

Extraordinary



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CONTENTS

INDEX TO LEGISLATIVE INSTRUMENTS

<i>Bill No.</i>	<i>Long Title</i>	<i>Page</i>
HB. 539	A Bill for an Act to Provide for the Establishment of the Federal University of Education, Katsina-Ala and for Related Matters ...	C 1863 - 1908
HB. 540	A Bill for an Act to Provide for regulation of the operation of Abattoirs and the inspection of Meat earmarked for human consumption within the Federal Capital Territory and for Related Matters	C 1909 - 1923
HB. 1131	A Bill for an Act to Establish the National Tuber Crops Research Institute, Ukum, Benue State and for Related Matters	C 1925 - 1943
HB. 1179	A Bill for an Act to Establish National Industrial Park Development Agency as a mechanism for clustering of knowledge and innovation based Industrial Parks formations in Nigeria and for Related Matters	C 1945 - 1949
HB. 1470	A Bill for an Act to Repeal the Public Enterprises (Privatisation and Commercialisation) Act, Cap. P38 Laws of the Federation of Nigeria, 2004 and enact the Public Assets Reform Bill, 2021 for improved efficiency and management of Public Assets in Nigeria; and for Related Matters	C 1951 - 1987
HB. 1458	A Bill for an Act to Amend Section 2 of the National Commission for Museums and Monuments Act Cap 242, 2004 by providing the procedure for the resignation of Member of the Commission and for Related Matters	C 1989 - 1989
HB. 1459	A Bill for an Act to Establish Federal University of Health Sciences, Ijebu Ode, provide a comprehensive provisions for its due administration and for Related Matters	C 1991 - 2012

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FEDERAL UNIVERSITY OF EDUCATION, KATSINA-ALA, BENUE STATE
ESTABLISHMENT BILL, 2021
ARRANGEMENT OF CLAUSES

Clause:

PART 1- ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF THE
FEDERAL UNIVERSITY OF EDUCATION, KATSINA-ALA, BENUE STATE

1. Establishment and Objectives of the Federal University of Education, Katsina-Ala, Benue State
2. Constitution and Principal Officers of the University
3. Powers of Federal University of Education, Katsina-Ala, Benue State and its exercise
4. Functions of the Chancellor and Pro-Chancellor
5. Composition, Tenure and Powers of the Council of the University
6. Functions of the Council and its Finance and General Purpose Committee
7. Functions of the Senate of the University
8. Functions of the Vice Chancellor

PART II - GENERAL FUND, TRANSFER OF PROPERTY, ETC, TO THE
UNIVERSITY AND CONDITION OF SERVICE OF EMPLOYEES

9. General fund of the University. 10. Transfer of Property.

PART III - STATUTES OF THE UNIVERSITY

11. Power of the University to make Statutes
12. Mode of exercising power to make statutes
13. Proof of Statute

PART IV - SUPERVISION AND DISCIPLINE

14. The Visitor
15. Removal of certain Members of Council
16. Removal and discipline of academic, administrative and professional staff
17. Removal of examiners

18. Participation and Discipline of Students.

PART V - MISCELLANEOUS AND GENERAL

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

20. Restriction on disposal of land by University

21. Quorum and procedure of bodies established by this Bill

22. Appointment of committee, etc.

23. Retiring age of academic staff.

24. Special Provisions relating to Pension of Professors

25. Miscellaneous Administrative Provisions

26. Restriction of suits and execution

27. Savings and transitional provisions

28. Interpretation

29. Short title

Schedules

A BILL

FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE FEDERAL
UNIVERSITY OF EDUCATION, KATSINA-ALA AND FOR RELATED MATTERS

Sponsored by Hon. Richard Gbande

[] Commencement

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

PART I - ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF THE

FEDERAL UNIVERSITY OF EDUCATION, KATSINA-ALA

1.-(1) There is hereby College of Education, Katsina-Ala upgraded
and established as the Federal University of Education, Katsina-Ala, Benue
State.

Establishment
and Objectives
of the Federal
University of
Education,
Katsina-Ala,
Benue State

(2) The University shall be a body corporate with perpetual
succession and a common seal and may sue or be sued in its corporate name.

(3) The University shall be a training institution for the
development of teacher education in the country.

(4) The University shall be supervised by the Federal Ministry of
Education through the National Universities Commission (NUC) who shall
be responsible for approving and regulating all academic programmes run in
the University, to ensure and provide funds for academic and research
programmes, infrastructures and remunerations of employees

(5) The objects of the University shall be to:

(a) encourage the advancement of learning and to hold out to all
persons without distinction of race, creed, sex or political conviction;

(b) develop and offer academic and professional programmes
leading to the award of certificates, first degrees, post-graduate diploma and
higher degrees with emphasis on developmental and adaptive skill,
technology, applied science, agriculture, commerce, arts, social science, and

- 1 allied professional disciplines in Education;
- 2 (c) produce socially mature educational men and women with
- 3 capabilities not to only understand educational need of Nigeria as a nation, but
- 4 also to exploit existing educational infrastructure and improve on it to develop
- 5 new ones;
- 6 (d) act as agents and catalysts for effective educational system,
- 7 graduate training, research and innovation, for effective economic and
- 8 country's human resources;
- 9 (e) bring quality change in education by focusing on education
- 10 through teaching and learning innovations;
- 11 (f) collaborate with other national and International institutions
- 12 involved in training, research and development of education with a view to
- 13 promoting governance; and management skills among educational managers;
- 14 (g) identify educational needs of the society with a view to solutions
- 15 to them within the context of overall national development;
- 16 (h) provide and promote sound basic education training as a
- 17 foundation for the development of Nigeria, taking into account indigenous
- 18 culture and the need to enhance national unity;
- 19 (i) provide higher education and foster a systematic advancement of
- 20 the science and art of teacher education;
- 21 (j) provide for instruction in such branches of teacher education as it
- 22 may deem necessary to make provision for research advancement and
- 23 dissemination of knowledge in such manner as it may determine;
- 24 (k) provide teachers with operational competence for teaching in pre-
- 25 tertiary institutions, basic, senior secondary schools and non-formal education
- 26 institutions;
- 27 (l) undertake any other activities that is appropriate for a university of
- 28 education of the highest standard.

Constitution and
Principal Officers
of the University

29 2.-(1) The University shall consist of:

30 (a) a Chancellor;

- 1 (b) a Pro-Chancellor and a Council;
- 2 (c) a Vice-Chancellor and a Senate;
- 3 (d) a body to be called Congregation;
- 4 (e) a body to be called Convocation;
- 5 (f) the campuses and colleges of the University;
- 6 (g) the colleges, institutes and other teaching and research units of
- 7 the University;
- 8 (h) the persons holding the offices constituted by the First Schedule
- 9 to this Bill other than those mentioned in paragraphs (a) to (c) of this
- 10 subsection;
- 11 (i) all graduates and undergraduates of the University; and
- 12 (j) all other persons who are members of the University in
- 13 accordance with provisions made by statute in that behalf.
- 14 (2) The First Schedule to this Bill shall have effect with respect to
- 15 the principal officers of the University.
- 16 (3) Subject to section 5 of this Bill provision shall be made by
- 17 statute with respect to the constitution of the Council, the Senate,
- 18 Congregation and Convocation.
- 19 **3.-** (1) For the carrying out of its objects as specified in section 1 of
- 20 this Bill, Federal University of Education, Katsina-Ala shall have power:
- 21 (a) to offer courses of instruction, training and research in
- 22 education and allied areas for the production of quality and skilled teachers
- 23 required to teach at lower, middle and higher levels of education in Nigeria
- 24 in particular and the world at large.
- 25 (b) to establish such colleges, campuses, institutes, schools,
- 26 departments and other teaching and research units within the University as
- 27 may from time to time be deemed necessary or desirable subject to the
- 28 approval of National Universities Commission;
- 29 (c) to institute professorships, readerships or associate
- 30 professorships, lectureships, and other posts and offices and to make

Powers of Federal
University of
Education, Katsina-
Ala, Benue State
and its exercise

1 appointments thereto;

2 (d) to institute and award fellowships, scholarships, exhibitions,
3 bursaries, medals, prizes and other titles, distinctions, awards and forms of
4 assistance;

5 (e) to provide for the discipline and welfare of members of the
6 University;

7 (f) to hold examinations and grant degrees, diplomas, certificates and
8 other distinctions to persons who have pursued a course of study approved by
9 the University and have satisfied such other requirements as the University
10 may lay down;

11 (g) to grant honorary degrees, fellowships or academic titles;

12 (h) to demand and receive from any student or any other person
13 attending the University for the purposes of instruction, such fees as the
14 University may from time to time determine subject to the overall directives of
15 the Minister;

16 (i) subject to section 20 of this Bill, to acquire, hold, grant, charge or
17 otherwise deal with or dispose of movable and immovable property wherever it
18 is situate;

19 (j) to accept gifts, legacies and donations, but without obligation to
20 accept the same for a particular purpose unless it approves the terms and
21 conditions attached thereto;

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

24 (l) to erect, provide, equip and maintain libraries, laboratories,
25 workshops, lecture halls, halls of residence, refectories, sports grounds,
26 playing fields and other buildings or things necessary, suitable or convenient
27 for any of the objects of the University:

28 (m) to hold public lectures and to undertake printing, publishing and
29 book selling;

30 (n) subject to any limitations or conditions imposed by statute, to

1 invest any moneys appertaining to the University by way of endowment it,
2 not being immediately required for current expenditure in any investments
3 or securities or in the purchase or improvement of land, with power from
4 time to time, to vary any such investments to deposit any moneys for the
5 time being not invested with any bank on deposit or current account;

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

11 (p) to make gifts for any charitable purpose;

12 (q) to do anything which it is authorized or required by this Bill or
13 by statute to do; and

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

16 (2) Subject to the provisions of this Bill and of the statutes and
17 without prejudice to section 7(2) of this Bill, the powers conferred on the
18 University by subsection (1) of this section shall be exercisable on behalf of
19 the University by the Council or by the Senate or in many other manner
20 which may be authorized by the statute.

21 (3) The power of the University to establish further campuses and
22 colleges within the University shall be exercisable by statute and not
23 otherwise.

24 4.-(1) The Chancellor shall, in relation to the University, take
25 precedence before all other members of the University, and when he is
26 present, shall preside at all meetings of Convocation held for conferring
27 degrees.

Functions of the
Chancellor and
Pro-Chancellor

28 (2) The Pro-Chancellor shall, in relation to the University, take
29 precedence before all other members of the University, except the
30 Chancellor and except the Vice-Chancellor when acting as chairman of

Composition,
Tenure and Powers
of the Council
of the University

1 Congregation or Convocation and the Pro-Chancellor shall, when he is present,
2 be the chairman at all meetings of the Council.

3 **5.-** (1) The Council of the University shall consist of:

4 (a) the Pro-Chancellor who shall be appointed by the President on
5 the recommendation of the Honourable Minister of Education;

6 (b) the Vice-Chancellor;

7 (c) the Deputy Vice-Chancellor(s);

8 (d) one person from the Ministry responsible for education;

9 (e) four persons representing a variety of interests and broadly
10 representative of the whole Federation to be appointed from:

11 (i) the Teachers Registration Council;

12 (ii) Tertiary Education Trust Fund; and

13 (iii) two other persons, one of whom shall be a representative of the
14 University host community.

15 (f) four persons appointed by the Senate from among its members;

16 (g) two persons appointed by Congregation from among its members;

17 (h) one person appointed by Convocation from among its members;

18 (i) two persons representing the community appointed by the
19 President.

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

22 (3) The Council so constituted shall have a tenure of four years from
23 the date of its inauguration provided that where a Council is found to be
24 incompetent and corrupt, it shall be dissolved by the Visitor and a new Council
25 shall be immediately constituted for the effective functioning of the University.

26 (4) The powers of the Council shall be exercised, as in this Bill and to
27 that extent establishment circulars that are inconsistent with this Bill shall not
28 apply to the University.

29 (5) The Council shall be free in the discharge of its functions and
30 exercise of its responsibilities for the good management, growth and

1 development of the University.

2 (6) The Council in the discharge of its functions shall ensure that
3 disbursement of funds of the University complies with the approved
4 budgetary ratio for:

5 (a) personnel cost;

6 (b) overhead cost;

7 (c) research and development;

8 (d) library developments; and

9 (e) the balance in expenditure between academic vis-a-vis non-
10 academic activities.

11 6.-(1) Subject to the provisions of this Bill relating to the Visitor,
12 the Council shall be the governing body of the University and shall be
13 charged with the general control and superintendence of the I policy,
14 finances and property of the University.

Functions of the
Council and its
Finance and
General Purpose
Committee

15 (2) There shall be a committee of the Council, to be known as the
16 Finance, and General Purposes Committee, which shall, subject to the
17 directions of the Council, exercise control over the property and expenditure
18 of the University and perform such other functions of the Council as the
19 Council may from time to time delegate to it.

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

22 (4) The Council shall ensure that proper accounts of the University
23 are kept and that the accounts of the University are audited annually by an
24 independent firm of auditors approved by the Council and that an annual
25 report is published by the University together with certified copies of the
26 said accounts as audited.

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

1 (6) Rules made under sub-section (5) of this section by the Finance
2 and General Purposes Committee shall not come into force unless approved by
3 the Council; and in so far and to the extent that any rules so made by that
4 Committee conflict with any direction given by the Council, whether before or
5 after the coming into force of the rules in question, the directions of the Council
6 shall prevail.

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

11 (8) The Council shall meet as and when necessary for the
12 performance of its functions under this Bill and shall meet at least three times in
13 every year.

14 (9) If requested in writing by any five members of the Council, the
15 chairman shall within 28 days after the receipt of such request call a meeting of
16 the Council.

17 (10) Any request made under sub-section (9) of this section shall
18 specify the business to be considered at the meeting and no business not so
19 specified shall be transacted at that meeting.

Functions of the
Senate of the
University

20 7.-(1) Subject to section 6 of this Bill and subsections (3) and (4) of
21 this section and the provisions of this Bill relating to the Visitor, it shall be the
22 general function of the Senate to organize and control the teaching by the
23 University, the admission of student where no other enactment provides to the
24 contrary and the discipline of students; and to promote research at the
25 University.

26 (2) Without prejudice to the generality of subsection (1) of this section
27 and subject as therein mentioned, it shall in particular be the function of the
28 Senate to make provision for:

29 (a) the establishment, organization and control of campuses, colleges,
30 schools, institutes and other teaching and research units of the University and

- 1 the allocation of responsibility for different branches of learning;
- 2 (b) the organization and control of courses of study at the
- 3 University and of the examinations held in conjunction with those courses,
- 4 including the appointment of examiners, both internal and external;
- 5 (c) the award of degrees, and such other qualifications as may be
- 6 prescribed in connection with examinations held as aforesaid;
- 7 (d) the making of recommendations to the Council with respect to
- 8 the award to any person of an honorary fellowship or honorary degree or the
- 9 title of professor emeritus;
- 10 (e) the establishment, organization and control of halls of residence
- 11 and similar institutions at the University;
- 12 (f) the supervision of the welfare of students at the university and
- 13 the regulation of their conduct;
- 14 (g) the granting of fellowships, scholarships, prizes and similar
- 15 awards in so far as the awards are within the control of the University; and
- 16 (h) determining what descriptions of dress shall be academic dress
- 17 for the purposes of the University, and regulating the use of academic dress.
- 18 (3) The Senate shall not establish any new campus, college, school,
- 19 department, institute or other teaching and research units of the university,
- 20 or any hall of residence or similar institution at the University without the
- 21 approval of the Council.
- 22 (4) Subject to this Bill and the statutes, the Senate may make
- 23 regulations for the purpose of exercising any function conferred on it either
- 24 by the foregoing provisions of this section or otherwise or for the purpose of
- 25 making provision for any matter for which provision by regulations is
- 26 authorized or required by this Bill or by statute.
- 27 (5) Regulations shall provide that at least one of the persons
- 28 appointed as the examiners at each final or professional examination held in
- 29 conjunction with any course of study at the University is not a teacher at the
- 30 University but is a teacher of the branch of learning to which the course

1 relates at some other University of high repute or a person engaged in
2 practicing the profession in a reputable organization or institution.

3 (6) Subject to right of appeal to the Council from a decision of the
4 Senate under this Sub-section, the Senate may deprive any person of any
5 degree, diploma or other award of the University which has been conferred
6 upon him if after due enquiry he is found to have been guilty of dishonourable
7 or scandalous conduct in gaining admission into the University or obtaining
8 that award.

Functions of
the Vice Chancellor

9 **8.-(1)** The Vice-Chancellor shall, in relation to the University, take
10 precedence before all other members of the University except the Chancellor
11 and subject to section 4 of this Bill except the Pro-Chancellor and any other
12 person for the time being acting as Chairman of the Council.

13 (2) Subject to sections 6, 7 and 14 of this Bill, the Vice-Chancellor
14 shall have the general function, in addition to any other functions conferred on
15 him by this Bill or otherwise of directing the activities of the University and
16 shall be the Chief Executive and Accounting Officer of the University and ex-
17 officio Chairman of the Senate.

18 (3) The Vice-Chancellor shall be the Chairman of the University
19 Tenders' Board which is saddled with the responsibility of approving the
20 conduct of public procurement of goods, works and services within the
21 approved threshold from time to time.

22 (4) It shall be the responsibility of the Vice-Chancellor to establish
23 and appoint members of the Tenders' Board in line with the extant Public
24 Procurement Rules and Regulations.

25 **PART II - GENERAL FUND, TRANSFER OF PROPERTY, ETC, TO THE**
26 **UNIVERSITY AND CONDITION OF SERVICE OF EMPLOYEES**

General fund
of the University

27 **9.-(1)** There shall be a general fund of the University which shall
28 consist of the following:

29 (a) grants-in-aid;

30 (b) fees;

- 1 (c) income derived from investments;
- 2 (d) gifts, legacies, endowments and donations not accepted for a
- 3 particular purpose;
- 4 (e) income derived from the exercise of any functions conferred or
- 5 imposed on the University by this Bill;
- 6 (f) any other amounts, charges or dues recoverable by the
- 7 University;
- 8 (g) revenue, from time to time, accruing to the University by way
- 9 of subvention;
- 10 (h) interests on investments;
- 11 (i) donations and legacies accruing to the University from any
- 12 source for the general or special purposes of the University; and

13 (j) regular TETFUND interventions;

14 (2) The general fund shall be applied for the purposes of the

15 University.

16 **10.**-(1) All property held by or on behalf of the Provisional Council

17 of the University shall, by virtue of this sub-section and without further

18 assurance, vest in the University and be held by it for the purpose of the

19 University.

Transfer of
Property

20 (2) The provisions of the Second Schedule to this Bill shall have

21 effect with respect to, and to matters arising from, the transfer of property by

22 this section and with respect to the other matters mentioned in that Schedule.

23 PART III - STATUTES OF THE UNIVERSITY

24 **11.**-(1) Subject to this Bill, the University may make statutes for

25 any of the following purposes, that is to say:

Power of the
University to make
Statutes

26 (a) making provision with respect to the composition and

27 constitution of any authority of the University;

28 (b) specifying and regulating the powers and duties of any

29 authority of the University, and regulating any other matter connected with

30 the University or any of its authorities;

1 (c) regulating the admission of students (where no other enactment
2 provides to the contrary), and their discipline and welfare;

3 (d) determining whether any particular matter is to be treated as an
4 academic or non-academic matter for the purposes of this Bill and of any
5 statute, regulation or other instrument made thereunder; or

6 (e) making provision for any other matter for which provision by
7 statute is authorized or required by this Bill.

8 (2) Subject to section 25(6) of this Bill, the Interpretation Act shall
9 apply in relation to any statute made under this section as it applies to a
10 subsidiary instrument within the meaning of section 28(1) of that Act.

Third Schedule 11 (3) The statute contained in the Third Schedule to this Bill shall be
12 deemed to have come into force on the commencement of this Bill and shall be
13 deemed to have been made under this section by the University.

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

Mode of exercising 18 **12.-(1)** The power of the University to make statutes shall be
power to make 19 exercised in accordance with the provisions of this section and not otherwise.
statutes

20 (2) A proposed statute shall not become law unless it has been
21 approved:

22 (a) at a meeting of the Raise, by the votes of not less than two thirds of
23 the members present and voting; and

24 (b) at a meeting of the Council, by the votes of not less than two thirds
25 of the members present and voting.

26 (3) A proposed statute may originate either in the Senate or in the
27 Council, and may be approved as required by subsection (2) of this section by
28 either one of those bodies or the other.

29 (4) A statute which:

30 (a) makes provision for or alters the composition or constitution of the

1 Council, the Senate or any other authority of the University;

2 (b) provides for the establishment of a new campus or college or for
3 the amendment or revocation of any statute.

4 (5) For the purpose of section 2(2) of the Interpretation Act, a
5 statute shall be treated as being made on the date on which it is duly
6 approved by the Council after having been duly approved by the Senate, or
7 on the date on which it is duly approved by the Senate after having been duly
8 approved by the Council, as the case may be or, in the case of a statute falling
9 within subsection (4) of this section, on the date on which it is approved by
10 the President.

11 (6) In the event of any doubt or dispute arising at any time:

12 (a) as to the meaning of any provision of a statute; or

13 (b) as to whether any matter is for the purposes of this Bill an
14 academic or non-academic matter as they relate to such doubt or dispute, the
15 matter may be referred to the Visitor, who shall take such advice and make
16 such decision thereon as he shall think fit.

17 (7) The decision of the Visitor on any matter referred to him under
18 sub-section (6) of this section shall be binding upon the authorities, staff and
19 students of the University and where any question as to the meaning of any
20 provision of a statute has been decided by the Visitor under that sub-section,
21 no question as to the meaning of that provision shall be entertained by any
22 court of law in Nigeria.

23 (8) Nothing in sub-section (7) of this section shall affect any power
24 of a court of competent jurisdiction to determine whether any provision of a
25 statute is wholly or partly void as being ultra vires or as being inconsistent
26 with the Constitution of the Federal Republic of Nigeria, 1999.

27 **13.** A statute may be proved in any court by the production of a
28 copy thereof bearing or having affixed to it a certificate purporting to be
29 signed by the Vice-Chancellor or the Secretary to the Council to the effect
30 that the copy is a true copy of a statute of the University.

Proof of Statute

PART IV - SUPERVISION AND DISCIPLINE

The Visitor

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

(2) The Visitor shall cause a visitation to the University when necessary, at least every five years, or direct that such a visitation be conducted by such person or persons as the Visitor may deem fit and in respect of any of the affairs of the University.

(3) It shall be the duty of the bodies and persons comprising the University to make available to the Visitor and to any other person conducting a visitation in pursuance of this section, such facilities and assistance as he or they may reasonably require for the purposes of a visitation.

(4) The Visitor shall make the report of such visitations and white paper thereon available to the Council which shall implement same.

Removal of certain
Members of
Council

15.-(1) If it appears to the Council that a member of the Council (other than the Pro-Chancellor or the Vice-Chancellor) should be removed from office on the ground of misconduct or inability to perform the functions of his office or employment, the Council shall make a recommendation to that effect through the Minister to the President, and the President, after making such enquiries (if any) as he may consider appropriate approves the recommendation, he may direct the removal of the person in question from office.

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

Removal and
discipline of
academic,
administrative
and professional
staff

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

- 1 (a) give notice of those reasons to the person in question;
- 2 (b) afford him an opportunity of making representations in person
- 3 on the matter by the Council; and
- 4 (c) for the person in question to be afforded an opportunity of
- 5 appearing before and being heard by the investigating committee with
- 6 respect to the matter, and if the Council, after considering the report of the
- 7 investigating committee, is satisfied that the person in question should be
- 8 removed as aforesaid, the Council may so remove him by an instrument in
- 9 writing signed on the directions of the Council.
- 10 (2) The Vice-Chancellor may, in a case of misconduct by a member
- 11 of the staff which in the opinion of the Vice-Chancellor is prejudicial to the
- 12 interest of the University, suspend such member and any such suspension
- 13 shall forthwith be reported to the Council.
- 14 (3) For good cause, any member of the staff may be suspended
- 15 from his duties or his appointment may be terminated by the Council; and
- 16 for the purposes of this subsection "good cause" means:
- 17 (a) conviction for any offence which the Council considers to be
- 18 such as to render the person concerned unfit for the discharge of the
- 19 functions of his office;
- 20 (b) any physical or mental incapacity which the Council, after
- 21 obtaining medical advice, considers to be such as to render the person
- 22 concerned unfit to continue to hold his office;
- 23 (c) conduct of a scandalous or other disgraceful nature which the
- 24 Council considers to be such as to render the person concerned unfit to
- 25 continue to hold his office;
- 26 (d) conduct which the Council considers to be such as to constitute
- 27 failure or inability of the person concerned to discharge the functions of his
- 28 office or to comply with the terms and conditions of his service;
- 29 (e) conduct which the Council considers to be generally of such
- 30 nature as to render the continued appointment or service of the person

1 concerned prejudicial or detrimental to the interest of the University.

2 (4) Any person suspended pursuant to subsection (2) or (3) of this
3 section shall be on half pay and the Council shall before the expiration of a
4 period of three months after the date of such suspension consider the case
5 against that person and come to a decision as:

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

8 (b) whether to reinstate such person, in which case the Council shall
9 restore his full emoluments to him with effect from the date of suspension;

10 (c) whether to terminate the appointment of the person concerned, in
11 which case such a person shall not be entitled to the proportion of his
12 emoluments withheld during the period of suspension; or

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

16 (5) In any case where the Council, pursuant to this section, decides to
17 continue a person's suspension or decides to take further disciplinary action
18 against a person, the Council shall before the expiration of a period of three
19 months from such decision come to a final determination in respect of the case
20 concerning any such person.

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

25 (7) Nothing in the foregoing provisions of this section shall:

26 (a) apply to any directive given by the Visitor in consequence of any
27 visitation; or

28 (b) prevent the Council from making regulations for the discipline of
29 other categories of workers of the University as may be prescribed.

1 17.-(1) If, on the recommendation of the Senate, it appears to the
2 Vice-Chancellor that a person as appointed as an examiner for any
3 examination of the University ought to be removed from his office or
4 appointment, then, except in such cases as may be prescribed by the Vice-
5 Chancellor may, after affording the examiner an opportunity of making
6 representations in person on the matter to the Vice-Chancellor, remove the
7 examiner from the appointment by an instrument in writing signed by the
8 Vice-Chancellor.

