

*Extraordinary*



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FEDERAL UNIVERSITY OF EDUCATION, ABUDU, EDO STATE  
(ESTABLISHMENT) BILL, 2020  
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FIRST SCHEDULE

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# A BILL

## FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE FEDERAL UNIVERSITY OF EDUCATION, ABUDU, EDO STATE; AND FOR OTHER MATTERS CONNECTED THEREWITH

*Sponsored by Senator Matthew Urhoghide*

[ ] 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 EDUCATION, ABUDU, EDO STATE

3 1.-(1)There is hereby Established the Federal University of  
4 Education, Abudu, Edo State

Establishment  
and Objectives  
of the Federal  
University of  
Education, Abudu,  
Edo 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 teacher Education 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  
14 employees.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 University of Education of the highest standard.

2 **2.-** (1) The University shall consist of-

Constitution and  
Principal Officers  
of the University

3 (a) a Chancellor;

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

5 (c) a Vice-Chancellor and a Senate;

6 (d) a body to be called Congregation;

7 (e) a body to be called Convocation;

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

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

10 the University;

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

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

13 subsection;

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

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

16 accordance with provisions made by statute in that behalf.

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

18 the principal officers of the University.

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

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

21 Congregation and Convocation.

22 **3.-**(1) For the carrying out of its objects as specified in section 1 of  
23 this Bill, Federal; University of Education, Abudu, Edo shall have power:

Powers of the  
Federal University  
of Education,  
Abudu, Edo State  
and its exercise

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

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

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

27 in particular and the world at large;

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

29 departments and other teaching and research units within the University as

30 may from time to time be deemed necessary or desirable subject to the

1 approval of National Universities Commission;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Functions of the  
Chancellor and  
Pro-Chancellor



Composition,  
tenure and  
powers of the  
Council of the  
University

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

6 **5.-(1)** The Council of the University shall consist of-

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

9 (b) the Vice-Chancellor;

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

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

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

14 (i) the Teacher's Registration Council;

15 (ii) Tertiary Education Trust Fund; and

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

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

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

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

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

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

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

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

1 authorized or required by this Bill or by statute.

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

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

Functions of the  
Vice-Chancellor

14 8.-(1) The Vice-Chancellor shall, in relation to the University, take  
15 precedence before all other members of the University except the Chancellor  
16 and subject to section 4 of this Bill except the Pro-Chancellor and any other  
17 person for the time being acting as Chairman of the Council.

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

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

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

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

3           **9.**-(1) There shall be a general fund of the University which shall     General fund of  
4 consist of the following:     the University

- 5           (a) grants-in-aid;
- 6           (b) fees;
- 7           (c) income derived from investments;
- 8           (d) gifts, legacies, endowments and donations not accepted for a  
9 particular purpose;
- 10          (e) income derived from the exercise of any functions conferred or  
11 imposed on the University by this Bill;
- 12          (f) any other amounts, charges or dues recoverable by the  
13 University;
- 14          (g) revenue, from time to time, accruing to the University by way  
15 of subvention;
- 16          (h) interests on investments;
- 17          (i) donations and legacies accruing to the University from any  
18 source for the general or special purposes of the University; and
- 19          (j) Regular TETFUND interventions;
- 20          (2) The general fund shall be applied for the purposes of the  
21 University.

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

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

## PART III - STATUTES OF THE UNIVERSITY

Power of the  
University to  
make Statutes

1  
2                   **11.**-(1) Subject to this Bill, the University may make statutes for any  
3 of the following purposes, that is to say-

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

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

9                   (c) Regulating the admission of students (where no other enactment  
10 provides to the contrary), and their discipline and welfare;

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

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

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

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

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

Third Schedule:  
Mode of exercising  
power to make  
statutes

26                   **12.**-(1) The power of the University to make statutes shall be  
27 exercised in accordance with the provisions of this section and not otherwise.

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

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

1 of the members present and voting; and

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

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

7 (4) A statute which:

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

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

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

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

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

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

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



	1	(8) Nothing in sub-section (7) of this section shall affect any power of
	2	a court of competent jurisdiction to determine whether any provision of a
	3	statute is wholly or partly void as being ultra vires or as being inconsistent with
	4	the Constitution of the Federal Republic of Nigeria, 1999.
Proof of Statute	5	<b>13.</b> A statute may be proved in any court by the production of a copy
	6	thereof bearing or having affixed to it a certificate purporting to be signed by
	7	the Vice-Chancellor or the Secretary to the Council to the effect that the copy is
	8	a true copy of a statute of the University.
	9	PART IV - SUPERVISION AND DISCIPLINE
The Visitor	10	<b>14.</b> -(1) The President shall be the Visitor of the University.
	11	(2) The Visitor shall cause a visitation to the University when
	12	necessary, at least every five years, or direct that such a visitation be conducted
	13	by such person or persons as the Visitor may deem fit and in respect of any of
	14	the affairs of the University.
	15	(3) It shall be the duty of the bodies and persons comprising the
	16	University to make available to the Visitor and to any other person conducting a
	17	visitation in pursuance of this section, such facilities and assistance as he or
	18	they may reasonably require for the purposes of a visitation.
	19	(4) The Visitor shall make the report of such visitations and write
	20	paper thereon available to the Council which shall implement same.
Removal of certain Members of Council	21	<b>15.</b> -(1) If it appears to the Council that a member of the Council (other
	22	than the Pro-Chancellor or the Vice-Chancellor) should be removed from
	23	office on the ground of misconduct or inability to perform the functions of his
	24	office or employment, the Council shall make a recommendation to that effect
	25	through the Minister to the President, and the President, after making such
	26	enquiries (if any) as he may consider appropriate approves the
	27	recommendation, he may direct the removal of the person in question from
	28	office.
	29	(2) It shall be the duty of the Minister to use his best endeavours to
	30	cause a copy of the instrument embodying a direction under subsection (1) of

1 this section to be served as soon as reasonably practicable on the person to  
2 whom it relates.

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

Removal and  
discipline of  
academic,  
administrative  
and professional  
staff

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

29 (6) It shall be the duty of the person by whom an instrument of  
30 removal is signed in pursuance of subsection (1) of this section to use his best

1 endeavours to cause a copy of the instrument to be served as soon as  
2 reasonably practicable on the person to whom it relates.

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

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

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

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

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

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

24 **18.-(1)** The Students shall be:

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

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

28 (c) Participate in the process of assessing academic staff in respect  
29 of teaching; and

30 (d) Be encouraged to be more self-assured as part of the national

1 development process.

2 (2) Subject to the provisions of this section, where it appears to the  
3 Vice-Chancellor that any student of the University has been guilty of  
4 misconduct, the Vice-Chancellor may, without prejudice to any other  
5 disciplinary powers conferred on him by statute or regulations, direct:

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

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

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

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

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

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

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

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

29 (c) A direction under subsection (2)(a) of this section may be  
30 combined with a direction under subsection (2)(b) of this section;

1 PART V - MISCELLANEOUS AND GENERAL

2 **19.**-(1) No person shall be required to satisfy requirements as to  
 3 any of the following matters, that is to say, race (including ethnic grouping),  
 4 sex, account of race, place of birth or of family origin, or religious or  
 5 political persuasion, as a condition of becoming or continuing to be a student  
 6 at the University, the holder of any degree of the University or of any  
 7 appointment or employment at the University, or a member of anybody  
 8 established by virtue of this Bill; and no person shall be subject to any  
 9 disadvantage or accorded any advantage relation to the University, by  
 10 reference to any of those matters.

