Bagos

[] Commencement

ENACTED by the National Assembly of the Federal Republic of Nigeria:

1 PART I - OBJECTIVES, APPLICATION AND SCOPE

2 1.-(1) The primary object of this Bill is to create and provide a Objectives of
3 regulatory framework for the Nigerian University System comprising of the Act
4 universities and other degree-awarding and related institutions in Nigeria.

5 (2) For the purpose of sub clause (1) of this clause and without
6 prejudice to the generality of its provision, this Bill shall specifically:

7 (a) promote the implementation of the National Education Policy
8 as may be modified from time to time;

9 (b) establish a regulatory framework for Nigeria's University
10 System and for this purpose to create an effective, impartial and dynamic
11 regulatory authority;

12 (c) provide an institutional platform for the promotion of a
13 sustainable University System and an effective support to the Nigerian
14 Tertiary Education Sector;

15 (d) ensure the development of an efficient University System that
16 will guarantee quality and relevance for national development and global
17 competitiveness;

	1	(e) promote the attainment of a stable and crisis-free University
	2	System;
	3	(f) support universities in Nigerian to achieve full accreditation status
	4	for the academic programmes they run;
	5	(g) promote the proficient use of Information and Communication
	6	Technology (ICT) for learning, research and teaching service delivery within
	7	the Nigerian University System and ensure a compact, efficient, dynamic and
	8	Information Technology (IT) driven workforce therein;
	9	(h) ensure that the university graduate output in Nigeria matches with
	10	national manpower needs;
	11	(i) foster dynamic partnership between the Nigerian University
	12	System and the private sector;
	13	(j) promote healthy competition among universities in Nigerian in the
	14	discharge of their tripartite functions of teaching, research and community
	15	services;
	16	(k) ensure efficient management including planning, coordination,
	17	allocation, monitoring and use of scarce national resources in the Nigerian
	18	University System; and
	19	(1) promote and safeguard national interest and education for
	20	sustainable development in the use of scarce national resources.
Application and Scope	21	2. This Bill applies to the establishment, control, regulation,
	22	monitoring and management of universities and other degree-awarding and
	23	related institutions and related matters within and outside Nigeria.
	24	PART II - ESTABLISHMENT, FUNCTIONS AND THE GOVERNING
	25	BOARDS OF THE COMMISSION
Establishment of the Commission	26	3.-(1) There is established the National Universities Commission (in
	27	this Bill referred to as "the Commission") which shall have the responsibility of
	28	regulating universities and other degree-warding institutions in Nigeria.
	29	(2) The Commission shall be a body corporate with- perpetual
	30	succession and a common seal, may sue or be sued in its corporate name, and r

1 shall have the power to:

2 (a) enter into contracts and incur obligations;

3 (b) acquire, hold, mortgage, purchase and deal, howsoever, with
4 property, whether movable or immovable, real or personal; and

5 (c) do all such things as are necessary for or incidental to the
6 carrying out of its functions and duties under this Bill.

7 4.-(1) The Commission shall regulate and ensure delivery of
8 quality education in the Nigerian University System and shall:

Function of
the Commission

9 (a) formulate, determine and monitor the general policy for
10 university education in Nigeria with a view to ensuring amongst others, the
11 utilization of that sector as a platform for sustainable manpower development
12 in Nigeria;

13 (b) advise the President, Governors of States and any other public
14 or private proprietor, through the Minister, on the creation of new
15 universities and other degree-awarding institutions in Nigeria;

16 (c) prepare periodic master plans for the balanced and coordinated
17 development of universities in Nigeria after consultation with State
18 Government's the universities, the National manpower Board and such
19 other bodies it deems appropriate and such plans shall include:

20 (i) the general programmes to be pursued by the universities and
21 other degree-awarding institutions in order to ensure that they are fully
22 adequate to meet national needs and objectives, and

23 (ii) recommendations for the establishment and location of new
24 universities as and when considered necessary, and in accordance with the
25 Commission's approved guidelines;

26 (d) make recommendations for the establishment of new academic
27 units in universities and other degree-awarding institutions;

28 (e) give approval or disapproval of proposals to establish new
29 academic units and programmes in universities and other degree-awarding
30 institutions;

1 (f) grant license or regulations for the take-off of new universities that
2 fully comply with applicable Statutes, Regulations and Guidelines issued by
3 the Commission, subject to the provisions of this Bill;

4 (g) lay down minimum standards for all universities and other degree-
5 awarding institution in Nigeria, and accredit their degrees and other academic
6 awards;

7 (h) ensure that quality is maintained within the academic programme
8 of the Nigerian University System;

9 (i) be the regulatory agency with oversight functions responsible for
10 matters related to the proper management and conduct of the affairs of
11 universities in Nigeria;

12 (j) make any such investigation relating to higher education as the
13 Commission may consider necessary in the national interest;

14 (k) make such other recommendations to the Federal and State
15 Governments as well as private proprietors, relating to universities and other
16 degree-awarding institutions as the Commission may consider to be in the
17 national interest;

18 (l) inquire into and advise the Federal and State Governments as well
19 as private proprietors, on the financial needs, both recurrent and capital, of
20 university education in Nigeria and in particular, investigate and study the
21 financial needs of university research and ensure that adequate provision is
22 made for this in the public and private universities;

23 (m) receive block grants from the Federal Government and allocating
24 them to Federal universities and other designated degree awarding institutions
25 of the Federal Government, in accordance with such formula as may be laid
26 down by the Federal Executive Council;

27 (n) liaise with State Government and private proprietors to ensure
28 adequate and sustainable funding for universities owned by them, in order to
29 justify Certificate of Recognition and Operational License issued by the
30 Commission;

1 (o) take into account, in advising the Federal and State
2 Governments as well as private proprietors on university finances, such
3 grants as may be made to the universities by governments, private
4 proprietors and persons and institutions, in and outside Nigeria.

5 (p) collate, analyze and publish information relating to university
6 education in Nigeria and from other sources where such information is
7 relevant to the discharge of its functions under this Bill;

8 (q) undertake periodic reviews of the terms and conditions of
9 service of personnel engaged in the universities and make recommendations
10 to the Federal Government, State Governments, private proprietors and
11 other stakeholders, where appropriate;

12 (r) recommend to the Visitor of a university that visitation be made
13 to such university as and when it considers it necessary and ensure the
14 implementation of the ensuing Visitation Panel Report;

15 (s) act as an agency for channeling external aid and special
16 projects, and intervention funds to the universities in Nigeria and report to
17 the Federal Governments;

18 (t) promote and coordinate the orderly development and operation
19 of electronic-learning, open and distance -learning mode of delivering
20 university education in Nigeria;

21 (u) encourage and stimulate the use of multimedia sharing of
22 learning resources and inter-connectivity of learning within the Nigerian
23 University system;

24 (v) develop policies and structures that support the overall well-
25 being of the students in the Nigerian Universities System;

26 (w) co-ordinate all issues relating to physical planning and
27 development of facilities and infrastructure of all university campuses in
28 Nigeria;

29 (x) accredit all universities and degree-awarding institutions in
30 Nigeria, together with their academic programme;

1 (y) promote and sustain quality assurance in all universities and other
2 degree-awarding institutions in Nigeria; and

3 (z) do any other thing that may be deemed by the Commission to be
4 necessary, desirable, expedient, supplementary or incidental to the effective
5 performance of the functions or exercise of the powers under this Bill or its
6 subsidiary legislation.

7 (2) Without prejudice to the provisions of sub-clause (1) of this
8 clause, the Minister may give the Commission directives of a general character
9 or relating generally to particular matters, with regard to the exercise by the
10 Commission of its functions under this Bill and it shall be the duty of the
11 Commission to comply with such directives in the national interest.

12 (3) Subject to sub clause (2) of this clause, the Minister shall from
13 time to time notify the Commission in writing of his views on the general
14 policy directions of the Federal Government in respect of the Nigerian
15 University System.

16 (4) In the execution of this functions and supervisory relationship
17 with the Commission, the Minister shall at all times ensure that the dynamism
18 and powers of the Commission, in regard to the discharge of its functions and
19 operations under this Act or its subsidiary legislation, are protected and not
20 compromised in any manner whatsoever.

Establishment
of Governing
Board

21 **5.-(1)** There is established for the Commission a Governing Board (in
22 this Bill referred to as "the Board") charged with the responsibility of policy-
23 making and oversight duties over the affairs of the Commission

24 (2) The Board shall consist of:

25 (a) a Chairman;

26 (b) a representative of each of the following Federal Ministries and
27 Departments:

28 (i) Ministry responsible for Education,

29 (ii) Ministry responsible for Health,

30 (iii) Ministry responsible for Finance,

1 (iv) Ministry responsible for Women Affairs and Social
2 Development, and

3 (v) Department of Establishment and Pensions, office of the Head
4 of Service of the Federation,

5 (c) six persons with wide knowledge and experience representing
6 both private and public sector interest, to be appointed on individual merit
7 and on a nationwide basis;

8 (d) a representative from each of the following academic
9 disciplines:

10 (i) Agriculture and Veterinary Sciences,

11 (ii) Earth, Mineral and Natural Sciences,

12 (iii) Education,

13 (iv) Engineering Sciences and Technology,

14 (v) Environmental Sciences,

15 (vi) Health Sciences,

16 (vii) Humanities,

17 (viii) Law, and

18 (ix) Social and Management Sciences, and

19 (e) the Executive Secretary of the Commission who shall be an ex
20 officio member of the Board.

21 (3) The Chairman and members of the Board shall be appointed by
22 the President, who shall ensure at all times that there is a duly constituted
23 Board.

24 (4) The supplementary provisions spelt out in the First Schedule to
25 this Bill shall have effect with respect to the proceedings of the Board and
26 other matters contained therein.

27 *[First Schedule]*

28 (5) Subject to sub clause (4) of this clause, the Board shall have the
29 power to make standing orders for the regulation of its proceedings and

	1	meetings, and any act of the Board shall be deemed to be an act of the
	2	Commission.
	3	(6) The Chairman and other members of the Board shall be persons of
	4	proven integrity who by reason of their professional or business attainment are
	5	capable of making useful contributions to the work of the Commission.
Remunerations and Allowances of Board Members	6	6. Board members including the Chairman shall be paid such
	7	remunerations and allowances as the Government may approve.
Qualifications of Members of the Board	8	7.-(1) A member of the Board shall be a person of recognized
	9	standing, qualification and experience in his professed area of expertise.
	10	(2) A person shall be appointed or remain in office as a member of the
	11	Board if the person:
	12	(a) is a citizen of Nigeria;
	13	(b) is resident in Nigeria;
	14	(c) is not a serving member of the National Assembly, a State House
	15	of Assembly, or a Local Government Council;
	16	(d) is not incapacitated by any physical illness;
	17	(e) has not been certified to be of unsound mind;
	18	(f) is not an undercharged bankrupt;
	19	(g) has not been convicted in Nigeria or elsewhere of a criminal
	20	offence, being a misdemeanor or felony, or
	21	(h) has not at any time been removed from an office of trust on
	22	account of misconduct.
	23	(3) The conflict of interest provisions contained in the Second
	24	Schedule to this Bill shall apply to all members of the Board including the
	25	Chairman.
	26	<i>[Second Schedule]</i>
Appointment and tenure of members of the Board	27	8.-(1) The President shall appoint members of the Board in
	28	accordance with provisions of clauses 5(2) (a)(c)(d) and 7 of this Bill, from
	29	each of the six geo-political zones in Nigeria.
	30	(2) A member of the Board including the Chairman shall hold office

1 on part-time basis.

2 (3) Subject to the provision of clause 11 of this Bill, a member of
3 the Board other than an ex-officio member shall serve for a term of three
4 years from the date of his appointment and may be re-appointed for another
5 term of three years and no more.

6 (4) Subject to the provision of clause 11(3) of this Bill, a member of
7 the Board who was appointed prior to the commencement of this Bill and
8 whose term of office still subsists, shall at the commencement of the Bill, be
9 deemed to be serving the his initial term of three years from the date of his
10 appointment under this Bill, and shall subject to the provision of sub clause
11 (3) of this clause of this Bill be eligible for re-appointment.

12 **9.** A member of the Board who is not a public servant, may resign
13 his office by giving three months written notice addressed to the President
14 through the Minister. Resignation of
a member of the
Board

15 **10.-(1)** Subject to the provisions of sub clause (2), (3) and (4) of
16 this clause, a member of the Board may be suspended or removed from
17 office by the President if the member: Removal of a
members of the
Board

18 (a) is not qualified for appointment;

19 (b) is absent from five consecutive meetings of the Board without
20 the consent of the Chairman of the Board, except he shows good reason for
21 such absence;

22 (c) is guilty of a serious misconduct in relation to his duties as a
23 member of the Board;

24 (d) is disqualified or suspended from practicing his profession in
25 any part of the world by an order of a competent authority, in the case of a
26 person possessed of professional qualifications;

27 (e) is in breach of the Conflict of Interest Rules set out in the
28 Second Schedule to this Bill; or

29 *[Second Schedule]*

30 (f) has demonstrated the inability to effectively perform the duties

1 of his office.

2 (2) The President shall, through the Minister inform the member of the
3 Board by written notice, of his intention to suspend or remove the member of
4 the Board from office and the reasons thereof as soon as practicable before the
5 suspension or removal of such member under sub clause (1) of this clause.

6 (3) The member of the Board under sub clause (1) of this clause shall
7 be given a reasonable opportunity to make a written submission to the
8 President through the Minister, within a time specified in the notice but not less
9 than 14 days from the date of the notice.

10 (4) The affected member of the Board may, within the time limit
11 specified in the notice under sub clause (1) of this clause, make a written
12 submission to the President and the President may consider the submission in
13 making his final decision on the suspension or removal of the member of the
14 Board from office.

Vacancy on the
Board

15 **11.**-(1) The Board becomes vacant where a member:

16 (a) dies;

17 (b) is removed from office in accordance with the provision of clauses
18 7 or 10 of this Bill;

19 (c) resigns from office; or

20 (d) completes his or her tenure of office.

21 (2) Where the Board becomes vacant under sub clause (1) of this
22 Clause, the President shall in accordance with the provision of section 8 of this
23 Act, appoint another person to fill the vacant office as soon as is practicable.

