

Extraordinary



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A BILL

FOR

AN ACT TO AMEND MOTOR VEHICLES (PROHIBITION OF TINTED GLASS)
ACT NO. 6; 1991 AND FOR RELATED MATTERS

Sponsored by Francis Charles Uduyok

[] Commencement

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

- | | | |
|----|---|---|
| 1 | 1. Motor Vehicles (Prohibition of Tinted Glass) Act No.6; 1991 (in | Amendment of
Motor Vehicles
(Prohibition of
Tinted Glass) Act
No. 6, 1991 |
| 2 | this Bill referred to as the "Principal Act") is amended as set out below: | |
| 3 | <i>"3. Duty of buyer to change glass."</i> | |
| 4 | 2. Section 3 of the Principal Act is amended by substituting the | Amendment of
Section 3 |
| 5 | existing period of "fourteen" with "ninety" as follow: | |
| 6 | (3) It shall be the duty of the buyer, donee or importer of a motor | |
| 7 | vehicle with tinted, shaded, coloured, darkened or treated glass to change all | |
| 8 | the glass within a period of ninety days from the date of arrival in Nigeria or | |
| 9 | date of purchase (whichever is applicable in each circumstance). | |
| 10 | <i>"4. Penalties, etc."</i> | |
| 11 | 3. Section 4 (1) of the Principal Act is amended by substituting the | Amendment of
Section 4 |
| 12 | existing amount N2,000 with N100,000.00 as follow: | |
| 13 | 4 (1) Any person who commits an offence under this Act shall on | |
| 14 | conviction be liable to a fine of :N100,000 or to imprisonment for a term not | |
| 15 | exceeding six months or to both such fine and imprisonment. | |
| 16 | 4. This Bill may be cited as the Motor Vehicles (Prohibition of | Citation |
| 17 | Tinted Glass) Act (Amendment) Bill, 2021. | |

EXPLANATORY NOTE

This Bill seeks to amend Sections 3 and 4(1) of the Motor Vehicles (Prohibition of Tinted Glass) Act No.6; 1991 to ensure conformity with contemporary realities.

This Bill is necessitated by the increased number of crimes committed by criminals who operate in the cover of tinted or darkened car glasses and also suspects who are wanted by the authority but continue to evade arrest by the use of darkened or tinted glass vehicles.

A BILL

FOR

AN ACT TO REPEAL THE ANATOMY ACT 1933 AND ENACT THE ANATOMY ACT 2021 TO PROVIDE FOR THE ESTABLISHMENT OF THE ANATOMY COUNCIL OF NIGERIA, BRING THE PRACTICE OF ANATOMY IN CONFORMITY WITH CURRENT LOCAL AND GLOBAL REALITIES AND FOR RELATED MATTERS

Sponsored by Hon. Femi Gbajabiamila, Hon. Tanko Sununu

[] Commencement

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

PART 1 - REGULATION

- 1
- 2 **1.** Notwithstanding anything to the contrary contained in any Act Application
- 3 or in any other n enactment or Law, the provisions of this Act shall apply to
- 4 all professionals involved in the practice of anatomy in Nigeria, the
- 5 management of human remains in Mortuaries, the conveyance and handling
- 6 of human remains, the management of Undertakers/ Funeral homes, the
- 7 effective implementation and enforcement of the Provisions of the Act,
- 8 handling of disputes resulting from the practice of Anatomy, offences and
- 9 penalties.
- 10 **2.-(1)** There is hereby established a body to be known as Anatomy Establishment
- 11 Council of Nigeria in this Act referred to as "the Council". of Anatomy Council
- 12 (2) The Council shall be an organ of the Federal Ministry of Health of Nigeria (ACN)
- 13 which shall be a body corporate with perpetual succession and a common
- 14 seal, and may sue or be sued in its corporate name.
- 15 (3) Subject to limitations or restrictions as may be contained in this
- 16 Act, the office may acquire, hold and dispose of moveable or immoveable
- 17 property for the purpose of its functions and objects under this Act.

	1	(4) The Council shall have its head office in the Federal Capital
	2	Territory.
Power of the Council	3	3. The Council shall have powers to:
	4	(a) Make rules and regulations to guide the practice of Anatomy in
	5	Nigeria;
	6	(b) Articulate, design and implement, alone or in collaboration with
	7	partners and/or other government ministries, department and agencies
	8	programs as it may determine from time to time, for the purpose of promoting
	9	the ideas of the Council and the practice of Anatomy in Nigeria;
	10	(c) Pay for the its reasonable operational expenses, which shall be
	11	detailed in each annual budget and operating plan (and annual reports made by
	12	the Office as set out in this Act) and which shall be at all times in line with best
	13	practice for efficiency and creation of value for the beneficiaries of the Office's
	14	activities;
	15	(d) From time to time engage on a competitive basis, such
	16	consultants, advisers and other service providers as may be necessary or
	17	expedient for the performance of its functions; and
	18	(e) Undertake, to do or agree to do anything, incur such expenditures
	19	or carry out any functions which in the opinion of the Council are necessary,
	20	incidental or conducive to the attainment of objects and functions of the Office
Duties and responsibilities of the Council	21	4. The Council shall undertake or perform the following duties and
	22	responsibilities:
	23	(a) Regulation of the training and teaching of Human Anatomy and
	24	Anatomical Sciences in Nigeria in collaboration with Nigerian Universities'
	25	Commission;
	26	(b) Regulation and control of Anatomy Laboratories
	27	(Biological/Forensic Anthropology, Normal Histology/Histochemistry,
	28	Stereological & Human Cytogenetic, Cell & Tissue Culture, Electron
	29	Microscopic and Advanced Molecular Anatomy laboratories, Anatomical

1 Museums for both comparative Anatomy, Gross Anatomy and
2 Embryological Museum) in Nigeria;

3 (c) Determination and review of curriculum in collaboration with
4 Nigerian Universities' Commission and Medical & Dental Council of
5 Nigeria;

6 (d) Securing and maintenance of register of persons licensed and
7 entitled to practice as Anatomists in Nigeria, and publication of lists of those
8 persons from time to time;

9 (e) Preparation of rules/codes of conduct which the Council may
10 consider desirable for the practice of Anatomy in Nigeria and review thereof
11 from time to time;

12 (f) Granting license to practice Anatomy to individual registered
13 Anatomists; and

14 (g) Granting institutional license to institutions where Anatomy is
15 practiced.

16 **5.** The Council shall consist of:

Membership of
the Council

17 (i) A Chairman who shall have a minimum of five years as a
18 licensed professor of Anatomy, appointed by the President on the
19 recommendation of the Minister;

20 (ii) A Registrar and Secretary to the Council who shall be a licensed
21 Anatomist on at least senior lecturer cadre and its equivalent, appointed by
22 the President on the recommendation of the Minister;

23 (iii) Ten members of the Council, seven of whom must be
24 representatives of the Societies (ASN and SECAN) of Human Anatomy and
25 Anatomical Sciences in Nigeria on senior lecturer position and above, and
26 three others appointed by the Minister; and

27 (iv) Directors of Anatomical Services (DAS) in the State Ministry
28 of Health of all States. DAS shall be a licensed Anatomist of not less than 5
29 years from the rank of Senior Lecturer

Meeting of the
Council

1 **6.-(1)** The Council shall, for the purpose of this Act, meet not less than
2 two times a year and all meetings of the Council shall be presided over by the
3 Chairman.

4 (2) If the Chairman is unable to attend any particular meeting, a
5 member (who has been so qualified for not less than ten years as an Anatomist
6 or any of its field) may be appointed by the members present to act as chairman
7 of that particular meeting. The Chairman should have an input in who
8 represents him.

9 (3) Where in the sub-section (2) above there is no member so qualified
10 for at least ten years, any most senior member can be appointed by the members
11 present to act as chairman of that particular meeting.

12 (4) A quorum at a meeting of the Council shall be one-third of
13 members of the Council.

14 (5) The Council shall meet whenever it is summoned by the Chairman
15 and if the Chairman is required to do so by a notice given to him by not less than
16 five other members, he shall summon a meeting of the Council to be held
17 within fourteen days from the date on which the notice is given.

18 (6) Where the Council desires the advice of any person on a particular
19 matter, he/she may be co-opted to the Council for such period as it deems fit but
20 such a person shall not be entitled to vote at any meeting of the Council and
21 shall not count towards a quorum. Term of the Council should be eight years
22 maximum, four years in the first instance and can be reappointed for another
23 four years. Three names of the for council Chairmanship position to be sent to
24 the President after nomination from the societies of Anatomy. Others to be
25 elected by congress of Anatomists

Duties of the
Registrar and
Secretary to the
Council

26 **7.-(1)** It shall be the duty of the Registrar to prepare and maintain, in
27 accordance with rules made by the Council under this section, registers of the
28 names, addresses and approved qualifications, and of such other particulars as
29 may be specified, of all persons who are entitled in accordance with the
30 provisions of this Act to be registered as Anatomists and who apply in the

1 specified manner to be so registered.

2 (2) It shall be lawful for the Registrar to prepare and issue a license
3 (as may be granted by the Council) to practice Anatomy to an Anatomist or
4 Anatomy Technician.

5 (3) A license granted and issued as aforesaid shall be deemed to
6 authorize the practice of Anatomy in Departments and Laboratories of
7 Anatomy by any Anatomist therein and by any student who is attending a
8 course of study at such departments and laboratories when working under
9 the supervision of a licensed Anatomist.

10 **8.-(1)** The Council may appoint one or more committees to carry
11 out, on its behalf certain functions under this Act as the Council may
12 determine. Appointment of
Committees by
the Council

13 (2) A committee appointed under this paragraph shall consist of
14 such number of persons as the Council may feel desirable.

15 (3) The decision of the committee of the Council shall be of no
16 effect until it is ratified by the Council.

17 **9.-(1)** The Council shall prepare and submit to the Minister, not
18 later than the 30th day of July of the year in which this Act comes into force
19 and of each subsequent year, an estimate of its expenditure and income
20 during the succeeding financial year. Finances of the
Council

21 (2) The Council shall keep proper accounts in respect of each
22 financial year, and proper records in relation to those accounts and shall
23 cause it accounts to be audited as soon as may be after the end of the financial
24 year to which the accounts relate by a firm of auditors approved by the
25 Council. The account of the Council should be audited and made public
26 within six months of a financial year

27 (3) The Minister shall out of moneys provided by the Federal
28 Government, make to the Council by way of grant, payments of such
29 amounts as the President may from time to time so determine.

30 (4) The council may generate funds from registration and license

	1	granted to such persons and bodies as in section 7 (1), (2) and (3) above.
	2	PART 2 - CADAVER ACQUISITION FOR ANATOMICAL EXAMINATION
Implementation	3	10. This part of the Act shall be implemented by the Directorate for
	4	the practice of anatomy in every State Ministry (Directorate of Anatomical
	5	Services) under the State Ministry of Health while the implementation is
	6	constantly overseen by the Council.
Acquisition of unclaimed bodies of deceased accident or illness victims	7	11. -(1) Where a person under treatment for accident or illness in a
	8	private or government owned hospital dies in such hospital and his body is
	9	unclaimed for a maximum period of six months, the authorities in charge of
	10	such hospital shall with the least practicable delay report the fact to the
	11	authorized officer in the State Ministry of Health and such officer shall then
	12	hand over the unclaimed body to the authorities in charge of an approved
	13	anatomy laboratory for the purpose of medical education or research including
	14	anatomical examination and dissection.
	15	(2) Where a person having no permanent place of residence in the area
	16	where his death has taken place dies in any public place in such area and his
	17	body is unclaimed for a maximum of six months, the authorized officer in the
	18	State Ministry of Health shall take possession of the body and shall hand it over
	19	to the authorities in charge of an approved anatomy laboratory for the purpose
	20	of medical education or research including anatomical examination and
	21	dissection.
	22	(3) Where there is any doubt regarding the cause of death or when for
	23	any other reason the authorized officer in the State Ministry of Health considers
	24	it expedient so to do, he shall work with the Commissioner of Police in the State
	25	to resolve this.
	26	(4) If any doubt or dispute arises as to whether a person claiming the
	27	body of a deceased person under section 2 is a near relative of the deceased or
	28	not, the matter shall be referred to the Magistrate or such officer as may be
	29	appointed in this behalf by the State Government and his decision shall be final
	30	and conclusive.

1 (5) Pending such decision, the authorized officer in the State
2 Ministry of Health shall take all reasonable care and steps to preserve the
3 body of the deceased person from decay at the expense of the deceased
4 relative (s).

5 12. Where a person is convicted and executed pursuant to the order
6 of a court of law or dies at a hospital or in a prison and his body is unclaimed
7 for a maximum period of six months, the authorities in charge of such
8 hospital or prison shall with the least practicable delay report the fact to the
9 authorized officer in the State Ministry of Health who shall take possession
10 of the body and shall hand it over to the authorities in charge of an approved
11 anatomy laboratory for the purpose of medical education or research
12 including anatomical examination and dissection.

Acquisition of
bodies of convicted
and executed
persons

13 13.-(1) If any person either in writing at any time or orally in the
14 presence of two or more witnesses during his last illness whereof he died has
15 expressed a request that his body or any part of his body be given to
16 authorities in charge of an approved anatomy laboratory for the purpose of
17 medical education or research including anatomical examination and
18 dissection, the person lawfully in possession of his body after his death may,
19 unless he has reason to believe that the request was subsequently withdrawn,
20 authorize the removal of the dead body or such part thereof to any approved
21 anatomy laboratory for use in accordance with the request.

Acquisition by
bequeath/donation

22 (2) Without prejudice to the provisions of sub-section (1) above,
23 the persons lawfully in possession of the body of a deceased person may
24 authorize the removal of the whole body or any part from the body for use for
25 the purposes specified in sub-section (1) unless such person has reason to
26 believe:

27 (a) that the deceased had expressed an objection to his body or any
28 part thereof being so dealt with after his death, and had not withdrawn such
29 objection; or

1 (b) that any near relative of the deceased objects to the body being so
2 dealt with.

3 (3) In no case shall the body or any part of the body of any person be
4 removed for any of the purposes specified in sub-section (1) from any place
5 where such person may have died until after forty-eight hours from the time of
6 such person's decease, nor until after twenty-four hours' notice, to be reckoned
7 from the time of such decease to the Magistrate, of the intended removal of the
8 body, nor unless a certificate stating in what manner such person came by his
9 death shall, previously to the removal of the body, has been signed by a
10 registered medical practitioner who attended to such person during the illness
11 whereof he died, or, if no such practitioner attended to such person during such
12 illness, then by a registered medical practitioner who shall be called in after the
13 death of such person to view his body and who shall state the manner and cause
14 of death according to the best of his knowledge and belief, but who shall not be
15 concerned in dealing with the body for any of the purposes aforesaid after
16 removal; and in case of such removal, such certificate shall be delivered
17 together with the body to the authority in charge of an approved anatomy
18 laboratory receiving the same for any of the purposes aforesaid.