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

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

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

Restriction on  
disposal of land  
by University

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

Quorum and  
procedure of  
bodies established  
by this Bill

29 **22.**-(1) Anybody of persons established by this Bill shall, without  
 30 prejudice to the generality of the powers of that body, have power to appoint

Appointment of  
committee, etc.

1 committees, which need not consist exclusively of members of that body, and  
2 to authorize a committee established by it:

- 3 (a) to exercise, on its behalf, such of its functions as it may determine;  
4 (b) to co-opt members, and

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

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

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

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

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

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

Retiring age of  
academic staff

26 **23.**-(1) Notwithstanding anything to the contrary in the Pension Act,  
27 the compulsory retiring age of the following categories of staff shall be as  
28 follows:

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

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

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

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

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

Special Provisions  
relating to Pension  
of Professors

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

Miscellaneous  
Administrative  
Provisions

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

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

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

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



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

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

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

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

Restriction of  
suits and  
execution

16 **26.-(1) Pre-Action Notice:**

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

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

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

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

7 (2) Service of Notices:

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

11 **27.-(1)** In this Bill, unless the context otherwise requires:

Interpretation

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

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

15 "Council" means the Governing Council of the University established by  
16 section 5 of this Bill;

17 "Functions" includes powers and duties;

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

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

23 "Notice" means notice in writing;

24 "Officer" does not include the Visitor;

25 "Prescribed" means prescribed by statute or regulations;

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

28 "Property" includes rights, liabilities and obligations;

29 "Provisional Council" means the provisional council appointed for the  
30 University;

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

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

Short Title

23 **28.** This Bill may be cited as the Federal University of Education,  
24 Abudu, Edo State Bill, 2020.

## 1 SCHEDULES

## 2 FIRST SCHEDULE

3 *[Section 2(2)]*

## 4 PRINCIPAL OFFICERS OF THE UNIVERSITY

5 *The Chancellor*6 1. The Chancellor shall be appointed by and hold office at the  
7 pleasure of the President.8 *The Pro-Chancellor*9 2.-(1) The Pro-Chancellor who shall be the Chairman of Council  
10 shall be appointed or removed from office by Mr. President upon  
11 recommendation by the Minister of Education.12 (2) Subject to the provisions of this Bill, the Pro-Chancellor shall  
13 hold office for a period of four years beginning with the date of his  
14 appointment.15 *The Vice-Chancellor*16 3.-(1) There shall be a Vice-Chancellor of the University who shall  
17 be appointed by the Council in accordance with the provisions of this  
18 paragraph.19 (2) Where a vacancy occurs in the post of a Vice-Chancellor, the  
20 Council shall:21 (a) advertise the vacancy in a reputable journal or a widely read  
22 newspaper in Nigeria, specifying:

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

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

27 (b) constitute a Search Team consisting of:

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

30 (ii) two members of the Senate who are not members of the

- 1 Council, one of whom shall be a Professor;
- 2 (iii) two members of Congregation who are not members of the
- 3 Council, one of whom shall be a Professor, to identify and nominate for
- 4 consideration, suitable persons who are not likely to apply for the post on their
- 5 own volition because they felt that it is not proper to do so.
- 6 (3) A Joint Council and Senate Selection Board consisting of:
- 7 (a) the Pro-Chancellor, as chairman;
- 8 (b) two members of the Council, not being members of the Senate;
- 9 (c) two members of the Senate who are Professors, but who were not
- 10 members of the Search Team, shall consider the candidates and persons in the
- 11 shortlist drawn up under subsection (2) of this paragraph through an
- 12 examination of their curriculum vitae and interaction with them, and
- 13 recommend to the Council three candidates for further consideration.
- 14 (4) The Council shall select and appoint as the Vice-Chancellor one
- 15 candidate from among the three candidates recommended to it under
- 16 subsection (3) of this section and thereafter inform the Visitor.
- 17 (5) The Vice-Chancellor shall hold office for a single term of five
- 18 years only on such terms and conditions as may be specified in his letter of
- 19 appointment.
- 20 (6) The Vice Chancellor may be removed from office by the Council
- 21 on grounds of gross misconduct or inability to discharge the functions of his
- 22 office as a result of infirmity of the body or mind, at the initiative of the
- 23 Council, Senate or the Congregation after due process.
- 24 (7) When the proposal for the removal of the Vice-Chancellor is
- 25 made, the Council shall constitute a Joint Committee of Council and Senate
- 26 consisting of:
- 27 (i) three members of the Council, one of whom shall be the Chairman
- 28 of the committee; and
- 29 (ii) two members of the Senate,
- 30 Provided that where the ground for removal is infirmity of the body or mind,

1 the Council shall seek appropriate medical opinion.

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

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

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

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

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

15 *Deputy Vice-Chancellor*

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

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

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

25 (4) A Deputy Vice-Chancellor shall:

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

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

30 (c) perform such other functions as the Vice-Chancellor or the

1 Council may, from time to time, assign to him.

2 (5) A Deputy Vice-Chancellor:

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

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

8 (c) may be removed from office for good cause by the Council acting  
9 on the recommendations of the Vice-Chancellor and Senate; and

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

13 *Office of the Registrar*

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

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

22 *Other Principal Officers of the University*

23 6.-(1) There shall be for the University the following principal  
24 officers, in addition to the Registrar, that is:

25 (a) the Bursar; and

26 (b) the University Librarian,

27 who shall be appointed by the Council on the recommendation of the Selection  
28 Board constituted under paragraph 7 of this Schedule.

29 (2) The Bursar shall be the Chief Financial Officer of the University  
30 and be responsible to the Vice-Chancellor for the day-to-day administration

1 and control of the financial affairs of the University.

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

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

9 *Selection Board for other Principal Officers*

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

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

14 (b) the Vice-Chancellor;

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

16 and

17 (d) two members of the Senate.

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

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

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



## 1 *Resignation and Re-appointment*

2                   8.-(1) Any officer mentioned in the foregoing provisions of this  
3   Schedule may resign his office:

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

6 (b) in any other case, by notice to the Council and the Council shall, in  
7 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 misconduct shall be eligible for re-appointment to that office.

11 SECOND SCHEDULE

12 TRANSITIONAL PROVISIONS AS TO PROPERTY, FUNCTIONS, ETC.

13 *Transfer of Property to University*

14 1. Without prejudice to the generality of section 9 (1) of this Bill:

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

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

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

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

29 (3) Any legal proceedings or application to any authority pending by

1 or against the Provisional Council may be continued by or against the  
2 University.

3 *Registration of transfers*

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

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

14 *Transfer of Functions, etc.*

15 4.-(1) The first meeting of the Council shall be convened by the  
16 Pro-Chancellor on such date and in such manner as he may determine.

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

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

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

27 (5) Subject to any regulations which may be made by the Senate  
28 after the date on which this Bill is made, the schools, school boards and  
29 students of the University immediately before the coming into force of this  
30 Bill shall on that day become schools, school boards and students of the

1 University as constituted by this Bill.

2 (6) Persons who were Deans of schools and Heads of Academic  
3 Departments shall continue to be Deans or HODs of the corresponding  
4 School/Department, until new appointments are made in pursuance of the  
5 statutes.

