

Extraordinary



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A BILL

FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF FEDERAL UNIVERSITY
OF HEALTH SCIENCES OTUKPO, AND FOR MATTERS CONNECTED
THEREWITH

Sponsored by Senator Abba Moro

[] Commencement

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

- 1 **1.-(1)** The College of Health Sciences, Otukpo Campus listed in Separation of
2 paragraph (a) of this subsection shall be separated from the Federal Campus of Health
3 University of Agriculture, Makurdi, as follows, that is- Sciences
- 4 (a) The College of Health Sciences, Otukpo Campus, from the
- 5 Federal University of Agriculture, Makurdi.
- 6 (2) The Campus of Health Sciences so separated under subsection
- 7 (1) of this section shall be known and referred to by the name specified
- 8 herein, that is - College of Health Sciences, Otukpo Campus, as the Federal
- 9 University of Health Sciences, Otukpo.
- 10 **2.-(1)** There is hereby established the Federal University of Health Establishment
11 Sciences, Otukpo, Benue State. and Objects of
12 (2) The University shall be a body corporate with perpetual the Federal
13 succession and a common seal and may sue and be sued in its corporate University of
14 name and shall have power to acquire, hold and dispose of movable Health Sciences
15 properties.
- 16 (3) By this enactment, the College of Health Sciences, Federal
- 17 University of Agriculture, Makurdi, Otukpo, Campus ceases to exist and is
- 18 subsumed by the Federal University of Health Sciences, Otukpo
- 19 (4) The general objects/purposes of the University shall be to-
- 20 (a) Encourage the advancement of learning and to hold out to all

1 persons without distinction of race, creed, sex or political conviction, the
2 opportunity of acquiring a higher education in Medicine and other Health
3 Sciences;

4 (b) Develop and offer academic and professional programs leading to
5 the award of diplomas, first degrees, postgraduate research and higher degrees
6 with emphasis on planning, adaptive, technical, maintenance, developmental
7 and productive skills in the field of Medicine, biomedical engineering,
8 scientific, and allied professional disciplines relating to health resources with
9 the aim of producing socially mature persons with capacity not only to
10 understand, use and adapt existing technologies in the health industry, but also
11 to improve on those disciplines and develop new ones, and to contribute to the
12 scientific transformation of medical and other health practices in Nigeria;

13 (c) Act as agents and catalysts, through postgraduate training,
14 research and innovation for the effective and economic utilization, exploitation
15 and conservation of Nigeria's natural, economic and human resources;

16 (d) Offer to the general population, as a form of public service, the
17 results of training and research in medicine and allied disciplines and to foster
18 the practical application of those results;

19 (e) Establish appropriate relationships with other national institutions
20 involved in training, research and development of healthcare;

21 (f) Identify the health problems and needs of Nigeria and to find
22 solutions to them within the context of overall national development;

23 (g) Provide and promote sound basic scientific training as a
24 foundation for the development of medicine and allied disciplines, taking into
25 account indigenous culture, the need to enhance national unity, the need to
26 vastly increase the practical content of student training, and adequate
27 preparation of graduates for self-employment in medicine and allied
28 professions;

29 (h) Promote and emphasize teaching, research and extension of health
30 knowledge, including health extension services and outreach programs, in-

- 1 service training, continuing education, and adaptive research;
- 2 (i) Offer academic programs in relation to the training of
- 3 manpower for medicine and allied profession in Nigeria;
- 4 (j) Organize research relevant to training of manpower and health
- 5 technology;
- 6 (k) Organize extension services and outreach programs for
- 7 technology transfer;
- 8 (l) Establish institutional linkages in order to foster collaboration
- 9 and integration of training, research, and extension activities; and
- 10 (m) Undertake any other Activities appropriate for a University of
- 11 Health Sciences.
- 12 (5) The University has the mandate to-
- 13 (i) Teach and train high caliber health-care professionals;
- 14 (ii) provide healthcare services and consultancy;
- 15 (iii) conduct research and participate in extension, outreach and
- 16 community services;
- 17 (iv) operate various schools and specialties that offer exemplary
- 18 training and quality research in health care;
- 19 (v) facilitate the acquisition of knowledge and skills in different
- 20 specialties for effective and efficient management of health care;
- 21 (vi) provide solution to the lack and the inequitable distribution of
- 22 health professionals serving rural communities;
- 23 (vii) train clinically, competent and socially conscious health
- 24 workers who will stay and serve in depressed and undeserved communities
- 25 especially in the rural areas of Nigeria;
- 26 (viii) develop a training model for the training of community
- 27 oriented health workers that could be replicated in other areas of Nigeria;
- 28 (ix) facilitate collaboration and enhancement of health sciences
- 29 research and education endeavors;
- 30 (x) advance the national and international reputation as the premier

Composition
of the University

- 1 university for health sciences education and research in Nigeria;
 - 2 (xi) advise and report regularly to the Federal Ministry of Education
 - 3 on all matters relevant to the health sciences sector and its education and
 - 4 research programs;
 - 5 (xii) work collectively on common health academic issues and their
 - 6 implementation;
 - 7 (xiii) provide management support for education and research across
 - 8 the health sciences sector;
 - 9 (xiv) promote inter-professional education across all health
 - 10 professional programs and optimize the resources to do so; and
 - 11 (xv) Ensure that the health sciences sector is adequately and
 - 12 appropriately represented at all levels of University governance.
- 13 **3.-(1)**The University shall consist of-
- 14 (a) Chancellor;
 - 15 (b) Pro-Chancellor and a Council;
 - 16 (c) Vice-Chancellor and a Senate;
 - 17 (d)Deputy Vice-Chancellor (s);
 - 18 (e)a body to be called Congregation;
 - 19 (f) a body to be called Convocation;
 - 20 (g) campuses and colleges of the University;
 - 21 (h) schools, institutes and other teaching and research units;
 - 22 (i) persons holding the offices constituted by the First Schedule to this
 - 23 Bill other than those mentioned in paragraph (a) to (d) of this subsection;
 - 24 (j) all graduates and undergraduates of the University; and
 - 25 (k) all other persons who are members of the University in accordance
 - 26 with provisions made by statute in that behalf.
- 27 (2) The First Schedule to this Bill shall have effect with respect to the
- 28 principal officers of each University therein mentioned.
- 29 (3) Subject to section 6 of this Bill, provision shall be made by statute
- 30 with respect to the Constitution of the following bodies, namely the Council,

1 the Senate, Congregation and Convocation.

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

Powers of the University and their exercise

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

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

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

14 (d) to provide for the discipline and welfare of members of the
15 University;

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

20 (f) to grant honorary degrees, fellowships or academic titles;

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

25 (h) subject to section 23 of this Bill, to acquire, hold, grant, charge
26 or otherwise deal with or dispose of movable and immovable property
27 wherever situate;

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

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

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

7 (l) to hold public lectures and to undertake printing, publishing and
8 book-selling;

9 (m) subject to any limitations on conditions imposed by statute, to
10 invest any money appertaining to the University by way of endowment, not
11 being immediately required for current expenditure, in any investments or
12 securities or the purchase or improvement of land, with power from time to
13 time to vary any such investments and to deposit any money for the time being
14 not invested with any bank on deposit or current account;

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

19 (o) to do anything which it is authorized or required by this Bill or by
20 statute to do; and

21 (p) to do all such acts or things, incidental to the foregoing powers, as
22 may advance the objects of the University.

23 (2) Subject to the provisions of this Bill and of the statutes and without
24 prejudice to section 9 (2) of this Bill, the powers conferred on the University by
25 subsection (1) of this section shall be exercisable on behalf of the University by
26 the Council or by the Senate or in any other manner, which may be authorized
27 by statute.

28 (3) The power of the University to establish further campuses and
29 colleges within the University shall be exercisable by statute and not
30 otherwise.

1	5.-(1)The Chancellor shall, in relation to the University, take	Functions of the Chancellor
2	precedence before all other members of the University and when he is	
3	present shall preside at all meetings of Convocation held for conferring	
4	degrees certificates and other awards of the universities.	
5	(2) Every proposal to confer an honorary degree shall be subject to	
6	the confirmation of the Chancellor.	
7	(3)The Chancellor shall exercise such other powers and perform	
8	such other duties as may be conferred or imposed on him by this Bill or the	
9	statutes.	
10	6.-(1)The Pro-Chancellor shall, in relation to the University, take	Functions of the Pro-Chancellor
11	precedence before all other members of the University, except the	
12	Chancellor and except the Vice-Chancellor when acting as chairman of	
13	Congregation or Convocation and the Pro- Chancellor shall, when he is	
14	present, be the chairman at all meetings of the Council.	
15	(2)Subject to the provisions of this Bill, the Pro-Chancellor shall	
16	hold office for a period of four years beginning with the date of his	
17	appointment.	
18	7. The Council of each University shall consist of-	Composition of the Council
19	(a)the Pro-Chancellor;	
20	(b)the Vice-Chancellor;	
21	(c)the Deputy Vice-Chancellor(s);	
22	(d)one person from the Ministry responsible for education;	
23	(e)four persons representing a variety of interests and broadly	
24	representative of the whole Federation to be appointed by the President	
25	(f)four persons appointed by the Senate from among its members;	
26	(g)two persons appointed by the Congregation from among its	
27	members;	
28	(h)one person appointed by Convocation from among its	
29	members.	

Functions of
the Council and
its Finance and
General Purposes
Committee

1 **8.**-(1) Subject to the provisions of this Bill relating to the Visitor, the
2 Council shall be the governing body of each University and shall be charged
3 with the general control and superintendence of the policy, finance and
4 property of the University.

5 (2) There shall be a committee of the Council to be known as the
6 Finance and General Purposes Committee, which shall, subject to the
7 directions of the Council, exercise control over the property and expenditure of
8 the University and perform such other functions of the Council as the Council
9 may, from time to time, delegate to it.

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

12 (4) The Council shall ensure that proper accounts of the University are
13 kept and that the accounts of the University are audited annually by an
14 independent firm of auditors approved by the Council, and that an annual
15 report shall be published by the University together with certified copies of the
16 said accounts as audited.

17 (5) Subject to this Bill and the statutes, the Council and the Finance
18 and General Purposes Committee may each make rules for regulating their
19 own procedure.

20 (6) Rules made under subsection (5) of this section by the Finance and
21 General Purposes Committee shall not come into force unless approved by the
22 Council; and in so far and to the extent that any rules so made by that
23 Committee conflict with any directions given by the Council (whether before
24 or after the coming into force of the rules in question), the direction of the
25 Council shall prevail.

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

30 (8) The Council shall meet as and when necessary for the performance

1 of its functions under this Bill and shall meet at least three times in every
2 year.

3 (9) If requested in writing by any five members of the Council the
4 chairman shall within 28 days after the receipt of such request call a meeting
5 of the Council.

6 (10) Any request made under subsection (9) of this section shall
7 specify the business to be considered at the meeting and a business not so
8 specified shall not be transacted at the meeting.

9 **9.-(1)** Subject to section 8 of this Bill and subsections (3) and (4) of
10 this section and to the provisions of this Bill relating to the Visitor, it shall be
11 the general function of the Senate to organize and control the teaching by the
12 University, the admission (where no other enactment provides to the
13 contrary, of students) and the discipline of students, and to promote research
14 at the University.

Functions of the
Senate

15 (2) Without prejudice to the generality of subsection (1) of this
16 section and subject as there mentioned, it shall in particular be the function
17 of the Senate to make provision for-

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

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

25 (c) the award of degrees, and such other qualifications as may be
26 prescribed, in connection with examinations held as aforesaid;

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

30 (e) the establishment, organization and control of halls of residence

1 and similar institutions at the University;

2 (f) the supervision of the welfare of students at the University and the
3 regulation of their conduct;

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

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

8 (3)The Senate shall not establish any new campus, college, school,
9 department, institute or other teaching and research units of the University
10 without the approval of the Council.

11 (4)Subject to this Bill and statutes, the Senate may make regulations
12 for the purpose of exercising any function conferred on it either by the
13 foregoing provisions of this section or otherwise or for the purpose of making
14 provisions for any matter for which provision by regulations is authorized or
15 required by this Bill or by statute.

16 (5)Regulations shall provide that at least one of the persons appointed
17 as the examiners at each final or professional examination held in conjunction
18 with any course of study at the University, as may be prescribed by the Senate
19 from time to time, is not a teacher at the University but is a teacher of the branch
20 of learning to which the course relates at some other university of high reputation
21 or a person engaged in practicing the profession in a reputable organization or
22 institution.

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

Functions of the
Vice-Chancellor

28 10.-(1)The Vice-Chancellor shall, in relation to each University, take
29 precedence before all other members of the University, except the Chancellor,
30 and any other person for the time being acting as chairman of the Council.

1 (2) Subject to sections 8, 9, and 15 of this Bill, the Vice-Chancellor
2 shall have the general function, in addition to any other functions conferred
3 on him by this Bill or otherwise, of directing the activities of the University
4 and shall be the chief executive and academic officer of the University and
5 ex-officio chairman of the Senate.

6 11.-(1) All property held by or on behalf of the University shall, by
7 virtue of this subsection and without further assurance, vest in the
8 University and be held by it for the purposes of the University. Transfer of
property to the
Federal University
of Health Sciences

9 (2) The Federal University of Agriculture, Makurdi, Otuipo
10 Campus shall cease to exist and the Federal University of Agriculture,
11 Makurdi, Act and, subject to the this subsection, any instruments in force by
12 virtue of that Act, shall cease to have effect.

13 (3) The provisions of the Second Schedule to this Bill shall have
14 effect with respect to matters arising from the transfer of property by this
15 section and with respect to the other matters mentioned in that Schedule

16 12.-(1) Subject to this Bill, the University may make statutes for
17 any of the following purposes, that is to say- Powers of the
University to
make Statutes

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

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

23 (c) regulating the admission of students (where no other enactment
24 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 there under;

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 28 (6) of this Bill, the Interpretation Bill shall

Mode of
exercising power
to make Statutes

1 apply in relation to any statute made under this section as it applies to a
2 subsidiary instrument within the meaning of section 29 (1) of that Bill.

3 (3) The statute contained in the Second Schedule to this Bill shall be
4 deemed to have come into force on the commencement of this section of this
5 Bill and shall be deemed to have been made under this section by each
6 University.

7 (4) The power to make statutes conferred by this section shall not be
8 prejudiced or limited in any way by reason of the inclusion or omission of any
9 matter in or from the statute contained in the Second Schedule to this Bill or any
10 subsequent statute.

11 13.-(1) The power of the University to make statutes shall be
12 exercised in accordance with the provisions of this section and not otherwise.