Removal of
examiners

9 (2) Subject to the provisions of regulations made in pursuance of
10 section 7(5) of this Bill, the Vice- Chancellor may, on the recommendation
11 of the Senate, appoint an appropriate person as examiner in the place of the
12 examiner removed in pursuance of subsection (1) of this section.

13 (3) It shall be the duty of the Vice-Chancellor on signing an
14 instrument of removal pursuance to this section, to use his best endeavours
15 to cause a copy of the instrument to be served as soon as reasonably
16 practicable on the person to whom it is related.

17 18.-(1) The Students shall be:

Participation and
Discipline of
Students t

18 (a) represented in the University's Students Welfare Board and
19 other committees that deal with the affairs of students;

20 (b) participate in various aspects of curriculum development;

21 (c) participate in the process of assessing academic staff in respect
22 of teaching; and

23 (d) be encouraged to be more self-assured as part of the national
24 development process.

25 (2) Subject to the provisions of this section, where after due
26 process it appears to the Vice Chancellor that any student of the University
27 has been guilty of misconduct, the Vice-Chancellor may, without prejudice
28 to any other disciplinary powers conferred on him by statute or regulations,
29 direct that the:

30 (a) student shall not, during such period as may be specified in the

1 directions, participate in such activities of the University, or make use of such
2 facilities of the University, as may be so specified;

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

5 (c) student be rusticated for such period as may be specified in the
6 direction; and

7 (d) student be expelled from the University.

8 (3) Where a direction is given under subsection (2) a) to (d) of this
9 section in respect of any student, that student may, within the prescribed period
10 and in the prescribed manner, appeal to the Council; and where such an appeal
11 is brought, the Council shall, after causing such inquiry to be made in the matter
12 as the Council considers just either confirm or set aside the direction or modify
13 it in such manner as the Council thinks fit.

14 (4) The fact that an appeal from a direction is brought in pursuance to
15 subsection (2) of this section shall not affect the operation of the direction while
16 the appeal is pending:

17 (a) the Vice-Chancellor may delegate his powers under this section to
18 a disciplinary board consisting of such members of the University as he may
19 nominate.

20 (b) nothing in this section shall be construed as preventing the
21 restriction or termination of students' activities at the University otherwise than
22 on the ground of misconduct.

23 (c) a direction under subsection (2)(a) of this section may be
24 combined with a direction under subsection (2)(b) of this section.

25 PART V - MISCELLANEOUS AND GENERAL

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

26 **19.** No person shall be required to satisfy requirements as to any of
27 the following matters, that is to say, race (including ethnic grouping), sex,
28 account of race, place of birth or of family origin, or religious or political
29 persuasion, as a condition of becoming or continuing to be a student at the
30 university, the holder of any degree of the University or of any appointment or

1 employment at the University, or a member of anybody established by virtue
2 of this Bill; and no person shall be subject to any disadvantage or accorded
3 any advantage relation to the University, by reference to any of those
4 matters.

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

Restriction on
disposal of land
by University

9 Provided that such consent shall not be required in the case of any
10 lease or tenancy at a rack-rent for a term not exceeding 21 years or any lease
11 or tenancy to a member of the University for residential purpose.

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

Quorum and
procedure of bodies
established by
this Bill

15 **22.-(1)** Anybody of persons established by this Bill shall, without
16 prejudice to the generality of the powers of that body, have power to appoint
17 committees, which need not consist exclusively of members of that body,
18 and to authorize a committee established by it:

Appointment of
committee, etc.

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

21 (b) to co-opt members;

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

27 (3) Except as may be otherwise provided by statute or by
28 regulations, the quorum and procedure of a committee established or
29 meeting held in pursuance of this section, shall be such as may be
30 determined by the body or bodies which have decided to establish the

1 committee or hold the meeting.

2 (4) Nothing in the provisions of subsection (1), (2) and (3) of this
3 section shall be construed as;

4 (a) enabling the statutes to be made otherwise than in accordance with
5 section 1 of this Bill; or

6 (b) enabling the Senate to empower any other body to make
7 regulations of the award degrees or other qualifications.

8 (5) The Pro-Chancellor and the Vice-Chancellor shall be members of
9 every committee of which the members are wholly or partly appointed by the
10 Council (other than a committee appointed to inquire into the conduct of the
11 officer in question); and the Vice-Chancellor shall be a member of every
12 committee of which the members are wholly or partly appointed by the Senate.

Retiring age of
academic staff

13 **23.**-(1) Notwithstanding anything to the contrary in the Pension Act,
14 the compulsory retiring age of the following categories of staff shall be as
15 follows:

16 (a) Academic staff of the University in the non-Professorial cadre
17 shall be 65 years;

18 (b) Academic staff of the University in the Professorial Cadre shall be
19 70 years;

20 (c) Non-academic staff of the University shall be 65 years.

21 (2) A law or rule requiring a person to retire from the public service
22 after serving for 35 years shall not apply to an academic staff of the University.

Special Provisions
relating to Pension
of Professors

23 **24.** An academic staff of the University who retires as a Professor in
24 the University shall be entitled to pension at a rate equivalent to his annual
25 salary provided that the Professor has served continuously in the University up
26 to the retirement age.

Miscellaneous
Administrative
Provisions

27 **25.**-(1) The seal of the University shall be such as may be determined
28 by the Council and approved by the Chancellor, and the affixing of the seal
29 shall be authenticated by any member of the Council and by the Vice-
30 Chancellor, Secretary to the Council any other person authorized by statute.

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

4 (3) Any contract or instrument which if made or executed by a
5 person not being a body corporate would not be required to be under seal,
6 may be made or executed on behalf of the University by any person
7 generally or specially authorized to do so by the Council.

8 (4) The validity of any proceedings of anybody established in
9 pursuance of this Bill shall not be affected by any vacancy in the
10 membership of the body, or by any defect in the appointment of a member of
11 the body or by reason that any person not entitled to do so took part in the
12 preceding.

13 (5) Any member of any such body who has a personal interest in
14 any matter proposed to be considered by that body shall forthwith disclose
15 his interest to the body and shall vote on any question relating to that matter.

16 (6) Nothing in section 12 of the Interpretation Act (which provides
17 for the application in relation to subordinate legislation of certain incidental
18 provisions) shall apply to statutes or regulations made in pursuance to this
19 Bill.

20 (7) The power conferred by this Bill on anybody to make statutes or
21 regulations shall include power to revoke or vary any statute (including the
22 statute contained in the Third Schedule of this Bill) or any regulation by a
23 subsequent statute or as the case may be, by a subsequent regulation and
24 statutes and regulations may make different provisions in relation to
25 different circumstances.

26 (8) No stamp or other duty shall be payable in respect of any
27 transfer of property to the University by virtue of section 8 or section 18 of
28 this Bill or the Second Schedule to this Bill.

29 (9) Any notice or other instrument authorized to be served by virtue

1 of this Bill may, without prejudice to any other mode of service, be served by
2 post.

Restriction of
suits and execution

3 **26.-(1) Pre-Action Notice:**

4 (a) No legal proceeding shall be instituted and/or commenced against
5 the University or any of its agents in the course of their official duties unless a 3
6 months' Pre-Action Notice of such intention is served on the University by an
7 aggrieved party;

8 (b) The Notice shall state the reason and the cause of action intended
9 to be taken against the University, the particulars of the claim, the name and
10 place of abode of the intending plaintiff and the relief which he claims.

11 (c) For the avoidance of doubt, it is hereby declared that no suit shall
12 be commenced against an officer or servant of the University, in any case where
13 the University is vicariously liable for any alleged act, neglect or default of the
14 officer or servant in the performance or intended performances of his duties,
15 unless three months at least has elapsed after written notice of intention to
16 commence the same shall have been served on the University by the intending
17 plaintiff or his agent.

18 (d) In any suit against this University, no execution or attachment or
19 process in the nature thereof shall be issued against the University, but any
20 sums of money which may be judgment of the court be awarded against the
21 University shall, subject to any direction given by the court where notice of
22 appeal has been given by the University in respect of the said judgment, be paid
23 by the University from its general fund.

24 (2) Service of Notices:

25 Service upon the University of any notice, order or other document may be
26 effected by delivering the same or by sending it by registered post addressed to
27 the Registrar and Secretary of the Council.

Savings and
transitional
provisions

28 **27. Repeal of the Provisions of emanment of COE Katsina-Ala, edict**
29 No. 20 of 1984 Schedule 1 (n) Laws of Federation of Nigeria, II 1986

30 (1) The coming into effect of this Act Repeals the Provisions of the College of

1 Education Edict No. 20 of 1984.

2 (2) Anything done or purported to have been done under COE
3 Edict No. 20 Schedule 1 (n) Laws of Federation of Nigeria, 1984
4 remains valid, except otherwise provided under this Act.

5 (3) Subsidiary legislation made or deemed to have been made
6 under the repealed COE Edict No. 20 of 1984 Schedule 1 (n) laws of
7 Federation of as if it was in force immediately before the commencement
8 of this Act, shall continue in force with necessary modification and may be
9 amended or revoked as if it had been made under this Act.

10 (4) The rights, assets, obligations and liabilities of the of COE
11 Edict No. 20 of 1984, 1986 (n) 1984 shall, at the commencement of this Act,
12 rest in and devolve on the Federal University of Education Katsina-Ala,
13 Benue.

14 **28.-(1)** In this Bill, unless the context otherwise requires:

Interpretation

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

16 "College" means the College established pursuant to section 2 (1) (b) of this
17 Bill for the University;

18 "Council" means the Governing Council of the University established by
19 section 5 of this Bill;

20 "Functions" includes powers and duties;

21 "Graduate" means a person on whom a degree, other than an honorary
22 degree, has been conferred by the University and any other person as may be
23 designated as a graduate by the Council, acting in accordance with the
24 recommendation of the Senate; (Erroneously omitted)

25 "Minister" means the Hon. Minister of Education;

26 "Notice" means notice in writing;

27 "Officer" does not include the Visitor;

28 "Prescribed" means prescribed by statute or regulations;

29 "Professor" means a person designated as a Professor of the University in
30 accordance with provisions made in that behalf by statute or by regulations;

1 "Property" includes rights, liabilities and obligations;
2 "Provisional Council" means the provisional council appointed for the
3 University.
4 "Regulations" means regulations made by the Senate or the Council;
5 "Senate" means the Senate of the University established pursuant to section
6 2(1)(e) of this Bill;
7 "School" means a unit of closely related academic programmes;
8 "Statute" means a statute made by each University under section 10 of this Bill
9 and in accordance with the provisions of section 11 of this Bill, and
10 "the statutes" means all such statutes as are in force from time to time;
11 "Teacher" means a person holding a full-time appointment as a member of the
12 teaching or research staff of the University;
13 "Undergraduate" means a person registered as a student undergoing a course of
14 study for a first degree of the University or such other course in the University
15 as may be approved by the Senate as qualifying a student undergoing it for the
16 status of an under-graduate;
17 "University" means Federal University of Education Katsina-Ala, Benue
18 established and incorporated by section I of this Bill.

19 (2) It is hereby declared that where in any provision of this Bill it is
20 laid down that the proposals are to be submitted or a recommendation is to be
21 made by one authority or another through one or more intermediate authorities,
22 it shall be the duty of every such intermediate authority to forward any
23 proposals of that or recommendations received by it in pursuance of that
24 provision to the appropriate authority; but any such intermediate authority
25 may, if it thinks fit, forward therewith its own comments thereon.

Short title

26 **29.** This Bill may be cited as the Federal University of Education,
27 Katsina-Ala (Establishment, etc.) Bill, 2021.

1 FIRST SCHEDULE

2 *[Section 2(2)]*

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 who shall be the Chairman of Council
9 shall be appointed or removed from office by Mr. President on
10 recommendation by the Minister of Education.11 (2) Subject to the provisions of this Bill, the Pro-Chancellor shall
12 hold office for a period of four years beginning with the date of his
13 appointment.14 *The Vice-Chancellor*15 3.-(1) There shall be a Vice-Chancellor of the University who shall
16 be appointed by the Council in accordance with the provisions of this
17 paragraph18 (2) Where a vacancy occurs in the post of a Vice-Chancellor, the
19 Council shall:20 (a) advertise the vacancy in a reputable journal or a widely read
21 newspaper in Nigeria, specifying:

22 (i) The qualities of the persons who may apply for the post; and

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

26 (b) constitute a Search Team consisting of:

27 (i) a member of the Council, who is not a member of the Senate, as
28 chairman;29 (ii) two members of the Senate who are not members of the
30 Council, one of whom shall be a Professor;

1 (iii) two members of Congregation who are not members of the
2 Council, one of whom shall be a professor to identify and nominate for
3 consideration, suitable persons who are not likely to apply for the post on their
4 own volition because they felt that it is not proper to do so.

5 (3) A Joint Council and Senate Selection Board consisting of:

6 (a) The Pro-Chancellor, as Chairman;

7 (b) Two members of the Council, not being members of the Senate;

8 (c) Two members of the Senate who are Professors, but who were not
9 members of the Search Team, shall consider the candidates and persons in the
10 shortlist drawn up under subsection (2) of this paragraph through an
11 examination of their curriculum vitae and interaction with them, and
12 recommend to the Council three candidates for further consideration.

13 (4) The Council shall select and appoint as the Vice-Chancellor one
14 candidate from among the three candidates recommended to it under
15 subsection (3) of this section and thereafter inform the Visitor.

16 (5) The Vice-Chancellor shall hold office for a single term of five
17 years only on such terms and conditions as may be specified in his letter of
18 appointment.

19 (6) The Vice Chancellor may be removed from office by the Council
20 on grounds of gross misconduct or inability to discharge the functions of his
21 office as a result of infirmity of the body or mind, at the initiative of the
22 Council, Senate or the Congregation after due process.

23 (7) When the proposal for the removal of the Vice-Chancellor is
24 made, the Council shall constitute a Joint Committee of Council and Senate
25 consisting of:

26 (i) three members of the Council, one of whom shall be the Chairman
27 of the committee; and

28 (ii) two members of the Senate,

29 Provided that where the ground for removal is infirmity of the body or
30 mind, the Council shall seek appropriate medical opinion.

1 (8) The committee shall conduct investigation into the allegations
2 made against the Vice-Chancellor and shall report its findings to the
3 Council.

4 (9) The Council may where the allegations are proved remove the
5 Vice-Chancellor or apply any other disciplinary action it may deem fit and
6 notify the Visitor accordingly provided that a Vice-Chancellor who is
7 removed shall have right of appeal to the Visitor.

8 (10) There shall be no sole administrator in the University.

9 (11) In any case of a vacancy in the office of the Vice-Chancellor,
10 the Council shall appoint an acting Vice-Chancellor on recommendation of
11 the Senate.

12 (12) An acting Vice-Chancellor in all circumstances shall not be in
13 office for more than 6 months.

14 *Deputy Vice-Chancellor*

15 4.-(1) There shall before the University such number of Deputy
16 Vice-Chancellors as Council may from time to time deem necessary for the
17 proper administration of the University.

18 (2) Where a vacancy occurs in the post of Deputy Vice-Chancellor,
19 the Vice-Chancellor shall forward to the Senate a list of two candidates for
20 each post of Deputy Vice-Chancellor that is vacant.

21 (3) The Senate shall select for each vacant post one candidate from
22 each list forwarded to it under subsection (2) of this paragraph and forward
23 his name to the Council for confirmation.

24 (4) A Deputy Vice-Chancellor shall:

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

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

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

1 (5)(a) A Deputy Vice-Chancellor:

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

5 (ii) may be reappointed for one further period of two years and no
6 more; and

7 (iii) may be removed from office for good cause by the Council acting
8 on the recommendations of the Vice-Chancellor and Senates.

9 (b) "Good cause" for the purpose of this section means gross
10 misconduct or inability to discharge the functions of his office arising from
11 infirmity of the body or mind.

12 *Office of the Registrar*

13 5-(1) There shall be for the University, a Registrar, who shall be the
14 chief administrative officer of the University and shall be responsible to the
15 Vice-Chancellor for the day-to-day administrative work of the University
16 except as regards matters for which the Bursar is responsible in accordance
17 with paragraph 6(2) of this Schedule.

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

20 *Other Principal Officers of the University*

21 6-(1) There shall be for the University the following principal
22 officers, in addition to the Registrar, that is:

23 (a) The Bursar; and

24 (b) the University Librarian, who shall be appointed by the Council on
25 the recommendation of the Selection: Board constituted under paragraph 7 of
26 this Schedule.

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

30 (3) The University Librarian shall be responsible to the Vice-

1 Chancellor for the administration of the University Library and the co-
2 ordination of the library services in the University and its campuses,
3 colleges, schools, departments, institutes and other teaching or research
4 units.

5 (4) Any question as to the scope of the responsibilities of the
6 aforesaid officers shall be determined by the Vice-Chancellor.

7 *Selection Board for other Principal Officers*

8 7.-(1) There shall be, for the University, a Selection Board for the
9 appointment of principal officers, other than the Vice Chancellor or Deputy
10 Vice-Chancellor, which shall consist of:

11 (a) the Pro-Chancellor, as chairman;

12 (b) the Vice-Chancellor;

13 (c) four members of the Council not being members of the Senate;

14 and

15 (d) two members of the Senate.

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

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

23 (4) Notwithstanding subsection (3) of this section, the Council
24 may, upon satisfactory performance, extend the tenure of the Registrar,
25 Bursar or Librarian for a further period of one year only and thereafter such
26 principal officer shall relinquish his post and be assigned to other duties in
27 the University.

28 *Resignation and Re-appointment*

29 B.-(1) Any officer mentioned in the foregoing provisions of this
30 Schedule may resign his office:

1 (a) in the case of the Chancellor or Pro-Chancellor, by notice to the
2 Visitor;

3 (b) in any other case, by notice to the Council and the Council shall, in
4 the case of the Vice-Chancellor, immediately notify the Visitor"

5 (2) Without prejudice to paragraph 4 of this Schedule, a person who
6 has ceased to hold an office so mentioned otherwise than by removal for
7 misconduct shall be eligible for re-appointment to that office.

8 SECOND SCHEDULE

9 TRANSITIONAL PROVISIONS AS TO PROPERTY, FUNCTIONS, ETC.

10 *Transfer of Property to University*

11 1. Without prejudice to the generality of section 9 (1) of this Bill;

12 (a) The reference in that subsection to property held by the
13 Provisional Council shall include a reference to the right to receive and give a
14 good discharge for any grants or contributions which may have been voted or
15 promised to the provisional Council

16 (b) all debts and liabilities of the Provisional Council outstanding
17 shall become debts or liabilities of the University.

18 2.-(1) All agreements, contracts, deeds and other instruments to
19 which the Provisional Council was a party shall, so far as possible and subject
20 to any necessary modifications, have effect as if the University had been a party
21 thereto in place of Provisional Council.

22 (2) Documents not falling within subsection (1) of this paragraph,
23 including enactment which refer, whether specially or generally, to the
24 Provisional Council, shall be construed in accordance with that sub-section so
25 far as applicable.

26 (3) Any legal proceedings or application to any authority pending by
27 or against the Provisional Council may be continued by or against the
28 University.

29 *Registration of transfers*

30 3.-(1) If the law in force at the place where any property transferred by

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

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

10 *Transfer of Functions, etc.*

11 4.-(1) The first meeting of the Council shall be convened by the
12 Pro-Chancellor on such date and in such manner as he may determine.

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

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

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

23 (5) subject to any regulations which may be made by the Senate
24 after the date on which this Bill is made, the schools, school boards and
25 students of the University immediately before the coming into force of this
26 Bill shall on that day become schools, school boards and students of the
27 University as constituted by this Bill.

28 6) Persons who were Deans of schools and Heads of Academic
29 Departments shall continue to be Deans or HODs of the corresponding

(7) Any person who was a member of the staff of the University as established or was otherwise employed by the Provisional Council shall become the holder of an appointment at the university with the status, designation and functions which correspond as nearly as may be to those which appertained to him as member of that staff or as such an employee.

[Section 9 (3)]

ARRANGEMENT OF ARTICLES

1. The Council
2. The Finance and General Purposes Committee
3. The Senate
4. The Congregation
5. Convocation
6. Division of Colleges
7. College/School Boards
8. Dean of the College
9. Selection of certain Principal Officers
10. Creation of academic posts
11. Appointment of academic staff
12. Appointment of administrative and professional staff
13. Interpretation
14. Short title

1.-(1) The composition of the Council shall be as provided in section 5 of this Bill.

(2) Any member of the Council holding office otherwise than in

1 pursuance of section 5 (a), (b), (c), or (d) of this Bill may, by notice to the
2 Council, resign his office.

3 (3) A member of the Council holding office otherwise than in
4 pursuance of section 5 (a), (b), (c), or (d) of this Bill shall, unless he
5 previously vacates it, vacate that office on the expiration of the period of
6 four years beginning with effect from 1 August in the year which he was
7 appointed.

8 (4) Where a member of the Council holding office otherwise than
9 in pursuance of section 5 (a), (b), (g), or (h) of this Bill vacates office before
10 the expiration of the period aforesaid, the body or person by whom he was
11 appointed may appoint a successor to hold office for the residue of the term
12 of his predecessor.

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

16 (6) The quorum of the Council shall be five, at least one of whom
17 shall be a member appointed pursuant to section 5 (d) or (e) of this Bill.

18 (7) If the Pro-Chancellor is not present at a meeting of the Council,
19 such other member of the Council present at the meeting as the Council may
20 appoint as respects that meeting shall be the chairman at that meeting, and
21 subject to section 4 of this Bill and the foregoing provisions of this
22 paragraph, the Council may regulate its own procedure.

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

27 *The Finance and General Purposes Committee*

28 2.-(1) The Finance and General Purposes Committee of the
29 Council shall consist of:

30 (a) the Pro-Chancellor, who shall be the chairman of the

1 Committee at any meeting at which he is present;

2 (b) the Vice-Chancellor and Deputy Vice-Chancellors;

3 (c) six other members of the Council appointed by the Council, two of
4 whom shall be selected from among the four members of the Council
5 appointed by the Senate and one member appointed to the Council by
6 Congregation;

7 (d) the Permanent Secretary of the Federal Ministry of Education, or
8 in his absence, such member of his Ministry as he may designate to represent
9 him; and

10 (2) The quorum of the Committee shall be five.

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

13 *Annual budget and estimates, etc.*

14 (4) (i) The estimates of income and expenditure for a financial year
15 shall be presented by the Vice-Chancellor to the council and may be approved
16 by the Council before the beginning of that financial year:

17 Provided that the Vice-Chancellor may during any financial year present and
18 the Council may approve supplementary estimates of income or expenditure.

19 (ii) The annual and supplementary estimates shall be prepared in such
20 form and shall contain such information as the council may direct.

21 *Gifts, donations, etc.*

22 (5) (i) The Council may on behalf of the University accept by way of
23 grants, gift, testamentary disposition or otherwise,], property and money in aid
24 of the finances of the University on such conditions as it may approve;

25 (ii) Registers shall be kept of all donations to the University including
26 the names of donors and any special conditions under which any donation may
27 have been given:

28 Provided that the University shall not be obliged to accept a donation
29 for a particular purpose unless it approves of the terms and conditions attaching
30 to such donation.

(iii) All property, money or funds donated for any specific purposes shall be applied and administered in accordance with the purposes for which they are donated and shall be accounted for separately.

Payment into bank

(6) All sums of money received on account of the University shall be paid into such bank as may be approved by the council for the credit of the University's general, current or deposit account: provided that the Council may invest, as it deems fit, any money not required for immediate use other than donations of money referred to in subsection (1) of this section.

Audit

3.-(1) The Council shall cause the account of the University to be audited by auditors appointed by the Council as soon as may be after the end of each financial year or for any such other period as the Council may require.

(2) The appointment and other matters relative to the auditors, their continuance in office and their functions, as the case may be, shall subject to the provisions of this section, be prescribed by statute.

The Senate

4.-(1) The Senate shall consist of:

- (i) The Vice-Chancellor
- (ii) Deputy Vice-Chancellors;
- (iii) the Deans of respective Colleges;
- (iv) the Professors in the University;
- (v) Heads of Academic Departments and Units;
- (vi) the University librarian;
- (vii) one elected representative of each College;
- (viii) two members of Academic Staff elected by the Congregation;
- (ix) one elected representative of each department;

1 (x) two members representing a variety of interests of the professional
2 bodies outside the University appointed by the Senate on the recommendation
3 of the Vice-Chancellor;

4 (xi) Registrar - Secretary.

5 (2) The procedure for election of members of Senate to the Council
6 shall be prescribed by Regulations.

7 (3) The Vice-Chancellor shall be the chairman at all meetings of the
8 Senate when he is present, and in his absence any of the Deputy Vice-
9 Chancellors present at the meeting as the Senate may appoint for that meeting
10 shall be the chairman at the meeting.

11 (4) The quorum of the Senate shall be one quarter or the nearest
12 whole number less than one quarter; and subject to paragraph (3) of this Article,
13 the Senate may regulate its own procedure.

14 (5) An elected member may, by notice to the Senate, resign his office.

15 (6) Subject to paragraph (8) of this article, there shall be elections for
16 the selection of elected members which shall be held in the prescribed manner
17 on such day in the month of May or June in each year as the Vice-Chancellor
18 may from time to time determine.

19 (7) An elected member shall hold office for the period of two years
20 beginning with 1 August in the year of his election, and may be a candidate at
21 any election held in pursuance to paragraph (6) of this article in the year in
22 which his period of office expires, so however that no person shall be such a
23 candidate if at the end of his current period of office he will have held office as
24 an elected member for a continuous period of six years or would have so held
25 office if he had not resigned it.

26 (8) No election shall be held in pursuance of this article in any year if
27 the number specified in the certificate given in pursuance to paragraph (11) of
28 this article does not exceed by more than one the figure which is thrice the
29 number of those elected members holding office on the date of the certificate

1 who do not vacate office during that year in pursuance of paragraph (7) of
2 this article.

3 (9) For the avoidance of doubt it is hereby declared that no person
4 shall be precluded from continuing in or taking office as an elected member
5 by reason only of reduction in the after 30 April in any year in which he is to
6 continue in or take office as all elected member.