19 (4) If the person lawfully in possession of the body has reason to
20 believe that an inquest or a post-mortem examination of such body may be
21 required to be held, in accordance with the provisions of any Act for the time
22 being in force, the authority for the removal of the body or any part thereof shall
23 not be given under this section except with the consent of the authority
24 empowered to hold an inquest or order a post-mortem under such Act.

25 (5) Subject to the provisions of sub-sections (3) and (4) of this section,
26 the removal and use of the whole body or any part of a body in accordance with
27 an authority given in pursuance of this section shall be lawful, and shall be
28 sufficient warrant for the removal of the body or any part thereof and its use for
29 the purposes of this Act.

30 (6) No authority for the removal of the body or any part thereof for the

1 purposes of this Act shall be given under this section in respect of any body
2 of a deceased person by a person entrusted with the body for the purpose
3 only of its interment.

4 **14.-(1)** The body of a person shall not be removed for the purpose
5 of medical education or research including anatomical examination and
6 dissection from any place where such person may have died unless twenty-
7 four hours have elapsed from the time of such person's decease and-

Body removal
without a certificate

8 (a) A certificate stating in what manner such person came by his
9 death shall have been signed by the medical practitioner who attended such
10 person during the illness whereof he died; or

11 (b) if such person was not attended by a medical practitioner during
12 such illness, a certificate stating to the best of his knowledge and belief the
13 manner or cause of death by some medical practitioners who shall be called
14 in after the death of such person to view his body, but who shall not be
15 concerned in examining the body after removal.

16 (2) In the case of the removal of a body for the purpose of medical
17 education or research including anatomical examination and dissection, any
18 such certificate given under the provisions of subsection (1) of this section
19 shall be delivered, together with the body, to the person receiving the same
20 for aforesaid purposes under this Act.

21 (3) Nothing in this section shall be deemed to prohibit the
22 preservation of a body for the purpose of medical education or research
23 including anatomical examination and dissection at any time after death by
24 injection or otherwise by the anatomist who is licensed under this ACT or by
25 some person authorized by such anatomist.

26 **15.-(1)** Every Head of Department or Laboratory of Anatomy so
27 receiving a body for the purpose of medical education or research including
28 anatomical examination and dissection shall demand and receive, together
29 with the body, a certificate as aforesaid and shall within twenty-four hours
30 enter or cause to be entered in a book to be kept by him for that purpose,

Body reception
with a certificate

1 together with a copy of that certificate, the following particulars:

2 (a) At what hour and date the body was received;

3 (b) The name and address of the person from whom the body was
4 received;

5 (c) The date and place of death;

6 (d) The sex and as far as is known at the time the first name and
7 surname, age and last place of abode of the deceased;

8 (d) Religion of the deceased to enable proper burial after anatomical
9 examination.

10 (2) The book shall be produced by the Departments and Laboratories
11 of Anatomy whenever required so to do by the regulatory body of the practice
12 of anatomy in Nigeria from the Federal Ministry of Health.

Body removal
for the purpose
of medical education
or research

13 **16.** The removal of a body for the aforesaid purposes shall be subject
14 to the following conditions:

15 (a) The body shall, before such removal, be placed in a decent coffin,
16 and be removed therein;

17 (b) The person removing the body or causing the same to be removed
18 as aforesaid shall make provision that such body shall be decently interred in
19 some public burial ground in use for persons of that religious persuasion to
20 which the person whose body was so removed belonged or, if such religious
21 persuasion is unknown, in any public burial ground;

22 (c) A certificate of the interment of such body shall be transmitted to
23 the State Commissioner for Health or his officer in the ministry of health within
24 two years after the day on which such body was received as aforesaid, provided
25 that the said State Commissioner for Health may, from time to time, by order,
26 vary the period within which such certificates of interment shall be transmitted
27 as aforesaid.

Possession of
body for the
purpose of medical
education or
research

28 **17.** It shall be Lawful for any Anatomist or Anatomy technician with
29 at least a B.Sc. degree so licensed to practice anatomy or any student attending
30 a course of study at any department or laboratory of anatomy in the country, the

1 head of which has been so licensed, to receive or possess for the purpose of
 2 medical education or research including anatomical examination and
 3 dissection in such department or laboratory or to examine anatomically at
 4 such department or laboratory, the whole or part of the body of any person
 5 deceased, if permitted or directed so to do by a person who had at the time of
 6 giving such permission or direction lawful possession of the body and who
 7 had power, in pursuance of the provisions of this Act to permit or cause the
 8 body to be so examined, and provided such certificate as aforesaid were
 9 delivered by such person together with the body.

10 **18.** No licensed anatomist or anatomy technician or any student
 11 attending a course of study at such a department or laboratory of anatomy
 12 shall be liable to any prosecution or penalty for receiving or having in his
 13 possession for Anatomical examination at such departments and
 14 laboratories, whole or part of dead human body, according to the provisions
 15 of this Act.

Prosecution for
having body in
possession

16 **19.**-(1) Nothing in this part of the ACT shall be construed to extend
 17 to or to prohibit any post-mortem examination of any human body required
 18 or directed to be made by any competent legal authority.

Post-mortem
examination

19 PART 3 - HANDLING AND MANAGEMENT OF HUMAN REMAINS IN
 20 MORTUARY AND FUNERAL HOMES

21 **20.** This part of the Act shall apply to any private or public
 22 mortuary or funeral undertakers' premises, including those under the control
 23 of Government Departments, such as the police services and public
 24 hospitals.

Application

25 **21.** Part 3 of the Act shall be implemented by the Directorate of
 26 Anatomical Services under the State Ministry of Health in all States of the
 27 Federation while the implementation is constantly overseen by the Council.

Implementation

28 **22.**-(1) Save under and in accordance with a permission granted by
 29 the Director of Anatomical Services in the State Ministry of Health, no
 30 person shall carry on the business of mortuary and funeral services.

Granting
permission

1 (2) Permission by the Director of Anatomical Services in the State
2 Ministry of Health shall be granted to a certified anatomist or anatomy
3 technician who is licensed to practice anatomy in the State.

4 (3) Every such permission shall be given to certify the mortuary halls
5 or funeral undertakers' premises in form of a certificate of competence and
6 shall be valid for a period of 2 years from the date of issuance.

7 (4) The grant or renewal of any such certificate of competence shall be
8 subject to the payment in advance to the Directorate of a prescribed fee so
9 determined by the Council from time to time.

10 (5) Where the Director is satisfied that any such certificate of
11 competence has been lost or destroyed, he may, upon payment of a prescribed
12 fee so determined by the Council from time to time, issuance a duplicate
13 thereof.

Refusals and
revocations

14 **23.** The Director may refuse to grant or renew a certificate of
15 competence, or may revoke a certificate of competence granted, to a holder of
16 such premises if he is under the age of 18 years or if, in the opinion of the
17 Directorate of Anatomical Services in the State Ministry of Health, such
18 refusal or revocation is in the public interest.

Requirements
as to posting of
licensees' names,
etc.

19 **24.** The holders of every mortuary and funeral homes shall cause his
20 name and the words "Mortuary and Funeral Home" to be posted, in English
21 lettering not less than 100 mm in height, in a conspicuous place on the outside
22 wall or door of the premises to which his certificate relates.

Application for
the issuance of
a certificate of
competence

23 **25.-(a)** Any person wishing to apply for a certificate of competence in
24 respect of new funeral undertaker's premises or mortuary shall, not less than 21
25 days before submitting his application to the Directorate of Anatomical
26 Services in the State Ministry of Health, cause a notice to be published in a
27 newspaper, which circulates in the area in which such premises are situated;

28 (b) Such notice shall contain information to the effect that an
29 application for the issuance of a certificate of competence in terms of these
30 regulations is to be submitted to the Directorate of Anatomical Services in the

1 State Ministry of Health, and that any person who will be affected by the use
2 of such funeral undertaker's premises or mortuary and wishes to object to
3 such use shall lodge his objection, together with substantiated
4 representations, with the Directorate of Anatomical Services in the State
5 Ministry of Health in writing within 21 days of the date of publication of
6 such notice;

7 (c) An application for the issuance of a certificate of competence
8 shall be made in writing by the applicant or his authorized representative to
9 the Directorate of Anatomical Services in the State Ministry of Health in
10 whose area of jurisdiction the funeral undertaker's premises or mortuary is
11 located, on such form as prescribed by the Council;

12 (d) An application for the issuance of a certificate of competence
13 shall be accompanied by:

14 (i) A description of the premises and the location thereof,

15 (ii) A complete ground plan of the proposed construction or of
16 existing buildings on a scale of 1: 100,

17 (iii) A block plan of the premises on which true north is shown
18 indicating which adjacent premises are already occupied by the applicant or
19 other persons and for what purpose such premises are being utilized or are to
20 be utilized, and

21 (v) Particulars of any person other than the holder or any of his
22 employees who prepares or will prepare human remains on the premises.

23 (e) The Directorate of Anatomical Services in the State Ministry of
24 Health, when considering issuing a certificate of competence, may request
25 from the applicant or any other person any such further information as it may
26 deem necessary to enable it to properly consider the application concerned;

27 (f) The Directorate of Anatomical Services in the State Ministry of
28 Health shall not consider any application for the issuance of a certificate of
29 competence unless a complete inspection of the premises concerned has
30 been carried out by a licensed Anatomist and an Environmental Health

Issuance of
certificate of
competence

1 Practitioner, and their report and recommendations on such inspection are
2 available to such Directorate of Anatomical Services.

3 **26.**-(1) Where the Directorate of Anatomical Services, after
4 consideration of an application for the issuance of a certificate of competence,
5 the report concerned by a licensed Anatomist and an Environmental Health
6 Practitioner including their recommendation, and any objections to the use of
7 funeral undertaker's premises or mortuary, is satisfied that the premises or
8 mortuary concerned:

9 (a) complies with all requirements laid down in this Act,

10 (b) are in all respect suitable for the preparation of human remains,
11 and

12 (c) will not be offensive to any occupant of premises in the immediate
13 vicinity of such premises he shall issue a certificate of competence in the name
14 of the holder in such form as it may be determined by the Council.

15 (2) Subject to the provisions of this Act, no person shall prepare or
16 store any human remains except on approved funeral undertaker's premises or
17 mortuary halls in respect of which a certificate of competence has been issued
18 by the Director of Anatomical Services in the State Ministry of Health, and is in
19 effect.

20 (3) The Directorate of Anatomical Services in the State Ministry of
21 Health may, if it is satisfied that health nuisance exists on any funeral
22 undertaker's premises or mortuary, situated in the State, issue a written order to
23 the owner or person in charge of the premises in question to stop all activities
24 connected with the handling, preparation and storage of human remains on the
25 premises, until such time that the health nuisance referred to, in the order has
26 been eliminated.

Issuance of
provisional
certificate of
competence

27 **27.**-(1) Notwithstanding the fact that the Directorate of Anatomical
28 Services is not satisfied as contemplated in section 25, with regard to funeral
29 undertaker's premises or mortuary in respect of which a certificate of
30 competence has been applied for, the directorate:

1 (a) Shall, in the case of existing funeral undertaker's premises or
2 mortuary; and

3 (b) May, in all other cases, subject to such conditions as such
4 Directorate of Anatomical Services may determine, in general or in each
5 specific case, issue a provisional certificate of competence in respect of such
6 premises for a maximum period of 6 months only to enable the applicant to
7 render the premises in such a manner as to comply with the provisions of this
8 Act, Provided that the directorate shall satisfy itself that the use of such
9 funeral undertaker's premises or mortuary does not and will not create a
10 health nuisance or endanger human health.

11 (2) A provisional certificate may not be extended unless the
12 Directorate of Anatomical Services is satisfied that the owner or
13 representative thereof is in the process of making the necessary changes as
14 prescribed in sub-section (1) above.

15 (3) Any such extension in sub-section 2 above will be granted for a
16 period of not more than 6 months.

17 **28.**-(1) The certificate holder shall immediately inform the issuing Duties of holder
18 government in writing, if there are any changes in the particulars supplied to
19 the issuing government in the application for the certificate of competence
20 concerned.

21 (2) Failure by the holder or a person in charge/authorized person to
22 comply with this regulation shall constitute an offence.

23 **29.**-(1) Unless otherwise provided for in this Act, no person shall Preparation and
24 prepare and/or store any corpse except on a funeral undertaker's premises or storage of corpses
25 mortuary hall in respect of which a certificate of competence has been issued
26 and is in effect.

27 (2) No dead body shall be embalmed or prepared for burial or
28 encoffining in any mortuary and funeral home otherwise than in a room used
29 exclusively for such purpose.

30 (3) At all times during which any dead body is retained in any such

Reception and
retention of human
remains

1 room, the windows thereof shall be kept fully opened and, if the room is
2 ventilated wholly or partly by mechanical means, the ventilating system shall
3 be kept in operation, but where an air-conditioning system is installed which
4 services such a room, the windows thereof, shall be kept closed and the air-
5 conditioning system shall be kept in operation.

6 **30.**-(1) No dead body in an advanced state of decomposition shall be
7 received into any mortuary and funeral home unless encoffined in a
8 hermetically sealed coffin.

9 (2) Where it appears to the owner of any mortuary and funeral home
10 that the body of any person who has died while suffering from any
11 quarantinable disease has been received into such mortuary and funeral home,
12 he shall forthwith notify the directorate of anatomical sciences which shall
13 make a case of such to the appropriate directorate of the State Ministry of
14 Health.

Hygiene
requirements

15 **31.**-(1) All solid waste on the premises of a funeral undertaker or
16 mortuary shall be kept in corrosion-resistant and rodent proof containers with
17 tight-fitting lids and shall be dealt with in accordance with the solid waste
18 management requirements of the Federation.

