

*Extraordinary*



# National Assembly Journal

**No. 03**

**Abuja - 6th February, 2020**

**Vol. 17**

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Printed and Published by the National Assembly Press, Abuja, Nigeria

**NASSP 03/62/2020/900**

Subscribers who wish to obtain the Journal after 1st January should apply to the Clerk, National Assembly, Abuja for amended Subscriptions.

GAS FLARING (PROHIBITION AND PUNISHMENT) BILL, 2020

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# A BILL

## FOR

AN ACT TO PROHIBIT FLARING OF NATURAL GAS IN NIGERIA AND FOR  
MATTERS CONNECTED THEREWITH

*Sponsored by Senator Bassey Albert Akpan*

[ ] Commencement

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

- 1           **1.-(1)** Natural gas shall not be flared or vented in any oil and gas      Prohibition of  
2           production operation, block or field, onshore or offshore, or gas facility      Gas flaring  
3           (processing treatment plant, etc.) which shall commence operations after the  
4           commencement of this Act. Any gas flaring or venting occurring during  
5           appraisal, commissioning and production phases of a development should  
6           be kept to the minimum that is technically and economically justified.
- 7           **2.-(1)** No operator shall establish a gas facility in Nigeria without      Authorization  
8           obtaining authorization from the Minister under this Act for the design  
9           phase, the commissioning and the production phases.
- 10          **3.-(a)** The design stage:      Application for  
11          Every operator who wants to establish a gas facility must submit to the      authorization  
12          Minister for authorization, a field development program covering the issues  
13          of gas flaring and venting and the environmental statement for development.  
14          The minister may refuse authorization where the project has a significant  
15          negative environmental impact or he may impose conditions to mitigate the  
16          adverse effect imposed in the field development authorization;
- 17          **(b)** The commissioning phase:  
18          The operator wishing to establish a gas facility must apply for the  
19          authorization of the Minister two months before the start of production. Such  
20          application must include aspects of the project, flaring and venting  
21          assumptions and the method of calculations of the flaring and venting

	1	volumes. The Ministers authorization will restrict the duration of any flaring
	2	and venting to one and three months and specify the maximum gas to be flared
	3	and vented on an auditable program prepared by the operator;
	4	(c) The production phase:
	5	Every operator must apply for authorization to the minister to flare or vent gas
	6	in the 3rd quarter of the preceding year. Such application for consent must
	7	include a forecast of volumes for the following flare and vent categories:
	8	(i) Base load flare,
	9	(ii) Flaring from operational or mode changes,
	10	(iii) Emergency shutdown/process trip flares,
	11	(iv) Un-ignited vents including an estimated annual average
	12	composition of vented streams.
Cessation of gas flaring	13	4. No company engaged in the production of oil and gas shall after
	14	31st December, 2019 flare gas produced whether in association with oil or not,
	15	unless the flaring or venting is technically and economically justified.
Operators to submit gas utilization plan within 90 days of the commencement of this Act	16	5.-(1) The oil and gas operators with flared gas resources shall within
	17	90 days of the passage of this Act categorize all of their flared gas resources
	18	(daily flare quantity, reserve, location, composition) and submit this data along
	19	with gas utilization plans to the Minister of the gas they intend to utilize before
	20	the flare out deadline.
	21	(2)(a) The minister shall approve same within 60 days of receipt of the
	22	said plan and shall post all approved plans, and all data of unplanned natural
	23	gas resources for public consumption;
	24	(b) Bids shall be accepted from third party companies with
	25	commercial uses for the unplanned flared gas within a period of not less than
	26	120 days after the posting of this information;
	27	(c) These bids shall be reviewed by the ministry and contracts with
	28	eligible bidders shall be signed for long term access to these gas resources
	29	within 60 days;
	30	(d) All gas which remains unplanned for must be shut in or reinjected

1 within one year to the finalization of third party contracts.

2           **6.-(1)(a)** No person shall direct, permit or otherwise aid, empower  
3 or authorize howsoever, any company engaged in oil and gas operations to  
4 flare or vent gas; Prohibition of  
directive or  
authorization to  
flare gas

5           **(b)** However, the Minister may grant a permit of not more than 30  
6 days to flare or vent gas in cases of start-up, equipment failure, shut down or  
7 safety flaring.

8           **(2)** Any person who flares or vents gas without the permission of  
9 the Minister in the circumstances mentioned in subsection (1) (b) of this  
10 section shall be liable to pay a fine which shall not be less than the cost of the  
11 gas at the international market.

12           **7.-(1)** Any licensee or lessee, who fails to meet the annual gas flare  
13 reduction target set by the Minister in respect of any year, shall be liable to  
14 pay a fine as specified in section 4(2). Failure to meet  
annual gas flare  
reduction target

15           **(2)** The fine shall be payable in respect of the volumes of gas by  
16 which such licensee or lessee failed to meet the annual gas flare reduction  
17 target.

18           **8.-(1)(a)** No license or lease for the production of oil and gas  
19 whether onshore, offshore or deepwater shall be granted to any applicant  
20 unless the application for such a license or lease is accompanied by a  
21 comprehensive programme acceptable by the Minister, for the utilization of  
22 natural gas both for general, domestic (e.g. Integrated power plants,  
23 industries, etc.) and export purposes; Gathering  
utilization of  
reinjection of  
natural gas

24           **(b)** No license or lease for the production of oil and gas in Nigeria  
25 shall be granted to any applicant unless the Minister is satisfied with the  
26 applicant's gas utilization program;

27           **(c)** The utilization program referred to in subsection 1(a) above,  
28 must be in consonance with the National Gas Master Plan, domestic gas  
29 supply obligation, and national policies as may be made in respect of the gas  
30 sector from time to time by the Federal Government.

1 (2)(a) Licensees and lessees operating oil and gas fields in Nigeria  
2 before the commencement of this Act, shall within three months of the  
3 commencement of this Act submit to the Minister feasibility study, programme  
4 or proposals that they have for the gathering, utilization and reinjection of any  
5 natural gas, whether associated with oil or not, which has been discovered in  
6 the relevant area;

7 (b) Any Licensee or lessee who fails to comply with subsection (2)(a)  
8 of this section shall be liable to pay a fine as stated in section 9 of this Act;

9 (c) The Minister shall make appropriate arrangement for the exercise  
10 of the right vested in the Federal Government by paragraph 35 (b) (i) of the first  
11 schedule to the petroleum Act 1969.

12 Provided always that:

13 (i) lack of due exercise of the right of the Federal Government to take  
14 natural gas produced with crude oil shall not be a ground for flaring such gas;

15 (ii) the licensee and lessee operating the field, group of fields or  
16 facility from which gas is produced shall re-inject such gas that he is not able to  
17 harness for valuable utilization as prescribed by the Associated Gas Re-  
18 injection Act, rather than dispose through the flare or vent; or

19 (iii) the licensee and lessee operating the field from which gas is  
20 produced shall shut a field where he is of the view that the gas produced there-  
21 from cannot be re-injected or utilized as provided in subsection 2(a) of this  
22 section.

Continued flaring

23 9.-(1) Subject to the exceptions specified in section 6, where a  
24 licensee or lessee fails to meet the annual gas flare reduction target set by the  
25 Minister in respect of any year, the licensee or lessee shall, in respect of the  
26 volumes of gas by which the licensee or lessee failed to meet the annual gas  
27 flare reduction target, pay a fine in accordance with the penalties laid out in  
28 section 9 of this Act.

29 (2) The volumes of gas flared from any facility that is a part of oil and  
30 gas operations shall be measured using the metering equipment specified from

1 time to time by the Minister.

2 (3) Within three months from the commencement of this Act, each  
3 licensee or lessee shall install the metering equipment specified in this Act on  
4 every facility in its operation from which gas is flared or vented.

5 10.-(1) After the flares-out target date of 31st December, 2019, any  
6 person, group of persons or community may lodge a documented report of  
7 gas flaring or venting with the nearest office of the Department of Petroleum  
8 Resources.

Gas Flare reports  
after 1st December,  
2019

9 (2) The Minister shall appoint an officer to receive and record  
10 report of gas flaring or venting.

11 (3) An officer appointed pursuant to subsection (2) of this section  
12 who receives a report of gas flaring or venting shall within forty-eight hours  
13 of receipt of such report, inspect the facility where gas is allegedly being  
14 flared, verify the authenticity of the report to determine the cause of the gas  
15 flaring, the date when the gas flaring commenced and the volumes of gas  
16 flared or vented from the facility each day.

17 (4) The officer shall submit a report of the verification exercise to  
18 the Minister within seven days of his visit to the facility from which gas is  
19 being flared or vented.

20 (5) If the Minister determines that the report of gas flaring is  
21 authentic and that the flared gas does not fall within any of the exceptions  
22 specified in section 6(ii), he may at his discretion, impose the fine specified  
23 in section 6(iii) in respect of the volumes of gas flared or vented from that  
24 facility or issue a shut down order mandating the shut down of the facility in  
25 question or both.

26 (6) On receipt of a shut down order, the operator of the facility shall  
27 comply with the order within forty-eight hours from the date of receipt of the  
28 shut down order.

29 11.-(1)(a) (i) Any person who flares gas after 31st December, 2019  
30 contrary to section 4 of this Act, commits an offence under this Act, and shall

Offences and  
penalties

1 be liable on conviction to pay a fine which shall not be less than the cost of gas  
2 at the international market.

3 Provided that:

4 (i) any payment due under this paragraph shall be made in the same  
5 manner and be subject to the same procedure as for the payment of royalties;

6 (ii) The current \$3.50 per 1000scf penalty for gas flared shall continue  
7 until 1st January, 2020 when the new penalty regime shall commence;

8 (iii) In the case of third party utilization, penalties will only be  
9 imposed at the end of the approved project schedule or 31st December, 2019  
10 whichever is later;

11 (iv) For flares accessed through third party contractors, penalties will  
12 be imposed on third party accessing companies having signed contracts for this  
13 gas, not on the operator of the field from which the gas is being accessed.

14 (b) The operator of the field or group of fields from which gas is flared  
15 or vented in contravention of section 1 (2) of this Act, shall also be liable to pay  
16 an amount equivalent to fifty percent of the penalty prescribed in paragraph (a)  
17 of this sub-section, as compensation through the office of the Minister to the  
18 Local Government Council for community development activities in the  
19 adjoining communities where the gas flare or vent activity is perpetrated;

20 (c) The penalty payable on the volume of gas flared by any person  
21 from the commencement of this Act, and for each day the flare or vent  
22 continues shall also be made public by the Minister and the operator separately  
23 and independently within a maximum of 60 days of the offence;

24 (d) A Demand Order for payment of penalty shall also be made public;

25 (e) Failure to comply with a Demand Order issued under paragraph  
26 (d) shall attract a penalty for each day the non-compliance continues with a 20  
27 per cent surcharge.

28 (2)(a) Without prejudice to subsection 1 of this section, the  
29 concessions granted in the particular field or group of fields from which gas is



1 being flared or vented in contravention of section 2 of this Act shall be  
2 forfeited;

3 (b) The Minister shall revoke the licence or lease under which the  
4 field or group of fields from which the offence under section 1(2) of this Act  
5 was committed;

6 (c) A Certificate of Forfeiture and the Revocation Order shall be  
7 issued and made public.

8 (3)(a) It shall be an offence to fail, refuse and or neglect to forward  
9 a gas flare report lodged or falsify any report under section 10 of this Act to  
10 the Director for appropriate action;

11 (b) Any person guilty of an offence committed under paragraph (a)  
12 of this subsection shall be liable to three months imprisonment or an option  
13 of fine not less than the value of 50 per cent of the volume of gas flared or  
14 vented.

15 **12.** The provision of this Act shall apply to the Exclusive Zone and  
16 free trade zones as they apply to land as defined in section 1 of the Petroleum  
17 Act.

Act to apply in  
Exclusive Zone

18 **13.** The Minister shall be answerable to the National Assembly for  
19 failure, refusal, and or neglect to shut down or implement the penalties or  
20 any field, group of fields, or facility which contravenes the provision of this  
21 Act.

Miscellaneous  
Provisions

22 **14.** The Minister shall immediately after the coming into effect of  
23 this Act make Regulations to prescribe:

Power to make  
Regulations

24 (a) The manner in which any order, directive, or application in  
25 accordance with the provisions of this Act shall be made and the form to be  
26 used;

27 (b) The procedure for making a Gas Flare Report, recording and  
28 filing of report, publication of Shut Down Order;

29 (c) The terms and condition of reviewing where he deems fit in the  
30 national interest, without jeopardizing the health, safety and the

1 environment of any affected community, a shut down order for the purpose of  
2 reopening of field, group of fields or facility shut down pursuant to the  
3 provisions of this Act;

4 (d) Generally for carrying into effect the purposes and provisions of  
5 this Act;

6 (e) The Minister would ensure that gas flared or vented is catalogued  
7 with information on site(longitude, latitude, local Government Area and ward),  
8 daily volume and gas reserves within 90 days of the commencement of this  
9 Act;

10 (f) (i) The field operators responsible for each of these flares/vents  
11 should put together project designs for gas utilization. Project plans are to be  
12 submitted to the Minister within 90 days of this Act coming into effect;

13 (ii) The plans shall be deemed to have been acceptable and approved  
14 if the Minister does not respond in the negative to any plan formally submitted  
15 by the operators within 60 days of submitting the plans to the Ministers office.

16 (g) The Ministry shall maintain a Gas Source Database where all  
17 unplanned flares/vents are to be posted and made public. Any unplanned gas  
18 shall be considered free for third party bids.

19 (h) (i) The Minister shall be responsible for developing and  
20 publishing guidelines for evaluating project process and where the Facility  
21 Milestone target is not met, the project sponsor maybe liable to delay penalties  
22 or forfeit its gas concession;

23 (ii) The delay penalty shall be the equivalent of the prevailing fine as  
24 contained in section 4(3) of this Act with a 20 per cent surcharge.

Special  
Considerations

25 **15.-(1)** All infrastructural projects undertaken to support gas flare out  
26 will be entitled to 5 years corporate tax exemption and other concessions as  
27 may be granted by the Federal Government.

28 (2) All projects aimed at producing for the Nigerian market shall  
29 enjoy the following waivers:

30 (a) 5 year corporate tax exemption;

1 (b) land or equivalent of the cost of the land in tax deductions from  
2 VAT; and

3 © all projects employing above 200 Nigerians or at least 40 per  
4 cent Nigerian equity ownership shall enjoy tax write off for insurance policy  
5 premium for 5 years after commissioning.

6 **16.** The powers conferred on the Minister by this Act may be Delegations of the  
7 exercised by any one duly authorized by the Minister to do so. powers of the  
Minister

8 **17.** The Minister's powers granted under this Act shall be reviewed Power of Review  
9 and re-appraised after every two years.

10 **18.** In this Act: Interpretation

11 "Continuous production flaring" means the long term flaring of natural gas  
12 that is associated with the process of crude oil production and that is not  
13 utilized for on-site or off-site energy needs, recovered for local or  
14 international gas marketers, or re-injected;

15 "Department of Gas" means the Department of Gas in the Ministry of  
16 Petroleum, or such other Department, Agency or Parastatal as may be  
17 established from time to time by the Federal Government and charged with  
18 responsibility for management of natural gas resources;

19 "Director" means the Director, Department of Petroleum Resources;

20 "Gas flaring" means any flaring of natural gas associated with the process of  
21 oil production, and includes continuous production flaring but excludes  
22 safety flaring and non-continuous production flaring. Analogous  
23 expressions, such as "gas flare", "flaring of gas", "flare gas" shall have the  
24 same meaning as "gas flaring";

25 "Flare reduction targets" means the annual gas flaring percentage reduction  
26 target set by the Federal Government;

27 "Licensee" means the holder of an Oil Prospecting License;

28 "Lessee" means the holder of an Oil Mining Lease;

29 "Minister" means the Minister charged with the responsibilities for matters  
30 relating to Gas;

1 "mmscf" means one million standard cubic feet;  
2 "Non-continuous production flaring" means the flaring of gas streams that may  
3 result from short-term releases, including but not limited to short-term well  
4 testing, commissioning of facilities, emergencies, equipment or compressor  
5 start-ups and shutdowns, equipment failure, etc;  
6 "Operator" on all issues relating to penalties refers to the actual operating  
7 partner and not to the entire joint venture for the avoidance of doubt, when  
8 government, as represented by any of its agencies, is not the operating partner,  
9 it shall not be required to pay any penalty imposed for the breach of any law;  
10 "Reasonable and prudent operator" means a person or entity seeking in good  
11 faith to perform its covenants or obligations in accordance with its Oil Mining  
12 Lease, Oil Prospecting License and/or applicable governance agreements and  
13 in so doing and in the general conduct of its undertaking, exercising that degree  
14 of skill, diligence, prudence and foresight which would reasonably and  
15 ordinarily be expected from a skilled and experienced operator complying with  
16 all applicable laws engaged in the same type of undertaking under the same or  
17 similar circumstances and conditions; and the expression "standard of a  
18 reasonable and prudent operator" shall be constructed accordingly;  
19 "Safety flaring" means the flaring of natural gas that occurs because of a  
20 temporary or permanent lack of adequate gas processing facilities to prevent  
21 gas venting and injuries to people, equipment and the environment during  
22 process upsets, testing and/or commissioning.

Short title

23 **19.** This Bill may be cited as the Gas Flaring (Prohibition and  
24 Punishment) Bill, 2020.

25 SCHEDULE

26 *Consequential Amendments*

27 1. Notwithstanding anything to the contrary in any enactment, the  
28 power of the Minister to issue Certificate for continued flaring of gas existing  
29 immediately before the commencement of this Act, under section 3(2) of the  
30 Associated Gas Re-Injection Act, CAP. A25 LFN 2004 shall, upon the

- 1 commencement of this Act, be revoked, and the Minister's power shall be  
2 limited to the scope of the power and obligations of the Minister as specified  
3 in this Act.

EXPLANATORY MEMORANDUM

This Bill seeks to make provisions for the prohibition of gas flaring in any oil and gas production operation, blocks, field, onshore or offshore and gas facility treatment plant in Nigeria.



FOR

AN ACT TO INCORPORATE AND ENFORCE CERTAIN PROVISIONS OF THE UNITED NATIONS CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN, THE PROTOCOL TO THE AFRICAN CHARTER ON HUMAN AND PEOPLE'S RIGHTS ON THE RIGHTS OF WOMEN IN AFRICA, AND OTHER MATTERS CONNECTED THEREWITH

*Sponsored by Senator Biodun Christine Olujimi*

[ ] Commencement

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

1	<b>1. The purpose of this Bill is to give effect to:</b>	Purpose of this Bill
2	(a) Chapters II and 1V of the 1999 Constitution of the Federal	
3	Republic of Nigeria;	
4	(b) The International Covenants on Human Rights which affirm	
5	the principle of non-discrimination and proclaims that all humans are born	
6	free and equal in dignity and rights, and that everyone is entitled to all the	
7	rights set out without distinction of any kind including distinction based on	
8	sex;	
9	(c) certain provisions of the Convention on the Elimination of all	
10	Forms of Discrimination against Women, and the protocol to the African	
11	Charter on the Rights of Women in Africa.	
12	<b>2.-(a) No person, organ or agency of government, public and</b>	Prohibition of Discrimination
13	private institution, commercial or corporate body shall either through words	
14	spoken, acts, inactions, omissions, laws, regulations, administrative	
15	procedures, policies, guidelines, rules, customs or practices discriminate	
16	against any person on the ground of gender, age or disability;	
17	(b) Any law, regulation, custom or practice, which constitutes	
18	discrimination, shall be null and void and of no effect and shall not be	

	1	enforceable against any person;
	2	(c) No rule or directive of an organ or agency of government, public or
	3	private institution, corporate, social or communal entity which is a violation of
	4	the provisions of this Bill shall be enforced against any person.
Promotion of Equality, full development and advancement of the persons	5	3. Every organ or agency of government, public and private
	6	institution or commercial or corporate body in Nigeria shall:
	7	(a) take all appropriate measures, including regulatory policy, fiscal
	8	and administrative measures, to ensure the full development and advancement
	9	of all persons, especially young women and girl children, for the purpose of
	10	guaranteeing to them the exercise and enjoyment of human rights and
	11	fundamental freedoms on a basis of non-discrimination and equality of all
	12	persons;
	13	(b) accord to women, children, and other persons equality before the
	14	law, including:
	15	(i) give guaranteeing women equal rights to conclude contracts and
	16	administer property;
	17	(ii) treating women equally with men in all stages of proceedings in
	18	courts and tribunals;
	19	(iii) ensuring that no rule, regulation, agreement, protocol, contract
	20	or other public or private instrument of any kind with a legal effect restricts,
	21	limits or in any way discriminates against any person in terms of legal capacity;
	22	(iv) ensuring that no practices of any law enforcement agency or body
	23	restrict or limit the legal capacity of women to undertake surety or
	24	recognisance on behalf of any person;
	25	(v) desisting from denying or limiting any privilege, respect,
	26	advantage or benefit due or accruable to any woman only on the basis that she is
	27	a woman.
Adoption of temporary special measures to eliminate discrimination	28	4.-(a) Every agency or organ of government, public or private
	29	institution or corporate body, shall adopt temporary special measures as set out
	30	in this Bill aimed at accelerating de facto equality of opportunity and treatment



1 between men and women, and such measures shall not be considered  
2 discrimination as defined in this Bill or in any other law in force, and shall in  
3 no way entail as a consequence the maintenance of unequal or separate  
4 standards or regulations:

5           Provided that:

6           (i) where a position exists under the special provisions of this  
7 section information shall be disseminated widely;

8           (ii) these measures undertaken pursuant to the provisions of this  
9 section shall be gradually discontinued when the objectives of equality of  
10 opportunity and treatment have been achieved, provided further that no  
11 special measure shall be in place and be enforced for a period of less than 10  
12 years or more than 25 years.