13 (2) A proposed statute shall not become law unless it has been
14 approved-

15 (a) at a meeting of the Senate, by the votes of not less than two thirds
16 of the members present and voting; and

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

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

22 (4) A statute which makes provision for or alters the composition or
23 constitution of the Council, the Senate or any other authority of the University
24 shall not come into operation unless it has been approved by the President in
25 consultation with the National Universities Commission.

26 (5) For the purposes of section 1 (2) of the Interpretation Bill 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 approved by the Senate, as the case may be or, in the
29 case of a statute falling within sub- section (4) of this section, on the date on
30 which it is approved by the President.

1 (6)In the event of any doubt or dispute arising at any time-
2 (a) as to the meaning of any provision of a statute; or
3 (b) as to whether any matter is for the purpose of this Bill an
4 academic matter as they relate to such doubt or dispute, the matter may be
5 referred to the Visitor, who shall take such advice and make such decision
6 therein as he shall think fit.

7 (7)The decision of the Visitor on any matter referred to him under
8 subsection (6) of this section shall be final and binding upon the authorities,
9 staff and students of the University and where any question as to the
10 meaning of any provision of a statute has been decided by the Visitor under
11 that subsection, the question as to the meaning of that provision shall not be
12 entertained by any court of law in Nigeria.

13 (8)Nothing in subsection (7) of this section shall affect any power
14 of a court of competent jurisdiction to determine whether any provision of a
15 statute is wholly or partially void as being ultra vires or as being inconsistent
16 with the Constitution of the Federal Republic of Nigeria 1999 (as amended).

17 **14.** A statute may be proved in any court by the production of a
18 copy thereto bearing affixed to it a certificate purporting to be signed by the
19 Vice Chancellor or the Secretary to the Council to the effect that the copy is a
20 true copy of a statute of the University.

Proof of
Statutes

21 **15.-(1)**The President shall be the Visitor of the University.

The Visitor

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

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

Removal of
certain Members
of Council

1 **16.**-(1)If it appears to the Council that a member of the Council (other
2 than the Pro-Chancellor or the Vice-Chancellor) should be removed from
3 office on the ground of misconduct or inability to perform the functions of his
4 office or employment, the Council shall make a recommendation to that effect
5 through the Minister to the President after making such enquiry, if any, as may
6 be considered appropriate, and if the President approves the recommendation
7 he may direct the removal of the person in question from office.

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

Removal and
Discipline of
Academic,
Administrative
and Professional
Staff

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

18 (a) give notice of those reasons to the person in question; afford him
19 an opportunity of making representations in person on the matter;

20 (b) appoint a Staff Disciplinary Committee;

21 (c) and if the Council, after considering the report of the Staff
22 Disciplinary Committee, is satisfied that the person in question should be
23 removed as aforesaid, the Council may so remove him by an instrument in
24 writing signed on the directions of the Council.

25 (2) The Vice-Chancellor may, in case of misconduct by a member of
26 staff, which in the opinion of the Vice-Chancellor is prejudicial to the interests
27 of the University, suspend such member and any such suspension shall
28 forthwith be reported to the Council.

29 (3) For good cause, any member of staff may be suspended from his
30 duties or his appointment may be terminated by the Council; and for the

1 purposes of this subsection "good cause" means-

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

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

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

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

14 (e) conduct which the Council considers to be generally of such
15 nature as to render the continued appointment or service of the person
16 concerned prejudicial or detrimental to the interest of the University.

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

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

23 (b) whether to re-instate such person in which case the Council
24 shall restore his full emoluments with effect from the date of suspension;

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

28 (e) whether to take such lesser disciplinary action against such
29 person (including the restoration of such proportion of his emoluments as
30 might have been withheld) as the Council may determine.

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

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

10 (7) Nothing in the foregoing provisions of this section shall-

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

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

Procedures for
Staff Discipline

15 **18.-(1)** The Vice-Chancellor or Senate shall constitute an
16 Investigation Panel to determine whether or not a prima facie case has been
17 established against any member of staff.

18 (2) The Investigation Panel shall include the President or the
19 chairman of the union to which the staff being investigated belongs.

20 (3) The Vice-Chancellor shall constitute a Staff Disciplinary
21 Committee, which shall consist of such members of the Senate as he may
22 determine, to consider the report of the Investigating Panel.

23 (4) The report and recommendation of the Staff Disciplinary
24 Committee shall be forwarded to the Council for consideration and decision.

Appointment
of External
Examiners

25 **19.** Subject to the provision of regulations made in pursuance of this
26 Bill, the Vice Chancellor may on the recommendation of the Senate, appoint on
27 appropriate person as external examiner.

Removal of
Examiners

28 **20.-(1)** If on the recommendation of the Senate, it appears to the Vice-
29 Chancellor that a person appointed as an examiner for any examination of the
30 University ought to be re- moved from his office or appointment, then except in

1 such cases as may be prescribed, the Vice-Chancellor may, after affording
2 the examiner an opportunity of making representations in person on the
3 matter to the Vice-Chancellor, remove the examiner from the office or
4 appointment by an instrument in writing signed by the Vice-Chancellor.

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

9 (3) It shall be duty of the Vice-Chancellor to sign an instrument of
10 removal in pursuance of this section, to use his best endeavor to cause a copy
11 of this instrument to be served as soon as is reasonably practicable on the
12 person to whom it relates.

13 **21.**-(1) Subject to the provisions of this section, where it appears to
14 the Vice-Chancellor that any student of the University has been guilty of
15 misconduct, the Vice-Chancellor may, in consultation with the Senate and,
16 without prejudice to any other disciplinary power conferred on him by
17 statute or regulations, direct that:

Discipline of
Students

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

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

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

26 (d) the student be expelled from the University.

27 (2) 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, confirm or set aside the direction or
2 modify it in such manner as the Council thinks fit.

3 (3) The fact that an appeal from a direction is brought in pursuance of
4 subsection (2) of this section shall not affect the operation of the direction while
5 the appeal is pending.

6 (4) The Vice-Chancellor may delegate his powers under this section
7 to a Disciplinary Committee consisting of such members of the University as
8 he may nominate.

9 (5) Nothing in this section shall be construed as preventing the
10 restriction or termination of a student's activities at the University otherwise
11 than on the ground of misconduct.

12 (6) Without prejudice to the provision of subsection (1) of this section,
13 nothing shall prevent the Vice-Chancellor from taking an immediate
14 disciplinary action against a student where he deems fit, and report thereafter to
15 the Senate.

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

19 (8) No staff or student shall resort to a law court without proof of
20 having exhausted the integral avenues for settling disputes or grievances or for
21 seeking redress.

22 (9) The Visitor shall be the final arbiter on staff and student discipline,
23 and his decision shall not be contestable in any court of law in Nigeria.

24 (10) Nothing in this subsection shall affect any power of a court of
25 competent jurisdiction to enforce the fundamental right of any aggrieved
26 citizen as enshrined in the Constitution of the Federal Republic of Nigeria 1999
27 (as amended).

Exclusion of
Discrimination
on Account of
Race, Religion,
etc.

28 **22.**-(1) No person shall be required to satisfy the requirements as to
29 any of the following matters, that is to say, race (including ethnic grounding),
30 sex, place of birth or family origin, or religious or political persuasion, as a

1 condition of becoming or continuing to be a student at the University, the
 2 holder of any degree of the University or of any appointment or employment
 3 at the University or a member of anybody established by virtue of this Bill;
 4 and no person shall be subjected to any disadvantage or accorded any
 5 advantage in relation to the University, by reference to any of those matters.

6 (2) Nothing in subsection (1) of this section shall be construed as
 7 preventing the University from imposing any disability or restriction on any
 8 of the aforementioned persons where such person willfully refuses or fails
 9 on grounds of religious belief to undertake any duty generally and uniformly
 10 imposed on all such persons or any group of them which duty, having regard
 11 to its nature and the special circumstance pertaining thereto, is in the opinion
 12 of the University reasonably justifiable in the national interest.

13 **23.** Without prejudice to the provisions of the Land Use Act, the
 14 University shall not dispose of or charge any land or an interest in any land
 15 (including any land transferred to the University by this Bill) except either
 16 with the prior written consent either general or special, of the President:

Restriction on
disposal of land
by University t

17 Provided that such consent shall not be required in the case of any
 18 lease or tenancy at a rack-rent for a term not exceeding 21 years or lease or
 19 tenancy to a member of the University for residential purposes.

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

Quorum and
procedure of
Bodies established
by this Bill

23 **25.-(1)**Anybody of persons established by this Bill shall, without
 24 prejudice to the generality of the powers of that body, have power to appoint
 25 committees, which need not consist exclusively of members of that body
 26 and to authorize a committee established by it to-

Appointment of
Committees, etc.

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

28 (b) co-opt members, and may direct whether or not co-opted
 29 members (if any) shall be entitled to vote in that committee.

30 (2) Any two or more such bodies may arrange for the holding of

1 joint meetings of those bodies or for the appointment of committees consisting
 2 of members of those bodies or any of them and either of dealing with it or of
 3 reporting on it to those bodies or any of them.

4 (3) Except as may be otherwise provided by statute or by regulations,
 5 the quorum and procedure of a committee established or meeting held in
 6 pursuance of this section shall be such as may be determined by the body or
 7 bodies which have decided to establish the committee or hold the meeting.

8 (4) Nothing in the foregoing provisions of this section shall be
 9 construed as enabling-

10 (a) statutes to be made otherwise than in accordance with section 13
 11 of this Bill; or

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

14 (5) The Pro-Chancellor and the Vice-Chancellor shall be members of
 15 every committee of which the members are wholly or partly appointed by the
 16 Council (other than a committee appointed to inquire into the conduct of any
 17 officer in question); and the Vice-Chancellor shall be a member of the Council
 18 and the Vice-Chancellor shall be a member of every committee of which the
 19 members are wholly or partly appointed by the Senate.

Retiring Age
of Academic
Staff of the
University

20 **26.**-(1) Notwithstanding anything to the contrary in the Pensions Act,
 21 the compulsory retiring age of an academic staff of a University shall be 65
 22 years except for those in the professorial cadre which is 70 years.

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

Special Provisions
relating to Pension
of Professors

25 **27.** A person who retires as a professor having served-

26 (a) an academic staff who retires as a professor in a recognized
 27 University shall be entitled to pension at a rate equivalent to his annual salary
 28 provided that the professor has served continuously in a recognized University
 29 up to retirement age;

30 (b) Notwithstanding subsection (1), where the professor has not

1 served up to retirement age he shall be entitled to the rate of pension
2 mentioned under subsection (1) provided that he has served a minimum of
3 20 years has professor in a recognized University;

4 (c) where an academic joins a Nigerian University as a professor,
5 such a professor shall have served continuously for at least 20 years in a
6 recognized University.

7 **28.**-(1)The seal of each University shall be such as may be
8 determined by the Council and approved by the Chancellor, and the affixing
9 of the seal shall be authenticated by any member of the Council and by the
10 Vice-Chancellor, secretary to the Council or any other person authorized by
11 statute.

Miscellaneous
Administrative
Provisions

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

15 (3) Any contract or instrument, which if made or executed by a
16 person not being a body corporate would not be required to be under seal,
17 may be made or executed on behalf of the University by any person
18 generally or specifically authorized to do so by the Council.

19 (4)The validity of any proceedings of anybody established in
20 pursuance of this Bill shall not be affected by any vacancy in the
21 membership of the body, or by any defect in the appointment of a member of
22 the body or by reason that any person not entitled to do proceedings.

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

27 (6) Nothing in section 12 of the Interpretation Bill (which provides
28 for the application in relation to subordinate legislation of certain incidental
29 provisions) shall apply to statutes or regulations made in pursuance of this
30 Bill.

1 [Second Schedule.]

2 (7) The power conferred by this Bill on anybody to make statutes or
3 regulations shall include power to revoke or vary any statute (including the
4 statute contained in the Second Schedule of this Bill) or any regulation by a
5 subsequent statute, or, as the case may be, by a subsequent regulation and
6 statute and regulations may make different provisions in reaction to different
7 circumstances.

8 (8) No stamp duty or other duty shall be payable in respect of any
9 transfer of property to the University by virtue of any provision of this Bill.

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

Interpretation

12 **29.-(1)** In this Bill, unless the context otherwise requires-

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 "Council" means the Council established by this Bill for the University;

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

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

19 "notice" means notice in writing;

20 "office" does not include the Visitor;

21 "prescribed" means prescribed by statutes or regulations;

22 "professor" means a person designated as a professor of the University in
23 accordance with provisions made in that behalf by statute or regulations;

24 "property" includes rights, liabilities and obligations;

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

26 "Senate" means the Senate of the University established pursuant to section 3
27 (1) (c) of this Bill;

28 "statute" means a statute made by the University under section 12 of this Bill
29 and in accordance with the provisions of section 13 of this Bill, and

30 "the statutes" means all such statutes as are in force from time to time;

1 "teacher" means a person holding a full-time appointment as a member of
2 the teaching or research staff of the University;

3 "undergraduate" means a person in statu pupillari at the University other
4 than-

5 (a) a graduate; and

6 (b) a person of such description as may be prescribed for the
7 purposes of this definition;

8 "University" means Federal University of Health Sciences Otuokpo.

9 "Visitor" means the President of the Federal Republic of Nigeria.

10 (2) It is hereby declared that where in any provisions of this Bill it is
11 laid down that proposals are to be submitted or a recommendation is to be
12 made by one authority to another through one or more intermediate
13 authorities, it shall be the duty of every such intermediate authority to
14 forward any proposals or recommendations received by it in pursuance of
15 that provision to the appropriate authority, but any such intermediate
16 authority may, if it thinks fit, forward therewith its own comments thereon.

17 **30.** This Bill may be cited as the Federal University of Health Short title
18 Sciences, Otuokpo (Establishment etc.) Bill, 2020.

19 Principal officers of the University

20 SCHEDULES

21 *The Chancellor*

22 1.-(1) The Chancellor shall be appointed by the President of
23 Nigeria.

24 (2) The Chancellor shall hold office at the pleasure of the President.

25 (3) If it appears to the Visitor that the Chancellor should be removed
26 from his/her office on the ground of misconduct or of inability to perform
27 the functions of his office, the Visitor may by notice in the Federal Gazette
28 remove the Chancellor from office.

1 *The Pro-Chancellor*

2 2.-(1) The Pro-Chancellor shall be appointed or removed by the
3 President.

4 (2) Subject to the provisions of this Bill, the Pro-Chancellor shall hold
5 office for a period of four years beginning with the date of his/her appointment.