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

11 THIRD SCHEDULE

12 [Section 9 (3)]

13 FEDERAL UNIVERSITY OF EDUCATION, ABUDU, EDO STATE

14 Statute No. 1

15 ARRANGEMENT OF ARTICLES

16 *Articles*

- 17 1. The Council
- 18 2. The Finance and General Purposes Committee
- 19 3. The Senate
- 20 4. The Congregation
- 21 5. Convocation
- 22 6. Division of Colleges
- 23 7. College/School Boards
- 24 8. Dean of the College
- 25 9. Selection of certain Principal Officers
- 26 10. Creation of academic posts
- 27 11. Appointment of academic staff
- 28 12. Appointment of administrative and professional staff
- 29 13. Interpretation.
- 30 14. Short Title

1 *The Council*

2 1.-(1) The composition of the Council shall be as provided in  
3 section 5 of this Bill.

4 (2) Any member of the Council holding office otherwise than in  
5 pursuance of section 5 (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 5 (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 which he was  
11 appointed.

12 (4) Where a member of the Council holding office otherwise than  
13 in pursuance of section 5 (a), (b), (g), or (h) of this Bill vacates office before  
14 the 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 5 (d) or (e) 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 section 4 of this Bill and the foregoing provisions of this  
26 paragraph, the Council may regulate its own procedure.

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

1                                    *The Finance and General Purposes Committee*

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

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

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

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

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

14                    (e) the Executive Secretary of the Petroleum Technology  
15 Development Fund, or in his absence, such member of the Fund as he may  
16 designate to represent him.

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

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

20                                    *Annual budget and estimates, etc.*

21                    (4) (i) The estimates of income and expenditure for a financial year  
22 shall be presented by the Vice-Chancellor to the Council and may be approved  
23 by the Council before the beginning of that financial year;

24                    Provided that the Vice-Chancellor may during any financial year present and  
25 the Council may approve supplementary estimates of income or expenditure;

26                    (ii) The annual and supplementary estimates shall be prepared in such  
27 form and shall contain such information as the Council may direct.

28                                    *Gifts, donations, etc.*

29                    (5) (i) The Council may on behalf of the University accept by way of  
30 grants, gift, testamentary disposition or otherwise, property and money in aid

1 of the finances of the University on such conditions as it may approve;

2 (ii) Registers shall be kept of all donations to the University  
3 including the names of donors and any special conditions under which any  
4 donation may have been given.

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

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

11 *Payment into bank*

12 (6) All sums of money received on account of the University shall  
13 be paid into such bank as may be approved by the Council for the credit of  
14 the University's general, current or deposit account:

15 Provided that the Council may invest, as it deems fit, any money not  
16 required for immediate use other than donations of money referred to in  
17 subsection (1) of this section.

18 *Audit*

19 3.-(1) The Council shall cause the accounts of the University to be  
20 audited by auditors appointed by the Council as soon as may be after the end  
21 of each financial year or for any such other period as the Council may  
22 require.

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

26 *The Senate*

27 4.-(1) The Senate shall consist of:

28 (i) the Vice-Chancellor;

29 (ii) Deputy Vice-Chancellors;

30 (iii) the Deans of respective Colleges;

- 1 (iv) the Professors in the University;
- 2 (v) Heads of Academic Departments and Units;
- 3 (vi) the University Librarian;
- 4 (vii) One elected representative of each College;
- 5 (viii) Two members of Academic Staff elected by the Congregation;
- 6 (ix) One elected representative of each department;
- 7 (x) Two members representing a variety of interests of the
- 8 professional bodies outside the University appointed by the Senate on the
- 9 recommendation of the Vice-Chancellor;
- 10 (xi) Registrar - Secretary.
- 11 (2) The procedure for election of members of Senate to the Council
- 12 shall be prescribed by Regulations .
- 13 (3) The Vice-Chancellor shall be the chairman at all meetings of the
- 14 Senate when he is present, and in his absence any of the Deputy Vice-
- 15 Chancellors present at the meeting as the Senate may appoint for that meeting
- 16 shall be the chairman at the meeting.
- 17 (4) The quorum of the Senate shall be one quarter or the nearest whole
- 18 number less than one quarter; and subject to paragraph (3) of this Article, the
- 19 Senate may regulate its own procedure.
- 20 (5) An elected member may, by notice to the Senate, resign his office.
- 21 (6) Subject to paragraph (8) of this article, there shall be elections for
- 22 the selection of elected members which shall be held in the prescribed manner
- 23 on such day in the month of May or June in each year as the Vice-Chancellor
- 24 may from time to time determine.
- 25 (7) An elected member shall hold office for the period of two years
- 26 beginning with 1 August in the year of his election, and may be a candidate at
- 27 any election held in pursuance to paragraph (6) of this article in the year in
- 28 which his period of office expires, so however that no person shall be such a
- 29 candidate if at the end of his current period of office he will have held office as
- 30 an elected member for a continuous period of six years or would have so held

1 office if he had not resigned it.

2 (8) No election shall be held in pursuance of this article in any year  
3 if the number specified in the certificate given in pursuance to paragraph  
4 (11) of this article does not exceed by more than one the figure which is  
5 thrice the number of those elected members holding office on the date of the  
6 certificate who do not vacate office during that year in pursuance of  
7 paragraph (7) of this article.

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

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

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

21 *Congregation*

22 5.-(1) Congregation shall consist of:

23 (i) Vice-Chancellor;

24 (ii) the Deputy Vice-Chancellors;

25 (iii) the full-time members of the academic staff

26 (iv) The Registrar;

27 (v) The Librarian;

28 (vi) Every member of the administrative staff who holds a degree,  
29 other than honorary degree, of any University recognized for the purposes of  
30 this statute by the Vice-Chancellor.



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

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

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

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

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

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

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

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

23 *Convocation*

24                    6.-(1) Convocation shall consist of:

25 (i) the officers of the University mentioned in the First Schedule to  
26 this Bill;

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

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

30 (2) A person shall be entitled to have his name registered as a member

1 of convocation if-

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

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

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

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

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

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

25 (7) The quorum of Convocation shall be fifty or one third or the  
26 whole number nearest to one third or the whole number of members of  
27 Convocation whichever is less.

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

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

4 *Division of Colleges*

5 7. Each College shall be divided into such number of branches as  
6 may be prescribed.

7 *College Boards*

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

11 (a) Regulate the teaching and study of, and the conduct of  
12 examinations connected with, the subjects assigned to the college;

13 (b) Deal with any other matter assigned to it by statute or by the Vice-  
14 Chancellor or by the Senate; and

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

17 (2) Each College Board of Studies shall consist of:-

18 (a) the Vice-Chancellor;

19 (b) the Dean;

20 (c) the persons severally in charge of the branches of the school;

21 (d) the College Examination Officer;

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

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

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

1 *Deans of the Colleges*

2 9.-(1) The Board of each College shall, at a meeting in the last term  
3 of any academic year which the term of office of the Dean expires, nominate  
4 one of its members, being one of the Professors assigned to that teaching  
5 unit, for appointment by the Senate as Dean of the College.