19 (2) Every holder of a certificate of competence or provisional
20 certificate of competence for funeral undertaker's premises or mortuary shall
21 ensure that:

22 (a) Employees and all other persons involved in handling of human
23 remains are provided with clean and appropriate protective clothing consisting
24 of surgical gloves, gumboots, plastic aprons so designed that the front hangs
25 over the top of the gumboots, face masks and linen overcoats, and each such
26 employee or other person shall, at all times when so involved, wear such
27 clothing;

28 (b) Premises are kept free of insects, offensive odors, gases and
29 fumes;

30 (c) All working areas or surfaces at such premises where human

1 remains are prepared are cleaned and disinfected immediately after the
2 preparation of any human remains;

3 (d) Cause all equipment used for the preparation of human remains
4 to be washed and disinfected immediately after use;

5 (e) Cause all used protective clothing to be washed, cleansed and
6 disinfected daily on the premises;

7 (f) If a human remain has been transported without a moisture-
8 proof covering, cause the loading space of the vehicle concerned to be
9 washed and disinfected after such human remains has been removed; and

10 (g) The number of human remains (corpses) kept within the
11 premises shall not exceed the number of removable trays available to
12 accommodate such human remains (corpses) in the refrigerators or cold
13 chambers.

14 (3) All waste generated in the preparation room shall be deemed to
15 be health risk waste and the collection, storage, handling and disposal of as
16 such waste shall be done in accordance to relevant health care risk waste
17 standards.

18 **32.** All unclaimed bodies or unidentified human remains must be
19 dealt with in accordance with the provisions of the Regulations Regarding
20 the Rendering of Forensic Pathology Service.

Unclaimed bodies
or unidentified
human remains

21 **33.-(1)** A person affected by a decision taken in accordance with
22 the provisions of this Act who wishes to appeal against the decision, must
23 lodge an appeal with the Anatomical Council of Nigeria through the
24 Directorate of Anatomical Services in his/her State Ministry of Health, as
25 the case may be, within 30 days after that person has been notified of the
26 decision.

Appeals

27 (2) The Registrar of the Council shall after considering all relevant
28 information make a decision and inform the appellant of such decision.

29 (3) Reasons for the decision must be provided to the appellant in
30 writing.

Registers

1 **34.**-(1) The owner of any mortuary and funeral home shall keep a
2 register in which he shall correctly record the following particulars:

3 (a) The name, age, sex and address of the deceased,

4 (b) The date, place and cause of the death of the deceased,

5 (c) The date on, and the time at, which the remains of the deceased
6 were received into the mortuary and funeral home,

7 (d) The date on, and the time at, which such remains were removed
8 from the mortuary and funeral home,

9 (e) The date and number of the death certificate and of any permit for
10 the burial, importation into or removal from Nigeria, as the case may be, of
11 such remains;

12 (f) The name and address of the medical practitioner (if any) who
13 certified as to the death of the deceased, and of the person signing any permit
14 for burial, importation into or removal from Nigeria, as the case may be, of
15 such remains;

16 (g) The name and address of the person (if any) who has undertaken to
17 pay the charges (if any) of the mortuary and funeral home;

18 (h) Where the deceased died from any quarantinable disease, whether
19 or not those parts of the mortuary and funeral home in which such remains were
20 kept were disinfected after such remains were removed therefrom.

21 (2) The owner of mortuary and funeral home shall cause the register
22 kept by him under subsection (1) to be open for inspection at all reasonable
23 hours by any public officer authorized in writing by the Director of Anatomical
24 Services from the State Ministry of Health, for the purposes of this section, or
25 any health officer, health inspector or police officer.

Conveyance of
human remains

26 **35.**-(1) The human remains of a person who, at the time of his or her
27 death suffered from a disease or condition which is capable of transmitting an
28 illness even after death and in the opinion of the health authority concerned,
29 may pose a health hazard or endanger public health in one way or another, may
30 not be conveyed in public in any way unless:

1 (a) Such human remains are placed in a polythene bag, sealed in an
2 airtight container, placed in a sturdy non-transparent sealed coffin,
3 embalmed and/or the total surface of the body covered with a 5cm layer of
4 wood sawdust or other absorbent material which is treated with a
5 disinfectant;

6 (b) A medical practitioner declares in writing that in his or her
7 opinion the conveyance of such human remains will not constitute a health
8 hazard;

9 (c) Such declaration must accompany the human remains at all
10 times during the conveyance and up to the burial; and

11 (d) For human remains of a person whose cause of death was a
12 communicable disease, the body shall not be embalmed, but strict
13 guidelines on management of communicable diseases as may be published
14 by the Federal Ministry of Health shall be followed.

15 (2) The declaration referred to in sub-section 1 shall be shown to an
16 officer on demand by the person responsible for the conveyance of the
17 human remains.

18 (3) No person shall damage a container referred to in sub-section
19 (1)(a), or open such container or remove the human remains from the
20 container or come into direct contact with the human remains after it has
21 been sealed without prior approval from an officer referred to in sub- section
22 (1)(b).

23 **36.-(1)** No person shall convey any human remains in any manner
24 that may endanger public health.

Requirements
for the transportation
of human remains

25 (2) Any person transporting any human remains within a State,
26 across States and inland border shall ensure:

27 (a) In the case of public transportation, that the human remains are
28 sealed in an airtight container and placed in a non-transparent, sturdy, sealed
29 coffin; or

30 (b) In any other way, that the human remains have been placed in an

1 approved coffin or container.

2 (3) Any human remains unloaded or received from a point of dispatch
3 or loading point outside Country shall be transported in a manner consistent
4 with sub-section (2).

5 (4) No coffin or container in which the human remains have been
6 placed may be conveyed using public transportation unless-

7 (a) the outer surface of such coffin or container is free from any
8 leakages or any other secretion matter emanating from such human remains;
9 and

10 (b) any offensive odors are eliminated.

11 (5) The person responsible for the conveyance of a human remains
12 shall, at all cost ensure that should any leakages, secretions or odors emanating
13 from the container of the human remain conveyed, such coffin or container is
14 taken forthwith to the nearest mortuary or undertaker's premises, where the
15 necessary measures shall be taken to eliminate such conditions.

16 (6) The provisions of sub-section (1) shall not apply to the human
17 remains of a person-

18 (a) Who died in a State and whose human remains are intended for
19 burial in an area outside the State in cases where an authority in that area, who
20 has direct jurisdiction over the application of health measures in that area,
21 authorizes, in writing, the bringing of such body into that area on conditions
22 other than those prescribed by sub-section 1; or

23 (b) Who died outside a State and whose human remains are intended
24 for burial in the State in cases where a medical officer of health or other medical
25 practitioner in the employ of the State is of the opinion that the bringing in of
26 such human remains will not constitute a danger to health in the State or part
27 thereof; and provides written authorization for such body to be brought into the
28 State.

Authorization
to import and
export human
remains

29 37.-(1) Subject to the provisions of regulations 38 above, no person
30 may import or export human remains unless he or she is issued with an import

1 or export permit by the Registrar of the Council, such import or export
2 permit shall be valid for a period of 30 days after the date of issuance.

3 (2) Should any human remains be imported into the Country in
4 which an import permit as set out in sub-section (1) has not been issued, the
5 Registrar may order that such human remains be kept in a mortuary or at an
6 undertaker's premises at the expense of the importer until such time that the
7 required permit has been issued, provided that if the prescribed permit is not
8 issued within 30 days after the date of the order, the Registrar may order that
9 such human remains be buried or dealt with in accordance with the burial
10 prescripts in the Country and such burial shall be at the expense of the
11 importer.

12 (3) Any person requiring an import permit referred to in sub-
13 regulation (1) shall apply to the registrar in writing and such application shall
14 be accompanied by the following:

15 (a) A death certificate, indicating the deceased's name, address, the
16 date and place of death and the cause of death;

17 (b) The name and export permit of the Country from which the
18 human remains is to be imported;

19 (c) The name of the first point of entry where the human remains is
20 to be imported, the type of transport to be used to import the human remains
21 and convey it to the place of burial;

22 (d) The name of the place in the State where burial of the human
23 remains is to take place or if the human remain will not be buried the reason
24 why the human remains is being brought in; and

25 (e) An embalming certificate, except for deaths as provided for in
26 sub- section 3 and in specific cases where embalming is prohibited for
27 religious reasons.

28 (4) The provisions of sub-section (3) (a) shall mutatis mutandis
29 apply to the human remains of a person that has died:

30 (a) In transit on a boat or aircraft the moment that the human

	1	remains is being brought into the Country, irrespective of whether or not such
	2	human remains is to be buried in Nigeria; or
	3	(b) in the Country and has to be exported out for compliance with the
	4	requirements of the International Health Regulations to contain events at their
	5	sources.
	6	(5) The person responsible for the conveyance or burial of human
	7	remains shall have in his possession the import permit referred to in sub-
	8	section (1), such permit shall be produced on request by a Port Health Officer at
	9	the port of entry in terms of the International Health Regulations.
Offences and penalties	10	38.-(1) Any person who:
	11	(a) Contravenes or fails to comply with any provisions of this Act,
	12	(b) Contravenes or fails to comply with any notice given or condition
	13	imposed in terms of this Act,
	14	(c) For the purpose of this Act, makes a false statement knowing it to
	15	be false or deliberately furnishes false or misleading information to an
	16	authorized official or officer,
	17	(d) Threatens, resists, interferes with or obstructs an authorized
	18	officer or employee for the Council in the performance of his powers, duties or
	19	functions under this Act, shall be guilty of an offence and upon conviction.
	20	(2) Any person who is guilty of an offence and is convicted shall be
	21	liable to a fine or to imprisonment for a period of not less five years or to both a
	22	fine and such imprisonment.
Anatomy practice in Nigeria	23	39. Anatomy practice shall include but not limited to-
	24	(i) Training of Anatomists in Nigerian Universities at all levels;
	25	(ii) Teaching of Anatomy to anatomical, medical and allied health
	26	students in post- secondary institutions of learning; and
	27	(iii) Working as Scientists and Anatomy technicians in the various
	28	laboratories of Anatomy in the country.
Interpretation	29	40. In this Act, unless the context otherwise requires:
	30	"Anatomist" means anyone who holds appropriate academic qualifications

- 1 (B.Sc. or a Postgraduate degree e.g. MBBS and M.Sc. and or Ph.D.
2 Anatomy) to teach, practice or research in anatomy as a discipline at the
3 university or any higher allied health sciences institutional level;
4 "Cadaver" means dead human body/remains;
5 "Commissioner of Health" means the Commissioner of Health of the
6 particular State in Nigeria;
7 "Post-Secondary Institution" includes; Universities, Medical Schools,
8 Schools of Nursing, Schools of Health Technology etc.
9 "The President" means President of the Federal Republic of Nigeria;
10 "The Minister" means Minister of Health of the Federal Republic of Nigeria;
11 "The Council" means Anatomy Council of Nigeria (ACN);
12 "The Country" means Nigeria.
13 **41.** This Bill may be cited as Anatomy Act (Repeal and Re-
14 enactment) Bill, 2021.

Short title

EXPLANATORY NOTES

This Bill seeks to repeal the Anatomy Act of 1933 and Enact the Anatomy Act of 2021 to make provisions for the establishment of the Anatomy Council of Nigeria, bring the practice of anatomy in conformity with current local and global realities.

A BILL

FOR

AN ACT TO MAKE IT MANDATORY FOR ALL OFFICERS, MEMBERS AND TRAINEES OF THE ARMED FORCES, NIGERIA POLICE FORCE, OTHER LAW ENFORCEMENT AGENCIES, AND RELEVANT GOVERNMENT EMPLOYEES TO UNDERGO A COURSE ON HUMAN RIGHTS AT THEIR TRAINING INSTITUTIONS; AND FOR RELATED MATTERS

Sponsored by Hon. Robert Aondona Tyoung

[] Commencement

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

- | | | |
|----|---|---------------------|
| 1 | 1. This Bill applies to all security personnel and security training | Application of |
| 2 | Institutions in Nigeria. | the Bill |
| 3 | 2. Every institution established for the purpose of training officers, | Compulsory |
| 4 | members and trainees of the Armed Forces, Nigeria Police Force, other law | teaching of human |
| 5 | enforcement agencies and relevant government employees shall include in | rights courses |
| 6 | their training programme a course on human rights and make it compulsory. | |
| 7 | 3. Every trainee of the Armed Forces, Nigeria Police Force and | Trainees to undergo |
| 8 | other law enforcement agencies shall undergo a course on human rights to | a course on human |
| 9 | qualify him to be commissioned or promoted. | rights |
| 10 | 4. The head of every security training institution shall ensure that | Compliance by |
| 11 | the provisions of this Bill are complied with by the officer in charge of | the heads of |
| 12 | training, curriculum and instructions. | institutions |
| 13 | 5. This Bill may be cited as the Security Personnel (Mandatory | Citation |
| 14 | Course on Human Rights) Bill, 2021. | |

EXPLANATORY MEMORANDUM

This Bill seeks to make it mandatory for all officers, members and trainees of the Armed Forces, Nigeria Police Force, other law enforcement agencies, and relevant government employees to undergo a course on human rights at their training institutions

FEDERAL UNIVERSITY OF HEALTH, SCIENCES AND TECHNOLOGY,
KANKIA (ESTABLISHMENT) BILL, 2021
ARRANGEMENT OF CLAUSES

Clauses:

PART I - ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF FEDERAL
UNIVERSITY OF HEALTH, SCIENCES AND TECHNOLOGY. KANKIA

1. Establishment of Federal University of Health, Sciences and Technology, Kankia
2. Objects of the University
3. Membership of the University
4. Powers of the University.
5. Chancellor to take precedence before members
6. Establishment and membership of the Council
7. Functions of the Council and its Finance and General Purpose Committee
8. Functions of the Senate
9. Vice-Chancellor to take precedence in the absence of Chancellor

PART II - TRANSFER OF PROPERTY

10. Transfer of Property

PART III - STATUTES OF THE UNIVERSITY

11. Powers of the University to make Statutes
12. Power to make Statutes
13. Proof of Statutes
14. Visitor to decide the meaning of Statutes

PART IV - SUPERVISION AND DISCIPLINE

15. The Visitor
16. Removal of members
17. Removal and discipline of academic, administrative and professional staff
18. Removal of Examiner

19. Disciplinary action on students

PART V - MISCELLANEOUS AND GENERAL PROVISIONS

20. Exclusion or discrimination

21. Transfer of land to the University

22. Consent of Visitor in land deals

23. Quorum

24. Committees

25. Seal of the University

26. Proposals and recommendation

27. Repeal

28. Savings and Transitional Provisions

29. Interpretation

30. Citation

Schedules

A BILL

FOR

AN ACT TO ESTABLISH THE FEDERAL UNIVERSITY OF HEALTH, SCIENCES
AND TECHNOLOGY, KANKIA AND TO MAKE COMPREHENSIVE PROVISIONS
FOR MANAGEMENT AND ADMINISTRATION OF THE UNIVERSITY; AND FOR
RELATED MATTERS

Sponsored by Hon. Yahaya Abubakar Kusada

[] Commencement

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

1 PART I - ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF FEDERAL
2 UNIVERSITY OF HEALTH, SCIENCES AND TECHNOLOGY, KANKIA

3 1.-(1) There is established the Federal University of Health,
4 Sciences and Technology, Kankia (in this Bill referred to as "the
5 University").