6 *The Vice-Chancellor*

7 3.-(1) There shall be a Vice-Chancellor of the University who shall be
8 appointed by the President in accordance with the provisions of this paragraph.

9 (2) Where a vacancy occurs in the post of a Vice-Chancellor, the
10 Council shall-

11 (a) advertise the vacancy in a reputable journal or a widely read
12 newspaper in Nigeria, specifying-

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

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

17 (b) constitute a search team consisting of-

18 (i) a member of the Council, who is not a member of the Senate, as
19 chairman;

20 (ii) two members of the Senate who are not members of the Council,
21 one of whom shall be a professor;

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

26 (3) A joint Council and Senate Selection Board consisting of-

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

28 (b) two members of the Council, not being members of the Senate;

29 (c) two members of the Senate who are professors, but who were not
30 members of the Search Team, shall consider the candidates and persons on the

1 short list drawn up under subparagraph (2) of this paragraph through an
2 examination of their curriculum vitae and interaction with them, and
3 recommend to the Council suitable candidates for further consideration.

4 (4)The Council shall select and appoint as Vice Chancellor one
5 from among the candidates recommended to it under subparagraph (3) of
6 this paragraph and informed the visitors.

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

10 (6)The Vice-Chancellor shall be removed from office by the
11 Governing Council on the ground of gross misconduct or inability to
12 discharge the functions of his office as result of the infirmity of the body or
13 mind at the initiative of the Council, Senate or Congregation after due
14 process.

15 (7)When the proposal for the removal of Vice Chancellor is made,
16 the Council shall constitute a joints committee of Council and Senate
17 consisting of-

18 (i) three members of council of whom one shall be Chairman of the
19 Committee; and

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

23 (8)The Committee shall conduct investigation made into the
24 allegations made against the Vice Chancellor and shall report it findings to
25 the Council.

26 (9)The Council may where the allegations are proved, removed the
27 Vice Chancellor or apply any other disciplinary action it may deemed fit and
28 notify the visitor accordingly provided that a Vice Chancellor who is
29 removed shall have a right of appeal to the visitor.

1 *Deputy Vice-Chancellors*

2 4.-(1) There shall be for the University such number of Deputy Vice-
3 Chancellors as the Council may, from time to time, deem necessary for the
4 proper administration of the University.

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

8 (3) The Senate shall select for each vacant post one candidate from
9 each list forwarded to it under subparagraph (2) of this paragraph and forward
10 his name to the Council for confirmation.

11 (4) A Deputy Vice-Chancellor shall-

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

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

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

18 (5) A Deputy Vice-Chancellor-

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

22 (b) May be re-appointed for one further period of two years and no
23 more.

24 (6) The Deputy Vice-Chancellor(s) may be removed from office by
25 the Council, acting on the recommendation of the Vice-Chancellor and Senate.

26 (7) Good Cause for the purpose of the inability of this subparagraph
27 means gross misconduct or the inability to discharge the functions of his office
28 arising from infirmity of the body or mind.

29 *Office of the Registrar*

30 5.-(1) There shall be for the University a Registrar, who shall be the

1 chief administrative officer of the University and shall be responsible to the
2 Vice-Chancellor for the day-to-day administrative work of the University
3 except as regards matters for which the Bursar is responsible in accordance
4 with paragraph 6 (2) of this Schedule.

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

8 *Other principal officers of the University*

9 6.-(1) There shall be for each University the following principal
10 officers, in addition to the Registrar, that is-

11 (a) the Bursar; and

12 (b) the University Librarian, who shall be appointed by the Council
13 on the recommendation of the Selection Board constituted under paragraph
14 8 of this Schedule.

15 (2) The Bursar shall be the chief financial officer of the University
16 and be responsible to the Vice-Chancellor for the day-to-day administration
17 and control of the financial affairs of the University.

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

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

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

29 (6) Notwithstanding subparagraph (5) of this paragraph, the
30 Council may, upon satisfactory performance, extend the tenure of the

1 Registrar, Bursar or Librarian for a further period of one year only and thereafter
2 the Registrar, Bursar or Librarian shall relinquish his post and be assigned to
3 other duties in the university, not that the numbering of the subparagraphs may
4 change depending on the arrangement of the main paragraph.

5 *Selection Board for other principal officers*

6 7.-(1) There shall be, for the University, a Selection Board for the
7 appointment of principal officers, other than the Vice-Chancellor or Deputy
8 Vice-Chancellor, which shall consist of-

9 *[1993 No. 11.]*

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

11 (b) the Vice-Chancellor;

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

13 (d) two members of the Senate.

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

17 (3) The Registrar, Bursar and Librarian shall hold office for such
18 period and on such terms as to the emoluments of their offices and otherwise as
19 may be specified in their letters of appointment.

20 *Resignation and re-appointment*

21 8.-(1) Any officer mentioned in the foregoing provisions of this
22 Schedule may resign his office-

23 (a) in the case of the Chancellor, by notice to the President; and

24 (b) in any other case, by notice to the Council and the Council shall
25 immediately notify the Minister in the case of the Vice-Chancellor.

26 (2) Subject to paragraphs 4 and 5 of this Section, a person who has
27 ceased to hold an office so mentioned otherwise than by removal for
28 misconduct shall be eligible for re- appointment to that office.

29 *Transfer of Property to the University*

30 9. Without prejudice to the generality of Section 11 (1) of this Bill:

1 (a) the reference in the subsection to property held by the
2 provisional Council and the University shall include a reference to the right
3 to receive and give a good discharge for any grants or contributions which
4 may have been voted or promised to the provisional Council and the
5 University; and

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

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

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

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

20 *Registration of Transfers*

21 11-(1) If the law in force at the place where any property
22 transferred by this Bill is situated provides for the registration of transfers of
23 property of the kind in question (whether by reference to an instrument of
24 transfer or otherwise), the law shall, so far as it provides for alterations of a
25 register (but not for avoidance of transfers, the payment of fees of any other
26 matter) apply, with the necessary modifications to the transfer of the
27 property in question.

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

1 the transfer accordingly.

2 12.-(1) The first meeting of the Council shall be convened by the Pro-
3 Chancellor on such date and in such manner as he may determine.

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

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

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

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

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

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

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

1 *The Council*

2 15.-(1) The composition of the Council shall be as provided in
3 section 7 of this Bill.

4 (2) Any member of the Council holding office otherwise than in
5 pursuance of section 7 (a), (b), (c) or (d) of this Bill may, by notice to the
6 Council, resign his office.

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

12 (4) Where a member of the Council holding office otherwise than
13 in pursuance of section 7 (a), (b), (c) or (d) of this Bill vacates before the
14 expiration of the period aforesaid, the body or person by whom he was
15 appointed may appoint a successor to hold office for the residue of the term
16 of his predecessor.

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

20 (6) The quorum of the Council shall be five, at least one of whom
21 shall be a member appointed pursuant to section 7 (d), (e), or (h) of this Bill.

22 (7) If the Pro-Chancellor is not present at a meeting of the Council,
23 such other member of the Council present at the meeting as the Council may
24 appoint as respects that meeting, shall be the chairman at that meeting, and
25 subject to sections 5 and 6 of this Bill and the foregoing provisions, the
26 Council may regulate its own procedure.

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

The Finance and General Purposes Committee

16.-(1) The Finance and General Purposes Committee of the Council shall consist of-

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

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

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

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

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

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

The Senate

17.-(1) The Senate shall consist of-

(a) the Vice-Chancellor who shall be the chairman;

(b) the Deputy Vice-Chancellor(s);

(c) all Professors of the University;

(d) all Deans, Provost and Directors of academic units of the University;

(e) all Heads of academic Departments, Units and Research institutes of the University; and

(f) University Librarian;

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

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

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

6 (5) Subject to paragraph (7) of this article, there shall be elections
7 for the selection of elected members, which shall be in the prescribed
8 manner on such day in the month of May or June in each year as the Vice-
9 Chancellor may, from time to time, determine.

10 (6) An elected member shall hold office for the period of two years
11 beginning with 1 August in the year of his election, and may be a candidate at
12 any election held in pursuance of paragraph (5) of this article in the year in
13 which his period of office expires, so however that no person shall be such a
14 candidate if at the end of his current period of office he will hold office as an
15 elected member for a continuous period of six years or would have so held
16 office if he had not resigned it.

17 (7) No election held in pursuance of this article in any year if the
18 number specified in the certificate given in pursuance of paragraph (10) of
19 this article does not exceed by more than one the figure which is thrice the
20 number of those elected members holding office on the date of the certificate
21 who do not vacate office during that year in pursuance of paragraph (6) of
22 this article.

23 (8) For the avoidance of doubt it is hereby declared that no person
24 shall be precluded from continuing in or taking office as an elected member
25 by reason only of a reduction in the total of non-elected members occurring
26 on or after 30 April in any year in which he is to continue in or take office as
27 an elected member.

28 (9) If so requested in writing by any fifteen members of the Senate,
29 the Vice-Chancellor, or in his absence, any of the Deputy Vice-Chancellors
30 duly appointed by him, shall convene a meeting of the Senate to be held not

1 later than the tenth day following that on which the re- quest was received.

2 (10) In this article "total of non-elected members" means as respects
3 any year, such number as may be certified by the Vice-Chancellor on 30 April
4 of that year to be the number of persons holding office as members of the
5 Senate on that day otherwise than as elected members.

6 *Congregation*

7 18.-(1) Congregation shall consist of-

8 (a) the Vice-Chancellor and the Deputy Vice-Chancellors;

9 (b) the full-time members of the academic staff;

10 (c) the Registrar;

11 (d) the Bursar;

12 (e) the Librarian;

13 (f) the Director of Works;

14 (g) the Director of Academic Planning;

15 (h) the Director of Physical Planning;

16 (i) the Director of Health Services; and

17 (j) every member of the administrative staff who holds a degree other
18 than an honorary degree of any university recognized for the purposes of this
19 statute by the Vice-Chancellor.

20 (2) Subject to sections 5 and 6 of the Bill, the Vice-Chancellor shall be
21 the chairman at all meetings of Congregation when he is present; and in his
22 absence any of the Deputy Vice-Chancellors present at the meeting as
23 Congregation may appoint for that meeting, shall be the chairman at the
24 meeting.

25 (3) The quorum of Congregation shall be one third (or the whole
26 number nearest to one third) of the total numbers of Congregation or fifty,
27 whichever is less.

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

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

1 (b) the names of the persons who are members of Congregation
2 during a particular shall be conclusive evidence of that number or as the case
3 may be, of the names of those persons.

4 (5) Subject to the foregoing provision of this article, Congregation
5 may regulate its own procedure.

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

11 *Convocation*

12 19.-(1) Convocation shall consist of-

13 (a) the officers of the University mentioned in the First Schedule to
14 the Bill;

15 (b) all teachers within the meaning of the Bill;

16 (c) all other persons whose names are registered in accordance
17 with paragraph (2) of this article.

18 (2) A person shall be entitled to have his name registered as a
19 member of Convocation if-

20 (a) he/she is either a graduate of the University or a person
21 satisfying such requirements as may be prescribed for the purposes of this
22 paragraph; and

23 (b) he/she applies for the registration of his name in the prescribed
24 manner and pays the prescribed fees.

25 (3) Regulations shall provide for the establishment and
26 maintenance of a register for the purposes of this paragraph and subject to
27 paragraph (4) of this article may provide for the payment from time to time
28 of further fees by persons whose names are on the register and for any person
29 who fails to pay those fees.

30 (4) The person responsible for maintaining the register shall,

1 without the payment of any fees, ensure that the names of all persons who are
2 for the time being members of Convocation by virtue of paragraph(1) (a) or (b)
3 of this article are entered and retained on the register.

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

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

13 (7)The quorum of Convocation shall be fifty or one third (or the
14 whole number nearest to one third) of the total number of members of
15 Convocation, whichever is less.

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

19 (9)Convocation shall have such other functions, in addition to the
20 functions of appointing a member of the Council, as may be provided by statute
21 or regulations.

22 *Division of colleges*

23 20. Each college shall be divided into such number of branches as
24 may be prescribed.

25 *College Boards*

26 21.-(1) There shall be established in respect of each college a College
27 Board, which, subject to provisions of this statute, and subject to the directions
28 of the Vice-Chancellor, shall-

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

1 (b) deal with any other matter assigned to it by statute or by the Vice-
2 Chancellor or by the Senate; and

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

5 (2) Each College Board shall consist of-

6 (a) the Vice-Chancellor;

7 (b) the Deputy Vice-Chancellor;

8 (c) the Dean;

9 (d) the persons severally in charge of the departments of the college;

10 (e) such of the teachers assigned to the college and having the
11 prescribed qualifications as the Board may determine; and to any provisions of
12 this article and to any provision made by regulations in that behalf, the Board
13 may regulate its own procedure.

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

16 (3) The quorum of the Board shall be six 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.

19 *Appointments and Promotions Committee*

20 22.-(1) There shall be an Appointments and Promotions Committee of
21 the Council which shall ultimately be responsible for all appointments,
22 promotions and discipline of all categories of senior staff in the University,
23 under the chairmanship of the Vice-Chancellor.

24 (2) The Committee shall operate where necessary through the Senate
25 or Selection Board or ad- hoc Committees and its recommendations shall be
26 subject to the approval of the Council.

27 *Dean of college*

28 23.-(1) The Dean of a college shall be a professor appointed by the
29 Appointments and Pro- motions Committee and such Dean shall hold office for
30 a term of three years, and shall be eligible for re-appointment for another term

1 of three years after which he may not be re- appointed again until two years
2 have elapsed.

3 (2) The Dean shall be the chairman at all meetings of the College
4 Board when he is pre- sent and shall be a member of all committees and other
5 boards appointed by the College.

6 (3) The Dean of a college shall exercise general superintendence over
7 the academic and administrative affairs of the college and it shall be the
8 function of the Dean to present to Con- vocation or for the conferment of
9 degrees on persons of the University at examinations held in the branches of
10 learning for which responsibility is allocated to that college.

11 (4) There shall be a committee to be known as the Committee of
12 Deans consisting of all Deans of the colleges and that Committee shall advise
13 the Vice-Chancellor on all academic matters and on particular matters referred
14 to the University Council.

15 *Deputy Dean of college*

16 24.-(1) There shall be a Deputy Dean of college who shall be
17 appointed by the Senate on the recommendation of the Dean.

18 (2) The Deputy Dean shall be appointed for two years in the first
19 instance and may be re-appointed for a further period of two years after which
20 he shall not be entitled to re appointment until after two years.