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

10 (3) The Dean shall hold office for two years and shall be eligible for  
11 re-appointment one further period of two years. Thereafter he shall not be  
12 eligible for re-appointment until two years have elapsed.

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

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

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

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

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

29 (8) In this article "good cause" has the same meaning as in section  
30 15(3) of the Act.

1 *Departmental Board of Studies*

2 10.-(1) There shall be a Departmental Board of Studies whose  
3 membership shall be made of all academic staff of the Department;

4 (2) It shall be headed by a Professor who shall be appointed by the  
5 Vice Chancellor and in the absence of a Professor, a senior academic staff shall  
6 be appointed in acting capacity;

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

9 (4) The Board shall superintend over all teachings and examinations  
10 in the Department;

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

13 (6) Allocation of courses in the department shall be done by the  
14 Departmental Board on recommendation of the Head of Department.

15 *Selection of Directors of Physical Planning and Development, Works and*  
16 *Services and Health.*

17 11.-(1) When a vacancy occurs in the office of the Directors of  
18 Physical Planning and Development, Works and Services and Health, a  
19 Selection Board shall be constituted by the Council which shall consist of:

20 (a) the Pro-Chancellor;

21 (b) the Vice-Chancellor;

22 (c) two members appointed by the Council, not being members of the  
23 Senate;

24 (d) Two members appointed by the Senate.

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

29 *Tenure of Directors*

30 12. A Director shall hold office on such terms and conditions as may

1 be specified in his letter of appointment subject to the extant Regulations.

2 *Creation of Academic Posts*

3 13. Recommendations for the creation of academic posts other  
4 than principal officers shall be made by the Senate to the Council through  
5 the Finance and General Purposes Committee.

6 *Appointment of Academic Staff*

7 14. -(1) Subject to the Act and statutes, the filling of vacancies in  
8 academic posts (including newly created ones) shall be the responsibility of  
9 the Council through the Departments and Colleges.

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

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

- 16 (a) the Vice-Chancellor - Chairman;  
17 (b) Deputy Vice-Chancellor - Member;  
18 (c) The Dean of the College - Member;  
19 (d) Head of Department - Member;  
20 (e) such other person(s), not exceeding two in number, deemed  
21 capable of helping the Board in assessing both the professional and  
22 academic suitability of a candidate under consideration, as the Senate may  
23 from time to time appoint;  
24 (f) Registrar - Secretary.

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

- 27 (a) the Vice-Chancellor or his representative - Chairman;  
28 (b) The Dean of the College - Member;  
29 (c) Head of the Department concerned - Member;  
30 (d) An internal member of Council (not below the Rank of Senior

1     Lecturer from the sister college in the Candidate's subject-area) - Member;

2             (e) Registrar or his representative - Secretary.

3             (5) All appointments to senior library posts shall be made in the same  
4     way as equivalent appointments in the academic cadre; and for all such posts  
5     other than that of the Librarian, the Librarian shall be a member of the Selection  
6     Board.

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

13             *Appointment of Administrative and Professional Staff*

14             15.-(1) The administrative and professional staff of the University  
15     other than principal officers shall be appointed by the Council or on its behalf  
16     by the Vice-Chancellor in accordance with delegation of powers made by the  
17     Council on its behalf.

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

19             (i) Vice Chancellor;

20             (ii) Deputy Vice Chancellor;

21             (iii) Registrar;

22             (iv) Bursar;

23             (v) University Librarian;

24             (vi) The Head of Department concerned;

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

27             *Interpretation*

28             16. In this Statute, the expression "the Act" means the Federal  
29     University of Education, Abudu, Edo State Act and any word or expression  
30     defined in the Act has the same meaning in this Statute.

1 *Short Title*

2 17. This Statute may be cited as the Federal University of  
3 Education, Abudu, Edo State Statute No. I.

EXPLANATORY MEMORANDUM

This Bill seeks to Establish the Federal University of Education, Abudu,  
Edo State.





FEDERAL COLLEGE OF EDUCATION EKIADOLOR, EDO STATE  
(ESTABLISHMENT) BILL, 2020  
ARRANGEMENT OF CLAUSES

*Clauses:*

PART 1- ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF THE  
FEDERAL COLLEGE OF EDUCATION EKIADOLOR, EDO STATE

1. Establishment and Objectives of the Federal College of Education Ekiadolor, Edo State
2. Constitution and Principal Officers of the College
3. Powers of the College and their exercise
4. Functions of the Chancellor and Pro-Chancellor
5. Composition, Tenure and Powers of the Council of the College
6. Functions of the Council and its Finance and General Purposes Committee
7. Functions of the Senate of the College
8. Functions of the Provost

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

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

PART III - STATUTES OF THE COLLEGE

11. Power of the College 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 College
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 COLLEGE OF EDUCATION EKIADOLOR, EDO STATE; AND FOR OTHER MATTERS CONNECTED THEREWITH

*Sponsored by Senator Urhoghide, M. Aisagbonriodion*

[     ] Commencement

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

- 1            PART 1 - ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF THE
- 2            FEDERAL COLLEGE OF EDUCATION EKIADOLOR, EDO STATE
- 3            1.-(1)There is hereby Federal College of Education Ekiadolor, Edo
- 4            State.
- 5            (2) The College shall be a body corporate with perpetual
- 6            succession and a common seal and may sue or be sued in its corporate name.
- 7            (3) The College shall be a training institution for the development
- 8            of teacher Education in the country.
- 9            (4) The College shall be supervised by the Federal Ministry of
- 10           Education through the National Universities Commission (NUC) who shall
- 11           be responsible for approving and regulating all academic programmes run in
- 12           the College, to ensure quality compliance and provide funds for academic
- 13           and research programmes, infrastructures and remunerations of employees.
- 14           (5) The objects of the College 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 Education, technology, applied science, agriculture,

Establishment  
and Objectives  
of the Federal  
College of  
Education,  
Ekiadolor, Edo  
State

1 commerce, arts, social science, humanities, management and allied  
2 professional disciplines;

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

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

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

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

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

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

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

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

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

29 (m) to undertake any other activities that is appropriate for a College  
30 of Education of the highest standard.

1	<b>2.-(1)</b> The College shall consist of:	Constitution and Principal Officers of the College
2	(a) a Chancellor;	
3	(b) a Pro-Chancellor and a Council;	
4	(c) a Provost 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 College;	
8	(g) the colleges, institutes and other teaching and research units of	
9	the College;	
10	(h) the persons holding the offices constituted by the First Schedule	
11	to this Bill other than those mentioned in paragraphs (0) to (c) of this	
12	subsection;	
13	(i) all graduates and undergraduates of the College; and	
14	(j) all other persons who are members of the College in accordance	
15	with provisions made by statute in that behalf.	
16	(2) The First Schedule to this Bill shall have effect with respect to	
17	the principal officers of the College.	
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	<b>3.-(1)</b> For the carrying out of its objects as specified in section 1 of	Powers of the Federal College of Education, Ekiadolor, Edo State and its exercise
22	this Bill, Federal College of Education Ekiadolor, Edo State shall have	
23	power:	
24	(a) to offer courses of instruction, training and research in	
25	Education and allied areas for the production of quality and skilled teachers	
26	required to teach at lower, middle and higher levels of Education in Nigeria	
27	in particular and the world at large.	
28	(b) to establish such colleges, campuses, institutes, schools,	
29	departments and other teaching and research units within the College as may	
30	from time to time be deemed necessary or desirable subject to the approval	

1 of National Universities Commission;

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

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

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

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

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

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

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

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

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

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

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 College by way of endowment it, not  
5 being immediately required for current expenditure in any investments or  
6 securities or in the purchase or improvement of land, with power from time  
7 to time, to vary any such investments to deposit any moneys for the time  
8 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 College,  
11 such moneys as the Council may from time to time in its discretion find it  
12 necessary or expedient to borrow of to guarantee any loan, advances or  
13 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

17 (r) to do all such acts or things, whether or not incidental to the  
18 foregoing powers, as may advance the objects of the College.