7 (10) If so requested in writing by any fifteen members of the
8 Senate, the Vice-Chancellor or in his absence any 'of the Deputy Vice-
9 Chancellor duly appointed by him, shall convene a meeting of the Senate to
10 be held not later than the tenth day following that on which the request was
11 received.

12 (11) In this article "total of non-elected members" means as respect
13 any year, such number as may be certified by the Vice chancellor on 30 April
14 of that year to be the number of persons holding office as members of the
15 Senate on that day otherwise than as elected members.

16 *Congregation*

17 5.-(1) Congregation shall consist of:

18 (i) Vice-Chancellor;

19 (ii) the Deputy Vice-Chancellors;

20 (iii) the full-time members of the academic staff;

21 (iv) The Registrar;

22 (v) The Librarian;

23 (vi) every member of the administrative staff who holds a degree,
24 other than honorary degree, of any University recognized for the purposes of
25 this statute by the Vice-Chancellor.

26 (2) Subject to section 4 of this Bill, the Vice-Chancellor shall be the
27 chairman at all meetings of Congregation when he is present; and in his
28 absence any of the Deputy Vice Chancellors present at the meeting as
29 Congregation may appoint for that meeting, shall be the chairman at the
30 meeting.

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

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

5 (a) the total number of members of Congregation for the purpose of
6 any particular meeting or meetings of Congregation; or

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

10 (5) The procedure for election of members of Congregation to the
11 Council and the Senate shall be prescribed by Regulations.

12 (6) Subject to the foregoing provisions of this article, Congregation
13 may regulate its own procedure.

14 (7) Congregation shall be entitled to express by resolutions or
15 otherwise its opinion on all matters affecting the interest and welfare of the
16 University and shall have such other functions, in addition to the function of
17 electing a member of the Council, as may be provided by statute or regulations.

18 *Convocation*

19 6.-(1) Convocation shall consist of:

20 (i) the officers of the University mentioned in the First Schedule to
21 this Bill;

22 (ii) All teachers within the meaning of this Bill;

23 (iii) All other persons whose names are registered in accordance with
24 paragraph (2) of this article.

25 (2) A person shall be entitled to have his name registered as a member
26 of convocation if:

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

29 (b) he applies for the registration of his name in the prescribed manner
30 and pay the prescribed fees.

1 (3) Regulations shall provide for the establishment and
2 maintenance of a register for the purpose of this paragraph and subject to
3 paragraph (4) of this article may provide for the payment, from time to time,
4 of further fees by persons whose names are on the register and for the
5 removal from the register of the name of any person who fails to pay those
6 fees.

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

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

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

20 (7) The quorum of Convocation shall be fifty or one third or the
21 whole number nearest to one third or the whole number of members of
22 Convocation whichever is less.

23 (8) Subject to section 4 of the Act, the Chancellor shall be chairman
24 at all meetings of Convocation when he is present, and in his absence the
25 Vice-chancellor shall be the chairman at the meeting.

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

1 *Division of Colleges*

2 7. Each College shall be divided into such number of branches as may
3 be prescribed.

4 *College Boards*

5 8.-(1) There shall be established in respect of each College, a Board of
6 Studies which, subject to the provisions of this Statute, and subject to the
7 directions of the Vice-Chancellor, shall:

8 (a) regulate the teaching and study of, and the conduct of
9 examinations connected with, the subjects assigned to the college;

10 (b) deal with any other matter assigned to It by statute or by the Vice-
11 Chancellor or by the Senate; and

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

14 (2) Each College Board of Studies shall consist of:

15 (a) the Vice-Chancellor;

16 (b) the Dean;

17 (c) the person's severally in charge of the branches of the school;

18 (d) the College Examination Officer;

19 (e) such of the teachers assigned to the college and having the
20 prescribed qualifications as the Board may determine; and

21 (f) such persons, whether or not members of the University, as the
22 Board may determine with the general or special approval of the Senate.

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

27 *Deans of the Colleges*

28 9.-(1) The Board of each College shall, at a meeting in the last term of
29 any academic year which the term of office of the Dean expires, nominate one
30 of its members, being one of the Professors assigned to that teaching unit, for

1 appointment by the Senate as Dean of the College.

2 (2) The person appointed under paragraph 1 of this Article shall act
3 as Dean of the College and chairman of all meetings of the College Board
4 when he is present and shall be a member of all committees and other boards
5 appointed by the College.

6 (3) The Dean shall hold office for two years and shall be eligible for
7 re-appointment one further period of two years, thereafter he shall not be
8 eligible for re-appointment until two years have elapsed.

9 (4) The Dean of a College shall exercise general superintendence
10 over the academic and administrative affairs of the College.

11 (5) It shall be the function of the Dean to present to Convocation for
12 the conferment of degrees to persons who have qualified for the degrees of
13 the University at examination held in the branches of learning for which
14 responsibility is allocated to that College.

15 (6) There shall be a committee to be known as the Committee of
16 Deans consisting of all the Deans of the several Colleges and that
17 Committee shall advise the Vice-Chancellor on all academic matters and on
18 particular matters referred to the University by the Senate.

19 (7) The Dean of a College may be removed from office for good
20 cause by the College Board after a vote would have been taken at a meeting
21 of the Board, and in the event of a vacancy occurring following the removal
22 of a Dean, an acting Dean may be appointed by the Vice-Chancellor:

23 Provided that at the next College Board meeting an election shall
24 be held for a new Dean.

25 (8) In this article "good cause" has the same meaning as in section
26 15(3) of the Act.

27 *Departmental Board of Studies*

28 10.-(1) There shall be a Departmental Board of Studies whose
29 membership shall be made of all academic staff of the Department;

30 (2) It shall be headed by a Professor who shall be appointed by the

3 (3) For a Professor the term is for 3 years while 1 year is for acting
4 capacity.

7 (5) The Board shall handle all disciplinary matters in the Department
8 and make recommendations to the College where necessary;

11 *Selection of Directors of Physical Planning and Development, Works and*
12 *Services and Health*

16 (a) the Pro-Chancellor;

17 (b) the Vice-Chancellor;

18 (c) two members appointed by the Council, not being members of the
19 Senate;

20 (d) Two members appointed by the Senate.

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

25 *Tenure of Directors*

26 12. A Director shall hold office on such terms and conditions as may
27 be specified in his letter of appointment subject to the extant Regulations.

28 *Creation of Academic Posts*

29 13. Recommendations for the creation of academic posts other than
30 principal officers shall be made by the Senate to the Council through the

1 Finance and General Purposes Committee.

2 *Appointment of Academic Staff*

3 14.-(1) Subject to the Act and statutes, the filling of vacancies in
4 academic posts (including newly created ones) shall be the responsibility of
5 the Council through the Departments and Colleges.

6 (2) For the purpose of filling such vacancies, suitable selection
7 boards to select and make appointments on behalf of the Council shall be set
8 up.

9 (3) For appointment to Professorships, Associate Professorship or
10 Readerships or equivalent posts, a Board of Selection, with power to
11 appoint, shall consist of:

12 (a) the Vice-Chancellor -Chairman;

13 (b) Deputy Vice-Chancellor- Member;

14 (c) The Dean of the College - Member;

15 (d) Head of Department - Member;

16 (e) Registrar - Secretary;

17 (f) such other person(s), not exceeding two in number, deemed
18 capable of helping the Board in assessing both the professional and
19 academic suitability of a candidate under consideration, as the Senate may
20 from time to time appoint.

21 (4) For other academic posts, a Selection Board with power to
22 appoint, shall consist of:

23 (a) the Vice-Chancellor or his Representative-Chairman;

24 (b) The Dean of the College-Member;

25 (c) Head of the Department concerned - Member;

26 (d) An internal member of Council (not below the Rank of Senior
27 lecturer from the sister college in the Candidate's subject-area) - Member;

28 (e) Registrar or his representative - Secretary.

29 (5) All appointments to senior library posts shall be made in the
30 same way as equivalent appointments in the academic cadre; and for all such

1 posts other than that of the librarian, the librarian shall be a member of the
2 Selection Board.

3 (6) Boards of Selection may interview candidates directly or consider
4 the reports of specialist interviewing panels and shall in addition in the case of
5 Professorships, Associate Professorship, Readerships or equivalent Posts,
6 consider the reports of External Assessors relevant to the area in which the
7 appointment is being considered. Quorum shall be three (3) including the
8 Chairman.

9 *Appointment of Administrative and Professional Staff*

10 15.-(1) The administrative and professional staff of the University
11 other than principal officers shall be appointed by the Council on its behalf
12 by the Vice-Chancellor in accordance with delegation of powers made by the
13 Council on its behalf.

14 (2) A Selection Board, with power to appoint, shall consist of:

15 (i) Vice Chancellor;

16 (ii) Deputy Vice Chancellor;

17 (iii) Registrar;

18 (iv) Bursar;

19 (v) University Librarian;

20 (vi) The Head of Department concerned;

21 (vii) Establishment and Human Resources Officer who shall serve as
22 Secretary Quorum shall be three (3) including the Chairman.

EXPLANATORY MEMORANDUM

This Bill seeks to provide for the establishment of the Federal University of Education, Katsina-Ala.

ABATTOIR REGULATION AND MEAT INSPECTION BILL, 2021

ARRANGEMENT OF CLAUSES

Clause:

1. Application
 2. Establishment of Abattoirs
 3. Standard for the establishment of an Abattoir
 4. Approval of Licence
 5. Appointment of a Meat Supervisor and Meat Inspectors
 6. Functions, duties and Powers of a Meat Supervisor
 7. Functions, duties and Powers of a Meat Inspector
 8. Examination of Animals before slaughtering
 9. Slaughtering of Animals to be carried out in abattoirs
 10. Examination of Meat of the Slaughtered Animal
 11. Prohibition on the Sale of Meat
 12. Conveyance of Meat
 13. Disinfection
 14. Power to Inspect
 15. Charges for Inspection
 16. Investigations
 17. Regulation
 18. Interpretation
 19. Citation
- Schedule

A BILL

FOR

AN ACT TO PROVIDE FOR REGULATION OF THE OPERATION OF ABATTOIRS
AND THE INSPECTION OF MEAT EARMARKED FOR HUMAN CONSUMPTION
WITHIN THE FEDERAL CAPITAL TERRITORY AND FOR RELATED MATTERS

Sponsored by Hon. Richard Gbande

[] Commencement

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

- | | | |
|----|---|-------------------|
| 1 | 1. -(1) This Bill shall apply in the Federal Capital Territory, Abuja. | Application |
| 2 | (2) The Administration may establish and operate Abattoirs in any | |
| 3 | area of the Federal Capital Territory. | |
| 4 | 2. -(2) Notwithstanding anything contained in sub-clause (1) of this | Establishment |
| 5 | clause, the Administration may also grant license to a private person or | of Abattoirs |
| 6 | organization to establish and operate an abattoir. | |
| 7 | (2) An abattoir established before the commencement of this Bill | |
| 8 | shall obtain a license within six months from the date of the commencement | |
| 9 | of this Bill. | |
| 10 | 3. -(1) The standard in establishing and operating an abattoir shall | Standards for the |
| 11 | be as follows: | Establishment of |
| 12 | (a) a separate place to keep animals before and after ante-mortem | an Abattoir |
| 13 | examination; | |
| 14 | (b) sufficient place for conducting ante mortem examination; | |
| 15 | (c) a separate place for slaughter, bleeding flaying, scalding, | |
| 16 | dressing of meat, cleaning and disposing of offal and wastes; | |
| 17 | (d) a place for conducting post-mortem examination and for | |
| 18 | disposing of condemned meat; | |
| 19 | (e) facilities of hot . and cold water in required quantity; | |
| 20 | (f) arrangements made for enough light and ventilation in the | |

- 1 working rooms for the abattoir;
- 2 (g) the floor area of animal's health examination place, slaughtering
- 3 place, meat examination place should be durable, impermeable and easily
- 4 cleansed and proper arrangements must have been made for drainage;
- 5 (h) arrangements made for facilities of cold storage to keep meat safe;
- 6 (i) In animal slaughtering place-
- 7 (i) the top of the table should be of non-rusting material;
- 8 (ii) meat rails should be of ungalvanised materials;
- 9 (iii) except the chopping board, wood should not be used on the top of
- 10 other bench and table,
- 11 (iv) there should be a provision of pulley, hook and rope required to
- 12 hang the slaughtered animals;
- 13 (v) weapon, tools and equipment to be used should be of non-rusting
- 14 type and there must be facilities for sterilization;
- 15 (vi) weapon and utensils made of copper and its alloys and cadmium,
- 16 Polished or enameled pot, weapon and equipment's, and pot and utensils
- 17 having lead the following utensils shall not be used in the abattoir;
- 18 (2) A person suffering from tuberculosis, skin infections, and other
- 19 infectious disease shall not be allowed to enter into or work in the abattoir.
- 20 (3) A person shall enter into the slaughterhouse only after wearing the
- 21 dress and rubber boot specified by the management.
- 22 (4) The act removal and destruction or disposal of nonedible part such
- 23 as manure, urine, blood and waste of the slaughtered animals in an appropriate
- 24 manner shall be carried out within eight hours of completion of slaughtering of
- 25 animal in an abattoir.
- 26 (5) Each animal to be slaughtered in the abattoir shall be given an
- 27 identification mark for identification.
- 28 (6) Clothes, weapon or tools used in an abattoir, if the meat of animal
- 29 suspected of tuberculosis shall be reused only after boiling them for half an
- 30 hour in the water mixed with caustic soda.

1 (7) No part and serous membrane of a slaughtered animal shall be
2 separated from the body until inspected by meat inspector.

3 (8) No lesions or mark of any disease seen in the meat of a
4 slaughtered animal shall be removed by washing with water, cleaning,
5 scrapping or by any other way, without the order of the meat inspector.

6 (9) Health checkup of persons working in an abattoir shall be
7 conducted every six months and a certificate of good health shall be
8 submitted to the meat supervisor.

9 4.-(1) A person or an organization seeking to establish and operate
10 an abattoir shall apply for a license from the Administration, with a planned
11 proposal and a recommendation from the Area Council where the abattoir
12 will be situated

Approval of
Licence

13 (2) The Administration shall on receipt of the application for
14 license, make necessary inquiries on such application and may issue a
15 license for the establishment of an abattoir and shall issue a fee as shall be
16 determined by the Minister.

17 (3) Each license shall-

18 (a) unless sooner cancelled, be valid from the date on which it is
19 issued to December 31 of that year; (b) be renewed annually on or before
20 January 1 of each year;

21 (c) be non-transferable in respect to a license holder or location.

22 (4) The Minister or a meat inspector duly appointed by the
23 Administration, may revoke or suspend any license if upon investigation it
24 is found that the abattoir or the operation thereof-

25 (a) violates any of the provisions of this bill; or

26 (b) is detrimental to the public health.

27 5.-(1) The Administration shall appoint a Meat Supervisor, who
28 must be a graduate in veterinary medicine, for the supervision and
29 management of abattoirs, and for the supervision of the functions of the
30 Meat Inspectors.

Appointment
of a Meat
Supervisor and
Meat Inspectors

Functions, duties
and Powers of a
Meat Supervisor

1 (2) The Administration shall appoint Meat Inspectors who shall also
2 be a graduate in veterinary medicine, and shall be stationed at each abattoir, to
3 ensure that the Animals being slaughtered pass the required health test.

4 (3) The Meat Supervisor shall act as a Meat Inspector, where a Meat
5 Inspector has not been duly appointed.

6 (4) A person who or an organization which establishes and operates an
7 abattoir, shall provide a meat inspector who shall be graduate in veterinary
8 medicine.

9 **6.** The Meat supervisor shall-

10 (a) inspect slaughterhouse from time to time and give directions
11 according to necessity;

12 (b) supervise whether the act relating to meat inspection and the act of
13 cleaning and disinfecting is carried out in an appropriate way or not;

14 (c) give necessary technical advice, suggestion and direction to meat
15 inspector;

16 d) make supervision of meat selling place and of the means of
17 conveyance of meat;

18 (e) close down and give notification to the license issuing authority
19 where an abattoir is found in the course of supervision not to have been
20 operated pursuant to the provisions of this Bill;

21 (f) make recommendation for the penalization a meat inspector where
22 the meat inspector fails to perform their duties;

23 (g) perform such other functions as may be prescribed by the
24 Administration from time to time.

Functions, duties
and Powers of a
Meat Inspector

25 **7.-(1)** The Meat Inspector shall-

26 (a) be present in time specified for operation of an abattoir;

27 (b) conduct ante-mortem examination;

28 (c) conduct post-mortem examination and inspection of carcass;

29 (d) remove or cause to be removed a part or organ in carcass of a
30 slaughtered animal where it is found unfit for consumption or diseased;

- 1 (e) inspect the container of meat transport;
2 (f) inspect the routine cleaning and disinfections of abattoirs daily;
3 (g) conduct examination of meat separated on being suspicious and
4 ascertain whether it is fit for consumption or not;
5 (h) arrange for proper disposal and destruction of condemned meat
6 and other abattoir waste products;
7 (i) recommend that action be taken against such abattoir operator
8 in the case of an abattoir operator who does not observe the terms and
9 conditions pursuant to the provisions of this Bill;
10 (j) perform such other functions as prescribed by the meat
11 supervisor.

12 (2) A Meat Inspector shall keep in their possession instruments,
13 tools and equipment required for their work.

14 **8.-(1)** Any animal to be slaughtered shall be subjected to ante-
15 mortem examination at the abattoir by the Meat Inspector.

Examination of
Animals before
slaughtering

16 (2) Where an animal is found fit for slaughtering, the Meat
17 Inspector shall give permission of slaughtering of such animal.

18 (3) Where an animal is found to be diseased upon inspection under
19 sub-clause (1) of this clause, the Meat Inspector shall prohibit the slaughter
20 such animal.

21 **9.-(1)** An animal fit for slaughtering under clause 8 shall be
22 slaughtered in an abattoir.

Slaughtering of
Animals to be
carried out in
abattoirs

23 (2) Notwithstanding the provisions of sub-clause (1) of this clause,
24 where there is no abattoir in an area, animals shall be slaughtered at a place
25 specified by the Meat Supervisor.

26 (3) Notwithstanding the provisions of this clause, there shall be no
27 objection to slaughter an animal in places other than an abattoir on the
28 occasion of traditional festivals, religious rituals, feasts or spiritual
29 ceremonies.

Examination of Meat of the Slaughtering Animal	1	10.-(1) The Meat Inspector shall examine the meat of the animal
	2	slaughtered under clause 9.
	3	(2) Upon examination, where any defect or disease is found in the
	4	meat of the slaughtered animal, the Meat Inspector shall prohibit the sale or
	5	distribution of such meat.
	6	(3) Where the meat or any part thereof of a slaughtered animal is
	7	found to be inappropriate for human consumption, the concerned abattoir
	8	operator shall dispose of or destroy such meat in the presence of a meat
	9	inspector or meat supervisor.
	10	(4) The concerned abattoir shall have facilities for keeping meat
	11	found suspicious safe, until proper examination of the meat as well as the
	12	equipment and tools used to slaughter such meat by the laboratory.
Prohibition of the Sale of Meat	13	(5) For the purpose of this clause, the Administration shall specify a
	14	laboratory for the examination of meat.
	15	11.-(1) The sale of meat of a dead animal due to disease or any other
	16	unknown cause shall be prohibited.
	17	(2) The sale of meat adulterated with any substance that alters the
	18	normal quality, taste or weight of meat shall be prohibited.
Conveyance of Meat	19	12.-(1) The means of conveying Meat shall be as follows-
	20	(a) All equipment's or instruments used in the inner part of a vehicle
	21	for the conveyance of meat must be rust free type, have smooth surface, be
	22	easily cleansed, impermeable resistant to chemical used while disinfecting;
	23	(b) The doors and windows installed in the vehicle used for
	24	conveyance of meat must be of such type that they can be properly closed;
	25	(c) the vehicle must be fitted with a facility to keep the container on
	26	controlled temperature during transport;
	27	(d) The inner part of utensil, instrument and equipment to be used for
	28	keeping meat while conveying meat must be clean and rust free type.
	29	(2) The following arrangements must be made while conveying
	30	meat:-

1	(a) Meat shall not be conveyed openly;	
2	(b) Means of conveyance of meat shall be disinfected before	
3	placing meat into it;	
4	(c) No part of the meat to be conveyed shall touch with land or open	
5	space and be contaminated by any object;	
6	(d) A person directly involved in the conveyance of meat must not	
7	have contracted tuberculosis or other infectious disease.	
8	13. A person or an organization operating an abattoir shall	Disinfection
9	disinfect its abattoir everyday by following procedure set forth in the First	
10	schedule.	
11	14. The Meat Inspector or the Meat Supervisor may enter into an	Power to
12	abattoir or butcher's shop at any time to inspect an animal or meat or to take	Inspect
13	sample of meat and it shall be the duty of all persons concerned to help with	
14	the inspection.	
15	15.-(1) Charges applicable for inspection of animals brought for	Charges for
16	slaughter to an abattoir shall be prescribed by the Minister.	Inspection
17	(2) Notwithstanding anything contained in this clause, charges	
18	applicable for inspection of animals in a private owned abattoir shall be as	
19	specified by such abattoir operator.	
20	16. A meat inspector specified shall "investigate offences under	Investigations
21	this bill and on completion of investigation shall, make a proper report to the	
22	Administration which shall take the appropriate action.	
23	17. The Administration shall make regulations dealing with the	Regulation
24	general operations of the abattoir.	
25	18. In this Bill unless the context otherwise requires-	Interpretation
26	"Abattoir" means the house or place where animals are slaughtered for meat	
27	purposes;	
28	"Animal" means goat, sheep, pig, cow, an ox a bull, and this word also	
29	includes poultry, ducks, pigeon or other species of beasts and birds kept for	
30	meat purpose;	

Citation

1 "Ante-Mortem Examination" means an examination of the animals before
2 slaughter;
3 "Meat" means meat of animals which is fit for human consumption;
4 "Meat Inspector" means a graduate veterinary medicine appointed as a meat
5 inspector under clause 4;
6 "Meat Supervisor" means a graduate veterinary medicine appointed as a meat
7 supervisor under clause 4;
8 "Minister" means the Minister responsible for the Administration of the
9 Federal Capital Territory.
10 "Administration" means the Federal Capital Territory Administration (FCTA);
11 "Post-Mortem Examination" means an examination of the animals after death.
12 **19.** This Bill may be cited as the Abattoir Regulation and Meat
13 Inspection Bill, 2021.

FIRST SCHEDULE

Clauses 7, 8

PROCEDURE FOR ANTE-MORTEM EXAMINATION

A. For cattle:

- 18 1. Animal brought for slaughter shall be required to be examined for
19 ascertainment of whether it possesses characteristics of infectious disease. If
20 an animal. possesses such characteristics, such animal's entry into the abattoir
21 shall be prevented.
- 22 2. As far as possible, before slaughtering an animal it shall be put into
23 rest for twenty-four hours and shall be prevented from eating except water
24 twelve hours before slaughter.
- 25 3. If an animal is suspected of having contracted an infectious disease,
26 the notice shall be given to the meat supervisor and remaining act should be
27 performed as prescribed.
- 28 4. If an animal dies before slaughter, its blood shall be inspected for
29 anthrax.
- 30 5. While conducting inspection of animal, the following description

- 1 shall be well examined and records thereof shall be kept-
- 2 (a) species, sex, colour, age of animal;
- 3 (b) Physical temperature (if necessary);
- 4 (c) General health of the animal and symptoms of any disease of
- 5 the type effect to meat, and
- 6 (d) Symptoms to be found in any infectious or contagious disease.
- 7 6. Special attention should be paid to the following things-
- 8 (a) Physical condition (like oedema or emaciation),
- 9 (b) Gait of animal while standing or walking,
- 10 (c) Response of the animal to environment,
- 11 (d) Condition of skin and hair,
- 12 (e) Organs of digestive system (muzzle, mouth, rectum & dung
- 13 rumination etc.),
- 14 (f) Tear, udder and visible part of urinary system,
- 15 (g) Nose and respiration.
- 16 B. For Avian Species:
- 17 1. The meat inspector shall complete the ante-mortem procedure of
- 18 birds, on the basis of the records of farm and permit for slaughter of the birds
- 19 of that group.
- 20 2. If a bird possesses symptoms of any disease affecting public
- 21 health, the meat inspector shall not give permission for slaughtering such
- 22 bird.

23 SECOND SCHEDULE

24 *Clauses 7, 10*

25 PROCEDURE FOR POST-MORTEM EXAMINATION

- 26 Carcass shall be required to be inspected in natural light or the place having
- 27 equivalent light in the following way-
- 28 A. For big animals like Cows, buffalos, pigs, etc.-
- 29 1. Head: While inspecting head, surface of tongue, palate, lymph
- 30 node of throat and check muscle of both sides may be incised if necessary.

- 1 2. Lung: By cutting, if suspected of having contracted disease, lung
- 2 and bronchial lymph node/Mediastinal lymph node relating to lung.
- 3 3. Heart: By opening and if necessary by cutting pericardium.
- 4 4. Liver: Surface of liver and particles lying on it and lymph node
- 5 lying near the liver and, if necessary by cutting.
- 6 5. Abdomen, intestine and spleen: Outer part and, if necessary inner
- 7 part as well, and in addition to the lymph node nearby to the intestine and
- 8 abdomen.
- 9 6. Kidneys: To separate only after the inspection of the lymph node
- 10 and adrenal gland of kidneys; and if necessary, by opening or cutting kidneys.
- 11 7. Uterus: By incising the horns of uterus, ovary, urinary bladder, etc.,
- 12 if suspected of having contracted disease.
- 13 8. Udder: palpation or observation of udder.
- 14 9. Testicle and Penis: Outer surface and substance of testicle and penis
- 15 and concerned (inguinal) lymph node shall be examined.
- 16 10. To inspect remaining carcass of animal and to cut to test abscess &
- 17 cyst without disfiguring the meat of brisket rib, back, spinal cord, joint of hind
- 18 leg, spinal cord in bond.
- 19 B. In the case of small animals such as sheep and goats-
- 20 Examination procedure for sheep/goat shall be similar to that of buffalo;
- 21 provided that inspection shall be carried out by cutting head, heart, pulmonary
- 22 lymph node and other lymph node of body only if there is suspicion.
- 23 C. In the case of poultry-
- 24 1. To carry out inspection without removing the intestine and
- 25 abdomen and head from the main body in such a way that the meat of all birds
- 26 slaughtered can be inspected at once.
- 27 2. After inspection has been made, the meat inspector shall remove
- 28 the viscera and other condemned parts from, the main body.
- 29 3. In the following condition the carcass of the slaughtered bird shall
- 30 be condemned-

- 1 (a) If found to have carried infectious disease causing adverse
2 effect to public health;
3 (b) if found to have carried chronic parasite disease;
4 (c) If does have abnormal colour and odour;
5 (d) If an organ of the body possess numerous modules, and (e) If
6 found with ascites.