24 (3) Where the Board becomes vacant under sub clause (1) of this
25 clause, a person appointed to fill such a vacancy shall hold office for the residue
26 of the term of office of his or her predecessor.

27 PART III - MANAGEMENT AND STAFF OF THE COMMISSION

Executive
Secretary of the
Commission

28 **12.**-(1) There is for the Commission, an Executive Secretary who
29 shall be appointed by the President.

30 (2) The Executive Secretary:

1 (a) shall be a Professor of not less than ten years standing from a
2 recognized university in Nigeria;

3 (b) shall be the Chief Executive Officer of the Commission and
4 shall be responsible for the:

5 (i) execution of the policies and decisions of the Board,

6 (ii) day-to-day management, administration and supervision of the
7 activities of the Commission, and

8 (iii) direction and control of other employees or staff of the
9 Commission,

10 (c) may delegate any of his function under paragraph (b) of this
11 clause to a standing committee or an ad-hoc committee of the Commission
12 to carry out on his behalf;

13 (d) shall hold office for a single term of 5 years only on such terms
14 and conditions as to the emoluments and otherwise as may be specified in
15 his instrument of appointment; and

16 (e) may be removed from office by the President following due
17 process, on grounds of misconduct or the inability to discharge the functions
18 of his office as a result of infirmity of the body or mind.

19 **13.-(1)** The Commission shall appoint:

Other Staff of
the Commission

20 (a) such other members of staff as are necessary, for the efficient
21 performance of its functions under this Bill; and

22 (b) two Deputy Executive Secretaries to assist the Executive
23 Secretary in the discharge of his duties as stipulated in this Bill.

24 (2) The remuneration and tenure of office of the Deputy-Executive
25 Secretary and other officers and members of staff of the Commission shall
26 be determined by the Board after consultation with the Establishment and
27 Pension Office.

28 (3) Notwithstanding the provisions of sub clause (1) and (2) of this
29 clause the Deputy Executive Secretary or any other member of staff of the
30 Commission may be appointed by the Commission by way of transfer or

	1	secondment from any of the public services in the Federation.
Conditions of Service	2	14.-(1) The Commission shall develop and implement appropriate
	3	conditions of service for members of staff of the Commission with particular
	4	reference to the issues of remuneration, pension's scheme and other fringe
	5	service benefits, sufficient for the Commission to attract and retain quality and
	6	high caliber manpower.
	7	(2) The Board shall consider, and in consultation with the National
	8	Salaries, Income and Wages Commission determine and review from time to
	9	time, the remuneration and allowances, payable to members of staff of the
	10	Commission.
	11	(3) The conflict of interest provisions contained in the Second
	12	Schedule to this Bill shall apply to all employees of the Commission.
	13	<i>[Second Schedule]</i>
Application of the Pensions Act	14	15.-(1) Service in the Commission shall be approved service for the
	15	purposes of the Pensions Act and accordingly, officers and other persons
	16	employed in the Commission shall in respect of their services in the
	17	Commission, be entitled to pensions, gratuities and other retirement benefits as
	18	are enjoyed by persons holding equivalent grades in the University System,
	19	(2) For the purposes of the application of the Pensions Act, any power
	20	exercisable by a Minister or other Authority of the Federal Government, other
	21	than the power to make Regulations under section 97 thereof, is vested in and
	22	shall be exercisable by the Commission and not by any other person or
	23	authority.
	24	<i>[No.4 2014]</i>
	25	(3) Nothing in the provisions of sub clause (1) and (2) of this clause of
	26	this Act shall prevent the appointment by the Commission of a person to any
	27	office on terms which preclude the grant of a pension or gratuity in respect of
	28	service in that office.
Licensing Processes and Principles	29	PART IV - LICENCES
	30	16.-(1) The Commission shall determine and cause to be published,

1 Regulations and Guidelines on its licensing processes, specifying, amongst
2 others the person or body of persons, eligible generally to apply for a license
3 to operate a university in Nigeria.

4 (2) In the formulation of licensing processes, issuance of
5 operational license and specification of license conditions and terms, the
6 Commission shall at all times be guided by the principles of and
7 consideration for:

8 (a) transparency, fairness and non-discrimination;

9 (b) equitable access to, and successful participation in higher
10 education for all members of society;

11 (c) sound policies and adequate funding for institutions and
12 students;

13 (d) quality and relevance of higher education provided;

14 (e) the need to provide sustainable, qualitative and transformative
15 university education for Nigeria;

16 (f) such other principles and considerations as the Commission
17 may from time to time consider necessary and in the national interest.

18 17.-(1) The Commission may from time to time, make written
19 declarations stipulating that an operational license is subject to such terms
20 and conditions, or enjoys such benefits, as the Commission deems fit.

Conditions for
obtaining License

21 (2) A declaration on the conditions of a license shall be consistent
22 with the objects and provisions of this Bill that are relevant to the particular
23 institution or programme of study.

24 (3) The Commission shall before making a declaration under sub
25 clause (1) and (2) of this clause, give the affected licensee written notice of
26 its intention to do so together with a draft copy of the declaration, and the
27 licensee may make written submissions to the Commission within the time
28 limit specified by the Commission but not less than thirty days from the date
29 of the written notice.

30 (4) The Commission shall, in deciding on the next cause of action,

Prohibition of
Illegal and
Unauthorized
degree awarding
Institutions

1 take into consideration any submission made by the affected licensee and the
2 principles specified in clause 16(2) of this Bill.

3 **18.**-(1) A person or body of persons, shall not operate a university or
4 degree awarding institution in Nigeria, unless authorized to do so under an Act
5 of the National Assembly or a Law of a State or an operational license or
6 exempted by statute or under Regulations made by the Commission under this
7 Bill.

8 (2) A person or group of persons who establish or operate a university
9 or degree-awarding institution without approval under this Bill, including
10 persons acting as principal officers in such an institution, commit an offence
11 and shall be liable jointly or severally on conviction to imprisonment for a term
12 not less than five years and not more than 10 years without an option of fine.

13 (3) A university or degree-awarding institution established otherwise
14 than in compliance with sub clause 1 of this clause shall be closed by the
15 Commission.

16 (4) A person aggrieved by any decision taken under to sub clause (2)
17 or (3) of this clause shall have the right to apply to a court for a review of the
18 matter.

19 (5) The powers conferred under sub clause (3) of this clause shall not
20 be exercised by the Commission in respect of an institution belonging to the
21 Federal or a State Government, without the prior approval of the President, or
22 the relevant State Governor.

23 (6) Unless otherwise provided by this Bill, the establishment and
24 operation of a university or a degree-awarding institution in Nigeria,
25 irrespective of its ownership, shall be subject to and comply with the licensing
26 and regulatory requirements of the Commission

27 (7) Where an academic unit or programme in an approved university
28 or degree-awarding institution fails to meet the prescribed minimum standards
29 stipulated for it by the Commission, or contravenes existing Regulations or
30 Guidelines of the Commission, the Commission shall close down such an

1 academic unit or programme.

2 (8) Where a body corporate, firm or partnership, contravenes the
3 provisions under sub clause (1) of this clause, such a body corporate, firm or
4 partnership commits an offence and is liable on conviction to a fine not less
5 than five million Naira and in addition:

6 (a) the Chairman of the board and directors of the corporate body;

7 (b) every partner or principal officers of the firm or partnership, or
8 any person purporting to act in such capacity, shall be jointly or severally
9 liable to be proceeded against and liable on conviction to imprisonment for a
10 term not less than five years and not more than 10 years without an option of
11 fine;

12 (9) From the commencement of this Bill:

13 (a) it shall be unlawful for a university or degree-awarding
14 institution in Nigeria, whether acting individually or in conjunction with any
15 other institution within or outside Nigeria, to establish or run a degree
16 programmes in a satellite campuses or study centre outside its primary and
17 approved location;

18 (b) all degree programmes being run on satellite campuses and
19 study centres shall cease to operate and all the affected students shall be at
20 liberty to re-apply to any existing approved university running such
21 programmes with full accreditation by the National Universities
22 Commission;

23 (c) a person or group of persons including a person acting as
24 principal officers in an unapproved university or degree-awarding
25 institution who approves, establishes or operates a satellite campus, study
26 centre, or other similar venue by whatever name called, or any other form of
27 unapproved universities or degree-awarding institution for running a degree
28 programmes outside of the primary and approved location of a university or
29 degree-awarding institution commits an offence and is liable on conviction
30 to imprisonment for a term not less than three years and not more than five

1 years without an option of fine; and

2 (d) where an offence under this sub clause is committed by a body
3 corporate, firm or partnership, it is liable on conviction to a fine of not less than
4 three million Naira and in addition:

5 (i) the chairman of the board and directors of the body corporate,

6 (ii) every partner and principal of the firm or partnership, and

7 (iii) every person purporting to act in any such capacity, shall be
8 jointly or severally liable to be proceeded against and liable on conviction to
9 imprisonment for a term not less than two years and not more than five years
10 without an option of fine.

11 (10) A person who lets or otherwise makes available for use his
12 landed property of premises, knowing it to be used for the operation of an
13 unapproved university or degree-awarding institution or for purposes
14 prohibited under sub clause (9) of this clause commits an offence and is liable
15 on conviction to imprisonment for a term of not less than two years and not
16 more than five years without option of fine.

17 (11) Where an offence under sub clause (10) of this clause is
18 committed by a body corporate, firm or partnership, it shall be liable on
19 conviction to a fine of not less than three million Naira and in addition:

20 (a) the chairman of the board and directors of the body corporate;

21 (b) every partner and principal of the firm or partnership; and

22 (c) every person purporting to act in any such capacity; shall be jointly
23 or severally liable to be proceeded against and liable on conviction to
24 imprisonment for a term not less than two years and not more than five years
25 imprisonment without an option of fine.

26 (12) Where the person, body corporate, firm or partnership convicted
27 for operating an unapproved university or degree-awarding institution or for
28 committing an offence under sub (9) of this clause is also the owner of the
29 premises or landed property in question, such premises or landed property
30 shall, in addition to other punishment stipulated in this Act, be forfeited to the

1 Federal Government.

2 (13) Where a university or degree-awarding institution admits, for
3 purposes of further education, a person that is in possession of a degree,
4 diploma or other academic certificate, issued by an unapproved university
5 or degree-awarding institution, such a university or degree-awarding
6 institution commits an offense and is liable on conviction to a fine not less
7 than one million naira in respect of each person so admitted.

8 (14) Where an employer of labour, whether from the public or
9 private sector, recognizes and thereby bases a decision to employ on a
10 degree, diploma or other academic certificate issues by an unapproved
11 university or degree-awarding institution, such an employer of labour
12 commits an offence and is liable on conviction to a fine not less than one
13 million Naira in respect of each person so employed.

14 19.-(1) The grant of an operational license to a licensee shall be
15 specific to a named university and shall not be operated or utilized by,
16 assigned, sub-licensed or transferred to any other person, body or institution
17 unless with the prior written approval of the Commission.

Assignment of
License and
Compliance with
License conditions

18 (2) A licensee shall at all times comply with the provisions of this
19 Bill or its subsidiary legislation.

20 20.-(1) The Commission may, by declaration suspend or revoke an
21 Operational License granted under this Bill where the:

Suspension or
Revocation

22 (a) licensee has failed to pay an amount or fine required by or
23 imposed under to this Bill or the operational license;

24 (b) licensee has failed to comply with the provisions of this Bill or
25 its subsidiary legislation, or the terms and condition of the operational
26 license;

27 (c) licensee has contravened the provisions of any other written
28 law or regulation relevant to the operation of the license;

29 (d) licensee has failed to comply with any instrument or guidelines
30 issued, made or given by the Commission;

1 (e) licensee is unable to fulfill the broad purpose of university
2 education for which the license was given;

3 (f) licensee is unable to pay his or its debts within the meaning of that
4 expression as defined in the Companies and Allied Matters Act; or

5 (g) suspension or revocation is in the national interest.

6 (2) Notwithstanding any provision to the contrary in this Bill, an
7 operational license may be suspended or revoked under sub clause (1) (a), (b),
8 (c), (d), or (e) of this clause after the:

9 (a) Commission has by written notice, informed the licensee of his or
10 its breach under the said sub clause and demanded that the breach be rectified
11 where it is capable of rectification, within sixty days from the date of the notice;
12 and

13 (b) licensee has failed to rectify the breach within the said time-frame.

14 (3) Prior to the suspension or revocation of a license under sub clause
15 (l)(a), (b), (c), (d), or (e) of this clause, the Commission shall as soon as
16 practicable inform the licensee by written notice of its intention to suspend or
17 revoke the license and the reasons.

18 (4) The affected licensee shall be given a reasonable opportunity to
19 make written submissions to the Commission within a time limit specified in
20 the notice but not less than 14 days from the date of the notice.

21 (5) The affected licensee may, within the time limit specified in the
22 notice, make a written submission and the Commission shall consider the
23 submission in making its final determination and declaration on the suspension
24 or revocation of the operational license.

25 (6) Subject to sub clauses (4) and (5) of this clause the suspension or
26 revocation of an operational license shall take effect on the expiration of 30
27 days from the date on which the notice of the Commission's declaration under
28 sub clause (3) of this clause in respect of the suspension or revocation is served
29 on the licensee.

30 (7) Where the suspension or revocation of an operational license has

1 taken effect, the Commission shall, as soon as practicable, cause the
2 suspension or revocation to be published in at least two national daily
3 newspapers.

4 (8) A delay or failure to publish the notice of suspension or
5 revocation as prescribed in sub clause (7) of this clause shall not in any
6 manner affect the validity of the suspension or revocation.

7 (9) With regard to a university or a degree-awarding institution that
8 is privately owned, the Commission shall have the power where a
9 breakdown of internal governance processes threatens the maintenance of
10 minimum standards to:

11 (a) suspend the existing administrative structure of the affected
12 institution; and

13 (b) constitute a caretaker committee to temporarily oversee the
14 affairs of the institution, provided that the Commission shall, on successful
15 resolution of the crisis, re-establish the administrative structure of the
16 affected institution, in line with the Commission's existing Regulations.