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

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

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

Functions of the  
Chancellor and  
Pro-Chancellor

29 (2) The Pro-Chancellor shall, in relation to the College, take  
30 precedence before all other members of the College, except the Chancellor



Composition  
of the Chancellor  
and Pro-Chancellor

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

4 **5.-(1)** The Council of the College shall consist of:

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

7 (b) the Provost;

8 (c) the Deputy Provost(s);

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

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

12 (i) the Teacher's Registration Council;

13 (ii) Tertiary Education Trust Fund; and

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

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

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

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

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

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

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

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

30 (5) The Council shall be free in the discharge of its functions and

1 exercise of its responsibilities for the good management, growth and  
2 development of the College.

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

6 (a) personnel cost;

7 (b) overhead cost;

8 (c) research and development;

9 (d) library developments; and

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

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

Functions of the  
Council and its  
Finance and  
General Purpose  
Committee

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

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

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

28 (5) Subject to this Bill and the statutes, the Council and the Finance  
29 and General Purposes Committee may each make rules for the purpose of

1 exercising any of their respective functions or of regulating their own  
2 procedure.

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

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

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

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

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

Functions of  
the Senate of  
the College

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

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

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

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

	1	at some other College of high repute or a person engaged in practicing the
	2	profession in a reputable organization or institution.
	3	(6) Subject to right of appeal to the Council from a decision of the
	4	Senate under this sub-section, the Senate may deprive any person of any
	5	degree, diploma or other award of the College which has been conferred upon
	6	him if after due enquiry he is found to have been guilty of dishonourable or
	7	scandalous conduct in gaining admission into the College or obtaining that
	8	award.
Functions of the Provost	9	<b>8.-(1)</b> The Provost shall, in relation to the College, take precedence
	10	before all other members of the College except the Chancellor and subject to
	11	section 4 of this Bill except the Pro-Chancellor and any other person for the
	12	time being acting as Chairman of the Council.
	13	(2) Subject to sections 6, 7 and 14 of this Bill, the Provost shall have
	14	the general function, in addition to any other functions conferred on him by this
	15	Bill or otherwise of directing the activities of the College and shall be the Chief
	16	Executive and Accounting Officer of the College and ex-officio Chairman of
	17	the Senate.
	18	(3) The Provost shall be the Chairman of the College Tenders' Board,
	19	which is saddled with the responsibility of approving the conduct of public
	20	procurement of goods, works and services within the approved threshold from
	21	time to time.
	22	(4) It shall be the responsibility of the Provost to establish and appoint
	23	members of the Tenders' Board in line with the extant Public Procurement
	24	Rules and Regulations.
	25	PART II - GENERAL FUND, TRANSFER OF PROPERTY, ETC, TO THE
	26	COLLEGE AND CONDITION OF SERVICE OF EMPLOYEES
General fund of the College	27	<b>9.-(1)</b> There shall be a general fund of the College which shall consist
	28	of the following:
	29	(a) grants-in-aid;
	30	(b) fees;

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

15 **10.**-(1) All property held by or on behalf of the Provisional Council  
 16 of the College shall, by virtue of this sub-section and without further  
 17 assurance, vest in the College and be held by it for the purpose of the  
 18 College.

Transfer of  
Property

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

### 22 PART III - STATUTES OF THE COLLEGE

23 **11.**-(1) Subject to this Bill, the College may make statutes for any  
 24 of the following purposes, that is to say:

Power of the  
College to make  
Statutes

- 25 (a) Making provision with respect to the composition and
- 26 constitution of any authority of the College;
- 27 (b) Specifying and regulating the powers and duties of any
- 28 authority of the College, and regulating any other matter connected with the
- 29 College or any of its authorities;
- 30 (c) Regulating the admission of students (where no other

1 enactment provides to the contrary), and their discipline and welfare;

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

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

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

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

13 *Third Schedule*

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

Mode of exercising  
power to make  
statutes

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

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

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

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

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

29 (4) A statute which:

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

1 Council, the Senate or any other authority of the College; or  
2 (b) provides for the establishment of a new campus or college or for  
3 the amendment or revocation of any statute.

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

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

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

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

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

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

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

Proof of Statute



## PART IV - SUPERVISION AND DISCIPLINE

The Visitor

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

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

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

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

Removal of  
certain Members  
of Council

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

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

Removal and  
discipline of  
academic,  
administrative  
and professional  
staff

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

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

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

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

9                   (2) The Provost may, in a case of misconduct by a member of the  
10                  staff which in the opinion of the Provost is prejudicial to the interest of the  
11                  College, suspend such member and any such suspension shall forthwith be  
12                  reported to the Council.

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

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

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

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

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

28                  (e) conduct which the Council considers to be generally of such  
29                  nature as to render the continued appointment or service of the person  
30                  concerned prejudicial or detrimental to the interest of the College.

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

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

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

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

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

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

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

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

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

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

Removal of  
examiners

29 17.-(1) If, on the recommendation of the Senate, it appears to the  
30 Provost that a person appointed as an examiner for any examination of the

1 College ought to be removed from his office or appointment, then, except in  
2 such cases as may be prescribed by the Provost may, after affording the  
3 examiner an opportunity of making representations in person on the matter  
4 to the Provost, remove the examiner from the appointment by an instrument  
5 in writing signed by the Provost.

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

10 (3) It shall be the duty of the Provost on signing an instrument of  
11 removal pursuance to this section, to use his best endeavours to cause a copy  
12 of the instrument to be served as soon as reasonably practicable on the  
13 person to whom it is related.

14 **18.-(1)** The Students shall be:

15 (a) represented in the College's Students Welfare Board and other  
16 committees that deal with the affairs of students;

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

18 (c) Participate in the process of assessing academic staff in respect  
19 of teaching; and

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

22 (2) Subject to the provisions of this section, where it appears to the  
23 Provost that any student of the College has been guilty of misconduct, the  
24 Provost may, without prejudice to any other disciplinary powers conferred  
25 on him by statute or regulations, direct:

26 (a) that the student shall not, during such period as may be specified  
27 in the directions, participate in such activities of the College, or make use of  
28 such facilities of the College, as may be so specified, or

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

Participation and  
Discipline of  
Students

1 specified, or

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

4 (d) that the student be expelled from the College.

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

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

14 (a) The Provost may delegate his powers under this section to a  
15 disciplinary board consisting of such members of the College as he may  
16 nominate.

17 (b) Nothing in this section shall be construed as preventing the  
18 restriction or termination of students' activities at the College otherwise than on  
19 the ground of misconduct.