13           (b) For the purpose of the special measures provided in paragraph  
14 (a) of this section, it shall be mandatory for all organs of government, public  
15 or private institutions and corporate bodies to ensure:

16           (i) in the case of political and public sphere, that a minimum of 35  
17 per cent of all offices, positions, or appointments is reserved for women;

18           (ii) in the case of employment, credit or other economic sphere in  
19 the public or private, a minimum of 35 percent of all offices, facilities,  
20 positions or appointments is reserved for women;

21           (iii) in the case of educational placement and school enrollment,  
22 including award of scholarships, bursaries, or such allocations, that parity is  
23 ensured for boys and girls, men and women;

24           (iv) In the case of primary school enrolment, mechanisms should  
25 be put in place to ensure parity in enrolment and retention of boys and girls.

26           (v) In all other cases, a minimum of 35 percent is reserved for  
27 women.

28           (c) Without prejudice to the provisions of paragraphs (a) and (b) of  
29 this section, all organs or agency of government, public or private  
30 institution, commercial or corporate body, community, or other entity, shall

Modification  
of Socio-Cultural  
practices

1 take appropriate measures to protect the maternity status and reproductive  
2 health of women, including allocation of special facilities, time, and resources  
3 aimed at protecting maternity, and such special measures shall not be  
4 considered discriminatory.

5           **5.** Every organ or agency of government, public or private institution,  
6 commercial or corporate body, community, or other social entity, including  
7 educational institutions shall have the responsibility to modify the social and  
8 cultural patterns of conduct of men and women, with a view to achieving the  
9 elimination of gender stereotyping, prejudices, and customary and all other  
10 practices which are based on the idea of the inferiority or the superiority of  
11 either of the sexes, or the roles for men and women, and to this end:

12           (i) every public or private educational institution shall ensure the  
13 adoption of appropriate teaching methods and curriculum including provision  
14 of facilities that emphasise the promotion of equality of all sexes in all  
15 circumstances and for all purposes, including choice of career, equal  
16 participation and inclusion of all persons in all activities of the school or  
17 institution;

18           (ii) the family as a unit of society shall ensure that values, practices or  
19 other forms of upbringing of children, ward and young people in the family and  
20 community, or other forms of socialisation, is not discriminatory, and promotes  
21 a proper understanding of maternity as a social function and the recognition of  
22 the common responsibility of men and women in the upbringing and  
23 development of their children;

24           (iii) Widows shall not be subjected to inhuman, humiliating or  
25 degrading treatment;

26           (iv) A widow is entitled to guardianship and custody of her children,  
27 after the death of her husband, unless this is contrary to the interests and the  
28 welfare of the children;

29           (v) A widow shall in the exercise of her freedom of choice, have the  
30 right to remarry the person of her choice;

1 (vi) A widow shall have the right to a fairshare in the inheritance of  
2 the property of her husband and shall have the right to continue to live in the  
3 matrimonial house provided that in the case of re-marriage, she shall retain  
4 this right only if the house belongs to her;

5 (vii) Women and men shall have the right to inherit, in equitable  
6 shares, their parents' properties.

7 **6.** Every organ or agency of government, public or private  
8 institution, commercial or corporate body, shall take all appropriate  
9 measures to eliminate discrimination against women in the political and  
10 public life of the country and, in particular, shall ensure to men and women,  
11 on equal terms, the right to:

Elimination of  
discrimination in  
political and  
public life

12 (a) participate fully in all political activities, including the right to  
13 vote and be voted for in all elections and public referenda, and to be eligible  
14 for election to all publicly elected offices and bodies without any restriction,  
15 limitation or barriers whatsoever;

16 (b) participate in the formulation of government policy and the  
17 implementation thereof and to hold public office and perform all public  
18 functions at all levels of government;

19 (c) be given, on equal terms and without any discrimination, and  
20 without prejudice to the provisions of section 4 of this bill, the opportunity to  
21 represent such organ or agency of government, public or private institution,  
22 commercial or corporate body, in any official capacity, or to represent the  
23 Federal Republic of Nigeria or any part of the federation at the national,  
24 regional or international level, and to participate in the work of international  
25 organisations without any restriction whatsoever.

26 **7.** Every organ or agency of government, public or private  
27 institution, commercial or corporate body shall take all appropriate  
28 measures to eliminate discrimination against women in the field of  
29 education, to ensure on the basis of equality of men and women, and without  
30 prejudice to the provisions of section 4 of this bill:

Elimination of  
discrimination  
in education

Elimination of  
discrimination  
in employment

1 (a) The same conditions for career and vocational guidance, for  
2 access to studies and for the achievement of certification in educational  
3 establishments of all categories in rural as well as in urban areas; this equality  
4 shall be ensured in pre-school, general technical, professional and higher  
5 technical education, as well as in all types of vocational training;

6 (b) The elimination of any stereotyped concept of the roles of men and  
7 women at all levels and in all forms of education by encouraging coeducation  
8 and other types of education which will help to achieve this aim;

9 (c) The same and equal opportunities to benefit from scholarships,  
10 bursaries, and other study grants;

11 (d) The same opportunities for access to programmes of continuing  
12 education, including adult and functional literacy programmes, particularly  
13 those aimed at reducing, at the earliest possible time, any gap in education  
14 existing between men and women;

15 (e) The same Opportunities to participate actively in vocational, extra  
16 curriculum, and other non-academic activities of such school private or public  
17 educational institution including in sports and physical education.

18 **8.** Every organ or agency of government, public or private institution,  
19 commercial or corporate body shall take all appropriate measures to eliminate  
20 discrimination against women in the field of employment, occupation or  
21 profession, in order to ensure, on a basis of equality of men and women, and  
22 without prejudice to the provisions of section 4 of this Bill:

23 (a) The right to work commensurate with skill, competence, expertise  
24 and knowledge, as an inalienable right of all human beings;

25 (b) The right to equal employment opportunities, including the  
26 application of the same criteria for selection, promotion and assignment of  
27 responsibilities in employment;

28 (c) The right to free choice of profession and employment, and equal  
29 treatment and consideration in the areas of promotion, job security and all

1 benefits and conditions of service including training and retraining  
2 opportunities;

3 (d) The right to equal remuneration of persons of equal skill,  
4 competence, expertise and knowledge, including benefits, and to equal  
5 treatment in respect of work of equal value, as well as equality of treatment  
6 in the evaluation of the quality of work;

7 (e) The right to social security, particularly in cases of  
8 unemployment, sickness, physical challenges, old age and other incapacity  
9 to work, as well as the right to paid leave;

10 (f) The right of a woman in employment to maternity leave or any  
11 such leave or concession relating to her maternity needs, shall not limit or  
12 restrict her right to equal treatment as provided under this section;

13 (g) The right of everyone to the protection of the person's health  
14 including maternal health, and to the person's safety in the work place,  
15 including the safeguarding of the function of, and choices in, reproduction  
16 and maternal or paternal responsibilities, and no rule, regulation or policy of  
17 any organ or agency of government, public or private institution,  
18 commercial or corporate body, or other entity shall limit or restrict or  
19 otherwise strictly regulate the period or conditions, an employee  
20 undertaking maternity leave or other advantages in the workplace relating  
21 thereto.

22 9.-(a) Every organ or agency of government, public or private  
23 institution, commercial or corporate body shall prevent discrimination  
24 against women on the grounds of marriage, marital status, or maternity;  
25 accordingly, shall:

Elimination of  
discrimination  
on grounds of  
marital status

26 (i) not dismiss, restrict or otherwise impose any disadvantage on  
27 any person in respect of employment, contract, or other occupational  
28 engagement, whether in the public or private sphere, on the grounds solely  
29 of the person's marital status, circumstances of birth, condition of  
30 pregnancy, maternity leave, or such other reasons relating to the person's

Elimination of  
discrimination  
in Health

1 maternal or paternal status;

2 (ii) ensure enforcement of maternity leave with pay or with  
3 comparable social benefits without loss of former employment, promotion,  
4 advantage, or other allowances which otherwise are due to the person;

5 (iii) provide necessary supporting social services to enable parents in  
6 employment to combine family obligations with work responsibilities and  
7 participation in public life, in particular through the establishment and  
8 development of child-care facilities in the work premises;

9 (iv) Provide special protection to women during pregnancy in types of  
10 work and practices harmful to them.

11 (b) Protective regulations, policies and practices relating to matters  
12 covered in paragraph (a) of this section and the other sections of this Bill, shall  
13 be reviewed as often as necessary in the light of scientific and technological  
14 knowledge and shall be revised, repealed or extended as necessary.

15 **10.**-(a) Every organ or agency of government, public or private  
16 institution, commercial or corporate body shall take all appropriate measures  
17 to eliminate discrimination against any person on any ground whatsoever, in  
18 the field of health care and shall ensure that all women who are pregnant and  
19 within 2 years of delivery, and all children under the age of 12, are given free  
20 and quality health care services, including provision of all necessary medical,  
21 surgical, diagnostic, and pharmacological supplies;

22 (b) Notwithstanding the provisions of paragraph (a) of this section, all  
23 organs or agencies of government, public or private institution, commercial or  
24 corporate body shall ensure provision and access to appropriate services and  
25 information in connection with Health status of the spouses, the pre natal,  
26 confinement and the post-natal period, granting free services where necessary,  
27 as well as adequate nutrition during pregnancy and lactation;

28 (c) Every man and woman is entitled to receive the necessary  
29 material, medical, psychological, socio and legal assistance through  
30 governmental agencies and non-governmental agencies providing such

1 assistance; as well as being informed and availed access to legal, health and  
2 social services and other relevant assistance.

3 **11.** Every organ or agency of government, public or private  
4 institution, commercial or corporate body shall eliminate discrimination  
5 against women in all areas of economic and social life in order to ensure,  
6 on the basis of equality between men and women, the same rights, in  
7 particular:

Elimination of  
discrimination  
on socio-economic  
grounds

8 (a) the right to family benefits;  
9 (b) the right to equal access between men and women to capital,  
10 credit, including informal sector, small and medium scale loans, mortgages  
11 and other forms of financial credit;

12 (c) the right to participate in recreational activities, sports and all  
13 aspects of cultural li

14 **12.** Every organ or agency of government, public or private  
15 institution, commercial or corporate body shall:

The Rights of  
persons in Rural  
Communities

16 (a) ensure the application of the provisions of this Bill to women in  
17 rural areas; by;

18 (b) Taking all appropriate measures to eliminate discrimination  
19 against women in rural areas in order to ensure, on the basis of equality  
20 between men and women, that they participate in and benefit from rural  
21 development and, accordingly, shall ensure to such women the right to:

22 (i) participate in the identification, design and implementation of  
23 development projects at all levels;

24 (ii) benefit directly from social security programmes;

25 (iii) obtain all types of training and education, formal and non-  
26 formal, including that relating to functional literacy, as well as the benefit of  
27 all community and extension services, in order to increase their technical  
28 proficiency;

29 (iv) organise self-help groups and co-operatives in order to obtain  
30 access to economic opportunities through employment or self-employment;

	1	(v) have access to agricultural credit and loans, marketing facilities,
	2	appropriate technology and equal treatment in land and agrarian reform as well
	3	as in land resettlement schemes.
Rights in matters relating to marriage and family life	4	<b>13.</b> Every organ or agency of government, public or private
	5	institution, commercial or corporate body, shall take all appropriate measures
	6	to eliminate discrimination against persons in all matters relating to marriage
	7	and family relations: and shall ensure, equal right to women and men in all
	8	matters related thereto.
Provisions relating to offences and sentencing including costs, damages and compensations	9	<b>14.-(a)</b> Any person, organ or agency of government, public or private
	10	institution, commercial or corporate body or representative of any of these that
	11	fails or neglects any of the duties imposed under this Bill commits an offence
	12	and shall be liable on conviction to such term of imprisonment not less than one
	13	year, or such fine not less than five Hundred Thousand Naira or both
	14	imprisonment or fine as the court may impose considering the entire
	15	circumstances of the case;
	16	(b) Any person who suffers violation of his or her rights, or becomes
	17	victim of any action, omission, or inaction of any organ or agency of
	18	government, public or private institution, commercial or corporate body,
	19	community, or other entity, or any representative of such organ, agency, body
	20	or institution shall be entitled to fair and adequate compensation as may be
	21	determined by the court, taking into consideration the special damages
	22	suffered, as well as social, psychological, emotional and health related burden
	23	suffered by such person by reason of such action, omission or inaction
	24	aforesaid;
	25	(c) Any person, or official of anybody or entity, be it in a public or
	26	private institution or community who condones, aids, facilitates and abets any
	27	other person, body or entity to fail or neglect or omit in any of the duties
	28	imposed under this bill shall be liable and the provisions of paragraphs (a) and
	29	(b) of this section shall apply to such a person or body;
	30	(d) Where a corporate body, agency, institution or community is liable



1 under paragraphs (a) and (b) of this section, the chief executive, leader, or  
2 head of such corporate body, agency, institution or community shall have the  
3 primary responsibility of the punishment imposed by the court in  
4 accordance with the said section, and where there is continued failure or  
5 omission or neglect to comply with the duty imposed after the punishment  
6 prescribed in this section, such chief executive, leader, or head of corporate  
7 body, agency, institution or community shall be personally liable for such  
8 punishment as may be imposed by the court, taking into consideration the  
9 provisions of paragraphs (a) and (b) of this section;

10 (e) The court may in addition order such exemplary damages,  
11 public apology, or such redress or restitution as may be deemed appropriate  
12 in the circumstances by the court.

13 PART B

14 **15.** The National Human Rights Commission herein after referred The Commission  
15 to as the "Commission" is vested with the powers to enforce and implement  
16 the provisions of the Bill.

17 **16.** The Commission shall, in addition to the powers conferred on Functions of the  
18 it in the Constitution, carry out the following functions: Commission

19 (a) Monitoring and supervision of the implementation of this Bill;

20 (b) Promote gender equity and the entrenchment of social justice in  
21 all spheres of life;

22 (c) Organise meetings, conferences, symposia and other  
23 enlightenment programmes for the entrenchment of full rights to men and  
24 women on equal terms for the full advancement and development of  
25 Nigeria;

26 (d) Investigate and make application to the appropriate court or  
27 tribunal for an order of assessment of practices of any person, organ, body,  
28 institution, private or public organ in accordance with this Bill;

29 (e) Liaise with the Federal Character Commission and other such  
30 bodies relating to implementation of this Bill;

Legal obligation  
to give information  
to the Commission

1 (f) Prepare and submit periodic reports on the state of implementation  
2 of this Bill to the Government and other appropriate bodies;

3 (g) Perform such other functions and activities as may be specified by  
4 any law or enactment;

5 (h) Undertake such other activities as are expedient for giving full  
6 effect to the provisions of this Bill.

7 **17.** Any Officer of the Commission investigating an offence under  
8 this Bill, may cause any person:

9 (a) To attend; or

10 (b) To produce any relevant materials or evidence before such officer  
11 for the purpose of being examined in relation to any matter, which may assist in  
12 the investigation of the matter.

13 **18.** A person, representative of an organ, body, or institution  
14 summoned, is obliged to appear and produce all relevant information required  
15 under the notice within his or her knowledge or which is available to such  
16 person.

17 **19.-(1)** A person who:

18 (a) willfully refuses to appear in response to a written notice to attend;

19 (b) willfully refuses to produce such materials or evidence as  
20 requested by the Commission with regards to which the officer of the  
21 Commission has reasonable grounds for suspecting or believing that an  
22 offence under this Bill or under Chapter IV of the 1999 Constitution has been or  
23 is being committed;

24 (c) makes or procures another person to make any statement in the  
25 information which such person knows or believes to be false or misleading in a  
26 material particular; or

27 (d) intentionally obstructs another person in the exercise of the power  
28 conferred by this Bill; commits an offence.

29 (2) A person who commits an offence under subsection (1) of this  
30 section, is liable on conviction to imprisonment for a term not exceeding one

1 month or a fine not exceeding fifty thousand Naira and a Corporate body to a  
2 fine of Five Hundred Thousand Naira or to both such fine and imprisonment.

3 **20.** Where the Commission upon receipt of a complaint and after  
4 due investigation gives a direction under this Bill and an individual,  
5 community, institution, public or private enterprise fails to take any step to  
6 reverse any act of discrimination, the Commission may proceed to initiate  
7 proceedings against such person, organ, body, institution, public or private  
8 enterprise in the appropriate court.

Failure to comply  
with direction for  
reversal of  
discrimination

9 **21.** The High Court of the Federal Capital Territory shall have  
10 original jurisdiction to look into applications arising from any breach of the  
11 provisions of this Bill.

Jurisdiction

12 **22.** The procedure shall be in accordance with the procedure under  
13 the Fundamental Rights (Enforcement Procedure) Rules 2009, or any other  
14 rules of procedure for the time being applicable to the court.

Procedure

15 **23.** If an offence under this Bill is proved to have been committed  
16 with the consent or connivance or is attributed to any neglect on the part of  
17 any director, manager, secretary or other similar officer of a body corporate,  
18 or any person who was purporting to act in any such capacity, such officer as  
19 well as the body corporate, commits an offence and are liable on conviction  
20 to imprisonment for not less than One Year, or to a fine of Five Hundred  
21 Thousand Naira or to both imprisonment and fine.

Miscellaneous

22 **24.** In this Bill:  
23 "abuse" includes physical, psychological, sexual, verbal, economic, social,  
24 cultural or similar mistreatment or mishandling which interferes with the  
25 integrity of a person;  
26 "the Convention" means the United Nations Convention on the Elimination  
27 of All Forms of Discrimination against Women;  
28 the "Covenant" means either the International Covenant on Social and  
29 Political Rights or International Covenant on Economic, Social and Cultural  
30 Rights;

Interpretation

1 "the Commission" means the National Human Rights Commission as  
2 established under the Constitution of the Federal Republic of Nigeria (As  
3 amended);

4 "Constitution" means the Constitution of the Federal Republic of Nigeria,  
5 1999 (as amended);

6 "court" means any court with jurisdiction over issues of marriage in the Federal  
7 Capital Territory;

8 "discrimination against any person" means any distinction, exclusion or  
9 restriction made on the basis of his or her sex or gender or other condition or  
10 status, which has the effect or purpose of impairing or nullifying the  
11 recognition, enjoyment or exercise by any person, irrespective of their marital  
12 status, on a basis of equality of men and women, of human rights and  
13 fundamental freedoms in the political, economic, social, cultural, civil or any  
14 other field;

15 "person" includes any man, woman, organ of government, public or private  
16 institution, commercial or corporate body, community or other entity, or any  
17 representative of such organ or agency of government, public or private  
18 institution, commercial or corporate body, community or other entity;

19 "members" mean the Members of the Commission;

20 "the Protocol" means the Protocol to the African Charter on Human and  
21 People's Rights on the Rights of Women in Africa;

22 "staff" means the staff of the Commission;

23 "violence" includes physical, psychological, sexual, verbal or emotional  
24 maltreatments or assault.

Citation

25 **25.** This Bill may be cited as the Gender and Equal Opportunities Bill,  
26 2020.

#### EXPLANATORY MEMORANDUM

This Bill seeks to provide for the elimination of all forms of discrimination against persons in Nigeria.