21 *Director of Institute or Centre*

22 25.-(1) The Director of an Institute or of a Centre shall be appointed
23 by the Appointments and Promotions Committee for academic staff, and such
24 Director shall hold office for a period of three years and shall be eligible for re-
25 appointment for another term of three years after which he may not be
26 appointed again until two years have elapsed.

27 (2)The Director of an Institute or Centre shall exercise general
28 superintendence over the affairs of the Institute or Centre.

29 *Head of Department*

30 26.-(1) The Head of a Department shall be appointment by the Vice-

1 Chancellor and such Head shall hold office for a period of three years and
2 shall be eligible for re-appointment for another term of three years after
3 which he may not be appointed again until two years have elapsed.

4 (2) The Head of a Department shall exercise general
5 superintendence over the academic and administrative affairs of the
6 department.

7 *Creation of academic posts*

8 27. Recommendations for the creation of posts other than those
9 mentioned in article 10 of this statute shall be made by Senate to the Council
10 through the Finance and General Purposes Committee.

11 *Appointment of academic staff*

12 28.-(1) Subject to the Bill and the statutes, the filling of vacancies
13 in academic posts (including newly created ones) shall be the responsibility
14 of the Senate.

15 (2) For the purpose of filling such vacancies, the Senate shall set up
16 suitable selection boards to select and make appointments on its behalf.

17 (3) For appointments to professorships, associate professorships or
18 readerships or equivalent posts, a board of selection (with power to appoint)
19 shall consist of-

20 (a) the Vice-Chancellor;

21 (b) if the post is tenable at a college, or is within a school
22 comprised in a college, the Provost of that college;

23 (c) if the post is within a faculty, school, institute or other teaching
24 unit of the University, the Dean of that teaching unit;

25 (d) two members appointed by the Council;

26 (e) four members of the Senate appointed by the Senate, at least
27 two of whom shall, if the post is tenable at a college, be senior members of
28 the staff of the college;

29 (f) such other persons as the Senate may from time to time appoint.

30 (4) Subject to paragraph (5) of this Article, for appointments to

1 associate professorships, readerships, senior lectureships and other academic
2 posts, a selection board (with power to appoint) shall consist of-

3 (a) the Vice-Chancellor;

4 (b) if the post is tenable at a college, or is within a school comprised in
5 a college, the Provost of that college;

6 (c) if the post is within a faculty, school, institute or other teaching
7 unit of the University, the Dean of that teaching unit;

8 (d) four members of the Senate appointed by the Senate, at least two
9 of whom shall, if the post is tenable at a college, be members of the staff of the
10 college; and

11 (e) such other persons as the Senate may from time to time appoint.

12 (5) Where an appointment falling within paragraph (4) above is
13 tenable at a college, the Senate may authorize the college to set up a selection
14 board therefore (with power to appoint); but every selection board set up in
15 pursuance of this paragraph shall include the Vice-Chancellor and shall also
16 include at least two members of the Senate, nominated by the Senate, who are
17 not members of the academic staff of the college.

18 (6) A college shall have power to make appointments to academic
19 posts within the college below the level of associate professor or reader.

20 (7) For the purpose of exercising the power conferred by paragraph
21 (6) above, the college shall set up suitable selection boards to select and make
22 appointments on its behalf.

23 (8) Every selection board set up in pursuance of paragraph (7) of this
24 article shall include the Vice-Chancellor and shall also include at least two
25 members of the Senate, nominated by the Senate, who are not members of the
26 academic staff of the college.

27 (9) All appointments to senior library posts shall be made in the same
28 way as equivalent appointments in the academic staff; and for all such posts,
29 other than that of librarian, the librarian shall be a member of the selection
30 board.

1 (10) Boards of selection may interview candidates directly or
2 consider the reports of assessors or specialist interviewing panels.

3 *Appointment of administrative and technical staff*

4 29.-(1) The administrative and technical staff of the University,
5 other than principal officers, shall be appointed by the council or on its
6 behalf by the Vice-Chancellor or the Registrar in accordance with any
7 delegation of powers made by the Council in that behalf.

8 (2) Administrative and technical staff of a college, other than
9 principal officers, shall be appointed by the board of governors of the
10 college or by the Provost or secretary of the college in accordance with any
11 delegation of powers made by the court in that behalf.

12 (3) In the case of administrative or technical staff who have close
13 and important contracts with the academic staff, there shall be Senate or (in
14 the case of a college) academic board participation in the process of
15 selection.

16 *Interpretation*

17 In this Statute, the expression "the Bill" means the Federal University of
18 Health Sciences Bill and any expression defined in the Bill has the same
19 meaning in this Statute.

20 *Short Title*

21 This Statute may be cited as Federal University of Health Sciences, Otuipo,
22 Statute No. 1.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal University of Health Sciences,
Otuipo. Benue State.

A BILL

FOR

AN ACT TO ESTABLISH THE NORTH CENTRAL DEVELOPMENT COMMISSION (NCDC), SADDLED WITH THE RESPONSIBILITY OF, AMONG OTHER THINGS, RECEIVING AND MANAGING FUNDS ALLOCATED BY THE FEDERAL GOVERNMENT AND DONORS (INTERNATIONAL AND LOCAL DONORS) FOR THE RESETTLEMENT, REHABILITATION, INTEGRATION AND RECONSTRUCTION OF ROADS, HOUSES AND BUSINESS PREMISES OF VICTIMS OF FLOOD AND FARMERS/HERDERS CLASHES, CONSTRUCTION OF LARGE FORMAT DRAINAGE SYSTEMS, DREDGING OF RIVERS BENUE AND NIGER TO CONTROL FLOOD AND OTHER INCIDENTAL MATTERS, AS WELL AS TACKLING THE MENACE OF POVERTY, ILLITERACY AND OTHER RELATED ENVIRONMENTAL OR DEVELOPMENTAL CHALLENGES IN THE NORTH CENTRAL STATES AND FOR RELATED MATTERS

Sponsor: Senator Abba Moro

Co-Sponsors-

Senator I.D Gyang

Senator G.T Suswam

Senator Orker-Jev Emmanuel Yisa

[] Commencement

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

1 PART I - ESTABLISHMENT OF THE NORTH CENTRAL COMMISSION

2 1.-(1) There is hereby established the North Central Development
3 Commission (NCBC) (in this Bill referred to as "the Commission").

Establishment
of the North Central
Commission

4 (2) The Commission-

5 (a) Shall be a body corporate with perpetual succession and a
6 common seal, and

7 (b) May sue or be sued in its corporate name.

Establishment of Governing Board

1 **2.**-(1) There is established for the Commission, a Governing Board
2 (in this Bill referred to as "The Board").

3 (2) The Board shall consist of:

4 (a) an Executive Chairman;

5 (b) a managing director and Chief Executive;

6 (c) the Executive Directors, one each from the member States;

7 (d) one representative of:

8 (i) the Ministry of Finance;

9 (ii) Budget and National Planning.

10 (3) The three Executive Directors mentioned under Subsection(2) (c)
11 above are:

12 (i) Executive Director, Administration and Finance;

13 (ii) Executive Director, Humanitarian Affairs/ Special Duties;

14 (iii) Executive Director, Operations.

15 (4) A member State shall not have two members on the Board at a time

16 (5) The Chairman and other members of the Board shall be-

17 (i) Persons of proven character;

18 (ii) Appointed by the President, subject to confirmation by the
19 Senate.

(6) A member of the Board shall hold office for a term of four years at the first instance, and may be reappointed for another term of four years and no more.

23 FUNCTIONS OF THE BOARD

24 (7) The Board shall have powers to-

25 (a) Manage and supervise the affairs of the Commission;

26 (b) Make rules and regulations for carrying out the functions of the
27 Commission;

(c) Enter and inspect premises, projects and places as may be necessary for the purpose of carrying out its functions under this Bill;

30 (d); Pay the staff of the Commission such remuneration and

1 allowances as appropriate;

2 (e) Enter into such contracts as may be necessary or expedient for
3 the performance of its functions, and ensure the efficient performance of the
4 functions of the Commission.

5 3.-(1) The offices of the Chairman, Managing Director, Executive
6 Director (administration and finance), Executive Director (humanitarian
7 affairs and special duties), Executive Director (Operations), shall rotate
8 amongst the member States of the Commission in an order that shall be set
9 out by the Board.

10 (2) A member of the Board ceases to be a member if the member-

11 (a) Becomes deceased;

12 (b) Becomes of unsound mind;

13 (c) Becomes bankrupt;

14 (d) Is convicted of a felony, misdemeanor or any offence involving
15 dishonesty, or

16 (e) Is guilty of serious misconduct in relation to the office.

17 (3) A member may resign his appointment by notice in writing to
18 the President and the resignation shall take effect upon receipt and approval
19 by the President.

20 (4) Where a vacancy exists in the membership of the Board, the
21 vacancy shall be filled by appointment of a person representing the area
22 where the vacancy exists to complete the remainder of the term of office of
23 the predecessor.

24 (6) There shall be paid to every member of the Board such
25 remunerations, allowances and expenses as the Federal Government may
26 direct.

27 PART II- FUNCTIONS OF THE COMMISSION

28 4. The Commission shall-

29 (a) Formulate policies and guidelines for intervention in the
30 development of the North Central Zone;

Functions of the
Commission

1 (b) Cause the North Central Zone to be surveyed in order to ascertain
2 the extent of loss or destruction and embark on measures that are necessary for
3 proper planning and implementation of physical and socio-economic
4 reconstruction of the Zone, and such survey shall include-

5 (i) Ascertainment of persons who were killed or missing and details of
6 their dependents;

7 (ii) Detailed account of destruction and valuation of infrastructure
8 and assets destroyed owing to incidences of flood, herdsmen crises, inter
9 communal and border clashes;

10 (iii) Requirements for rehabilitation and reconstruction of
11 infrastructures (roads, bridges and similar infrastructures), institutions
12 (schools, hospitals, homes, places of worship and similar institutions);

13 (iv) Requirements for recapitalization of businesses and
14 empowerment schemes for poverty alleviation;

15 (v) Requirements for re-activation of health, nutrition agriculture,
16 education and welfare services;

17 (vi) Requirements for the re-orientation youth and out of school
18 children, including modernization of schools and almajiri education, and (vii)
19 Peace and conflict assessment to determine the root causes and impact of the
20 crises and the factors inhibiting reconciliation and peaceful co-existence.

21 (c) Develop a master plan based on the needs assessment of the North
22 Central Zone to be known as the " North Central Stabilization and
23 Development Master Plan" (in this Bill referred to as "the master plan") which
24 shall contain-

25 (i) Programmes and schemes that promote and facilitate the physical
26 and socio-economic development of the North Central Zone, and

27 (ii) Estimates of the time and costs of implementing such programmes
28 and schemes.

29 (d) Coordinate in accordance with set rules and regulations, projects
30 and programmes within the master plan for the rehabilitation, resettlement,

1 reconciliation, reconstruction and sustainable development of the North
 2 Central Zone in the fields of infrastructure, human and social services
 3 including health and nutrition, education and water supply, agriculture
 4 ,wealth creation and employment opportunities, urban and rural
 5 development and poverty alleviation;

6 (e) Liaise with Federal Ministries, Departments and Agencies,
 7 States and Development Partners on the implementation of all measures
 8 approved in the master plan for the stabilization and development of the
 9 North Central Zone by the Federal Government;

10 (f) Subject to appropriation by the National Assembly, implement
 11 programmes and Schemes contained in the master plan but not captured by
 12 Federal Ministries, Departments and Agencies, State Government and
 13 Development Partners;

14 (g) Identify factors inhibiting the development of the North Central
 15 Zone and assist member States and other Stakeholders in the formulation of
 16 policies to ensure sound and efficient management of the resources of the
 17 North Central Zone;

18 (h) Assess and report on any project being funded or carried out in
 19 the North Central Zone by any Federal Ministry, Department and Agency or
 20 company that has an agreement with the Federal Government and ensure
 21 that funds released for such projects are properly utilized;

22 (i) Liaise with other Stakeholders on the tackling of humanitarian,
 23 ecological and environmental problems in the North Central States;

24 (j) Seek humanitarian, material, technical and financial support
 25 from development partner (Local or International) and Non-Government
 26 Organizations with a view to developing the North Central.

27 PART III - STRUCTURE OF THE COMMISSION

28 5.-(1)The Commission shall have its head office in Abuja and an
 29 office in each Member State of the North Central Zone.

Head Office of
the Commission

30 (2) There is established in the Head Office of the Commission-

1 (a) Administrative and Human Resource Department;

2 (b) Humanitarian Department; and

3 (c) Technical Department.

4 (3) There shall be the Projects Monitoring and Supervision Units
5 which shall be under the relevant department.

6 (4) The Board may create, increase or decrease the number of
7 departments, Divisions and Units as it may deem necessary and expedient to
8 facilitate the realization of the objectives of the Commission.

Establishment
of Management
Committee

9 **6.-(1)** There is established for the Commission, a management
10 Committee which consists of-

11 (a) The Managing Director, Executives Directors and Directors
12 responsible for the Departments established under Section 9 (2) of this Bill;
13 and

14 (b) Such number of other members as may be determined by the
15 Board.

16 (2) The Management Committee shall be responsible to the Board for
17 the general administration of the Commission.

Appointment
of Secretary
to the Commission

18 **7.-(1)** The Board shall appoint a Secretary to the Commission who
19 shall also act as its Legal Adviser.

20 (2) The Secretary to the Commission shall be a Legal Practitioner of
21 ten years post call and above and must possess the requisite experience to hold
22 such an office.

23 (3) The Secretary shall hold office on such terms and conditions as
24 specified by the Board.

25 PART IV- STAFF OF THE COMMISSION

Appointment of
Managing Director

26 **8.-(1)** There shall be for the Commission, a Managing Director who
27 shall be an indigene of the North-Central Zone and the position shall rotate
28 among the Member States:

29 (a) The Managing Director shall have such qualification and
30 experience as appropriate for a person required to perform the functions of the

1 office under this Bill;

2 (b) He shall be the Chief Executive and Accounting Officer of the
3 Commission;

4 (c) The Managing Director shall hold office on terms and
5 conditions as to emolument, conditions of as may be specified in his letter of
6 appointment;

7 (d) Subject to the direction of the Board, the Managing Director
8 shall be responsible for-

9 (i) day to day administration of the Commission;

10 (ii) general direction and control of other employees of the
11 Commission;

12 (e) there shall be for the Commission other Staff as may be
13 employed by the Board subject to the provisions of this Bill;

14 (f) the remuneration and allowances of Staff of the Commission
15 shall be determined by the Board;

16 (g) Service in the Commission shall be public service for the
17 purpose of the Pensions Reform Act.