Establishment of
Federal University
of Health, Sciences
and Technology,
Kankia

6 (2) The University:

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

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

10 2. The objects of the University shall be to:

Objects of the
University

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

14 (b) develop, offer academic and professional programmes leading
15 to the award of certificates, first degrees, post-graduate diploma and other
16 higher degrees, which emphasises planning, adaptive, developmental and
17 productive skills in education, technology, applied science, agriculture,
18 commerce, art, social science, humanities, management and allied
19 professional disciplines;;

1 (c) encourage and promote scholarship and conduct research in
 2 restricted fields of learning and human endeavour and produce socially mature
 3 educational men and women with capability not to only understand need of
 4 Nigeria as a nation, but also to exploit existing educational infrastructures and
 5 improve on it to develop new ones;

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

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

Membership of
the University

10 **3.-(1)** The University shall consist of-

11 (a) Chancellor;

12 (b) Pro-Chancellor and a Council;

13 (c) Vice Chancellor and a Senate;

14 (d) Deputy Vice Chancellors;

15 (e) a body to be called Congregation;

16 (f) a body to be called Convocation;

17 (g) the campuses and colleges of the University;

18 (h) the faculties, schools, institutes and other teaching and research
 19 units of the University;

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

22 (j) all graduates and undergraduates; and

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

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

27 (3) A provision shall be made by Statute with respect to the
 28 constitution of the following bodies the-

29 (a) Council;

30 (b) Senate;

1 (c) Congregation; and

2 (d) Convocation.

3 **4.-(1)** For the carrying out of its objects as specified in section 2 of Powers of the
4 this Bill, the University shall have power to- University

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

9 (b) institute professorships, readerships, associate professorships,
10 lectureships and other posts and offices and to make appointments
11 accordingly;

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

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

17 (e) hold examinations and award degrees, diplomas, certificates
18 and other distinctions to persons who have pursued a course of study
19 approved by the University and have satisfied such other requirements as the
20 University may lay down;

21 (f) award honorary degrees, fellowships or academic titles;

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

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

29 (i) accept gifts, legacies and donations, but without obligation to
30 accept the same for a particular purpose unless it approves the terms and

1 conditions attaching to them;

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

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

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

10 (m) subject to any limitation or condition imposed by statute, to invest
11 any money appertaining to the University by way of endowment, whether for
12 general or special purposes, and such other money as may not be immediately
13 required for current expenditure, in any investment or security or in the
14 purchase or improvement of land, with power to vary any such investment and
15 to deposit any money for the time being un-invested with any bank on deposit
16 or current account;

17 (n) borrow, whether on interest or not, and if need be, upon the
18 security of any or all of the property movable or immovable of the University,
19 such money as the Council may in its discretion, find necessary or expedient to
20 borrow or to guarantee any loan, advance or credit facility;

21 (o) make gifts for any charitable purpose;

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

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

26 (2) Subject to the provisions of this Bill and of the statutes made under
27 it and without prejudice to section 9 (2) of this Bill, the powers conferred on the
28 University by subsection (1) shall be exercisable on behalf of the University by
29 the Council or by the Senate or in any other manner which may be authorised by
30 this Bill.

1 **5.-(1)** The Chancellor shall in relation to the University, take
 2 precedence , before all other members of the University, and when he is
 3 present shall preside at all meetings of Convocation held for conferring
 4 degrees.

Chancellor to
take precedence
before members

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

10 **6.-(1)** There shall be a Council for the University consisting of-
 11 (a) the Pro-Chancellor;
 12 (b) the Vice-Chancellor;
 13 (c) the Deputy Vice-Chancellors;
 14 (d) one person from the Federal Ministry responsible for
 15 education;
 16 (e) four persons representing a variety of interests and broadly
 17 representative of the whole Federation to be appointed by the President;
 18 (f) four persons appointed by the Senate from among its members;
 19 (g) two persons appointed by the Congregation from among its
 20 members; and
 21 (h) one person appointed by Convocation from among its
 22 members.

Establishment
and membership
of the Council

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

26 **7.-(1)** Subject to the provisions of this Bill relating to the Visitor,
 27 the Council shall be the governing body of the University and shall be
 28 charged with the general control and superintendence of the policy, finances
 29 and property of the University, including its public relations.

Functions of the
Council and its
Finance and General
Purpose Committee

30 (2) There shall be the Finance and General Purposes Committee of

1 the Council, which shall, subject to the directions of the Council, exercise
2 control over the property and expenditure of the Council as the Council may
3 delegate to it.

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

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

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

16 (6) Rules made under subsection (5) by the Finance and General
17 Purposes Committee shall not come into effect unless approved by the Council,
18 and where any rule so made by the Committee conflicts with any direction
19 given by the Council (whether before or after the coming into effect of the rules
20 in question), the direction of the Council shall prevail.

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

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

27 (9) If required in writing by five members of the Council, the
28 Chairman shall, within 28 days after the receipt of such request, call a meeting
29 of the Council.

30 (10) If after 28 days of the receipt or delivery to him of a request under

1 subsection (9), the Chairman fails or neglects to call a meeting, the Registrar
2 shall, within 14 days, cause a meeting of the Council to be convened for that
3 purpose and the request shall specify the business to be considered at the
4 meeting and no business not so specified shall be transacted at that meeting.

5 **8.-(1)** Subject to section 5 of the Bill and subsections (3) and (4) of Functions of the
Senate
6 this section, and the provisions of this Bill relating to the Visitor, it shall be
7 the general function of the Senate to organise and control teaching in the
8 University, admission of students, the discipline of students and to promote
9 research in the University.

10 (2) Without prejudice to the generality of the provisions of
11 subsection (1) of this section, the Senate shall make provision for the-

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

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

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

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

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

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

28 (g) granting of fellowships, scholarships, prizes and similar awards
29 that are within the control of the University; and

30 (h) determination of what description of dress shall be academic

1 dress for the purposes of the University, and regulating the use of academic
2 dress.

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

7 (4) Subject to this Bill and the Statutes, the Senate may-

8 (a) make regulations for the purpose of exercising any function
9 conferred on it either by the provisions of this section or for the purpose of
10 providing for any matter for which provision by regulation is authorised or
11 required by this Act or by Statute; and

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

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

Vice-Chancellor
to take precedence
in the absence of
Chancellor

23 9.-(1) The Vice-Chancellor shall, in relation to the University, take
24 precedence before all other members of the University except the Chancellor
25 and, subject to section 5 of this Bill, the Pro-Chancellor and any other person
26 for the time being acting as Chairman of the Council.

27 (2) Subject to the provisions of this Bill, the Vice-Chancellor shall
28 have general function, in addition to any other function conferred on him by
29 this Bill or otherwise, of directing the activities of the University, and shall, to
30 the exclusion of any other person or authority, be the chief executive and

1 academic officer of the University and ex-officio Chairman of the Senate.

2 PART II - TRANSFER OF PROPERTY

3 **10.**-(1) All property held by or on behalf of the Provisional Council Transfer of
4 shall vest in the University and be held by it for the purpose of the Property
5 University.

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

10 PART III - STATUTES OF THE UNIVERSITY

11 **11.**-(1) Subject to this Bill, the University may make Statutes for- Powers of the
12 (a) making provision with respect to the composition and University to
13 constitution of any authority of the University; make Statutes

14 (b) specifying and regulating the powers and duties of any
15 authority of the University, and any other matter connected with the
16 University;

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

19 (d) determining whether any particular matter is to be treated as
20 academic or non-academic for the purposes of this Bill, any Statute,
21 regulation or other instrument made thereunder; and

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

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

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

30 (4) The power to make Statute conferred by this section shall not be

	1	prejudiced or limited in any way by reason of the inclusion or omission of any
	2	matter in or from the Statute contained in the Third Schedule to this Bill or any
	3	subsequent Statute.
Power to make Statutes	4	12. -(1) The power of the University to make Statutes shall be
	5	exercised in accordance with the provisions of this section.
	6	(2) A proposed Statute shall not come into effect until it has been
	7	approved at a meeting of the:
	8	(a) Senate, by the votes of not less than two-thirds of the members
	9	present and voting; and
	10	(b) Council by the votes of not less than two-thirds of the members
	11	present and voting.
	12	(3) A proposed Statute may originate either in the Senate or Council,
	13	and may be approved as required by subsection (2) by both bodies in no
	14	particular order.
	15	(4) A Statute which-
	16	(a) makes provision for or alters the composition or constitution of the
	17	Council, the Senate or any other authority of the University; or
	18	(b) provides for the establishment of a new campus or college or for
	19	the amendment or revocation of any Statute whereby a campus or college is
	20	established, shall not come into operation unless it has been approved by the
	21	Visitor.
	22	(5) For the purpose of section 2 (2) of the Interpretation Act, a Statute
	23	shall be treated as being made on the date on which it is approved by the
	24	Council and the Senate in accordance with subsection (3) or in the case of a
	25	Statute falling within subsection (4), on the date on which it is approved by the
	26	President.
Proof of Statutes	27	13. A statute may be proved in any court by the production of a copy
	28	of it bearing or having affixed to it a certificate signed by the Vice-Chancellor
	29	or the Registrar to the effect that the copy is a true copy of a Statute of that
	30	University.

Visitor to decide
the meaning of
Statutes

22 PART IV - SUPERVISION AND DISCIPLINE

The Visitor

29 (a) make available to the Visitor, and to any other persons
30 conducting a visitation under this section, such facilities and assistance as

	1	may reasonably be required for the purposes of the visitation; and
	2	(b) give effect to any instruction consistent with the provisions of this
	3	Bill which may be given by the Visitor in consequence of the visitation.
Removal of members	4	16. -(1) Where it appears to the Council that a member (other than the
	5	Pro-Chancellor or the Vice-Chancellor) should be removed from office on
	6	grounds of misconduct or inability to perform the functions of his office, the
	7	Council shall make a recommendation to that effect through the Minister to the
	8	Visitor and if the Visitor, after making enquiries (if any) as may be considered
	9	necessary, approves the recommendation it may direct the removal of the
	10	member from office.
	11	(2) The Minister shall use his best endeavors to cause a copy of the
	12	instrument embodying a direction under subsection (1) to be served as soon as
	13	reasonably practicable on the person to whom it relates.
Removal and discipline of academic, administrative and professional staff	14	17. -(1) Where it appears to the Council that there are reasons for
	15	believing that any person employed as a member of the academic,
	16	administrative or professional staff of the University, other than the Vice-
	17	Chancellor, should be removed from office on grounds of misconduct or
	18	inability to perform the functions of his office, the Council shall-
	19	(a) give notice of those reasons to the person in question;
	20	(b) afford such person an opportunity of making representation in
	21	person on the matter to the Council; and
	22	(c) take a decision to terminate or not to terminate the appointment.
	23	(2) If the affected staff or any three members of the Council so request
	24	within a period of one month from the date of receipt of the notice of the
	25	Council's decision, the Council shall make arrangements for:
	26	(a) a joint committee of the Council and the Senate to review the
	27	matter and to report on it to the Council; and
	28	(b) the person in question to be afforded an opportunity to appear
	29	before and be heard by an investigating committee with respect to the matter,
	30	and if the Council, after considering the report of the investigating committee,

1 is satisfied that the person in question should be removed, the Council may
2 so remove him by an instrument in writing signed on the direction of the
3 Council.

4 (3) The Vice-Chancellor may, in a case of gross misconduct by a
5 member of staff which in the opinion of the Vice-Chancellor is prejudicial to
6 the interest of the University, suspend such member and any such
7 suspension shall immediately be reported to the Council.

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

11 (a) conviction for any offence which the Council considers to
12 render the person concerned unfit for the performance of the functions of his
13 office;

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

17 (c) conduct of a scandalous or disgraceful nature which the
18 Council considers to render the person concerned unfit to continue to hold
19 office; or

20 (d) conduct which the Council considers to constitute failure or
21 inability of the person concerned to perform the functions of his office or to
22 comply with the terms and conditions of his service.

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

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

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

1 (c) terminate the appointment of the person concerned in which case
2 the person will not be entitled to the proportion of his emoluments withheld
3 during the period of suspension; and

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

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

12 (7) The person by whom an instrument of removal is signed under
13 subsection (1) shall use his best endeavors, to cause a copy of the instrument to
14 be served as soon as reasonably practicable on the person to whom it relates.

15 (8) Nothing in this section shall prevent the Council from making
16 regulations for the discipline of staff and workers of the University as may be
17 appropriate.

Removal of
Examiner

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

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

28 (3) The Registrar shall on signing an instrument of removal under this
29 section, use his best endeavors to cause a copy of the instrument to be served as
30 soon as reasonably practicable on the person to whom it relates.