NIGERIAN CIVIL DEFENCE ACADEMY PANDOGARI

(ESTABLISHMENT) BILL, 2020

ARRANGEMENT OF CLAUSES

*Clauses:*

PART 1- ESTABLISHMENT OF THE NIGERIAN CIVIL DEFENCE ACADEMY

1. Establishment of Nigerian Civil Defence Academy
2. Objectives of the Academy
3. Powers of Academy
4. Bodies and Officers of the Academy
5. Appointment of the Chancellor
6. Chairman of the Governing Council
7. Governing Council
8. Functions of the Governing Council
9. Governing Council Standing Committees
10. Appointment and functions of Commandant
11. Deputy Commandants
12. Functions of the Senate
13. Senate Standing Committees
14. Academy Provost

PART II - TRANSFER OF PROPERTY, ETC. TO THE ACADEMY

15. Academy Property.

PART III - STATUTES OF THE ACADEMY

16. Statutes of the Academy
17. Procedures of Statute

PART IV - FINANCIAL PROVISIONS

18. Funds of the Academy
19. Financial year of the Academy
20. Keeping of proper record of Account
21. Estimate of income and Expenditure
22. Annual Reports

23. Annual Audit

24. Direction on Account opening

PART V - SUPERVISION AND DISCIPLINE

25. Visitation of the Academy

26. Removal of Chairman and Member of the Council

27. Removal of Academy Provost or Member of Staff

28. Suspension of Staff of the Academy

29. Duty to serve instrument of removal

PART VI - MISCELLANEOUS AND GENERAL

30. Disposal of land of the Academy

31. Powers of the Bodies established under this Bill

32. Seal of the Academy

33. Powers of the Council to make Statute.

34. Public Officers Protection Act Cap. P41 LFN, 2004

35. Interpretation

36. Citation

# A BILL

## FOR

AN ACT TO ESTABLISH NIGERIAN CIVIL DEFENCE ACADEMY TO SERVE AS AN INSTITUTION OF HIGH LEVEL MANPOWER DEVELOPMENT, WITH A MANDATE TO TRAIN CIVIL DEFENCE OFFICERS TO ACQUIRE AND ATTAIN THE HIGHEST STANDARDS OF PROFESSIONALISM AND AWARD SUCH CERTIFICATE AS MAY BE APPROVE BY THE RELEVANT ACADEMIC REGULATORY BODY FROM TIME TO TIME; AND FOR OTHER RELATED MATTERS

*Sponsored by Sen. Mohammed Sani Musa*

[ ] Commencement

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

### 1 PART 1 - ESTABLISHMENT OF THE NIGERIAN CIVIL DEFENCE ACADEMY

2 1.-(1) There is established an Institution to be known as Nigerian  
3 Civil Defence Academy Pandogari, Niger State (in this Bill referred to as  
4 "the Academy") with powers to award relevant academic and professional  
5 certificates in accordance with the highest academic standards as may be  
6 prescribed by the relevant academic regulatory body.

Establishment  
of Nigerian Civil  
Defence Academy

7 (2) The Academy:

8 (a) shall be a body corporate with perpetual succession and a  
9 common seal, and

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

11 2. The objects of the Academy is to:

Objectives of  
the Academy

12 (a) train and advance the skill of Civil Defence Officers by  
13 equipping the officers to be combat ready at all time and to avail them with  
14 opportunity of acquiring a higher and liberal education;

15 (b) provide courses of instruction and other facilities for the pursuit

1 of teaching and learning on the rudiment of the service for effective service  
2 delivery;

3 (c) nurture, equip and produce globally competitive Civil Defence  
4 graduates with requisite knowledge, skills, and attitudes suitable for  
5 leadership, scholarship, policing and community service;

6 (d) encourage, conduct and promote scholarship and research in  
7 relevant fields of learning and human endeavour;

8 (e) relate its activities to the security, social, cultural and economic  
9 needs of the people of Nigeria;

10 (f) attract top quality staff of international standard and create a centre  
11 of excellence in the fields of study undertaken by the academy;

12 (g) do anything relevant to the development and maintenance of  
13 sustainable prestige in the world of learning and best of traditions in Civil  
14 Defence professionalism; and

15 (h) to undertake any other activity appropriate for any certificate  
16 awarding Academy of the highest standard.

Powers of the  
Academy

17 **3.** For the purposes of carrying out its objects as specified in clause 2  
18 of this Bill, the Academy shall:

19 (a) establish such colleges, faculties, institutions, schools and  
20 departments and other teaching and research units within the Academy as may  
21 from time to time become necessary subject to the approval of the relevant  
22 academic regulatory body;

23 (b) provide for the discipline and welfare of members of the Academy  
24 except for discipline of Civil Defence Officers whose cases are to be decided  
25 by the relevant body;

26 (c) hold examinations, award relevant certificates and distinctions to  
27 persons who pursued a course of approved by the Academy and have satisfied  
28 requirements laid by the Academy;

29 (d) institute and award fellowships, scholarships, exhibitions,



1        bursaries, medals, prizes and other titles, distinctions, awards, and other  
2        forms of assistance;

3                (e) prescribe, from time to time, the conditions under which  
4        persons shall be admitted to the Academy to undertake any course of study  
5        or be allowed to continue in such course of study;

6                (f) withdraw from any of its beneficiary on what the Academy  
7        deem to be good cause, any certificate, fellowship, studentship, bursary,  
8        medal, prize or other academic titles conferred on him or her by the  
9        Academy;

10                (g) demand and receive school fees from students, except students  
11        from the Civil Defence Corp, or any Agencies that may be exempted from  
12        time to time;

13                (h) subject to the provisions of the Land Use Act and with prior  
14        written consent of the Federal Executive Council of the Federation, acquire,  
15        hold, grant, charge or otherwise deal with or dispose of moveable and  
16        immovable property wherever situate:

17                Provided that such consent shall not be required in the case of any  
18        lease or tenancy, rack-rent for a term not exceeding twenty one years or any  
19        lease or tenancy to a member of the Academy for residential purposes;

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

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

25                (k) erect, provide, equip and maintain libraries, laboratories,  
26        lecture halls, halls of residence, factories, sports grounds, playing fields and  
27        other buildings necessary, suitable or convenient for the carrying out of the  
28        objects of the Academy;

29                (l) hold public and inaugural lectures, symposia and seminars;

- 1 (m) undertake printing, publishing and selling of books and journals;  
2 (n) invest any moneys of the Academy by way of endowment,  
3 whether for general or special purposes as provided in this Bill;  
4 (o) borrow, whether on interest or not and if need be upon the security  
5 of any or all of the property moveable or immovable of the Academy, such  
6 moneys as the Council may from time to time in its discretion find it necessary  
7 or expedient to borrow or to guarantee any loan, advances or credit facilities;  
8 and  
9 (p) do such acts or things, whether or not incidental to the foregoing  
10 powers, as may advance the objects of the Academy.
- 11 **4.-(1) The Academy shall consist of the following:**
- 12 (a) Academy Office:
- 13 (i) a Chancellor;  
14 (ii) Chairman of Governing Council;  
15 (iii) the Commandant;  
16 (iv) the Academy Provost and a Senate; and  
17 (v) the deputy Commandant (Academic);
- 18 (b) bodies:
- 19 (i) Governing Council;  
20 (ii) Senate;  
21 (iii) Congregation;  
22 (iv) Academy Convocation; and  
23 (v) Alumni and Cadets.
- 24 (c) Principal Officers:
- 25 (i) Registrar,  
26 (ii) The Academy Provost,  
27 (iii) Bursar,  
28 (iv) Librarian,  
29 (v) Director Academic Planning,  
30 (vi) Director Physical Planning,

Bodies and  
Officers of the  
Academy

1 (vii) Director Health Services;  
 2 (viii) Deans of Faculties, Schools, Institutes, and Head of  
 3 Departments and other teaching and research units of the Academy as may  
 4 be specified by Council.

5 (2) The First Schedule to this Bill shall have effect with respect to  
 6 the principal and other officers of the Academy mentioned therein.

7 (3) Provision shall be made by Statute with respect to the  
 8 constitution of the following bodies, namely, the Governing Council,  
 9 Senate, Congregation and the Convocation.

10 **5.-(1)** There shall be a Chancellor for the Academy appointed by  
 11 the Visitor who shall, in relation to the Academy, take precedence before all  
 12 other members of the Academy and when present, shall preside at all  
 13 meetings of Convocation held for conferring certificates.

Appointment of  
the Chancellor

14 (2) Where the chancellor is absent, the Academy Provost shall  
 15 preside over such meetings.

16 **6.-(1)** The Minister of Interior is the Chairman of the Governing  
 17 Council and in relation to the Academy takes precedence before members of  
 18 the Academy except the Chancellor and the Deputy Commandant  
 19 (Academic) when acting as Chairman of Congregation.

Chairman of the  
Governing Council

20 (2) The Chairman of Council shall, when present, preside over all  
 21 meetings of the Governing Council.

22 (3) In the absence of the chairman, members present shall elect one  
 23 of its external members to preside over that particular meeting.

24 **7.** Subject to the provision of this Bill relating to the Visitor, the  
 25 Governing Council shall be the governing body of the Academy and shall  
 26 have responsibility for the general management of the affairs of the  
 27 Academy including appointment, promotion and discipline of all categories  
 28 of non- Civil Defence Officers as employees.

Governing  
Council

29 **8.-(1)** The Governing Council shall:

30 (a) exercise control and superintendence over the policy, finances

Functions of the  
Governing Council

- 1 and property of the Academy, including its public relations;
- 2 (b) appoint the Academy Provost and stipulate terms and conditions
- 3 of the appointment;
- 4 (c) consider and approve the terms and conditions of appointment and
- 5 remunerations of the Principal Officers and other non-Civil Defence staff of
- 6 the Academy;
- 7 (d) promote and discipline non-Civil Defence staff of the Academy on
- 8 the advice of the appropriate Committees;
- 9 (e) consider and approve the annual budget or estimates, and any
- 10 variation therein, as well as its external auditor's report;
- 11 (f) approve Senate recommendations for the appointment of emeritus
- 12 professors;
- 13 (g) appoint bankers and any other officers or agents who it deems
- 14 expedient to appoint and to cause proper books of account to be kept for all
- 15 sums received and expended by as well as the assets and liabilities of the
- 16 Academy;
- 17 (h) participate in the making, amendment or revocation of the statutes
- 18 of the Academy as required by the amendment clause of the Academy Law;
- 19 (i) make recommendations to the Visitor and act on his approvals;
- 20 (j) ensure that proper accounts of the Academy are kept and audited
- 21 annually by auditors appointed by Council;
- 22 (k) borrow money on behalf of the Academy;
- 23 (l) provide buildings, libraries, laboratories, premises, furniture,
- 24 apparatus and other equipment needed for carrying on the work of the
- 25 Academy pursuant to its objects;
- 26 (m) receive reports from the Senate on any matter relating to the
- 27 objects of the Academy;
- 28 (n) invest any money belonging to the Academy; and
- 29 (o) exercise all powers as may be conferred on the Council by this Bill
- 30 or by the statutes of the Academy and to carry into effect the provisions of this

1 Bill and the Academy statutes.

2 (2) The Council may delegate any of its powers or functions to any  
3 person or persons, authority or committee except its powers relating to the  
4 making, amending or revoking of the statute of the Academy.

5 **9.**-(1) The Council shall have the following standing committees:

Governing  
Council Standing  
Committee

6 (a) Finance and General Purposes Committee;

7 (b) Appointments, Promotions and Disciplinary Committee  
8 (AP&DC);

9 (c) Tenders Board;

10 (d) Information and Publication Committee; and

11 (e) Security Committee.

12 (2) Provision shall be made by Statutes with respect to the  
13 constitution and terms of reference of the Committees as deemed necessary.

14 (3) The Governing Council shall meet not less than four times in a  
15 Calendar year and this is without prejudice to emergency or special  
16 meetings.

17 **10.**-(1) There shall be a Commandant appointed by the Civil  
18 Defence, Immigration and Prison Service Board on the recommendation of  
19 the Commandant General of Civil Defence who shall, in relation to the  
20 Academy, take precedence before all other members of the Academy except  
21 the Chancellor and Chairman of the Governing Council and any other  
22 person acting as Chairman of the Council.

Appointment  
and functions of  
Commandant

23 (2) Subject of this Bill, the Commandant shall have the general  
24 function in addition to any other functions conferred on him by this Bill or  
25 otherwise, of directing the activities of the Academy, and shall to the  
26 exclusion of any other person or authority be the Chief Executive of the  
27 Academy.

28 **11.**-(1) There shall be such numbers of Deputy Commandants and  
29 Academy Provost as the Civil Defence, Fire, Immigration and Prison  
30 Service Board may appoint.

Deputy  
Commandant

Functions of  
the Senate

1 (2) The Deputy Commandants shall assist the Commandant in  
2 matters affecting the Academy.

3 (3) The Commandant while away from the Academy shall nominate  
4 the most Senior deputy commandant to act for the Commandant in his absence.

5 (4) The Deputy Commandants shall be appointed by the Civil  
6 Defence, Fire, Immigration and Prison Service Board on the recommendation  
7 of the Commandant General of Civil Defence Corp.

8 **12.**-(1) Subject to the provisions of this Bill relating to the Visitor, the  
9 Senate shall organize and control teaching and research at the Academy and the  
10 admission, and discipline of Cadets on academic matters.

11 (2) Without prejudice to the generality of the provision of sub clause  
12 (1) of this clause, the Senate shall, regulate:

13 (a) the establishment, organization and control of faculties and  
14 departments and allocate responsibility to such faculties and departments;

15 (b) standards for the appointment and promotion of academic staff;

16 (c) the organization and control of courses of study and of the  
17 examinations held in respect of such courses;

18 (d) the award of certificates, diploma and other qualification as may  
19 be prescribed in connection with examinations held as aforesaid;

20 (e) the making of recommendations to the Governing Council with  
21 respect to the award to any person of any deserving title;

22 (f) participation in the selection of persons for admission as student  
23 and cadet at the academy; and

24 (g) the grant of fellowship, scholarship, prize and similar awards in so  
25 far as the awards are within the control of the Academy.

26 (3) The Senate may make regulations for the purpose of exercising  
27 any function conferred on it by the provisions of sub clause (1) of this clause.

28 (4) The Senate may withdraw from any person any certificate,  
29 diplomas or other award of the Academy which has been conferred upon him if  
30 after due enquiry he is shown to have been guilty of dishonourable or

1 scandalous conduct in gaining admission into the Academy or obtaining that  
2 award.

3 (5) The regulations made by the Senate shall provide that at least  
4 one of the persons appointed as the external examiners at each examination  
5 held in conjunction with any course of study is not a Lecturer at the  
6 Academy but is a Lecturer of the branches of learning to which the course  
7 relates at another University or other degree awarding institution of high  
8 repute.

9 (6) The Senate shall consider other matters that may be referred to  
10 it by the Governing Council.

11 13.-(1) The Senate shall have the following Standing Committees: Senate Standing  
Committees

12 (a) Academic Planning and Curriculum Development Committee;

13 (b) Library and Publications Committee;

14 (c) Ceremonies Committee;

15 (d) Research Grant Committee;

16 (e) Students' Welfare and Disciplinary Committee;

17 (f) Committee of Deans and Academic Directors;

18 (g) Sports Committee; and

19 (h) Business Committee.

20 (2) The Senate shall by Statute provide for the constitution and  
21 terms of reference of the Committees established in Sub clause of this  
22 Clause.

23 14.-(1) There shall be an Academy Provost appointed by the Academy Provost  
24 Council who shall, in relation to the Academy, take precedence before all  
25 other members of the Academy except the Chancellor and the Chairman of  
26 Council, and the Commandant except in matters relating to the Senate.

27 (2) Subject to the provisions of this Bill, the Academy Provost:

28 (a) must be a Professor:

29 (b) direct the academic activities of the Academy;

30 (c) shall, to the exclusion of any other person or authority, be the

	1	academic officer and Chairman of the Senate and the Convocation in the
	2	absence of the Chancellor.
	3	(3) The Academy Provost shall be in charge of all academic matters
	4	and shall be the Chairman of the Senate.
	5	PART II - TRANSFER OF PROPERTY, ETC. TO THE ACADEMY
Academy Property	6	<b>15.</b> -(1) All property held by or on behalf of the provisional Councilor
	7	Planning and Implementation Committee (PIC) or any interim body by virtue
	8	of this sub clause shall without further assurances vest in the Academy and be
	9	held by it for the purposes of the Academy.
Second Schedule	10	(2) The provisions of the Second Schedule to this Bill shall have effect
	11	with respect to matters arising from the transfer of property by this clause and
	12	with respect to other matters mentioned in that Schedule.
	13	PART III - STATUTES OF THE ACADEMY
Statutes of the Academy	14	<b>16.</b> -(1) Subject to this Bill, the Academy may make statutes for any of
	15	these purposes, that is to say:
	16	(a) provision with respect to the composition and constitution of any
	17	authority of the Academy;
	18	(b) specifying and regulating the powers and duties of any authority
	19	of the Academy, and regulating any other matters connected with the Academy
	20	or any of its authorities;
	21	(c) regulating the admission of Cadets where it is done by the
	22	Academy, and their discipline and welfare;
	23	(d) determining whether any particular matter is to be treated as an
	24	academic or non-academic matter for the purpose of this Bill and any statute,
	25	regulation or other instrument made there under; and
	26	(e) make provision for any other matter for which provision by statute
	27	is authorised or required by this Bill.
Cap. 123 LFN, 2004	28	(2) The Interpretation Act shall apply in relation to any statute made
	29	under sub clause (1) of this clause as it applies to subsidiary instrument within
	30	the meaning of section 19 (2) of Interpretation Act.



**17.-(1)** The powers of the Academy to make statutes shall be exercised in accordance with the provision of this clause and not otherwise.

### Procedure of Statute

(2) A proposed statute shall not become law unless it has been approved at a meeting of the:

(a) Senate by the votes of not less than two-thirds of the members present and voting; and

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

(3) A proposed statute may originate either in the Senate or in the Council and shall be approved as required by sub clause (2) of this clause by either one of those bodies before the other.

(4) A statute which:

(a) makes provisions for or alters the composition or constitution of the Governing Council, the Senate or any other authority of the Academy;

(b) provides for the establishment of a new campus or college or for the amendment or revocation of any statute whereby a campus or college was established, shall not come into operation unless it has been approved by the Minister.

(5) For the purpose of section 2 (1) of the Interpretation Act, a statute shall be treated as being made on the date on which it is duly 2004 approved by the Governing Council after it is duly approved by the Senate, or duly approved by the Governing Council, as the case may be or, in the case of a statute falling within sub clause (4) of this clause on the date on which it is approved by the Minister

## PART IV - FINANCIAL PROVISIONS

**18.-(1)** The Academy shall establish an account into which shall be paid the:

Funds of the Academy

(a) budgetary allocation to the Academy from the Federal Government:

(b) fees charged by the Academy, as provided for in this Bill or may

- 1 be provided from time to time;
- 2 (c) fees charged by the Academy in respect of students;
- 3 (d) fees, charges, dues or amount recoverable;
- 4 (e) revenue accruing to the Academy either by way of grant-in-aid or
- 5 endowment or otherwise;
- 6 (f) interests accruing from moneys invested;
- 7 (g) donations to the Academy from recognized sources; and
- 8 (h) accruing to the Academy from recognized sources.
- 9 (2) Revenue received by the Academy by way of endowments, gifts or
- 10 donations in aid of the finances of the Academy shall be entered in a register
- 11 kept for that purpose, showing the names of donors and any special conditions
- 12 were accepted.
- 13 (3) All property, money or funds donated for any specified purpose
- 14 shall be applied and administered in accordance with the purpose for which
- 15 they are donated and shall be accounted for separately.
- 16 (4) Any money withdrawn from the account established in sub-clause
- 17 (1) of this clause shall be applied for the purposes of the Academy.
- 18 **19.** The Council shall fix the financial year for the purpose of
- 19 accounts of the Academy.
- 20 **20.** The Governing Council shall keep proper accounts in respect of
- 21 the period of twelve months ending with the thirty-first day of December in
- 22 each year, and proper records in relation to those accounts, without prejudice to
- 23 any other requirement as to accounting or control imposed, whether by an
- 24 enactment or otherwise, with respect to the finances of the lands, endowments
- 25 and other property held by or for the purposes of the Academy.
- 26 **21.** The Council shall cause to be prepared annually a budget showing
- 27 the estimate of income and expenditure of the Academy for the ensuing
- 28 financial year and shall submit the same to the Governing Council not later than
- 29 three calendar months preceding the financial year, or such earlier date as the
- 30 Governing Council may request.

Financial year  
of the Academy

Keeping of proper  
record of Account

Estimate of  
income and  
expenditure

Annual Reports

Annual Audit

Direction on  
Account opening

## Visitation of the Academy

	1	this Act which may be given by the Visitor in consequences of a visitation.
Removal of Chairman and Members of the Council	2	<b>26.</b> If it appears to the Governing Council that:
	3	(a) the Chairman; or
	4	(b) a member of the Council;
	5	should be removed from office on the ground of misconduct or inability to
	6	perform the functions of his office, the Council shall make recommendation to
	7	that effect to the Visitor, and the Visitor, after making such enquiries (if any) as
	8	he considers appropriate, approves the recommendation, he may by an
	9	instrument in writing signed by him, remove the person in question from office.
Removal of Academy Provost or Member of Staff	10	<b>27.-(1)</b> If it appears to the Council that there are reasons for believing
	11	that the Academy Provost or any other person employed as a member of the
	12	staff of the Academy, should be removed from his employment on the ground
	13	of misconduct or of inability to perform the functions of his office, the Council
	14	shall:
	15	(a) give notice, listing those reasons, to the person in question;
	16	(b) set up a committee of the Council to investigate the matter and to
	17	report on it to Council, provided that in the case of an academic staff, the
	18	Committee shall be a joint Committee of Senate and Council;
	19	(c) afford the person an opportunity of making representations in
	20	person on the matter to the relevant Committee of Council and also to the
	21	Council, if he so desires; and
	22	(d) after considering the report of the investigation committee remove
	23	him, if so recommended, by an instrument in writing signed on the directions of
	24	the Council.
	25	(2) Without prejudice to the provisions of this clause, if the person to
	26	be so removed is a career Civil Defence Officer, the decision of the Council
	27	shall be conveyed to the Commandant-General of Civil Defence Corp.
Suspension of Staff of the Academy	28	<b>28.-(1)</b> The Commandant may, in a case of misconduct by a member
	29	of the staff, which in the opinion of the Academy Provost is prejudicial to the
	30	interest of the Academy, suspend such member and any such suspension shall

1        forthwith be reported to the Council.