17 (10) A person or body corporate responsible for carrying out such
18 directive that fails, refuses or neglects to carry out a directives issued by the
19 Commission under the provisions of this Bill or invites, induces or abates
20 any other person to obstruct or interfere with such a directive, commits an
21 offence and is liable on conviction to imprisonment for a term of not less
22 than one year and not more than three years without an option of fine.

23 **21.-(1)** In the event of suspension of a license, under clause 20 of
24 this Bill, the Commission shall determine and communicate to the licensee,
25 the duration of the suspension and the penalties attendant which may include
26 but shall not be limited to withdrawal of right of admission of students.

Effect of
suspension and
revocation

27 (2) Where a revocation is declared by the Commission under
28 clause 20 of this Bill, and it takes effect accordingly, the licensee shall
29 immediately lose the rights conferred generally by the license.

30 (3) A person or body of persons or an institution that continues to

Register of
Licenses

1 operate after a declaration of suspension or revocation in violation of the
2 provisions of this Bill in respect of the license, commits an offence and is liable
3 on conviction to the punishment prescribed in clause 18(2) of this Bill.

4 **22.**-(1) The Commission shall maintain a register of all licenses
5 granted under this Bill.

6 (2) The Commission shall maintain a separate register which shall
7 contain any:

8 (a) special or additional condition specified in the operational license;

9 (b) written notice varying, revoking or imposing a special or
10 additional condition specified in an operational license;

11 (c) written notice by the licensee surrendering its operational license;

12 (d) written notice by the Commission suspending or revoking an
13 operational license; and

14 (e) written notice approving the transfer of an operational license.

15 (3) The Commission shall maintain the register of all matters that are
16 required for registration under this Bill and its subsidiary legislation in both
17 physical and electronic media.

18 (4) The Commission may at its discretion, summarize the contents of
19 a material for inclusion in a register and exclude any aspect of the material
20 where it considers such exclusion necessary and justified on grounds of public
21 interest or safety, amongst others.

Access to the
Register by
Public

22 **23.**-(1) A person may, on payment of a charge, where any, to be
23 decided by the Commission:

24 (a) inspect a Register; and

25 (b) make a copy of, or take extracts from the Register.

26 (2) Where a person makes a request that a copy under clause (1)(b) of
27 this clause be provided in an electronic media, the Commission may provide
28 the relevant information:

29 (a) on a data processing device; or

30 (b) by way of electronic transmission.

1 (3) The Commission shall from time to time, publish Guidelines
2 regarding its various Registers giving details of the registers and indicating,
3 amongst others, access processes and procedures for members of the public.

4 PART V - POWERS AND PROCEDURES OF THE COMMISSION

5 24.-(1) The Commission may from time to time, issue directions in Issuance of
6 writing to a person, body of persons, or an institution regarding the Directives
7 compliance or non-compliance with a license condition or provisions of this
8 Bill or its subsidiary legislation, including the breach of a license condition
9 or the provision of this Bill or its subsidiary legislation.

10 (2) The Commission shall, before issuing a directive under sub
11 clause (1) of this clause issue a notice in writing to such a person, specifying
12 the nature of compliance required and the person shall be granted an
13 opportunity to be heard or may make a written submission within a
14 reasonable time limit specified in the notice on the reason for his or her
15 conduct or activity.

16 (3) The Commission shall, on the expiration of the notice specified
17 in sub clause (2) of this clause take into consideration any reasons provided
18 by the person, before making a decision in relation to the relevant conduct or
19 activity of the person.

20 (4) The Commission may, after due consideration of any reason
21 provided by a person issue a direction under sub clause (1) of this clause
22 requiring the person to take specified actions directed at ensuring that the
23 person does not contravene or continue to contravene any of the conditions
24 of his or her license or any of the provisions of this Bill or its subsidiary
25 legislation regulating universities and other degree-awarding institutions in
26 Nigeria.

27 (5) The Commission shall give the person a written notice of its
28 direction not later than 30 days from the date the decision was made and the
29 person shall comply with it.

Modification of Directive	1	25. Subject to the provisions of clause 24 of this Bill, the Commission
	2	may modify, vary or revoke a directive under this Bill.
Non-compliance with Directive	3	26. Without prejudice to any other provision of this Bill or a license
	4	condition, a person who fails to comply with a directive of the Commission
	5	shall be liable to the payment of a fine in such amount as the Commission may
	6	impose.
Visitation Exercise and Oversight Inquiry	7	27.-(1) The Commission may on the directive of the Minister, carry
	8	out a visitation exercise or hold an oversight inquiry on any matter of a general
	9	nature that relates to the administration of this Bill or its subsidiary legislation.
	10	(2) Subject to sub clause (3) of this section of this Act, the
	11	Commission may carry out a Visitation or an oversight inquiry under sub
	12	clause (1) of this clause:
	13	(a) on the instructions of the President through the Minister;
	14	(b) in response to a written request from a person duly authorized; or
	15	(c) on its own initiative.
	16	(3) The Commission shall embark on a visitation or an oversight
	17	inquiry in all instances that it is mandatorily to carry out visitation or oversight
	18	inquiry under this Bill or its subsidiary legislation.
	19	(4) The Commission may for the purpose of a visitation or oversight
	20	inquiry, exercise any or all of its investigation and information-gathering
	21	powers under this Bill.
Public Oversight Inquiry	22	28.-(1) Subject to clause 27 of this Bill, where the Commission
	23	decides to hold a public oversight inquiry on any public or private university,
	24	the Commission shall publish, in the manner that it deems appropriate, notice
	25	of the:
	26	(a) fact that it is holding the inquiry;
	27	(b) period during which the inquiry is to be held;
	28	(c) nature of the matter to which the inquiry relates;
	29	(d) period of at least twenty-eight days, within which, and the form in

1 which members of the public are invited to make submissions to the
2 Commission;

3 (e) subject matter of the inquiry; and

4 (f) address or addresses to which the submission may be sent.

5 (2) The Commission may publish matters referred to in sub-section
6 1 of this section of this Act at different times and in various ways.

7 (3) The Commission shall consider any submissions received
8 within the time limit as specified in the notice and the submissions made by a
9 member of the public shall be in the form and of the nature as specified
10 therein.

11 **29.-(1)** Notwithstanding the provision of clause 28 of this Bill, an
12 oversight inquiry or part of it may be conducted in private where the
13 Commission is satisfied that: Private Oversight
Inquiry

14 (a) a document or information that may be given, or a matter that
15 may arise during the oversight inquiry or part of it is of a confidential nature;

16 (b) the oversight inquiry or matter or part of it will not be conducive
17 to the due administration of this Bill, if it is conducted in public.

18 (2) Where an oversight inquiry takes place in public and the
19 Commission is of the opinion that the evidence or other material presented
20 to the inquiry, or the material in written submission lodged with the
21 Commission is of a confidential nature, the Commission may direct that:

22 (a) the evidence or material should not be published; or

23 (b) its disclosure be restricted;

24 (3) A person shall not without an excuse that is considered
25 reasonable by the Commission fail to comply with a directive under sub
26 clause (2) of this clause.

27 (4) Where an oversight inquiry or part of it takes place in private,
28 the Commission:

29 (a) shall give a directive as to the persons who may be present at the
30 oversight inquiry or part of it; and

	1	(b) may give a directive restricting the disclosure of evidence or other
	2	material to be presented at the oversight inquiry or part of it.
	3	(5) Notwithstanding the provisions of clause 26 of this Bill, a person
	4	who without reasonable excuse fails to comply with a directive given under sub
	5	clause (4) of this clause shall be liable to the payment of a fine in such amount
	6	as the Commission may impose.
Investigation for purpose of administration and oversight inquiry	7	30. Notwithstanding the provisions of any other enactment or law, the
	8	Commission may investigate any matter pertaining to the administration of this
	9	Bill or its subsidiary legislation, where the Commission has grounds to believe
	10	that a civil or criminal infringement of the provisions of this Bill or its
	11	subsidiary legislation may have been committed.
Publication of Report	12	31.-(1) The Commission shall publish a report setting out its findings
	13	as a result of any visitation or oversight inquiry it conducts, and the report shall
	14	be published within 60 days of its conclusion.
	15	(2) The Commission shall not include in the report under sub clause
	16	(1) of this clause any material:
	17	(a) that is of a confidential nature in the opinion of the Commission;
	18	(b) that this is likely to prejudice the fair trial of a person if disclosed;
	19	(c) which could involve the unreasonable disclosure of personal
	20	information about any individual, including a deceased person.
	21	(3) Civil proceedings shall not lie against a person in respect of any
	22	loss, damage or injury of any kind suffered by another person because of the
	23	making of a:
	24	(a) request under clause 27 of this Bill; or
	25	(b) statement, or giving of a document or information, to the
	26	Commission, in relation to an oversight inquiry under this Bill.
	27	(4) The Commission shall maintain a register of all reports made
	28	pursuant to an oversight inquiry under this part in accordance with the
	29	provisions of this Bill.
Information gathering powers	30	32.-(1) Information-gathering power shall apply to a person who is

1 subject to this Bill and who the Commission has reason to believe:

2 (a) has any information including data, records and accounts or any
3 document that is relevant to the exercise of the Commission's powers and
4 functions under this Bill or its subsidiary legislation; or

5 (b) is capable of giving any evidence which the Commission has
6 reason to believe is relevant to the exercise of the Commission's powers and
7 functions under this Bill or its subsidiary legislation.

8 (2) The Commission may, by a written notice, direct any person
9 who is subject to this Bill to:

10 (a) give any such information to the Commission within the period
11 and in the manner and form specified in the notice;

12 (b) produce any such document to the Commission within the
13 period and in the manner specified in the notice, whether in a physical form
14 or an electronic media; or

15 (c) make copies of any such documents and produce those copies to
16 the Commission within the period and in the manner specified in the notice.

17 (3) The Commission shall allow a person so directed under sub-
18 section (2) of this section of this Act, a reasonable time to give and to
19 produce any information or documents specified in the notice.

20 (4) A person who is subject to this Act and who is required to
21 provide information under sub-section (2) of this section of this Act, shall
22 ensure that the information provided is true, accurate and complete and such
23 person shall provide a representation to that effect, including a
24 representation that he is not aware of any other information which would
25 render the information provided untrue or misleading.

26 **33.-(1)** Notwithstanding the provisions of clause 26 of this Bill, a Non Compliance
27 person who is subject to this Bill and who fails to comply with the directive
28 of the Commission under clause 32 of this Bill, shall be liable to the payment
29 of a fine in such amount as the Commission may impose.

30 (2) Notwithstanding the provisions of clause 28 of this Bill and sub

Evidence of
Compliance

1 clause (1) of this clause, a person who is subject to this Bill and who fails to
2 disclose or omits to give any relevant information, evidence or document, or
3 provides information or evidence of document that the person knows or has
4 reason to believe is false or misleading in response to a directive issued by the
5 Commission, commits an offence and on conviction to a fine not exceeding
6 N500,000 or imprisonment for a term not exceeding one year or both fine and
7 imprisonment.

8 **34.**-(1) Where a person who is subject to this Bill is called at any time
9 in writing by the Commission to produce to the Commission any evidence or
10 provide any information as the person may have relating to his compliance
11 with a provision of this Bill or its subsidiary legislation as the Commission may
12 generally, or in relation to a particular case require, such a person shall do so.

13 (2) The Commission may take possession of and control for as long as
14 is necessary, a document produced under clause 32 of this Bill and the person
15 otherwise entitled to the possession of the document shall be supplied, as soon
16 as practicable, with a copy certified by the Commission to be a true copy.

17 (3) Notwithstanding the provision of any written law, a court or
18 tribunal shall receive a certified copy under sub clause (2) of this clause as
19 evidence as if it were the original.

20 (4) Until a certified copy is supplied, the Commission shall at such
21 time and place as it thinks appropriate, permit a person otherwise entitled to the
22 possession of a document, or a person authorized by such a person, to inspect
23 and make copies of or take extracts from the document.

Record and
Publication of
Information

24 **35.**-(1) The Commission shall maintain a record of all information,
25 evidence or documents received pursuant to the directive given under clause
26 32(2) of this Bill.

27 (2) The Commission may publish information received' in the course
28 of exercising its powers and functions under this Part of this Bill where it is
29 satisfied that the publication is consistent with the objects of this Bill, provided
30 that the Commission shall consider the interest of the parties to whom the

1 information relates before publishing the information.

2 PART VI - NATIONAL UNIVERSITIES COMMISSION FUND

3 36.-(1) The is established the National Universities Commission
4 Fund (in this Bill referred to as "the Fund").

Establishment
of the National
Universities
Commission Fund

5 (2) There shall be paid into the Fund such sums as may:

6 (a) be made available to the Commission for the purpose of making
7 grants to the universities in accordance with the provisions of this Bill, its
8 subsidiary legislation or any other enabling legislation;

9 (b) be paid by universities, institutions, government agencies,
10 persons and external bodies for the purpose of regulating the Nigerian
11 universities and carrying out the functions or exercise of the powers
12 conferred on the Commission by this Bill; or

13 (c) be credited to the Fund by way of payment of the principal and
14 interest on, and other charges in respect of any loan made out of the Fund,
15 and also interest from investments made from the Fund from time to time;

16 (3) Disbursement from the Fund shall be made in accordance with
17 Rules made under clause 23 of the Finance (Control and Management) Act
18 and, without prejudice to the foregoing, Rule 26 of the Public Funds of the
19 Federation (Disbursement) Rules, shall continue in force and have effect, as
20 if made under this sub clause.

21 [CAP. F26, LFN]

22 37.-(1) The Commission shall establish and maintain a separate
23 Fund from which shall be defrayed all expenditure incurred by the
24 Commission, except such expenditure as may be incurred by it pursuant to
25 clause 36 of this Bill.