- 1 **19.**-(1) Subject to the provisions of this section, where it appears to Disciplinary
2 the Vice- Chancellor that any student is guilty of misconduct, the Vice- action on students
3 Chancellor may, without prejudice to any other disciplinary powers
4 conferred on him by Statute or regulations, direct that the-
- 5 (a) student shall not, during such period as may be specified in the
6 direction, participate in such activities of the University or make use of such
7 facilities of the University as may be so specified;
- 8 (b) activities of the student shall, during such period as may be
9 specified in the direction, be restricted in such manner as may be specified;
- 10 (c) student be rusticated for such period as may be specified in the
11 direction; or
- 12 (d) student be expelled from the University.
- 13 (2) Where a direction is given under subsection (1) (c) or (d) in
14 respect of any student, the student may, within the prescribed period and in
15 the prescribed manner, appeal against the direction to the Senate.
- 16 (3) Where an appeal is brought under subsection (2), the Senate
17 shall, after causing such inquiry to be made in the matter as the Senate
18 considers just, either confirm or set aside the direction or modify it in any
19 manner as the Senate deems fit.
- 20 (4) The fact that an appeal from a direction is brought under
21 subsection (2) shall not affect the operation of the direction while the appeal
22 is pending.
- 23 (5) The Vice-Chancellor may delegate his powers under this
24 section to a disciplinary board consisting of members of the University as he
25 may nominate.
- 26 (6) Nothing in this section shall be construed as preventing the
27 restriction or termination of a student's activities at the University for
28 conduct which, in the opinion of Senate, is prejudicial to the interest of the
29 University, to its corporate objective or image.
- 30 (7) A direction under subsection (1) (a) may be combined with a

	1	direction under subsection (1) (b).
	2	PART V - MISCELLANEOUS AND GENERAL PROVISIONS
Exclusion or discrimination	3	20. -(1) A person shall not be required to satisfy requirements as to
	4	race (including ethnic grouping), sex, place of birth, family origin, religious or
	5	political persuasion, as a condition for 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 any body established by virtue of this Bill.
	10	(2) A person shall not be subjected to any disadvantage or accorded
	11	any advantage in relation to the University by reference to any of the matters
	12	referred to in subsection (1).
	13	(3) Nothing in subsection (1) shall be construed as preventing the
	14	University from imposing any disability or restriction on any of the persons
	15	specified in subsection (1), where such persons willfully refuse or fail on
	16	grounds of religious belief to undertake any duty generally and uniformly
	17	imposed on all such persons or any group of them which duty, having regard to
	18	its nature and the special circumstances, is in the opinion of the University
	19	reasonably justifiable in the national interest.
Transfer of land to the University	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 authorised in
	26	that behalf transfer it to the University.
Consent of Visitor in land deals	27	22. -(1) 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 (2) The consent shall not be required in the case of any lease or
2 tenancy at a rack-rent for a term not exceeding 21 years of any lease or
3 tenancy to a member of the University for residential purpose.

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

7 **24.**-(1) Any body of persons established by this Bill shall, without Committees
8 prejudice to the generality of the powers of that body, have power to appoint
9 committees, which need not consist exclusively of members of that body
10 and authorise a committee established by it to:

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

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

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

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

24 (4) The Pro-Chancellor and the Vice-Chancellor shall be members
25 of every committee of which the members are wholly or partly appointed by
26 the Council, (other than a committee appointed to inquire into the conduct of
27 the officer in question) and the Vice-Chancellor shall be a member of every
28 committee of which the members are wholly or partly appointed by the
29 Senate.

30 (5) Nothing in this section shall be construed as enabling-

Seal of the
University

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

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

5 **25.-(1)** The seal of the University shall be such as may be determined
6 by the Council and approved by the Chancellor and the affixing of the seal
7 shall:

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

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

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

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

20 (4) The validity of the proceedings of any body established pursuant
21 to this Bill shall not be affected by-

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

23 (b) any defect in appointment of a member of the body; or

24 (c) reason that any person not entitled to do so, took part in the
25 proceedings.

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

29 (6) Nothing in section 12 of the Interpretation Act (which provides for
30 the application, in relation to subordinate legislation, of certain incidental

1 provisions) shall apply to statutes or regulations made pursuant to this Bill.

2 (7) The power conferred by this Bill on anybody to make statute or
3 regulations shall include power to revoke or vary any:

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

6 (b) Regulation by a subsequent Statute or Regulation as the case
7 may be, and that the Statutes and Regulations may have different provisions
8 in relation to different circumstances.

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

12 (9) Any notice or other instrument authorised to be served by virtue
13 of this Bill may, without prejudice to any other mode of service, be served by
14 post.

15 **26.** Where in any of the provisions of this Bill, it is laid down that
16 proposals are to be submitted or a recommendation is to be made by one
17 authority to another through one or more intermediate authorities, every
18 such intermediate authority shall forward any proposal or recommendation
19 received by it pursuant to that provision to the appropriate authority, but
20 any such intermediate authority may, if it thinks fit, forward its own
21 comments on it..

Proposals and
recommendation

22 **27.** In this Bill:

Interpretation

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

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

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

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

28 "Government" means the Federal Government of Nigeria;

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

1 "gross misconduct" means any act of misconduct and improper behaviour that
2 may be designated as gross misconduct by any Statute or regulation made,
3 pursuant to this Act;

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

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

8 "notice" means notice in writing;

9 "officer" does not include the Visitor;

10 "prescribed" means prescribed by Statute or regulation made under this Act;

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

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

14 "property" includes rights, liabilities and obligations;

15 "the Provisional Council" means the Provisional Council appointed for the
16 University by the President with effect from September 2017;

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

18 "Senate" means the Senate of the University established by this Act;

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

21 "the Statutes" means all such Statutes as are in effect from time to time;

22 "teacher" means a person holding a full time appointment as a member of the
23 teaching or research staff of the University;

24 "undergraduate" means a person in statu pupilaris in the University, other than-

25 (a) a graduate, and

26 (b) a person of such description as may be prescribed for the purposes
27 of this definition, and "University" means the Federal University of Health,
28 Sciences and Technology, Kankia as established by this Bill.

Citation

29 **28.** This Bill may be cited as the Federal University of Health,
30 Sciences and Technology, Kankia (Establishment) Bill, 2021.

1 SCHEDULES

2 FIRST SCHEDULE

3 PRINCIPAL OFFICERS OF THE UNIVERSITY

4 *The Chancellor*

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

7 *The Pro-Chancellor*

8 2.-(1) The Pro-Chancellor shall be appointed or removed from
9 office by the President.

10 (2) Subject to the provisions of this Act, the Pro-Chancellor shall
11 hold office for a period of four years from the date of his appointment.

12 *The Vice Chancellor*

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

16 *Deputy Vice Chancellor*

17 4.-(1) There shall be for the University, two Deputy Vice-
18 Chancellors or such number of Deputy Vice-Chancellors as the Council
19 may, from time to time, deem necessary for the proper administration of the
20 University.

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

24 (3) A Deputy Vice-Chancellor shall:

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

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

29 (c) perform such other functions as the Vice-Chancellor or the
30 Council may assign to him.

1 *Office of the Registrar, Bursar and University Librarian*

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

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

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

12 (4) The Council may, upon satisfactory performance, extend the
13 tenure of the Registrar, Bursar or Librarian for a further period of one year only
14 and thereafter the Registrar, Bursar or Librarian shall relinquish the post and be
15 assigned to other duties in the University.

16 *Principal Officers of the University*

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

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 is responsible to the Vice-Chancellor for the day-to-day administration and
23 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 shall each hold office for
30 such period and on such terms and conditions as to emoluments as may be

1 specified in their letters of appointment.

2 *Other Officers of the University*

3 7. There shall be for the University, a Director of Works, who is
4 responsible to the Vice-Chancellor for the administration of the Works
5 Department, and is responsible for all works, services and maintenance of
6 University facilities.

7 *Director of Health Services*

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

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

12 (b) be the Chief Medical Officer of the University; and

13 (c) coordinate all matters relating to the health of all staff and
14 students.

15 *Resignations and Appointment*

16 9.-(1) Any officer mentioned in this Schedule may resign his office
17 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.

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 **TRANSITIONAL PROVISIONS AS TO PROPERTY, FUNCTIONS, ETC**

27 *Transfer of Property to the University*

28 1. Without prejudice to the generality of section 10 (1) of this Act:

29 (a) the reference in the subsection to property held by the
30 Provisional Council and the University shall include a reference to the right

1 to receive and give a good discharge for any grant or contribution which may
2 have been voted or promised to the Provisional Council and the University; and
3 (b) all outstanding debts and liabilities of the Provisional Council
4 shall become debts and liabilities of the University established by this Act.

5 *The Provisional Council*

6 2.-(1) All agreements, contracts, deeds and other instruments to
7 which the Provisional Council was a party shall, so far as possible and subject
8 to any necessary modification, have effect as if the University established by
9 this Act had been a party to it in place of the Provisional Council.

10 (2) Documents not falling within subparagraph (1), including
11 enactments, which refer whether specially or generally to the Provisional
12 Council shall be construed in accordance with that subparagraph so far as
13 applicable.

14 (3) Any legal proceeding or application to any authority pending by or
15 against the Provisional Council may be continued by or against the University
16 established by this Act.

17 *Registration of Transfers*

18 3.-(1) If the law in effect at the place where any property transferred
19 by this Act is situated provides for the registration of transfers of property of the
20 kind in question (whether by reference to an instrument of transfer or
21 otherwise), the law shall, so far as it provides for alterations of a register (but
22 not for avoidance of transfers, the payment of fees of any other matter) apply,
23 with the necessary modifications to the transfer of the property in question.

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

28 *Meeting*

29 4.-(1) The first meeting of the Council shall be convened by the Pro-
30 Chancellor on such date and in such manner as he may determine.

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

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

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

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

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

20 *The Staff*

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

26 *The Scope of Responsibilities*

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

1 THIRD SCHEDULE

2 FEDERAL UNIVERSITY OF HEALTH, SCIENCES

3 AND TECHNOLOGY, KANKIA

4 STATUTE NO.1

5 *Articles:*

6 1. The Council

7 2. Finance and General Purpose Committee

8 3. The Senate

9 4. The Congregation

10 5. Convocation

11 6. Organisation of Faculties and the Branches thereof

12 7. Faculty Board

13 8. The Dean of the Faculty

14 9. Selection of certain principal and other key officers

15 10. Creation of academic post

16 11. Appointment of academic staff

17 12. Appointment of administrative and technical staff

18 *The Council*

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

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

25 (3) Where a member of Council holding office pursuant to section
26 6(1) (e), (f), (g) or (h) of this Act vacates office before the expiration of his
27 tenure, the body that appointed him may appoint a successor to hold office for
28 the residue of his unexpired term.

29 (4) A person ceasing to hold office as a member of Council otherwise
30 than by removal for misconduct shall be eligible for re- appointment for only

1 one further period of four years.

2 (5) The quorum of the Council shall be five, at least one of whom
3 shall be a member pursuant to section 6 (1) (d) and (e) of this Act.

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

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

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

17 (9) The powers of the Council shall be exercised in accordance
18 with the laws and Statutes of the University, and to that extent, establishment
19 circulars that are inconsistent with the laws and Statutes of the University
20 shall not apply to the University.

21 *The Finance and General Purposes Committee*

22 2.-(1) The Finance and General Purposes Committee of the
23 Council shall consist of:

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

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

27 (c) six other members of the Council appointed by the Council two
28 of whom shall be selected from among the four members of the Council
29 appointed by the Senate and one of whom shall be selected from among
30 members of the Council appointed by the Congregation; and

1 (d) the Permanent Secretary, Federal Ministry of Education or, in his
2 absence, such member of his Ministry as he may designate to represent him.

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

4 (3) Subject to any direction given by the Council, the Committee may
5 regulate its own procedure.

6 *The Senate*

7 3.-(1) There shall be a Senate for the University consisting of:

8 (a) the Vice-Chancellor;

9 (b) the Deputy Vice-Chancellor;

10 (c) all Professors of the University;

11 (d) all Deans, Provosts and Directors of Academic Units of the
12 University;

13 (e) all Heads of Academic Departments, Units and Research Institutes
14 of the University; and

15 (f) the University Librarian.

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

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

22 (4) If so requested in writing by any 10 members of the Senate, the
23 Vice-Chancellor or, in his absence a person duly appointed by him shall
24 convene a meeting of the Senate to be held not later than the tenth day
25 following that on which the request was received.

26 *Congregation*

27 4.-(1) Congregation shall consist of:

28 (a) the Vice-Chancellor and the Deputy Vice-Chancellor;

29 (b) the full time members of the academic staff;

30 (c) the Registrar;

1 (d) the Bursar; and
2 (e) every member of the administrative and technical staff who
3 holds a degree of any University recognised for the purpose of this Statute
4 by the Vice-Chancellor, not being an honorary degree.

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

9 (3) The quorum of Congregation shall be one-third (or the nearest
10 whole number to one-third) of the total number of members of Congregation
11 or 50, whichever is less.

12 (4) A certificate signed by the Vice-Chancellor specifying-

13 (a) the total number of members of Congregation for the purposes
14 of any particular meeting or meetings of Congregation, or

15 (b) the names of the persons who are members of Congregation
16 during a particular period, shall be conclusive evidence of that number or as
17 the case may be of the names of those persons.

18 (5) Subject to the provisions of this Schedule, Congregation may
19 regulate its own procedure.

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

25 *Convocation*

26 5.-(1) Convocation shall consist of-

27 (a) the Officers of the University mentioned in the First Schedule to
28 this Act;

29 (b) all teachers within the meaning of this Act; and

1 (c) all other persons whose names are registered in accordance with
2 subparagraph (2).

3 (2) A person shall be entitled to have his name registered as a member
4 of convocation if he-

5 (a) is either a graduate of the University or a person satisfying such
6 requirements as may be prescribed for the purposes of this paragraph; and

7 (b) applies for the registration of his name in the prescribed manner
8 and pays the prescribed fee.

9 (3) Regulations shall provide for the establishment and maintenance
10 of a register for the purpose of this paragraph and, subject to subparagraph (3),
11 may provide for the payment from time to time of further fees by persons
12 whose names are on the register and for the removal from the register of the
13 name of any person who fails to pay those fees.

14 (4) The person responsible for maintaining the register shall, without
15 the payment of any fee, ensure that the names of all persons who are for the time
16 being members of Convocation by virtue of subparagraph (1) (a) or (b) are
17 entered and retained on the register.

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

21 (6) The register shall, unless the contrary is proved, be sufficient
22 evidence that any person named therein is, and that any person not named
23 therein is not, a member of convocation, but for the purpose of ascertaining
24 whether a particular person was such a member on a particular date, any entry
25 in, and deletion from, the register made on or after that date shall be
26 disregarded.

27 (7) The quorum of Convocation shall be 50 or one-third (or the whole
28 number nearest to one-third) of the total number of members of Convocation
29 whichever is less.

30 (8) Subject to section 5 of this Act, the Chancellor shall be Chairman

1 at all meetings of Convocation when he is present, and, in his absence, the
2 Vice-Chancellor shall be the Chairman at the meeting.

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

6 *Organization of Faculties and Branches of the University*

7 6. Each Faculty shall be divided into such number of branches as
8 may be prescribed.

9 7.-(1) There shall be established in respect of each Faculty, a
10 Faculty Board, which subject to the provisions of this Act, and subject to the
11 directions of the Vice-Chancellor, shall:

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

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

16 (c) advice the Vice-Chancellor or Senate on any matter referred to
17 it by the Vice Chancellor or Senate.

18 (2) Each Faculty Board shall consist of:

19 (a) The Vice-Chancellor;

20 (b) The persons severally in charge of the branches of the faculty;

21 (c) such number of the teachers assigned to the faculty and having
22 the prescribed qualifications as the Board may determine; and

23 (d) such person whether or not members of the University as the
24 Board may determine with the general or special approval of Senate.