2                (2) For good cause, any member of non-Civil Defence staff may be  
3        suspended from his duties or his appointment may be terminated by the  
4        Council.

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

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

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

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

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

24                (4) Nothing in this Bill shall prevent the Council from making  
25        regulations on the discipline of non-Civil Defence staff and workers of the  
26        Academy as may be prescribed.

27                **29.** It shall be the duty of the person by whom an instrument of  
28        removal is signed in pursuance of this Bill to use his best endeavours to  
29        cause a copy of the instrument to be served, within 21 working days on the  
30        person to whom it relates.

Duty serve  
instrument of  
removal

	1	PART VI - MISCELLANEOUS AND GENERAL PROVISIONS
Disposal of land of the Academy	2	<b>30.-(1)</b> The Council shall not dispose of or charge any lands or an
	3	interest in any lands (including any lands transferred to the Academy by this
	4	Bill) which are held by or on behalf of the Academy except with the prior
	5	written consent, either general or special, of the Minister.
Cap. 15, LFN, 2004	6	(2) For the purposes of the Land Use Act which provides for the
	7	compulsory acquisition of Land for public purposes, the purposes of the
	8	Academy shall be deemed to be public purposes of the Federation.
Powers of the Bodies established under this Bill	9	<b>31.-(1)</b> A body of persons established by this Bill, shall have power to
	10	appoint committees consisting of members of that body and subject to the
	11	provisions of this Bill to authorise a committee established by it to exercise, on
	12	its behalf, such of its functions as it may determine.
	13	(2) Subject to sub clause (1) of this clause, any two or more of such
	14	bodies may arrange for the holding of joint meetings of those bodies, or for the
	15	appointment of committees consisting of members of those bodies for the
	16	purpose of considering any matter within the competence of those bodies or
	17	any of them, and either of dealing with it or of reporting on it to those bodies or
	18	any of them.
	19	(3) Except as may be otherwise provided by regulation, the quorum
	20	and procedure of a committee established for meetings held in pursuance of
	21	this clause shall be such as may be specified by the bodies which established
	22	the committee or holding the meetings.
	23	Nothing in the foregoing sub clauses shall be construed as:
	24	(a) enabling the Council to empower any other body to make statutes;
	25	(b) enabling the Senate to empower any other body to make
	26	regulations or to award degree or other qualification.
Seal of the Academy	27	<b>32.-(1)</b> The Seal of the Academy shall be such as may be determined
	28	by the Council and the fixing of the seal of the Academy shall be signed by the
	29	Commandant and the Registrar.
	30	(2) Academic Certificates issued by the Academy shall have the

1 Academy seal fixed and signed by the Academy Provost and the Registrar.

2 (3) Any contract or instrument which, if made or executed by a  
3 person not being a body corporate, would not be required to be under seal  
4 may be made or executed on behalf of the Academy by any person  
5 authorized.

6 (4) Any division established for the Academy and designated by  
7 regulation as a faculty shall be organized in accordance with the provisions  
8 of the Third Schedule to this Bill.

9 **33.**-(1) The Governing Council may make statutes regulating the  
10 constitution and conduct of the Academy and regulating any authority or  
11 matter connected with the Academy.

Powers of the  
Council to make  
Statute

12 (2) The Governing Council shall forward to the Minister any  
13 proposed statute made within twenty-one days for approval, provided that  
14 the statute shall not have effect unless it is approved by the Minister.

15 (3) The Academy shall have power to amend its statutes through  
16 the following bodies who shall initiate, approve or ratify proposals for  
17 amendment that emanate from the:

18 (a) Senate shall be passed by a two- third majority, after which it is  
19 forwarded to Council for consideration and recommendation and thereafter  
20 to the Minister for processing to the National Assembly for approval;

21 (b) Councilor duly forwarded by Senate to Council shall be passed  
22 by a simple majority and duly forwarded to the Visitor for approval; and

23 (c) Visitor shall be passed by a simple majority.

24 **34.**-(1) Subject to the provisions of this Bill, the provisions of the  
25 Public Officers Protection Act shall apply in relation to any suit instituted  
26 against an officer or employee of the Academy.

Public Officers  
Protection Act  
Cap. P41 LFN,  
2004

27 (2) Notwithstanding anything contained in any other enactment,  
28 no suit against a member of the Governing Council or any principal officer or  
29 any other officer or employee of the Academy done in pursuance or  
30 execution of this Bill or any enactment or law, or of any public duty authority

1 in respect of any alleged neglect or default in the execution of this Bill or any  
2 other enactment or law, duty or authority, shall lie or be instituted in any court  
3 unless it is commenced:

4 (a) within three months next after the act, neglect or default  
5 complained of; or

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

8 (3) A suit shall not be commenced against a member of the Governing  
9 Council or any principal officer or any other officer or employee of the  
10 Academy before the expiration of a period of one month after written notice of  
11 the intention to commence the suit shall have been served on the Academy by  
12 the intending plaintiff or his agent.

13 (4) The notice referred to in sub clause (3) of this clause shall clearly  
14 and explicitly state the cause of action, the particulars of the claim, the name  
15 and place of abode of the intending plaintiff and the relief which he claims.

Interpretation

16 **35. In this Bill:**

17 "Academic staff" means a member of staff of the Academy whose sole and  
18 primary responsibility is teaching, research and community service;

19 "Academic year" means two semesters covered by a period not more than  
20 twelve calendar months within which students must complete a level of study;

21 "Administrative staff" means those persons in the employment of the Academy  
22 other than academic staff who hold administrative, professional or technical  
23 posts;

24 "Alumni Association" means any association recognised by the Council as  
25 being representative of graduates or former students of the Academy;

26 "Approving authority" means the Federal Executive Council;

27 "Council" means the Governing Council established under clause 7 of this Bill;

28 "Commandant" means the Commandant of the Nigerian Civil Defence  
29 Academy, Pandogari;

30 "Cadet" means an undergraduate in training at the Academy to be a Civil



- 1 Defence Officer;
- 2 "Congregation" means the Congregation of the Academy established by
- 3 clause 4 of this Bill;
- 4 "Convocation" means an assemblage of all officers, Students, staff, alumni
- 5 and friends of the Academy for the purposes of conferring degrees, diplomas
- 6 and certificates and such other matters as may be prescribed from time to
- 7 time;
- 8 "Deputy Commandant" means the Deputy Commandant of Civil Defence
- 9 Academy, Pandogari;
- 10 "Graduate" means a person on whom a degree other than an honorary degree
- 11 has been conferred by the Academy;
- 12 "Good cause" means conviction by a competent Court, any physical or
- 13 mental incapacity, conduct of a scandalous or other disgraceful nature,
- 14 membership of a secret cult or being found at initiation ceremony of any
- 15 occult group or any other conduct which the Council considers to be such as
- 16 to render the person concerned unfit to continue to hold his office;
- 17 "Faculty" means any Faculty which may be established by the Academy;
- 18 "Formal meeting" means a meeting for which due notice is given;
- 19 "Functions" includes powers and duties;
- 20 "Instructors or lecturers" means a person holding a full time appointment as
- 21 a member of the teaching or research or instructing staff of the Academy;
- 22 "Minister" means the Minister of the Government of the Federation
- 23 responsible for Ministry of Interior;
- 24 "Professor" means a person designated as a professor of the Academy in
- 25 accordance with provision made in that behalf by Statute or by Regulation;
- 26 "Property" includes rights, liabilities and obligations; "Regulations" means
- 27 regulations made under the relevant provisions of this Bill;
- 28 "Senate" means the Senate established under clause 4 of this Bill;
- 29 "Statute" means a statute made by the Governing Council and having effect
- 30 in accordance with clause 16 of this Bill;

Citation

1 "Undergraduate" means a person undergoing a course of study at the Academy  
2 pursuant to the acquisition of a first degree;  
3 "Visitor" means the President, Commander in Chief of the Armed Forces of the  
4 Federal Republic of Nigeria who is also the Proprietor of the Academy.

5 **36.** This Bill may be cited as Nigerian Civil Defence Academy  
6 Pandogari (Establishment) Bill, 2020.

7 SCHEDULES

8 FIRST SCHEDULE

9 *Clause 4*

10 PRINCIPAL AND OTHER KEY OFFICERS OF THE ACADEMY

11 *The Chancellor*

12 1. The Chancellor shall be appointed by the Visitor for a term of four  
13 years subject to renewal for another term of four years and no more.

14 2. The Chancellor shall take office on the date when notice of his  
15 appointment is published in the Gazette of the Federal Republic of Nigeria and,  
16 subject to provisions of this Bill, shall hold office for a maximum period of  
17 eight years beginning with that date.

18 3. If it appears to the Visitor that the Chancellor should be removed  
19 from office on the ground of misconduct or of inability to perform the functions  
20 of his office, the Visitor may, by notice in the Federal Gazette, remove the  
21 Chancellor from office.

22 *The Chairman of Governing Council*

23 4. The Chairman Governing Council shall be appointed or removed  
24 from office by the Visitor.

25 *Commandant*

26 5.-(1) The Commandant shall be appointed by the Visitor on the  
27 advice of the Civil Defence, Fire, Immigration and Prison Service Board  
28 through the Commandant General of Civil Defence.

29 (2) The Commandant shall hold office for four years only.

1 *Deputy Commandant*

2 6.-(1) There shall be a Deputy Commandant.

3 (2) The Deputy Commandant shall assist and act on behalf of the  
4 Commandant in all matters relating to professional training of Civil Defence  
5 Officers in the Academy.

6 (3) The Deputy Commandant shall act for the Commandant in his  
7 absence.

8 (4) The Deputy Commandant shall be appointed by the  
9 Immigration and Prison Service Board on the advice of the Commandant  
10 General of Civil Defence.

11 (5) The supervision of the welfare of Cadets at the Academy and  
12 the regulation of their conduct.

13 (6) Determine what descriptions of dress shall be academic dress  
14 for purpose of the Academy, and regulating the use of the academic dress.

15 *Academy Provost*

16 7.-(1) The Academy Provost shall assist and act on behalf of the  
17 Commandant in all academic matters and shall be the chairman of the Senate  
18 and Congregation.

19 *Procedure for Appointment*

20 (2) The Academy Provost shall be appointed following an  
21 interview conducted for candidates of professorial rank by a committee  
22 composed of the Chairman of Council, 4 external members of Council, 2  
23 persons representing Senate in Council and the Registrar as Secretary.

24 (3) Recommendations of the interview panel is presented to  
25 Council which, in turn, deliberates and makes a final decision on the  
26 candidate to be appointed as Academy Provost.

27 (4) The Academy Provost shall, be a member of the Council,  
28 Chairman of Senate, member of Faculty boards, institutes and any other  
29 bodies of the Academy set up by statute and or any Committee appointed by  
30 any of those bodies.

*Registrar*

8.-(1) There shall be a Registrar, who shall be responsible to the Commandant for the day to day administration of the affairs (other than financial affairs) of the Academy.

(2) The person holding the office of the Registrar shall, by virtue of that office, be Secretary to Council, Senate, Congregation and Convocation. The Registrar also serves as custodian of the seal and other legal documents of the Academy.

*Bursar*

9. There shall be a Bursar who shall be the chief financial officer of the Academy and shall be responsible to the Commandant for the day-to-day administration and control of the financial affairs of the Academy.

*Librarian*

10. There shall be a Librarian who shall be responsible to the Academy Provost for the administration of the Academy library and the coordination of all library services in the Academy and its campuses, faculties, schools, institutes, departments and other teaching and research units.

*Appointment*

11.-(1) The Principal Officers (Registrar, Bursar, Academy Provost and Librarian) shall be appointed by the Council for a term of four years renewable for another term of four years subject to performance evaluation.

(2) The Officers shall be appointed on such terms as to the emoluments of their offices as may be specified in their respective instruments of appointment.

(3) Any question as to the scope of responsibilities of the aforesaid officers in paragraphs 5, 6 and 7 shall be determined by the Council.

*Other Key Officers*

12.-(1) There shall also be other key officers of directorate rank as follows:

(a) Director of Academic Planning;

- 1 (b) Director of Physical Planning;  
2 (c) Director of Health Services;  
3 (d) Director of Student Affairs; and  
4 (e) Director of Information Communication Technology.  
5 (2) The officers shall be appointed by the Council.

6 *Resignation of Appointment*

7 13. Any officer mentioned in the foregoing provisions of this  
8 Schedule may resign his office:

- 9 (a) in the case of the Chancellor and Chairman of Council, by  
10 notice to the Visitor;  
11 (b) in any other case, by notice to the Governing Council of which  
12 the Council shall immediately notify the Civil Defence, Fire, Immigration  
13 and Prison Service Board;  
14 (c) in the case of the Commandant or the Deputy Commandant by  
15 Notice to the Immigration and Prison Service Board; and  
16 (d) in the case of any other non-Police officer, by notice to the  
17 Council.

18 **SECOND SCHEDULE**

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

20 *Clause 15*

21 *Transfer of Property to the Academy*

22 1. Without prejudice to the generality of clause 15 of this Bill, the  
23 reference in that sub clause to property held by the Provisional Council shall  
24 include a reference to the right to receive and give a good discharge for any  
25 grant or contribution which may have been voted or promised the  
26 Provisional Council Transfer of liabilities.

27 2.-(1) All debts and liabilities of the Provisional Council  
28 outstanding shall become debts or liabilities of the Academy.

29 (2) All agreements, contracts, deeds, and other instruments to  
30 which the Provisional Council was a party shall, so far as possible and

1 subject to any necessary modification, have effect as if the Academy had been a  
2 party thereto in place of the provisional Council.

3 (3) Documents not falling within sub- paragraph (1) of this paragraph,  
4 including enactments, which refer whether specially or generally to the  
5 Provisional Council, shall be construed in accordance with that sub- paragraph  
6 so far as applicable.

7 (4) Any legal proceedings or application to any authority pending by  
8 or against the Provisional Council may be continued by or against the  
9 Academy.

10 *Registration of Transfer of Property*

11 3. If the law in force at the place where any property transferred by this  
12 Bill is situated provides for the registration of transfers or property of the kind  
13 in question (whether by reference to an instrument of transfer or otherwise), the  
14 law shall, so far as it provides for alterations of a register (but not for avoidance  
15 of transfers, the payment of fees or any other matter) apply with the necessary  
16 'modifications to the transfer of the property is transferred by this Bill to furnish  
17 the necessary particulars of the transfer to the proper officer of the registration  
18 authority, and of that officer to register the transfer accordingly.

19 *First Meeting of Council and Senate*

20 4.-(1) The first meeting of the Council shall be convened by the  
21 Chairman on such date and in such manner as he may determine.

22 (2) The first meeting of the Senate as constituted by this Law shall be  
23 convened by the Academy Provost on such date and in such manner as he may  
24 determine.

25 *Prior Appointments*

26 5.-(1) The persons who were members of the provisional council shall  
27 be deemed to constitute the Council until the date when the Council set up  
28 under the Third Schedule to this Bill shall be duly constituted.

29 (2) Any person who was employed by the Visitor or anybody acting  
30 for him, the Academy or any other Interim body for the purpose of establishing

- 1 the Academy before its approval may become the holder of an appointment
- 2 at the Academy with the status, designation and functions which correspond
- 3 as nearly as may be to those which appertained to him or her as a member of
- 4 staff or as an employee of the Academy.

EXPLANATORY MEMORANDUM

This Bill seeks to establish Nigerian Civil Defence Academy to serve as an institution for high level manpower development, with a mandate to train Civil Defence Officers to acquire and attain the highest standards of professionalism and issue such certificate as may be approved by the relevant academic regulatory body from time to time.





INTERNAL AUDIT AGENCY (EST, ETC) BILL, 2020

ARRANGEMENT OF SECTIONS

PART I - ESTABLISHMENT AND FUNCTIONS OF THE INTERNAL  
AUDIT AGENCY

*Section:*

1. Establishment of Internal Audit Agency
2. Object of the Agency
3. Functions of the Agency
4. Governing body of the Agency
5. Membership of the Board
6. Functions of the Board
7. Tenure of office of members of Board
8. Allowances for members
9. Meetings of the Board
10. Disclosure of interest
11. Committees of the Board
12. Executive secretary
13. Functions of the Executive secretary
14. Independence and powers of the Executive secretary
15. Secretariat and other staff of the Agency

PART II - INTERNAL AUDIT UNITS FOR MDAS

16. Establishment of Internal Audit Units
17. Action by the Agency
18. Exhibition of professionalism and competence
19. Integrity
20. Confidentiality

PART III - FINANCIAL AND MISCELLANEOUS PROVISIONS

21. Accounts and audit
22. Funds of the Agency
23. Annual reports to the President
24. Regulations
25. Offences and penalties
26. Interpretation
27. Short Title



# A BILL

## FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT THE INTERNAL AUDIT AGENCY TO CO-ORDINATE, FACILITATE, MONITOR AND SUPERVISE INTERNAL AUDIT ACTIVITIES WITHIN MINISTRIES, DEPARTMENTS AND AGENCIES TO SECURE QUALITY ASSURANCE OF INTERNAL AUDIT WITHIN THESE INSTITUTIONS AND FOR OTHER CONNECTED MATTERS THEREWITH, 2020

*Sponsored by Senator Bomai, Ibrahim Mohammed*

[ ] Commencement

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

### 1 PART I - ESTABLISHMENT AND FUNCTIONS OF THE INTERNAL

#### 2 AUDIT AGENCY

3 1. There is hereby established the Internal Audit Agency (herein  
4 after referred to as the "Agency"). Establishment of Internal Audit Agency

5 2. The object of the Agency is to co-ordinate, facilitate and provide  
6 quality assurance for internal audit activities within the Ministries,  
7 Departments and Agencies. Object of the Agency

8 3.-(1) The Agency shall set standards and procedures for the  
9 conduct of internal audit activities in the MDAs. Functions of the Agency

10 (2) The Agency shall ensure that:

11 (a) financial, managerial and operating information reported  
12 internally and externally is accurate, reliable and timely;

13 (b) the financial activities of MDAs are in compliance with laws,  
14 policies, plans, standards and procedures;

15 (c) national resources are adequately safeguarded;

16 (d) national resources are used economically, effectively and  
17 efficiently;

- 1 (e) plans, goals and objectives of MDAs are achieved; and  
 2 (f) risks are adequately managed in the MDAs.  
 3 (3) Without limiting subsections (1) and (2), the Agency shall:  
 4 (a) promote economy, efficiency and effectiveness in the  
 5 administration of government programmes and operations;  
 6 (b) prepare plans to be approved by the Board for the development  
 7 and maintenance of an efficient internal audit for the MDAs;  
 8 (c) facilitate the prevention and detection of fraud; and  
 9 (d) provide a means for keeping the MDAs and MMDAs fully and  
 10 currently informed about problems and deficiencies related to the  
 11 administration of their programmes and operations and the necessity for  
 12 appropriate corrective action.  
 13 (4) The Agency shall monitor, undertake inspections and evaluate the  
 14 internal auditing of the MDAs.
- 15 **4.** There is established To reduced frequent petroleum trucks accident  
 16 on Nigeria road, the Department of Petroleum Resources (DPR) has scheduled  
 17 a stakeholders forum in ensuring a effective collaboration with all stakeholders  
 18 towards safe petroleum products transportation system across the country for  
 19 the Agency a governing Board known as the Internal Audit Board.
- 20 **5.-(1)** The Board shall consist of the following members appointed by  
 21 the President subject to confirmation by the Senate:  
 22 (a) a chairman;  
 23 (b) representative of the ministry of Finance ;  
 24 (c) representative of the ministry of Justice ;  
 25 (d) representative of the Federal Civil Service Agency ;  
 26 (e) the Executive secretary of the Agency appointed under section 10  
 27 of this Act;  
 28 (f) two other members appointed from the private sector; and  
 29 (g) two professional accountants each with not less than ten years'  
 30 experience in the profession nominated by ICAN and ANAN.

Governing  
board of the  
Agency

Membership  
of the Board

1 (2) The President shall in appointing members of the Board have  
 2 regard to the integrity, knowledge, expertise and experience of the persons  
 3 and in particular their knowledge in matters relevant to the functions of the  
 4 Agency.