Maintenance of
a separate fund
by the Commission

26 (2) There shall be paid and credited to the Fund:

27 (a) such sums as may be appropriated to the Commission by the
28 Federal Government for its running expenses;

29 (b) fees and charges for services rendered by the Commission;

30 (c) publications made by the Commission; and

	1	(d) all other sums accruing from time to time to the Commission by
	2	way of gifts, grants, aids or testamentary disposition, and other liquid assets,
	3	otherwise than in pursuance of clause 37 of this Bill.
Expenditure of the Commission	4	38. The Commission may from time to time, apply the proceeds of
	5	the separate Fund established under clause 37(1) of this Bill to -
	6	(a) meet the administrative and operative costs of the Commission;
	7	(b) reimburse members of the Board or Committee of the Board or
	8	Commission, for such expenses authorized by this Bill, in accordance with the
	9	rates approved by the Government;
	10	(c) the payment of salaries, fees, other remunerations or allowances
	11	payable to members of the Board and employees of the Commission;
	12	(d) purchase or acquire property or other equipment and other capital
	13	expenditure, and for the maintenance of any property acquired or vested in the
	14	Commission; or
	15	(e) invest and perform all or any of the functions of the Commission
	16	under this Bill or its subsidiary legislation.
Borrowing Powers and Gifts	17	39.-(1) The Commission may with the consent of, and in accordance
	18	with the general authority given by the Minister, borrow such sums of money as
	19	it may require in the exercise of its functions under this Bill or its subsidiary
	20	legislation.
	21	(2) The Commission may accept gifts or grants of money, aids,
	22	endowments or other property from persons, national, bilateral and
	23	multilateral organizations, on such terms and conditions, if any, as may be
	24	agreed upon between the donor and the Commission, provided that such terms
	25	and conditions are not inconsistent with the objectives and functions of the
	26	Commission under this Bill.
Financial Year and Audit of Commission's Accounts	27	40.-(1) Without prejudice to any directive from the Minister
	28	responsible for Finance, the financial year of the Commission shall commence
	29	from January 1st of each year and end on December 31st of the same year.
	30	(2) The Commission shall keep proper records of its accounts in ch

1 respect of each year and cause its accounts to be audited within six months
2 from the end of each financial year by auditors who shall be appointed by the
3 Board and shall be subject to re-appointment on annual basis, provided that
4 such auditors are on the list of auditors approved by the Auditor-General of
5 the Federation.

6 **41.** The Commission shall:

Annual Reports
for the National
Assembly

7 (a) prepare and through the Minister, submit a report on its
8 activities for the next succeeding financial year to the National Assembly
9 annually, not later than six months after the end of its financial year; and

10 (b) include audited accounts of the Commission for the preceding
11 year and attach the auditor's report to the report under paragraph (a) of this
12 clause.

13 **PART VII - SUPPLEMENTARY AND MISCELLANEOUS**

14 **ENFORCEMENT POWERS**

15 **42.** For the purpose of enforcing this Bill, a person authorized by
16 the Commission may, without a warrant:

Powers to inspect

17 (a) request, examine and make copies of any license, certificate,
18 file, register, receipt, or other documents required under this Bill or its
19 subsidiary legislation; or

20 (b) request and examine a property, equipment or data in relation to
21 the activity under investigation.

22 **43.-(1)** Where an authorized person has reasonable grounds to
23 believe that an offence has been committed or is being perpetrated in
24 violation of this Bill or its subsidiary legislation, he may without a warrant:

Powers to search,
seize and arrest

25 (a) enter and search any property, buildings, or other structure
26 whatsoever, in which he has reason to believe that the offence against this
27 Bill or its subsidiary legislation, has been or is being committed;

28 (b) carry out investigations and take a samples of a material or
29 objects, relating to the offence, which is found on the premises or other r,

1 structures whatsoever, searched pursuant to paragraph (a) of this section of this
2 Bill;

3 (c) cause to be arrested a person who he has reason to believe has
4 committed or is committing an offence; or

5 (d) seize any item or materials which he has reason to believe has been
6 used or is being used in the commission of an offence.

7 (2) A written receipt shall be given for any article, document, item,
8 material or things seized under sub-section (1) of this section of this Act, and
9 the grounds for such seizure shall be stated on the receipt.

Obstruction of
Authorized
Officers

10 **44.** A person who:

11 (a) willfully obstructs an authorized officer in the exercise of a of
12 powers conferred on him by this Bill; or

13 (b) fails to comply with a lawful enquiry or requirement made by an
14 authorized officer in accordance with the provision of clause 42 of this Bill,
15 commits an offence and is liable on conviction to a fine not exceeding
16 N500,000 or to imprisonment for a term not exceeding six months or to both
17 fine and imprisonment.

Authorized
Officers to
disclose Identity

18 **45.-(1)** An authorized officer not in uniform, when acting under the
19 provision of this Bill, shall on demand, declare his office and produce to the
20 person against whom he is taking action, an identification or written authority
21 as may reasonably be sufficient to show that he is an authorized officer for the
22 purposes of this Bill.

23 (2) Where a person to refuse to comply with a request, demand or
24 order made by any authorized officer not in uniform, if such authorized officer
25 refuses on demand being made by such person, to declare his office or produce
26 identification or written authority, such refusal shall not be an offence.

Procedure in
respect of suits
against the
Commission

27 **46.-(1)** Subject to the provision of section 174 of the Constitution of
28 the Federal Republic of Nigeria, 1999 (as amended), legal officers of the
29 Commission shall have power to institute and undertake any criminal
30 proceedings arising from a violation of any of the provisions of this Bill and to

1 defend the Commission against civil suit arising from the implementation of
2 the provisions of this Bill or its subsidiary legislation.

3 *[CFRN, 1999]*

4 (3) Notwithstanding anything contained in any other enactment or
5 law, no suit shall lie or be instituted in any court against:

6 (a) the Commission;

7 (b) a member of the Board;

8 (c) or any employee of the Commission; for any act done in
9 pursuance or execution of any law, public duty of the Commission, or in
10 respect of an alleged neglect or default in the execution of this Bill, such law,
11 duty or authority unless it is commenced within three months next after the
12 act ceased.

13 (3) No suit shall be commenced against the Commission before the
14 expiration of a period of one month after written notice of intention to
15 commence the suit shall have been served upon the Commission by the
16 intending plaintiff or his agent and the notice shall explicitly state the:

17 (a) cause of action;

18 (b) particulars of the claim;

19 (c) name and place of abode of the intending plaintiff; and

20 (d) relief which he seeks.

21 (4) Subject to the provisions of this Act, the provisions of the
22 Public Officers Protection Act shall apply in relation to any suit instituted
23 against an official or employee of the Commission.

24 *[CAP. P41, LFN]*

25 **47.** The notice under clause 46 of this Bill or any other notice,
26 summons, process, or other document required or authorized to be served
27 upon the Commission under the provisions of this Bill or any other law or
28 enactment, may be served by delivering same to the Chairman or the
29 Executive Secretary of the Commission, or by sending it by registered post
30 addressed to the Executive Secretary at the headquarters of the Commission.

Service of
Documents

Restriction on execution against the property of the Commission	1	48. Subject to the consent of the Attorney-General of the Federation,
	2	no execution or attachment or process in the nature thereof shall be issued
	3	against the Commission in respect of an action or suit against the Commission
	4	but the sums of money which by judgment of the court is awarded against the
	5	Commission shall be paid from the funds of the Commission.
Indemnity of Board Members and Employees of the Commission	6	49. A Board member, agent, auditor or employee for the time being of
	7	the Commission shall be indemnified out of the assets of the Commission
	8	against any liability incurred by him in defending any civil or criminal
	9	proceeding where such proceeding is brought against him in his capacity as a
	10	member of the Board agent, auditor or employee.
Delegation of Functions	11	50. -(1) The Board may delegate any of its functions or duties under
	12	this Bill to a standing or ad-hoc committee of the Commission, the Chairman of
	13	the Board or the Executive Secretary, as the case may be.
	14	(2) Nothing contained in sub clause (1) of this clause shall preclude
	15	the exercise by the Board of any of the functions or duties delegated by it to the
	16	standing or ad-hoc committee, the Chairman or the Executive Secretary.
Power to make Regulation	17	51. -(1) The Commission may make regulation in relation to any
	18	matter under this Bill.
	19	(2) The Commission may also make and publish Guidelines on any
	20	matter for which this Bill has made express provisions and such other matters
	21	as are necessary for giving full effect to the provisions of this Bill and for their
	22	due administration.
Regulatory Review	23	52. The Commission may when it deems necessary, review
	24	Guidelines or Regulations made under this Bill that are in effect at the time of
	25	the review, and may in the process modify, vary or repeal any such Guidelines
	26	or Regulations:
	27	(a) which may no longer be relevant in the existing context of the
	28	Nigerian University System;
	29	(b) which may no longer be necessary in the national Interest;
	30	(c) which may no longer be necessary to ensure the objects of this Act

1 or its subsidiary legislation; or

2 (d) for any other reason the Commission may consider necessary
3 for giving full effect to the provisions of this Bill and for its due
4 administration.

5 **53.** The Federal High Court shall have exclusive jurisdiction over Jurisdiction
6 all matters or suits arising out of or under this Bill or its subsidiary
7 legislation.

8 **54.**-(1) The National Universities Commission Act, Cap. N81, Repeal and
9 Laws of the Federation of Nigeria, is repealed. Savings

10 *[CAP. N81, LFN]*

11 (2) Any subsidiary legislation made pursuant to the Bill repealed
12 under sub clause (1) of this clause shall in so far as it is not inconsistent with
13 any provision of this Bill, remain in operation until revoked or replaced by
14 subsidiary legislation made under this Bill.

15 (3) The rights, interests, obligations and liabilities of the
16 Commission, existing before the commencement of this Bill under any
17 contract or instrument, or in law or in equity shall by virtue of this Bill be
18 deemed to have been preserved, assigned and vested in the Commission
19 established by this Bill to the extent that they are not inconsistent with any
20 provisions of this Bill.

21 (4) Any contract or instrument under sub clause (3) of this clause
22 shall be of the same force and effect against or in favour of the Commission
23 established by this Bill and shall be enforceable as fully and effectively as if
24 instead of the Commission existing before the commencement of this Bill,
25 the Commission established by this Bill had been named therein or had been
26 a party to it provided that such contract or instrument is not inconsistent with
27 any of the provisions of this Bill.

28 (5) The Commission established by this Bill shall be subject to all
29 the obligation and liabilities to which the Commission existing before the
30 commencement of this Bill was subject immediately before such

	1	commencement.
Interpretation	2	55. In this Bill:
	3	"academic programme" means an approved academic programme run in a
	4	Nigeria University;
	5	"academic units" includes departments, faculties, schools, colleges, institutes,
	6	centres and any such academic divisions in the universities at the postgraduate,
	7	undergraduate, pre-degree and non-degree levels;
	8	"accreditation" means a system for recognising educational institutions and
	9	programmes offered in institutions or other degree-awarding institutions for a
	10	level of performance, integrity and quality which entitles them to the
	11	confidence of the educational community, the public they serve and employers
	12	of labour;
	13	"authorized officer" means any officer authorized by, or acting under the
	14	authority of the Commission;
	15	"Board" means the Governing Board of the Commission established under
	16	clause 5 of this Bill;
	17	"Board member" means a member of the Governing Board of the National
	18	Universities Commission, including the Chairman;
	19	"Chairman" means the Chairman of the Governing Board of the National
	20	Universities Commission;
	21	"Commission" means the National Universities Commission established
	22	under section 3 of this Act;
	23	"Executive Secretary" means the Executive Secretary of the National
	24	Universities Commission, appointed pursuant to section 12(1) of this Act; and
	25	"Minister" means the Minister charged with responsibility for tertiary
	26	education.
Short Title	27	56. This Bill may be cited as the National Universities Commission
	28	Bill, 2019.

1 FIRST SCHEDULE

2 *[Clause 5(5)]*

3 SUPPLEMENTARY PROVISIONS RELATING TO THE COMMISSION

4 *Proceedings of the Governing Board*

5 1. Subject to the provisions of this Bill and section 27 of the
6 Interpretation Act, which provides for the decisions of a statutory body to be
7 taken by a majority of its members and from the Chairman to have a second
8 or casting vote, the Board may make standing orders regulating its
9 proceedings or that of any of its Committees.

10 *[CAP. 123, LFN]*

11 2. The Chairman shall preside at every meeting of the Board and
12 where the Chairman is unable to attend a particular meeting, the board
13 members present at the meeting shall elect one of their members to preside at
14 the meeting.

15 3. The quorum at a meeting of the Board shall consist of the
16 Chairman or, in an appropriate case, the person presiding at the meeting
17 pursuant to paragraph 2 of this Schedule, and five other board members of
18 whom at least two shall be members appointed pursuant to paragraphs (b)
19 and (c) of clause 5(2) of this Bill.

20 4. The Board shall meet to transact its business pursuant to this
21 Bill whenever it is summoned by the Chairman or where so required by
22 notice given to him by not less than four other board members specifying
23 amongst others, an agenda for the meeting.

24 5. The Chairman shall summon a meeting of the Board that shall
25 be held within fourteen days from the date on which the notice under
26 paragraph 4 of this Schedule is served on him to discuss the items specified
27 in the notice, provided that the Board shall for the purposes of this Act, meet
28 not less than four times and not more than eight times in any calendar year.

29 6. A board member who directly or indirectly has an interest of a
30 personal nature including but not limited to financial interests in any matter

1 being deliberated upon by the Board, or is personally interested in any contract
2 or approval or investigation made or proposed to be made by the Commission
3 shall, so soon as after the facts of the matter of his interests have come to his
4 knowledge, disclose his interest and the nature thereof at a meeting of the
5 Board.

6 7. A disclosure under paragraph 6 of this Schedule shall be recorded
7 in the minutes of the meeting of the Board and the member concerned:

8 (a) shall not, after the disclosure, take part in any deliberation or
9 decision of the Board or vote on the matter; and

10 (b) shall be excluded for the purposes of constituting a quorum of any
11 meeting of the Board for any deliberation or decision, with regard to the subject
12 matter in respect of which his interest is disclosed.

13 *Committees*

14 Subject to its standing orders, the Board may appoint such number of standing
15 or ad-hoc committees as it may think fit to consider and report on any matter
16 with which the Board is concerned.

17 Every Committee appointed under the provisions of sub-paragraph (1) of this
18 paragraph of this Schedule shall be presided over by a member of the Board and
19 shall be made up of such number of persons, not necessarily members of the
20 Board, as the Board may decide in each case.