18 PART V - FINANCIAL PROVISIONS

19 9.-(1) The Commission shall establish and maintain a financial
20 account from which shall be defrayed all expenditure by the Commission.

21 (2) there shall be paid and credited into the account established
22 under Subsection (1) of this Section:

23 (a) in each financial year, an appropriation of at least 10% annual
24 statutory allocations due to the Member States of the Commission from the
25 Federation Account as the contribution of the Federal Government to the
26 Commission;

27 (b) a sum of at least 10% of the Ecological Fund annually for a
28 specific number of years as shall be determined by the National Assembly;

29 (c) a sum equivalent to 3% of the annual VAT collections to accrue
30 to the Commission for a period of 10 years;

1 (d) such money as may be granted, lent to or deposited with the
2 Commission by the Federal or State Government, or any other body or
3 institution whether local or foreign;

4 (e) proceeds from all assets that may accrue to the Commission;

5 (f) fees charged by the Commission;

6 (g) all monies collected from and by the Federal Government shall be
7 domiciled in the Commission;

8 (h) the fund/money shall be managed in accordance with laws or rules
9 governing public finance;

10 (3) the Commission shall apply all the proceeds of the fund for-

11 (a) the cost of administration;

12 (b) the payment of salaries, fees, remuneration, allowances, pensions
13 and gratuity payable the members of the Board and employees of the
14 Commission.

Interpretation

15 **10.** Unless the context otherwise requires:

16 1. "States" means States as enshrined under Section 3(1) of the
17 Constitution of the Federal Republic of Nigeria, 1999 (as amended);

18 2. North Central is comprised of the following States of the
19 Federation and FCT:

20 (a) Benue;

21 (b) Kogi;

22 (c) Kwara;

23 (d) Nasarawa;

24 (e) Niger;

25 (f) Plateau;

26 (g) Abuja-FCT.

27 3. "Board" means the Governing Body established for the
28 Commission under this Bill;

29 4. "Chairman" means the Chairman of the Board appointed under this
30 Bill;

1 5. "Commission" means the North Central Development
2 Commission (NCDC);

3 6. "President" means President of the Federal Republic of Nigeria.

4 **11.** This Bill may be cited as the North Central Development Short title
5 Commission (NCDC) Bill, 2020.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the North Central Development Commission (NCDC), saddled with the responsibility of, among other things, receiving and managing funds allocated by the Federal Government and donors (International and Local donors) for the resettlement, rehabilitation, integration and reconstruction of roads, houses and business premises of victims of flood and farmers/herders clashes, construction of large format drainage systems, dredging of rivers Benue and Niger to control flood and other incidental matters, as well as tackling the menace of poverty, illiteracy and other related environmental or developmental challenges in the North Central states.

A BILL

FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE INSTITUTE OF
INFORMATION COMMUNICATION TECHNOLOGY SULEJA, NIGER STATE;
AND FOR OTHER MATTERS CONNECTED THEREWITH, 2020

Sponsored by Senator Musa, Mohammed Sani

[] Commencement

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

1 PART I - ESTABLISHMENT OF INSTITUTE OF INFORMATION

2 COMMUNICATION TECHNOLOGY SULEJA, NIGER STATE

3 1.-(1) As from the commencement of this Bill, the Institute of Establishment
4 Information Communication Technology Suleja, Niger State (in this Bill of
5 referred to as "the Institute") shall be known and referred to as Institute of Institute of
6 Information Communication Technology Suleja, Niger State. Information Communication Technology Suleja,
Niger State

7 (2) There is established a polytechnic to be known as the Institute
8 of Information Communication Technology Suleja, Niger State (in this Bill
9 referred to as the Institute).

10 2.-(1) There shall be established a Council for the Institute (in this Establishment
11 Bill referred to as "the Council") which shall be a body corporate with and Composition
12 perpetual succession and a common seal and may sue and be sued in its of the Council
13 corporate name. of the Institute

14 (2) The Council shall consist of a Chairman and the following other
15 members, that is:

16 (a) the Rector of the Institute;

17 (b) one representative of the Academic Board of the Institute
18 elected by the Board;

19 (c) one representative of Manufacturer's Association of Nigeria.

20 MAN (to be coordinated by NBTE);

- 1 (d) one representative of Universities (to be submitted by NUC);
2 (e) one representative of Professional Bodies (to be coordinated by
3 NBTE);
4 (f) one representative of a Federal Utility Statutory Corporation;
5 (g) one representative of the community where the Institute is situated
6 (to be coordinated by the Polytechnic);
7 (h) one representative of the Minister charged with responsibilities
8 for matters relating to polytechnics;
9 (i) one representative of the Permanent Secretary, Federal Ministry of
10 Education (to be coordinated by the FME);
11 (j) one representative of the Permanent Secretary, Federal Ministry of
12 Industry, Trade and Investment (to be coordinated by the NBTE);
13 (k) one representative of the State Ministry of Education;
14 (l) five (5) other persons, at least one of whom must be a woman to be
15 selected each on personal merit based on contributions to development of
16 industry, technology or commerce or special interest in technical education;
17 (m) the Registrar (non-member) shall be Secretary to the Governing
18 Council.
19 (3) The Chairman and members for the Council other than ex-officio
20 members shall be appointed by the President on the recommendation of the
21 Minister of Education.
22 (4) The provision of the Schedule to this Bill shall have effect with
23 respect to the proceedings of the Council and the other matters mentioned
24 therein.
25 **3.-(1)** The Minister of Education shall be the Visitor to the Institute.
26 (2) The Visitor shall not less than once in every five (5) years conduct
27 a visitation to the polytechnic by appointing a Visitation Panel.
28 (3) The Visitation Panel shall consist of not less than five (5) experts
29 in relevant areas as provided in section 6 (1) (a) of this Bill to:
30 (a) evaluate academic and administrative performance of the

Visitation

1 polytechnic and

2 (b) for such other purpose as the Visitor may deem fit.

3 4.-(1) The Chairman and other members of the Governing Council

Tenure of Office
of Council
Members

4 shall hold office for a period of three (3) years from the date of appointment

5 and may be eligible for re-appointment for a further term of three (3) years

6 and thereafter he shall no longer be eligible for re-appointment.

7 (2) Where a vacancy exists due to resignation, death, or removal of

8 a member, a successor representing the same interest group shall be

9 appointed to hold office for the remaining tenure of his predecessor, so

10 however, that the successor shall represent the same interest as his

11 predecessor.

12 (3) Every member shall be paid appropriate stipends during his

13 tenure in office in accordance with rates specified from time to time by the

14 National Council of Ministers.

15 (4) A member of Council may resign his appointment by a notice in

16 writing addressed to the Minister of Education.

17 PART II - FUNCTIONS AND POWERS

18 5.-(1) The functions of the Institute shall be:

Functions of
the Institute

19 (a) to provide Full-time and Part-time courses in Information

20 Communication Technology, Engineering Technology, Applied Sciences,

21 Management Sciences and other fields of study leading to the award of

22 Ordinary National Diploma, Higher National Diploma, and Certificates in

23 specialised programmes;

24 (b) to provide facilities and encourage research in all its area of

25 focus to aid the development of Nigeria in the areas of Industry, Commerce,

26 Technology and Engineering etc.

27 (c) to arrange conferences, seminars and study groups relevant to

28 the fields of learning specified in sub section (1)(a) in this section;

29 (d) to perform such other functions which in the opinion of the

30 Institute, may serve to promote its objectives;

Functions of
the Governing
Council

1 (e) to provide a well-developed and articulate technical education
2 through consistent research, development and constant contact with renowned
3 institutions and appropriate industries;

4 (f) to provide appropriate training and vocational dexterity for a self-
5 reliant and focused Nigerian student, and also to provide industrial skills for
6 those who want to be employers of labour or gainfully employed;

7 (g) to perform such other functions as in the opinion of the Council,
8 may serve to promote the objectives of the Institute; and

9 (h) to carry out other activities as are necessary and expedient for the
10 full discharge of any of its functions pursuant to this Bill.

11 **6.- (1) Subject to the provisions of this Bill, the Council:**

12 (a) shall be responsible for the general management of the affairs of
13 the Institute and in particular, the control of the property and finances of the
14 Polytechnic;

15 (b) shall have power to do anything which in its opinion is calculated
16 to facilitate the carrying out of activities of the polytechnic and promote its best
17 interest;

18 (c) shall set up committees for the purpose of working on specific
19 matters and making recommendations to the Board for necessary action;

20 (d) shall provide pieces of advice as may be necessary, for the interest
21 of the Institute on any matter referred to it;

22 (e) may enter into such contracts as may be necessary or expedient for
23 carrying into effect the provisions of the Federal Polytechnics Act;

24 (f) shall perform such other functions as in the opinion of the Council
25 may serve to promote the objectives of the Institute.

26 (2) The Minister may give to the Institute directives of a general
27 character or relating generally to matters of policy with regard to the exercise
28 by the Institute of its functions under this Bill and it shall be the duty of the
29 Institute to comply with such directives.

7. The Institute shall have power to:

(a) award certificates for courses provided by it under section 4 (1) of this Bill;

(b) enter into such contracts as may be necessary or expedient for carrying into effect the provisions of this Bill;

(c) acquire, hold, lease, sell, mortgage or otherwise alienate or dispose of any property, movable or immovable;

(d) invest its funds in such manner and to such extent as it may deem necessary or expedient;

(e) establish and maintain a library, comprising such books, journals, records, reports and other publications and information systems as may be required for the discharge of the functions conferred on the Institute by this Bill;

(f) accept gifts of land, money or other property upon such terms and conditions, if any, as may be specified by the person or organisation making the gift; provided that the Institute shall not accept any gift if the terms and conditions attached thereto are inconsistent with its functions under this Bill.

19 PART III - STAFF OF THE INSTITUTE

20 *Appointment of the Rector*

21 **8-(1) (a)** The President shall appoint for the Institute a Rector who Appointment of
Principal Officers

22 shall be the chief academic and administrative officer of the Institute;

23 (b) Where a vacancy occurs in the position of Rector, the Council

24 shall advertise and follow such procedure as provided in sections 8 (2), (3),

25 (4) and (5) of the Federal Polytechnics Act;

26 (c) The Rector shall be responsible for:

27 (i) the day-to-day administration of the Institute;

28 (ii) the exercise of general authority over the employees of the

29 Institute;

30 (iii) the discipline of students in the Institute.

1 (d) The Rector shall hold office for a period of four (4) years from the
2 effective date of his appointment and on such terms and conditions as may be
3 determined by the Minister as set out in his letter of appointment;

4 (e) The Rector may be re-appointed for a further period of four (4)
5 years and no more.

6 *Appointment of the Deputy Rector*

7 (2) (a) The Deputy Rector shall be appointed by the Council as
8 specified in section 9 of the Federal Polytechnics Act;

9 (b) The Deputy Rector shall assist the Rector in the performance of his
10 functions and shall act in the place of the Rector when the Rector is absent or
11 unable to perform his functions or when the position of Rector is vacant;

12 (c) The Deputy Rector shall perform such other functions as the
13 Rector may from time to time assign;

14 (d) The Deputy Rector shall hold office for the period of two (2) years
15 from the effective date of his appointment and on such terms and conditions as
16 may be specified in the letter of appointment. He may be re-appointed for a
17 further period of two (2) years and no more.

18 *Appointment of the Registrar*

19 (3) (a) The Council shall appoint a Registrar who shall be the
20 secretary to the Council and attend all the meetings of the Council.;

21 (b) The Registrar shall be answerable to the Rector for the day-to-day
22 administration of the polytechnic and shall perform such other duties as the
23 Council or Rector may direct;

24 (c) The Registrar shall be Secretary to the Council, Academic Board
25 and any other committees of the Council and shall attend all meetings of these
26 committees unless excused for good reasons by the Chairman of the Council;

27 (d) If the Registrar is for any reason unable to attend a meeting of the
28 Council, the Chairman of the Council may, after consultation with the Rector,
29 appoint a suitable person to act as secretary for the particular meeting;

30 (e) The Secretary to Council or a person appointed to act under

subsection (3) of this section, shall not vote on any question before the Council or counts towards a quorum, unless he is so entitled as a member of the Council;

(f) The Registrar shall hold office for a period of five (5) years beginning from the date of his appointment and on such terms and conditions as may be specified in the letter of his appointment. He may be re-appointed for a further period of five (5) years and no more.

Appointment of the Bursar

(4)(a) The Bursar shall be appointed by the Council on recommendation of the Selection Board constituted under section 9 (3) of the Federal Polytechnics Act;

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

(c) The Bursar shall hold office for a period of five (5) years and may be re-appointed for a further period of five (5) years and no more.

Appointment of the Librarian

(5)(a) The Librarian shall be appointed by the Council on recommendation of the Selection Board constituted under section 9 (3) of the Federal Polytechnics Act;

(b) The Librarian shall be responsible to the Rector for the administration of the polytechnic library and the coordination of library services in the academic unit of the polytechnic;

(c) The Librarian shall hold office for a period of five (5) years in the first instance, and may be re-appointed for a further period of five (5) years and no more.

9. A principal officer may resign his appointment:

(a) in the case of the Rector, by notice to the Minister of Education;

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

Resignation of
Appointment by
Principal Officers

Other Staff of the Institute	<p>1 10.-(1) The Council may appoint such other persons to be employees</p> <p>2 of the Institute to assist the Rector or other principal officers in performance of</p> <p>3 their functions under the Federal Polytechnics Act;</p> <p>4 (2) The Power to appoint senior employees shall be exercised by the</p> <p>5 Council on the recommendation of the Appointments and Promotions</p> <p>6 Committee, Senior and in the case of junior employees, by the Council on the</p> <p>7 recommendation of the Appointments and Promotions Committee, Junior</p> <p>8 under the power vested in the Council pursuant to paragraph 3 of the Schedule</p> <p>9 of this Bill.</p>
Staff Resignations	<p>10 11.-(1) The Council may, subject to the provisions of this Bill, make</p> <p>11 staff regulations relating generally to the conditions of service of the staff of the</p> <p>12 Institute and, without prejudice to the generality of the foregoing, such</p> <p>13 regulations may provide for:</p> <p>14 (a) the appointment, promotion and discipline (including dismissal)</p> <p>15 of employees of the Institute; and</p> <p>16 (b) appeals by such employees against dismissal or other disciplinary</p> <p>17 measures, and until such regulations are made, any instrument relating to the</p> <p>18 conditions of service of public officers in the polytechnic system shall be</p> <p>19 applicable with such modifications as may be necessary to employees of the</p> <p>20 Institute.</p> <p>21 (2) Staff regulations made under subsection (1) of this section shall</p> <p>22 not have effect until approved by the President and when so approved, they</p> <p>23 need not to be published in the Gazette but the Council shall cause them to be</p> <p>24 brought to the notice of all affected persons in such a manner as it may, from</p> <p>25 time to time, determine.</p>
Pensions	<p>26 12.-(1) Pension service in the Institute shall be approved service for</p> <p>27 the purposes of the Pensions Reform Act.</p> <p>28 (2) Officers and other persons employed in the Institute shall be</p> <p>29 entitled to pensions, gratuities and other retirement benefits as prescribed in the</p> <p>30 Pensions Reform Act, so nothing in this Bill shall prevent the appointment of a</p>

1 person to any office on terms which preclude that grant of a pension, gratuity
2 or other retirement benefit in respect of that office.