5 (3) The supplementary provisions set out in the Schedule to this  
 6 Act shall have effect with respect to the proceedings of the Board and the  
 7 other matters contained therein

8 **6.** The Board shall formulate policies for the Agency and shall:

Functions of  
the Board

9 (a) establish appropriate structures for the effective and efficient  
 10 execution of the object of the Agency;

11 (b) secure the achievement of the object of the Agency;

12 (c) approve plans for the development and maintenance of an  
 13 efficient internal audit for bodies and institutions to whom this Act applies;  
 14 and

15 (d) take reasonable and timely action on the reports submitted to it  
 16 by the Executive secretary.

17 **7.-(1)** A member other than ex-officio-

Tenure of  
Members

18 (a) shall hold office for a term four years and no more; or

19 (b) may hold office on terms and conditions as may be specified in  
 20 his letter of appointment.

21 (2) A member may at any time be removed from office by the  
 22 President for inability to discharge the functions of his office (whether  
 23 arising from infirmity of mind or body) or if the President considers that it is  
 24 not in the interest of the Fund or the Public for such member to continue in  
 25 office.

26 **8.-(1)** A member may cease to hold office if-

Cessation of  
Membership

27 (a) he is without permission of the Board absent for more than three  
 28 consecutive meetings of the Board or without such permission is absent  
 29 from the country for a period exceeding one year;

30 (b) in case of a professional who is disqualified or suspended (other

	1	than at his own request) from practicing his profession in any part of Nigeria by
	2	the order of any competent authority.
	3	(c) A person shall cease to be a member if he-
	4	(i) becomes bankrupt; or
	5	(ii) is guilty of serious misconduct in relation to his duties; or
	6	(iii) is convicted of a felony or any offence involving dishonesty.
	7	(2) A member may at any time resign his membership-
	8	(a) by giving notice in writing through the Minister to the President
	9	and the resignation becomes effective from the date specified in the notice; and
	10	(b) if no date is specified, from the date of the receipt of the notice by
	11	the President.
	12	(3) Where a member ceases to hold office for any reason whatsoever
	13	before the expiration of his term of office, the President after consulting the
	14	Minister may appoint another person for the unexpired term.
Allowances of Member	15	<b>9.</b> Member shall be paid such allowances as the Federal Government
	16	may from time to time direct.
Executive Secretary	17	<b>10.</b> -(1) there shall be appointed by the President, an officer who shall
	18	be the chief executive of the Agency and be designated the Executive secretary.
	19	(2) The Executive secretary shall not, while holding office, occupy
	20	any other office or employment which is likely to conflict with the duties of the
	21	Executive secretary whether or not there is remuneration attached to it.
	22	(3) Notwithstanding subsection (3), the Executive secretary may with
	23	the approval of the Board act as a member of a Agency appointed by the
	24	Government, to enquire into any matter affecting accountability, management
	25	and governance.
	26	(4) Subject to the provisions of this section, the Executive secretary
	27	shall be appointed on terms and conditions specified in the Executive
	28	secretary's letter of appointment.
Functions of the Executive Secretary	29	<b>11.</b> -(1) The Executive secretary shall, subject to directions of the
	30	Board on matters of policy and subject to this Act, be responsible for the day-to

1       -day management and administration of the Agency, and may make such  
2       decisions and exercise powers that are necessary for the attainment of the  
3       object and functions of the Agency.

4               (2) Without limiting subsection (1), the Executive secretary shall:

5               (a) secure the execution of the policies of the Board;

6               (b) make regular reports to the Board on the management and  
7       operations of the Agency;

8               (c) provide the data, statistics and advice necessary for the  
9       formulation of policies for the attainment of the object of the Agency; and

10              (d) perform such other duties as the Board may direct.

11              12.-(1) Subject to the Constitution and this Act the Executive  
12       secretary, in the performance of the functions as Executive secretary is not  
13       subject to the direction and control of any other person or authority but a  
14       public body, organ or the head of MDA may request the Executive secretary  
15       to carry out such specific investigations as may be considered reasonable by  
16       the Executive secretary.

Independence  
and powers of  
the Executive  
Secretary

17              (2) The Executive secretary or a person authorized by the  
18       Executive secretary is entitled:

19              (a) to be given such information and explanations as the Executive  
20       secretary may request in the performance of duties under this Act; and

21              (b) to inspect books, records and offices in the performance of  
22       duties under this Act or any other enactment and shall be given access to the  
23       books, records and offices on demand.

24              (3) Where there is any critical financial or economic crisis or  
25       exigency which requires immediate action and there is insufficient time to  
26       call a meeting of the Board, the Executive secretary may with the  
27       concurrence of the chairperson of the Board exercise the powers of the  
28       Board and take such action as may be necessary.

29              (4) Where any action has been taken by the Executive secretary  
30       under subsection (3), the Executive secretary shall as soon as practicable

1 call a meeting of the Board to report the action taken for ratification or review  
2 by the Board.

3 **13.**-(1) Subject to this Act the Executive secretary, in the performance  
4 of the functions as Executive secretary is not subject to the direction and  
5 control of any other person or authority but a public body, organ or the head of  
6 an MDA may request the Executive secretary to carry out such specific  
7 investigations as may be considered reasonable by the Executive secretary.

8 (2) The Executive secretary or a person authorised by the Executive  
9 secretary is entitled:

10 (a) to be given such information and explanations as the Executive  
11 secretary may request in the performance of duties under this Act; and

12 (b) to inspect books, records and offices in the performance of duties  
13 under this Act or any other enactment and shall be given access to the books,  
14 records and offices on demand.

15 (3) Where there is any critical financial or economic crisis or exigency  
16 which requires immediate action and there is insufficient time to call a meeting  
17 of the Board, the Executive secretary may with the concurrence of the  
18 chairman of the Board exercise the powers of the Board and take such action as  
19 may be necessary.

20 (4) Where any action has been taken by the Executive secretary under  
21 subsection (3), the Executive secretary shall as soon as practicable call a  
22 meeting of the Board to report the action taken for ratification or review by the  
23 Board.

Others Staff  
of the Agency  
etc.

24 **14.**-(1) The Council shall have power to appoint directly, and either on  
25 transfer or on secondment from any public service in the Federation, such  
26 number of employees as may, in the opinion of the Council, be required to  
27 assist the Agency in the discharge of any of its functions under this Act, and  
28 shall have power to pay to persons so employed such remuneration (including  
29 allowances) as the Council may, determine.

30 (2) The terms and conditions of service (including terms and



1 conditions as to remuneration, allowances, pensions, gratuities and other  
2 benefits) of the persons employed by the Agency shall be as determined by  
3 the Council from time to time.

4 (3) The Council may engage such consultants and advisers as it  
5 may require for the proper and efficient discharge of the functions of the  
6 Agency

7 **15.** The Agency may, subject to the provisions of this Act, make Staff Regulation  
8 staff regulations relating generally to the conditions of service of the  
9 employees of the Agency and without prejudice to the generality of the  
10 foregoing, such regulations may provide for-

11 (a.) the appointment, promotion and disciplinary control  
12 (including dismissal) of employees of the Agency; and

13 (b.) appeals by such employees against dismissal or other  
14 disciplinary measures.

15 **PART II - INTERNAL AUDIT UNITS FOR MDAS**

16 **16.-(1)** There shall be established in each MDA an internal audit Establishment  
of internal audit  
units  
17 unit which shall constitute a part of the MDA.

18 (2) There shall be appointed for each internal audit unit, personnel  
19 required to ensure an effective and efficient internal auditing of the MDA  
20 concerned.

21 (3) An internal audit unit established under subsection (1) shall in  
22 accordance with this Act and standards and procedures provided by the  
23 Agency, carry out an internal audit of its MDA and shall submit reports on  
24 the internal audit it carries out to the Executive secretary of the Agency.

25 (4) The internal audit unit of an MDA shall submit a copy of its  
26 internal audit report to its management body and such other persons as it is  
27 required to submit the report.

28 (5) (a) The autonomous bodies of the Constitution shall be subject  
29 to the standards and procedures of the Agency and shall have internal audit  
30 units;

	1	(b) The internal audit units of the autonomous bodies shall not be
	2	subject to the Agency but shall be subject to the Auditor-General;
	3	(c) A copy of the internal audit report of an autonomous body shall be
	4	submitted to the Auditor-General.
Action by the Agency	5	<b>17.</b> The Agency may upon examination of an internal audit report,
	6	take such action as it considers appropriate including recommendation of
	7	prosecution and disciplinary action in respect of any breaches found.
Exhibition of professionalism and competence	8	<b>18.</b> Internal auditors operating by virtue of this Act:
	9	(a) shall exhibit the highest level of professionalism in the gathering,
	10	evaluation and communication of information when auditing and shall act only
	11	in areas for which they have the necessary knowledge, skills, experience and
	12	competence;
	13	(b) shall perform internal auditing in accordance with Generally
	14	Accepted Principles of Internal Auditing and the standard and guidelines of the
	15	Agency as established under section 3(1); and
	16	(c) shall in the performance of their work make a balanced assessment
	17	of all issues of relevance to the work and should not be influenced by their
	18	personal interest or the interests of other persons.
Integrity	19	<b>19.</b> Internal auditors to whom this Act applies shall:
	20	(a) perform their work with honesty and diligence;
	21	(b) not knowingly be a party to any illegal activities or engage in acts
	22	that discredit the work of internal auditing or the MDA;
	23	(c) make disclosures required by law and the standards and
	24	procedures as established under section 3(1);
	25	(d) not participate in any activity or relationship that may impair or is
	26	likely to be taken to impair unbiased assessment, including an activity or a
	27	relationship that may be in conflict with the interests of the MDA
	28	(e) not accept anything or any favour that may impair or might be
	29	taken to affect their professional judgment; and
	30	(f) disclose all material facts known to them, the non-disclosure of

1 which may distort any reporting activity.

2           **20.**-(1) Internal auditors shall respect the value and ownership of      Confidentiality  
3 information they receive and shall not disclose information without  
4 authority unless there is a legal or professional obligation to do so.

5           (2) Internal auditors shall be prudent in the use and protection of  
6 information acquired in the course of their duties.

7           PART III - FINANCIAL AND MISCELLANEOUS PROVISIONS

8           **21.**-(1) The Agency shall keep proper books of account and other      Accounts and  
9 records in relation to these in a form determined by the Controller and      audit  
10 Accountant-General and approved by the Auditor-General.

11           (2) The Agency shall, not later than three months after the end of  
12 the financial year, submit for audit to the Auditor-General, its books of  
13 account and records.

14           (3) The Auditor-General shall, not later than three months after the  
15 submission under subsection (2), audit the books of account of the Agency.

16           (4) The financial year of the Agency shall be the same as the  
17 financial year of the Government.

18           **22.** The funds of the Agency are:      Funds of the  
19           (a) monies provided to the Agency by the National Assembly for      Agency  
20 the discharge of its functions; and

21           (b) monies that accrue to the Agency.

22           **23.**-(1) The Board shall not later than three months after the end of      Annual report  
23 each financial year submit to the President a report of the activities of the  
24 Agency in respect of the preceding financial year and shall in the report:

25           (a) state its findings on activities of the internal audit units of the  
26 MDAs;

27           (b) provide details of its expenditure for the preceding financial  
28 year as compared with its budgeted expenditures for that year.

29           (2) The President shall cause the report with such comments as the  
30 President determines, to be laid before National Assembly by the Minister.

Regulations	<p>1                   <b>24.</b>-(1) The President may, on the advice of the Board, by legislative</p> <p>2                   instrument prescribe Regulations necessary for the effective implementation</p> <p>3                   of this Act.</p> <p>4                   (2) In furtherance of subsection (1) Regulations may be made in</p> <p>5                   respect of (a) the persons or bodies to whom reports of the internal audit units</p> <p>6                   shall be distributed by the Board;</p> <p>7                   (b) the protection of internal auditors; and</p> <p>8                   (c) any other matter in accordance with this Act.</p> <p>9                   (3) Any Regulations made under this section may be signed by a</p> <p>10                  Minister authorised by the President.</p>
Offences and penalties	<p>11                  <b>25.</b>-(1) Any person who:</p> <p>12                  (a) gives the Executive secretary any information or explanation</p> <p>13                  which the person knows to be false or which the person has no reason to believe</p> <p>14                  to be true contrary to section 12 (2) (a);</p> <p>15                  (b) fails to produce for inspection by the Executive secretary or</p> <p>16                  otherwise fails to give the Executive secretary access to any book, record or</p> <p>17                  office when requested by the Executive secretary contrary to section 12 (2) (b);</p> <p>18                  (c) wilfully suppresses any information or explanation required by</p> <p>19                  the Executive secretary;</p> <p>20                  (d) obstructs the Executive secretary in any way in the performance of</p> <p>21                  functions under this Act; or</p> <p>22                  (e) provides information which the person knows to be false or which</p> <p>23                  the person has no reason to believe to be true to an internal auditor, commits an</p> <p>24                  offence and is liable on summary conviction to a fine not less than Two Million</p> <p>25                  Naira or to imprisonment for a term not exceeding 5 years or to both.</p> <p>26                  (2) Any internal auditor who acts in breach of any of the provisions of</p> <p>27                  sections 18, 19 or 20 shall be subject to such action as the Board shall</p> <p>28                  recommend including criminal prosecution.</p> <p>29                  (3) Any member of staff or employee of the Agency who:</p> <p>30                  (a) demands or takes a bribe, gratuity, recompense or reward for the</p>

1 neglect, omission, Agency or performance of duty under this Act;  
 2 (b) wilfully fails to report to the Executive secretary any abuse or  
 3 irregularity that comes to the notice of the person in the course of the  
 4 performance of duties under this Act; or

5 (c) makes any report to the Executive secretary which the person  
 6 knows to be false or which the person has no reason to believe to be true  
 7 commits an offence and is liable on summary conviction to a fine of not less  
 8 than 1,000 penalty units or to imprisonment for a term not exceeding 5 years  
 9 or to both.

10 (4) For the purposes of subsection (1), the Executive secretary  
 11 includes any officer acting under the instructions of the Executive secretary.

12 **26.** In this Act unless the context otherwise requires:

Interpretation

13 "Agency" means the Internal Audit Agency established under section 1;

14 "Board" means the Board of the Internal Audit Agency;

15 "Minister" means the Minister responsible for Finance;

16 "MDA" means Ministries, Departments and Agencies and includes all  
 17 government bodies and institutions that receive government subvention  
 18 wholly or partially.

19 **27.** This Bill may be cited as the Internal Audit Agency (Est, etc)  
 20 Bill, 2020.

Short title

## 21 SCHEDULE

### 22 *Section 5 (3)*

#### 23 SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL, ETC

##### 24 *Proceedings of the Council*

25 1.-(1) Subject to this Act and section 27 of the Interpretation Act,  
 26 the Council may make standing orders regulating its proceedings or those of  
 27 any of its committees.

28 (2) The quorum of the Council shall be eleven members, including  
 29 the Chairman and Co-Chairman or, in their absence, the person elected  
 30 under paragraph 2(2) of this Schedule to preside, and nine other members

1 and the quorum of any committee of the Council shall be determined by the  
2 Council.

3 2.-(1) The Council shall meet at least once a month in each calendar  
4 year and subject thereto, the Council shall meet whenever it is summoned by  
5 the Co-Chairmen, and if the Co-Chairmen are required to do so, by notice given  
6 to them by not less than six other members, they shall summon a meeting of the  
7 Council to be held within fourteen days from the date on which the notice is  
8 given.

9 (2) At any meeting of the Council, Co-Chairmen shall preside but if  
10 any of both is absent, the members present at the meeting shall elect one of their  
11 number to preside at the meeting.

12 (3) Where the Council desires to obtain the advice of any person on a  
13 particular matter, the Council may co-opt him to the Council for such period as  
14 it thinks fit, but a person who is in attendance by virtue of this sub- paragraph  
15 shall not be entitled to vote at any meeting of the Council and shall not count  
16 towards a quorum.

17 (4) The decision of the Council shall be by simple majority.

18 *Committees*

19 3.-(1) The Council may appoint one or more committees to carry out,  
20 on behalf of the Council, such of its functions as the Council may determine.

21 (2) A committee appointed under sub-paragraph (1) of this paragraph  
22 shall consist of such number of persons (not necessarily members of the  
23 Council) as may be determined by the Council, and a person other than a  
24 member of the Council, shall hold office on the committee in accordance with  
25 the terms of his appointment.

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

## EXPLANATORY MEMORANDUM

This Bill seeks to provide for the establishment the Internal Audit Agency to co-ordinate, facilitate, monitor and supervise internal audit activities within Ministries, Departments and Agencies to secure quality assurance of internal audit within these institutions.





# A BILL

## FOR

AN ACT TO ESTABLISH THE FEDERAL UNIVERSITY OF AGRICULTURE  
DAMBATTA, KANO TO MAKE COMPREHENSIVE PROVISIONS FOR ITS DUE  
MANAGEMENT AND ADMINISTRATION AND OTHER RELATED MATTERS

*Sponsored by Senator Jibrin I. Barau*

[ ] Commencement

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

1 PART I - ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF FEDERAL  
2 UNIVERSITY OF AGRICULTURE DAMBATTA, KANO STATE

3 1.-(1) There is hereby upgraded the Audu Bako College of Establishment  
4 Agriculture, Dambatta, Kano State (in this Act referred to as "the and objects of  
5 University") to be known as the Federal University of Agriculture the Federal  
6 Dambatta, Kano State. University of  
Agriculture  
Dambatta, Kano  
State

7 (2) The University-

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

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

11 2. The objects of the University shall be to-

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

15 (b) to develop and offer academic and professional programmes  
16 leading to the award of diplomas, first degrees, post-graduate research and  
17 higher degrees with emphasis on planning, adaptive, technical,  
18 maintenance, developmental and productive skills in the engineering,  
19 scientific, and allied professional disciplines relating to Sports resources  
20 with the aim of producing socially mature men and women with capability

1 not only to understand, use and adapt existing technologies in the Agriculture ,  
2 but also to improve on them and develop new ones;

3 (c) to act as agents and catalysts, through post-graduate training,  
4 research and innovation for the effective and economic utilization, exploitation  
5 and conservation of the country's Agriculture resources;

6 (d) to offer to the general population particularly in the area  
7 Agriculture as a form of public service, the results of training and research and  
8 to foster the practical applications of these results;

9 (e) to establish appropriate relationships with other national  
10 institutions involved in training, research and development of technologies in  
11 the Sports sector;

12 (f) to identify the problems and needs of the Agriculture sector in  
13 Nigeria and to find solutions to them within the context of overall national  
14 development;

15 (g) to provide and promote sound basic scientific training as a  
16 foundation for the development of Agriculture in Nigeria, taking into account  
17 indigenous cultures and the need to enhance national unity;

18 (h) to encourage and promote scholarship and conduct research in  
19 restricted fields of learning and human endeavor;

20 (i) to relate its activities to the technological, social, cultural and  
21 economic needs of the people of Nigeria; and

22 (j) to undertake any other activities appropriate for an Agriculture  
23 university of the highest standard.

Constitution of  
the University  
and its Constituents  
Bodies, etc.

24 **3.-(1)** The University shall consist of-

25 (a) a Chancellor;

26 (b) a Pro-Chancellor and a Council;

27 (c) a Vice Chancellor and a Senate;

28 (d) a Deputy Vice-Chancellor;

29 (e) a body to be called Congregation;

30 (f) a body to be called Convocation;

- 1 (g) the campuses and colleges of the University;
- 2 (h) the faculties, schools, institutes and other teaching and research
- 3 units of the University;
- 4 (i) the persons holding the offices constituted by the First Schedule
- 5 to this Act other than those mentioned in paragraphs (a) to (c) of this
- 6 subsection;
- 7 (j) all graduates and undergraduates; and
- 8 (k) all other persons who are members of the University in
- 9 accordance with provisions made by Statute in that behalf.
- 10 (2) The First Schedule to this Act shall have effect with respect to
- 11 the Principal Officers of the University mentioned therein.
- 12 (3) Provision shall be made by Statute with respect to the
- 13 constitution of the following bodies, namely-
- 14 (a) the Council;
- 15 (b) the Senate;
- 16 (c) the Congregation; and
- 17 (d) the Convocation.
- 18 4.-(1) For the carrying out of its objects as specified in Section 2 of
- 19 this Act, the University shall have power to-
- 20 (a) establish such campuses, colleges, faculties, institutes, schools,
- 21 extra-mural departments and other teaching and research units within the
- 22 University as may from time to time seem necessary or desirable, subject to
- 23 the approval of the National Universities Commission;
- 24 (b) institute professorships, readerships and associate
- 25 professorships, lectureships and other posts and offices and to make
- 26 appointments thereto;
- 27 (c) institute and award fellowships, scholarships, exhibitions,
- 28 bursaries, medals, prizes and other titles, distinctions, awards and forms of
- 29 assistance;
- 30 (d) provide for the residence, discipline and welfare of members of

Powers of the  
University

1 the University;

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

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

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

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

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

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

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

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

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

1 with any bank on deposit or current account;

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

7 (o) make gifts for any charitable purpose;

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

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

12 (2) Subject to the provisions of this Act and of the Statutes made  
13 thereunder and without prejudice to Section 9 (2) of this Act, the powers  
14 conferred on the University by subsection (1) of this section shall be  
15 exercisable on behalf of the University by the Council or by the Senate or in  
16 any other manner which may be authorized by this Act.