21 (3) The quorum of any committee set up by the Board shall be as may
22 be determined by the Board.

23 (4) The decisions of a committee of the Board shall be of no effect
24 until it is ratified by the Board.

25 9. Where standing orders made pursuant to sub-paragraph 1 of
26 paragraph 8 of this Schedule provide for a committee of the Board to consist of,
27 or co-opt persons who are not board members, the committee may advise the
28 Board on any matter referred to it by the Board.

29 *Miscellaneous*

30 10. The fixing of the seal of the Commission shall be authenticated by

1 the signature of the Chairman of the Board or of the Executive Secretary of
2 the Commission.

3 11. Any contract or instrument which, if made by a person not
4 being a body corporate, would not be required to be under seal, may be made
5 or executed on behalf of the Commission by the Executive Secretary or by
6 any other person generally or specially authorized to act for that purpose by
7 the Commission.

8 12. Any document purporting to be a contract, instrument or other
9 document duly signed or sealed on behalf of the Commission shall be
10 received in evidence and, unless the contrary is proved, be presumed
11 without further proof to have been so signed or sealed.

12 13. The validity of any proceedings of the Board or a committee
13 shall not be affected by any:

14 (a) vacancy in the membership of the Board; or

15 (b) defect in the appointment of a board member or member of a
16 committee.

17 14. A member of the Governing Board or a committee of the Board
18 shall be personally liable for any act or omission done or made in good faith
19 while engage in the business of the Commission.

20 SECOND SCHEDULE

21 *[Clause 7(3); 10(1)(e); 14(3)]*

22 *Conflict of Interest*

23 1. Subject to the provisions of this schedule, a Board member or
24 staff of the Commission shall not have a direct or indirect financial interest
25 or investment in any private university in Nigeria throughout the tenure of
26 his office or employment with the Commission.

27 2. Subject to paragraphs 3 and 4 of this schedule, a board member
28 or staff of the Commission shall on an annual basis present a written
29 declaration affirming the non-existence of any such interest as is specified in
30 paragraph 1 of this Schedule and shall pledge to disclose and inform the

1 Commission of any such relationship or interest that arises or is likely to arise
2 during his tenure or employment with the Commission.

3 3. Serving board members and staff of the Commission as at the
4 commencement of this Bill, shall be entitled to a maximum of 6 months from
5 the said commencement date within which to divest themselves of their direct
6 or indirect financial interests or investments in any private university in
7 Nigeria, if any.

8 4. All newly appointed board members and staff of the Commission,
9 shall after the commencement of this Bill, be entitled to a maximum of 6
10 months from their respective dates of appointments, within which to divest
11 themselves of their direct or indirect financial interests or investments in any
12 private university in Nigeria.

13 5. A board member or staff of the Commission shall declare on
14 appointment or at the commencement of employment and annually thereafter,
15 for as long as he serves the Commission, any interest or investment that he has
16 or knows any member of his immediate family to have, in any aspect of the
17 Nigerian Private University system.

18 6. Where a board member or staff of the Commission contravenes the
19 provisions of paragraphs 1 and 2 of this Schedule, or gives false information
20 under paragraph 5 of this Schedule, he commits an offence and is liable on
21 conviction, to a fine not exceeding one hundred thousand naira N100,000 or
22 imprisonment for a term not exceeding one year or both fine and imprisonment.

23 7. Subject to paragraph 8 of this Schedule, the Board may from time
24 to time waive the application of the prohibitions specified in paragraphs 1 and 2
25 of this schedule to a board member or staff of the Commission where the Board
26 determines that the financial interest of the relevant person is not of a material
27 nature or is minimal.

28 8. The Board shall, in determining whether or not the interest of a
29 board member or staff of the Commission is minimal or not of a material
30 nature, consider factors including but not limited to the following:

1 (a) the revenues, investments, profits and managerial efforts of the
2 relevant university or other institution in regard to its teaching, research,
3 development" activities compared with other aspects of the university's or
4 such institution's affairs;

5 (b) the extent to which the Commission regulates and oversees the
6 activity of such university or institution;

7 (c) the degree to which the economic interests of such university or
8 other institution may be affected by an action of the Commission; and

9 (d) the perception held or likely to be held by the public regarding
10 the relevant person's financial interest or investment in that university or
11 other institution.

12 9. The Board may at any time review and reverse its determination
13 under paragraph 7 of this Schedule and direct the application of the
14 prohibitions contained in this Schedule to the affected board member or staff
15 of the Commission and the Board need not disclose the reason or basis for its
16 review to the affected Board member or staff of the Commission.

17 10. In any case in which the Board exercises the waiver of
18 authority or the review thereof as specified in paragraphs 7 and 9 of this
19 Schedule, the Commission shall so soon thereafter publish the details
20 thereof and such publication shall include information regarding the identity
21 of the person who has been granted the waiver or whose waiver grant has
22 been reviewed, the position held by such person and, the nature of the
23 financial interest which are the subject of the waiver or the review.

EXPLANATORY MEMORANDUM

This Bill seeks to repeal the National Universities Commission Act, Cap. N81 Laws of the Federation of Nigeria, 2004 and enact the National Universities Commission Act for the purpose of establishing the National Universities Commission to reform the Nigerian University System in line with modern realities and international best practices.

JURY BILL, 2019

ARRANGEMENT OF SECTIONS

Sections:

1. Establishment
2. Qualification of members
3. Appointment of member
4. Oath of office
5. Tenure of appointment
6. Vacancy of member
7. Functions
8. Adoption of Head Jury
9. Special Jury
10. Termination of Appointment
11. Remuneration
12. Code of conduct conformity
13. Interpretation
14. Short Title

A BILL

FOR

AN ACT TO ESTABLISH A JURY WITHIN THE NIGERIA JUDICIAL SYSTEM
AND FOR RELATED MATTERS

Sponsored by Hon. Francis Charles Uduyok

[] Commencement

ENACTED by the National Assembly of the Federal Republic of
Nigeria as follows:

1 **1.** There shall be established for each State of the Federation and Establishment
2 for the Federal Capital Territory (FCT) a body to be known as the JURY (in
3 this Bill referred as "the JURY") to be applicable to the Supreme Court of
4 Nigeria, Courts of Appeal, Federal High Courts, High Court of the Federal
5 Capital Territory, State High Courts and Election Tribunals.

6	2.-(1) An interested applicant shall be qualified to be appointed as a	Qualifications for Member of Jury
7	member of the jury if:	

(a) Such person has been called to the Nigerian Bar for such number of years subject to approval (from time to time) by the National Judicial Council (NJC) regarding the Supreme Courts, Courts of Appeal, Federal High Courts and High Courts of the Federal Capital Territory;

(b) Such person has been called to the Nigerian Bar for such number of years subject to the approval (from time to time) by the Judicial Service Commission (JSC) of each state in respect of every high Court.

15 (2) (a) such person is a Nigerian;

16 (b) qualified to practice law in Nigeria having been called to the
17 bar;

18 (c) Someone who has obtained an NYSC discharge certificate or
19 exemption from same (other relevant qualifications may be an added
20 advantage);

21 (d) of an unquestionable character.

Appointment of Member	1	3. Any person may upon application be appointed as a member if:
	2	(a) His or her application for such position has been scrutinized and
	3	approved by National Judicial Council (NJC) and appointed by the Chief
	4	Justice of Nigeria (CJN) as regards the Supreme Court, Courts of Appeal,
	5	Federal High Courts and High Court of the Federal Capital Territory;
	6	(b) His or her application for such positron has been scrutinized and
	7	approved by Judicial Service Commission (JSC) in regards to state High
	8	Courts.
Oath of Office	9	4. Any member upon appointment into the JURY shall be sworn on
	10	oath which will be conducted by the C.J.N as regards federal level while the C.J
	11	of each state conducts same for the state level or by any other officer
	12	respectively assigned by him to do so.
Tenure of a Member	13	5. A person shall remain appointed as a member for ten (10) years and
	14	may be re-appointed as a member for another period of four years and no more.
Vacancy	15	6. Where there is vacancy in the office of a member as shown in the
	16	schedule hereinafter, such vacancy should be filled within two months after
	17	same.
Functions	18	7. A member so appointed shall have such functions to:
	19	(1) Analyse issues raised in motions and produce a ruling which may
	20	be read in court by the juror court itself;
	21	(2) Analyse issue raised in preliminary objections (P.O) and produce a
	22	ruling which may be read in court by the juror or court itself;
	23	(3) Analyse issues in bail application and produce a ruling which may
	24	be read in court the juror or court itself;
	25	(4) Analyse any other relevant application and produce a ruling the
	26	furtherance of the substantive suit;
	27	(5) visit the locus (jointly or jointly and serially) being the subject
	28	matter thereof in other to make their own findings of facts;
	29	(6) Unless otherwise stated, the Jury do not have power to sentence
	30	and accused found guilty in criminal cases, likewise they do not have powers in

1	awarding damages in civil cases;	
2	(7) Carry out any other function(s) from time to time directed by	
3	the NJC or JSC respectively.	
4	8. Member appointed as Jury shall adopt someone from same to be	Adoption of
5	their head or presiding juror in every three years.	Head Jury
6	9. Whenever necessary and applicable, the C.J.N or C.J may select	Special Jury
7	from an existing jury, required number of persons to assist with their	
8	functions in Election matters / Tribunals.	
9	10. The appointment of a Member shall be terminated:	Termination of
10	(a) In the manner and circumstances in section 4 of this bill and	Appointment
11	shall be given severance package approved by the National Salaries Income	
12	and Wages Commission;	
13	(b) Where such person commits any form of gross misconduct,	
14	fraud, embezzlement, bribery as the case may be notwithstanding whether	
15	or not the period of appointment has elapsed.	
16	11. A member is entitled to be paid monthly salary(s) and other	Remuneration
17	allowances approved by the commission in section 10 (1) above.	
18	12. Every Member shall observe and conform to the provisions of	Code of Conduct
19	Code of Conduct as contained in the Constitution.	
20	13. In this Bill:	Interpretation
21	"Bar" - means persons qualified to be addressed as barristers and solicitors;	
22	"Code of Conduct" - refers to the manner as applicable in the Fifth Schedule	
23	of the 1999 Constitution (as amended).;	
24	"Court" - means Supreme Court of Nigeria, Appeal Courts, Federal High	
25	Courts, High Courts of the Federal Capital Territory and High Courts of each	
26	State;	
27	"Constitution" - means constitution of the Federal Republic of Nigeria 1999,	
28	as amended.	
29	"Federation" - means Federal Republic of Nigeria;	
30	"Juror" - means a person serving in a jury panel;	

	1	"Jury" - means a group of persons selected and appointed by law and given the
	2	power to decide questions of facts and return a ruling or verdict to a judge or
	3	justice as the case may be;
	4	"Members" - means persons appointed into the Jury;
	5	"Misconduct" - means any form of unlawful or improper behavior;
	6	"Presiding juror" - means the head of all the jurors;
	7	"State" - means each state of the Federal Republic of Nigeria;
	8	"Special jury" - means jurors selected from already existing members by the
	9	chief justice of Nigeria regarding the federal level or chief Judge of each state
	10	regarding the state level.
Short title	11	14. This Bill may be cited as the Jury Bill, 2019.

EXPLANATORY NOTE

This Bill seeks to introduce a Jury System in the Nigerian Judicial System to conform to international best practices and to address the issues of misconducts, influential acts within the judiciary.

SCHEDULE**MEMBERS OF THE JURY:**

COURT	NO OF JURY MEMBERS	SITTING / QUORUM
Supreme Court	Not more than Twelve (12)	Six (6) members
Court of Appeal	Not more than Ten (10)	Five (5) members
Federal High Court	Not more than Seven (7)	Four (4) members
High Court of the Federal Capital Territory	Not more than Seven (7)	Four (4) members
State High Court	Not more than Seven (7)	Four (4) members
Election tribunal	Not more than Eight (8)	Five (5) members

A BILL

FOR

AN ACT TO REPEAL THE FIRE SERVICE ACT NO.11 OF 1963 AND TO PROVIDE FOR THE ESTABLISHMENT OF THE FIRE AND RESCUE SERVICE IN THE FEDERATION AND PROVIDE AMONGST OTHER THINGS FOR THE ORGANISATION, DISCIPLINE, POWERS AND DUTIES OF THE FEDERAL FIRE AND RESCUE SERVICE AND FOR RELATED MATTERS

Sponsored by Hon. Dachung Musa Bagos

[] Commencement

BE IT ENACTED by the National Assembly of the Federal Republic of Nigeria as follows:

1 PART I - ESTABLISHMENT OF THE FIRE SERVICE

2 **1.** There shall be established in the Federation a Fire and Rescue
3 Service to be hereinafter known as the as the "Fire Service". Establishment of
the Fire Service

4 **2.** The general duties of the Fire Service shall include to: General Duties
5 (a) Provide safety standards for the regulation of fire fighting and of the Fire Service

6 management of rescue operations;

7 (b) To extinguish, control and prevent fire out breaks as well as
8 saving and protection of life and property and for such other humanitarian
9 and other works as may be required of them under the authority of the
10 minister;

11 (c) Prescribe and monitor standards for the promotion of fire
12 education, fire prevention, safety, mitigation and fire investigation;

13 (d) Establish a National Fire Academy to meet the training
14 requirements of fire fighters and rescuers;

15 (e) Co-ordinate all national emergencies and rescue operations in
16 the fire sector;

17 (f) Prevent and control fire outbreak;

18 (g) Ensure adequate fire prevention and protection in all buildings;

1 (h) Ensure adequate management of Hazardous materials nation-
2 wide;

3 (i) Prescribe general guidelines for the Ministries, Departments and
4 Agencies, State, Local Government Council and Private Fire Services to
5 operate in Nigeria;

6 (j) Issue fire safety permit, Certificate and licence for public building
7 designs and plans, and other structures and enforce compliance with the
8 requirement for insurance of Public buildings as provided in the insurance Act
9 and carry out inspection to ensure compliance;

10 (k) Enforce the National Fire Safety Code at the Federal level and
11 ensure compliance by the States and Local Governments;

12 (l) Do all things which by this Act or any other enactment are required
13 or permitted to be done by the Fire Service; and

14 (m) Do such activities and all things it considers necessary or
15 incidental to its functions under this Act and carry out such other activities as
16 are necessary and expedient for the full discharge of any of its functions under
17 or pursuant to this Act.