3 (3) For the purpose of the application of the provisions of the
4 Pensions Reform Act, any power exercisable thereunder by a Minister or
5 other Authority of the Government of the Federation, other than the power to
6 make regulations under section 23 thereof, is vested in and shall be
7 exercisable by the Council and not by any other person or authority.

8 PART IV - DISCIPLINE

9 13.-(1) The President may, in writing, remove any member of the
10 Council from office if it is established that his contributions run counter to
11 the purpose, interest and objectives of the polytechnic.

Removal of a
Member of
Council

12 (2) If it appears to the Council that a member of Council (other than
13 an ex-officio member) or the Rector should be removed from office on the
14 ground of misconduct or inability to perform the functions of his office, the
15 Council shall make a recommendation to the President and if the President
16 after making such enquiries as he considers necessary, approves the
17 recommendation, the President shall, in writing declare the office of such
18 member vacant.

19 14.-(1) If there are reasons for believing that any person employed
20 as a member of the academic, administrative or technical staff of the
21 polytechnic, other than the Rector, should be removed from office on the
22 ground of misconduct or inability to perform the functions of his office, the
23 Council shall:

Removal from
Office of s Staff
of the Institute

24 (a) give notice to the person of the reasons in question;
25 (b) afford him an opportunity to make representations in person on
26 the matter to the Council; and carry out such investigations and actions
27 pursuant to section 17 (1) (c) of the Federal Polytechnics Act.

28 (2) The Rector may, in a case of misconduct by a member of the
29 staff which in the opinion of the Rector is prejudicial to the interests of the
30 polytechnic, suspend such member and any such suspension shall forthwith

Discipline of
Students

1 be reported to the Council.

2 (3) For good cause, any member of staff may be suspended from
3 office or his, appointment may be terminated by the Council by virtue of its
4 power pursuant to section 171 (3) of the Federal Polytechnics Act.

5 **15.-(1)** Where it appears to the Rector that any student of the Institute
6 has been guilty of misconduct, the Rector may, without prejudice to any other
7 disciplinary powers conferred on him by this Bill or any regulations made
8 thereunder, direct that:

9 (a) the student shall not, during such periods as may be specified in the
10 direction, participate in such activities of the Institute or make use of such
11 facilities of the Institute, as he may specify;

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

14 (c) the student be suspended for such period as may be specified in the
15 direction; or

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

17 (2) Where there is temporarily no Rector or where the Rector refuses
18 to apply any disciplinary measures, the Council may, either directly or through
19 some other staff, apply such disciplinary actions as are specified in subsection

20 (3) of this section to any student of the Institute who is guilty of
21 misconduct.

22 (3) Where a direction is given under sub section (1) (c) or (d) of this
23 section in respect of any student, the student may within 21 days from the date
24 of the letter communicating the decision to him, appeal to the Council and the
25 Council shall, after causing such inquiry to be made in the matter as the Council
26 considers just, either confirm or set aside the direction or modify it in such
27 manner as the Council may deem fit.

28 (4) The fact that an appeal from a direction is brought in pursuance of
29 subsection (5) of this section, shall affect the operation of the direction while
30 the appeal is pending.

1 (5) The Rector may delegate his powers under this clause to
2 disciplinary committee, consisting of such staff of the Institute as he may
3 nominate.

4 (6) Nothing in this section shall be construed as preventing the
5 restriction or termination of a student's activities at the Institute other than on
6 the ground of misconduct.

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

10 PART V - ACADEMIC BOARD

11 16.-(1) There is established as an integral part of the Institute an Establishment
12 Academic Board which shall consist of: of Academic
Board of the
Institute

- 13 (a) the Rector of the Institute;
14 (b) the Deputy Rector;
15 (c) the Registrar as secretary;
16 (d) the Librarian;
17 (e) Deans / Directors of Schools;
18 (f) Heads of Academic Departments / Units;
19 (g) not more than two (2) members of the academic staff other than
20 Heads of Departments/Units, to be appointed by the Academic Board.

21 (2) The Academic Board shall:

22 (a) give the direction and management of academic matters of the
23 polytechnic including the regulation of admission of students, the award of
24 certificates and diplomas, school prizes and other academic distinctions;

25 (b) formulate and continuously evaluate the academic programme
26 of the Institute;

27 (c) make periodic reports to the Council on such academic matters
28 as the Board may deem fit or as the Council may from time to time direct;

29 (d) the discharge of any other functions which the Council may
30 delegate to it.

1 (3) The Rector shall be the Chairman at the meeting of the Academic
2 Board and in his absence the Deputy Rector shall preside at such meeting, but
3 in the absence of both, the members present at the meeting shall appoint one of
4 their number to preside at the meeting.

5 (4) Subject to subsection (3) of this section, the Academic Board shall
6 have the power to regulate its own procedure.

7 PART VI - FINANCIAL PROVISIONS

Fund of the
Institute

8 17.-(1) The Institute shall establish and maintain a fund from which
9 shall be defrayed all expenditure incurred by the Institute in the performance of
10 its functions under this Bill.

11 (2) The fund of the Institute shall include:

12 (a) such sums as may, from time to time, be granted to the Institute by
13 the Federal Government;

14 (b) fees charged by and payable to the Institute in respect of students;

15 (c) any other amount charged or dues recoverable by the Institute;

16 (d) revenue from time to time accruing to the Institute by way of
17 subvention, grants in-aid, endowment or otherwise;

18 (e) interest on investment; and

19 (f) donations and legacies accruing to the Institute from any source,
20 for the general or special purposes of the Institute.

Donations for
particular purpose

21 18.-(1) Donations of money to be applied for any particular purpose
22 shall be placed to the credit of a special reserve account and may be invested in
23 such securities or other investments as may be approved by the Minister, until
24 such time as they may be expended in fulfilment of such purpose; provided that
25 the Institute shall not accept a donation from a particular purpose, if the terms
26 and conditions attached to such donation are inconsistent with the actions of
27 the Institute under this Bill.

28 (2) The interest derived from the investments referred to in subsection
29 (1) of this section (unless the terms of the donations otherwise required) shall
30 be deemed to be revenue of the Institute.

1	19. Payment of all sums of money accruable to the Institute except	Payment into Bank
2	donations and gifts shall be made through the Federal Government	
3	recognized Remita online platform.	
4	20. -(1) The Institute shall keep proper records and accounts and	Annual Estimate
5	shall cause to be prepared not later than 1 October in each financial year, an	Accounts and
6	estimate of its revenue and expenditure for the ensuing financial year and the	Audit
7	estimate shall be submitted to the National Board for Technical Education	
8	for approval.	
9	(2) At the end of each financial year but not later than 30 June the	
10	Institute shall cause to be prepared a statement of its income and expenditure	
11	during the previous financial year.	
12	(3) The statement of accounts referred to in subsection (2) of this	
13	section shall, when certified by the Rector, be audited by a firm of auditors	
14	appointed from the list and in accordance with the guidelines supplied by the	
15	Auditor-General of the Federation and shall be published in the annual	
16	report of the polytechnic.	
17	21. Each council shall cause to be prepared and presented to the	Annual Report
18	president through the minister, a report of the activities during the-preceding	
19	financial year, inclusive of the audited accounts of the polytechnic in respect	
20	of the financial year and the auditors comment not later than 31 December	
21	each year.	
22	PART VII - MISCELLANEOUS	
23	22. -(1) The Council may, within the scope of its authority under	Power to make
24	this Bill, make bye-laws relating to any internal domestic matters placed by	by-laws
25	this Bill under its control and superintendence other than matters for which	
26	provision is to be made by standing orders under paragraph 1 (1) of the	
27	Schedule to this Bill or in pursuance of paragraph 2 (2) of the said Schedule.	
28	(2) All such bye-laws shall be in writing and shall come into force	
29	when sealed with the seal of the Institute, unless some other date for	
30	commencement be therein prescribed.	

	1	(3) Nothing in subsection (2) above shall make it obligatory for the
	2	Council to publish any of the said bye-laws in the Gazette.
Regulations	3	23. The Council may, with the approval of the Minister, make
	4	regulations for giving effect to the provisions of this Bill and without prejudice
	5	to the foregoing regulations shall provide:
	6	(a) the entry into and the type of courses approved for the Institute;
	7	(b) the duration of the courses and academic standards; and
	8	(c) the certificates, diplomas or degrees which may be awarded by the
	9	Institute.
Interpretation	10	24. In this Bill, unless the context otherwise requires:
	11	"Bye-laws" means bye-laws made under section 22 of this Bill;
	12	"Council" means governing body of the Institute established under section 2 of
	13	this Bill;
	14	"Minister" means Minister charged with responsibility for matters relating to
	15	education;
	16	"Visitor" means Minister of Education;
	17	"Property" includes rights, liabilities and obligations;
	18	"Registrar" means the Registrar of the Institute;
	19	"Institute" means Institute of Information Communication Technology Suleja,
	20	Niger State established under section 1 of this Bill;
	21	"Staff" means all persons employed by the Council to serve at the Institute.
Short title	22	25. This Bill may be cited as Institute of Information Communication
	23	Technology Suleja, Niger State (Establishment) Bill, 2020.
	24	SCHEDULE
	25	<i>[Section 2 (4)]</i>
	26	<i>Proceedings of the Board</i>
	27	1.-(1) Subject to this Bill and section 27 of the Interpretation Act, the
	28	Council may make standing orders regulating the proceedings of the Council
	29	or any committee thereof.
	30	(2) The quorum of the Council shall be seven (7) and the quorum of

1 any committee of the Council shall be as determined by the Council.

2 2.-(1) The Council shall meet for the conduct of business at such
3 times as the Chairman of the Council may appoint but shall meet not less
4 than twice in a year and not more than four (4) times in each year and two (2)
5 emergencies.

6 (2) The Chairman shall preside over all meetings of the Board.
7 Where the Chairman is absent, the members present shall appoint one of
8 their number to preside over the meeting.

9 (3) No meeting shall hold except a quorum is formed. Notice and
10 Agenda of proposed meeting as well as minutes of prior regular meeting
11 shall be circulated to members at least two (2) weeks to the scheduled date of
12 meeting.

13 (4) For a meeting of the Governing Council to hold, the Chairman
14 and seven (7) other members shall be and constitute the quorum. Where the
15 Chairman is absent, any five members including the Rector (or his
16 representative) shall be and constitute the quorum.

17 (5) In a situation where voting is required to reach a resolution on
18 any matter a decision shall be reached by simple majority through a poll or
19 show of hand. Where there is a tie, the Chairman may cast a deciding vote.

20 (6) Where the Council desires to obtain advice of any person on a
21 particular matter, the Council may co-opt him as a member for such period
22 as it deems fit; but a person who is a member by virtue of this sub-paragraph
23 shall not be entitled to vote at any meeting of the Council and shall not count
24 towards the quorum.

25 (7) The Registrar of the Polytechnic shall serve as the Secretary but
26 non-member of Board. He shall not be considered for the purpose of a
27 quorum and shall have no voting right.

28 *Committee*

29 3.-(1) The Council may appoint one or more committee(s) to carry
30 out on behalf of the Council such functions as the Council may determine.

1 (2) A committee appointed under this paragraph shall consist of such
2 number of persons (not necessarily all members of the Council) as may be
3 determined by the Council; and a person, other than a member of the Council,
4 shall hold office on the committee in accordance with the terms of his
5 appointment.

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

8 *Miscellaneous*

9 4.-(1) The fixing of the seal of the Council shall be authenticated by
10 the signature of the Chairman and of any other member authorized generally or
11 specially by the Council to act for that purpose.

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

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

19 (4) Members of the Council who are not public officers shall be paid
20 off of moneys at the disposal of the Council such remuneration; fee or
21 allowances in accordance with such scale as may be approved, from time to
22 time, by the President.

23 (5) The validity of any proceedings of the committee of a Council
24 thereof shall not be adversely affected by a vacancy in the membership of the
25 committee of a Council or by reason that a person not entitled to do so took part
26 in the proceedings.

27 (6) Any member of the Council or any person holding office in a
28 committee of the Council who has a personal interest in any contract or
29 arrangement entered into or proposed to be considered by the Council or
30 committee thereof shall forthwith disclose his interest to the Council or

- 1 committee and shall not vote on any question relating to the contract or
2 arrangement.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Institute of Information Communication Technology Suleja, Niger State to provide full-time and part-time courses of instruction and training in Construction Technology, Engineering Technology, Applied Sciences, Management Sciences and other fields of study and to make provisions for the general administration of the Institute.

FEDERAL UNIVERSITY OF TECHNOLOGY, KABWIR, PLATEAU STATE
(ESTABLISHMENT) BILL, 2020
ARRANGEMENT OF CLAUSES

Clauses

PART 1 - ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF THE
FEDERAL UNIVERSITY OF TECHNOLOGY, KABWIR

1. Establishment and Objectives of the Federal University of Technology, Kabwir, Plateau State
2. Constitution and Principal Officers of the University
3. Powers of the University and their exercise
4. Functions of the Chancellor and Pro-Chancellor
5. Composition, Tenure and Powers of the Council of the University
6. Functions of the Council and its Finance and General Purposes Committee
7. Functions of the Senate of the University
8. Functions of the Vice-Chancellor

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

9. General Fund of the University
10. Transfer of Property, etc.

PART III - STATUTES OF THE UNIVERSITY

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

PART IV - SUPERVISION AND DISCIPLINE

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

18. Participation and Discipline of Students

PART V - MISCELLANEOUS AND GENERAL

19. Exclusion of discrimination on account of race, religion, etc.
20. Restriction on disposal of land by University
21. Quorum and procedure of bodies established by this Bill
22. Appointment of committees, etc
23. Retiring age of academic staff
24. Special provisions relating to pensions of Professors
25. Miscellaneous Administrative Provisions
26. Restriction of suits and execution
27. Interpretation
28. Short title

FIRST SCHEDULE

SECOND SCHEDULE

THIRD SCHEDULE

A BILL

FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE FEDERAL UNIVERSITY OF TECHNOLOGY, KABWIR; AND FOR OTHER MATTERS CONNECTED THEREWITH

Sponsored by Senator Dimka, Hezekiah Ayuba

[] 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 UNIVERSITY OF TECHNOLOGY, KABWIR

3 1.-(1) There is hereby established as the Federal University of
4 Technology, Kabwir, Plateau State.