17 **5.-(1)** The Chancellor shalt in relation to the University, take  
18 precedence before all other members of the University, and when he is  
19 present shall preside at all meetings of convocation held for conferring  
20 degrees.

Functions of the  
Chancellor and  
Pro-Chancellor

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

26 **6.-(1)** There shall be a Council for the University consisting of:

Establishment  
and Composition  
of Council

27 (a) the Pro-Chancellor;

28 (b) the Vice-Chancellor;

29 (c) the Deputy Vice-Chancellor;

30 (d) one person from the Ministry responsible for Agriculture;

Functions of  
the Council and  
its Finance and  
General Purpose

1 (e) four persons representing a variety of interest and broadly  
2 representative of the whole Federation;

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

4 (g) two persons appointed by the congregation from among its  
5 members; and

6 (h) one persons appointed by Convocation from among its members.

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

10 7.-(1) Subject to the provisions of this Act relating to the Visitor, the  
11 Council shall be the Governing Body of the University and shall be charged  
12 with the general control and superintendence of the policy, finances and  
13 property of the University, including its public relations.

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

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

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

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

30 (6) Rules made under subsection (5) of this section by the Finance and

1 General Purposes Committee shall not come into force unless approved by  
2 the Council, and where any rule so made by the Committee conflict with any  
3 directions given by the Council (whether before or after the coming into  
4 force of the rules in question), the direction of the Council shall prevail.

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

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

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

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

22 8.-(1) Subject to section 5 of this Act and subsections (3) and (4) of  
23 this section and to the provisions of this Act relating to the Visitor, it shall be  
24 the general function of the Senate to organize and control teaching in the  
25 University, admission to Postgraduate courses and other admission of  
26 students, the discipline of students and to promote research in the  
27 University.

Functions of the  
Senate

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

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

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

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

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

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

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

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

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

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

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

30 (b) The Senate shall, by regulation, provide that at least one of the



1 persons appointed as examiners at each final or professional examination  
 2 held in conjunction with any course of study in the University is not a  
 3 teacher at the University but is a teacher at the branch of learning to which  
 4 the course relates in some other university of high repute.

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

11 9.-(1) The Vice-Chancellor shall, in relation to the University, take  
 12 precedence before all other members of the University except the  
 13 Chancellor and, subject to section 5 of this Act, the Pro-Chancellor and any  
 14 other person for the time being acting as Chairman of the Council.

Functions of the  
Vice-Chancellor

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

## 21 PART II -TRANSFER OF PROPERTY

22 10.-(1) All property held by or on behalf of the Provisional Council  
 23 shall, by virtue of this subsection and without further assurance, vest in the  
 24 University and be held by it for the purpose of the University.

Transfer of  
Property to the  
University

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

## 29 PART III - STATUTES OF THE UNIVERSITY

30 11.-(1) Subject to this Act, the University may make Statutes for

Power of the  
University to  
make Statutes

1 any of the following purposes-

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

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

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

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

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

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

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

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

Mode of exercising  
the power to make  
Statutes

24 **12.-(1)** The power of the University to make Statutes shall be  
25 exercised in accordance with the provisions of this section.

26 (2) A proposed Statute shall not have the force of law until it has been  
27 approved at a meeting of the-

28 (a) Senate, by the votes of not less than two thirds of the members  
29 present and voting; and

30 (b) Council by the votes of not less than two thirds of the members

1 present and voting.

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

5 (4) A Statute which-

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

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

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

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

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

21 **14.-(1)** In the event of any doubt or dispute arising at any time as to Power to decide  
22 the meaning of any provision of a Statute, the matter may be referred to the the meaning of  
23 Visitor, who shall take such advice and make such decision thereon as he Statute  
24 deems fit.

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

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

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

#### 12            PART IV - SUPERVISION AND DISCIPLINE

The Visitor

13           **15.-(1)** The President shall be the Visitor of the University.

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

18           (3) It shall be the duty of the bodies and persons comprising the  
 19    University to-

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

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

Removal of  
 certain Members  
 of the Council

25           **16.-(1)** If it appears to the Council that a member (other than the Pro-  
 26    Chancellor or the Vice-Chancellor) should be removed from office on grounds  
 27    of misconduct or inability to perform the functions of his office, the Council  
 28    shall make a recommendation to that effect through the Minister to the Sports  
 29    university of Nigeria Abuja Executive Council and if the Sports University of  
 30    Nigeria Abuja Executive Council, after making such enquiries (if any) as may

1 be considered necessary, approves the recommendation it may direct the  
2 removal of the member from office.

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

7 17.-(1) If it appears to the Council that there are reasons for  
8 believing that any person employed as a member of the academic,  
9 administrative or professional staff of the University, other than the Vice-  
10 Chancellor, should be removed from office or on grounds of misconduct or  
11 inability to perform the functions of his office Council shall-

Removal and  
discipline of  
Academic,  
Administrative  
and Professional  
Staff

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

30          (6) Where the Council, pursuant to this section, decides to continue a

1 person's suspension or decides to take further disciplinary action against the  
2 person, the Council shall, before the expiration of three months from such  
3 decision come to a final determination in respect of the case concerning such  
4 a person.

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

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

12 **18.**-(1) If, on the recommendation of the Vice-Chancellor, it  
13 appears to the Senate that a person appointed as an examiner for any  
14 examination of the University ought to be removed from his office or  
15 appointment, then, the Senate may, after affording the examiner an  
16 opportunity of making representations in person on the matter, direct the  
17 Vice-Chancellor to remove the examiner by an instrument in writing signed  
18 by the Registrar.

Removal of  
Examiners

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

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

27 **19.**-(1) Subject to the provisions of this section, where it appears to  
28 the Vice-Chancellor that any student is guilty of misconduct, the Vice-  
29 Chancellor may, without prejudice to any other disciplinary powers  
30 conferred on him by Statute or regulations, direct that the-

Discipline of  
Students

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

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

6 (c) student be rusticated for such period as may be specified in the  
7 direction.

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

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

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

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

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

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

28 PART V - MISCELLANEOUS AND GENERAL PROVISIONS

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

29 **20.-(1)** No person shall be required to satisfy requirements as to any of  
30 the following matters, that is to say, race (including ethnic grouping) sex, place



1 of birth, family origin, religious or political persuasion, as a condition for  
2 becoming or continuing to be a-

3 (a) student in the University;

4 (b) Holder of any degree, appointment or employment in the  
5 University; or

6 (c) member of anybody established by virtue of this Act.

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

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

17 **21.**-(1) For the purpose of the Land Use Act (which provides for the  
18 compulsory acquisition of land for public purposes) any purpose of the  
19 University shall be the same as that of the Federation.

Transfer of land  
to the University

20 (2) Where an estate or interest in land is acquired by the  
21 Government pursuant to this section, the Government may, by a certificate  
22 under the hand and seal of the Sports University of Nigeria Abuja or any  
23 other person authorized in that behalf transfer it to the University.

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

Restriction on  
disposal of land  
by University

28 PROVIDED that such consent shall not be required in the case of  
29 any lease or tenancy at a rack-rent for a term not exceeding twenty-one years

	1	of any lease or tenancy to a member of the University for residential purpose.
Quorum and procedure of bodies established by this Act	2	<b>23.</b> Except as may be otherwise provided by Statute or by Regulation,
	3	the quorum and procedure of any body of persons established by this Act shall
	4	be such as may be determined by that body.
	5	<b>24.-(1)</b> Anybody of persons established by this Act shall, without
Appointment of Committees, etc.	6	prejudice to the generality of the powers of that body, have power to appoint
	7	committees, which need not consist exclusively of members of that body and
	8	authorize a committee established by it to-
	9	(a) exercise on its behalf, such of its functions as it may determine;
	10	and
	11	(b) co-opt members and direct whether or not co-opted members shall
	12	be entitled to vote in that committee.
	13	(2) Any two or more such bodies may arrange for the holding of joint
	14	meetings of those bodies or for the appointment of committees consisting of
	15	members of those bodies, for the purpose of considering any matter within the
	16	competence of those bodies or any of them and either dealing with it or of
	17	reporting on it to those bodies or any of them.
	18	(3) Except as may be otherwise provided by Statute or Regulations,
	19	the quorum and procedure of a committee established or meeting held pursuant
	20	to this section shall be such as may be determined by the body or bodies which
	21	have decided to establish the committee or hold the meeting.
	22	(4) The Pro-Chancellor and the Vice-Chancellor shall be members of
	23	every committee of which the members are wholly or partly appointed by the
	24	Council, (other than a committee appointed to inquire into the conduct of the
	25	officer in question) and the Vice-Chancellor shall be a member of every
	26	committee of which the members are wholly or partly appointed by the Senate.
	27	(5) Nothing in the foregoing provisions of this section shall be
	28	construed as enabling-
	29	(a) statutes to be made otherwise than in accordance with section 11 of
	30	this Act; or

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

3 **25.-(1)** The seal of the University shall be such as may be  
4 determined by the Council and approved by the Chancellor and the affixing  
5 of the seal shall-

Miscellaneous  
Administrative  
provisions

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

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

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

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

18 (4) The validity of the proceedings of anybody established  
19 pursuant to this Act shall not be affected by-

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

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

27 (7) The power conferred by this Act on anybody to make Statute or  
28 Regulations shall include power to revoke or vary any-

29 (a) Statute (including the Statute contained in the Third Schedule to  
30 this Act; or

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

3 PROVIDED that the Statutes and Regulations may have different  
4 provisions in relation to different circumstances.

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

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

Interpretation

10 **26.-(1)** In this Act-

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

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

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

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

17 "gross misconduct" means any act of misconduct and improper behavior that  
18 may be designated as gross misconduct by any Statute or Regulation made,  
19 pursuant to this Act.

20 "Minister" means the Minister charged with responsibility for Agriculture;

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

24 "notice" means notice in writing;

25 "officer" does not include the Visitor;

26 "prescribed" means prescribed by Statute or Regulation made under this Act;

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

29 "property" includes rights, liabilities and obligations;

30 "the provisional Council" means the provisional Council appointed for the

1 University by the President with effect from September 2016;  
2 "regulations" means regulations made by the Senate or Council;  
3 "Senate" means the Senate of the University established by the Act;  
4 "Statute" means a Statute made by the University under section 11 of this  
5 Act and in accordance with the provisions of section 12 of this Act;  
6 "the Statutes" means all such Statutes as are in force from time to time;  
7 "teacher" means a person holding a full time appointment as a member of the  
8 teaching or research staff of the University;  
9 "President" means the President of the Federal Republic of Nigeria;  
10 "Constitution" means the Constitution of the Federal Republic of Nigeria;  
11 "undergraduate" means a person in *statu pupilaris* in the University, other  
12 than-  
13 (a) a graduate; and  
14 (b) a person of such description as may be prescribed for the  
15 purposes of this definition.  
16 "the University" the Federal University of Agriculture Dambatta, Kano  
17 State incorporated and constituted by this Act; and  
18 "the Act" means the Federal University of Agriculture Dambatta, Kano State  
19 Act.

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

27 **27.** This Bill may be cited as the Federal University of Agriculture Short Title  
28 Dambatta, Kano State (Establishment, etc.) Bill, 2020.

## 1 SCHEDULES

## 2 FIRST SCHEDULE

3 *Section 3 (2)*

## 4 PRINCIPAL OFFICERS OF THE UNIVERSITY

5 *The Chancellor*

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

8 *The Pro-Chancellor*

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

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

13 *The Vice-Chancellor*

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

17 *Deputy Vice-Chancellor*

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

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

24 (3) A Deputy Vice-Chancellor shall-

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

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

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

*Office of the Registrar, Bursar and University Librarian*

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

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

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

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

(a) the Bursar; and

(b) the University Librarian.

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

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

(4) The Bursar and the University Librarian-

(a) shall each hold office for such period and on such terms and conditions as to emoluments as may be specified in his letter of appointment.

*Other Officers of the University*

7. There shall be for the University, a Director of Works, who shall

1 be responsible to the Vice Chancellor for the administration of the Works  
2 Department. He shall be responsible for all works, services and maintenance of  
3 University facilities.

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

8 *Resignation and re-appointment*

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

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

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

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

18 SECOND SCHEDULE

19 *Section 10 (2)*

20 TRANSITIONAL PROVISIONS AS TO PROPERTY, FUNCTIONS, ETC.

21 *Transfer of Property to the University*

22 1. Without prejudice to the generality of Section 10(1) of this Act-

23 (a) the reference in the subsection to property held by the provisional  
24 Council and the University shall include a reference to the right to receive and  
25 give a good discharge for any grants or contributions which may have been  
26 voted or promised to the provisional Council and the University; and

27 (b) all outstanding debts and liabilities of the provisional Council  
28 shall become debts and liabilities of the University established by this Act.

29 2.-(1) All agreements, contracts, deeds and other instruments to  
30 which the provisional Council was a party shall, so far as possible and subject



1 to any necessary modifications, have effect as if the University established  
2 by this Act had been a party to it in place of the provisional Council.

3 (2) Documents not falling within sub-paragraph (I) above,  
4 including enactments, which refer whether specially or generally to the  
5 provisional Council shall be construed in accordance with that  
6 subparagraph so far as applicable.

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

#### 10 *Registration of Transfers*

11 3.-(1) If the law in force at the place where any property transferred  
12 by this Act is situated provides for the registration of transfers of property of  
13 the kind in question (whether by reference to an instrument of transfer or  
14 otherwise), the law shall, so far as it provides for alterations of a register (but  
15 not for avoidance of transfers, the payment of fees of any other matter)  
16 apply, with the necessary modifications to the transfer of the property in  
17 question.

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

22 4.-(1) The first meeting of the Council shall be convened by the  
23 Pro-Chancellor on such date and in such manner as he may determine.

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

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

30 (4) The persons who were members of the Senate immediately into

1 before the coming into force of this Act shall be deemed to constitute the Senate  
2 of the University until the date when the Senate as set up under the Third  
3 Schedule of this Act must have been duly constituted.

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

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

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

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

#### 20 THIRD SCHEDULE

#### 21 *Section 11 (3)*

#### 22 FEDERAL UNIVERSITY OF AGRICULTURE DAMBATTA, KANO

#### 23 STATUTE NO. 1

#### 24 Articles:

- 25 1. The Council.
- 26 2. Finance and General Purpose Committee
- 27 3. The Senate.
- 28 4. The Congregation.
- 29 5. Convocation.
- 30 6. Organization of Faculties and the Branches thereof.

1 7. Faculty Board.

2                    8. The Dean of the Faculty.

3 9. Selection of Certain Principal and other key officers.

4 10. Creation of Academic Post.

5 11. Appointment of Academic Staff.

6 12. Appointment of Administrative and Technical Staff.

7 *The Council*

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

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

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

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

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

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

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

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

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

9 *The Finance and General Purpose Committee*

10 2.-(1) The Finance and General Purpose Committee of the Council  
11 shall consist of-

12 (a) the Pro-Chancellor, who shall be the Chairman of the committee at  
13 any meeting at which he is present;

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

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

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

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

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

24 *The Senate*

25 3.-(1) There shall be a Senate for the University consisting of:

26 (a) the Vice-Chancellor;

27 (b) the Deputy Vice-Chancellor;

28 (c) all Professors of the University;

29 (d) all Deans, Provosts and Directors of Academic units of the  
30 University;

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

3 (f) the University Librarian; and

4 (g) academic members of the congregation who are not Professors  
5 as specified in the Laws of the University.

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

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

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

16 *Congregation*

17 4.-(1) Congregation shall consist of-

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

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

20 (c) the Registrar;

21 (d) the Bursar; and

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

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

29 (3) The quorum of congregation shall be one-third (or the nearest  
30 whole number to one-third) of the total number of members of congregation

1 or fifty, whichever is less.

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

3 (a) the total number of members of Congregation for the purposes of  
4 any particular meeting or meetings of Congregation; or

5 (b) the names of the persons who are members of Congregation  
6 during a particular period;

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

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

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

16 *Convocation*

17 5.-(1) Convocation shall consist of-

18 (a) the Officers of the University mentioned in Schedule 1 to this Act;

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

20 (c) all other persons whose names are registered in accordance with  
21 paragraph (2) below.

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

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

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

28 (3) Regulations shall provide for the establishment and maintenance  
29 of a register for the purpose of this paragraph and, subject to paragraph (3)  
30 below, may provide for the payment from time to time of further fees by

1 persons whose names are on the register and for the removal from the  
2 register of the name of any person who fails to pay those fees.

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

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

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

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

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

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

26 *Organisation of Faculties and Branches thereof*

27 6. Each Faculty shall be divided into such number of branches as  
28 may be prescribed.

29 7.-(1) There shall Be established in respect of each Faculty, a  
30 Faculty Board, which, subject to the provisions of this Act, and subject to the

1 directions of the Vice-Chancellor, shall-

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

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

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

8 (2) Each Faculty Board shall consist of-

9 (a) the Vice-Chancellor;

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

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

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

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

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

19 *The Dean of the Faculty*

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

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

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



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

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

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

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

19                               *Selection of Certain Principal and other key Officers*

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

- 23                               (i) the Pro-Chancellor;  
24                               (ii) the Vice-chancellor;  
25                               (iii) two members appointed by the Council, not being members of  
26                  Senate; and  
27                               (iv) two members appointed by the Senate not being members of  
28                  Council.

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

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

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

6 *Creation of Academic Post*

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

10 *Appointment of Academic Staff*

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

14 *Appointment of Administrative and Technical Staff*

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

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

EXPLANATORY MEMORANDUM

This Bill seeks to upgrade Audu Bako College of Agriculture, Dambatta, Kano State to Federal University of Agriculture Dambatta, Kano State to make comprehensive provisions for its due management and administration.

FEDERAL COLLEGE OF EDUCATION OMUO-EKITI, EKITI STATE  
(ESTABLISHMENT) BILL, 2020  
ARRANGEMENT OF CLAUSES

*Clauses*

PART 1 - ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF THE  
FEDERAL COLLEGE OF EDUCATION OMUO-EKITI, EKITI STATE  
*Establishment and Objectives of the Federal College of Education  
Omuo-Ekiti, Ekiti State*

1. Constitution and Principal Officers of the College
2. Powers of the College and their exercise
3. Composition, Tenure and Powers of the Council of the College
4. Functions of the Council and its Finance and General Purposes  
Committee
5. Functions of the Senate of the College
6. Functions of the Provost

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

8. General Fund of the College
9. Transfer of Property, etc.

PART III - STATUTES OF THE COLLEGE

10. Power of the College to make Statutes
11. Mode of exercising power to make Statutes
12. Proof of Statutes

PART IV - SUPERVISION AND DISCIPLINE

13. The Visitor
14. Removal of certain members of the Council
15. Removal and discipline of academic, administrative and  
professional staff
16. Removal of examiners
17. Participation and Discipline of Students

## PART V - MISCELLANEOUS AND GENERAL

18. Exclusion of discrimination on account of race, religion, etc.
19. Restriction on disposal of land by College
20. Quorum and procedure of bodies established by this Bill
21. Appointment of committees, etc
22. Retiring age of academic staff
23. Special provisions relating to pensions of Professors
24. Miscellaneous Administrative Provisions
25. Restriction of suits and execution
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## FIRST SCHEDULE

## SECOND SCHEDULE

## THIRD SCHEDULE

# A BILL

## FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE FEDERAL COLLEGE OF EDUCATION OMUO-EKITI, EKITI STATE; AND FOR OTHER MATTERS CONNECTED THEREWITH

*Sponsored by Senator Biodun Olujimi*

[ ] Commencement

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

1 PART I - ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF THE

2 FEDERAL COLLEGE OF EDUCATION OMUO-EKITI, EKITI STATE

3 1.-(1) There is hereby established the Federal College of Education  
4 Omuo-Ekiti, Ekiti State.

Establishment  
and Objectives  
of the Federal  
College of  
Education Omuo-  
Ekiti, Ekiti State

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

7 (3) The College shall be a training institution for the development  
8 of teacher Education in the country.

9 (4) The College shall be supervised by the Federal Ministry of  
10 Education through the National Commission for Colleges of Education  
11 (NCCE) who shall be responsible for approving and regulating all academic  
12 programmes run in the College, to ensure quality compliance and provide  
13 funds for academic and research programmes, infrastructures and  
14 remunerations of employees.