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

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

1 *The Dean of the Faculty*

2 8.-(1) The Dean of a faculty shall be a professor elected by the Faculty
3 Board and such Dean shall hold office for a term of two years. He will be
4 eligible for re-election for another term of two years after which he may not be
5 elected again until two years have elapsed.

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

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

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

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

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

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

1 *Selection of Certain Principal and other key Officers*

2 9.-(1) When a vacancy occurs in the Office of the Registrar, Bursar,
3 the University Librarian, Director of Health Services, a Selection Board
4 shall be constituted by the Council and shall consist of:

5 (i) The Pro-Chancellor;

6 (ii) The Vice-Chancellor;

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

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

11 (2) The Selection Board, after making such inquiries as it thinks fit,
12 shall recommend a candidate to the Council for appointment to the vacant
13 office, and after considering the recommendation of the Board the Council
14 may make an appointment to that office.

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

18 *Creation of Academic Post*

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

22 *Appointment of Academic Staff*

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

26 *Appointment of Administrative and Technical Staff*

27 12.-(1) The administrative and technical staff of the University,
28 other than those mentioned in paragraph 9 of this schedule shall be
29 appointed by the Council or on its behalf by the Vice-Chancellor or the

1 Registrar in accordance with any delegation of powers made by the Council in
2 that behalf.

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

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal University of Health, Sciences and Technology, Kankia to ensure equity and access to tertiary education in the country.

The University is a conventional University with restricted programmes, limited and focused faculties.

A BILL

FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE FEDERAL
INSTITUTE OF AVIATION ENGINEERING AND TECHNOLOGY, OGHARA,
DELTA STATE; AND FOR RELATED MATTERS

Sponsored by Hon. Ben Rollands Jgbakpa

[] Commencement

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

- 1 1.-(1) There shall be established at Oghara, Delta State, a training
2 organisation to be known as the Federal Institute of Aviation Engineering
3 and Technology (in this Act referred to as "the Institute") which shall be a
4 body corporate under that name and, subject to the provisions of this Act, the
5 Institute shall be charged with the general duty of providing:
6 (a) civil aviation courses, standard or special, designed for use in
7 flight training or in airport operation and management as may from time to
8 time be prescribed under this Act for approved persons;
9 (b) training of approved persons in the installation, maintenance
10 and operation, as the case may be, of technical equipment the use of which is
11 calculated or likely to increase the margin of operational safety of civil
12 aircraft services;
13 (c) equipment and necessary facilities for technical research or
14 normal use by approved persons at the Institute as may from time to time be
15 authorised or allowed by the Board of governors under this Act.
16 (2) Courses provided for the purposes of subsection (1) of this
17 section shall include the organisation of incidental study groups and the
18 delivery of necessary series of lectures; and if approved, fees may be
19 calculated and be charged at such rate, not exceeding the estimate cost of the
20 course, as may be prescribed under this Act.
- Establishment
of the Federal
Institute of Aviation
Engineering and
Technology,
Oghara, Delta
State

	1	(3) The Institute as a body corporate shall have perpetual succession
	2	and a common seal which shall be kept in the custody of the principal of the
	3	Institute; and the Institute may hold or acquire property, movable and
	4	immovable, but shall not mortgage, charge or dispose of any property held by it
	5	over the value of N1 ,000.000 without the consent in writing of the Minister.
Power to appoint a principal for the Institute	6	2. The Minister shall appoint a fit person as head of the Institute and its
	7	principal; and the principal shall be responsible to the Board of governors
	8	under this Act for the day-to-day administration and control of the Institute, and
	9	shall perform such other duties as may, from time to time, be prescribed under
	10	this Act.
Board of Governors	11	3.-(1) There shall be a Board of governors (in this Act referred to as
	12	"the Board") as members of the Institute charged with responsibility for the
	13	organisation, administration and policy planning of the Institute and the Board
	14	shall consist of the following members-
	15	(a) one fit person appointed as chairman by the President;
	16	(b) one fit person appointed as a member by the President;
	17	(c) a representative of the Ministry of Civil Aviation;
	18	(d) the Managing Director of the Nigerian Airways Ltd;
	19	(e) a representative of the Nigerian Air force; and
	20	(f) a representative of the International Civil Aviation Organisation.
	21	(2) The principal of the Institute shall be the secretary to the Board and
	22	shall attend the meetings of the Board; and in his absence his deputy shall act as
	23	a secretary at meetings attended by him, but neither the secretary nor his deputy
	24	acting for him in that capacity shall have a vote at meetings of the Board.
	25	(3) The Minister may give to the Board directions of a general nature
	26	or relating generally to particular matters and, in any event while it continues to
	27	operate in Nigeria, not inconsistent with the objects of the special fund, or of
	28	the executing agency; and the Board shall comply with any such directions
	29	given by the Minister.

1 (4) Subject to the provisions of subsection (3) of this section, the

2 Board may:

3 (a) prescribe the general policy of the Institute in consultation with
4 the principal of the Institute and the fees to be charged in respect thereof;

5 (b) regulate the organisation and management of the Institute;

6 (c) prescribe the duties of the principal of the Institute and any
7 members of its staff;

8 (d) provide for the appointment, promotion, dismissal and transfer
9 of members of the staff at the Institute and for their salaries;

10 (e) make provision for pension schemes for members of the staff at
11 the Institute;

12 (f) approve annual accounts and estimates;

13 (g) as and when required, make any necessary contract between the
14 Institute and any persons not connected therewith;

15 (h) submit annual reports to the Minister.

16 (5) The provisions of the First Schedule to this Act shall have effect
17 with respect to the tenure of office of members of the Board and the other
18 matters there mentioned.

19 (6) In this section, "staff" includes all personnel of the Institute
20 other than those employed by the executing agency or by the special fund, or
21 by any other approved foreign agency or organisation.

22 4.-(1) The funds of the Institute shall comprise:

Financial
Provisions

23 (a) money allocated to it in each year by the Government of the
24 Federation and, while it continues to operate in Nigeria, by the special fund
25 in such shares as may be agreed from time to time;

26 (b) donations and subsidies;

27 (c) fees for training received from the Institute;

28 (d) monies from such other sources as may, from time to time, be
29 approved by the Board on behalf of the Institute.

30 (2) The Board shall cause accounts to be kept at all times of the

1 income and expenditure of the Institute and proper records in relation to those
2 accounts; and the accounts of the Institute shall be audited as soon as may be
3 after the end of the financial year to which the accounts relate by an auditor
4 appointed from the list and in accordance with the guidelines supplied by the
5 Auditor - General for the Federation.

6 (3) The Board shall prepare and submit to the Minister not later than
7 the last day of October in each and every year after the commencement of this
8 Act an estimate of the expenditure and income during the next financial year.

Report on the
Institute in each
year

9 5.-(1) The Board shall in every year furnish half-yearly reports to the
10 Minister and while the special fund continues to operate in Nigeria, to both the
11 representatives of the executing agency and of the special fund, on the
12 activities of the Institute, so however, that the first of such reports shall be
13 furnished not later than 15 July, 1965, and subsequent reports as nearly as may
14 be on or after 15 January and 15 July in each year thereafter; and every report
15 shall be accompanied by a copy of the audited accounts of the Institute, an of
16 the report (if any) by the auditor on the accounts as audited by him.

17 (2) Copies of the report when made shall be printed and submitted to
18 the President.

Travelling
allowances etc.
to members of
the Board

19 6. Members of the Board shall be paid such travelling and other
20 allowances at such rate as the Minister may, from time to time, approve, after
21 consultation with the Minister of the Government of the Federation charged
22 with the responsibility for finance.

Advisory Council

23 7.-(1) There shall be for the Institute an advisory council consisting of
24 not less than ten members or more than twenty members appointed, from time
25 to time, by the Minister from among representatives of governments, airlines
26 and civil aviation bodies making use of the Institute.

27 (2) Meetings of the advisory council shall be convened by the
28 principal as and when necessary, so however that the advisory council shall
29 meet at least once in each calendar year.

30 (3) It shall be the duty of the advisory council to make suggestions to

1 the Board relative to courses of instruction provided or to be provided by the
2 Institute, and to make recommendations to the Minister for the holding of
3 conferences and meetings at the Institute which members of the advisory
4 council consider suitable or necessary.

5 (4) The Board shall consider all suggestions offered to it by the
6 advisory council under subsection (3) of this section and shall give effect to
7 them as far as is practicable.

8 (5) Members attending a meeting of the advisory council shall
9 appoint the chairman for the meeting and may regulate its own procedure
10 thereat.

11 (6) The principal or in his absence some person nominated by him
12 shall attend meetings of the advisory council and provide any necessary
13 assistance of a secretarial nature and any person attending under this
14 subsection may take part in deliberations of the advisory council, but shall
15 not vote on any subject.

16 **8.** The Federal Civil Service Commission may by order published Pensions in
17 in the Federal Gazette declare that service with the Institute shall be special cases
18 approved service for the purposes of the Pensions Act.

19 **9.-(1)** Where any act, matter or thing falls to be prescribed under Regulations
20 this Act, any such act, matter or thing may be prescribed by regulations made
21 on behalf of the Institute by the board.

22 (2) Regulations made under this section shall, when approved by
23 the Minister, be published in the Federal Gazette.

24 **10.** It is declared for the avoidance of doubt that where any persons Validation of
25 have before the commencement of this Act been appointed or have past acts, etc.
26 purported to act under powers, however conferred, incidental to the
27 acquisition of land for, or incidental to the erection, supervision or control
28 of, the Institute hereby established, such persons shall be deemed always to
29 have been lawfully appointed, or to have validly exercised the powers, as the
30 case may be.

Disposal of
property of the
special fund

1 **11.-(1)** The President may, after consultation with the executing
2 agency and of the special fund, prescribe a date not earlier than five years after
3 the commencement of this Act for the preparation of a schedule (in this section
4 referred to as "the transfer schedule") of the assets in Nigeria of the special
5 fund, and the Accountant-General of the Federation shall, when so directed,
6 and acting in collaboration with the executing agency, the special fund and the
7 Board, prepare the transfer schedule accordingly; and the transfer schedule
8 shall be certified to, by the persons so collaborating, and a copy shall be
9 supplied by the principal of the Institute to the Minister.

10 (2) On a day to be appointed thereafter by the Minister (hereafter in
11 this Act referred to as "the appointed transfer day") the Institute shall have and
12 may exercise administrative control on behalf of the Government of the
13 Federation over all property shown as assets in the transfer schedule, and such
14 assets shall vest in the Institute accordingly.

15 (3) The provisions of the Second Schedule to this Act shall have effect
16 with respect to any matter arising from the transfer by this section to the
17 Institute of the assets in Nigeria of the special fund and with respect to the other
18 matters mentioned in that Schedule.

Interpretation

19 **12.** In this Act, unless the context otherwise requires:
20 "appointed transfer day" means the day appointed for the purpose of section 11
21 of this Act for the vesting of certain property of the special fund in the Institute;
22 "approved" means approved by the Minister;
23 "Board" means the Board of governors under section 3 of this Act;
24 "Institute" means the Federal Institute of Aviation Engineering and Technology
25 established under section 1 of this Act;
26 "executing agency" means the International Civil Aviation Organisation acting
27 on behalf of the special fund;
28 "Minister" means the Minister of the government of the Federation charged
29 with responsibility for civil aviation;

1 "prescribed" means prescribed on behalf of the Institute with the approval of
2 the Minister;

3 "principal" means the chief executive officer of the Institute;

4 "special fund" means the United Nations' Special Fund administered to
5 Nigeria by the director of the special fund programmes in Nigeria.

6 **13.** This Bill may be cited as the Federal Institute of Aviation Short title
7 Engineering and Technology Bill, 2021.

EXPLANATORY MEMORANDUM

The Bill seeks to provide for the establishment of the Federal Institute of Aviation Engineering and Technology, a higher education institute in Aviation Technology to provide for its regulation, organisation, control and operation of training programs related to the aviation sector and the skills that would be required for aircraft manufacturing, distribution, installation, maintenance and operation of technical equipment's to increase the margin of operational safety of civil aircraft services, and for connected purposes.

SCHEDULES

FIRST SCHEDULE

[Section 3 (5).]

SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD

Qualifications and tenure of office of members

1.-(1) Subject to the provisions of this paragraph, a member of the

(2) Any member of the Board who ceases to be a member thereof

(3) Any member appointed by the government of the Federation may

(4) A person who has ceased to be a member of the Board shall be

(5) If for any reason there is a vacation of office by a member and:

(a) such member was appointed on behalf of the government of the

(b) in any other case the vacancy shall be filled by appointment as the

Powers of Board

2. Unless otherwise precluded by this Act, the Board shall have power

Proceedings of the Board

3.-(1) Subject to the provisions of this Act, the Board may in the name of the Institute make standing orders regulating the proceedings of the Institute or of the Board, and in the exercise of its powers under this Act, may set out committees in the general interest of the Institute, and make standing orders therefor.

(2) Standing orders shall provide for decisions taken to be unanimous and accordingly the chairman shall not have a second or casting vote. Standing orders made for a committee shall provide that the committee is to report back to the Board on any matter not within its competence under this Act to decide.

4. The quorum of the Board shall be four of whom one shall be the representative of either the executing agency or of the special fund; and the quorum of a committee of the Board shall be fixed by the Board itself.

Meetings

5.-(1) Subject to the provisions of this Act and any standing orders of the Board, the Board shall meet whenever it is summoned by the chairman; and if the chairman is required to do so by notice given to him by the Minister, he shall summon a meeting of the Board to be held within seven days from the date on which the notice is given.

(2) At any meeting of the Board, the chairman shall preside and if he is not present, the members attending may appoint one of their numbers to be chairman of the meeting.

(3) Where the Board desires to obtain the advice of any expert on a particular matter touching or concerning the Institute, the Board may co-opt him as a member for such period as the Board thinks fit; but a person who is a member by virtue of this sub-paragraph shall not be entitled to vote at any meeting of the Board, and shall not count towards a quorum.

Committees

6.-(1) The Board may appoint one or more committees to carry out

1 on behalf of the Board such functions as the Board may determine.

2 (2) A committee appointed under this paragraph shall consist of the
3 number of persons determined by the Board.

4 (3) A decision of a committee of the Board shall be of no effect until it
5 is confirmed by the Board.