7 THIRD SCHEDULE

8 Procedure to be followed if tuberculosis is found Act to be done if
9 tuberculosis is found-

10 1. If lesion of tuberculosis is found generally, the whole carcass
11 shall be condemned for consumption.

12 2. In the following conditions, it shall be declared that only the
13 organ or part having contracted disease of Tuberculosis shall be condemned-

14 (a) When the lesion of tuberculosis is localized, some portion of
15 meat attached with such lesion shall be condemned, For example- lesion of
16 tuberculosis lying in parietal pleura or peritoneum;

17 (b) Portion which came into contact with or which is contaminated
18 by weapon, tool or material while observing lesion of tuberculosis;

19 (c) If lesion of tuberculosis is found in head, the whole head shall
20 be condemned for consumption;

21 (d) If lesion of tuberculosis is found in lymph node in the
22 concerned organ, the whole organ shall be condemned;

23 (e) If lesion of tuberculosis .. is found in intestine and other portion
24 attached to it, the whole organ or portion shall be condemned for
25 consumption.

26 FOURTH SCHEDULE

27 Procedure to be followed on Finding of any Disease Other than
28 Tuberculosis-

29 (a) In the following conditions the whole carcass or organ or

1 portion or blood shall be declared as condemned for consumption and be
2 confiscated-

3 1. Localized actinomycosis and actinobacillosis.

4 2. *Cysticercus bovis*.

5 3. Measly Pork.

6 4. Localized Melanosis and Pigmentation.

7 1. If a general condition of Actinomycosis and Actinobacillosis is
8 found, however, if all the parts of the animal is not affected, a mark of fit for
9 consumption may be given after removing the infected organ or portion.

10 2. Multiple tumor in muscle.

11 3. Emaciation along with anemia.

12 4. Anthrax.

13 5. Black quarter.

14 6. *Cysticercus bovis* in a generalized condition.

15 7. Measly pork in a generalized condition.

16 8. General Dropsy

17 9. General pathological Emaciation.

18 10. Acute Swine Erysipelas.

19 11. Hemorrhagic septicemia.

20 12. Pronounced Jaundice.

21 13. Para tuberculosis having anemia and Emaciation.

22 14. Mammitis.

23 15. Acute & Septic Metritis and septic pericarditis

24 16. Acute and/or diffused septic peritonitis

25 17. Septicemia or septic intoxication

26 18. Gangrenous Pneumonia.

27 19. Pyohemia.

28 20. Rabies.

29 21. Generalized melanosis or any generalized pigmentation.

30 22. Rinderpest.

1 23. Generalized Sarcocysts.

2 24. Swine fever.

3 25. Tetanus.

4 26. Trichinosis.

5 FIFTH SCHEDULE

6 *Clause 13*

7 PROCEDURE FOR DISINFECTING - SLAUGHTERHOUSE

8 Having regard to the nature of the object to be disinfected any of the
9 following chemical or physical procedure shall be used for disinfections.

10 1. Lime: Solution of 20 percent in water.

11 2. Sodium Carbonate: Solution of 5-8 percent in water.

12 3. Sodium Hydrochloride: Solution of 1 to 5 percent in water. If
13 necessary, five percent solution of lime as well may be mixed up and used.

14 4. Phenolic Acid: Solution of 3 to 5 percent in water.

15 5. Solution of Phenolic Acid and Sulfuric Acid: Solution of fifty
16 milliliter mixture in one liter water.

17 6. Formalin: Liquid of formalin of 40 percent into solution of five
18 percent water.

19 7. Sodium Hydrochloride: Solution of 1 to 3 percent into water.

20 8. Ultraviolet light: Application at least for two hours
21 consecutively.

22 9. Heat of fire: application of blow lamp. 10. Autoclave or boiling
23 in water.

24 NOTE: Other available productions of disinfections may be applied having
25 regard to the condition.

EXPLANATORY MEMORANDUM

This Bill seeks to provide for regulation of the operation of abattoirs and the inspection of meat earmarked for human consumption within the Federal Capital Territory.

A BILL

FOR

AN ACT TO ESTABLISH THE NATIONAL TUBER CROPS RESEARCH
INSTITUTE, UKUM, BENUE STATE AND FOR RELATED MATTERS, 2021

Sponsored by Hon. Richard Gbande

[] Commencement

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

1 PART 1 - ESTABLISHMENT OF THE NATIONAL TUBER CROPS RESEARCH

2 INSTITUTE AND GOVERNING BOARD

3 1.-(1) There is hereby established the National Tuber Crops
4 Research Institute (in this Bill referred to as the "Institute").

Establishment
of the National
Tuber Crops
Research Institute

5 (2) The Institute-

6 (a) Shall be a corporate body with perpetual succession and a
7 Common seal;

8 (b) may sue and be sued in its corporate name; and

9 (c) may for the purposes of performance of its functions under this
10 Bill, acquire, hold movable or immovable property and enter into contract
11 or any other transaction for the purposes of carrying out any of its functions.

12 2. The functions of the Institute shall be to-

Functions of the
Institute

13 (a) To conduct research into the genetic improvement, production,
14 processing, storage and socio-economy of Tuber crops of economic
15 importance. These Tuber crops includes-Yam, Cassava, Potato, Sweet
16 Potato, Hausa Potato and Cocoyam;

17 (b) Assist into research of the system of massive productions of
18 these varieties above, so that Nigeria can achieve self sufficiency in these
19 Tuber crops;

20 (c) Assist in the transfer, adaptation and utilization of the end
21 results of researches to get to the appropriate and relevant farmers, for the

- 1 rapid agicultural and socio-economic growth of Nigeria;
- 2 (d) Carry out appropriate research to ensure compliance with
- 3 standards and specifications designated by the Institute and approved by other
- 4 regulatory authorities in Nigeria for effective control of quality of Tuber food
- 5 crops;
- 6 (e) Identify indigenous technologies in the area of tuber crops food
- 7 processing and develop them into modern technologies;
- 8 (f) Establish and equip research and development laboratories with
- 9 relevant facilities in the Institute;
- 10 (g) Liaise with relevant establishments within and outside Nigeria in
- 11 pursuance of the functions of the Institute;
- 12 (h) Establish and operate World class Laboratories and workshop as
- 13 centres of excellence for cutting edge research in Tuber crops research;
- 14 (i) Establish demonstration centres to ensure rapid commercialization
- 15 of its research as well as providing necessary avenues for training and re-
- 16 training especially for Students of agricultural studies in tertiary institutions of
- 17 learning;
- 18 (j) Encourage and promote the commercialization of research and
- 19 development innovation results through patents in conjunction with the
- 20 National Office for Technology Acquisition and promotion (NOTAP);
- 21 (k) Establish and operate State Offices for effective delivery and
- 22 deployment of its research results especially in the North Central Zone of
- 23 Nigeria;
- 24 (l) Provide technical consultancy services for revenue generation and
- 25 for quality control;
- 26 (m) Collaborate with relevant bodies, especially tertiary institutions
- 27 to develop curricula or modules for appropriate knowledge transfer and
- 28 training programmes with a view of diploma awards;
- 29 (n) Achieve a high research and development output and revenue;
- 30 (o) Become a member of any relevant International Scientific bodies;

1 (p) Publish research results of its activities and collaborate with
 2 educational institutions and other relevant government Institutes,
 3 organizations, agencies, Councils and industries in research and;

4 (q) Carry out other activities as are necessary or expedient for the
 5 performance of its functions under this Bill.

6 **3.** There is established a Governing Board (hereinafter in this Bill
 7 referred to as "the Board") which shall formulate policy for the Institute.

Establishment
of the Governing
Board of the
Institute

8 **4.-(1)** The Institute shall consist of-

Composition of
the Governing
Board of the
Institute

9 (a) A Chairman, appointed by the President with Requisite
 10 knowledge and experience in matters relating to global agricultural research
 11 and development;

12 (b) The Minister charged with the responsibility for Science and
 13 Technology or his representative;

14 (c) The Minister charged with responsibility for agriculture and
 15 Rural Development or his representative;

16 (d) A representative of the Nigeria Academy of Science;

17 (e) A representative of the nutrition Society of Nigeria(NSN);

18 (f) A representative of the Nigerian Institute of Foods, Science and
 19 Technology (NIFST);

20 (g) A person appointed by the President on the recommendation of
 21 the Minister to represent the Civil Society organizations; and

22 (h) The Director-General of the Institute who shall be the Board's
 23 Secretary.

24 (2) The supplementary provision set out in the First Schedule to
 25 this Bill shall have effect with regard to the proceedings of the Board and
 26 other matters contained in the Schedule.

27 **5.-(1)** The Chairman of the Board shall hold office for a term of
 28 four years and may be eligible for re-appointment for another term of four
 29 years and no more.

Tenure of the
Members of the
Governing Board
of the Institute

30 (2) a member of the Board who is not an ex-officio member shall

	1	hold office for a term of four years and may be eligible for re-appointment for
	2	another term of four years and no more.
Remuneration of the Members of the Governing Board of the Institute	3	6. The Chairman and other members of the Board shall be paid such
	4	allowances and expenses in accordance with such rates as may be approved by
	5	the Federal Government of Nigeria from time to time.
Removal of Chairman or any Members of Board of the Institute	6	7.- (1) When it appears that the Chairman or any member of the
	7	Board, other than an ex-officio member should be removed from office on the
	8	grounds of misconduct or inability to perform the functions of his office, the
	9	Board shall make a recommendation through the Minister to the President for
	10	approval.
	11	(2) where the President, after making such inquiries as he considers
	12	necessary, approves the recommendation made through the Minister by the
	13	Board, the Secretary to the Government of the Federation shall, in writing
	14	declare the position vacant.
	15	(3) notwithstanding the provision of subsection (1) of this section, the
	16	President may remove any member of the Governing Board, where he is
	17	satisfied that it is in the interest of the Institute and the public to do so.
Resignation by a member of the Board of the Institute	18	8. A member of the Governing Board other than an ex-officio member
	19	may at any time by notice in writing addressed to the President through the
	20	Minister, resign from being a member of the Board of the Institute.
Cessation of members of the Board from office	21	9. Notwithstanding the provisions of Section 4 of this Bill, a member
	22	of the Board ceases to hold office as a member, where-
	23	(a) He resigns his appointment as a member of the Board by notice
	24	under his hand addressed to the President of the Federal Republic of Nigeria;
	25	(b) He becomes of unsound mind;
	26	(c) He becomes bankrupt;
	27	(d) He is convicted of a felony or any other offence involving
	28	dishonesty or corruption;
	29	(e) He becomes incapable of performing the functions of his office,
	30	either arising from infirmity of mind or body;

1 (f) The President of the Federal Republic of Nigeria is satisfied that
2 it is not in the interest of the Institute or in the interest of the public for the
3 person to continue in office;

4 (g) He has been found guilty under the Code of Conduct or serious
5 misconduct in relation to his duties; or

6 (h) In the case of a person who becomes a member by virtue of the
7 office he occupies ceases to hold such office;

8 **10.** In the event of death or resignation by a member of the
9 Governing Board or where the office of a member of the Board becomes
10 vacant under section (3) of this Bill, a replacement shall be appointed by the
11 President of the Federal Republic of Nigeria.

Filling of
vacancies

12 **PART II - POWERS AND FUNCTIONS OF THE BOARD OF THE INSTITUTE**

13 **11.** The Board shall have powers to-

Powers of the
Board

14 (a) Formulate policies and ratify short and long term plans of the
15 Institute;

16 (b) Ratify the annual budget and estimates of the Institute in line
17 with approval granted by the National Assembly in the Appropriation Act;

18 (c) Approve research and Academic programmes of the Institute;

19 (d) Approve investment plan of the Institute;

20 (e) Consider and approve the capital development plans of the
21 Institute;

22 (f) Receive and consider proposals, recommendations and
23 suggestions of the Director-General or any Committee of the Governing
24 Board on matters relating to the functions of the Institute under this Bill;

25 (g) Constitute any Committee that may be necessary to discharge
26 any of the functions assigned to it under this Bill;

27 (h) Attract funds by way of donations and contributions to the
28 Institute and put in place mechanisms for collection and utilization of funds;

29 (i) Invest surplus funds of the Institute in profit-yielding ventures;
30 and

The structure
of the Institute

1 (j) Carry out or exercise any other powers that may be necessary for
2 the attainment of the objects of this Bill.

3 **12,-** (1) The Institute shall have-

4 (a) Its headquarters in Logo, Benue State.

5 (b) Liaison office or Directorate in Abuja; and

6 (c) State offices in the remaining five states of the North Central Zone
7 of Nigeria which include-

8 (1) Kwara State;

9 (2) Plateau State;

10 (3) Niger State;

11 (4) Kogi State;

12 (5) Kaduna State.

13 (2) The Institute shall operate a departmental structure with
14 directorate or any other structure as may be considered necessary for the
15 performance of its functions and delivery of its services under this Bill.

16 (3) The head of the Research Directorate shall be designated as head
17 of Department and headed by a Director.

18 (4) The head of Research Department shall hold office for 3 years in
19 the first instance and renewable for another 3 years and no more.

20 (5) Notwithstanding the provisions of subsection (3) of this Section,
21 in the absence of a Director or head of the Research Directorate, the most
22 Senior Research Officer may be appointed in acting capacity on the
23 recommendation of the Director- General of the Institute to the Board.

24 (6) A Department shall have no more than five divisions, with each
25 division headed by a Deputy Director and a division may consists of Sections,
26 headed by Chief Research or Scientific Officer and a Section may also be
27 composed of units for effectiveness.

28 (7) State Offices shall be headed by a State Office Coordinator.

PART III - APPOINTMENT OF THE DIRECTOR- GENERAL AND OTHER
STAFF OF THE INSTITUTE.

13.- (1) There shall be appointed for the Institute a Director-General, who shall be the Chief Executive Officer and Accounting Officer of the Institute.

Appointment
of the Director-
General of the
Institute

(2) The Director-General shall be-

(a). appointed by the President on the recommendation of the Minister;

(b) responsible to the Board for the management of the affairs of the Institute;

(c) Responsible for the execution of the policy and day to day Administration of the affairs of the Institute;

(d) entitled to earn a remuneration and allowances as may be Specified in his letter of appointment;

(e) A person with cognate experience and Skills of not less than 15 years post-doctoral qualification and or 25 years post qualification as a professional in all fields of Agricultural Science that relates to the operations of the Institute or other criteria as may be specified;

(f) Hold office for a term of four years at the first instance and eligible for re-appointment for another term of four years on such terms and conditions as may be specified in his letter of appointment and no more; and

(g) Shall be the Secretary to the Institute and the Governing Board, but not a member of the Board.

14. The Director- General shall-

(a) Prepare the minutes of meetings of the Governing Board and any of its Committees;

(b) Keep and secure all records of the Governing Board;

(c) Issue notice of meetings of the Governing Board as may be directed by the Chairman;

the duties of the
Director-General
of the Institute

	1	(d) Be responsible for the implementations of the resolutions of the
	2	Governing Board;
	3	(e) Coordinates the preparation of income and expenditure, estimates
	4	and development plans for the Governing Board's consideration;
	5	(f) Have custody of the seal of the Institute;
	6	(g) Perform such other functions as may be assigned by the Board.
Principal Officers of the Institute	7	15.-(1) The principal officers of the Institute shall include-
	8	(a) Directors;
	9	(b) Head of Department;
	10	(c) State Office Coordinators;
	11	(d) Head of Servicom Office;
	12	(e) Chief Internal Auditor;
	13	(f) Head of Pension Office;
	14	(g) Head of Legal; and
	15	(h) Head of Procurement.
	16	(2) The Directors, Heads of Departments or State Office Coordinators
	17	shall assist the Director-General in the day-to-day management of the Institute
	18	(3) Directors or State Office Coordinators shall-
	19	(a). Head each of the Directorate of the Institute;
	20	(b) Implement the policies of the Institute as they apply to the
	21	Directorate;
	22	(c) prepare draft expenditure estimates and development plans of his
	23	Directorate;
	24	(d) Serve on Scientific or Technical Advisory Committee of the
	25	Institute; and
	26	(e) perform such other functions as may be determined by the
	27	Director-General.
Other staff of the Institute	28	16. The Board may from time to time, appoint or employ such other
	29	persons as members of Staff of the Institute on the recommendation of the
	30	Director-General as may be necessary, subject to the extant rules and

27 **20.-(1)** Service in the employment of the Institute shall be as Application of
28 approved service under the Pensions Reform Act, accordingly, employees Pensions Reform
29 of the Institute shall, in respect of their services be entitled to Pension and Act
30 other retirement benefits as prescribed in the Act.

1 (2) Notwithstanding provisions of Subsection (1) of this section,
 2 nothing in this Bill, shall prevent the appointment of a person to any office on
 3 terms, which preclude the gratuity in respect of that office.

4 (3) for the purpose of the application of the Pensions Reform Act, any
 5 power exercisable there under by the President or authority other than the
 6 Federal Government(not being the power to make Regulations under Section
 7 34 of this Bill), shall be vested in and exercisable by the Institute.

8 (4) subject to Subsection (2) of this Section, the Pensions Reform Act,
 9 shall in its application of Subsection (3) of this Section, have effect as if, the
 10 office were in the public service of the Federation within the meaning of the
 11 Constitution of the Federal Republic of Nigeria, 1999(as amended).

12 PART VI - STRUCTURE AND CONSTITUTION OF THE INSTITUTE:

Constitution of
Scientific Technical
Advisory
Committee

13 **21.**-(1) The Institute may establish Scientific Technical Advisory
 14 Committee (in this Bill referred to as the Committee) in the areas of Research
 15 to assist the Institute in various aspects of its responsibilities.

16 (2) The members of a Scientific or Technical Advisory Committee
 17 shall be persons with requisite expertise and experience in the relevant areas of
 18 interest of the Institute.

Establishment
of demonstration
centres

19 **22.**-(1) The Institute may with the approval of the Chairman of the
 20 Board or Minister, establish Demonstration Centres in any of the six geo-
 21 political zones of Nigeria, based on the nature of the Tubers derivable from the
 22 area or zone.

23 (2) The Institute shall provide for-

24 (a). the location of the demonstration centres;

25 (b) the field in which the centres are to conduct its work and
 26 manpower training, where applicable;

27 (c) the transfer to the centres by mutual agreement, any existing
 28 Federal, State and Local Government facilities;

29 (d) the establishment and constitution of senior officers of the
 30 Institute to manage the affairs of the centres.

1 (e) the demonstration centres shall be fully equipped to carryout
2 training and research and development activities; and

3 (f) a suitable association and collaboration of the Demonstration
4 centres with Universities, other institutions of higher learning.

5 (3) The Institute may with the approval of relevant authorities
6 establish the Institute's Consult, which shall be a semi-autonomous body to
7 commercialize the Institute's research results.

8 PART V - FINANCIAL PROVISIONS.

9 **23.-(1)** The Institute shall establish and maintain a fund which shall
10 be applied towards the promotion of the objectives of the Institute specified
11 in this Bill.

Establishment
of fund for the
Institute

12 (2) There shall be paid and credited to the fund established in
13 pursuance of subsection (1) of this Section-

14 (a) such sums as may be provided by the Government of the
15 Federation or appropriated by the National Assembly for payment into the
16 fund of the Institute;

17 (b) fees charged for services rendered by the Institute; including
18 royalties on the Institute's results ceded to farmers or institutions for national
19 development in areas of agriculture.

20 (c) all sums accruing to the Institute by way of gifts, testamentary
21 dispositions, endowments or contributions from philanthropic persons or
22 organizations;

23 (d) contributions from the organized private sector;

24 (e) foreign aids and assistance from bilateral and multilateral
25 Agencies; and

26 (f) proceeds from commercialization of research results of the
27 Institute.

28 (3) Notwithstanding the provisions of Subsection (2) of this
29 Section, every application for registration into the Institute's Journal, shall
30 attract a fee, which shall be credited and maintained in a separate account of

	1	the Institute, part of which shall be used for the publication of the Institute's
	2	Journal.
Expenditure of the Institute	3	24. The Institute shall apply the fund established under this Bill, with
	4	the approval of the National Assembly-
	5	(a) Conduct research and development activities in the capital project
	6	of the Institute;
	7	(b) Maintain the Head Office and establish State Offices for the
	8	Institute;
	9	(c) Pay allowances and expenses of members of the Board;
	10	(d) Sponsor local and international conferences, seminars, workshops
	11	for members of Staff of the Institute;
	12	(e) Provide scholarship and award for specialized training for
	13	personnel;
	14	(f) Publicize and promote the activities of the Institute;
	15	(g) Support national and international bodies and pay annual dues and
	16	other contributions for scientific organizations, in which Nigeria is a member;
	17	and
	18	(h) Undertake any other activity in connection with the objects of this
	19	Bill.
Annual Estimates, Accounts and Audit	20	25.-(1) The Institute shall not later than 30th September of every year,
	21	submit to the Board and the National Assembly for approval its estimates of
	22	Income and expenditure for the next financial year.
	23	(2) The Institute shall-
	24	(a) keep proper records of all accounts of its income and expenditure
	25	and
	26	(b) prepare statement of account in respect of each financial year.
	27	((3) The Institute shall not later than 30th June of each financial year,
	28	submit its accounts to Auditors appointed from the list of qualified auditors in
	29	accordance to guidelines laid down by the Auditor-General for the Federation
	30	and the Auditors fees and expenses shall be paid from the funds of the Institute

1 and provide same to the National Assembly for oversight purposes.

2 **26.**-(1) The Institute shall not later than 30th June of each financial Annual report
3 year submit to the Board and the National Assembly for approval its
4 estimates of income and Expenditure for the next financial year in respect of
5 the preceding year an annual report on the activities of the Institute in such
6 form as the Board may direct.

7 (2) The report referred to in Subsection (1) of this Section shall
8 include-

9 (a) information on the activities of the Institute for the year;

10 (b) a copy of the audited accounts of the Institute for that year
11 together with the Auditor- General report on the accounts of the Institute;
12 and

13 (c) such other information as the Board may request.

14 (3) The Director-General shall provide such information on the
15 affairs of the Institute as the Board may from time to time request.

16 **27.** All income derived by the Institute from sources specified in Exemption from
17 section 23 subsection (2) of this Bill shall be exempted from income tax and Income tax
18 all contributions to the fund of the Institute shall be tax deductible.

19 **28.** Subject to the approval by the Board, the Institute may invest Capital production
20 in profitable production of agricultural produce for commercial purposes by income
21 joint venture, partnership, share-holding or as sole proprietor as the case
22 may be, the net income generated shall be paid into the fund of the Institute.

23 **29.** The Institute may, with the consent, or in accordance with any Borrowing and
24 general authority given by the Board, borrow by way of loan or overdraft, Investment Power
25 any specified amount of money required by the Institute for its obligations of the Institute
26 and functions under this Bill in line with extant laws and Regulations.

27 (2) The Institute may, subject to the provisions of this Bill and the
28 constitutions of any trust created in respect of any property, invest any of its
29 funds with consent or general authority of the Board.

30 (3) The Institute may invest any of its surplus funds in such

	1	securities as the Board may, from time to time, approve.
	2	PART VI - MISCELLANEOUS.
Power to accept gifts	3	30. -(1) The Institute may accept any gift of land, money or other
	4	property upon such terms and conditions, if any, as specified by the person or
	5	organization making the gift.
	6	(2) The Institute shall not accept any gift where the conditions
	7	attached by the person or organization making the gift are inconsistent with the
	8	functions and objectives of the Institute.
	9	(3) A gift donated to the Institute or project of the Institute shall be
	10	made directly to the Institute and shall be utilized only for the purpose.
The seal of the Institute	11	31. -(1) The seal of the Institute shall be such as may be administered
	12	by the Board, signed by the Chairman of the Board and the Director-General.
	13	(2) certificates issued by the Institute shall have the Institute's seal
	14	affixed and signed by the Chairman of the Board and the Director-General of
	15	the Institute.
	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 made
	18	or executed on behalf of the Institute by any authorized person.
Power to make regulations	19	32. The Board may make regulations-
	20	(a) To regulate the activities and programmes of the Institute, or any
	21	matter connected with the Institute; or
	22	(b) For the effective implementation of any of the provisions of this
	23	Bill.
Limitation of suit against the Institute	24	33. -(1) subject to the provisions of this Bill, the provisions of the
	25	Public Officers Protection Act, shall apply to any suit instituted against the
	26	Institute, an Officer of the Institute or employee of the Institute.
	27	(2) No suit shall lie or be instituted in any Court of Law against the
	28	Institute, a member of the Board or any Principal Officer or Employee of the
	29	Institute for an action carried out in pursuance to the execution of this Bill or
	30	any enactment, or of any public duty in respect of any alleged neglect or default

1 in the execution of this Bill or duty or authority, unless it is commenced-

2 (a) within three months of such act, neglect or default complained
3 thereof; or

4 (b) in the case of a continuation of damage or injury, within six
5 months after the ceasing of the act, neglect or default.

6 (3) No suit shall be commenced against the Institute, a member of
7 the Board or any Principal Officer or employee of the Institute before the
8 expiration of a period of one month after written notice of the intention to
9 commence the suit has been served on the Institute by the intending Plaintiff
10 or his Agent.

11 (4) The notice referred to in subsection (3) shall clearly state the-

12 (a) cause of action;

13 (b) particulars of the claim;

14 (c) the name and place of abode of the intending Plaintiff; and

15 (d) the relief sought.