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

22 PART V - MISCELLANEOUS AND GENERAL

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

23 **19.-(1)** No person shall be required to satisfy requirements as to any of  
24 the following matters, that is to say, race (including ethnic grouping), sex,  
25 account of race, place of birth or of family origin, or religious or political  
26 persuasion, as a condition of becoming or continuing to be a student at the  
27 College, the holder of any degree of the College or of any appointment or  
28 employment at the College, or a member of anybody established by virtue of  
29 this Bill; and no person shall be subject to any disadvantage or accorded any  
30 advantage relation to the College, by reference to any of those matters.

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

9                   **20.** Without prejudice to the provisions of the Land Use Act, the  
10          College shall not dispose of or charge any land or an interest in any land  
11          (including any land transferred to the College by this Bill) except with the  
12          prior written consent, either general or special, of the Governor:

Restriction on  
disposal of land  
by College

13                 Provided that such consent shall not be required in the case of any  
14          lease or tenancy at a rack-rent for a term not exceeding 21 years or any lease  
15          or tenancy to a member of the College for residential purpose.

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

Quorum and  
procedure of  
bodies established  
by this Bill

19                 **22.-(1)** Anybody of persons established by this Bill shall, without  
20          prejudice to the generality of the powers of that body, have power to appoint  
21          committees, which need not consist exclusively of members of that body,  
22          and to authorize a committee established by it:

Appointment of  
committee, etc.

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

25                 (b) to co-opt members, and

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

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

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

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

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

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

Retiring age  
of academic staff

16 **23.**-(1) Notwithstanding anything to the contrary in the Pension Act,  
17 the compulsory retiring age of the following categories of staff shall be as  
18 follows:

19 (a) Academic staff of the College in the non-Professorial cadre shall  
20 be 65 years;

21 (b) Academic staff of the College in the Professorial Cadre shall be 70  
22 years;

23 (c) Non-academic staff of the College shall be 65 years.

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

Special Provisions  
relating to Pension  
of Professors

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

1                   **25.**-(1) The seal of the College shall be such as may be determined  
2                   by the Council and approved by the Chancellor, and the affixing of the seal  
3                   shall be authenticated by any member of the Council and by the Provost,  
4                   Secretary to the Council or any other person authorized by statute.

5                   (2) Any document purporting to be a document executed under the  
6                   seal of the College shall be received in evidence and shall, unless the  
7                   contrary is proved, be presumed to be so executed.

8                   (3) Any contract or instrument which if made or executed by a  
9                   person not being a body corporate would not be required to be under seal,  
10                  may be made or executed on behalf of the College by any person generally or  
11                  specially authorized to do so by the Council.

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

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

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

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

30                  (8) No stamp or other duty shall be payable in respect of any f



Restriction of  
suits and  
execution

1 transfer of property to the College by virtue of section 8 or section 18 of this  
2 Bill or the Second Schedule to this Bill.

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

5 **26.-(1) Pre-Action Notice:**

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

10 (b) The Notice shall state the reason and the cause of action intended  
11 to be taken against the College, the particulars of the claim, the name and place  
12 of abode of the intending plaintiff and the relief which he claims;

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

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

26 (2) Service of Notices:

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

1	<b>27.-(1)</b> In this Bill, unless the context otherwise requires:	Interpretation
2	"Campus" means any campus which may be established by the College;	
3	"College" means the College established pursuant to section 2 (1) (b) of this	
4	Bill for the College;	
5	"Council" means the Governing Council of the College established by	
6	section 5 of this Bill;	
7	"Functions" includes powers and duties;	
8	"Graduate" means a person on whom a degree, other than an honorary	
9	degree, has been conferred by the College and any other person as may be	
10	designated as a graduate by the Council, acting in accordance with the	
11	recommendation of the Senate; (Erroneously omitted)	
12	"Minister" means the Hon. Minister of Education;	
13	"Notice" means notice in writing;	
14	"Officer" does not include the Visitor;	
15	"Prescribed" means prescribed by statute or regulations;	
16	"Professor" means a person designated as a Professor of the College in	
17	accordance with provisions made in that behalf by statute or by regulations;	
18	"Property" includes rights, liabilities and obligations;	
19	"Provisional Council" means the provisional council appointed for the	
20	College;	
21	"Regulations" means regulations made by the Senate or the Council;	
22	"Senate" means the Senate of the College established pursuant to section	
23	2(1)(e) of this Bill;	
24	"School" means a unit of closely related academic programmes;	
25	"Statute" means a statute made by each College under section 10 of this Bill	
26	and in accordance with the provisions of section 11 of this Bill, and	
27	"the statutes" means all such statutes as are in force from time to time;	
28	"Teacher" means a person holding a full-time appointment as a member of	
29	the teaching or research staff of the College;	
30	"Undergraduate" means a person registered as a student undergoing a course	

1 of study for a first degree of the College or such other course in the College as  
2 may be approved by the Senate as qualifying a student undergoing it for the  
3 status of an under-graduate;

4 "College" means the Federal College of Education Ekiadolor, Edo State  
5 established and incorporated by section I of this Bill;

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

Short Title

13 **28.** This Bill may be cited as the Federal College of Education  
14 Ekiadolor, Edo State (Est.) Bill, 2020.

15 SCHEDULES

16 FIRST SCHEDULE

17 [Section 2(2)]

18 PRINCIPAL OFFICERS OF THE COLLEGE

19 *The Chancellor*

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

22 *The Pro-Chancellor*

23 2.-(1) The Pro-Chancellor who shall be the Chairman of Council shall  
24 be appointed or removed from office by Mr. President upon recommendation  
25 by the Minister of Education.

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

28 *The Provost*

29 3.-(1) There shall be a Provost of the College who shall be appointed  
30 by the Council in accordance with the provisions of this paragraph.

1 (2) Where a vacancy occurs in the post of a Provost, the Council  
2 shall:

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

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

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

9 (b) constitute a Search Team consisting of:

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

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

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

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

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

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

21 (c) two members of the Senate who are Professors, but who were  
22 not members of the Search Team, shall consider the candidates and persons  
23 in the shortlist drawn up under subsection (2) of this paragraph through an  
24 examination of their curriculum vitae and interaction with them, and  
25 recommend to the Council three candidates for further consideration.

26 (4) The Council shall select and appoint as the Provost one  
27 candidate from among the three candidates recommended to it under  
28 subsection (3) of this section and thereafter inform the Visitor.

29 (5) The Provost shall hold office for a single term of five years only

1 on such terms and conditions as may be specified in his letter of appointment.

2 (6) The Provost may be removed from office by the Council on  
3 grounds of gross misconduct or inability to discharge the functions of his office  
4 as a result of infirmity of the body or mind, at the initiative of the Council,  
5 Senate or the Congregation after due process.

6 (7) When the proposal for the removal of the Provost is made, the  
7 Council shall constitute a Joint Committee of Council and Senate consisting of:

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

10 (ii) two members of the Senate,

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

13 (8) The committee shall conduct investigation into the allegations  
14 made against the Provost and shall report its findings to the Council.

15 (9) The Council may where the allegations are proved remove the  
16 Provost or apply any other disciplinary action it may deem fit and notify the  
17 Visitor accordingly provided that a Provost who is removed shall have right of  
18 appeal to the Visitor.

19 (10) There shall be no sole administrator in the College.