6 *Miscellaneous*

7 7.-(1) The fixing of the seal of the Institute shall be authenticated by
8 the signature of the chairman of the Board or of the principal if authorised by
9 the Board for that purpose.

10 (2) Any contract or instrument which, if made or executed by a person
11 not being a body corporate, would not be required to be under seal, may be
12 made or executed on behalf of the Institute by any person generally or specially
13 authorised to act for that purpose by the Board.

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

17 8. The validity of any proceedings of the Board shall not be affected
18 by any defect in the appointment of a member of the Board or of a person to
19 serve on the committee, or by reason that a person not entitled to do so took part
20 in the proceedings.

21 9. Any member of the Board and any person holding office on a
22 committee who has a personal interest in any contract or arrangement entered
23 into or proposed to be considered by the Board on behalf of the Institute or on
24 behalf of the Board or a committee thereof, shall forth with disclose his interest
25 to the Minister in the case of the Institute or to the chairman of the Board, as the
26 case may be, and shall not vote on any question relating to the contract or
27 arrangement.

28 10. A person shall not by reason only of his membership of the Board
29 be treated as holding an office of emolument under the State.

SECOND SCHEDULE

[Section 10 (3).]

TRANSITIONAL PROVISIONS AS TO PROPERTY, ETC.

1.-(1) Every agreement to which the executing agency or the special fund under this Act was a part immediately before the appointed transfer day, whether in writing or not and whether or not of such a nature that the rights, liabilities and obligations thereunder could be assigned by the said executing agency shall, unless its terms or subject matter make it impossible that it should have effect as modified in the manner provided by this sub-paragraph, have effect from the appointed transfer day, so far as it relates to in property transferred by this Act to the Institute as if:

(a) the Institute had been a party to the agreement on behalf of the government of the Federation; and

(b) for any reference (however worded and whether express or implied) to the said executing agency or to the special fund there were substituted, in respect of anything falling to be done on or after the appointed transfer day, a reference to the Institute.

(2) Other documents which refer, whether specially or generally, to the executing agency or to the special fund shall be construed in accordance with sub-paragraph (1) of this paragraph so far as applicable.

2. Without prejudice to the generality of the foregoing provisions of this Schedule, where, by the operation of any of them or of section 10 of this Act, any right, liability or obligation vests in the Institute, the Institute and all other persons shall, as from the appointed transfer day, have the same rights, powers and remedies (and, in particular, the same rights as to the taking or resisting of legal proceedings or the making or resisting of applications to any authority) for ascertaining, perfecting or enforcing that right, liability or obligation as they would have had if it had at all times been a right, liability or obligation of the Institute.

1 3. Any application to any authority pending on the appointed transfer
2 day by or against the executing agency under this Act and relating to property
3 transferred by this Act to the training centre may be continued on or after that
4 day by or against the Institute.

5 4. If the law in force at the place where any property transferred by this
6 Act is situated provides for the registration of transfers of property of the kind
7 in question (whether by reference to an instrument of transfer or otherwise), the
8 law shall, so far as it provides for alterations of a register (but not for avoidance
9 of transfers, the payment of fees or any other matter), apply with the necessary
10 modifications to the transfer of the property aforesaid; and it shall be the duty of
11 the principal to furnish the necessary particulars of the transfer to the proper
12 officer of the registration authority, and of that officer to register the transfer
13 accordingly, and notwithstanding the disclosure of a trust.

A BILL

FOR

AN ACT TO PROVIDE THE LEGAL FRAMEWORK FOR THE ESTABLISHMENT
OF A NATIONAL INSTITUTE FOR ARTIFICIAL INTELLIGENCE AND ROBOTIC
STUDIES IN ABAK, AKWA IBOM STATE, AND FOR RELATED MATTERS

Sponsored by Hon. Aniekan Umanah

[] Commencement

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

1 PART I - ESTABLISHMENT, POWERS AND FUNCTIONS OF THE INSTITUTE

2 1.-(1) There is hereby established an Institute to be known as the
3 National Institute for Artificial Intelligence and Robotic Studies (in this Act
4 referred to as "the Institute") which shall have such powers and exercise
5 such functions as are conferred on it by this Act.

Establishment
of National
Institute for Artificial
Intelligence and
Robotic Studies

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

10 (3) The object of the Institute shall be:

11 (a) to encourage the advancement of learning and to hold out to all
12 persons without distinction of race, creed, sex, political conviction, the
13 opportunity of acquiring a higher education in Artificial Intelligence and
14 Robotic Studies;

15 (b) to develop and offer academic and professional programmes
16 leading to the award of Professional Certificates, National Diplomas and
17 Higher National Diplomas which emphasize planning, adaptive, technical,
18 maintenance, developmental and productive skills in technology and to
19 contribute to the scientific transformation of digital learning in Nigeria;

20 (c) to act as agent and catalysts through training, research and

1 innovation for the effective utilization and exploitation of the global cutting
2 edge technology;

3 (d) to identify the technological deficiencies and needs of Nigeria and
4 to find solutions to them within the context of overall national development;

5 (e) to provide and promote sound basic scientific training as a
6 foundation for the development of Artificial Intelligence and allied disciplines,
7 taking into account indigenous culture, the need to enhance national unity, the
8 need to vastly increase the practical content of student training and adequate
9 preparation of graduates for self-employment in science and technology and
10 allied professions;

11 (f) to promote and emphasize teaching, research and other emerging
12 technologies aimed at transforming the Nigerian digital economy in line with
13 the National Digital Economy Policy and Strategy (NDEPS);

14 (g) to create a thriving ecosystem for innovation driven technology,
15 job creation and national development; and

16 (h) to undertake any other activity appropriate for Institutions of
17 Technology.

Governing Board
of the Institute

18 **2.-(1)** The affairs and running of the Institute shall vest in the
19 Governing Board of the Institute (in this Act referred to as "the Board").

20 (2) Without prejudice to the generality of subsection (1) of this
21 section, it shall be the responsibility of the Board to consider and approve:

22 (a) the objectives and plan of activities of the Institute;

23 (b) the programme of studies, courses and research to be undertaken
24 by the Institute;

25 (c) the annual estimates of the Institute;

26 (d) the investment plan of the Institute.

27 (3) The Provisions of the First Schedule to this Act shall have effect
28 with respect to the Board as specified therein.

Membership
of the Board

29 **3.-(1)** The Board shall consist of a Chairman and the following other

1 members to be appointed by the Minister of Communications and Digital

2 Economy-

3 (a) a representative of the Federal Ministry responsible for
4 Education;

5 (b) a representative of the Federal Ministry responsible for
6 Communications and Digital Economy;

7 (c) a representative of the National Board for Technical Education;

8 (d) a representative of National Information Technology Agency
9 (NITDA);

10 (e) three persons appointed on individual merit on a nationwide
11 basis with wide experience of service in the public or private sector;

12 (f) two representatives of the Academic Board of the Institute;

13 (g) the Director-General of the Institute

14 **4.-(1)** A member of the Board (other than an ex-officio member) Tenure of office
of members of
the Board
15 shall hold office for a term of four years and shall be eligible for
16 reappointment for a further period of three years and no more.

17 (2) Any member of the Board other than an ex-officio member may
18 by notice to the Board resign his appointment.

19 (3) Any vacancy occurring in the membership of the Board shall be
20 filled by the appointment of a successor who shall represent the same
21 interest as his predecessor for the remainder of the term of the predecessor.

22 **5.-(1)** For the carrying out of its objects as specified in section 1 of Powers of the
Board
23 this Act, the Board shall have power to:

24 (a) hold examinations and award diplomas, professional
25 certificates and other distinctions to persons who have pursued a course of
26 study approved and accredited by the National Board for Technical
27 Education (NBTE) and have satisfied such other requirements as the Board
28 may lay down:

29 (b) demand and receive from any student or any other person
30 attending the Institute for the purpose of instruction such fees as the Board

- 1 may, with the approval of the Minister, from time to time determine;
- 2 (c) to exercise disciplinary control over members of the staff of the
- 3 Institute;
- 4 (d) prescribe the terms and conditions of service including salaries,
- 5 allowances, pensions and other remunerations, for all members of the staff of
- 6 the Institute;
- 7 (e) encourage and make provisions for research in the Institute;
- 8 (f) erect, provide, equip and maintain libraries, lecture halls, hall of
- 9 residence, refectories, sports grounds, playing fields and such other buildings
- 10 or things as may be necessary, suitable or required;
- 11 (g) enter into such contracts as may be necessary or expedient for
- 12 carrying into effect the provisions of this Act;
- 13 (h) acquire and hold such movable or immovable property as may be
- 14 necessary or expedient for carrying into effect the provisions of this Act and for
- 15 the same purpose may sell, lease, mortgage or otherwise alienate or dispose of
- 16 any property acquired;
- 17 (i) do anything which in its opinion is calculated to facilitate the
- 18 carrying out of the objects of the Institute and to promote its best interest;
- 19 (j) accept gifts, legacies and donations, but without obligation to
- 20 accept same for a particular purpose unless it approves the terms and
- 21 conditions attaching thereto;
- 22 (k) institute and award fellowships, scholarships, medals, prizes and
- 23 other titles;
- 24 (l) borrow money within Nigeria in such manner and upon such
- 25 security as the Minister may from time to time authorize;
- 26 (m) invest the funds of the Institute in securities specified by law or in
- 27 such other securities in Nigeria as may be approved by the Minister; and
- 28 (n) do such acts and things whether or not incidental to the foregoing
- 29 powers as may advance the objects of the Institute.

1	6.-(1) The Minister shall be the Visitor of the Institute.	Visitation
2	(2) The Visitor shall, not less than once in every five years conduct	
3	a visitation of the Institute or appoint a visiting panel consisting of not less	
4	than five experts to conduct the visitation:	
5	(a) for the purpose of evaluating the academic and administrative	
6	performance of the Institute; or	
7	(b) for such other purpose or in respect of any other affairs of the	
8	Institute as the Visitor may deem fit.	
9	7. Subject to the provisions of this Act, the Minister may give to	Power of the
10	the Board directions of a general character or relating generally to matters of	Minister to give
11	policy with regard to the exercise by the Board of its functions under this Act	directions to the
12	and it shall be the duty of the Board to comply with such directions.	Board
13	8.-(1) There shall be established for the Institute the Academic	The Academic
14	Board which shall consist of the following members:	Board and its
15	(a) the Director-General of the Institute who shall be the	functions
16	Chairman;	
17	(b)the Deputy Director-General;	
18	(c) all Heads of Departments;	
19	(d)the Librarian;	
20	(e) not more than two members of the academic staff other than	
21	Heads of Departments to be appointed by the Board.	
22	(2) The Academic Board shall be responsible for:	
23	(a) the direction and management of academic matters of the	
24	Institute including the regulation of admission of students, the award of	
25	certificates, scholarships, prizes and other academic distinctions;	
26	(b) making periodic reports on such academic matters to the	
27	Academic Board as the Board may from time to time direct;	
28	(c) discharging any other functions which the Board may delegate	
29	to it.	

The Director-
General of the
Institute

1 **9.-(1)** There shall be for the Institute a Director-General (in this Act
2 referred to as "the Director-General) who shall be appointed by the Minister in
3 accordance with the provisions of this section.

4 (2) Where a vacancy occurs in the post of Director-General, the Board
5 shall:

6 (a) advertise the vacancy in a reputable journal or a widely read
7 newspaper in Nigeria specifying:

8 (i) the qualities of the person who may apply for the post;

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

11 (b) constitute a search team consisting of:

12 (i) a member of the Board not being a member of the Academic Board,
13 as Chairman;

14 (ii) two members of the Academic Board not below the rank of chief
15 lecturer;

16 (iii) two members of the Academic Community of the Institute not
17 below the rank of chief lecturer to be selected by the Board, to identify and
18 draw up a short list of suitable persons who are not likely to apply for the post
19 for any reason whatsoever,

20 (3) a Joint Board and Academic Selection Board consisting of:

21 (a) the Chairman of the Board;

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

24 (c) two members of the Academic Board not below the rank of chief
25 lecturer, who were not members of the search team, shall consider the
26 candidates and persons on the short lists drawn up under subsection (2) of this
27 section through an examination of their curriculum vitae and interaction with
28 them and recommend through the Board to the Minister, three candidates for
29 his consideration.

30 (4) The Minister shall appoint as Director-General one of the

1 candidates recommended to him under the provisions of subsection (3) of
2 this section.

3 (5) Subject to this Act and the general control of the Council, the
4 Director-General shall be the chief executive of the Institute and shall be
5 charged with general responsibility for matters relating to the day to day
6 management operations of the Institute.

7 (6) The Director-General:

8 (a) shall hold office for a period of four years beginning with the
9 effective date of his appointment and on such terms and conditions as may
10 be specified in his letter of appointment; and

11 (b) may be reappointed for one further period of four years and no
12 more.

13 **10.-(1)** There shall be for the Institute a Deputy Director-General.

Deputy Director-
General

14 (2) The Board shall appoint the Deputy Director-General from
15 among the chief lecturers in the Institute in one of the following ways, that
16 is:

17 (a) from a list of three candidates in order of preference, submitted
18 by the Director;

19 (b) on the recommendation of a Selection Board constituted under
20 this section for that purpose; or

21 (c) on the nomination of the Director-General.

22 (3) The Selection Board referred to in subsection (2) of this section
23 shall:

24 (a) consist of:

25 (i) the Chairman of the Board;

26 (ii) the Director-General;

27 (iii) two members of the Board not being members of the Academic
28 Board;

29 (iv) two members of the Academic Board; and

30 (b) make such inquiries as it deems fit before making the

1 recommendation required under that subsection.

2 (4) The Deputy Director-General shall:

3 (a) Assist the Director-General in the performance of his functions;

4 (b) Act in the place of the Director-General when the post of Director-
5 General is vacant or if the Director-General is, for any reason, absent or unable
6 to perform his functions as Director-General; and

7 (c) Perform such other functions as the Director-General or the Board
8 may from time to time, assign to him.

9 (5) The Deputy Director General:

10 (a) shall hold office for a period of two years beginning from the
11 effective date of his appointment and on such terms and conditions as may be
12 specified in his letter of appointment; and

13 (b) may be reappointed for further period of two years and no more.

The Registrar
and other staff
of the Institute

14 **11.-(1)** The Board shall appoint a Registrar to the Institute (hereinafter
15 referred to as "the Registrar) who shall keep the records and conduct the
16 correspondence of the Board and shall perform such other duties as the Board
17 and subject thereto as the Director-General may from time to time direct.