16 **34.-(1)** Any notice or other document required or authorized to be Service of notice
17 served on or given to any person for the purposes of this Bill, may be served
18 or given by-

19 (a) Delivering it to that person, or by leaving it at his usual or last
20 known place of residence or business or at the address specified by him in
21 any notice, application or other document made, given or tendered to the
22 Institute under this Bill; or

23 (b) Posting it by registered mail to him at that place of residence or
24 business or at that address.

25 (2) Where any of such notice or other document sent by registered
26 mail, unless the contrary is proved, it shall be deemed to have been delivered
27 to him when it would have been delivered in the ordinary course of a posting
28 mail unless the contrary is established and in proving the delivery, it shall be
29 sufficient to prove that there is return Post Office slip or Speed Post slip
30 showing actual delivery.

	1	(3) When for any purpose under this Bill, a notice or document is
	2	required to be served on a firm or company, the notice or document may be
	3	served on the Secretary, Executive Officer or other Officer holding a similar
	4	position in the organization and the service unless otherwise directed by the
	5	Institute, be deemed to be served on all persons who are members of the
	6	organization.
	7	(4) Any service of notice or process on the Institute shall be by proven
	8	registered post or personal service on any Principal Officer of the Institute.
Power to give directives by the Minister t	9	35. The Minister, may give to the Institute, directives of a general
	10	character relating to the policies and functions of the Institute and shall comply
	11	with such directives without prejudice to the powers of the Board and the
	12	oversight of the National Assembly.
Exemption from the accruing from investment	13	36.-(1) The Institute shall be exempted from the payment of income
	14	tax in any income accruing from investment made by the Institute.
	15	(2) The provision of any enactment relating to the taxation of
	16	companies or Trusts Funds shall not apply to the Institute.
Joint Venture targets for technology acquisition	17	37. The Institute shall impose conditions and set targets for the
	18	formation of Joint Ventures or Partnerships between multinational services,
	19	Research Institutes, institutions or service companies in all sectors of the
	20	economy and certified indigenous services companies for the purpose of
	21	technological training and acquisition.
Research targets and development of research products	22	38. The Institute shall make regulations with requirement and targets
	23	for the growth of Research and Development in the areas of Food and other
	24	Agro-allied raw materials but not limited thereof as may be reviewed by the
	25	Institute, in Nigeria.
Interpretation	26	39. In this Bill, unless the context otherwise requires-
	27	"Board" means the Governing body of the Institute;
	28	established under section 3 (1);
	29	"Chairman" means the Chairman of the Governing Board of the Institute
	30	appointed under section 14(1);

1 "Fund" means the fund of the Institute as established under section 25 of this
2 Bill;
3 "Institute" means the National Tuber Crops Research Institute, Logo, Benue
4 State established under section 1(1) of this Bill;
5 "Minister" means the Minister responsible for Science and Technology;
6 "Member" means a member of the Board and this includes the Chairman;
7 "President" means the President of the Federal Republic of Nigeria;
8 "Principal Officer" means the Directors and other Officers as specified in
9 section 16 of this Bill;
10 "Public Service" has the meaning assigned to it in the Constitution of the
11 Federal Republic of Nigeria, 1999 as amended;
12 "Secretary" means the Secretary to the Board of the Institute.

13 **40.** This Bill may be cited as the National Tuber Crops Research Citation
14 Institute Bill, 2021.

15 SCHEDULE

16 SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD

17 *Proceedings of the Board.*

18 1. Subject to this Bill and section 42 of the interpretation Act, the
19 Board may make standing orders regulating its proceedings or those of any
20 of its Committees.

21 2. The quorum of the Board shall be the Chairman or the person
22 presiding the meeting and two other members of the Board and the quorum
23 of any Committee of the Board shall be determined by the Board.

24 3. The Board shall meet not less than four times in each year and
25 subject thereto, the Board shall meet whenever it is summoned by the
26 Chairman or where the Chairman is required to do so by a notice given to
27 him by not less than 4 other members, he shall summon a meeting of the
28 Board to be held within 28 days from the date on which the notice is given.

29 4. At any meeting of the Board, the Chairman shall preside but if
30 he is absent, the members present at the meeting shall appoint one of their

1 members to preside at the meeting.

2 5. Where the Board desires to obtain the advice of any person on a
3 particular matter, the Board may co-opt such person for such a period as it
4 deems fit, but a person who is in attendance by virtue of this sub-paragraph
5 shall not be entitled to vote at any meeting of the Board and shall not count
6 towards a quorum;

7 6. The Board may set up one or more Committees to carryout, on
8 behalf of the Board, such functions as the Board may determine.

9 7. A Committee set up under this paragraph shall consist of such
10 number of persons as may be determined by the Board and a person shall hold
11 office on the Committee in accordance with the terms of his appointment.

12 8. A decision of a Committee shall be of no effect until it is confirmed
13 by the Board.

14 9. The validity of the proceedings of the Board or of a Committee
15 thereof shall not be affected by any vacancy in the membership of the Board or
16 of a Committee.

17 10. Any member of the Board or any person holding office on a
18 Committee of the Board, who has personal interest in any contract or
19 arrangement shall disclose his interest to the Board and shall not vote on any
20 matter relating to the contract or arrangement.

21 *Miscellaneous*

22 11. The fixing of the seal of the Board shall be authenticated by the
23 signature of the Director- General/Chief Executive Officer or any person
24 generally or specifically authorized by the Board to act for that purpose.

25 12. Any contract or instrument which, if made or executed by a
26 person not being a body corporate, would be required to be under seal may be
27 made or executed on behalf of the Board by the Director-General/CEO or any
28 person generally or specifically authorized by the Board to act for that purpose.

29 13. Any document purporting to be a document duly executed under
30 the seal of the Board shall be received in evidence and shall, unless and until the

- 1 contrary is proved, be presumed to be so executed.
- 2 14. The validity of any proceeding of the Board or a Committee
- 3 shall not be affected by-
- 4 (a) A vacancy in the membership of the Board or Committee;
- 5 (b) A defect in the appointment of a member of the Board or
- 6 Committee; or
- 7 (c) Reason that a person not entitled to do so took part in the
- 8 proceedings of the Board or Committee.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the National Tuber Crops Research Institute for the conduct of research on Tuber crops to enhance their growth and commercialization to provide food so that the nation can be self-sufficient in food production.

	1	(c) A representative each of the following bodies;
	2	(i) Manufacturers Association of Nigeria,
	3	(ii) Council for the Regulation of Engineering of Nigeria (COREN).
	4	(d) The Director-General of the Agency, who shall serve as the
	5	Secretary.
	6	(3) The provision contained in the schedule to this Bill shall have
	7	effect with respect to the tenure of office of members and proceedings of the
	8	Board and other matters mentioned therein.
Functions of the Agency	9	3. The Agency shall perform all or any of the following functions:
	10	(a) Admission of entrepreneurs in to clusters;
	11	(b) Utilization of products by micro, small and medium Enterprises;
	12	(c) Industrial development with foreign direct and indirect
	13	investment;
	14	(d) Provisions and maintenance of infrastructure;
	15	(e) Technology transfer and development;
	16	(f) Entrepreneurship development;
	17	(g) Development of inventors /innovators;
	18	(h) Human resources development; and
	19	(i) Development of Research Institutes.
Tenure of office of members of the Board	20	4.-(1) The Chairman and members of the Board shall be appointed by
	21	the President on recommendation of the Minister, and shall each hold office for
	22	a term of four years, subjected to renewal by the President for another four
	23	years and no more.
	24	(2) Without prejudice to the foregoing provisions, the Minister may
	25	appoint from among the members any person to act as temporary Chairman
	26	during the long absence or temporary incapacitation or other cause of the
	27	Chairman and the person so appointed shall, while the appointment subsists,
	28	have the same powers as exercised by the Chairman.
Fund of the Agency	29	5.-(1) The Agency shall establish and maintain a Fund which shall
	30	be applied toward the promotion of the objectives specified in this Bill.

1 (2) There shall be paid and credited for the Fund established
2 pursuant to subsection (1) of this section-

3 (a) Such sum as may accrue to the Agency by way of subvention
4 from the Federal Government;

5 (b) Fee charged for service rendered by the Agency;

6 (c) Contribution from the organized private sector; and

7 (d) All sums accruing to the Agency by way of gifts, testamentary
8 disposition and endowments or contributions from private organizations.

9 **6.-(1)** There shall for the Agency a secretariat which shall be under Staff of the
10 the control of the Director-General. Agency

11 (2) The Director-General shall be responsible for the day to day
12 administration of the council.

13 (3) There may be appointed such other staff for the Agency as may
14 be required for the purpose of the efficient performance of the functions
15 conferred on the Agency and the Agency shall pay such staff such
16 remuneration and allowances as are payable to persons by equivalent grade
17 in the civil service.

18 **7.-(1)** The Agency may, with the approval of the Minister, accept Power to accept
19 gifts of land, money or other property upon such terms and conditions, if gifts
20 any, as may be specified by the person or organization making the gift.

21 (2) The Agency shall not accept any gift if the conditions attached
22 by the person or organization making the gift are inconsistent with the
23 functions of the Agency.

24 **8.-(1)** The Agency may, with the consent of the Minister or in Borrowing
25 accordance with any general guidelines approved by the President, borrow power
26 by way of loan or overdraft from any source any moneys required by the
27 Agency for meetings, obligations and discharging its functions under this
28 Act;

29 (2) The Agency may invest any surplus funds of the Agency in such
30 securities as may be approved by the President.

Annual estimates
and account

1 **9.**-(1) The Board shall cause to be prepared not later than 30th June in
2 each year, an estimate of the expenditure and income of the Agency during the
3 year and when prepared, they shall be submitted to the minister.

4 (2) The Agency shall cause to be kept, proper account of the Agency
5 and proper records in relation thereto and when certified by the Agency, such
6 accounts shall be audited as provided in subsection (3) of this section.

7 (3) The accounts of the Council shall be audited with six months after
8 the end of each year by an auditor appointed by the Board from the list of
9 auditors and in accordance with the guidelines supplied by the Auditor-General
10 for the Federation.

Annual report

11 **10.** The Agency shall, not later 30th September in each year, submit to
12 the Minister a report on the activities of the Agency and its administration
13 during the immediately preceding year and shall include in such report audited
14 accounts of the Agency.

Staff Regulations

15 **11.** The Board may, subject to the provisions of this Bill, make staff
16 regulations relating generally to the condition of service of the staff of the
17 Agency and without prejudice to the generality of the foregoing, such
18 regulation may provide for-

19 (a) The appointment promotion, termination, dismissal and
20 disciplinary control of staff of the Agency; and

21 (b) Appeals by such staff against dismissal or other disciplinary
22 measures.

Procedure in
respect to suits
against the
Council, etc.

23 **12.** No suit shall be commenced against the Agency before the
24 expiration of a period of the month after written notice of intention to
25 commence by the intending plaintiff or his agent, and the notice shall clearly
26 and explicitly state-

27 (a) The cause of action,

28 (b) The particulars of the claim,

29 (c) The name and place of abode of the intending plaintiff

30 (d) The relief which he claims.

1	13. The notice referred to in Section 12 of this Bill, and any	Service of documents
2	summons, notice and other documents required or authorized to be served	
3	upon the Board may be served by delivering the same to the Chairman or	
4	the Director-General or by sending it by registered post addressed to the	
5	Director or the Principal of the Agency.	
6	14. In any action or suit against the Agency, and execution or	Restriction on execution against the property of the Agency
7	attachment of process in the nature thereof shall be issued against the	
8	Agency, but any sums of money which may, by the judgment of the court,	
9	be awarded against the Council shall subject to any directions given by	
10	the Board, be paid from the general reserve fund of the Agency.	
11	15. The Minister may give the council directions of a general	Power to give direction
12	character or relating generally to particular matters (but not to any individual	
13	or case) with regard to the exercise by the Council of its functions under this	
14	Act, and it shall be the duty of the Agency to comply with such directions.	
15	16. In this Act:	Interpretation
16	"Chairman" means the Chairman of the Board;	
17	"Board" means the National Industrial Development Park Agency	
18	established by section 1 of this Bill;	
19	"Member" means the member of the Board of the National Industrial	
20	Development Park Agency;	
21	"Minister" means the Minister charged with responsibility for Science and	
22	Technology.	
23	17. This Bill may be cited the National Industrial Development	Short title
24	Park Agency (Establishment) Bill, 2021.	

EXPLANATORY MEMORANDUM

This Bill seeks to establish National Industrial Park Development Agency as a mechanism for clustering of knowledge and innovation based industrial parks formations in Nigeria.

A BILL

FOR

AN ACT TO REPEAL THE PUBLIC ENTERPRISES (PRIVATISATION AND COMMERCIALISATION) ACT, CAP. P38 LAWS OF THE FEDERATION OF NIGERIA, 2004 AND ENACT THE PUBLIC ASSETS REFORM BILL, 2021 FOR IMPROVED EFFICIENCY AND MANAGEMENT OF PUBLIC ASSETS IN NIGERIA; AND FOR RELATED MATTERS

Sponsors:

Hon. Ibrahim Makama Misau	Hon. Victor Kolade Akinjo
Hon. Benjamin Bem Mzondu	Hon. Nkem Abonta Uzoma
Hon. Chukwuegbo Ofor Gregory	Hon. Uju Kingsley C.
Hon. Francis Waive	Hon. Asuquo Daniel Effiong
Hon. Gbillah Mark Terseer	Hon. Timehin Adelegbe
Hon. Namdas Abdulrazak Sa'ad	Hon. Manu Soro Mansur
Hon. Gaza Jonathan Gbefwi	Hon. Musa Umar Garo
Hon. Hassan Abubakar Nalaraba	Hon. Goodhead Boma
Hon. Benson Babajimi Adegoke	Hon. Osoba O. Babatunde
Hon. Gana Mallam Bujar	Hon. Kasimu Bello
Hon. Ahmad Muktar	Hon. Ahmed Nasiru Ali
Hon. Dandutse Muntari	Hon. Oghene Egoh
Hon. Dennis Idahosa	Hon. Kabiru Alhassan Duru
Hon. Kabiru Yahaya	Hon. Amos Magaji

[] Commencement

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

1	PART I - REFORM, PRIVATISATION AND COMMERCIALISATION	
2	OF PUBLIC ASSETS	
3	1. The Sectors to be reformed shall be as determined by Council.	Sectors to be reformed
4	2.-(1) The assets listed in Part I of the First Schedule to this Bill	Assets to be partially privatised
5	shall be partially privatised in accordance with the provisions of this Bill.	
6	(2) The assets listed in Part II of the First Schedule to this Bill shall	Assets to be fully privatised (First Schedule)
7	be fully privatised in accordance with the provisions of this Bill.	

First Schedule	1	(3) The National Council on Public Assets (in this Bill referred to as
	2	"the Council") established under section 9 of this Bill may, from time to time,
	3	by order published in the Gazette alter, add, delete, or amend the provisions of
	4	the First Schedule to this Bill.
Mode of reform or privatisation	5	3. -(1) Subject to the provisions of section 11 (f) of this Bill, an offer
	6	for the sale of the shares of a public asset shall be by public issue or private
	7	placement, as the case may be.
	8	(2) An offer for the sale of shares by public issue to Nigerians may be
	9	made at the capital market.
	10	(3) Where the shares of an asset are not to be offered for sale by public
	11	issue of shares or private placement, the Council may approve that the shares
	12	be offered for sale through a willing seller and willing buyer basis or through
	13	any other means.
	14	(4) The Council shall from time to time determine the appropriate
	15	sectors to be reformed and strategy to be adopted for the efficient management
	16	of any public asset.
	17	(5) The processes of Privatisation referred to in Section 1 above shall
	18	include all strategies of divestment of government shareholding in the
	19	following-
	20	(a) liquidation;
	21	(b) guided liquidation;
	22	(c) private placement;
	23	(d) willing-buyer, willing-seller or negotiated sale;
	24	(e) asset sale;
	25	(f) public offers;
	26	(g) core investor sale; and
	27	(h) re-capitilisation.
Further divestment of Federal Government's shares	28	4. Without prejudice to the provisions of this Bill, the Government of
	29	the Federation may further divest of its shareholding in the privatised assets in
	30	accordance with the policy guidelines and decisions issued, from time to time,

1 by the Council, so however that the Council may dispose of the shares or a
2 part thereof to interested investors through any local or international capital
3 market.

4 5. A public asset which requires participation by strategic
5 investors may be managed by the strategic investors as from the effective
6 date of the reform, privatization, commercialisation or public, private
7 partnership arrangement on such terms and conditions as may be agreed
8 upon.

Management of
privatised assets

9 6.-(1) Subject to any direction of the Council and without prejudice
10 to the provisions of section 2 of this Bill, the shares of the assets to be allotted
11 to Nigerians under this Bill by public offer shall be in accordance with the
12 provisions of subsections (2), (3) and (4) of this section.

Allotment of
shares of
privatised asset

13 (2) The shares on offer to Nigerians shall be sold on the basis of
14 equality of States of the Federation and of the residents of the Federal
15 Capital Territory, Abuja.

16 (3) Not less than 1% of the shares to be offered for sale to Nigerians
17 shall be reserved for the staff of the public assets to be privatised and the
18 shares shall be held in trust by the public asset for its employees.

19 (4) Where there is an over-subscription for the purchase of the
20 shares of a privatized public asset no individual subscriber shall be entitled
21 to hold more than 0.1% equity shares in the privatised public asset.

22 7.-(1) The assets listed in Part I of the Second Schedule to this Bill
23 shall be partially commercialised in accordance with the provisions of this
24 Bill.

Partial and full
commercialization

25 (2) The assets listed in Part II of the Second Schedule to this Bill
26 shall be fully commercialised in accordance with the provisions of this Bill.

Second Schedule

27 (3) The methods by which a government enterprise shall be
28 commercialised shall include but not be limited to the following:

29 (a) partnership;

30 (b) lease;

	1	(c) corporatisation;
	2	(d) management contract.
	3	(4) Notwithstanding the foregoing, the Council shall in accordance to
	4	the provisions of this Bill, determine any other mode or process by which a
	5	public asset may be commercialised.
	6	(5) The Council may, from time to time, by order published in the
	7	Gazette amend the Second Schedule to this Bill so as to alter the category to
	8	which any asset listed in that Schedule shall be classified.
Annual report on privatisation and commercialization of public assets	9	8. The Council shall prepare and submit to the President not later than
	10	30 June in each year, a report in such form as the President may direct on the
	11	reform privatisation and commercialisation of public assets during the
	12	immediately preceding year.
Special provisions relating to commercialised assets	13	9. Notwithstanding the provisions of any other enactment and without
	14	prejudice to the generality of section 6 of this Bill, a commercialized asset shall
	15	operate as a purely commercial asset and may, subject to the general regulatory
	16	power of the Government of the Federation-
	17	(a) fix the rates, prices and charges for goods and services it provides;
	18	(b) capitalise its assets;
	19	(c) borrow money and issue debenture stocks; and
	20	(d) sue and be sued in its corporate name.
	21	PART II - ESTABLISHMENT AND COMPOSITION OF THE NATIONAL
	22	COUNCIL ON PUBLIC ASSETS
Establishment and membership of the National Council on Public Assets	23	10.-(1) There is established the National Council on Public Assets (in
	24	this Bill referred to as "the Council").
	25	(2) The Council shall consist of-
	26	(a) the Vice-President, as chairman;
	27	(b) the Minister of Finance, as vice-chairman;
	28	(c) the Attorney-General of the Federation and Minister of Justice;
	29	(d) the Minister of Industry;
	30	(e) deputy chairman, National Planning Commission;

1	(f) the Secretary to the Government of the Federation;	
2	(g) the Governor of the Central Bank of Nigeria;	
3	(h) the Special Adviser to the President on Economic Affairs;	
4	(i) four other members to be appointed by the President;	
5	(j) the Director-General of the Bureau of Public Assets.	
6	(3) Notwithstanding the provisions of subsection (2) of this	
7	section, the Council may co-opt the supervising Minister of an affected	
8	public asset to attend relevant meetings of the Council.	
9	(4) The supplementary provisions contained in the Third Schedule	Third Schedule
10	to this Bill shall have effect with respect to the proceedings of the Council	
11	and other matters contained in the Schedule.	
12	11. Subject to the provisions of this Bill, a member of the Council,	Tenure of office
13	other than an ex-officiomember-	of members of the Council
14	(a) shall hold office for a term of four years in the first instance and	
15	may be reappointed for a further term of four years and no more; and	
16	(b) on such terms and conditions as may be specified in his letter of	
17	appointment.	
18	12.-(1) The functions and powers of the Council are to-	Functions and
19	(a) determine the political, economic and social objectives of	powers of the Council
20	reforms, privatisation, commercialisation, public private partnership and	
21	concession of public assets;	
22	(b) approve policies on reforms, privatisation and	
23	commercialisation;	
24	(c) approve guidelines and criteria for valuation of the sector,	
25	public enterprises or assets for reforms, privatisation and choice of strategic	
26	investors;	
27	(d) approve the sector, public assets to be reformed, privatised or	
28	commercialised;	
29	(e) approve the legal and regulatory framework for a sector to	
30	create an enabling and conducive environment for the purpose of reform,	

- 1 privatisation or commercialisation;
- 2 (f) determine whether the sale or disposal of a public asset should be
- 3 by public or private issue or otherwise and advise the Government of the
- 4 Federation accordingly;
- 5 (g) determine the time and when a sector, public asset is to be
- 6 reformed, privatised or commercialised;
- 7 (h) approve the process or consideration for the Public Assets to be
- 8 privatized;
- 9 (i) review, from time to time, the socio-economic effect of the
- 10 programme of reform, privatisation and commercialisation and decide on
- 11 appropriate measures;
- 12 (j) approve the appointment of reform, privatisation and
- 13 commercialization advisers and consultants and their remuneration;
- 14 (k) appoint as and when necessary committees comprising persons
- 15 from private and public sectors with requisite technical competence to advise
- 16 on the reform, privatisation or commercialisation of specific public assets;
- 17 (l) approve the budget of the Council;
- 18 (m) approve the budget of the Bureau;
- 19 (n) supervise the activities of the Bureau and issue directions on the
- 20 implementation of the reform, privatisation and commercialisation
- 21 programme;
- 22 (o) receive and consider, for approval, the audited accounts of the
- 23 Bureau;
- 24 (p) submit to the President in each year a report on the activities of the
- 25 Council and the Bureau;
- 26 (q) receive regular and periodic reports from the Bureau on
- 27 programme implementation and give appropriate directions;
- 28 (r) request from the management of any sector, public asset prior to its
- 29 reform, privatisation or commercialisation to furnish the Council with full
- 30 disclosure of information regarding its activities, operations, financial and

1 management status to enable Council take informed decision on the strategy
2 to be used for the transfer of government's interest in such public asset;

3 (s) impose appropriate sanctions where the manager of a public
4 sector, or asset fails to, neglect or refuse to comply with its directives to
5 furnish information and documents in the format specified;

6 (t) Upon the approval of Council directing the reform or otherwise
7 of any public asset, such approval shall assume the status of a power of
8 attorney granting the Bureau, the powers to automatically commence such
9 reform; and

10 (u) perform such other functions as may, from time to time be
11 necessary to achieve its objectives.

12 (2) Upon the approval of Council directing the reform or otherwise
13 of any public asset, such approval shall assume the status of a power of
14 attorney granting the Bureau, the powers to automatically commence such
15 reform.

16 PART III - ESTABLISHMENT OF THE BUREAU OF PUBLIC ASSETS

17 13.-(1) There is established the Bureau of Public Assets (in this Bill
18 referred to as "the Bureau").

Establishment
of the Bureau of
Public Assets

19 (2) The Bureau shall be a body corporate with perpetual succession
20 and a common seal and may sue and be sued in its corporate name.

21 14. The functions of the Bureau with respect to reform are to-

Functions of the
Bureau on reforms

22 (a) implement the Council's policy on reforms;

23 (b) prepare sectors approved by the Council for reform;

24 (c) advise the Council on further sectors and assets that may be
25 reformed;

26 (d) carry out all activities required for the successful
27 transformation of sectors to be reformed;

28 (e) make recommendations to the Council on the appointment of
29 consultants, required for the purpose of reform; and

30 (f) perform such functions with respect to reforms as the Council

	1	may, from time to time, assign to it.
Functions of the Bureau on privatization	2	15. The functions of the Bureau with respect to privatisation are to-
	3	(a) implement the Council's policy on privatisation;
	4	(b) prepare public assets approved by the Council for privatisation;
	5	(c) advise the Council on further public assets that may be privatised;
	6	(d) advise council on the capital restructuring needs of the public
	7	assets to be privatised;
	8	(e) carry out all activities required for the successful issue of shares
	9	and sale of assets of the public enterprises to be privatised;
	10	(f) make recommendations to Council on the appointment of
	11	consultants required for the purpose of privatisation;
	12	(g) ensure the success of the privatisation exercise taking into account
	13	the need for balance and meaningful participation by Nigerians and foreigners
	14	in accordance with the relevant laws of Nigeria; and
	15	(h) perform such functions with respect to privatisation as the Council
	16	may, from time to time, assign to it.
Functions of the Bureau on commercialisation	17	16. The functions of the Bureau in respect of commercialisation are
	18	to:
	19	(a) implement the Council's policy on commercialisation;
	20	(b) prepare public assets approved by the Council for
	21	commercialisation;
	22	(c) advise the Council on further public assets that may be
	23	commercialised;
	24	(d) ensure the updating of the accounts of all commercialised to
	25	ensure financial discipline;
	26	(e) ensure the success of the commercialisation exercise and monitor,
	27	on a continuous basis for such period as may be considered necessary, the
	28	operations of the public assets after commercialisation;
	29	(f) review the objectives for which public assets were established in
	30	order to ensure that they adapt to the changing needs of the economy;

1 (g) ensure that public assets are managed in accordance with sound
2 commercial principles and prudent financial practices;

3 (h) interface with the public assets, together with the supervising
4 Ministries, in order to ensure effective monitoring and safeguarding their
5 operational and managerial autonomy;

6 (i) ensure that the Board and Management of each commercialised
7 public assets and the Government of the Federation, keep to the terms and
8 conditions of the Performance Agreements, if any, between the public assets
9 concerned and the Government of the Federation;

10 (j) maintain and review on a continuous basis, any Performance
11 Agreement between a public asset and the Government of the Federation;

12 (k) evaluate and recommend to the Council whether or not a
13 commercialized public enterprise is eligible for funding through grants,
14 loans, subventions or equity; and

15 (l) perform such functions with respect to commercialisation as the
16 Council may, from time to time, assign to it.