20 (11) In any case of a vacancy in the office of the Provost, the Council  
21 shall appoint an acting Provost on recommendation of the Senate.

22 (12) An acting Provost in all circumstances shall not be in office for  
23 more than 6 months.

24 *Deputy Provost*

25 4.-(1) There shall be for the College such number of Deputy Provosts  
26 as Council may from time to time deem necessary for the proper administration  
27 of the College.

28 (2) Where a vacancy occurs in the post of Deputy Provost, the Provost  
29 shall forward to the Senate a list of two candidates for each post of Deputy  
30 Provost that is vacant.

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

4 (4) A Deputy Provost shall:

5 (a) assist the Provost in the performance of his functions;

(b) act in the place of the Provost when the post of the Provost is vacant or if the Provost is, for any reason, absent or unable to perform his functions as Provost: and

9 (e) perform such other functions as the Provost or the Council may,  
10 from time to time, assign to him.

11 (5) A Deputy Provost:

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

15 (b) may be reappointed for one further period of two years and no  
16 more;

(c) may be removed from office for good cause by the Council acting on the recommendations of the Provost and Senate.

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

22 *Office of the Registrar*

23 5.-(1) There shall be for the College, a Registrar, who shall be the  
24 chief administrative officer of the College and shall be responsible to the  
25 Provost for the day-to-day administrative work of the College except as  
26 regards matters for which the Bursar is responsible in accordance with  
27 paragraph 6(2) of this Schedule.

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

*Other Principal Officers of the College*

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

(a) the Bursar; and

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

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

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

(4) Any question as to the scope of the responsibilities of the aforesaid officers shall be determined by the Provost

*Selection Board for other Principal Officers*

7.-(1) There shall be, for the College, a Selection Board for the appointment of principal officers, other than the Provost or Deputy Provost, which shall consist of:

(a) the Pro-Chancellor, as chairman;

(b) the Provost;

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

(d) two members of the Senate.

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

(3) The Registrar, Bursar and Librarian shall hold office for a single term of five years only beginning from the effective date of their appointments

1 and on such terms and conditions as may be specified in their letters of  
2 appointment.

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

8 *Resignation and Re-appointment*

9 8.-(1) Any officer mentioned in the foregoing provisions of this  
10 Schedule may resign his office:

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

13 (b) in any other case, by notice to the Council and the Council shall,  
14 in the case of the Provost, immediately notify the Visitor.

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

18 **SECOND SCHEDULE**

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

20 *Transfer of Property to College*

21 1. Without prejudice to the generality of section 9 (1) of this Bill:

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

26 (b) all debts and liabilities of the Provisional Council outstanding  
27 shall become debts or liabilities of the College.

28 2.-(1) All agreements, contracts, deeds and other instruments to  
29 which the Provisional Council was a party shall, so far as possible and  
30 subject to any necessary modifications, have effect as if the College had



1     been a party thereto in place of the Provisional Council.

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

6             (3) Any legal proceedings or application to any authority pending by  
7     or against the Provisional Council may be continued by or against the College.

8                             *Registration of transfers*

9             3.-(1) If the law in force at the place where any property transferred by  
10    this Bill is situate provides for the registration of transfers of property of the  
11    kind in question (whether by reference to an instrument of transfer or  
12    otherwise), the law shall, so far as it provides for alterations of a register (but  
13    not for avoidance of transfers, the payment of fees or any other matter) apply,  
14    with necessary modifications, to the property aforesaid.

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

19                            *Transfer of Functions, etc.*

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

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

25            (3) The first meeting of the Senate as constituted by this Bill shall be  
26    convened by the Provost on such date and in such manner as he may determine.

27            (4) The persons who were members of the Academic Board  
28    immediately before the coming into force of this Bill shall be deemed to  
29    constitute the Senate of the College until the date when the Senate as set up  
30    under the Third Schedule to this Bill shall have been duly constituted.

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

6 (6) Persons who were Deans of schools and Heads of Academic  
7 Departments shall continue to be Deans or HODs of the corresponding  
8 School/Department, until new appointments are made in pursuance of the  
9 statutes.

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

### THIRD SCHEDULE

[Section 9 (3)]

FEDERAL COLLEGE OF EDUCATION EKIADOLOR, EDO STATE

## STATUTE No.1

## ARRANGEMENT OF ARTICLES

## Articles

- 21 1. The Council
- 22 2. The Finance and General Purposes Committee
- 23 3. The Senate
- 24 4. The Congregation
- 25 5. Convocation
- 26 6. Division of Colleges
- 27 7. College/School Boards
- 28 8. Dean of the College
- 29 9. Selection of certain Principal Officers
- 30 10. Creation of academic posts

1 11. Appointment of academic staff

2 12. Appointment of administrative and professional staff

3 13. Interpretation.

4 14. Short Title

5 *The Council*

6 1.-(1) The composition of the Council shall be as provided in section 5  
7 of this Bill.

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

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

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

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

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

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

30 (8) Where the Council desires to obtain advice with respect to any and

1 particular matter may co-opt not more than two persons for that purpose, and  
2 the persons co-opted may take part in the deliberations of the Council at any  
3 meeting but shall not be entitled to vote.

4 *The Finance and General Purposes Committee*

5 2.-(1) The Finance and General Purposes Committee of the  
6 Council shall consist of:

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

9 (b) the Provost and Deputy Provosts;

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

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

17 (e) the Executive Secretary of the Petroleum Technology  
18 Development Fund, or in his absence, such member of the Fund as he may  
19 designate to represent him.

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

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

23 *Annual budget and estimates, etc.*

24 (4) (i) The estimates of income and expenditure for a financial year  
25 shall be presented by the Provost to the Council and may be approved by the  
26 Council before the beginning of that financial year;

27 Provided that the Provost may during any financial year present  
28 and the Council may approve supplementary estimates of income or  
29 expenditure.

30 (ii) The annual and supplementary estimates shall be prepared in

1 such form and shall contain such information as the Council may direct.

2 *Gifts, donations, etc.*

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

6 (ii) Registers shall be kept of all donations to the College including  
7 the names of donors and any special conditions under which any donation may  
8 have been given;

9 Provided that the College shall not be obliged to accept a donation for  
10 a particular purpose unless it approves of the terms and conditions attaching to  
11 such donation;

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

15 *Payment into bank*

16 (6) All sums of money received on account of the College shall be  
17 paid into such bank as may be approved by the Council for the credit of the  
18 College's general, current or deposit account:

19 Provided that the Council may invest, as it deems fit, any money not  
20 required for immediate use other than donations of money referred to in  
21 subsection (1) of this section.

22 *Audit*

23 3.-(1) The Council shall cause the accounts of the College to be  
24 audited by auditors appointed by the Council as soon as may be after the end of  
25 each financial year or for any such other period as the Council may require.