15 (5) The objects of the College shall be-

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

18 (b) to develop and offer academic and professional programmes  
19 leading to the award of certificates, first degrees, post-graduate research,  
20 diploma and higher degrees with emphasis on planning, developmental and

1 adaptive skills in Education, technology, applied science, agriculture,  
2 commerce, arts, social science, humanities, management and allied  
3 professional disciplines;

4 (c) to produce socially mature Educational men and women with  
5 capabilities not to only understand Educational need of Nigeria as a nation, but  
6 also to exploit existing Educational infrastructure and improve on it to develop  
7 new ones;

8 (d) to act as agents and catalysts for effective Educational system,  
9 through post graduate training , research and innovation, for effective  
10 economic utilization and conservation of the country's human resources;

11 (e) to bring quality change in Education by focusing on teacher  
12 Education through teaching and learning innovations;

13 (f) to collaborate with other national and international institutions  
14 involved in training, research and development of Education with a view to  
15 promoting governance, leadership and management skills among Educational  
16 managers;

17 (g) to identify Educational needs of the society with a view to finding  
18 solutions to them within the context of overall national development;

19 (h) to provide and promote sound basic Education training as a  
20 foundation for the development of Nigeria, taking into account indigenous  
21 culture and the need to enhance national unity;

22 (i) to provide higher Education and foster a systematic advancement  
23 of the science and act of teacher Education;

24 (j) to provide for instruction in such branches of teacher Education as  
25 it may deem necessary to make provision for research advancement and  
26 dissemination of knowledge in such manner as it may determine;

27 (k) to provide teachers with operational competence for teaching in  
28 pre-tertiary institutions, basic, senior secondary schools and non-formal  
29 Education institutions;

30 (m) to undertake any other activities that is appropriate for a College

1 of Education of the highest standard.

2 **2.-(1)** The College shall consist of:

Constitution and  
Principal Officers  
of the College

3 (a) a Provost;

4 (b) Deputy provost;

5 (c) a Provost and a Senate;

6 (d) a body to be called Congregation;

7 (e) a body to be called Convocation;

8 (f) the campuses and colleges of the College;

9 (g) the colleges, institutes and other teaching and research units of

10 the College;

11 (h) the persons holding the offices constituted by the First Schedule

12 to this Bill other than those mentioned in paragraphs (a) to (c) of this

13 subsection;

14 (i) all graduates and undergraduates of the College; and

15 (j) all other persons who are members of the College in accordance

16 with provisions made by statute in that behalf.

17 (2) The First Schedule to this Bill shall have effect with respect to

18 the principal officers of the College.

19 (3) Subject to section 5 of this Bill provision shall be made by

20 statute with respect to the constitution of the Council, the Senate,

21 Congregation and Convocation.

22 **3.-(1)** For the carrying out of its objects as specified in section 1 of

Powers of the  
Federal College  
of Education  
Omuo-Ekiti

23 this Bill, Federal College of Education, Omuo-Ekiti, Ekiti State shall have

24 power:

25 (a) to offer courses of instruction, training and research in

26 Education and allied areas for the production of quality and skilled teachers

27 required to teach at lower, middle and higher levels of Education in Nigeria

28 in particular and the world at large;

29 (b) to establish such colleges, campuses, institutes, schools,

30 departments and other teaching and research units within the College as may

1 from time to time be deemed necessary or desirable subject to the approval of  
2 National Universities Commission;

3 (c) to institute professorships, readerships or associate  
4 professorships, lectureships, and other posts and offices and to make  
5 appointments thereto;

6 (d) to institute and award fellowships, scholarships, exhibitions,  
7 bursaries, medals, prizes and other titles, distinctions, awards and forms of  
8 assistance;

9 (e) to provide for the discipline and welfare of members of the  
10 College;

11 (f) to hold examinations and grant degrees, diplomas, certificates and  
12 other distinctions to persons who have pursued a course of study approved by  
13 the College and have satisfied such other requirements as the College may lay  
14 down;

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

16 (h) to demand and receive from any student or any other person  
17 attending the College for the purposes of instruction, such fees as the College  
18 may from time to time determine subject to the overall directives of the  
19 Minister;

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

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

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

28 (l) to erect, provide, equip and maintain libraries, laboratories,  
29 workshops, lecture halls, halls of residence, refectories, sports grounds,  
30 playing fields and other buildings or things necessary, suitable or convenient



- 1 for any of the objects of the College;
- 2 (m) to hold public lectures and to undertake printing, publishing
- 3 and book selling;
- 4 (n) subject to any limitations or conditions imposed by statute, to
- 5 invest any moneys appertaining to the College by way of endowment it, not
- 6 being immediately required for current expenditure in any investments or
- 7 securities or in the purchase or improvement of land, with power from time
- 8 to time, to vary any such investments to deposit any moneys for the time
- 9 being not invested with any bank on deposit or current account;
- 10 (o) to borrow, whether on interest or not and if need be upon the
- 11 security of any or all of the property, movable or immovable, of the College,
- 12 such moneys as the Council may from time to time in its discretion find it
- 13 necessary or expedient to borrow of to guarantee any loan, advances or
- 14 credit facilities;
- 15 (p) to make gifts for any charitable purpose;
- 16 (q) to do anything which it is authorized or required by this Bill or
- 17 by statute to do; and
- 18 (r) to do all such acts or things, whether or not incidental to the
- 19 foregoing powers, as may advance the objects of the College.
- 20 (2) Subject to the provisions of this Bill and of the statutes and
- 21 without prejudice to section 7(2) of this Bill, the powers conferred on the
- 22 College by subsection (1) of this section shall be exercisable on behalf of the
- 23 College by the Council or by the Senate or in many other manner which may
- 24 be authorized by the statute.
- 25 (3) The power of the College to establish further campuses and
- 26 colleges within the College shall be exercisable by statute and not
- 27 otherwise.
- 28 4.-(1) The Council of the College shall consist of:
- 29 (a) the Provost;
- 30 (c) the Deputy Provost(s);

Composition,  
Tenure and Powers  
of the Council of  
the College

- 1 (d) one person from the Ministry responsible for Education;
- 2 (e) four persons representing a variety of interests and broadly
- 3 representative of the whole Federation to be appointed from:
- 4 (i) the Teacher's Registration Council;
- 5 (ii) Tertiary Education Trust Fund; and
- 6 (iii) two other persons, one of whom shall be a representative of the
- 7 College host community.
- 8 (f) four persons appointed by the Senate from among its members;
- 9 (g) two persons appointed by Congregation from among its members;
- 10 (h) one person appointed by Convocation from among its members.
- 11 (i) two persons representing the community appointed by the
- 12 President.
- 13 (2) Persons to be appointed to the Council shall be of proven integrity,
- 14 knowledgeable and familiar with the affairs and tradition of the College.
- 15 (3) The Council so constituted shall have a tenure of four years from
- 16 the date of its inauguration provided that where a Council is found to be
- 17 incompetent and corrupt, it shall be dissolved by the Visitor and a new Council
- 18 shall be immediately constituted for the effective functioning of the College.
- 19 (4) The powers of the Council shall be exercised, as in this Bill and to
- 20 that extent establishment circulars that are inconsistent with this Bill shall not
- 21 apply to the College.
- 22 (5) The Council shall be free in the discharge of its functions and
- 23 exercise of its responsibilities for the good management, growth and
- 24 development of the College.
- 25 (6) The Council in the discharge of its functions shall ensure that
- 26 disbursement of funds of the College complies with the approved budgetary
- 27 ratio for:
- 28 (a) personnel cost;
- 29 (b) overhead cost;
- 30 (c) research and development;

- 1 (d) library developments; and  
2 (e) the balance in expenditure between academic vis-à-vis non-  
3 academic activities.

4 **5.-(1)** Subject to the provisions of this Bill relating to the Visitor,  
5 the Council shall be the governing body of the College and shall be charged  
6 with the general control and superintendence of the policy, finances and  
7 property of the College.

Functions of the  
Council and its  
Finance and  
General Purpose  
Committee

8 (2) There shall be a committee of the Council, to be known as the  
9 Finance, and General Purposes Committee, which shall, subject to the  
10 directions of the Council, exercise control over the property and expenditure  
11 of the College and perform such other functions of the Council as the  
12 Council may from time to time delegate to it.

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

15 (4) The Council shall ensure that proper accounts of the College are  
16 kept and that the accounts of the College are audited annually by an  
17 independent firm of auditors approved by the Council and that an annual  
18 report is published by the College together with certified copies of the said  
19 accounts as audited.

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

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

30 (7) There shall be paid to the members respectively of the Council,

Functions of  
the Senate of  
the College

1 the Finance and General Purposes Committee and of any other committee set  
2 up by the Council, allowances in respect of travelling and other reasonable  
3 expenses, at such rates as may from time to time be fixed by the Minister.

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

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

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

13 6.-(1) Subject to section 5 of this Bill and subsections (3) and (4) of  
14 this section and the provisions of this Bill relating to the Visitor, it shall be the  
15 general function of the Senate to organize and control the teaching by the  
16 College, the admission of student where no other enactment provides to the  
17 contrary and the discipline of students; and to promote research at the College.

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

21 (a) the establishment, organization and control of campuses, colleges,  
22 schools, institutes and other teaching and research units of the College and the  
23 allocation of responsibility for different branches of learning;

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

27 (c) the award of degrees, and such other qualifications as may be  
28 prescribed in connection with examinations held as aforesaid;

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

1 professor emeritus;

2 (e) the establishment, organization and control of halls of residence  
3 and similar institutions at the College;

4 (f) the supervision of the welfare of students at the College and the  
5 regulation of their conduct;

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

8 (h) determining what descriptions of dress shall be academic dress  
9 for the purposes of the College, and regulating the use of academic dress.

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

14 (4) Subject to this Bill and the statutes, the Senate may make  
15 regulations for the purpose of exercising any function conferred on it either  
16 by the foregoing provisions of this section or otherwise or for the purpose of  
17 making provision for any matter for which provision by regulations is  
18 authorized or required by this Bill or by statute.

19 (5) Regulations shall provide that at least one of the persons  
20 appointed as the examiners at each final or professional examination held in  
21 conjunction with any course of study at the College is not a teacher at the  
22 College but is a teacher of the branch of learning to which the course relates  
23 at some other College of high repute or a person engaged in practicing the  
24 profession in a reputable organization or institution.

25 (6) Subject to right of appeal to the Council from a decision of the  
26 Senate under this sub-section, the Senate may deprive any person of any  
27 degree, diploma or other award of the College which has been conferred  
28 upon him if after due enquiry he is found to have been guilty of  
29 dishonourable or scandalous conduct in gaining admission into the College  
30 or obtaining that award.

Functions of  
the Provost

1                   7.-(1) The Provost shall, in relation to the College, take precedence  
2   before all other members of the College except the Chancellor and subject to  
3   section 4 of this Bill except the Pro-Chancellor and any other person for the  
4   time being acting as Chairman of the Council.

5                   (2) Subject to sections 6, 7 and 14 of this Bill, the Provost shall have  
6   the general function, in addition to any other functions conferred on him by this  
7   Bill or otherwise of directing the activities of the College and shall be the Chief  
8   Executive and Accounting Officer of the College and ex-officio Chairman of  
9   the Senate.

10                  (3) The Provost shall be the Chairman of the College Tenders' Board,  
11   which is saddled with the responsibility of approving the conduct of public  
12   procurement of goods, works and services within the approved threshold from  
13   time to time.

14                  (4) It shall be the responsibility of the Provost to establish and appoint  
15   members of the Tenders' Board in line with the extant Public Procurement  
16   Rules and Regulations.

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

General fund  
of the College

19                  8.-(1) There shall be a general fund of the College which shall consist  
20   of the following:

21                   (a) grants-in-aid;

22                   (b) fees;

23                   (c) income derived from investments;

24                   (d) gifts, legacies, endowments and donations not accepted for a  
25   particular purpose;

26                   (e) income derived from the exercise of any functions conferred or  
27   imposed on the College by this Bill;

28                   (f) any other amounts, charges or dues recoverable by the College;

29                   (g) revenue, from time to time, accruing to the College by way of  
30   subvention;

- 1 (h) interests on investments;
- 2 (i) donations and legacies accruing to the College from any source
- 3 for the general or special purposes of the College; and
- 4 (j) Regular TETFUND interventions;
- 5 (2) The general fund shall be applied for the purposes of the
- 6 College.

7 **9.**-(1) All property held by or on behalf of the Provisional Council

8 of the College shall, by virtue of this sub-section and without further

9 assurance, vest in the College and be held by it for the purpose of the

10 College.

Transfer of  
Property

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

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

13 this section and with respect to the other matters mentioned in that

14 Schedule.

15 **PART III - STATUTES OF THE COLLEGE**

16 **10.**-(1) Subject to this Bill, the College may make statutes for any

17 of the following purposes, that is to say:

Power of the  
College to make  
Statutes

18 (a) Making provision with respect to the composition and

19 constitution of any authority of the College;

20 (b) Specifying and regulating the powers and duties of any

21 authority of the College, and regulating any other matter connected with the

22 College or any of its authorities;

23 (c) Regulating the admission of students (where no other

24 enactment provides to the contrary), and their discipline and welfare;

25 (d) Determining whether any particular matter is to be treated as an

26 academic or non-academic matter for the purposes of this Bill and of any

27 statute, regulation or other instrument made thereunder; or

28 (e) Making provision for any other matter for which provision by

29 statute is authorized or required by this Bill.

30 (2) Subject to section 25(6) of this Bill, the Interpretation Act shall

	1	apply in relation to any statute made under this section as it applies to a
	2	subsidiary instrument within the meaning of section 28(1) of that Act.
	3	(3) The statute contained in the Third Schedule to this Bill shall be
	4	deemed to have come into force on the commencement of this Bill and shall be
	5	deemed to have been made under this section by the College.
Third Schedule	6	(4) The power to make statutes conferred by this section shall not be
	7	prejudiced or limited in any way by reason of the inclusion or omission of any
	8	matter in or from the statute contained in the Third Schedule to this Bill or any
	9	subsequent statute.
Mode of exercising power to make statutes	10	<b>11.-(1)</b> The power of the College to make statutes shall be exercised in
	11	accordance with the provisions of this section and not otherwise.
	12	(2) A proposed statute shall not become law unless it has been
	13	approved:
	14	(a) at a meeting of the Senate, by the votes of not less than two thirds
	15	of the members present and voting; and
	16	(b) at a meeting of the Council, by the votes of not less than two thirds
	17	of the members present and voting.
	18	(3) A proposed statute may originate either in the Senate or in the
	19	Council, and may be approved as required by subsection (2) of this section by
	20	either one of those bodies or the other.
	21	(4) A statute which:
	22	(a) makes provision for or alters the composition or constitution of the
	23	Council, the Senate or any other authority of the College; or
	24	(b) provides for the establishment of a new campus or college or for
	25	the amendment or revocation of any statute.
	26	(5) For the purpose of section 2(2) of the Interpretation Act, a statute
	27	shall be treated as being made on the date on which it is duly approved by the
	28	Council after having been duly approved by the Senate, or on the date on which
	29	it is duly approved by the Senate after having been duly approved by the
	30	Council, as the case may be or, in the case of a statute falling within subsection



1 (4) of this section, on the date on which it is approved by the President.

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

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

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

8 (7) The decision of the Visitor on any matter referred to him under  
9 sub-section (6) of this section shall be binding upon the authorities, staff and  
10 students of the College and where any question as to the meaning of any  
11 provision of a statute has been decided by the Visitor under that sub-section,  
12 no question as to the meaning of that provision shall be entertained by any  
13 court of law in Nigeria.

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

18 **12.** A statute may be proved in any court by the production of a Proof of Statute  
19 copy thereof bearing or having affixed to it a certificate purporting to be  
20 signed by the Provost or the Secretary to the Council to the effect that the  
21 copy is a true copy of a statute of the College.

22 PART IV - SUPERVISION AND DISCIPLINE

23 **13.-(1)** The President shall be the Visitor of the College. The Visitor

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

28 (3) It shall be the duty of the bodies and persons comprising the  
29 College to make available to the Visitor and to any other person conducting a  
30 visitation in pursuance of this section, such facilities and assistance as he or

1 they may reasonably require for the purposes of a visitation.

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

Removal of  
certain Members  
of Council

4 **14.**-(1) If it appears to the Council that a member of the Council (other  
5 than the Pro-Chancellor or the Provost) should be removed from office on the  
6 ground of misconduct or inability to perform the functions of his office or  
7 employment, the Council shall make a recommendation to that effect through  
8 the Minister to the President, and the President, after making such enquiries (if  
9 any) as he may consider appropriate approves the recommendation, he may  
10 direct the removal of the person in question from office.

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

Removal and  
discipline of  
academic,  
administrative  
and professional  
staff

15 **15.**-(1) If it appears to the Council that there are reasons for believing  
16 that any person employed as a member of the academic, administrative or  
17 professional staff of the College, other than the Provost, should be removed  
18 from his office or employment on the ground of misconduct or of professional  
19 inability to perform the functions of his office or employment, the Council  
20 shall:

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

22 (b) afford him an opportunity of making representations in person on  
23 the matter by the Council; and

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

30 (2) The Provost may, in a case of misconduct by a member of the staff

1       which in the opinion of the Provost is prejudicial to the interest of the  
2       College, suspend such member and any such suspension shall forthwith be  
3       reported to the Council.

4               (3) For good cause, any member of the staff may be suspended  
5       from his duties or his appointment may be terminated by the Council; and  
6       for the purposes of this subsection "good cause" means:

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

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

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

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

19              (e) conduct which the Council considers to be generally of such  
20       nature as to render the continued appointment or service of the person  
21       concerned prejudicial or detrimental to the interest of the College.

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

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

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

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

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

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

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

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

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

19 (b) prevent the Council from making regulations for the discipline of  
20 other categories of workers of the College as may be prescribed.

Removal of  
examiners

21 **16.-(1)** If, on the recommendation of the Senate, it appears to the  
22 Provost that a person appointed as an examiner for any examination of the  
23 College ought to be removed from his office or appointment, then, except in  
24 such cases as may be prescribed by the Provost may, after affording the  
25 examiner an opportunity of making representations in person on the matter to  
26 the Provost, remove the examiner from the appointment by an instrument in  
27 writing signed by the Provost.

28 (2) Subject to the provisions of regulations made in pursuance of  
29 section 7(5) of this Bill, the Provost may, on the recommendation of the Senate,  
30 appoint an appropriate person as examiner in the place of the examiner

1 removed in pursuance of subsection (1) of this section.

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

6 17.-(1) The Students shall be:

Participation  
and Discipline  
of Students

7 (a) represented in the College's Students Welfare Board and other  
8 committees that deal with the affairs of students;

9 (b) Participate in various aspects of curriculum development;

10 (c) Participate in the process of assessing academic staff in respect  
11 of teaching; and

12 (d) Be encouraged to be more self-assured as part of the national  
13 development process.

14 (2) Subject to the provisions of this section, where it appears to the  
15 Provost that any student of the College has been guilty of misconduct, the  
16 Provost may, without prejudice to any other disciplinary powers conferred  
17 on him by statute or regulations, direct:

18 (a) that the student shall not, during such period as may be specified  
19 in the directions, participate in such activities of the College, or make use of  
20 such facilities of the College, as may be so specified,

21 (b) that the activities of the student shall, during such period as may  
22 be specified in the direction, be restricted in such manner as may be so  
23 specified,

24 (c) that the student be rusticated for such period as may be specified  
25 in the direction; or

26 (d) that the student be expelled from the College.

27 (3) Where a direction is given under subsection (1)(c) or (d) of this  
28 section in respect of any student, that student may, within the prescribed  
29 period and in the prescribed manner, appeal to the Council; and where such  
30 an appeal is brought, the Council shall, after causing such inquiry to be made

1 in the matter as the Council considers just either confirm or set aside the  
2 direction or modify it in such manner as the Council thinks fit.

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

6 (a) The Provost may delegate his powers under this section to a  
7 disciplinary board consisting of such members of the College as he may  
8 nominate;

9 (b) Nothing in this section shall be construed as preventing the  
10 restriction or termination of students' activities at the College otherwise than  
11 on the ground of misconduct;

12 (c) A direction under subsection (2)(a) of this section may be  
13 combined with a direction under subsection (2)(b) of this section.

14 PART V - MISCELLANEOUS AND GENERAL

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

15 **18.**-(1) No person shall be required to satisfy requirements as to any of  
16 the following matters, that is to say, race (including ethnic grouping), sex,  
17 account of race, place of birth or of family origin, or religious or political  
18 persuasion, as a condition of becoming or continuing to be a student at the  
19 College, the holder of any degree of the College or of any appointment or  
20 employment at the College, or a member of anybody established by virtue of  
21 this Bill; and no person shall be subject to any disadvantage or accorded any  
22 advantage relation to the College, by reference to any of those matters.

23 (2) Nothing in subsection (1) of this section shall be construed as  
24 preventing the College from imposing any disability or restriction on any of the  
25 persons mentioned in that subsection where such person willfully refuses or  
26 fails on grounds of religious belief to undertake any duty generally and  
27 uniformly imposed on all such person or any group of them which duty, having  
28 regard to its nature and the special circumstances pertaining thereto, is in the  
29 opinion of the College reasonably justifiable in the national interest.