17 17. The functions of the Bureau in respect of public private
18 partnership are to:

Functions of the
Bureau on public
private partnership

19 (a) implement the Council's policy on public private partnership;

20 (b) prepare public assets approved by the Council for public
21 private partnership;

22 (c) advise the Council on further public assets that may be
23 approved for public private partnership;

24 (d) ensure the updating of the accounts of all public assets
25 approved for public private partnership to ensure financial discipline;

26 (e) ensure the success of all public private partnerships and
27 monitor such partnerships on a continuous basis for such period as may be
28 considered necessary or as stipulated in the partnership agreement;

29 (f) review the objectives for which public assets were established
30 in order to ensure that they adapt to the changing needs of the economy;

1 (g) ensure that public assets are managed in accordance with sound
2 commercial principles and prudent financial practices;

3 (h) interface with the public assets, together with the supervising
4 Ministries, in order to ensure effective monitoring and safeguarding their
5 operational and managerial autonomy;

6 (i) ensure that the Board and Management of each public asset
7 involved in public private partnership and the Government of the Federation
8 keep to the terms and conditions of the performance agreements, if any;

9 (j) maintain and review on a continuous basis, any performance
10 agreement between a public asset and the Government of the Federation;

11 (k) evaluate and recommend to the Council whether or not a public
12 asset is eligible for public private partnership through funding grants, loans,
13 subventions or equity;

14 (l) shall act on behalf of the Federal Government either alone or in
15 conjunction with relevant ministry, agency, corporation or body, as the counter
16 party on all infrastructure projects being developed on a public private
17 partnership basis; and

18 (m) perform such functions with respect to public private partnership
19 as the Council may, from time to time, assign to it.

Functions of the
Bureau on
concession

20 **18.** The functions of the Bureau in respect of concession are to:

21 (a) implement the Council's policy on concession of Federal
22 Government's equity in any joint venture;

23 (b) prepare public assets approved by the Council for concession;

24 (c) advise the Council on further public assets that may be approved
25 for concession;

26 (d) ensure the updating of the accounts of all public assets approved
27 for concession to ensure financial discipline;

28 (e) ensure the success of all public assets approved for concession and
29 monitor such assets on a continuous basis for such period as may be considered
30 necessary or as stipulated in the performance agreement;

1 (f) review the objectives for which joint ventures are established in
2 order to ensure that they adapt to the changing needs of the economy;

3 (g) ensure that joint ventures are managed in accordance with
4 sound commercial principles and prudent financial practices;

5 (h) interface with the joint venture partners, together with the
6 supervising Ministries, in order to ensure effective monitoring and
7 safeguarding their operational and managerial autonomy;

8 (i) ensure that the board and management of each joint venture
9 partnership and the Government of the Federation keep to the terms and
10 conditions of the performance agreements, if any;

11 (j) maintain and review on a continuous basis, any joint venture
12 agreement between joint venture partners and the Government of the
13 Federation;

14 (k) evaluate and recommend to the Council whether or not a joint
15 venture partnership is eligible for concession; and

16 (l) perform other functions with respect to concession as the
17 Council may, from time to time, assign to it.

18 **19.** The Bureau shall-

Other functions
of the Bureau

19 (a) provide secretarial support to the Council;

20 (b) carry out periodic monitoring of all reformed, privatised,
21 commercialised, concessioned and public private partnership sectors, assets
22 in order to assess performance and enforce compliance with the terms and
23 conditions of the relevant contracts entered into between the Bureau and
24 private investors; and

25 (c) carry out other duties and responsibilities as may be assigned to
26 it from time to time by the Council.

27 **20.** The Bureau shall, subject to the overall supervision of the
28 Council, have power to-

Powers of the
Bureau

29 (a) acquire, hold and manage movable and immovable property;

30 (b) enter into contracts or partnerships with any company, firm or

1 person which in its opinion will facilitate the discharge of its functions;
2 (c) request for and obtain from any public asset, statistical and other
3 information including reports, memoranda and audited accounts and other
4 information relevant to its functions under this Bill;

5 (d) liaise with relevant bodies or institutions locally or overseas for
6 effective performance of its functions under this Bill; and

7 (e) carry out periodic monitoring of all reformed, privatized,
8 commercialized, concessioned and public private partnership sectors, assets in
9 order to assess performance and enforce compliance with the terms and
10 conditions of the relevant contracts entered into between the Bureau and
11 private investors.

Appointment of
the Director-
General and
other staff t

12 **21.-(1)** There shall be appointed for the Bureau, a Director-General
13 who shall-

14 (a) be appointed by the President on the recommendation of the
15 Chairman of the Council; and

16 (b) not be below the rank of a Permanent Secretary in the civil service
17 of the Federation.

18 (2) The Director-General shall be the chief executive of the Bureau
19 and the secretary to the Council and shall hold office-

20 (a) for a term of four years in the first instance and may be re-
21 appointed for a further term of four years and no more; and

22 (b) on other terms and conditions as may be specified in his letter of
23 appointment.

24 (3) There shall be for the Bureau a Management Committee
25 comprising the Director-General and Departmental Heads who shall be
26 responsible for the implementation of the policies of the Council and day-to-
27 day administration of the Bureau.

28 (4) The Bureau may appoint other number persons to be employees of
29 the Bureau in the performance of its functions under this Bill.

30 (5) Notwithstanding the provisions of subsection (4), employees of

1 the Bureau may be appointed by way of transfer or secondment from any of
2 the public services of the Federation.

3 **22.**-(1) Service in the Bureau shall be approved service for Pensions
4 purposes of the Pensions Reform Act and accordingly employees of the
5 Bureau shall, in respect of their services, be entitled to pensions, gratuities
6 and other retirement benefits as are enjoyed by persons holding equivalent
7 grades in the civil service of the Federation.

8 (2) Notwithstanding the provisions of subsection (1), nothing in
9 this Bill shall prevent the appointment of a person to any office on terms
10 which preclude the grant of a pension and gratuity in respect of that office.

11 (3) For the purposes of the application of the provisions of the Act No. 4, 2014
12 Pensions Reform Act, any power exercisable by the Minister or other
13 authority of the Government of the Federation, other than the power to make
14 regulations under section 23, is vested in and shall be exercisable by the
15 Council and not by any other authority.

16 **23.**-(1) There is hereby established in the Central Bank of Nigeria Establishment
17 an account to be known as the Public Assets Proceeds Account into which of the Public Assets
18 shall be paid Net proceeds received from the reform, privatisation, Proceeds Accounts
19 commercialisation, concession or public private partnership of public assets
20 before and after the commencement of the Bill.

21 (2) The funds in the account established under subsection (1) of
22 this section shall be utilised for such purposes as may be determined by the
23 Federal Government from time to time as may be approved by the National
24 Assembly.

25 **24.**-(1) The Bureau shall establish and maintain a fund, to be Fund of the
26 approved by the Council, from which shall be defrayed all expenditures Bureau
27 incurred by it.

28 (2) There shall be paid and credited to the Fund established under
29 subsection (1)-

1 (a) the annual subvention received from the Government of the
2 Federation;

3 (b) such money as may, from time to time, be lent, deposited with or
4 granted to the Bureau by the Government of the Federation, or of a State, or a
5 local government;

6 (c) all subventions, fees, and charges for services rendered or
7 publications made by the Bureau; and

8 (d) all other assets which may, from time to time, accrue to the
9 Bureau.

10 (3) The Fund shall be managed in accordance with rules made by the
11 Council and without prejudice to the generality of the power to make rules
12 under this subsection, the rules shall in particular contain provisions-

13 (a) specifying the manner in which the assets or the Fund of the
14 Bureau are to be held and regulating the making of payments into and out of the
15 Fund; and

16 (b) requiring the keeping of proper accounts and records for the
17 purposes of the Fund in such form as may be specified in the rules.

18 (4) The Bureau may, from time to time, apply the proceeds of the Fund
19 established under subsection (2) for-

20 (a) the cost of administration of the Bureau;

21 (b) the reimbursement of members of the Council or any committee
22 set up by the Council for such expenses as may be authorised by the Council,
23 and where they exist, in accordance with the rates approved by the Government
24 of the Federation;

25 (c) the payments of salaries, fees and other remuneration, allowances,
26 pensions and gratuities payable to members of the Council, employees of the
27 Bureau or experts or professionals appointed by the Bureau;

28 (d) the maintenance of any property acquired or vested in the Bureau;
29 and

1 (e) any matter connected with all or any of the functions of the
2 Bureau under this Bill.

3 **25.**-(1) The Bureau shall, not later than 31 of October in each year, Estimates of
4 submit to the Council an estimate of its expenditure and income during the expenditure and
5 next succeeding year. income

6 (2) The Bureau shall cause the net surplus of receipts and payments
7 made to it in every year to be paid to the Government of the Federation.

8 **26.**-(1) The Bureau shall keep proper accounts and records of its Accounts and
9 receipts, payments, assets and liabilities and shall in respect of each year audit
10 prepare a statement of account in such form as the Council may direct.

11 (2) The Bureau shall, within six months after the end of the
12 financial year to which the accounts relate, cause the accounts to be audited
13 by auditors appointed from the list and in accordance with guidelines
14 supplied by the Auditor-General for the Federation.

15 PART IV - LEGAL PROCEEDINGS

16 **27.**-(1) Subject to the provisions of this Bill, the provisions of the Limitation of
17 Public Officers Protection Act shall apply in relation to any suit instituted suits against the
18 against any officer or employee of the Bureau. Bureau, etc.

19 (2) Notwithstanding anything contained in any other law or Cap. P41 LFN,
20 enactment, no suit shall lie or be instituted in any court against any member 2004
21 of the Council, the Director-General or any other officer or employee of the
22 Bureau for any act done under or in execution of this Bill or any other law or
23 enactment, or of any public duty or authority or in respect of any alleged
24 neglect or default in the execution of this Bill or such law or enactment, duty
25 or authority or be instituted in any court unless-

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

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

30 (3) A notice issued under this section shall clearly and explicitly

	1	state the cause of action, the particulars of the claim, the name and place of
	2	abode of the intending plaintiff and the relief which he claims.
Service of documents	3	28. A notice, summons or other document required or authorised to
	4	be served on the Bureau under the provisions of this Bill or any other law or
	5	enactment may be served by delivering it to the Director-General or by sending
	6	it by registered post and addressed to the Director-General at the principal
	7	office of the Bureau.
Restriction on execution against property of the Bureau	8	29.-(1) In any action or suit against the Bureau, no execution or
	9	attachment of process shall be issued against the Bureau.
	10	(2) Any sum of money which may by the judgment of any court be
	11	awarded against the Bureau shall, subject to any direction given by the court
	12	where notice of appeal of the judgment has been given, be paid by Office of the
	13	Attorney General of the Federation.
Indemnity of officers	14	30. A member of the Council, the Director-General, any officer or
	15	employee of the Bureau shall be indemnified out of the assets of the Bureau
	16	against any proceeding, whether civil or criminal, in which judgment is given
	17	in his favour, or in which he is acquitted, if any such proceeding is brought
	18	against him in his capacity as a member of the Council, the Director-General,
	19	officer or employee of the Bureau.
	20	PART V - PUBLIC ASSETS ARBITRATION PANEL, ETC.
Establishment and membership of the Public Assets Arbitration Panel	21	31.-(1) There is established the Public Assets Arbitration Panel (in
	22	this Bill referred to as "the Panel") which shall be responsible for effecting
	23	prompt settlement of any dispute arising between an enterprise and the Council
	24	or the Bureau.
	25	(2) The Panel shall consist of five persons who shall be persons of
	26	proven integrity one of whom shall be the chairman.
	27	(3) The members of the Panel shall be paid such remuneration and
	28	allowances as maybe determined by the Arbitration and Conciliation Act.
	29	(4) The seat of Arbitration shall be in Nigeria.

1	32.-(1) The Panel shall arbitrate in any dispute -	Powers of the Panel
2	(a) raising questions as to the interpretation of any of the provisions	
3	of a performance agreement; or	
4	(b) on the performance or non-performance by any enterprise of its	
5	undertakings under a performance agreement.	
6	(2) A dispute on the performance or non-performance by any of	
7	the parties to the performance agreement shall, in the case of a	
8	commercialised asset, lie to the Panel provided that such reference may be	
9	made after all reasonable efforts to resolve the dispute have been made and	
10	have not been proved.	
11	33.-(1) Subject to this section and section 27 of the Interpretation	Proceedings of the Panel
12	Act, the Panel may make standing orders regulating its proceedings.	
13	(2) The chairman of the Panel shall preside at every session of the	
14	Panel.	
15	(3) The quorum at any session of the Panel shall be the Chairman	Cap. 123 LFN, 2004
16	and two other members.	
17	34. The provisions of the Arbitration and Conciliation Act or any	Other arbitration laws not applicable
18	other enactment or law relating to arbitration shall be applicable to any	Cap. A18 LFN, 2004
19	matter which is the subject of arbitration under this Bill.	
20	PART VI - MISCELLANEOUS PROVISIONS	
21	35. The Council may make regulations generally for the purpose	Regulations
22	of giving effect to the provisions of this Bill.	
23	36.-(1) The statutory functions, rights, interests, obligations and	Savings and transitional provisions
24	liabilities of the Bureau, existing before the commencement of this Bill	
25	under any contract or instrument, or in law or in equity shall, by virtue of this	
26	Bill, be deemed to have been assigned to and vested in the Bureau	
27	established by this Bill.	
28	(2) Any such contract or instrument as is mentioned in subsection	
29	(1), shall be of the effect against or in favour of the Bureau established by this	
30	Bill and shall be enforceable as fully and effectively as if instead of the	

1 Bureau existing before the commencement of this Bill, the Bureau established
2 by this Bill has been named in it or had been a party to it.

3 (3) The Bureau established by this Bill shall be subject to all the
4 obligations and liabilities to which the Bureau existing before the
5 commencement of this Bill was subject immediately before the
6 commencement of this Bill and all other persons shall have the same rights,
7 powers and remedies against the Bureau established by this Bill as they had
8 against the Bureau existing before the commencement of this Bill.

9 (4) Any proceeding or cause of action pending or existing
10 immediately before the commencement of this Bill, by or against the Bureau
11 existing before the commencement of this Bill in respect of any right, interest,
12 obligation or liability of the Bureau existing before the commencement of this
13 Bill may be continued or, as the case may be, commenced and any
14 determination of a court of law, tribunal or other authority or person may be
15 enforced by or against the Bureau established by this Bill to the same extent
16 that such proceeding or cause of action or determination might have been
17 continued, commenced or enforced by or against the Bureau existing before
18 the commencement of this Bill.

19 (5) All assets, funds, resources and other movable or immovable
20 property which immediately before the commencement of this Bill were vested
21 in the Bureau existing before the commencement of this Bill shall by virtue of
22 this Bill, be vested in the Bureau established by this Bill.

23 (6) Any person who immediately before the commencement of this
24 Bill is the holder of any office in the Bureau existing before the commencement
25 of this Bill shall, on the commencement of this Bill, continue in office and be
26 deemed to have been appointed to his office by the Bureau established by this
27 Bill unless the authority by which the person was appointed terminates the
28 appointment.

Repeal

29 37. The Public Enterprises (Privatisation and Commercialisation)
30 Act, Cap. P38 Laws of the Federation of Nigeria, 2004 is repealed.

1	38. In this Bill-	Interpretation
2	"Bureau" means the Bureau of Public Assets established in section 12 of this	
3	Bill;	
4	"Council" means the National Council on Public Assets established in	
5	section 9 of this Bill;	
6	"Nigerians" for the purpose of this Bill means citizens of Nigeria and	
7	companies incorporated in Nigeria whose shares are wholly owned by	
8	citizens of Nigeria;	
9	"Panel" means the Public Assets Arbitration Panel established in section 30	
10	of this Bill;	
11	"public asset" means any interest or right in a tangible or identifiable thing or	
12	property or any corporation, board, company, legal entity, unincorporated	
13	association, agency or parastatal established by or under any enactment in	
14	which the Government of the Federation, a Ministry, extra- ministerial	
15	department or agency, has ownership, equity or loan capital interest	
16	(convertible or otherwise) and includes a partnership, joint venture or any	
17	other form of business arrangement or organisation;	
18	"strategic investor" means a reputable core investor or group of investors	
19	having the requisite technical expertise, the managerial experience and the	
20	financial capacity to effectively contribute to the management of the assets	
21	to be reformed, privatised, commercialised, concessioned and public	
22	private partnership;	
23	"privatisation" means every process of converting a public asset from	
24	government ownership or control to a private entity for improved efficiency	
25	and effective management;	
26	"partial privatisation" means the process where ownership and control of	
27	public assets are partly transferred to private entities;	
28	"full privatisation" means the process where full ownership and control of	
29	such Public asset is transferred to private entities;	
30	"reform" means any restructuring involving changes in the sector or a	

1 public asset to improve efficiency and management of resources;
2 "commercialisation" means the transformation of public assets to ensure
3 adequate reforms in the operation or management of a public asset consistent
4 with dictates of market forces and in accordance with international best
5 practices through processes which include devolution of management control
6 to the private sector or a private entity or a public private partnership
7 arrangement for such period as stipulated by the Council;
8 "partial commercialisation" means where a public asset meets its operational
9 costs from its revenue while Government may provide its capital expenditure
10 requirement from the treasury subject to acceptable justification;
11 "full commercialisation" means the process where the agency shall be
12 responsible for its capital expenditure and operational cost requirement
13 without funding from the treasury;
14 "public private partnership" means a collaborative effort between the
15 Government of the Federation or a governmental authority or agency for the
16 development and effective management of public infrastructure and public
17 assets by optimal means of financing, operations and management through
18 concessions; and
19 "concession" means right of economic exploitation of land, assets and rights
20 granted under a concession agreement or other legal arrangement.

Citation

21 **39.** This Bill may be cited as the Public Assets Reform Bill, 2021.

(ORIGINAL)

SCHEDULES

FIRST SCHEDULE

Section 1 (1)

PART I

ENTERPRISES IN WHICH EQUITY HELD SHALL BE PARTIALLY
PRIVATISED

S/NO	ENTERPRISES	Federal Government Ownership prior to Privatisation	Federal Government Ownership after Privatisation	Investors Percentage after Privatisation
TELECOMMUNICATION SECTOR				
1.	Nigerian Telecommunication Plc	100%	NIL	100%
2.	Nigerian Mobile Telecommunication Ltd	100%	NIL	100%
ELECTRICITY SECTOR				
3.	Power Holding Company of Nigeria	100%	40%	60%
PETROLEUM/OIL SECTOR				
4.	Port-Harcourt Refinery (i) Port-Harcourt Refinery (ii)	100%	100%	0%
5.	Kaduna Refinery and Petrochemicals	100%	100%	0%
6.	Warri Refinery and Petrochemicals	100%	100%	0%
7.	Eleme Petrochemicals Company Ltd	100%	5%	95%
8.	Pipelines & Products Marketing Company Limited (PPMC)	100%	100%	0%
9.	Nigerian Petroleum Development Company Ltd	100%	100%	0%
FERTILIZER COMPANIES				
10.	Federal Superphosphate Fertilizer Company Limited	100%	0%	100%
11.	National Fertilizer Company Nigeria Ltd	100%	0%	100%
MACHINE TOOLS				
12.	Nigerian Machine Tools Company Limited	100%	10%	90%
GAS				
13.	Nigeria Gas Company Limited	100%	100%	0%
STEEL AND ALUMINIUM SECTOR				
14.	Jos Steel Rolling Mill Company Limited	100%	0%	10%
15.	Katsina Steel Rolling Mill Company Limited	100%	0%	10%
16.	Oshogbo Steel Rolling Mill Company Limited	100%	0%	10%
17.	Ajaokuta Steel Company Limited	100%	100%	0%
18.	Delta Steel Company Limited	100%	20%	80%
19.	Aluminum Smelter Company Limited	100%	15%	85%

S/NO	ENTERPRISES	Federal Government Ownership prior to Privatisation	Federal Government Ownership after Privatisation	Investors Percentage after Privatisation
MINING AND SOLID MINERALS SECTOR				
20.	Nigerian Coal Corporation and Subsidiaries	100%	0%	10%
21.	Nigerian Uranium Company limited	100%	100%	0%
22.	Nigerian Iron -Ore Mining Company Ltd	100%	0%	20%
MEDIA COMPANIES				
23.	Dally Times of Nigeria and Subsidiaries	100%	0%	100%
24.	New Nigerian Newspaper limited	100%	0%	100%
INSURANCE COMPANIES				
25.	NICON Insurance Company Plc	100%	12.68%	87.32%
26.	Nigerian Reinsurance Plc	100%	31.48%	68.52%
TRANSPORT AND AVIATION COMPANIES				
27.	Federal Airport Authority of Nigeria	100%	100%	0%
28.	Nigerdock Limited	100%	20%	80%
29.	Nigeria Airways Limited	100%	100%	0%
PAPER COMPANIES				
30.	Nigerian National Paper Manufacturing Company Ltd. Iwopin	100%	0%	100%
31.	Nigerian Newsprint Manufacturing Company limited, Oku Iboku	100%	0%	100%
32.	Nigeria Paper Mills Limited, Jebba	100%	0%	100%
SUGAR COMPANIES				
33.	Sunti Sugar, Company Limited	100%	0%	100%
34.	Laflagi Sugar Company	100%	0%	100%
35.	Nigeria Sugar Company Bacita	100%	0%	100%
36.	Savannah Sugar Company	100%	10%	90%

(ORIGINAL)
SCHEDULES
SECTION 1 (1)
PART 1

ENTERPRISES IN WHICH EQUITY HELD SHALL BE FULLY PRIVATISED

S/NO	Enterprises	Federal Government Ownership prior to Privatisation	Post Privatisation Federal Government Ownership	Maximum Percentage Equity reserved for PE's after Privatisation
1.	UnipetrolPlc	40%	0%	
2.	National Oil and Chemical Company Ltd	40%	0%	
3.	African Petroleum Plc	40%	0%	
CEMENT COMPANIES				
4.	Ashaka Cement Company of Nigeria	30%	0%	
5.	Benue Cement Plc	30%	0%	
6.	Northern Nigeria Cement Company	30%	0%	
7.	Nigeria Cement Company Ltd	10%	0%	
8.	Calabar Cement Company Ltd	40%	0%	
9.	West Africa Portland Cement	27%	0%	
COMMERCIAL AND MERCHANT BANKS				
10.	Afribank Nigeria Plc		0%	
11.	Assurance Bank Plc		0%	
12.	FSB International Bank Plc (Shares owned by Parastatals)		0%	
13.	International Merchant Bank Plc		0%	
14.	NAL Merchant Bank Plc		0%	
INFRASTRUCTURE UTILITY COMPANIES				
AGRO-ALLIED				
15.	Ayip -Eku Oil Palm Company Plc	25%	0%	
16.	Opobo Boot Yard	25%	0%	
17.	Nigerian Romania Wood Industries Limited	25%	0%	
MOTOR VEHICLES AND TRUCK ASSEMBLY COMPANIES				
18.	Anambra Motor Manufacturing Company Limited	35%	11%	
19.	Leyland Nigeria Limited	35%	0%	
20.	Notional Truck Manufacturers Company	35%	0%	10%
21.	Peugeot Automobile of Nigeria Limited	35%	3.43%	
22.	Volkswagen of Nigeria Limited	35%	0%	
23.	Steyr Nigeria limited	35%	0%	
HOTELS				
24.	Nigerian Hotels Limited	47%	0%	
25.	Festac 77 Plc	100%	0%	

(ORIGINAL)
SECOND SCHEDULE
SECTION 6 (1)

PART 1

PARTIAL COMMERCIALISATION

1. Nigerian Railway Corporation
2. Cross River Basin Development Authority
3. Hadejia-Jama'are River Basin Development Authority
4. Lower Benue River Basin Development Authority
5. Niger River Basin Development Authority
6. Ogun-Osun River Basin Development Authority
7. Upper Benue River Basin Development Authority
8. Sokoto-Rima River Basin Development Authority
9. Anambra-Imo River Basin Development Authority
10. Benin Owena River Basin Development Authority
11. Chad River Basin Development Authority
12. Kainji Lake National Park
13. Federal Radio Corporation of Nigeria
14. Nigerian Television Authority
15. News Agency of Nigeria
16. Nigerian Film Corporation
17. Nigerian Postal Services (NIPOST)
18. Old Oyo National Park
19. GashakaGumti National Park
20. Chad Basin National Park
21. Yankari National Park
22. Cross River National Park
23. Niger Delta Basin Authority
24. Niger Delta Development Authority

(ORIGINAL)
PART

SECTION 6 (2)

FULL COMMERCIALISATION

1. Nigerian National Petroleum Corporation (NNPC)
2. Tafawa Belewa Square Management Company (TBS)
3. Nigeria Ports Authority
4. Federal Mortgage Bank of Nigeria (FMBN)
5. Nigerian Industrial Development Bank Limited (NIDBL)
6. Nigerian Bank for Commerce and Industry Limited (NBCIL)
7. Federal Mortgage Finance Company Limited (FMFCL)
8. Federal Housing Authority (FHA)
9. Nigerian Social Insurance Trust Fund (NSITF)