18 PART II - PRINCIPAL OFFICERS, OTHER STAFF, CONSTITUENT BODIES

19 AND AUTHORITIES OF THE FIRE SERVICE

20 **3.** The Principal Officers of the Fire Service shall consist of:

21 -(1) The Controller General; and

22 (2) such number of:

23 (a) Deputy Controller Generals and Assistant Controller Generals,
24 and Zonal Commanders as the Board may consider necessary; and

25 (b) such other Fire & Rescue Marshals of such ranks as may from time
26 to time be employed to perform the functions of the Fire Service.

Responsibility
of the Controller
General

27 **4.** The Fire Service shall be under the command of the Controller
28 General, who subject to the general orders and directions of the Minister shall
29 be responsible to the Minister for the efficient administration and government
30 of the Fire Service.

- 1 **5.-(1)** The Fire Service shall be headed by a Controller General Appointment of
2 who shall be appointed by the President, Commander in-Chief of the Armed the Controller
3 Forces, on the recommendation of the Honourable Minister to carry out the General
4 functions and duties assigned to him under this Act subject to compulsory
5 retirement of 35 years of service or 60 years of age.
- 6 (2) The President may, at any time, remove the Controller General
7 from office if in his opinion it is in the interest of the Fire Service or of the
8 Nation for him to be removed from office.
- 9 (3) The Controller General shall:
- 10 (a) be the chief executive and accounting officer of the Fire
11 Service;
- 12 (b) possess experience as specified in the scheme of service;
- 13 (c) possess a minimum of twenty years (20) post
14 graduation/cognate experience, such experience not being less than that
15 required for the post of the Controller General of similar paramilitary
16 organisations or its equivalent in any other part of the world;
- 17 (d) be responsible for the day-to-day administration of the Fire
18 Service.
- 19 **6.** The Controller General shall be responsible for ensuring: General Duty of
20 (a) the day to day administration of the Fire Service; the Controller
21 (b) the appointment of Officers to carry out the functions of the General
22 Fire Service;;
- 23 (c) he establishes programmes for the prevention, reduction and
24 elimination of all kinds of fire hazards and the provision of an effective
25 programme for public enlightenment, awareness and education on fire
26 safety and prevention throughout the Federation;
- 27 (d) measures are taken to enable the Fire Service perform its
28 functions under this Act;
- 29 (e) discipline is maintained within the rank and file of the Fire
30 Service.

	1	(f) he advises the Minister on all issues pertaining to the Fire Sector
	2	and render any other services as may be required by the Minister.
Appointment of Deputy Controller General	3	7. There shall be appointed for the Fire Service such number of
	4	Deputy Controller Generals as may be recommended from time to time by the
	5	Board.
	6	(1) The most senior Deputy Controller General shall be:
	7	(a) the second in command of the Fire Service and shall, in the
	8	absence of the Controller General, exercise any power conferred or perform
	9	any duty imposed on the Controller General; and
	10	(b) a person with the requisite qualifications and cognate experience
	11	for the post as specified in the scheme of service.
	12	(2) The Deputy Controller General shall hold office on such terms and
	13	conditions as are specified in his letter of appointment.
Appointment of other Staff of the Fire Service	14	8.-(1) The Board shall employ for the Fire Service such number of
	15	personnel as may, in the opinion of the Board be expedient or delegate such
	16	function as deemed fit for the proper and efficient performance of the functions
	17	of the Fire Service.
	18	(2) The terms and conditions of Service of personnel of the Fire
	19	Service shall be as contained in their letter of appointment.
Zones and Zonal Commands of the Fire Service	20	9.-(1) The Board shall-
	21	(a) divide Nigeria into such number of Zones as it may , from time to
	22	time determine for the effective organization of the Fire Service; and
	23	(b) establish, in each zone a zonal command.
	24	(2) the Zonal Command Shall, subject to the direction and overall
	25	command of the Fire service , be responsible for coordinating the activities of
	26	the Fire Service in the zone.
	27	(3) The Zonal command shall be headed by a Zonal Fire & Rescue
	28	Marshal who shall be appointed by the Controller General of the Fire Service
State Command	29	10.-(1) The Fire Service shall have a state command in each state of
	30	the federation and the Federal Capital Territory, Abuja.

1 (2) The state Command shall, subject to the direction and overall
2 command of the Fire Service and the Zonal Command, be responsible for
3 carrying out the functions of the Fire Service the state and Federal Capital
4 Territory, Abuja.

5 (3) The State Command shall be headed by a State Fire & Rescue
6 Marshal who shall be appointed by the Controller General of the Fire
7 Service.

8 (4) The State Fire & Rescue Marshal Shall promote public health,
9 provide safety as well as reduce all kind of hazards to life and property
10 within the state command.

11 11. -(1) to ensure that the officers of the Fire Service Carry out
12 inspection of premises, and shall every six (6) months carry out fire
13 integrity test for all fire safety installations within any private and public
14 buildings, structures and/or premises;

Duties of a
State Fire & Rescue
Marshal shall be

15 (2) to enforce compliance with the mandatory fire insurance of
16 public and private buildings and structures that are four (4) floors and
17 above, and to ensure full compliance with the National Fire Safety Code;

18 (3) to Seal up any unsafe premises and/or any premises that fails to
19 comply with the required fire integrity test and insurance policy on private
20 and public buildings and shall ensure that such premises remain sealed until
21 full compliance with all the mandatory requirements are met by such
22 defaulter;

23 (4) Conducting or participating in investigation of causes, origin
24 and circumstances of fires including cases of possible arson and other
25 related hazards;

26 (5) Prescribing a uniform system of reporting fires, their causes
27 and effects;

28 (6) Impounding necessary evidence in conjunction with
29 investigations of causes, origins and circumstances of fires, in the event that

1 such evidence might be lost, destroyed or otherwise altered if not so
2 impounded.

3 (7) the utilization, promotion and expansion of research equipment
4 surveys and studies by private and public institutions, and organizations
5 concerning causes ,effects, extent , prevention, reduction and elimination of
6 fire hazards in all forms and such other matters related to fire safety and
7 prevention as he may from time to time determine to be necessary and useful;

8 (8) the Conduct of public investigation into the origin, causes,
9 circumstances and extent of any fire incident or hazard; and the violation of any
10 section of this Act , National Fire Safety Code or any other enactment for the
11 time being in force; and

12 (9) He shall issue a Fire Certificate in any construction site before an
13 Architect's Completion Certificate may be issued for the completion of any
14 building Structure which is above four (4) floors.

Power of
Controller
General to
delegate

15 **12.** The Controller General may delegate any of his powers or duties
16 under the Act to any officer of the Fire Service and the delegated powers may
17 be exercised subject to the matters or class of matters specified in the
18 instrument of delegation.

The Board

19 **13.** There shall be an administrative board whose functions shall be
20 as set out in the schedule to this Act.

Directives of
the President

21 **14.** The president may give directives of a general or specific
22 character to the Fire Service relating to the performance by the Fire Service of
23 any or all of its functions under this Act or the policy to be followed by the Fire
24 Service in the exercise of its functions, the Fire Service shall comply with and
25 give effect to such directives.

Powers of the
Minister

26 **15.** The Minister's powers shall include power:

27 (i) to make regulations for the reduction of fire outbreaks and related
28 emergencies in the country through regular review of the National Fire Safety
29 Code;

30 (ii) to provide accommodation for the Fire Service and its equipment,

1 including housing and other accommodation for members of the Fire
2 Service and furniture reasonably required for such accommodation;

3 (iii) to provide efficient arrangements for ensuring that reasonable
4 steps are taken to prevent or mitigate damage to property resulting from
5 measures taken in dealing with fires;

6 (iv) to employ the Fire Service, or use any of the equipment
7 maintained by it, for purposes other than fire-fighting for which it appears to
8 the Minister to be suitable and, if the Minister deems fit, to make such charge
9 as he may prescribe for any service rendered in the course of such
10 employment or use; and

11 (v) to pay persons not being members of the Fire Service
12 maintained in pursuance of this Act who render services for firefighting
13 purposes, such rewards as the Fire & Rescue Marshal deems fit.

14 **16.-(1)** There shall be established a body to be known as the
15 National Council on Fire (in this Act referred to as “the Council”).

Establishment of
the National
Council on Fire
& Rescue

16 (2) The Council shall be composed of:

17 (a) the Minister, who shall be the chairman;

18 (b) the state commissioners of Ministries in charge of Fire
19 Services;

20 (c) the Director General of the National Emergency Management
21 Agency;

22 (d) Controller General of the Federal Fire Service.

23 (e) National Insurance Commissioner

24 (f) Legal Adviser, Ministry of Interior who shall be Secretary of the
25 council.

26 (3) The Controller General shall provide the secretariat for the
27 Council.

28 **17.** The functions of the Council shall include to:

Functions of the
Council

29 (a) formulate generally, National Fire Policy and regularly update
30 the National Fire Safety Code;

1 (b) advise the federal, state or any local Government on matters
2 affecting fire safety delivery in the country;

3 (c) review on a regular basis the preparedness of the Fire Services in
4 the country for emergency response;

5 (d) set out scale of charges permitted under this Act for any services
6 rendered by the Fire Service and /or Levies payable by any person or
7 organization;

8 (e) To make regulations requiring the owners of multiple dwellings,
9 Cinemas, Theatres, office buildings and other such ,structures or places to
10 which public resort from time to time to take such precaution for the safety
11 against fire hazards of the tenants or occupiers, invitees or other users of such
12 buildings structures or places as contained in this Act and enshrined in the
13 National Safety Code; and

14 For this purpose the council may classify such buildings structures and places
15 into different categories and each such category may be subject to different
16 safety requirements hereunder; and further for such purposes hereof the
17 Council may empower the Controller General to limit the number of persons
18 occupying or using such buildings structures or places at anytime require the
19 owners or users to install such fire fighting equipments of such standard as the
20 Council may prescribe and generally to regulate and impose levies and fine on
21 the users of such buildings, structures or places;

22 (f) make regulation in respect of prohibition or control of the use of in
23 erection ,alteration, improvement or repair of any building or other structure,
24 or materials deemed by the council to constitute a fire hazard ;or of the use of
25 any materials in the erection, alteration, improvement or repair of any building
26 or other structure which materials ,because of its location or proposed location
27 or otherwise, the council considers it to constitute hazards to lives and
28 properties of adjoining buildings structures or places;

29 (g) Prescribing the type of signals, audible or visual to be used on fire
30 engines or other mobile fire fighting equipments;

1 (h) perform such other functions in the opinion of the Council
 2 required to ensure optimal performance of the Fire Service & Rescue nation-
 3 wide.

4 **18.-(1)** There shall be established a Disaster Response Centre in
 5 each of the Zonal Commands (in this Act referred to as “DRC”). The DRC
 6 shall be the primary point of response to National Disasters in the respective
 7 Zonal Commands.

Establishment of
the Disaster
Response Centres

8 (2) The DRC shall be under the direction and command of the
 9 Zonal Fire & Rescue Marshal.

10 **19.** The functions of the DRC shall include to:

Functions of the
Disaster Response
Centres

11 (a) work in conjunction with the National Emergency
 12 Management Agency in the respective zonal command in formulating
 13 strategies for adequate emergency preparedness and rescue operations;

14 (b) assess and ensure adequate training of the fire department
 15 personnel in the States, Local Governments and Private Fire Service outfits
 16 in the zones;

17 (c) have the responsibility of coordinating the Fire Services and
 18 rescues within the zone during a National disaster; and

19 (d) ensure the enforcement of any Fire Safety legislation and the
 20 National Fire Safety Code;

21 (e) any other function as may be prescribed by the Controller
 22 General of the Fire Service and which may be of a general or specific
 23 character relating to the performance by the its functions under this Act or
 24 the policy to be followed by the Fire Service in the exercise of its functions.

25 PART III - FINANCIAL PROVISIONS

26 **20.-(1)** The Funds of the Fire Service shall consist of:

Funding of the
Fire Service

27 (a) Such funds as budgetary allocations, trust funds, subventions,
 28 grants-in-aid and loans as may, from time to time, be made by the Federal
 29 Government;

30 (b) such sums or property which may from time to time by way of

	1	loans or grants and gifts ,accrue to the Fire Service from any government, non-
	2	governmental bodies or individuals; and
	3	(c) other monies received by the Fire Service which may in anyway,
	4	become payable to or vested in the Fire Service by way of gifts, grants –in –aid
	5	and testamentary disposition.
	6	(2) The Fire Service shall keep proper accounts, in a form which
	7	conforms to accepted commercial standards ,of its receipts, payments , assets,
	8	and liabilities and shall submit the accounts annually , for auditing by a
	9	qualified auditor from the list of auditors supplied by the Auditor-General of
	10	the Federation.
Expenditure of the Fire Service	11	21. The Fire Service may from time to time, apply its funds to-
	12	(a) The General administration of the Fire Service;
	13	(b) the payments of salaries, allowances and other emoluments and ,
	14	accruing to the members and staff of the Fire Service;
	15	(c) Expenses of the Council of the Fire Service as may be duly
	16	approved by the Council;
	17	(d) Acquire maintain any property for the use of the Fire Service; and
	18	(e) any other expenses that are necessary for the staff welfare or for
	19	carrying into effect the provisions of this Act.
Fire Service Maintenance Fund	20	22. In accordance with Section 64 of the Insurance Act and
	21	Regulation 2003:
	22	(1) 0.25% (or as may be reviewed) of the net premium received by
	23	every direct insurer on policies shall be paid quarterly into a Fire Service
	24	Maintenance Fund to be jointly administered by the National Insurance
	25	Commission and the Fire Service.
	26	(2) The fund shall be for the purpose of providing grant facility or
	27	equipment to public Fire Services Nation-wide.
Gifts to the Fire Service	28	23.-(1) The Fire Service:
	29	(a) may accept gifts of land, money, or other property on such terms
	30	and conditions, if any, as may be specified by the person or organization

1 making the gifts; and

2 (b) Shall not accept any gift if the conditions attached by the person
3 or organization making the gift are inconsistent with it's functions under this
4 Act.