1                   **19.** Without prejudice to the provisions of the Land Use Act, the  
2                   College shall not dispose of or charge any land or an interest in any land  
3                   (including any land transferred to the College by this Bill) except with the  
4                   prior written consent, either general or special, of the Governor:

Restriction on  
disposal of land  
by College

5                   Provided that such consent shall not be required in the case of any lease or  
6                   tenancy at a rack-rent for a term not exceeding 21 years or any lease or  
7                   tenancy to a member of the College for residential purpose.

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

Quorum and  
procedure of  
bodies established  
by this Bill

11                  **21.**-(1) Anybody of persons established by this Bill shall, without  
12                  prejudice to the generality of the powers of that body, have power to appoint  
13                  committees, which need not consist exclusively of members of that body,  
14                  and to authorize a committee established by it:

Appointment of  
committee, etc.

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

17                  (b) to co-opt members, and

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

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

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

30                  (a) enabling the statutes to be made otherwise than in accordance

1 with section 1 of this Bill; or

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

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

Retiring age  
of academic staff

9 **22.**-(1) Notwithstanding anything to the contrary in the Pension Act,  
10 the compulsory retiring age of the following categories of staff shall be as  
11 follows:

12 (a) Academic staff of the College in the non-Professorial cadre shall  
13 be 65 years;

14 (b) Academic staff of the College in the Professorial Cadre shall be 70  
15 years;

16 (c) Non-academic staff of the College shall be 65 years.

17 (2) A law or rule requiring a person to retire from the public service  
18 after serving for 35 years shall not apply to an academic staff of the  
19 College

Special Provisions  
relating to Pension  
of Professors

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

Miscellaneous  
Administrative  
Provisions

24 **24.**-(1) The seal of the College shall be such as may be determined by  
25 the Council and approved by the Chancellor, and the affixing of the seal shall  
26 be authenticated by any member of the Council and by the Provost, Secretary to  
27 the Council or any other person authorized by statute.

28 (2) Any document purporting to be a document executed under the  
29 seal of the College shall be received in evidence and shall, unless the contrary is  
30 proved, be presumed to be so executed.



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

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

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

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

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

23 (8) No stamp or other duty shall be payable in respect of any  
24 transfer of property to the College by virtue of section 8 or section 18 of this  
25 Bill or the Second Schedule to this Bill.

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

29 **25.-(1) Pre-Action Notice:**

30 (a) No legal proceeding shall be instituted and/or commenced al

Restriction of  
suits and  
execution

1 against the College or any of its agents in the course of their official duties  
2 unless a 3 months' Pre-Action Notice of such intention is served on the College  
3 by an aggrieved party;

4 (b) The Notice shall state the reason and the cause of action intended  
5 to be taken against the College, the particulars of the claim, the name and place  
6 of abode of the intending plaintiff and the relief which he claims;

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

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

20 (2) Service of Notices:

21 Service upon the College of any notice, order or other document may be  
22 effected by delivering the same or by sending it by registered post addressed to  
23 the Registrar and Secretary of the Council.

Interpretation

24 **26.-(1)** In this Bill, unless the context otherwise requires:

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

26 "College" means the College established pursuant to section 2 (1) (b) of this  
27 Bill for the College;

28 "Council" means the Governing Council of the College established by section  
29 5 of this Bill;

30 "Functions" includes powers and duties;

1 "Graduate" means a person on whom a degree, other than an honorary  
2 degree, has been conferred by the College and any other person as may be  
3 designated as a graduate by the Council, acting in accordance with the  
4 recommendation of the Senate; (Erroneously omitted)

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

6 "Notice" means notice in writing;

7 "Officer" does not include the Visitor;

8 "Prescribed" means prescribed by statute or regulations;

9 "Professor" means a person designated as a Professor of the College in  
10 accordance with provisions made in that behalf by statute or by regulations;

11 "Property" includes rights, liabilities and obligations;

12 "Provisional Council" means the provisional council appointed for the  
13 College;

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

15 "Senate" means the Senate of the College established pursuant to section  
16 2(1)(e) of this Bill;

17 "School" means a unit of closely related academic programmes;

18 "Statute" means a statute made by each College under section 10 of this Bill  
19 and in accordance with the provisions of section 11 of this Bill, and

20 "the statutes" means all such statutes as are in force from time to time;

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

23 "Undergraduate" means a person registered as a student undergoing a course  
24 of study for a first degree of the College or such other course in the College  
25 as may be approved by the Senate as qualifying a student undergoing it for  
26 the status of an under-graduate;

27 "College" means the Federal College of Education Omuo-Ekiti, Ekiti State  
28 established and incorporated by section I of this Bill.

29 (2) It is hereby declared that where in any provision of this Bill it is  
30 laid down that the proposals are to be submitted or a recommendation is to

Short Title

1 be made by one authority or another through one or more intermediate  
2 authorities, it shall be the duty of every such intermediate authority to forward  
3 any proposals of that or recommendations received by it in pursuance of that  
4 provision to the appropriate authority; but any such intermediate authority  
5 may, if it thinks fit, forward therewith its own comments thereon.

6 **27.** This Bill may be cited as the Federal College of Education Omuo-  
7 Ekiti, Ekiti State Bill, 2020.

8 SCHEDULES

9 FIRST SCHEDULE

10 [Section 2(2)]

11 PRINCIPAL OFFICERS OF THE COLLEGE

12 *The Provost*

13 1.-(1) There shall be a Provost of the College who shall be appointed  
14 by the Council in accordance with the provisions of this paragraph.

15 (2) Where a vacancy occurs in the post of a Provost, the Council shall:

16 (a) advertise the vacancy in a reputable journal or a widely read  
17 newspaper in Nigeria, specifying:

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

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

22 (b) constitute a Search Team consisting of:

23 (i) a member of the Council, who is not a member of the Senate, as  
24 chairman;

25 (ii) two members of the Senate who are not members of the Council,  
26 one of whom shall be a Professor;

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

- 1 (3) A Joint Council and Senate Selection Board consisting of:
- 2 (a) the Pro-Chancellor, as chairman;
- 3 (b) two members of the Council, not being members of the Senate;
- 4 (c) two members of the Senate who are Professors, but who were
- 5 not members of the Search Team, shall consider the candidates and persons
- 6 in the shortlist drawn up under subsection (2) of this paragraph through an
- 7 examination of their curriculum vitae and interaction with them, and
- 8 recommend to the Council three candidates for further consideration.
- 9 (4) The Council shall select and appoint as the Provost one
- 10 candidate from among the three candidates recommended to it under
- 11 subsection (3) of this section and thereafter inform the Visitor.
- 12 (5) The Provost shall hold office for a single term of five years only
- 13 on such terms and conditions as may be specified in his letter of
- 14 appointment.
- 15 (6) The Provost may be removed from office by the Council on
- 16 grounds of gross misconduct or inability to discharge the functions of his
- 17 office as a result of infirmity of the body or mind, at the initiative of the
- 18 Council, Senate or the Congregation after due process.
- 19 (7) When the proposal for the removal of the Provost is made, the
- 20 Council shall constitute a Joint Committee of Council and Senate consisting
- 21 of:
- 22 (i) three members of the Council, one of whom shall be the
- 23 Chairman of the committee; and
- 24 (ii) two members of the Senate,
- 25 Provided that where the ground for removal is infirmity of the body
- 26 or mind, the Council shall seek appropriate medical opinion.
- 27 (8) The committee shall conduct investigation into the allegations
- 28 made against the Provost and shall report its findings to the Council.
- 29 (9) The Council may where the allegations are proved remove the
- 30 Provost or apply any other disciplinary action it may deem fit and notify the

1 Visitor accordingly provided that a Provost who is removed shall have right of  
2 appeal to the Visitor

3 (10) There shall be no sole administrator in the College.

4 (11) In any case of a vacancy in the office of the Provost, the Council  
5 shall appoint an acting Provost on recommendation of the Senate.

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

8 *Deputy Provost*

9 2.-(1) There shall be for the College such number of Deputy Provosts  
10 as Council may from time to time deem necessary for the proper administration  
11 of the College.

12 (2) Where a vacancy occurs in the post of Deputy Provost, the Provost  
13 shall forward to the Senate a list of two candidates for each post of Deputy  
14 Provost that is vacant.

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

18 (4) A Deputy Provost shall:

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

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

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

25 (5) A Deputy Provost:

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

29 (b) may be reappointed for one further period of two years and no  
30 more; and

(c) may be removed from office for good cause by the Council acting on the recommendations of the Provost and Senate;

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

*Office of the Registrar*

3.-(1) There shall be for the College, a Registrar, who shall be the chief administrative officer of the College and shall be responsible to the Provost for the day-to-day administrative work of the College except as regards matters for which the Bursar is responsible in accordance with paragraph 6(2) of this Schedule.

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

*Other Principal Officers of the College*

4.-(1) There shall be for the College the following principal officers, in addition to the Registrar, that is:

(a) the Bursar; and

(b) the College Librarian,

who shall be appointed by the Council on the recommendation of the Selection Board constituted under paragraph 7 of this Schedule.

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

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

(4) Any question as to the scope of the responsibilities of the aforesaid officers shall be determined by the Provost.

*Selection Board for other Principal Officers*

5.-(1) There shall be, for the College, a Selection Board for the appointment of principal officers, other than the Provost or Deputy Provost, which shall consist of:

- (a) the Pro-Chancellor, as chairman;
- (b) the Provost;
- (c) four members of the Council not being members of the Senate; and
- (d) two members of the Senate.

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

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

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

### *Resignation and Re-appointment*

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

- (a) in the case of the Chancellor or Pro-Chancellor, by notice to the Visitor;
- (b) in any other case, by notice to the Council and the Council shall, in the case of the Provost, immediately notify the Visitor.

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



## SECOND SCHEDULE

## TRANSITIONAL PROVISIONS AS TO PROPERTY, FUNCTIONS, ETC.

*Transfer of Property to College*

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

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

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

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

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

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

*Registration of transfers*

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

(2) It shall be the duty of the body to which any property is transferred by this Bill to furnish the necessary particulars of the transfer to

1 the proper officer of the registration authority, and of that officer to register the  
2 transfer accordingly.

3 *Transfer of Functions, etc.*

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

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

9 (3) The first meeting of the Senate as constituted by this Bill shall be  
10 convened by the Provost on such date and in such manner as he may determine.

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

15 (5) Subject to any regulations which may be made by the Senate after  
16 the date on which this Bill is made, the schools, school boards and students of  
17 the College immediately before the coming into force of this Bill shall on that  
18 day become schools, school boards and students of the College as constituted  
19 by this Bill.

20 (6) Persons who were Deans of schools and Heads of Academic  
21 Departments shall continue to be Deans or HODs of the corresponding  
22 School/Department, until new appointments are made in pursuance of the  
23 statutes.

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

## 1 THIRD SCHEDULE

2 [Section 9 (3)]

3 FEDERAL COLLEGE OF EDUCATION OMUO-EKITI, EKITI STATE

4 STATUTE NO. 1

5 ARRANGEMENT OF ARTICLES

6 *Articles*

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

21 *The Council*

22 1.-(1) The composition of the Council shall be as provided in  
23 section 5 of this Bill.

24 (2) Any member of the Council holding office otherwise than in  
25 pursuance of section 5 (a), (b), (c), or (d) of this Bill may, by notice to the  
26 Council, resign his office.

27 (3) A member of the Council holding office otherwise than in  
28 pursuance of section 5 (a), (b), (c), or (d) of this Bill shall, unless he  
29 previously vacates it, vacate that office on the expiration of the period of

1 four years beginning with effect from 1st August in the year which he was  
2 appointed.

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

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

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

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

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

22 *The Finance and General Purposes Committee*

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

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

27 (b) the Provost and Deputy Provosts;

28 (c) six other members of the Council appointed by the Council, two of  
29 whom shall be selected from among the four members of the Council

1 appointed by the Senate and one member appointed to the Council by  
2 Congregation;

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

6 (e) the Executive Secretary of the Petroleum Technology  
7 Development Fund, or in his absence, such member of the Fund as he may  
8 designate to represent him.

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

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

12 *Annual budget and estimates, etc.*

13 (4) (i) The estimates of income and expenditure for a financial year  
14 shall be presented by the Provost to the Council and may be approved by the  
15 Council before the beginning of that financial year;

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

19 (ii) The annual and supplementary estimates shall be prepared in  
20 such 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 College accept by way of  
23 grants, gift, testamentary disposition or otherwise, property and money in  
24 aid of the finances of the College on such conditions as it may approve;

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

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

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

4 *Payment into bank:*

5 (6) All sums of money received on account of the College shall be  
6 paid into such bank as may be approved by the Council for the credit of the  
7 College's general, current or deposit account:

8 Provided that the Council may invest, as it deems fit, any money not  
9 required for immediate use other than donations of money referred to in  
10 subsection (1) of this section.

11 *Audit*

12 3.-(1) The Council shall cause the accounts of the College to be  
13 audited by auditors appointed by the Council as soon as may be after the end of  
14 each financial year or for any such other period as the Council may require.

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

18 *The Senate*

19 4. -(1) The Senate shall consist of:

20 (i) the Provost;

21 (ii) Deputy Provosts;

22 (iii) the Deans in the College;

23 (iv) the Professors in the College;

24 (v) Heads of Academic Departments and Units;

25 (vi) the College Librarian;

26 (vii) One elected representative of the College;

27 (viii) Two members of Academic Staff elected by the Congregation;

28 (ix) One elected representative of each department;

29 (x) Two members representing a variety of interests of the  
30 professional bodies outside the College appointed by the Senate on the ion of

1 recommendation of the Provost;

2 (xi) Registrar - Secretary.

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

5 (3) The Provost shall be the chairman at all meetings of the Senate  
6 when he is present, and in his absence any of the Deputy Provosts present at  
7 the meeting as the Senate may appoint for that meeting shall be the chairman  
8 at the meeting.

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

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

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

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

25 (8) No election shall be held in pursuance of this article in any year  
26 if the number specified in the certificate given in pursuance to paragraph  
27 (11) of this article does not exceed by more than one the figure which is  
28 thrice the number of those elected members holding office on the date of the  
29 certificate who do not vacate office during that year in pursuance of  
30 paragraph (7) of this article.

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

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

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

13 *Congregation*

14 5.-(1) Congregation shall consist of:

15 (i) Provost;

16 (ii) the Deputy Provosts;

17 (iii) the full-time members of the academic staff

18 (iv) The Registrar;

19 (v) The Librarian;

20 (vi) Every member of the administrative staff who holds a degree,  
21 other than honorary degree, of any College recognized for the purposes of this  
22 statute by the Provost.

23 (2) Subject to section 4 of this Bill, the Provost shall be the chairman  
24 at all meetings of Congregation when he is present; and in his absence any of  
25 the Deputy Provosts present at the meeting as Congregation may appoint for  
26 that meeting, shall be the chairman at the meeting.

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

30 (4) A certificate signed by the Provost specifying:



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

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

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

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

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

15 *Convocation*

16 6.-(1) Convocation shall consist of:

17 (i) the officers of the College mentioned in the First Schedule to  
18 this Bill;

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

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

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

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

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

28 (3) Regulations shall provide for the establishment and  
29 maintenance of a register for the purpose of this paragraph and subject to  
30 paragraph (4) of this article may provide for the payment, from time to time,

1 of further fees by persons whose names are on the register and for the removal  
2 from the register of the name of any person who fails to pay those fees.

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

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

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

15 (7) The quorum of Convocation shall be fifty or one third or the whole  
16 number nearest to one third or the whole number of members of Convocation  
17 whichever is less.

18 (8) Subject to section 4 of the Act, the Chancellor shall be chairman at  
19 all meetings of Convocation when he is present, and in his absence the Provost  
20 shall be the chairman at the meeting.

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

24 *Division of the College*

25 7. The College shall be divided into such number of branches as may  
26 be prescribed.

27 *College Boards*

28 8.- (1) There shall be established in by the College, a Board of Studies  
29 which, subject to the provisions of this Statute, and subject to the directions of  
30 the Provost, shall:

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

3 (b) Deal with any other matter assigned to it by statute or by the  
4 Provost or by the Senate; and

5 (c) Advise the Provost or the Senate on any matter referred to it by  
6 the Provost or the Senate.

7 (2) The Board of Studies shall consist of:-

8 (a) the Provost;

9 (b) the Dean;

10 (c) the persons severally in charge of the branches of the school;

11 (d) the College Examination Officer;

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

14 (f) such persons, whether or not members of the College, as the  
15 Board may determine with the general or special approval of the Senate.

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

20 *Deans of the Colleges*

21 9.-(1) The Board of the College shall, at a meeting in the last term  
22 of any academic year which the term of office of the Dean expires, nominate  
23 one of its members, being one of the Professors assigned to that teaching  
24 unit, for appointment by the Senate as Dean of the College.

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

29 (3) The Dean shall hold office for two years and shall be eligible for  
30 re-appointment one further period of two years. Thereafter he shall not be

1 eligible for re-appointment until two years have elapsed.

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

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

8 (6) There shall be a committee to be known as the Committee of  
9 Deans consisting of all the Deans of the several Colleges and that Committee  
10 shall advise the Provost on all academic matters and on particular matters  
11 referred to the College by the Senate.

12 (7) The Dean of a College may be removed from office for good cause  
13 by the College Board after a vote would have been taken at a meeting of the  
14 Board, and in the event of a vacancy occurring following the removal of a  
15 Dean, an acting Dean may be appointed by the Provost:

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

18 (8) In this article "good cause" has the same meaning as in section  
19 15(3) of the Act.

20 *Departmental Board of Studies*

21 10.-(1) There shall be a Departmental Board of Studies whose  
22 membership shall be made of all academic staff of the Department.

23 (2) It shall be headed by a Professor who shall be appointed by the  
24 Provost and in the absence of a Professor, a senior academic staff shall be  
25 appointed in acting capacity.

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

28 (4) The Board shall superintend over all teachings and examinations  
29 in the Department.

30 (5) The Board shall handle all disciplinary matters in the Department

1 and make recommendations to the College where necessary;

2 (6) Allocation of courses in the department shall be done by the  
3 Departmental Board on recommendation of the Head of Department.

4 *Selection of Directors of Physical Planning and Development,*  
5 *Works and Services and Health*

6 11.-(1) When a vacancy occurs in the office of the Directors of  
7 Physical Planning and Development, Works and Services and Health, a  
8 Selection Board shall be constituted by the Council which shall consist of:

- 9 (a) the Pro-Chancellor;  
10 (b) the Provost;  
11 (c) two members appointed by the Council, not being members of  
12 the Senate;  
13 (d) Two members appointed by the Senate.

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

18 *Tenure of Directors*

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

22 *Creation of Academic Posts*

23 13. Recommendations for the creation of academic posts other  
24 than principal officers shall be made by the Senate to the Council through  
25 the Finance and General Purposes Committee.

26 *Appointment of Academic Staff*

27 14.-(1) Subject to the Act and statutes, the filling of vacancies in  
28 academic posts (including newly created ones) shall be the responsibility of  
29 the Council through the Departments and Colleges.

30 (2) For the purpose of filling such vacancies, suitable selection f

1 boards to select and make appointments on behalf of the Council shall be set  
2 up.

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

6 (a) the Provost - Chairman;

7 (b) Deputy Provost - Member;

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

9 (d) Head of Department - Member;

10 (e) such other person(s), not exceeding two in number, deemed  
11 capable of helping the Board in assessing both the professional and academic  
12 suitability of a candidate under consideration, as the Senate may from time to  
13 time appoint;

14 (f) Registrar - Secretary.

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

17 (a) the Provost or his representative- Chairman;

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

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

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

22 (e) Registrar or his representative - Secretary.

23 (5) All appointments to senior library posts shall be made in the same  
24 way as equivalent appointments in the academic cadre; and for all such posts  
25 other than that of the Librarian, the Librarian shall be a member of the Selection  
26 Board.

27 (6) Boards of Selection may interview candidates directly or consider  
28 the reports of specialist interviewing panels and shall in addition, in the case of  
29 Professorships, Associate Professorship, Readerships or equivalent Posts,  
30 consider the reports of External Assessors relevant to the area in which the

1 appointment is being considered. Quorum shall be three (3) including the  
2 Chairman.

3 *Appointment of Administrative and Professional Staff*

4 15.-(1)The administrative and professional staff of the College  
5 other than principal officers shall be appointed by the Council or on its  
6 behalf by the Provost in accordance with delegation of powers made by the  
7 Council on its behalf.

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

9 (i) Provost;

10 (ii) Deputy Provost;

11 (iii) Registrar;

12 (iv) Bursar;

13 (v) College Librarian;

14 (vi) The Head of Department concerned;

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

17 *Interpretation*

18 16. In this Statute, the expression "the Act" means the Federal  
19 College of Education Omuo-Ekiti, Ekiti State Act and any word or  
20 expression defined in the Act has the same meaning in this Statute.

21 *Short Title*

22 17. This Statute may be cited as the Federal College of Education  
23 Omuo-Ekiti, Ekiti State Statute No. I.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal College of Education Omuo-Ekiti,  
Ekiti State.