**AS AMENDED BY VARIOUS STATUTORY INSTRUMENTS PURSUANT TO
SECTIONS 1 (3) AND 6(3) OF THE ACT**

**FIRST SCHEDULE
Section 1 (1)**

PART 1

**ENTERPRISES IN WHICH EQUITY HELD SHALL BE
PARTIALLY PRIVATISED**

S/NO	ENTERPRISES	Federal Government Ownership prior to Privatisation	Federal Government Ownership after Privatisation	Investors Percentage after Privatisation	Initial Share disposed off
	TELECOMMUNICATION SECTOR				
1.			0%	10%	
	ELECTRICITY SECTOR				
	Power Holding Company of Nigeria (PHCN)				
2.	Abuja Electricity Distribution Company Plc	100%	40%	60%	
3.	Benin Electricity Distribution Company Plc	100%	40%	60%	
4.	Eko Electricity Distribution Company Plc	100%	40%	60%	
5.	Enugu Electricity Distribution Company Plc	100%	40%	60%	
6.	Ibadan Electricity Distribution Company Plc	100%	40%	60%	
7.	Ikeja Electricity Distribution Company Plc	100%	40%	60%	
	PETROLEUM/OIL SECTOR				
8.	Port-Harcourt Refinery (I) Port-Harcourt Refinery (Ii)	100%	100%	0%	
9.	Kaduna Refinery And Petro - Chemicals.	100%	100%	0%	
10.	Warri Refinery and Petro -Chemicals	100%	100%	0%	
11.	Eleme Petrochemicals Company Ltd	100%	5%	95%	
12.	Pipelines & Products Marketing Company Limited (PPPMC)	100%	100%	0%	
13.	Nigerian Petroleum Development Company Ltd	100%	100%	0%	
14.	Stallion Properties and Development Company (SPDC)	51%	0%	100%	
	OIL SERVICE COMPANIES				
15.	Santa Fe Drilling Nigeria Limited	36% (Private Placement)	0%	100%	

S/NO	ENTERPRISES	Federal Government Ownership prior to Privatisation	Federal Government Ownership after Privatisation	Investors Percentage after Privatisation	Initial Share disposed off
16.	Solus Scholl Nigeria Limited	36% (Private Placement)	0%	100%	
17.	A.C.M Nigeria	36% (Private Placement)	0%	100%	
18.	Baker Nigeria Limited	36% (Private Placement)	0%	100%	
19.	SedcoForex Nigeria Limited	36% (Private Placement)	0%	100%	
20.	Schlumberger Testing and Product Services Nigeria Limited	36% (Private Placement)	0%	100%	
21.	M-1 Nigeria Company	36% (Private Placement)	0%	100%	
22.	Dowell Schlumberger Nigeria Ltd	36% (Private Placement)	0%	100%	
23.	Baroid Nigeria Limited	36% (Private Placement)	0%	100%	
24.	D.C.P Limited	36% (Private Placement)	0%	100%	
25.	Nigeria Machine Tools Company Ltd		10%	90%	
	STEEL AND ALUMINUM SECTOR				
26.	Jos Steel Rolling Mill Limited	100% (Liquidation)	0%	100%	
27.	Katsina Steel Rolling Mill Company Limited	100% (Liquidation)	0%	100%	
28.	Oshogbo Steel Rolling Mill Company Limited	100% (Liquidation)	0%	100%	
29.	Ajaokuta Steel Company Limited	60%	4%	36%	
30.	Delta Steel Company Limited	80%	2%	18%	
31.	Aluminium Smelter Company	77.5%	2.5%	20%	
	INSURANCE COMPANIES				
32.	NICON Insurance Company Pie	100%	12.68%	87.32%	
33.	Nigerian Reinsurance Plc	100%	31.48%	68.52%	
	TRANSPORT AND AVIATION COMPANIES				
34.	NigerdockPlc	100%	100%	80%	
35.	Nigeria Airways -Limited	100% (Liquidation)	100%	0%	
36.	Nigeria Unity Line Plc	100%	0%	100%	
37.	National Clearing and Forwarding Agency (NACFA)	100%	0%	100%	
	PAPER COMPANIES				
38.	Nigerian National Paper Manufacturing Company Limited, Iwopin	100%	0%	100%	
39.	Nigerian Newsprint Manufacturing Company Limited, Oku Iboku	100% (Liquidation)	0%	100%	

S/NO	ENTERPRISES	Federal Government Ownership prior to Privatisation	Federal Government Ownership after Privatisation	Investors Percentage after Privatisation	Initial Share disposed off
40.	Nigeria Paper Mills Limited, Jebba	100% (Liquidation)	0%	100%	
	SUGAR COMPANIES				
41.	Sunti Sugar Company Limited	100% (Liquidation)	0%	100%	
42.	Lafiagi Sugar Company	100% (Liquidation)	0%	100%	
43.	Nigeria Sugar Company Bacita	100% (Liquidation)	0%	100%	
	MISCELANEOUS				
44.	National Economic Reconstruction Fund	51%	4.9%	44.1%	
	SOLID MINERALS SECTOR				
45.	Nigeria Mining Corporation subsidiaries: Nigerian Kaolin Processing Co. Ltd	100%	0%	0%	
46.	Nigerian Barytes Mining and Processing Co	100%	0%	0%	
47.	Nigerian Tin and Allied Products Ltd	100%	0%	0%	
48.	Nimco Gold Mining Company Ltd	100%	3%	40%	
49.	Consolidated Tin Mines, Jos	57%	0%	0%	
50.	Nimco Terrazzo, Company Ltd	100%	0%	0%	
51.	Nimco Feldspar/Quartz, Lokoja	100%	0%	0%	
	Nimco Quarry Companies		0%	0%	
52.	Nimco Quarry Kujama, Kaduna	100%	0%	0%	
53.	Nimco Quarry Kuru, Plateau State	100%	0%	0%	
54.	Nimco Quarry Gano, Kano State	100%	0%	0%	
55.	Nimco Quarry Gubi, Bauchi State	100%	0%	0%	
56.	Nimco Quarry Suleja, Niger State	100%	0%	0%	
	Nigerian Brick and Clay Products Companies:		0%	0%	
57.	Naraguta Bricks and Clays Product Limited	75%	0%	0%	
58.	Ibadan Bricks and Clays Product Ltd	100%	0%	0%	
59.	Ikorodu Bricks and Clays Product Ltd	100%	0%	0%	
60.	Enugu Bricks and Clays Product Ltd	100%	0%	0%	
61.	Kano Bricks and Clays Product Limited	100%	0%	0%	
62.	Kaduna Bricks and Clays Product Ltd	100%	0%	0%	
63.	Maiduguri Bricks and Clays Product Ltd	100%	0%	0%	
64.	Izom Bricks and Clay Product Ltd	100%	0%	0%	
65.	Nigerian Uranium Co. Ltd.	100%	0%	0%	

(ORIGINAL)
SCHEDULESFIRST SCHEDULE
Section 1 (1)

PART 1

ENTERPRISES IN WHICH EQUITY HELD SHALL BE FULLY PRIVATISED
(As Amended)

S/NO	INFRASTRUCTURE UTILITY COMPANIES	Federal Government Ownership pre privatisation	Federal Government Ownership Post Privatisation	Maximum Percentage equity reserved for Staff of PE's after Privatisation
1.	Unipetrol PLC	40%	0%	
2.	National Oil and Chemical Company Limited	40%	0%	
3.	African Petroleum PLC	28.72%	0%	
	CEMENT COMPANIES			
4.	Ashaka Cement Company Plc	30%	0%	
5.	Benue Cement Company Plc	30%	0%	
6.	Northern Nigeria Cement Company Plc	30%	0%	
7.	Nigerian Cement Company Limited, Nkalagu	10%	0%	
8.	Calabar Cement Company Ltd	40%	0%	
9.	West African Portland Cement	27%	0%	
	COMMERCIAL AND MERCHANT BANKS			
10.	Afribank Nigeria PLC		0%	
11.	Assurance Bank PLC	90%	10%	
12.	FSB International Bank Plc (Shares owned by parastatals)		0%	
13.	International Merchant Bank Plc		0%	
14.	NAL Merchant Bank Plc		0%	
	AGRO ALLIED		0%	
15.	Ayip - Eku Oil Palm Company Plc	60%	0%	
16.	Opobo Boat Yard	Asset Sale	0%	
17.	Nigerian Romania Wood Industries Limited	100%	0%	
18.	Ihechiowa Oil Palm Co. Plc	60%	0%	
	MOTOR, VEHICLES AND TRUCK ASSEMBLY COMPANIES		0%	
19.	Anambra Motor Manufacturing Company Limited	24%	0%	

S/NO	INFRASTRUCTURE UTILITY COMPANIES	Federal Government Ownership Pre Privatisation	Federal Government Ownership Post Privatisation	Maximum Percentage equity reserved for Staff of PE's after Privatisation
20.	Leyland Nigeria Limited	100%	0%	
21.	National Truck Manufacturers Company	90%	0%	10%
22.	Peugeot Automobile of Nigeria Limited	35%	0%	
23.	Volkswagen of Nigeria Limited	35%	0%	
24.	Steyr Nigeria Limited	75%	0%	
	HOTELS			
25.	Nigerian Hotels limited	100%	0%	
26.	Festac 77 Plc	100%	0%	
27.	Abuja International Hotel limited	90%	10%	
28.	Durbar Hotel, Kaduna	100%	0%	
	MISCELLANEOUS			
29.	Save Sugar Company, Benin Republic	46%	0%	
30.	Onigbolo Cement, Benin Republic	43	0%	
31.	Ore -Irele Oil Palm limited	60%	0%	
32.	Nigerian Security Printing and Minting Company limited	75%	0%	
33.	Abuja Stock Exchange PLC.	100%	0%	
34.	National Assembly Building, Lagos	100%	100%	
35.	Nigerian Iron Ore Mining Company, Itakpe	100%	0%	
36.	Savannah Sugar Company, Numan	79.4%	10%	90%
37.	Central Packages Company, Ilupeju, Lagos	94.23%	0%	
38.	Chemical Company of Senegal, Dakar	10%	0%	
39.	NIRIMSCO Hotels Limited (NICON Hilton) Abuja	51%	10%	
40.	Capital Hotels(Sheraton Hotel) Abuja	51%	0%	
	LPG DEPOTS (ASSET SALE)			
41.	Lagos	100%		0%
42.	Ibadan	100%		0%
43.	Llorin	100%		0%
44.	Makurdi	100%		0%
45.	Enugu	100%		0%
46.	Calabar	100%		0%
47.	Gusau	100%		0%
48.	Gombe	100%		0%
49.	Kano	100%		0%

SECOND SCHEDULE**Section 6 (1)****PART 1****PARTIAL COMMERCIALISATION****{As Amended}**

1. Cross River Basin Development Authority
2. Hadejia-Jama'are River Basin Development Authority
3. Lower Benue River Basin Development Authority
4. Niger River Basin Development Authority
5. Ogun-Osun River Basin Development Authority
6. Upper Benue River Basin Development Authority
7. Sokoto-Rima River Basin Development Authority
8. Anambra-Imo River Basin Development Authority
9. Benin Owena River Basin Development Authority
10. Chad River Basin Development Authority
11. Kainji Lake National Park
12. Federal Radio Corporation of Nigeria
13. Nigerian Television Authority
14. News Agency of Nigeria
15. Nigerian Film Corporation
16. Nigerian Postal Services {NIPOST}
17. Old Oyo National Park
18. Gashaka Gumi National Park
19. Chad Basin National Park
20. Cross River National Park
21. Niger Delta Basin Authority
22. Niger Delta Development Authority

PART II**SECTION 6 (1)****FULL COMMERCIALISATION****AS AMENDED**

1. Nigerian National Petroleum Corporation (NNPC)
2. Tafawa Balewa Square Management Company (TBS)
3. Federal Mortgage Bank of Nigeria (FMBN)
4. Nigerian Industrial Development Bank Limited (NIDBL)
5. Nigerian Bank for Commerce and Industry Limited (NBCIL)
6. Federal Mortgage Finance Company Limited (FMFCL)
7. Federal Housing Authority (FHA)
8. Nigerian Social Insurance Trust Fund (NSITF)
9. Abuja Environmental Protection Board (AEPB)
10. Abuja Water Board (AWB)
11. Nigerian Agricultural and Co-operative Bank (NACB)
12. Federal Airports Authority of Nigeria

ENTERPRISES FOR CONCESSION

Inexercise of the powers conferred on the NCP pursuant to Sections 2 and 3 of the ACT, the NCP has approved that the underlisted enterprises be commercialised by way of concession.

	Enterprises	Federal Government Ownership
1.	Nigerian Iron-Ore Mining Co. Limited	51%
2.	Ahmadu Bello Stadium, Kaduna	100%
3.	Liberty Stadium, Ibadan	100%
4.	NnamdiAzikiwe Stadium, Enugu	100%
5.	National Stadium Abuja	100%
6.	Federal Airports Authority of Nigeria (FAAN)	100%
7.	NnamdiAzikiwe Int. Airport Abuja	100%
8.	Murtala Mohammed International Airport, Lagos	100%
9.	MallamAminu Kano International Airport, Kano	100%
10.	Port Harcourt International Airport	100%
11.	Maiduguri Airport	100%
12.	Kaduna Airport	100%

13.	Enugu Airport	100%
14.	Jos Airport	100%
15.	Ibadan Airport	100%
16.	Akure Airport	100%
17.	Ilorin Airport	100%
18.	U. J Esuene Airport, Calabar	100%
19.	Katsina Airport	100%
20.	Owerri Airport	100%
21.	Minna Airport	100%
22.	Bauchi Airport	100%
23.	Yola Airport	100%
24.	Makurdi Airport	100%
25.	Benin Airport	100%

26.	Pipelines Product and Marketing Company Ltd.(Pipelines) Pipelines Product and Marketing	Concession pipelines to concessionaire 80% of depots to strategic investors
27.	Nigerian Petroleum Development Company Limited	
28	Nigerian Ports Authority (NPA)	
29.	Nigeria Railway Corporation (NRC)	
30.	National Inland Waterways Authority (NIWA)	
31.	Lagos International Trade Fair Complex (LITFC)	
32.	National Arts Theatre Lagos (NATI)	
33.	National Stadiums (Abuja, Lagos, Kano, Kaduna etc)	
34.	Nigeria Coal Corporation	
	ELECTRICITY SECTOR	
	PHCN Successor Generation Companies	
35.	Shiroro Hydro Power Plc	100 %
36.	Kainji Hydro Power Plc	100%

37.	Sapele Power Plc (ROT)	100%
	PHCN Successor Distribution Companies	
38.	Kano Electricity Distribution Plc	100%
39.	Koduna Electricity Distribution Plc	100%
40.	Eko Electricity Distribution Plc	100%
41.	Ikeja Electricity Distribution Plc	100%
42.	Jos Electricity Distribution Plc	100%
43.	Port Harcourt Electricity Distribution Plc	100%
44.	Ibadan Electricity Distribution Plc	100%
45.	Enugu Electricity Distribution Plc	100%
46.	Yola Electricity Distribution Plc	100%
47.	Benin Electricity Distribution Plc	100%
48.	Abuja Electricity Distribution Plc	100%

1 ENTERPRISES FOR INITIAL PUBLIC OFFER

2 In exercise of the powers conferred on the NCP pursuant to Sections 2
3 and 3 of the ACT, the NCP has approved the issue of initial public offers
4 in respect of the underlisted enterprises

5

- 6 1. Nigeria Re-Insurance Cooperation
7 2. Nirimsco Hotel Ltd (Nicon Hilton) Abuja
8 3. Capital Hotels

9 DEFERRED PUBLIC OFFER

- 10 4. Nigerdock Nigeria Limited

11 THIRD SCHEDULE

12 *[Section 9 (4).]*

13 SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

14 *Proceedings of the Council*

15 1.-(1) Subject to this Act and section 27 of the Interpretation Act,
16 the Council may make standing orders regulating its proceedings or those of
17 any of its committees. [Cap. 123.]

18 (2) The quorum of the Council shall be five members and the
19 quorum of any committee of the Council shall be determined by the Council.

20 2.-(1) The Council shall meet not less than four times in each year
21 and subject thereto, the Council shall meet whenever it is summoned by the
22 chairman; and if the chairman is required to do so by notice given to him by
23 not less than three other members, he shall summon a meeting of the Council
24 to be held within fourteen days from the date on which the notice is given.

25 (2) At any meeting of the Council, the chairman shall preside but if
26 he is absent, the vice-chairman shall preside at that meeting.

27 (3) If the vice-chairman is absent, the members present at the
28 meeting shall appoint one of their number to preside at that meeting.

29 (4) Where the Council desires to obtain the advice of any person on
30 a particular matter, the Council may co-opt him to the Council for such

1 period as it thinks fit; but a person who is in attendance by virtue of this sub-
2 paragraph shall not be entitled to vote at any meeting of the Council and shall
3 not count towards a quorum.

4 *Committees*

5 3.-(1) The Council may appoint one or more committees to carry out,
6 on behalf of the Council, such of its functions as the Council may determine.

7 (2) A committee appointed under this paragraph shall consist of such
8 number of persons (not necessarily members of the Council) as may be
9 determined by the Council; and a person other than a member of the Council
10 shall hold office on the committee in accordance with the terms of his
11 appointment.

12 (3) A decision of a committee of the Council shall be of no effect until
13 it is confirmed by the Council.

14 *Miscellaneous*

15 4.-(1) The fixing of the seal of the Bureau shall be authenticated by the
16 signature of the chairman, the Director-General or of any other person
17 authorised generally or specially to act for that purpose by the Council.

18 (2) Any contract or instrument which, if made or executed by a person
19 not being a body corporate, would not be required to be under seal may be made
20 or executed on behalf of the Bureau by the chairman, Director-General or any
21 person generally or specially authorised to act for that purpose by the Council.

22 (3) Any document purporting to be a document duly executed under
23 the seal of the Bureau shall be received in evidence and shall, unless and until
24 the contrary is proved, be presumed to be so executed.

25 5. The validity of any proceeding of the Council or of a committee
26 thereof shall not be adversely affected by any vacancy in the membership of the
27 Council or committee, or by any defect in the appointment of a member of the
28 Council or of a committee, or by reason that a person not entitled to do so took
29 part in the proceedings of the Council or committee.

1 SUBSIDIARY LEGISLATION

2 List of Subsidiary Legislation

3 1. Public Enterprises (Privatisation and Commercialisation) Order, 2004.

4 PUBLIC ENTERPRISES (PRIVATISATION AND COMMERCIALISATION)

5 ORDER, 2004

6 ARRANGEMENT OF SECTIONS

7 *Section*8 I. Percentage or shares in enterprises to be privatised for core
9 investors

10 2. Percentage or shares in enterprises to be privatised for staff

11 3. Citation

12 Public Enterprises (Privatisation and Commercialisation) Act

13 PUBLIC ENTERPRISES (PRIVATISATION AND COMMERCIALISATION)

14 ORDER, 2004

15 [S.1. 17 of 2004.]

16 [2nd September, 1999]

17 [Commencement.]

18 1. From the commencement of this Order, 51 percent of
19 Government shares in Enterprises to be privatised may be offered to Core
20 Investors. Percentage of
shares in enterprises
to be privatised
for core investors21 2. The Staff of the Public Enterprises to be privatised may have up
22 to 10 percent of the shares to be offered for sale to the Public reserved for
23 them. Percentage of
shares in enterprises
to be privatised
for staff24 3. This Order may be cited as Public Enterprises (Privatisation and
25 Commercialisation) Order, 2004. Citation

EXPLANATORY MEMORANDUM

This Bill seeks to repeal the Public Enterprises (Privatisation and Commercialisation) Act, Cap. P38 Laws of the Federation of Nigeria, 2004 and enact the Public Assets Reform Bill, 2021 for improved efficiency and management of Public Assets in Nigeria.

A BILL
FOR

AN ACT TO AMEND SECTION 2 OF THE NATIONAL COMMISSION FOR
MUSEUMS AND MONUMENTS ACT CAP 242, 2004 BY PROVIDING THE
PROCEDURE FOR THE RESIGNATION OF MEMBER OF THE COMMISSION AND
FOR RELATED MATTERS

Sponsored by Hon. Kolapo Korede Osunsanya

[] Commencement

BE IT ENACTED by the national assembly of the federal republic
of Nigeria follows:

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1. The National Commission for Museums and Monuments Cap

242, 2004 is hereby amended as contained herein.

2. Section 2 of the principal act is amended by adding new

subsection (6) immediately after subsection (5) and rearranged as follows:

(8) Any member of the of the Commission who is not an ex-officio

member, shall by notice under his hand addressed to the Minister resign his

appointment and the notice shall take effect upon been received by the

Minister.

3. This bill may be cited as National Commission for Museums

and Monuments (Amendment) Bill, 2021.

Amendment of
National
Commission for
Museums and
Monuments Act

Amendment of
Section 2 of the
Principal Act

Citation

EXPLANATORY MEMORANDUM

This Bill seeks to amend section 2 of the National Commission for Museums
and Monuments Act Cap 242. 2004 by providing the procedure for the
resignation of member of the Commission.

A BILL

FOR

AN ACT TO ESTABLISH FEDERAL UNIVERSITY OF HEALTH SCIENCES, IJEBU ODE, PROVIDE A COMPREHENSIVE PROVISIONS FOR ITS DUE ADMINISTRATION AND FOR RELATED MATTERS

Sponsored by Hon. Kolapo Korede Osunsanya

[] Commencement

ENACTED by National Assembly of the federal republic of Nigeria as follows-

1 PART I - ESTABLISHMENT OF THE UNIVERSITY AND COMPOSITION

2 1.-(1) There is established federal university of health sciences Establishment
3 federal university of health sciences, Ijebu Ode, Ogun State. of the University

4 (2) The University shall be a body corporate having perpetual
5 succession and a common seal with power to acquire, hold and dispose of
6 property and shall, by the said name, sue and be sued.

7 2.-(1) The objects of the University shall be- Objects of the
8 (a) to encourage the advancement of learning and to hold out to all University

9 persons with- out distinction of race, creed, sex or political conviction the
10 opportunity of acquiring a higher and liberal education;

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

14 (c) to encourage and promote scholarship and conduct research in
15 all fields of Agriculture ;

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

18 (e) to undertake any other activities appropriate for a university of
19 the highest standard; and

20 (f) to establish appropriate relationships with other national

	1	institutions involved in training, research and development of Border and
	2	border related management and security;
	3	(g) to offer academic certificates, Diploma and programmes in
	4	relation to the training of manpower for medical and health sciences in Nigeria;
Membership of the University	5	3. The University shall consist of the following:
	6	(a) Chancellor;
	7	(b) Vice Chancellor;
	8	(c) Pro-Vice Chancellor;
	9	(d) members of an Authority,
	10	(e) chairmen and Deans;
	11	(f) lecturers and students of the University; and
	12	(g) officers and members of the staff of the University.
Functions of the University	13	4. -(1) The University shall-
	14	(a) provide for education and knowledge in medical and health
	15	sciences and other branches of knowledge as it may deem fit, and make
	16	provisions for research , service to the society and for the application,
	17	advancement and dissemination of knowledge in such manner as it may
	18	determine;
	19	(b) offer unique academic training, enriches the intellectual
	20	experience and provides exceptional opportunities for academics across
	21	disciplines and borders;
	22	(c) to offer academic certificates, Diploma and programmes in
	23	relation to the training of manpower for medical and health sciences in Nigeria;
	24	(d) prescribe courses of studies;
	25	(e) decide teaching methods and strategies in order to ensure the most
	26	effective educational and training programmes;
	27	(f) hold examinations in the prescribed manner and, if a person
	28	qualifies the examination, award him the requisite degree, diploma, certificate
	29	and other academic distinction;
	30	(g) prescribe the terms and conditions of employment of the officers,

- 1 teachers and other employees of the University;
- 2 (h) engage, where necessary, a person on contract for specified
- 3 duration and to specify the terms of the engagement;
- 4 (i) provide career counselling and job search services to the
- 5 students and alumni;
- 6 (j) establish and support other facilities for education, training and
- 7 research and establish , maintain and administer a department, constituent
- 8 college or an institute ;
- 9 (k) provide and support the academic development of the faculty
- 10 of the University;
- 11 (l) confer degree on a person who has successfully conducted
- 12 research in the prescribed manner;
- 13 (m) institute Professorship, Associate Professorship, Assistant
- 14 Professorship and Lectureship or any other post and may appoint a person to
- 15 the post;
- 16 (n) create a post for research, extension, administration or other
- 17 related purposes and appoint a person to the post;
- 18 (o) institute and award financial assistance to students in need,
- 19 fellowships, scholarships, bursaries, medals and prizes in the prescribed
- 20 manner;
- 21 (p) provide for the residence of the students, establish and maintain
- 22 halls of residence and may approve or licence a hostel, lodging or boarding
- 23 place;
- 24 (q) maintain order, discipline and security in a campus of the
- 25 University;
- 26 (r) promote the extracurricular and recreational activities of the
- 27 students and make arrangements for promoting health and general welfare
- 28 of the students;
- 29 (s) demand and receive such fees and other charges as it may
- 30 determine; and

- 1 (t) perform any other prescribed or ancillary function.
- 2 (2) The University may-
- 3 (a) institute programs for the exchange of students and teachers
- 4 between the University and any other university, educational institution or
- 5 research organization;
- 6 (b) develop and implement fund-raising plans;
- 7 (c) accept an examination and the period of study spent by a student of
- 8 the University at any other university or place of learning equivalent to an
- 9 examination or period of study of the University and may withdraw such
- 10 acceptance;
- 11 (d) cooperate with a public authority, university or private
- 12 organization in the prescribed manner;
- 13 (e) make provision for research, advisory or consultancy services and
- 14 enter into arrangements with any other institution, public or private body,
- 15 commercial or industrial enterprise in the prescribed manner;
- 16 (f) receive and manage property transferred and grants, contributions
- 17 made to the University and to invest any fund in the manner as it may deem fit;
- 18 (g) print and publish research or work;
- 19 (h) admit any college or other educational institution to its privileges
- 20 or withdraw such privileges in the prescribed manner;
- 21 (i) affiliate or disaffiliate a college or any other educational institution
- 22 in the prescribed manner; and
- 23 (j) exercise any power ancillary to the above powers or as may be
- 24 prescribed.

25 PART II - OFFICERS OF THE UNIVERSITY

Establishment
and Membership
of the Council

- 26 **5.** The following shall be the officers of the University-
- 27 (a) Chancellor;
- 28 (b) Vice Chancellor;
- 29 (c) Pro-Vice Chancellor;
- 30 (d) Deans;

1 (e) chairmans;

2 (f) teachers;

3 (g) Registrar;

4 (h) Treasurer;

5 (i) Controller of Examinations; and

6 (j) such other persons as may be prescribed.

7 **6.** - (1) the president of Nigeria shall be the Chancellor of the Chancellor
8 University.

9 (2) The Chancellor or a nominee of the Chancellor shall preside at
10 convocation of the University.

11 (3) The University may, on the recommendations of the Senate
12 and subject to prior approval of the Chancellor, confer an honorary degree.