5 (2)The University 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 University shall be a training institution for the
8 development of Technologists in the country.

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

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

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

17 (b) to develop and offer academic and professional programmes
18 leading to the award of certificates, first degrees, post-graduate research,
19 diploma and higher degrees with emphasis on planning, developmental and
20 adaptive skills in technology, applied science, social science, management

Establishment
and Objectives of
the Federal
University of
Technology,
Kabwir, Plateau
State

1 and allied professional disciplines;

2 (c) to produce socially mature technologists with capabilities not to
3 only understand the technology need of Nigeria as a nation, but also to exploit
4 existing technological infrastructure and improve on it to develop new ones;

5 (d) to act as agents and catalysts for effective technology system,
6 through post graduate training, research and innovation, for effective
7 economic utilization and conservation of the country's human resources;

8 (e) to bring quality change in Technology Education by focusing on
9 practical teaching and learning innovations;

10 (f) to collaborate with other national and international institutions
11 involved in training, research and development of Technology with a view to
12 promoting governance, leadership and management skills among
13 Technologists;

14 (g) to identify Technology needs of the society with a view to finding
15 solutions to them within the context of overall national development;

16 (h) to provide and promote sound basic technology training as a
17 foundation for the development of Nigeria, taking into account indigenous
18 culture and the need to enhance national unity;

19 (i) to provide higher Education and foster a systematic advancement
20 of the science and Technology Education;

21 (j) to provide for instruction in such branches of Technological
22 education as it may deem necessary to make provision for research
23 advancement and dissemination of knowledge in such manner as it may
24 determine;

25 (k) to provide students with operational competence for applying
26 knowledge in the society as well as making technological changes in the
27 society;

28 (m) to undertake any other activities that is appropriate for a
29 University of Technology of the highest standard.

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

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

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

7 (e) to provide for the discipline and welfare of members of the
8 University;

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

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

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

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

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

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

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

1 (m) to hold public lectures and to undertake printing, publishing
2 and book selling;

3 (n) subject to any limitations or conditions imposed by statute, to
4 invest any moneys appertaining to the University by way of endowment it,
5 not being immediately required for current expenditure in any investments
6 or securities or in the purchase or improvement of land, with power from
7 time to time, to vary any such investments to deposit any moneys for the
8 time being not invested with any bank on deposit or current account;

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

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

15 (q) to do anything which it is authorized or required by this Bill or
16 by statute to do; and (r) to do all such acts or things, whether or not incidental
17 to the foregoing powers, as may advance the objects of the University.

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

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

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

Functions of the
Chancellor and
Pro-Chancellor

30 (2)The Pro-Chancellor shall, in relation to the University, take

Composition,
Tenure and Powers
of the Council
of the University

1 precedence before all other members of the University, except the Chancellor
2 and except the Vice-Chancellor when acting as chairman of Congregation or
3 Convocation and the Pro-Chancellor shall, when he is present, be the chairman
4 at all meetings of the Council.

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

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

8 (b) the Vice-Chancellor;

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

10 (d) one person from the Ministry responsible for Education;

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

13 (i) the Teacher's Registration Council;

14 (ii) Tertiary Education Trust Fund; and

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

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

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

19 (h) one person appointed by Convocation from among its members.

20 (i) two persons representing the community appointed by the
21 President.

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

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

29 (4) The powers of the Council shall be exercised, as in this Bill and to
30 that extent establishment circulars that are inconsistent with this Bill shall not

1 apply to the University.

2 (5) The Council shall be free in the discharge of its functions and
3 exercise of its responsibilities for the good management, growth and
4 development of the University.

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

8 (a) personnel cost;

9 (b) overhead cost;

10 (c) research and development;

11 (d) library developments; and

12 (e) the balance in expenditure between academic vis-a-vis non-
13 academic activities.

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

Functions of the
Council and its
Finance and
General Purpose
Committee

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

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

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

30 (5) Subject to this Bill and the statutes, the Council and the Finance

1 and General Purposes Committee may each make rules for the purpose of
2 exercising any of their respective functions or of regulating their own
3 procedure.

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

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

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

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

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

Functions of the
Senate of the
University

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

29 (2) Without prejudice to the generality of subsection (1) of this section
30 and subject as therein mentioned, it shall in particular be the function of the

1 Senate to make provision for:

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

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

9 (c) the award of degrees, and such other qualifications as may be
10 prescribed in connection with examinations held as aforesaid;

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

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

16 (f) the supervision of the welfare of students at the University and
17 the regulation of their conduct;

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

20 (h) determining what descriptions of dress shall be academic dress
21 for the purposes of the University, and regulating the use of academic dress.

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

26 (4) Subject to this Bill and the statutes, the Senate may make
27 regulations for the purpose of exercising any function conferred on it either
28 by the foregoing provisions of this section or otherwise or for the purpose of
29 making provision for any matter for which provision by regulations is
30 authorized or required by this Bill or by statute.

(5) Regulations shall provide that at least one of the persons appointed as the examiners at each final or professional examination held in conjunction with any course of study at the University is not a teacher at the University but is a teacher of the branch of learning to which the course relates at some other University of high repute or a person engaged in practicing the profession in a reputable organization or institution.

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

Functions of the
Vice-Chancellor

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

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

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

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

PART II - GENERAL FUND, TRANSFER OF PROPERTY, ETC, TO THE

UNIVERSITY AND CONDITION OF SERVICE OF EMPLOYEES

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

General fund of the University

(a) grants-in-aid;

(b) fees;

(c) income derived from investments;

(d) gifts, legacies, endowments and donations not accepted for a particular purpose;

(e) income derived from the exercise of any functions conferred or imposed on the University by this Bill;

(f) any other amounts, charges or dues recoverable by the University;

(g) revenue, from time to time, accruing to the University by way of subvention;

(h) interests on investments;

(i) donations and legacies accruing to the University from any source for the general or special purposes of the University; and

(j) Regular TETFUND interventions;

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

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

Transfer of Property

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

PART III - STATUTES OF THE UNIVERSITY

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

Power of the University to make Statutes

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

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 no other enactment
8 provides to the contrary), 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 Bill and of any
11 statute, regulation or other instrument made thereunder; or

12 (e) Making provision for any other matter for which provision by
13 statute is authorized or required by this Bill.

14 (2) Subject to section 25(6) of this Bill, 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 28(1) of that Act.

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

Third Schedule

20 (4) The power to make statutes 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 Bill or any
23 subsequent statute.

Mode of exercising
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 and not otherwise.

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

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

30 (b) at a meeting of the Council, by the votes of not less than two thirds

1 of the members present and voting.

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

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.

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

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

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

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

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

29 (8) Nothing in sub-section (7) of this section shall affect any power
30 of a court of competent jurisdiction to determine whether any provision of a

	1	statute is wholly or partly void as being ultra vires or as being inconsistent with
	2	the Constitution of the Federal Republic of Nigeria, 1999.
Proof of Statute	3	13. A statute may be proved in any court by the production of a copy
	4	thereof bearing or having affixed to it a certificate purporting to be signed by
	5	the Vice-Chancellor or the Secretary to the Council to the effect that the copy is
	6	a true copy of a statute of the University.
	7	PART IV - SUPERVISION AND DISCIPLINE
The Visitor	8	14. -(1) The President shall be the Visitor of the University.
	9	(2) The Visitor shall cause a visitation to the University when
	10	necessary, at least every five years, or direct that such a visitation be conducted
	11	by such person or persons as the Visitor may deem fit and in respect of any of
	12	the affairs of the University.
	13	(3) It shall be the duty of the bodies and persons comprising the
	14	University to make available to the Visitor and to any other person conducting a
	15	visitation in pursuance of this section, such facilities and assistance as he or
	16	they may reasonably require for the purposes of a visitation.
	17	(4) The Visitor shall make the report of such visitations and white
	18	paper thereon available to the Council which shall implement same.
Removal of certain Members of Council	19	15. -(1) If it appears to the Council that a member of the Council (other
	20	than the Pro- Chancellor or the Vice-Chancellor) should be removed from
	21	office on the ground of misconduct or inability to perform the functions of his
	22	office or employment, the Council shall make a recommendation to that effect
	23	through the Minister to the President, and the President, after making such
	24	enquiries (if any) as he may consider appropriate approves the
	25	recommendation, he may direct the removal of the person in question from
	26	office.
	27	(2) It shall be the duty of the Minister to use his best endeavours to
	28	cause a copy of the instrument embodying a direction under subsection (1) of
	29	this section to be served as soon as reasonably practicable on the person to
	30	whom it relates.

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

Removal and
discipline of
academic,
administrative
and professional
staff

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

8 (b) afford him an opportunity of making representations in person
9 on the matter by the Council; and

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

16 (2) The Vice-Chancellor may, in a case of misconduct by a member
17 of the staff which in the opinion of the Vice-Chancellor is prejudicial to the
18 interest of the University, suspend such member and any such suspension
19 shall forthwith be reported to the Council.

20 (3) For good cause, any member of the staff may be suspended
21 from his duties or his appointment may be terminated by the Council; and
22 for the purposes of this subsection "good cause" means:

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

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

29 (c) conduct of a scandalous or other disgraceful nature which the
30 Council considers to be such as to render the person concerned unfit to

1 continue to hold his office;

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

5 (e) conduct which the Council considers to be generally of such
6 nature as to render the continued appointment or service of the person
7 concerned prejudicial or detrimental to the interest of the University.

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

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

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

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

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

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

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

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

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

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

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

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

18 (3) It shall be the duty of the Vice-Chancellor on signing an
19 instrument of removal pursuant to this section, to use his best endeavours
20 to cause a copy of the instrument to be served as soon as reasonably
21 practicable on the person to whom it is related.

22 **18.**-(1) The Students shall be:

23 (a) represented in the University's Students Welfare Board and Participation and
24 other committees that deal with the affairs of students; Discipline of

25 (b) Participate in various aspects of curriculum development;

26 (c) Participate in the process of assessing academic staff in respect
27 of teaching; and

28 (d) Be encouraged to be more self-assured as part of the national
29 development process.

30 (2) Subject to the provisions of this section, where it appears to the

1 Vice-Chancellor that any student of the University has been guilty of
 2 misconduct, the Vice-Chancellor may, without prejudice to any other
 3 disciplinary powers conferred on him by statute or regulations, direct:

4 (a) that the student shall not, during such period as may be specified in
 5 the directions, participate in such activities of the University, or make use of
 6 such facilities of the University, as may be so specified;

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

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

11 (d) that the student be expelled from the University.

12 (3) Where a direction is given under subsection (1)(c) or (d) of this
 13 section in respect of any student, that student may, within the prescribed period
 14 and in the prescribed manner, appeal to the Council; and where such an appeal
 15 is brought, the Council shall, after causing such inquiry to be made in the matter
 16 as the Council considers just either confirm or set aside the direction or modify
 17 it in such manner as the Council thinks fit.

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

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

24 (b) Nothing in this section shall be construed as preventing the
 25 restriction or termination of students' activities at the University otherwise than
 26 on the ground of misconduct;

27 (c) A direction under subsection (2)(a) of this section may be
 28 combined with a direction under subsection (2)(b) of this section.

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

29 PART V - MISCELLANEOUS AND GENERAL

30 **19.-(1)** No person shall be required to satisfy requirements as to any of

1 the following matters, that is to say, race (including ethnic grouping), sex,
2 account of race, place of birth or of family origin, or religious or political
3 persuasion, as a condition of becoming or continuing to be a student at the
4 University, the holder of any degree of the University or of any appointment
5 or employment at the University, or a member of anybody established by
6 virtue of this Bill; and no person shall be subject to any disadvantage or
7 accorded any advantage relation to the University, by reference to any of
8 those matters.

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

17 **20.** Without prejudice to the provisions of the Land Use Act, the
18 University shall not dispose of or charge any land or an interest in any land
19 (including any land transferred to the University by this Bill) except with the
20 prior written consent, either general or special, of the Governor:
21 Provided that such consent shall not be required in the case of any lease or
22 tenancy at a rack-rent for a term not exceeding 21 years or any lease or
23 tenancy to a member of the University for residential purpose.

Restriction on
disposal of land
by University

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

Quorum and
procedure of
bodies established
by this Bill

27 **22.-(1)** Anybody of persons established by this Bill shall, without
28 prejudice to the generality of the powers of that body, have power to appoint
29 committees, which need not consist exclusively of members of that body,
30 and to authorize a committee established by it:

Appointment of
committee, etc.

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

2 (b) to co-opt members, and

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

8 (3) Except as may be otherwise provided by statute or by regulations,
9 the quorum and procedure of a committee established or meeting held in
10 pursuance of this section, shall be such as may be determined by the body or
11 bodies which have decided to establish the committee or hold the meeting.

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

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

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

18 (5) The Pro-Chancellor and the Vice-Chancellor shall be members of
19 every committee of which the members are wholly or partly appointed by the
20 Council (other than a committee appointed to inquire into the conduct of the
21 officer in question); and the Vice-Chancellor shall be a member of every
22 committee of which the members are wholly or partly appointed by the Senate.

Retiring age of
academic staff

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

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

28 (b) Academic staff of the University in the Professorial Cadre shall be
29 70 years;

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

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

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

Special Provisions
relating to Pension
of Professors

8 **25.**-(1)The seal of the University shall be such as may be
9 determined by the Council and approved by the Chancellor, and the affixing
10 of the seal shall be authenticated by any member of the Council and by the
11 Vice-Chancellor, Secretary to the Council or any other person authorized by
12 statute.

Miscellaneous
Administrative
Provisions

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

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

20 (4) The validity of any proceedings of any body established in
21 pursuance of this Bill shall not be affected by any vacancy in the
22 membership of the body, or by any defect in the appointment of a member of
23 the body or by reason that any person not entitled to do so took part in the
24 preceding.