5 **24.** The Fire Service may, with the consent of the President or in Power to Borrow
6 accordance with the authority of the Federal Government of Nigeria ,
7 borrow by way of loan or overdraft from any source moneys required by the
8 Fire Service to meet its obligations and its functions under this Act, so
9 however that no such consent or authority shall be required by the Fire
10 Service where the sum or aggregate of the sums involved at anytime does
11 not exceed such amount as is for the time being specified in relation to the
12 Fire Service by the federal Government, and shall be in accordance with the
13 Financial Regulations.

14 **PART IV - ORGANIZATION AND ADMINISTRATION**

15 **25.** The Fire Service shall have a paramilitary status and shall Paramilitary
16 operate the harmonized paramilitary salary structure and other conditions of Status of the
17 service. Fire Service

18 **26.** A Fire Marshal who- Discipline of
19 (a) performs his duties in contravention of the objects of the Fire Fire Officers

20 Service ;

21 (b) takes part in any subversive activity, including mutiny and
22 disturbance of public;

23 (c) abets, incites, conceals ,or condones the commission of any
24 offence;

25 (d) takes part in an illegal assembly of persons with intention to
26 breach public peace , destroy property or assault any person or group of
27 persons ;

28 (e) having knowledge that an offence is or any illegal act is about to
29 be committed , fails to inform his superior officer;

Oath by the
employees
Cap. 01 LFN,
2004

Pensions and
Allowances
Cap. P4 LFN
2004

Offences

1 (f) takes part in a strike ; and offers violent assault on his superior
2 office,
3 commits an offence and is liable on conviction to imprisonment for a term of
4 not less than one year.

5 **27.** On the appointment or re-appointment of any person as an
6 employee of the Fire Service, the provisions of the Oaths Act shall apply.

7 **28.**-(1) Service in the Fire Service shall be approved service for the
8 purposes of the Pensions Reform Act and the personnel of the Fire Service shall
9 be entitled to pensions, gratuities and other retirement benefits.

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

13 **PART V - OFFENCES AND PENALTIES**

14 **29.** It is an offence under this Act for any person to:

15 (a) knowingly, use or attempt to pass off any forged or false
16 certificate, character, letter or other document for the purpose of obtaining
17 admission into the Fire Service or knowingly make a false statement, whether
18 orally or in writing while applying for recruitment into the Fire Service;

19 (b) wilfully obstruct, interfere with, assault or resist any personnel of
20 the Fire Service or consultant appointed for the purposes of the Fire Service, in
21 the performance of his lawful duties;

22 (c) aid, abet, invite or induce any other person, to wilfully obstruct,
23 interfere with, assault, or resist any personnel of the Fire Service or consultant
24 appointed for the purposes of the Fire Service in the lawful performance of his
25 duties;

26 (d) wilfully obstruct or delay the passage of any mobile fire and
27 rescue equipment of the Fire Service proceeding to the scene of an emergency;

28 (e) damage or remove any equipment maintained by the Fire Service;

29 (f) if required by the Fire Service without reasonable excuse, fail to:

30 (i) render assistance or release any available equipment, facility or

1 person required for a search and rescue operation or other disaster
2 curtailment activities,

3 (ii) comply with the directive of the Fire Service; or

4 (g) fail to comply with any of the provisions of this act for which no
5 penalty is prescribed or any regulation or order made under this act;

6 (h) fail to comply with any provision of the National Fire Safety
7 Code;

8 (i) pretend, in any way, to be the personnel of the Fire Service or to
9 possess authority from or on behalf of the Fire Service; or

10 (j) put on or assume, either in whole or in part, the dress, name,
11 designation or description of any personnel of the Fire Service.

12 (k) fail to provide information, statistics or returns in respect of fire
13 safety.

14 **30.** Any person who contravenes any of the provisions of Section Penalties
15 29 of this Act shall be liable on conviction in the case of the provisions of:

16 (a) subsection (a) to a fine not less than N500,000.00 or to
17 imprisonment for a term not exceeding three months or both;

18 (b) subsection (b), (c), (d) or (e) to a fine not less than N400,000.00
19 or to imprisonment for a term not exceeding one month or both;

20 (c) subsection (f) to a fine not less than N400,000.00 or to
21 imprisonment for a term not exceeding one month or both;

22 (d) subsection (g) to a fine not less than N400,000.00 or to
23 imprisonment for a term not exceeding three months or both;

24 (e) subsection (b) to a fine not less than N500,000.00 or to
25 imprisonment for a term not exceeding three months or both. The premises
26 shall also be sealed until necessary amendment is carried out.

27 (f) subsection (i) to a fine not less than N500,000.00 or to
28 imprisonment for a term not exceeding three months or both;

29 (g) subsection (j) to a fine not less than N500,000.00 or to
30 imprisonment for a term not exceeding three months or both; and

	1	(h) subsection (k) to a fine not less than N400,000.00 or to
	2	imprisonment for a term not exceeding three months or both.
Jurisdiction	3	31. Jurisdiction over matters arising from this Act shall be as
	4	conferred by law in matters relating to paramilitary establishments, parastatals
	5	and other similar government Agencies.
	6	PART VI - MISCELLANEOUS
National Emergency and Relief of Distress in States	7	32.-(1) Where a national emergency occurs anywhere within the
	8	Federation and the Governor of the State in which the emergency has arisen so
	9	request from the President, the Fire Service shall liaise with the National
	10	Emergency Management Agency to:
	11	(a) co-ordinate the fire services response to the fire emergency.
	12	(b) facilitate the effective use of available logistics within that geo-
	13	political zone: and
	14	(c) do any other thing necessary for the mitigation or control of
	15	disaster.
Commencement	16	(2) For the purposes of this section, “national emergency” includes
	17	any flood, fire, hurricane, earthquake, storm or other catastrophe or disaster in
	18	any part of the Federation which in the view of the Governor for the state is, or
	19	threatens to be, of sufficient magnitude and severity to warrant assistance by
	20	the Fire Service.
Requisition & Compensation	21	33.-(1) Where ever and whenever the Fire Service is present at the
	22	scene of any emergency, it may demand by requisition from any person or
	23	organization, any available equipment, facility or personnel which may assist
	24	in the speedy search and rescue operation and any other form of disaster
	25	curtailment operation.
	26	(2) The Fire Service shall provide compensation for any loss or
	27	damage arising from the use of the equipment, facility or personnel utilized
	28	under this section.
Power of the Incident Command Officer	29	34.-(1) The incident Command Officer of the Fire Service present at
	30	the scene of a national emergency or disaster shall have sole charge and control

1 of all operation by the Fire Service and any Fire authority or fire authorities.

2 (2) The Incident Command Officer in relation to a national
3 emergency means the most senior officer of the Fire Service at the Scene of
4 the emergency.

5 **35.**-(1) A fire officer on duty shall have power at any reasonable Right of a fire
officer
6 time to enter upon any land or property which he has reason to enter, to
7 perform upon the land any function imposed or exercise any power
8 conferred on him by or under this Act, and may also:

9 (i) seal up any premises deemed unsafe for life as may be
10 prescribed by the National Fire Safety Code;

11 (ii) damage, destroy or pull down any property as he may deem
12 necessary to extinguish or limit the spread of any fire;

13 (iii) enter such building and do such acts as he may deem necessary
14 for extinguishing any such fire or for protecting such building or property
15 adjacent thereto from fire or from acts done for firefighting purposes.

16 (2) where a fireman in the discharge of his duty do such acts as
17 provided in subsection (1) (i), (ii) & (iii) of this section, the said act may be
18 reasonably compensated considering the extent of the damage to be
19 determine by an agreement between the parties, or in the absence of such
20 agreement an amount to be determined by arbitration in accordance with the
21 provisions of the Arbitration Act.

22 **36.** The Fire service shall ensure, whenever the circumstance Personal
Protective Gear
23 requires, that:

24 (i) a fire officer of the Fire Service, or in the event of a national
25 disaster, a fire officer of a fire authority or a volunteer fire fighter under its
26 coordination or engaged by it for the mitigation or control of the disaster, is
27 covered from head to toe with fire resistant and other personal protective
28 gear.

29 **37.**-(1) No charge shall be made for any service rendered by the Charges for the
Services of the
Fire Service
30 Fire Service during an emergency.

	1	(2) Charges may be made for services other than services rendered
	2	during an emergency, at rates to be prescribed by the Minister and/or National
	3	Council on Fire & Rescue.
	4	(3) Any such prescribed charges may be sued for and recovered with
	5	full costs of action from the person charged as a debt to the Federal
	6	Government.
Hazard Allowance	7	38. There shall be paid to a Fire & Rescue Marshal a hazard allowance
	8	which shall be:
	9	(a) a certain percentage of his annual salary; and
	10	(b) determined by the Salaries and Wages Commission.
Life Insurance Policy	11	39. The Fire service shall adopt in favour of every Fire & Rescue
	12	Marshal an Accident and Life insurance policy.
Personnel of the Fire Service not to be used for suppressing Civil Disturbances	13	40. The personnel of the Fire Service shall not be employed for the
	14	purpose of prevention, control or suppression of civil commotion, riot or other
	15	civil disturbance save when expressly so authorized by the President.
Disclosure of Information	16	41. The personnel of the Fire Service shall not:
	17	(a) disclose any information obtained in the course of his duties to any
	18	unauthorized person; or
	19	(b) use any such information to his own advantage whether or not for
	20	financial gain.
Public Emergency Civil Service	21	42.-(1) The National Emergency Management Agency, the Fire
	22	Service and the Nigerian Communication Commission (in this Act referred to
	23	as "the commission") shall liaise with each other to establish a functional and
	24	effective public emergency call service for the immediate report of and
	25	response to an outbreak of fire or other emergencies.
	26	(2) Network Operators (in this Act referred to as "the operators") shall
	27	provide toll-free lines in order to ensure a more effective emergency call
	28	service delivery, for use throughout the Federation.
Training of National Youth Corps members	29	43. The Controller General of the Fire Service and the Director-
	30	General of the National Youth Service Corps (NYSC) shall liaise with each

1 other to co-ordinate the activities of the fire authority and National Youth
2 Service Corps (NYSC) program in any locality, in order to ensure that
3 members of the National Youth Service Corps in the locality are:

4 (a) trained in fire prevention and control; and

5 (b) involved in fire safety enlightenment campaigns at the grass-
6 root level.

7 **44.** A person not an employee of the Fire Service may with the
8 approval of the Controller General and on such terms as to non-payment or
9 other-wise as may be prescribed, be admitted to all or part of such training as
10 provided under this Act for the training of personnel of the Fire Service or
11 Fire Authorities.

Fire Training
facilities available
to non-employees

12 **45.** The Controller General shall liaise with the relevant
13 stakeholders in the educational sector in order to include fire prevention and
14 control in the academic curriculum of the primary, secondary and tertiary
15 institutions.

16 **46.** Nothing in this Act shall be construed to exempt the personnel
17 of the Fire Service from being proceeded against by the ordinary course of
18 law when accused of any offence punishable under any other Act or Law.

Ordinary Course
of Law not to be
interfered with

19 **47.-(1)** Subject to this Act the provisions of the Public Officers
20 Protection Act Cap. P41 LPN 2004 shall apply in relation to any suit
21 instituted against any personnel of the Fire Service.

Legal Proceedings

22 (2) Notwithstanding anything to the contrary contained in any
23 other law or enactment, no suit shall lie against the Fire Service or personnel
24 of the Fire Service for any act, neglect or default done in the pursuance or
25 execution of the provisions of this Act or any public duty or authority or in
26 respect of any alleged neglect or default in the execution of the provisions of
27 this Act or such Law or Enactment, duty or authority, or be instituted in any
28 court unless:

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

	1	(b) in the case of a continuation of damage or injury, within six
	2	months next after the ceasing thereof.
	3	(3) No suit shall be commenced against the Fire Service or a
	4	personnel of the Fire Service in his official capacity before the expiration of the
	5	period of one month after a written notice of the intention to commence the suit
	6	shall have been served upon the Fire Service by the intending plaintiff or his
	7	agent.
	8	(4) The notice referred to in subsection (3) of this section shall clearly
	9	and explicitly state the cause of action, the particulars of the claim, the name
	10	and place of abode of the intending plaintiff and the relief which he claims.
Service of Documents	11	48. A notice, summons or other document required or authorized to
	12	be served upon the Fire Service under the provisions of the Act or any other law
	13	or enactment may be served by delivering it to the Minister or by sending it by
	14	registered post and addresses to the Minister or Controller General.
Restriction on execution against property of the Fire Service	15	49. -(1) In any action or suit against the Fire Service, no execution or
	16	attachment of process in the nature thereof shall be issued against the property
	17	of the Fire Service;
	18	(2) Any sum of money which may by the judgment of any court be
	19	awarded against the Fire Service shall, subject to any direction given by the
	20	court where notice of appeal of the said judgment has been given, be paid from
	21	the general reserve of the Fire Service.
Indemnity of Fire Personnel	22	50. The personnel of the Fire Service shall be indemnified out of the
	23	assets of the Fire Service against any proceeding, whether civil or criminal, in
	24	which judgment has been given against him, or in which he is acquitted, if any
	25	proceeding is brought against him in his capacity as an employee of the Fire
	26	Service.
Fire Fighting and Fire Prevention deemed public purposes	27	51. For the purposes of the Land Use Act, fire fighting and prevention
	28	shall be deemed as “public purpose”.
Fire Safety Weeks	29	52. A week in the year shall be declared as “Fire Safety Week” and it

1 shall be observed by every fire authority under the co-ordination of the Fire
2 Service.

3 **53.**-(1) The President may subject to such requirements as he may Decorations,
Medals and
Certificates
4 deems fit institute the awards of decorations, medals and certificates to any
5 member of the fire service including the Controller General for exceptional
6 performance in the discharge of his duty.

7 (2) Such powers as stated in subsection (1) of this section shall be
8 exercised based on the recommendation of the Board.

9 **54.**-(1) The body known as the Fire Service (in this section referred Dissolution of
the existing Fire
Service and
Repeal Act
10 to as the “Dissolved Fire Service”) existing before the commencement of
11 this Act is dissolved.