13 **7.** - (1) The Chancellor may direct inspection or inquiry into the Inspection and
14 affairs of the University. inquiry

15 (2) The Chancellor shall convey the views with regard to the result
16 of the inspection or inquiry to the Senate and may, after ascertaining the
17 views of the Senate, recommend any remedial action to the Senate.

18 (3) The Senate shall, within the time specified by the Chancellor,
19 submit a report to the Chancellor about the action taken on the
20 recommendation of the Chancellor.

21 (4) The Chancellor may set aside a decision or action of the Senate,
22 which, in the opinion of the Chancellor, is against the law, interest of
23 academic excellence of the University, religious or cultural ideology, or
24 national integrity.

25 **8.** -(1) A person who is eligible and who is not more than sixty five Vice Chancellor
26 years of age on the last date fixed for submission of applications in the
27 advertisement for the post of the Vice Chancellor may apply for the post.

28 (2) The Chancellor shall determine, by notification in the official
29 Gazette, the qualifications, experience and other relevant requirements for
30 the post of the Vice Chancellor.

1 (3) The Chancellor shall constitute a Search Committee consisting of
2 not less than three and not more than five members for making
3 recommendations for appointment of the Vice Chancellor.

4 (4) The Search Committee shall follow such procedure and criteria
5 for selection of the panel for the post of the Vice Chancellor as the Chancellor,
6 by notification, determine.

7 (5) The Search Committee shall recommend to the Chancellor, a
8 panel of three persons who, in its opinion, are suitable for appointment as the
9 Vice Chancellor.

10 (6) The Chancellor shall appoint the Vice Chancellor for each term of
11 four years but he shall serve during the pleasure of the Chancellor.

12 (7) The Chancellor shall determine the terms and conditions of
13 service of the Vice Chancellor.

14 (8) The incumbent Vice Chancellor shall not be allowed any
15 extension in his tenure but subject to eligibility he may again compete for the
16 post of the Vice Chancellor in accordance with the procedure prescribed by or
17 under this section.

18 (9) If the office of the Vice Chancellor is vacant or the Vice
19 Chancellor is absent or is unable to perform the functions of the Vice
20 Chancellor owing to any cause, the Pro-Vice Chancellor shall perform the
21 functions of the Vice Chancellor but, if at any time, the office of Pro-Vice
22 Chancellor is also vacant or the Pro-Vice Chancellor is absent or is unable to
23 perform the functions of the Vice Chancellor owing to any cause, the
24 Chancellor shall make such temporary arrangements for the performance of
25 the duties of the Vice Chancellor as he may deem fit.

Powers of the
Vice Chancellor

26 9.-(1) Subject to this Act, the Vice Chancellor shall be the chief
27 executive officer of the University and shall ensure that the provisions of the
28 Act, statutes, regulations and rules are faithfully observed.

29 (2) The Vice Chancellor may attend a meeting of any Authority or
30 body of the University.

1 (3) Subject to the general supervision and control of the Senate, the

2 Vice Chancellor may-

3 (a) direct a teacher, officer or other employee of the University to
4 take up such assignment in connection with examination, administration or
5 any other activity in relation to the University;

6 (b) sanction by re-appropriation an amount for an unforeseen item
7 not provided for in the budget of the University

8 (c) make appointments of such categories of employees of the
9 University and in such manner as may be prescribed;

10 (d) take disciplinary action against a teacher, officer or any other
11 employee of the University in the prescribed manner;

12 (e) delegate, subject to such conditions as may be prescribed, any
13 of his powers to a teacher or officer of the University; and

14 (f) exercise such other powers as may be prescribed.

15 (4) The Vice Chancellor shall prepare an annual report containing
16 information as regards the preceding academic year including disclosure of
17 all relevant facts pertaining to academics, research, administration and
18 finances of the University.

19 (5) The Vice Chancellor shall, within three months of the end of an
20 academic year, submit the annual report of the University before the Senate.

21 **10.**-(1) The Chancellor shall appoint the Pro-Vice Chancellor of
22 the University,, for a term of three years.

Pro-Vice
Chancellor

23 (2) The Pro-Vice Chancellor shall perform such functions as may
24 be assigned to him under this Act, statutes or regulations.

25 (3) The Senate or the Vice Chancellor may assign any other
26 functions to the Pro-Vice Chancellor in addition to his duties as Professor.

27 **11.**-(1) The Senate shall appoint a Registrar in such manner and on
28 such terms and conditions as may be prescribed.

Registrar

29 (2) The Senate shall not appoint a person as Registrar unless he
30 possesses the prescribed qualifications and experience.

1 (3) The Registrar shall be a whole-time officer of the University and
2 shall-

3 (a) be the administrative head of the secretariat of the University and
4 be responsible for the provision of secretariat support to the Senate and the Vice
5 Chancellor;

6 (b) be the custodian of the common seal and the academic records of
7 the University;

8 (c) maintain a register of the students and graduates in the prescribed
9 manner;

10 (d) supervise the process of election, appointment or nomination of a
11 member to an Authority or body of the University in the prescribed manner;
12 and

13 (e) perform such other duties as may be prescribed.

14 (4) The Registrar shall hold office for a term of three years.

Treasurer

15 **12.** -(1) The Senate shall appoint a Treasurer in such manner and on
16 such terms and conditions as may be prescribed.

17 (2) The Senate shall not appoint a person as Treasurer unless he
18 possesses the prescribed qualifications and experience.

19 (3) The Treasurer shall be whole time officer of the University and
20 shall-

21 (a) manage the assets, liabilities, receipts, expenditures, funds and
22 investments of the University;

23 (b) prepare the annual and revised budget estimates of the University
24 and present the estimates to the Senate;

25 (c) ensure that the funds of the University are spent according to the
26 budget or any other special arrangement;

27 (d) ensure that the accounts of the University are audited annually and
28 are available for submission to the Senate within six months of the end of a
29 financial year; and

1 (e) perform such other functions as may be prescribed or assigned
2 to him by the Senate.

3 (4) The Treasurer shall hold office for a term of three years.

4 **13.**-(1) The Senate shall appoint a Controller of Examinations in Controller of
Examinations
5 such manner and on such terms and conditions as may be prescribed.

6 (2) The Senate shall not appoint a person as Controller of
7 Examinations unless he possesses the prescribed qualifications and
8 experience.

9 (3) The Controller of Examinations shall be a whole-time officer of
10 the University and shall be responsible for all matters connected with the
11 conduct of examinations and perform such other duties as may be
12 prescribed.

13 (4) The Controller of Examinations shall hold office for a term of
14 three years.

15 **14.** The University may appoint such persons in its service as may Appointments
16 be necessary in such manner and on such terms and conditions as may be
17 prescribed.

18 PART III - AUTHORITIES OF THE UNIVERSITY

19 **15.**-(1) The following shall be the Authorities of the University- Authorities of
the University

20 (a) Senate;

21 (b) Academic Council;

22 (c) Boards of Faculties;

23 (d) Board of Advanced Studies and Research;

24 (e) Selection Board;

25 (f) Finance and Planning Committee; and

26 (g) any other Authority as may be prescribed.

27 (2) The Senate may constitute committees consisting of the
28 members of the Senate or it may create committees consisting of members
29 of the Senate or teachers or officers of the University or a combination of all
30 or any of such persons.

The Senate

- 1 **16.** -(1) The Senate shall consist of-
- 2 (a) Vice Chancellor who shall be its Chairman;
- 3 (b) Pro-Vice Chancellor;
- 4 (c) three members of the National Assembly
- 5 (d) a representative of the university commission
- 6 (e)) a representative of the minister of Health
- 7 (f)) a representative of the minister of Education
- 8 (g)) a representative of the state government where the university is
- 9 situated
- 10 (h) one Vice Chancellor from private sector universities to be
- 11 nominated by the Chancellor;
- 12 (i) three Deans including at least one female Dean, if available] of the
- 13 faculty to be nominated by the Vice Chancellor;
- 14 (j) five persons including at least two women] from the private sector
- 15 to be nominated by the Chancellor on the recommendations of the Vice
- 16 Chancellor; and
- 17 (k) two Principals of affiliated colleges [including at least one female
- 18 Principal, if available] to be nominated by the Vice Chancellor.
- 19 (2) The Registrar shall be the Secretary of the Senate.
- 20 (3) The members of the Senate, other than ex-officio members, shall
- 21 be nominated for a period of three years and shall hold office during the
- 22 pleasure of the Chancellor.
- 23 (4) Nine members shall constitute the quorum for a meeting of the
- 24 Senate.

Powers and
duties of the
Senate

- 25 **17.**-(1) The Senate shall be the executive body of the University and
- 26 shall, subject to the provisions of this Act and statutes, take effective measures
- 27 to raise the standard of teaching, research, technological development,
- 28 publication and other academic pursuits and exercise general supervision and
- 29 control over the affairs of the University and management of the property of the
- 30 University.

- 1 (2) Without prejudice to the generality of the foregoing powers and
2 subject to the provisions of the Act, the Senate may-
- 3 (a) hold, control and administer the property and funds of the
4 University;
- 5 (b) govern and regulate, with due regard to the advice of the
6 Finance and Planning Committee in this behalf, the finances, accounts and
7 investments of the University and for that purpose, to appoint such agents as
8 it may deem fit;
- 9 (c) consider and approve the annual report, the annual and revised
10 budget estimates and to re-appropriate funds from one major head of
11 expenditure to another;
- 12 (d) transfer and accept transfer of movable or immovable property
13 on behalf of the University;
- 14 (e) enter into, vary, carry out or cancel contracts on behalf of the
15 University;
- 16 (f) cause proper books of account to be kept for all sums of money
17 received and expended by the University and for the assets and liabilities of
18 the University;
- 19 (g) invest any money belonging to the University;
- 20 (h) receive and manage any property transferred, grants, bequests,
21 trusts, gifts, donations, endowments and other contributions made to the
22 University;
- 23 (i) determine the form, custody and regulation of the use of the
24 Common Seal of the University;
- 25 (j) provide buildings, libraries, premises, furniture, apparatus,
26 equipment and other means required for carrying out the work of the
27 University;
- 28 (k) establish and maintain halls of residence and hostels or approve
29 or license hostels or lodgings for the residence of students;
- 30 (l) affiliate or disaffiliate Colleges and Institutes;

- 1 (m) admit educational institutions to the privileges of the University
2 and withdraw such privileges;
- 3 (n) arrange for the inspection of the academic departments;
- 4 (o) institute Professorships, Associate Professorships and Assistant
5 Professorships and other posts and to suspend or abolish such posts;
- 6 (p) create, suspend or abolish such administrative, technical,
7 research, extension or other posts as may be necessary;
- 8 (q) appoint University teachers and other officers on the
9 recommendation of the Selection Board for teaching and other managerial
10 posts;
- 11 (r) confer with prior approval of the Chancellor, an honorary degree;
- 12 (s) prescribe the duties of the officers, teachers and other employees
13 of the University and of those working in the University on deputation or on
14 contract;
- 15 (t) appoint members to the various Authorities, committees and
16 bodies in a prescribed manner;
- 17 (u) remove any person from the membership of any authority if such
18 person has accepted any assignment which involves absence from the
19 University for a continuous period of six months or more;
- 20 (v) regulate, determine and administer, all other matters concerning
21 the University and to this end exercise all necessary powers not specifically
22 mentioned in the Act and statutes but not inconsistent with the provisions of the
23 Act;
- 24 (w) appoint Professor Emeritus on such terms and conditions as may
25 be prescribed;
- 26 (x) suspend, punish and remove from service in the prescribed
27 manner officers, teachers and employees whom it is empowered to appoint;
- 28 (y) consider and approve regulations recommended by the Academic
29 Council;
- 30 (z) approve statutes.

- 1 **18.**- (1) The Academic Council shall consist of- Academic Council
- 2 (a) Chairman who shall be nominated by the Senate on the
- 3 recommendation of the Vice Chancellor;
- 4 (b) Deans;
- 5 (c) one Principal of affiliated colleges to be nominated by the
- 6 Senate;
- 7 (d) two Associate Professors and two Assistant Professors to be
- 8 elected from amongst themselves (out of whom at least one shall be a
- 9 woman);
- 10 (e) two experts including at least one female expert] in the field of
- 11 education to be nominated by the Chancellor on the recommendation of the
- 12 Vice Chancellor;
- 13 (f) Registrar (Member/Secretary);
- 14 (g) Controller of Examinations; and
- 15 (h) Librarian of the University.
- 16 (2) The members of the Academic Council shall hold office for
- 17 three years; and if the office of any such member becomes vacant before the
- 18 expiry of the term, the vacancy shall be filled for the remaining period in the
- 19 prescribed manner.
- 20 (3) The quorum for a meeting of the Academic Council shall be
- 21 one-third of the total number of members, a fraction being counted as one.
- 22 **19.**-(1) The Academic Council shall be the academic body of the Powers and
duties of the
Academic Council
- 23 University and may lay down proper standards of instruction, research,
- 24 publication and examination and to regulate and promote the academic life
- 25 of the University and affiliated colleges.
- 26 (2) In particular and without prejudice to the generality of the
- 27 foregoing provisions, the Academic Council may-
- 28 (a) advise the Senate on academic matters;
- 29 (b) regulate teaching, research and examinations;
- 30 (c) regulate the admission of students to the courses of studies and

- 1 examinations of the University and affiliated colleges;
- 2 (d) regulate the award of studentships, scholarships, medals and
- 3 prizes;
- 4 (e) regulate the conduct and discipline of students of the University
- 5 and affiliated college;
- 6 (f) propose to the Senate schemes for the constitution and
- 7 organization of faculties, institutes and other academic bodies;
- 8 (g) propose regulations on the recommendations of the Boards of
- 9 Faculties and the Boards of Studies for consideration and approval of the
- 10 Senate;
- 11 (h) propose for each academic year, on the recommendations of the
- 12 Boards of Studies, regulations prescribing the courses of studies, the syllabi
- 13 and the outlines of tests for all examinations; provided that, if the
- 14 recommendations of a Board of Faculties or the Board of Studies are not
- 15 received by the prescribed date, the Academic Council may, subject to the
- 16 approval of the Senate, permit such regulations to continue for the following
- 17 years;
- 18 (i) recognize the examinations of other Universities or examining
- 19 bodies as equivalent to the corresponding examinations of the University;
- 20 (j) appoint members to the Authorities in accordance with the
- 21 provisions of this Act; and
- 22 (k) perform such other functions as may be prescribed by the statutes.
- 23 **20.-(1)** There shall be a Board of Faculty for each faculty which shall
- 24 consist of-
- 25 (a) Dean of the faculty (Chairman);
- 26 (b) Chairman in the faculty
- 27 (c) two members of the faculty to be nominated by the Academic
- 28 Council on the basis of their specialized knowledge of the subjects which,
- 29 though not assigned to the faculty, have in the opinion of the Academic
- 30 Council, important bearing on the subjects assigned to the faculty;

Board of Faculty

1 (d) two experts in the field from outside the University to be
2 nominated by the Senate on the recommendation of the Vice Chancellor;
3 and

4 (e) one member to be nominated by the Vice Chancellor.

5 (2)The members other than ex-officio members of a Board of
6 Faculty shall hold office for a period of three years.

7 (3)The quorum for a meeting of a Board of faculty shall be one half
8 of the total number of members, a fraction being counted as one.

9 (4)A Board of faculty, subject to the general control of the Senate
10 and Academic Council, may-

11 (a) co-ordinate the teaching and research work in the subjects
12 assigned to the faculty;

13 (b) scrutinize the recommendations of a Board of Studies
14 comprising a faculty with regard to the appointment of paper setters and
15 examiners for graduate and postgraduate examinations and to forward the
16 panels of suitable paper-setters and examiners for each examination to the
17 Rector;

18 (c) consider any other academic matter relating to the faculty and
19 to submit its report to the Academic Council;

20 (d) prepare a comprehensive annual report regarding the
21 performance of each department or Institute comprising the faculty for
22 presentation to the Academic Council; and

23 (e) perform such other functions as may be prescribed by statutes.

24 **21.-** (1) The Board of Advanced Studies and Research shall consist
25 of-

Board of Advanced
Studies and
Research

26 (a) Chairman who shall be nominated by the Senate on the
27 recommendation of the Vice Chancellor;

28 (b) all the Deans;

29 (c) Controller of Examinations;

	1	(d) one University Professor from each faculty to be nominated by
	2	the Senate;
	3	(e) one member to be nominated by the Vice Chancellor; and
	4	(f) Registrar (Secretary).
	5	(2) The term of office of the members of the Board of Advanced
	6	Studies and Research other than ex-officio members shall be three years.
	7	(3) The quorum for a meeting of the Board of Advanced Studies and
	8	Research shall be one half of the total number of members, a fraction being
	9	counted as one.
Functions of the Board of Advanced Studies and Research	10	22. The Board of Advanced Studies and Research shall-
	11	(a) advise an Authority on all matters connected with the promotion of
	12	advanced studies and research publication in the University;
	13	(b) consider and report to an Authority with regard to a research
	14	degree of the University;
	15	(c) propose regulations regarding the award of a research degree;
	16	(d) appoint supervisors for a postgraduate research student and to
	17	approve title and synopses of a thesis or dissertation;
	18	(e) recommend panels of names of examiners for evaluation of a
	19	research examination; and
	20	(f) perform such other functions as may be prescribed by the statutes.
Selection Board	21	23. -(1) The Selection Board shall consist of-
	22	(a) Vice Chancellor (Chairman);
	23	(b) Dean of the faculty concerned;
	24	(c) chairman concerned;
	25	(d) one female member of the Senate to be nominated by the Senate;
	26	(e) one private member to be nominated by the Senate on the
	27	recommendation of the Vice Chancellor;
	28	(f) two experts [including at least one female expert] to be nominated
	29	by the Senate; and
	30	(g) Registrar (Secretary).

1 (2) The members other than ex-officio members shall hold office
2 for a period of three years.

3 (3) Five members including at least one expert shall constitute the
4 quorum for a meeting of the Selection Board.

5 (4) No member who is a candidate or whose family member is a
6 candidate, for a post to which appointment is to be made, shall take part in
7 the proceedings of the Selection Board for selection of a candidate on such
8 post.

9 (5) In selection of candidates for the post of Professor or Associate
10 Professor, the Selection Board shall co-opt or consult three experts in the
11 subject and in selecting candidates for any other teaching post, two experts
12 in the subject, to be nominated by the Vice Chancellor from a standing list of
13 experts for each subject approved by the Senate.

14 (6) The Senate may approve or revise the standing list of experts of
15 a subject on the recommendation of the Selection Board.

16 **24.** The Selection Board shall-

Functions of the
Selection Board

17 (a) consider the applications and recommend to the Senate, the
18 names of suitable candidates for appointment to teaching and other posts
19 and recommend suitable salary for the selected candidate; and

20 (b) consider all cases of promotion or selection of officers of the
21 University and recommend the names of suitable candidates for such
22 promotion or selection to the Senate.

23 **25.**-(1) The Finance and Planning Committee shall consist of-

Finance and
Planning
Committee

24 (a) Vice Chancellor (Chairman);

25 (b) all the Deans;

26 (c) one member of the Senate to be nominated by the Senate;

27 (d) one member of the Academic Council to be nominated by the
28 Academic Council;

29 (e) one representative each from Education Department and t

	1	Finance Department of the Government not below the rank of a Deputy
	2	Secretary;
	3	(f) Director Planning or any other nominee of the Commission;
	4	(g) Registrar; and
	5	(h) Treasurer (Secretary).
	6	(2) The term of office of the nominated members shall be three years.
	7	(3) Five members of the Finance and Planning Committee shall
	8	constitute the quorum for a meeting of the Finance and Planning Committee.
Functions of the Finance and Planning Committee	9	26. The Finance and Planning Committee shall-
	10	(a) prepare the annual statement of accounts and propose annual
	11	budget estimates and make recommendations to the Senate;
	12	(b) review periodically the financial position of the University;
	13	(c) advise the Senate on all matters relating to finance, investments
	14	and accounts of the University; and
	15	(d) perform such other functions as may be prescribed by the statutes.
Appointment of Committees by Authorities	16	27. Any Authority may constitute such standing, special or advisory
	17	committees as it may deem fit, and appoint to such committees persons who
	18	may not be its members.
	19	PART IV - FINANCIAL PROVISIONS
University Fund	20	28. -(1) There shall appropriation made to the University from the
	21	budget .
	22	(2) The University may accept donations in the shape of land, vehicle,
	23	equipment or any other item that may facilitate the functioning of the
	24	University and all such donations shall be used, maintained and disposed of by
	25	the University in the prescribed manner.
Budget, audit and accounts	26	29. -(1) The budget of the University shall be approved and its
	27	accounts shall be maintained and audited in such manner as may be prescribed
	28	by the Senate.
	29	(2) The Senate may approve the budget of the University,
	30	appropriations of accounts of the University and settle an audit para relating to

1 the audit of the University.

2 (3)The Senate may delegate the power of appropriation or re-
3 appropriation of funds to an officer of the University.

4 **30.** The Government shall appoint, on deputation, an appropriate Resident Auditor
5 officer of the Auditor General of the federation as the Resident Auditor of
6 the University.

7 PART V - MISCELLANEOUS

8 **31.**-(1) If an order is passed by an Authority, body or officer of the Appeal to Senate
9 University, other than the Chancellor or the Senate, and an appeal against the
10 order is not provided under the statutes or regulations, any aggrieved person
11 may prefer an appeal against the order to the Senate.

12 (2) The Senate may constitute a committee of its members to hear
13 and dispose of any appeal on behalf of the Senate.

14 (3) If a member of the Senate is the officer who passed the order or
15 who is also member of the Authority against whose order appeal is filed
16 before the Senate, such member shall not hear the appeal as member of the
17 Senate or be part of the committee constituted to hear and dispose of the
18 appeal.

19 **32.**-(1) Subject to the provisions of this section, where it appears to Discipline of
20 the Vice-Chancellor that any student of the University has been guilty of students
21 misconduct, the Vice-Chancellor may, without prejudice to any other
22 disciplinary powers conferred on him by statute or regulations, direct-

23 (a) that the student shall not, during such period as may be specified
24 in the direction, participate in such activities of the University, or make use
25 of such facilities of the University, as may be so specified; or

26 (b) that the activities of the student shall, during such period as may
27 be specified in the direction, be restricted in such manner as may be so
28 specified; or

29 (c) that the student be rusticated for such period as may be specified
30 in the direction; or

1 (d) that the student be expelled from the University.

2 (2) Where a direction is given under subsection (1) (c) or (d) of this
3 section in respect of any student, the student may, within the prescribed period
4 and in the prescribed manner, appeal from the direction to the Council; and
5 where such an appeal is brought, the Council shall, after causing such inquiry to
6 be made in the matter as the council considers just, either confirm or set aside
7 the direction or modify it in such manner as the Council thinks fit.

8 (3) The fact that an appeal from a direction is brought in pursuance of
9 the last foregoing subsection shall not affect the question of the direction while
10 the appeal is pending.

11 (4) The Vice-Chancellor may delegate his powers under this section
12 to a disciplinary board consisting of such members of the University as he may
13 nominate.

14 (5) Nothing in this section shall be construed as preventing the
15 restriction or termination of a student's activities at the University otherwise
16 than on the ground of misconduct.

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

Regulations

20 **33.**-(1) Subject to the provisions of this Act and the statutes, the
21 Senate may, on the recommendation of the Academic Council, frame
22 regulations in respect of any of the following matters-

23 (a) courses of study for degrees, diplomas and certificates of the
24 University

25 (b) manner and method of teaching conducted in the University and
26 affiliated colleges;

27 (c) admission of students to the University and conditions under
28 which they are admitted or allowed to take courses and examinations of the
29 University and become eligible for the award of degrees, diplomas and
30 certificates;

1 (d) fees and other charges to be paid by students for admission to
2 the courses of studies and the examinations of the University;

3 (e) conduct of examinations;

4 (f) conduct and discipline of students of the University;

5 (g) conditions of residence of the students of the University or
6 colleges including the levying of fee for residence in halls of residence and
7 hostels and approval of hostels, and lodgings for students;

8 (h) conditions for acquiring research degrees;

9 (i) institution of fellowships, scholarships, medals and prizes;

10 (j) institution of stipends and free and half-free studentships;

11 (k) academic costume;

12 (l) use of the library;

13 (m) formation of teaching departments and Boards of Studies; and

14 (n) all other matters which under the Act or the statutes are to be or
15 may be prescribed by regulations.

16 (2) The Academic Council shall prepare and submit the regulations
17 to the Senate and the Senate may approve them with or without
18 modifications or refer them back to the Academic Council for
19 reconsideration or reject them.

20 **34.**-(1) An Authority or a body of the University may make rules Rules
21 consistent with this Act, statutes and regulations, to regulate the conduct of
22 its business.

23 (2) The Senate may direct any Authority or body of the University
24 to amend or repeal any rules made by the Authority or body.

25 **35.** In this Act unless the context otherwise requires- Interpretation

26 (a) "Academic Council" means the Academic Council of the University;

27 (b) "affiliated college" means a college or institute affiliated with
28 the University;

29 (c) "Authority" means an Authority of the University;

30 (d) "chairman" includes head of a department, principal of a

- 1 constituent college or director of an institute;
- 2 (e)"Chancellor" means the Chancellor of the University;
- 3 (f) "Commission" means National university Commission;
- 4 (g) "constituent college" means a college maintained and
- 5 administered by the University;
- 6 (h)"Controller of Examinations" means Controller of Examinations
- 7 of the University;
- 8 (i) "Dean" means head of a faculty of the University;
- 9 (j)"department" means a teaching department maintained and
- 10 administered by the University in the prescribed manner;
- 11 (k)"faculty" means an administrative and academic unit of the
- 12 University consisting of one or more departments, institutes or constituent
- 13 colleges;
- 14 (l)"Government" means Government of the federal republic of
- 15 Nigeria;
- 16 (m)"institute" means an institute established, maintained and
- 17 administered by the University.
- Citation 18 **36.** This Bill may be cited as Federal University of Health Sciences
- 19 Bill, 2021.

EXPLANATORY MEMORANDUM

This Bill seeks to establish Federal University Of Health Sciences, Ijebu Ode, provide a comprehensive provisions for its due administration.