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

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

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

2 (7) The power conferred by this Bill on anybody to make statutes or
3 regulations shall include power to revoke or vary any statute (including the
4 statute contained in the Third Schedule of this Bill) or any regulation by a
5 subsequent statute or as the case may be, by a subsequent regulation and
6 statutes and regulations may make different provisions in relation to different
7 circumstances.

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

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

Restriction of
suits and
execution

13 **26.-(1) Pre-Action Notice:**

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

18 (b) The Notice shall state the reason and the cause of action intended
19 to be taken against the University, the particulars of the claim, the name and
20 place of abode of the intending plaintiff and the relief which he claims;

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

28 (d) In any suit against this University, no execution or attachment or
29 process in the nature thereof shall be issued against the University, but any
30 sums of money which may be judgment of the court be awarded against the

1 University shall, subject to any direction given by the court where notice of
2 appeal has been given by the University in respect of the said judgment, be
3 paid by the University from its general fund.

4 (2) Service of Notices

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

8 **27.-(1)** In this Bill, unless the context otherwise requires:

Interpretation

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

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

12 "Council" means the Governing Council of the University established by
13 section 5 of this Bill.

14 "Functions" includes powers and duties

15 "Graduate" means a person on whom a degree, other than an honorary
16 degree, has been conferred by the University and any other person as may be
17 designated as a graduate by the Council, acting in accordance with the
18 recommendation of the Senate;

19 (Erroneously omitted)

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

21 "Notice" means notice in writing;

22 "Officer" does not include the Visitor;

23 "Prescribed" means prescribed by statute or regulations;

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

26 "Property" includes rights, liabilities and obligations;

27 "Provisional Council" means the provisional council appointed for the
28 University.

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

30 "Senate" means the Senate of the University established pursuant to section

1 2(1)(e) of this Bill;
2 "School" means a unit of closely related academic programmes;
3 "Statute" means a statute made by each University under section 10 of this Bill
4 and in accordance with the provisions of section 11 of this Bill, and
5 "the statutes" means all such statutes as are in force from time to time;
6 "Teacher" means a person holding a full-time appointment as a member of the
7 teaching or research staff of the University;
8 "Undergraduate" means a person registered as a student undergoing a course of
9 study for a first degree of the University or such other course in the University
10 as may be approved by the Senate as qualifying a student undergoing it for the
11 status of an under-graduate;
12 "University" means Federal University of Technology, Kabwir, Plateau State
13 established and incorporated by section 1 of this Bill.

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

Short title

21 **28.** This Bill may be cited as the Federal University of Technology,
22 Kabwir, Plateau State Bill, 2020.

23 SCHEDULES

24 FIRST SCHEDULE

25 [Section 2(2)]

26 PRINCIPAL OFFICERS OF THE UNIVERSITY

27 *The Chancellor*

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

1 *The Pro-Chancellor*

2 2.-(1) The Pro-Chancellor who shall be the Chairman of Council
3 shall be appointed or removed from office by Mr. President upon
4 recommendation by the Minister of Education.

5 (2) Subject to the provisions of this Bill, the Pro-Chancellor shall
6 hold office for a period of four years beginning with the date of his
7 appointment.

8 *The Vice-Chancellor*

9 3.-(1) There shall be a Vice-Chancellor of the University who shall
10 be appointed by the Council in accordance with the provisions of this
11 paragraph.

12 (2) Where a vacancy occurs in the post of a Vice-Chancellor, the
13 Council shall:

14 (a) advertise the vacancy in a reputable journal or a widely read
15 newspaper in Nigeria, specifying:

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

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

20 (b) constitute a Search Team consisting of:

21 (i) a member of the Council, who is not a member of the Senate, as
22 chairman;

23 (ii) two members of the Senate who are not members of the
24 Council, one of whom shall be a Professor;

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

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

30 (a) the Pro-Chancellor, as chairman:

1 (b) two members of the Council, not being members of the Senate;

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

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

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

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

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

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

22 (ii) two members of the Senate,

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

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

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

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

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

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

7 *Deputy Vice-Chancellor*

8 4.-(1) There shall be for the University such number of Deputy
9 Vice-Chancellors as Council may from time to time deem necessary for the
10 proper administration of the University.

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

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

17 (4) A Deputy Vice-Chancellor shall:

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

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

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

24 (5) A Deputy Vice-Chancellor:

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

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

30 (c) may be removed from office for good cause by the Council

1 acting on the recommendations of the Vice-Chancellor and Senate.

2 (d)"Good cause" for the purpose of this section means gross
3 misconduct or inability to discharge the functions of his office arising from
4 infirmity of the body or mind.

5 *Office of the Registrar*

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

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

14 *Other Principal Officers of the University*

15 6.-(1) There shall be for the University the following principal
16 officers, in addition to the Registrar, that is:

17 (a) the Bursar; and

18 (b) the University Librarian, who shall be appointed by the Council
19 on the recommendation of the Selection Board constituted under paragraph 7
20 of this Schedule.

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

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

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

Selection Board for other Principal Officers

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

- (a) the Pro-Chancellor, as chairman;
 - (b) the Vice-Chancellor;
 - (c) four members of the Council not being members of the Senate;
- and
- (d) two members of the Senate.

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

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

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

Resignation and Re-appointment

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

- (a) in the case of the Chancellor or Pro-Chancellor, by notice to the Visitor;
- (b) in any other case, by notice to the Council and the Council shall, in the case of the Vice-Chancellor, immediately notify the Visitor.

(2) Without prejudice to paragraph 4 of this Schedule, a person who has ceased to hold an office so mentioned otherwise than by removal for

1 misconduct shall be eligible for re-appointment to that office.

2 SECOND SCHEDULE

3 TRANSITIONAL PROVISIONS AS TO PROPERTY, FUNCTIONS, ETC.

4 *Transfer of Property to University*

5 1. Without prejudice to the generality of section 9 (1) of this Bill:

6 (a) the reference in that subsection to property held by the Provisional
7 Council shall include a reference to the right to receive and give a good
8 discharge for any grants or contributions which may have been voted or
9 promised to the Provisional Council;

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

12 2.-(1) All agreements, contracts, deeds and other instruments to
13 which the Provisional Council was a party shall, so far as possible and subject
14 to any necessary modifications, have effect as if the University had been a party
15 thereto in place of the Provisional Council.

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

20 (3) Any legal proceedings or application to any authority pending by
21 or against the Provisional Council may be continued by or against the
22 University.

23 *Registration of transfers*

24 3.-(1) If the law in force at the place where any property transferred by
25 this Bill is situate provides for the registration of transfers of property of the
26 kind in question (whether by reference to an instrument of transfer or
27 otherwise), the law Shall, so far as it provides for alterations of a register (but
28 not for avoidance of transfers, the payment of fees or any other matter) apply,
29 with necessary modifications, to the property aforesaid.

30 (2) It shall be the duty of the body to which any property is transferred

1 by this Bill to furnish the necessary particulars of the transfer to the proper
2 officer of the registration authority, and of that officer to register the transfer
3 accordingly.

4 *Transfer of Functions, etc.*

5 4.-(1)The first meeting of the Council shall be convened by the
6 Pro-Chancellor on such date and in such manner as he may determine.

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

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

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

17 (5) Subject to any regulations which may be made by the Senate
18 after the date on which this Bill is made, the schools, school boards and
19 students of the University immediately before the coming into force of this
20 Bill shall on that day become schools, school boards and students of the
21 University as constituted by this Bill.

22 (6) Persons who were Deans of schools and Heads of Academic
23 Departments shall continue to be Deans or HODs of the corresponding
24 School/Department, until new appointments are made in pursuance of the
25 statutes.

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

1 THIRD SCHEDULE

2 [Section 9 (3)]

3 FEDERAL UNIVERSITY OF TECHNOLOGY, KABWIR, PLATEAU 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 section 5
23 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 previously
29 vacates it, vacate that office on the expiration of the period of four years
30 beginning with effect from 1 August in the year which he was appointed.

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

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

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

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

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

20 *The Finance and General Purposes Committee*

21 2.-(1) The Finance and General Purposes Committee of the
22 Council shall consist of:

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

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

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

30 (d) the Permanent Secretary of the Federal Ministry of Education,

1 or in his absence, such member of his Ministry as he may designate to represent
2 him; and

3 (e) the Executive Secretary of the Petroleum Technology
4 Development Fund, or in his absence, such member of the Fund as he may
5 designate to represent him.

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

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

9 *Annual budget and estimates, etc.*

10 (4) (i) The estimates of income and expenditure for a financial year
11 shall be presented by the Vice-Chancellor to the Council and may be approved
12 by the Council before the beginning of that financial year;

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

15 (ii) The annual and supplementary estimates shall be prepared in such
16 form and shall contain such information as the Council may direct.

17 *Gifts, donations, etc.*

18 (5) (i) The Council may on behalf of the University accept by way of
19 grants, gift, testamentary disposition or otherwise, property and money in aid
20 of the finances of the University on such conditions as it may approve.

21 (ii) Registers shall be kept of all donations to the University including
22 the names of donors and any special conditions under which any donation may
23 have been given;

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

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

Payment into bank

(6) All sums of money received on account of the University shall be paid into such bank as may be approved by the Council for the credit of the University's general, current or deposit account:

Provided that the Council may invest, as it deems fit, any money not required for immediate use other than donations of money referred to in subsection (1) of this section.

Audit

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

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

The Senate

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

(i) the Vice-Chancellor;

(ii) Deputy Vice-Chancellors;

(iii) the Deans of respective Colleges;

(iv) the Professors in the University;

(v) Heads of Academic Departments and Units;

(vi) the University Librarian;

(vii) One elected representative of each College;

(viii) Two members of Academic Staff elected by the Congregation;

(ix) One elected representative of each department;

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

1 (xi) Registrar - Secretary.

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

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

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

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

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

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

23 (8) No election shall be held in pursuance of this article in any year if
24 the number specified in the certificate given in pursuance to paragraph (11) of
25 this article does not exceed by more than one the figure which is thrice the
26 number of those elected members holding office on the date of the certificate
27 who do not vacate office during that year in pursuance of paragraph (7) of this
28 article.

29 (9) For the avoidance of doubt it is hereby declared that no person
30 shall be precluded from continuing in or taking office as an elected member by

1 reason only of reduction in the after 30 April in any year in which he is to
2 continue in or take office as all elected member.

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

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

12 *Congregation*

13 5. -(1) Congregation shall consist of:

14 (i) Vice-Chancellor;

15 (ii) the Deputy Vice-Chancellors;

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

17 (iv) The Registrar;

18 (v) The Librarian;

19 (vi) Every member of the administrative staff who holds a degree,
20 other than honorary degree, of any University recognized for the purposes of
21 this statute by the Vice-Chancellor.

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

30 (4) A certificate signed by the Vice-Chancellor 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 University 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 regulations.

14 *Convocation*

15 6.-(1) Convocation shall consist of:

16 (i) the officers of the University mentioned in the First Schedule to
17 this Bill;

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

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

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

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

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

27 (3) Regulations shall provide for the establishment and maintenance
28 of a register for the purpose of this paragraph and subject to paragraph (4) of
29 this article may provide for the payment, from time to time, of further fees by
30 persons whose names are on the register and for the removal from the register

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

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

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

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

15 (7) The quorum of Convocation shall be fifty or one third or the
16 whole number nearest to one third or the whole number of members of
17 Convocation whichever is less.

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

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

24 *Division of Colleges*

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

27 *College Boards*

28 8.-(1) There shall be established in respect of each College, a Board
29 of Studies which, subject to the provisions of this Statute, and subject to the
30 directions of the Vice-Chancellor, shall:

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

3 (b) Deal with any other matter assigned to it by statute or by the Vice-
4 Chancellor or by the Senate; and

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

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

8 (a) the Vice-Chancellor;

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 University, 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 each College shall, at a meeting in the last term of
22 any academic year which the term of office of the Dean expires, nominate one
23 of its members, being one of the Professors assigned to that teaching unit, for
24 appointment by the Senate as Dean of the College

25 (2) The person appointed under paragraph 1 of this Article shall act as
26 Dean of the College and chairman of all meetings of the College Board when he
27 is present and shall be a member of all committees and other boards appointed
28 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
3 over 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
6 the University 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
10 Committee shall advise the Vice-Chancellor on all academic matters and on
11 particular matters referred to the University by the Senate.

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

16 Provided that at the next College Board meeting an election shall
17 be 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 Vice Chancellor and in the absence of a Professor, a senior academic staff
25 shall be 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
29 examinations in the Department;

30 (5) The Board shall handle all disciplinary matters in the

1 Department 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, Works*
5 *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 Vice-Chancellor;

11 (c) two members appointed by the Council, not being members of the
12 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 may
17 make an appointment to that office.

18 *Tenure of Directors*

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

21 *Creation of Academic Posts*

22 13. Recommendations for the creation of academic posts other than
23 principal officers shall be made by the Senate to the Council through the
24 Finance and General Purposes Committee.

25 *Appointment of Academic Staff*

26 14.-(1) Subject to the Act and statutes, the filling of vacancies in
27 academic posts (including newly created ones) shall be the responsibility of the
28 Council through the Departments and Colleges.

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

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

- 4 (a) the Vice-Chancellor - Chairman;
5 (b) Deputy Vice-Chancellor - Member;
6 (c) The Dean of the College - Member;
7 (d) Head of Department - Member;
8 (e) such other person(s), not exceeding two in number, deemed
9 capable of helping the Board in assessing both the professional and
10 academic suitability of a candidate under consideration, as the Senate may
11 from time to time appoint;
12 (f) Registrar - Secretary.

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

- 15 (a) the Vice-Chancellor or his representative- Chairman;
16 (b) The Dean of the College - Member
17 (c) Head of the Department concerned - Member;
18 (d) An internal member of Council (not below the Rank of Senior
19 Lecturer from the sister college in the Candidate's subject-area) - Member;
20 (e) Registrar or his representative - Secretary.

21 (5) All appointments to senior library posts shall be made in the
22 same way as equivalent appointments in the academic cadre; and for all such
23 posts other than that of the Librarian, the Librarian shall be a member of the
24 Selection Board.

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

Appointment of Administrative and Professional Staff

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

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

(i) Vice Chancellor;

(ii) Deputy Vice Chancellor;

(iii) Registrar;

(iv) Bursar;

(v) University Librarian;

(vi) The Head of Department concerned;

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

Interpretation

16. In this Statute, the expression "the Act" means the Federal University of Technology, Kabwir, Plateau State Act and any word or expression defined in the Act has the same meaning in this Statute.

Short Title

17. This Statute may be cited as the Federal University of Technology, Kabwir, Plateau State Act Statute No. 1.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal University of Technology, Kabwir, Plateau State.