12 (2) Accordingly, there shall be vested in the Fire Service
13 immediately at the commencement of this Act and without further
14 assurance all assets, funds , resources and other movable and immovable
15 property which immediately before the commencement of this Act were in
16 the dissolved Fire Service;

17 (3) As from the commencement of this Act-

18 (a) all rights , interests, obligations and liabilities of the dissolved
19 Fire Service existing immediately before the commencement of this Act
20 under any contract or instrument or at law or in equity, shall by virtue of this
21 Act be assigned to and vested in the Fire Service;

22 (b) any contract or instrument as mentioned in paragraph (a) of
23 this subsection shall be of the same force and effect against or in favour of
24 the Fire Service and shall be enforceable as fully and effectively as if ,
25 instead of the Dissolved Fire Service , the Fire Service had been named
26 therein or had been a party thereto; and

27 (c) the Fire Service shall be subject to all obligations and liabilities
28 to which the Dissolved Fire Service was subject immediately before the
29 commencement of Act, and all other persons shall, as from the
30 commencement of this Act have same rights, power and remedies against

1 the Fire Service as they had against the Dissolved Fire Service immediately
2 before the commencement of this Act.

3 (4) A proceeding or cause of action pending or existing immediately
4 before the commencement of this Act by or against the Dissolved Fire Service
5 in respect of any right, interest, obligation or liability of the Dissolved Fire
6 Service may be commenced, continued or enforced by or against the Fire
7 Service as if this Act has not been made.

8 (5) Notwithstanding the provision of this Act, but subject to such
9 directions as may be issued by the Fire Service, a person who immediately
10 before the commencement of this Act was a volunteer or regular member of or
11 held office in the Dissolved Fire Service shall be deemed to have transferred to
12 the Fire Service on the terms and conditions not less favorable than those
13 obtained immediately before the commencement of this Act, and service in the
14 Dissolved Fire Service shall be deemed to be in service of the Fire Service for
15 the purposes of Pension.

16 (6) All regular officers of the Fire Service before Dissolution shall
17 retain their ranks and position immediately after this Act takes effect.

18 (7) The Fire Service Act Cap 11, 1963 is hereby repealed.

19 (8) The repeal of the enactment referred to in Sub-section (1) of this
20 section shall not affect anything done or purported to have been done under the
21 repealed enactment.

Interpretation

22 **55.** In this Act:

23 (a) “chairman” means the chairman of the Fire Board appointed under
24 section (10) of the Act;

25 (b) “controller General” means the Chief Executive and Accounting
26 officer of the Fire Service appointed under Section (5) of this Act;

27 (c) “fire Service” means the Federal Fire & Rescue Service;

28 (d) “the Board” means the Civil Defence, Fire Service, Immigration
29 and Prison Board;

30 (e) “fire and Rescue equipment” means a fire engine or appliance,

1 portable equipment and protective equipment necessary for fire fighting,
2 rescue and other humanitarian services;

3 (f) “fire authority” means any State or local authority or other body
4 responsible under any law for the provision of fire-fighting or fire protection
5 services in any State or part of a State;

6 (g) “fire-fighting unit” means fire-fighting personnel and mobile
7 fire-fighting equipment maintained as such by any person other than a fire
8 authority for use in the fighting and prevention of fires on such person's
9 property;

10 (h) “fire-fighting equipment” includes fire extinguishers, fire
11 escapes, emergency exits and other such means of fire-fighting, fire-
12 prevention and escape, as may be prescribed;

13 (i) “fireman” means any member of the Fire Service of or below the
14 rank of sub-officer;

15 (j) “minister” means the Minister responsible for fire matters;

16 (k) “operator” means organizations engaged in providing global
17 systems for mobile or fixed wireless communication service;

18 (l) “prescribed” means prescribed by this Act or by regulations
19 made under this Act;

20 (m) “president” means the president of the Federal Republic of
21 Nigeria.

22 **56.** This Bill may be cited as the Fire and Rescue Service Bill, Short Title
23 2019

1 SCHEDULE

2 (Section 10)

3 *The Board*

4 (i) The administrative board for Fire Service shall be the Civil
5 Defence, Fire, Immigration and Prison Board (in this Act referred to as the
6 "Board").

7 *Functions of the Board*

8 (ii) The Board shall:

9 (a) be responsible for the appointment, promotion and discipline of
10 members of the Fire Service; and

11 (b) do such other lawful things which in its opinion are necessary to
12 ensure the efficient performance of the functions of the Fire Service.

EXPLANATORY MEMORANDUM

This Bill seeks to repeal the Fire Service Act No.11 of 1963 and to provide for the establishment of the Fire and Rescue Service in the Federation and provide amongst other things for the organisation, discipline, powers and duties of the Federal Fire and Rescue Service.

NIGERIAN EDUCATIONAL RESEARCH AND DEVELOPMENT COUNCIL

(AMENDMENT) BILL, 2019

ARRANGEMENT OF CLAUSES

Clause:

1. Amendment of Cap. N105 LFN, 2004
2. Amendment of section 2 (1)
3. Amendment of section 3
4. Amendment of section 6
5. Amendment of section 7
6. Amendment of section 10
7. Amendment of section 11
8. Amendment of section 12
9. Amendment of section 15 (3)
10. Amendment of section 16 (2)
11. Amendment of section 20
12. Amendment of section 21
13. Amendment of section 22
14. Amendment of section 24
15. Amendment of Schedule
16. Citation

A BILL

FOR

An Act to amend the Nigerian Education Research and Development Council Act Cap. N105 Laws of the Federation of Nigeria, 2004 and for Related Matters

Sponsored by Hon. Dachung Bagos

[] Commencement

ENACTED by the National Assembly of the Federal Republic of Nigeria-

- 1 **1.** The Nigerian Educational Research and Development Council
2 Act Cap. N105 Laws of the Federation of Nigeria, 2004 (in this Bill referred
3 to as "the Principal Act") is amended as set out in this Bill. Amendment of
Cap. N105 LFN,
2004
- 4 **2.** Section 2 (1) of the Principal Act is amended- Amendment of
Section 2 (1)
5 (a) in paragraph (b), by substituting for paragraph (b), a new
6 paragraph "(b)"-
7 "(b) six representatives from the State Ministries of Education, one
8 each from the six geopolitical zone of the Federation, appointed in rotation
9 among the states in the zones";
10 (b) in paragraph (d), by inserting after the word, "education", the
11 words, "in rotation".
- 12 **3.** Section 3 of the Principal Act is amended - Amendment of
Section 3
13 (a) by deleting after the word, "for" in line 1, the words, "the
14 following that is to say";
15 (b) in paragraph (b), by deleting after the word, "priority" in line 2,
16 the word, "thereof"; and
17 (c) in paragraph (c), by substituting for the word, "thinks" after the
18 word, "council" in line 2, the word, "deems".
- 19 **4.** Section 6 of the Principal Act is amended- Amendment of
Section 6
20 (a) by deleting the words, "it shall be the general duty of" before the

	1	word, "the" in line 1;
	2	(b) by substituting for the word, "to" in line 1, the word, 'shall'.
Amendment of Section 7	3	5. Section 7 of the Principal Act is amended -
	4	(a) in subsection (3), by substituting for the word, 'shall" after the
	5	words, "and" in line 1, the word, "may"; and
	6	(b) in subsection (4), by substituting for the word, "otherwise" after
	7	the words, "emolument and" in line 2, the words, "other entitlements."
Amendment of Section 10	8	6. Section 10 of the Principal Act is amended -
	9	(a) in the marginal note , by substituting after the word, "pension" in
	10	line 1 and wherever it appears in the section, the word, "reform";
	11	(b) in subsection (1) -
	12	(i) by deleting for the word, "services" in line 1, the words, "it is
	13	hereby declared that" and
	14	(ii) by substituting for the word, "service" in line 1 and wherever it
	15	appears in the subsection, the word, "service"; and
	16	(c) in subsection (3), by substituting for the figure, "23" after the
	17	word, 'section" in line 3, the figure, "97".
Amendment of Section 11	18	7. Section 11 of the Principal Act is amended -
Amendment of Section 12	19	8. Section 12 of the Principal Act is amended -
	20	(a) in subsection (1), by deleting the words, "member of the" before
	21	the word, "senior" in line 1;
	22	(b) in subsection (1) (c) -
	23	(i) in subparagraph (i), by deleting the word, "any" after the word, "or"
	24	in line 1,
	25	(ii) in subparagraph (iii), by deleting the words, "as aforesaid" after
	26	the word, "removed" in line 2; and
	27	(c) in subsection (2) -
	28	(i) by deleting the words, "member of the" before the word, 'staff' in
	29	line 1,
	30	(ii) by deleting the word, "any" after the word, 'and" in line 3;

1 (d) in subsection (3), by deleting the words, "member of" after the
2 word, "staff" in line 1;

3 (e) in subsection (4), by-

4 (i) inserting after the words, "decision as to" in line 3, the words,
5 "whether to";

6 (ii) deleting the words, "whether to" in line 1 of paragraph (a) - (d);

7 (f) in the proviso, by deleting the word, "any" after the word,
8 "such" in line 4;

9 (g) in subsection (5), by substituting for the -

10 (i) words, "it shall be the duty of the " before the word, "person" in
11 line 1, the word, "A",

12 (ii) word, 'to' after the word, "section" in line 2, the word, "shall";
13 and

14 (h) in subsection (b), by-

15 (i) deleting the words, "foregoing provisions of" after the word,
16 "this" in line 1; and

17 (ii) substituting for the word, "think" after the word, "may" in line
18 2, the word, 'deem'.

19 **9.** Section 15 (3) of the Principal Act is amended by inserting the
20 word, "and" after the word, "guideline" in line 2.

Amendment of
Section 15 (3)

21 **10.** Section 16 (2) of the Principal Act is amended by substituting
22 for the word -

Amendment of
Section 16 (2)

23 (a) "appointed" after the word, 'committee" in line 2, the word,
24 'setup'; and

25 (b) "pursuant to" after the word, 'Board" in line 2, the word,
26 "under".

27 **11.** Section 20 of the Principal Act is amended-

Amendment of
Section 20

28 (a) by deleting-

29 (i) the word, "any" before the word, "person" in line 1, and

30 (ii) the word, "research" after the word, "completed" in line 2; and

	1	(b) by substituting for the word, 'his' before the word, 'completed' in
	2	line 2, the word, "the".
Amendment of Section 21	3	12. Section 21 of the Principal Act is amended by substituting for-
	4	(a) the figure, "21", after the word, "section" in line 1, the figure, "21";
	5	(b) the words, 'shall be guilty of' after the word, 'Act' in line 1, the
	6	word, "commits";
	7	(c) the expression, "N100" after the word, 'of' in line 2, the
	8	expression, "N5,000"; and
	9	(d) in subsection (4), by-
	10	(i) deleting the words, "the making of", after the word, "before" in line
	11	2, and
	12	(ii) inserting, after the word, "section", in line 2, the word, "comes into
	13	force".
Amendment of Section 22	14	13. Section 22 of the Principal Act is amended by substituting for -
	15	(a) the words, "it shall be the duty of" after the words, "council and" in
	16	line 2, the word, "both"; and
	17	(b) the word, 'to' after the word, "Council" in line 3, the word, "shall".
Amendment of Section 24	18	14. Section 24 of the Principal Act is amended-
	19	(a) in the definition of "Board"-
	20	(i) by substituting for the word, 'constitute' after the word, "Council"
	21	the word, "established"; and
	22	(ii) by inserting the figure "(1)" after the figure "2"; and
	23	(b) in the definition of "Council"-
	24	(i) by substituting for the word, "by" after the word, "established" in
	25	line 1, the word, "under"; and
	26	(ii) by inserting the figure "(1)" after the figure "1" in line 2.
Amendment of Schedule	27	15. The schedule to the Principal Act is amended -
	28	(a) in paragraph 1, by substituting for -
	29	(i) the word, 'and' in line 2, the word, "may", and
	30	(ii) the words, "there after he shall no longer be eligible for re-

- 1 appointment" after the word, "years" in line 3, the word, "only";
- 2 (b) in paragraph 3, by deleting the word, "to" after the word, "and"
- 3 in line 1;
- 4 (c) in paragraph 5, by substituting for the words, "their member"
- 5 before the word, "to" in line 2, the word, "them";
- 6 (d) in paragraph 8 (2) by substituting for the word, "constituted"
- 7 after the word, "be" in line 3, the words, "set up";
- 8 (e) in paragraph 8 (5) by substituting for the word, "think" after the
- 9 word, "may" in line 2, the word, "deem";
- 10 (f) in paragraph 8, substituting for the words, "appointed by virtue
- 11 of the provisions of" after the word, "Committee" in line 1, the words, "set up
- 12 under";
- 13 (g) in paragraph 10, by deleting the word, "any" before the word,
- 14 "contract" in line 1;
- 15 (h) in paragraph 11, by deleting the word, "any" before the word,
- 16 "document" in line 1;
- 17 (i) in paragraph 12, by-
- 18 (i) substituting for the word, "proceedings" after the word, "any" in
- 19 line, the word, "proceeding",
- 20 (ii) substituting for the word, "Committees" after the word, "its" in
- 21 line 1, the word, "Committee",
- 22 (iii) inserting the word, "by" after the word, "affected" in line 1; and
- 23 (iv) deleting the word, "by" at the beginning of subparagraph "(a)"
- 24 - "(c)";
- 25 (j) in paragraph 13, by-
- 26 (i) substituting for the word, "Any" before the word, "member" in
- 27 line 1, the word, "A",
- 28 (ii) deleting the word, "thereof" after the word, "Committee" in line
- 29 1,
- 30 (ii) deleting the word, "thereof" after the word, "Committee", and

- | | | |
|----------|---|--|
| | 1 | (iv) deleting the word, "forthwith" after the word, "shall" in line 2. |
| Citation | 2 | 16. This Bill may be cited as the Nigerian Educational Research and |
| | 3 | Development Council (Amendment) Bill, 2019. |

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Nigerian Education Research and Development Council Act Cap. N105 Laws of the Federation of Nigeria, 2004.