18 (2) The Registrar shall in addition to other duties conferred on him by
19 or under this Act, be the Secretary to the Board, the Academic Board and any
20 committee of the Board and in his absence, the Board or any such committee
21 may appoint some other person to act as the Secretary, and he shall not vote on
22 any question before the Board or count towards a quorum.

23 (3) The Registrar:

24 (a) shall hold office for a period of four years beginning from the
25 effective date of his appointment and on such terms and conditions as may be
26 specified in his letter of appointment; and

27 (b) may be reappointed for one further period of four years and no
28 more.

Other Principal
Officers of the
Institute

29 **12.-(1)** There shall be for the Institute the following principal officers
30 in addition to the Registrar, that is:

1 (a) the Bursar;
 2 (b) the Librarian;
 3 (c) the Director of Works; and
 4 (d) the Director of Medical and Health Services, who shall be
 5 appointed by the Board on the recommendation of the Selection Board
 6 constituted under section 10(3) of this Act.

7 (2) The Bursar shall be the chief financial officer of the Institute
 8 and be responsible to the Director-General for the day to day administration
 9 and control of the financial affairs of the Institute

10 (3) The Librarian shall be responsible to the Director-General for
 11 the administration of the Library and the coordination of the library services
 12 in the teaching units of the Institute.

13 (4) The Director of Works shall be responsible to the Director-
 14 General for the maintenance of the Institute buildings, minor works,
 15 transport and supervision of the construction projects.

16 (5) The Director of Medical and Health Services shall be
 17 responsible to the Director-General for the supervision of the medical and
 18 health facilities of the Institute.

19 (6) The Principal Officers mentioned in subsection (1):

20 (a) shall hold office for a period of four years beginning from the
 21 effective date of his appointment and on such terms and conditions as may
 22 be specified in his letter of appointment; and

23 (b) may be reappointed for a further period of four years and no
 24 more.

25 (7) Any question as to the scope of the responsibilities of the
 26 Principal Officers shall be determined by the Director.

27 **13.-(1)** A principal officer may resign his appointment:

28 (a) in the case of the Director-General, by notice in writing to the
 29 Visitor; and

30 (b) in any other case, by notice in writing to the Board.

Resignation of
 appointment of
 Principal Officers

Other employees of the Institute	1	14.-(1) The Board may appoint such other persons to be staff of the
	2	Institute as the Board may determine, to assist the Director-General and the
	3	Principal Officers in the performance of their functions under this Act.
	4	(2) Subject to the provisions of this Act, the remuneration, tenure of
	5	office and conditions of service of the employees of the Institute shall be
	6	determined by the Board.
Selection Board for other Principal Officers	7	15.-(1) There shall be for the Institute, s Selection Board which shall
	8	consist of:
	9	(a) the Chairman of the Board;
	10	(b) the Director-General;
	11	(c) four members of the Board who are not members of the Academic
	12	Board; and
	13	(d)two members of the Academic Board.
	14	(2) The functions, procedure and other matters relating to the
Pensions	15	Selection Board constituted under subsection (1) of this section shall be as the
	16	Board may from time to time determine.
	17	16.-(1) It is hereby declared that service in the Institute shall be
	18	approved service for the purposes of the Pensions Reform Act and accordingly,
	19	officers and other persons employed in the Institute shall in respect of the
	20	service in the Institute be entitled to pensions, gratuities and other retirement
	21	benefits as are prescribed thereunder, so however that nothing in this Act shall
	22	prevent the appointment of a person to any office on terms which preclude the
	23	grant of a pension and gratuity in respect of that office.
	24	(2) For the purposes of the application of the provisions of the
Establishment of fund of the Institute	25	Pensions Reform Act, any power exercisable thereunder by the Minister or
	26	other authority of the Government of the Federation (other than the power to
	27	make regulations) shall be exercisable by the Institute and not by any other
	28	person or authority.
	29	PART II - FINANCIAL PROVISIONS
	30	17.-(1) The Board shall establish and maintain a fund which shall be

1 applied towards the promotion of the objectives specified in this Act.

2 (2) There shall be paid and credited to the fund established under
3 subsection (1) of this section:

4 (a) such sums as may from time to time be granted to the Board by
5 the Federal Government through the National Board for Technical
6 Education (NBTE);

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

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

11 (3) The Board shall submit to the Minister, through the National
12 Board for Technical Education (NBTE), not later than three months before
13 the end of each financial year or at such other time as he may direct, an
14 estimate of its revenue and expenditure for the next succeeding financial
15 year.

16 **18.** The Board shall keep proper accounts of its receipts, payments, Accounts and
audit
17 assets and liabilities and shall in respect of each year cause the accounts to be
18 audited.

19 **19.** The Board shall as soon as may be after the expiration of each Annual reports
20 financial year, prepare and submit to the Minister, a report of the activities of
21 the Institute during the immediately preceding year, and shall include in the
22 report a copy of the audited accounts of the Institute for that year and the
23 auditor's report on the accounts.

24 **PART III - MISCELLANEOUS AND SUPPLEMENTARY**

25 **20.-(1)** For the purpose of providing offices and premises Offices and
premises
26 necessary for the performance of its functions, the Board may:

27 (a) purchase any interest in or take on lease any land; and

28 (b) build, equip and maintain offices and premises.

29 (2) The Board may, with the approval of the Minister, sell any
30 interest in or lease any land, offices or premises held by it and no longer

Discipline of
students

1 required for the performance of its functions.

2 **21.-(1)** The Board may make rules providing for the Director-General
3 to conduct enquiries into alleged acts of misconduct (including lack of
4 discipline) by students and such rules may make different provisions for
5 different circumstances.

6 (2) The rules shall provide for the procedure and rules of evidence to
7 be followed at enquiries under this section.

8 (3) Notwithstanding anything to the contrary contained in any other
9 enactment, where it appears to the Board that any student of the Institute has
10 been guilty of misconduct, the Board may, without prejudice to any other
11 disciplinary powers conferred on it by regulations direct that:

12 (a) the student shall not during the period specified in the direction,
13 participate in the activities of the Institute or make use of the facilities of the
14 Institute as may be specified;

15 (b) the activities of the student shall during the period as may be
16 specified in the direction, be restricted in the manner specified;

17 (c) the student be suspended for such period as may be specified in the
18 direction;

19 (d) the student be expelled from the Institute.

20 (4) Where the post of the Director-General is vacant or where the
21 Director-General refuses to apply any disciplinary measures, the Board may
22 either directly or through some other staff apply such disciplinary actions as are
23 specified in subsection (1) to any student of the Institute who is considered
24 guilty of misconduct.

25 (5) Where a direction is given under subsection (3) (c) or (d) in respect
26 of any student, the student may, within a period of twenty one days from the
27 date of the letter communicating the decision to him appeal against the
28 direction to the Board, and where such appeal is brought, the Board shall, after
29 causing an inquiry to be made in the matter as the Board considers just, either

1 confirm or set aside the direction or modify it in the manner the Board may
2 deem fit.

3 (6) The fact that an appeal from a direction is pending under
4 subsection (5) shall not affect the operation of the direction while the appeal
5 is pending.

6 (7) The Director-General may delegate his powers under this
7 section to a disciplinary committee of such members of the Institute as he
8 may nominate.

9 (8) Nothing in this section shall be construed as preventing the
10 restriction or termination of a student's activity at the Institute otherwise
11 than on the grounds of misconduct.

12 (9) It is hereby declared that the direction under subsection (3) (a)
13 may be combined with a direction under subsection (3) (b).

14 (10) In all cases under this section, the decision of the Board shall
15 be final unless reversed by the Minister on appeal by the student.

16 **22.** In this Act, unless the context otherwise requires: Interpretation

17 "Chairman" means chairman of the Board;

18 "Board" means the Governing Board of the Institute established by or
19 pursuant to section 2 of this Act;

20 "Director-General" means the Director-General of the Institute appointed
21 under section 9 of this Act;

22 "Powers" include functions and duties;

23 "Minister" means the Minister charged with responsibility for matters
24 relating to Communications and Digital Economy;

25 "Member" means a member of the Board including the chairman.

26 **23.** This Bill may be cited as the National Institute for Artificial Short title
27 Intelligence and Robotic Studies Abak, Akwa Ibom State (Establishment)
28 Bill, 2021.

1 SCHEDULES

2 FIRST SCHEDULE

3 *[Section 2(3).]*

4 SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD, ETC.

5 *Terms of service*

6 1. There may be paid to the members of the Board or any committee,
7 other than ex-officio members, such remuneration and allowances as may from
8 time to time be determined by the Minister.

9 2. The Board may act notwithstanding any vacancy in its membership
10 or any defect in the appointment of a member or the absence of a member.

11 *Proceedings*

12 3.-(1) The Board shall meet for the conduct of business at such times,
13 place and on such days as the chairman may appoint but shall meet not less than
14 once every four months.

15 (2) The Chairman may at any time and shall, at the request in writing
16 of not less than five members, convene a meeting of the Board.

17 (3) At any meeting of the Board, the Chairman shall preside but in his
18 absence, members present shall elect one of their members to preside at the
19 meeting.

20 (4) Where the Board desires to obtain the advice of any person on any
21 particular matter, the Board may co-opt persons who are not members of the
22 Board but persons co-opted shall not be entitled to vote at a meeting of the
23 Board.

24 (5) The quorum of the Board shall be one half of the total members of
25 the Board, at least one of whom shall be a member appointed by the Minister.

26 (6) Decisions of the Board shall be made on approval by a simple
27 majority of members.

28 *Miscellaneous*

29 4.-(1) The fixing of the seal of the Institute shall be authenticated by
30 the signature of the Chairman, Director-General and of some other members of

1 the Board authorized generally or specially by the Board to act for that
2 purpose.

3 (2) Any contract or instrument which, if made or executed by a
4 person other than a body corporate would not be required to be under seal
5 made or executed on behalf of the Institute by any person generally or
6 specially authorized to act for that purpose by the Board.

7 (3) Any document purporting to be duly executed under the seal of
8 the Institute shall be received in evidence and shall, unless the contrary is
9 proved, be presumed to be so executed.

EXPLANATORY MEMORANDUM

This Bill seeks to provide legal framework to establish the National Institute for Artificial Intelligence and Robotic Studies, in Abak, Akwa Ibom State to identify the technology needs of Nigeria and to find solutions to them within the context of national development.

A BILL

FOR

AN ACT TO AMEND THE ADMINISTRATION OF CRIMINAL JUSTICE ACT, 2015
AND FOR OTHER RELATED MATTER TO PROHIBIT PUBLIC PARADE OF
SUSPECTS BEFORE AND AFTER ARRAIGNMENT AND FOR RELATED MATTERS

Sponsored by Hon. Ibrahim Babajide Obanikoro

[] Commencement

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

- | | |
|--|---|
| <p>1 1. The Administration of Criminal Justice Act 2015 hereinafter</p> <p>2 referred as ("The Principal Act") is hereby amended in manner spelt out</p> <p>3 hereunder;</p> | <p>Amendment of
Administration
of Criminal
Justice Act 2015</p> |
| <p>4 2. Section 8(1) of the Principal Legislation is hereby amended to</p> <p>5 insert new subsection 8(1)(c)(d) and (e) to read thus-</p> <p>6 (c) Public parade of any suspects agencies before arraignment and</p> <p>7 during trial is akin to pre-trial conviction in Court Of public opinion and</p> <p>8 unconstitutional.</p> <p>9 (d) No suspect should be paraded by any security agency in Nigeria</p> <p>10 except with the order of a competent Court in Nigeria.</p> <p>11 (e) Any officer that parades any suspect including the publication</p> <p>12 of their photographs is guilty of an offence and punishable by a Fine of One</p> <p>13 Million Naira (1,000,000).</p> | <p>Amendment of
Section 8(1) by
adding subsection
(c) (d) and (e)</p> |
| <p>14 3. This may be cited as the Administration of Criminal Justice Act</p> <p>15 (Amendment) Bill, 2021.</p> | <p>Citation</p> |

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Administration of Criminal Justice Act, 2015 to
prohibit public arraignment parade of suspects before and during Court trial
in Nigeria.

A BILL

FOR

AN ACT TO AMEND THE WIRELESS TELEGRAPHY ACT, CAP. W5, LAWS OF
THE FEDERATION OF NIGERIA, 2004; AND FOR RELATED MATTERS, 2021

Sponsored by Hon. Obinna Chidoka

[] Commencement

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

- | | | |
|----|---|--------------------------------------|
| 1 | 1. The Wireless Telegraphy Act, Cap. W5, Laws of the Federation | Amendment of |
| 2 | of Nigeria, 2004 (hereinafter referred to as "the Principal Act") is hereby | the Principal Act, |
| 3 | amended as set out in this Bill. | Cap. W5, LFN |
| 4 | 2. Section 11(3) of the Principal Act is hereby amended by | Amendment of |
| 5 | substituting figure "200" in line 5 with "200,000,000". | Section 11(3) |
| 6 | 3. Section 20 of the Principal Act is amended by substituting the | Amendment of |
| 7 | word "with prejudice" for the word "without prejudice". | Section 20 |
| 8 | 4. Section 22(4) (a) of the Principal Act is amended by inserting | Amendment of |
| 9 | the word "wilfully" to immediately precede the word "obstructs". | Section 22(4) |
| 10 | 5. Schedules 1-5 of the Principal Act is amended by inserting the | Amendment of |
| 11 | figure "000,000" to all figures wherever they appear in the schedule. | Schedule 1-5 of
the Principal Act |
| 12 | 6. This Bill may be cited as the Wireless Telegraphy Act | Citation |
| 13 | (Amendment) Bill, 2021. | |

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Wireless Telegraphy Act, Cap. W5, Laws of the
Federation of Nigeria, 2004.

A BILL

FOR

AN ACT TO REPEAL THE PEOPLE'S BANK OF NIGERIA ACT, CAP. P7, LAWS OF THE FEDERATION OF NIGERIA, 2004; AND FOR RELATED MATTERS, 2021

Sponsored by Hon. Obinna Chidoka

[] Commencement

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

- | | | |
|---|---|---|
| 1 | 1. The People's Bank of Nigeria Act, Cap. P7, Laws of the | Repeal of People's Bank Act, Cap. P7, LFN |
| 2 | Federation of Nigeria, 2004 is hereby repealed. | |
| 3 | 2. This Bill may be cited as the People's Bank of Nigeria Act | Citation |
| 4 | (Repeal) Bill, 2021. | |

EXPLANATORY NOTE

This Bill seeks to repeal the People's Bank of Nigeria Act as it is moribund no longer useful.