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

29 *The Senate*

30 4.-(1) The Senate shall consist of:

- 1 (i) the Provost;
- 2 (ii) Deputy Provosts;
- 3 (iii) the Deans of respective Colleges;
- 4 (iv) the Professors in the College;
- 5 (v) Heads of Academic Departments and Units;
- 6 (vi) the College Librarian;
- 7 (vii) One elected representative of each College;
- 8 (viii) Two members of Academic Staff elected by the
- 9 Congregation;
- 10 (ix) One elected representative of each department;
- 11 (x) Two members representing a variety of interests of the
- 12 professional bodies outside the College appointed by the Senate on the
- 13 recommendation of the Provost;
- 14 (xi) Registrar - Secretary.
- 15 (2) The procedure for election of members of Senate to the Council
- 16 shall be prescribed by Regulations.
- 17 (3) The Provost shall be the chairman at all meetings of the Senate
- 18 when he is present, and in his absence any of the Deputy Provosts present at
- 19 the meeting as the Senate may appoint for that meeting shall be the chairman
- 20 at the meeting.
- 21 (4) The quorum of the Senate shall be one quarter or the nearest
- 22 whole number less than one quarter; and subject to paragraph (3) of this
- 23 Article, the Senate may regulate its own procedure.
- 24 (5) An elected member may, by notice to the Senate, resign his
- 25 office.
- 26 (6) Subject to paragraph (8) of this article, there shall be elections
- 27 for the selection of elected members which shall be held in the prescribed
- 28 manner on such day in the month of May or June in each year as the Provost
- 29 may from time to time determine.
- 30 (7) An elected member shall hold office for the period of two years

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

7 (8) No election shall be held in pursuance of this article in any year if  
8 the number specified in the certificate given in pursuance to paragraph (11) of  
9 this article does not exceed by more than one the figure which is thrice the  
10 number of those elected members holding office on the date of the certificate  
11 who do not vacate office during that year in pursuance of paragraph (7) of this  
12 article.

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

17 (10) If so requested in writing by any fifteen members of the Senate,  
18 the Provost or in his absence any of the Deputy Provost duly appointed by him,  
19 shall convene a meeting of the Senate to be held not later than the tenth day  
20 following that on which the request was received.

21 (11) In this article "total of non-elected members" means as respect  
22 any year, such number as may be certified by the Provost on 30 April of that  
23 year to be the number of persons holding office as members of the Senate on  
24 that day otherwise than as elected members.

25 *Congregation*

26 5.-(1) Congregation shall consist of:

- 27 (i) Provost;  
28 (ii) the Deputy Provosts;  
29 (iii) the full-time members of the academic staff;  
30 (iv) The Registrar;

1 (v) The Librarian;  
2 (vi) Every member of the administrative staff who holds a degree,  
3 other than honorary degree, of any College recognized for the purposes of  
4 this statute by the Provost.

5 (2) Subject to section 4 of this Bill, the Provost shall be the  
6 chairman at all meetings of Congregation when he is present; and in his  
7 absence any of the Deputy Provosts present at the meeting as Congregation  
8 may appoint for that meeting, shall be the chairman at the meeting.

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

12 (4) A certificate signed by the Provost specifying:

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

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

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

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

22 (7) Congregation shall be entitled to express by resolutions or  
23 otherwise its opinion on all matters affecting the interest and welfare of the  
24 College and shall have such other functions, in addition to the function of  
25 electing a member of the Council, as may be provided by statute or  
26 regulations.

27 *Convocation*

28 6.-(1) Convocation shall consist of:

29 (i) the officers of the College mentioned in the First Schedule to  
30 this Bill;



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

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

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

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

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

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

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

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

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

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

30 (8) Subject to section 4 of the Act, the Chancellor shall be chairman at

1 all meetings of Convocation when he is present, and in his absence the  
2 Provost shall be the chairman at the meeting.

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

6 *Division of Colleges*

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

9 *College Boards*

10 8.-(1) There shall be established in respect of each College, a Board  
11 of Studies which, subject to the provisions of this Statute, and subject to the  
12 directions of the Provost, shall:

13 (a) Regulate the teaching and study of, and the conduct of  
14 examinations connected with, the subjects assigned to the college;

15 (b) Deal with any other matter assigned to it by statute or by the  
16 Provost or by the Senate; and

17 (c) Advise the Provost or the Senate on any matter referred to it by  
18 the Provost or the Senate.

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

20 (a) the Provost;

21 (b) the Dean;

22 (c) the persons severally in charge of the branches of the school;

23 (d) the College Examination Officer;

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

26 (f) such persons, whether or not members of the College, as the  
27 Board may determine with the general or special approval of the Senate.

28 (3) The quorum of the Board shall be eight members or one quarter,  
29 whichever is greater, of the members for the time being of the board; and  
30 subject to the provisions of this statute and to any provision made by

1 regulations in that behalf, the Board may regulate its own procedure.

2 *Deans of the Colleges*

3 9.-(1) The Board of each College shall, at a meeting in the last term of  
4 any academic year which the term of office of the Dean expires, nominate one  
5 of its members, being one of the Professors assigned to that teaching unit, for  
6 appointment by the Senate as Dean of the College

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

11 (3) The Dean shall hold office for two years and shall be eligible for  
12 re-appointment one further period of two years. Thereafter he shall not be  
13 eligible for re-appointment until two years have elapsed.

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

16 (5) It shall be the function of the Dean to present to Convocation for  
17 the conferment of degrees to persons who have qualified for the degrees of the  
18 College at examination held in the branches of learning for which  
19 responsibility is allocated to that College.

20 (6) There shall be a committee to be known as the Committee of  
21 Deans consisting of all the Deans of the several Colleges and that Committee  
22 shall advise the Provost on all academic matters and on particular matters  
23 referred to the College by the Senate.

24 (7) The Dean of a College may be removed from office for good cause  
25 by the College Board after a vote would have been taken at a meeting of the  
26 Board, and in the event of a vacancy occurring following the removal of a  
27 Dean, an acting Dean may be appointed by the Provost:

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

30 (8) In this article "good cause" has the same meaning as in section

1 15(3) of the Act.

2 *Departmental Board of Studies*

3 10.-(1) There shall be a Departmental Board of Studies whose  
4 membership shall be made of all academic staff of the Department;

5 (2) It shall be headed by a Professor who shall be appointed by the  
6 Provost and in the absence of a Professor, a senior academic staff shall be  
7 appointed in acting capacity;

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

10 (4) The Board shall superintend over all teachings and  
11 examinations in the Department;

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

14 (6) Allocation of courses in the department shall be done by the  
15 Departmental Board on recommendation of the Head of Department.

16 *Selection of Directors of Physical Planning and Development,*

17 *Works and Services and Health*

18 11.-(1) When a vacancy occurs in the office of the Directors of  
19 Physical Planning and Development, Works and Services and Health, a  
20 Selection Board shall be constituted by the Council which shall consist of:

21 (a) the Pro-Chancellor;

22 (b) the Provost;

23 (c) two members appointed by the Council, not being members of  
24 the Senate;

25 (d) Two members appointed by the Senate.

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

1 *Tenure of Directors*

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

4 *Creation of Academic Posts*

5 13. Recommendations for the creation of academic posts other than  
6 principal officers shall be made by the Senate to the Council through the  
7 Finance and General Purposes Committee.

8 *Appointment of Academic Staff*

9 14.-(1) Subject to the Act and statutes, the filling of vacancies in  
10 academic posts (including newly created ones) shall be the responsibility of the  
11 Council through the Departments and Colleges.

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

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

17 (a) the Provost – Chairman;

18 (b) Deputy Provost – Member;

19 (c) The Dean of the College – Member;

20 (d) Head of Department – Member;

21 (e) such other person(s), not exceeding two in number, deemed  
22 capable of helping the Board in assessing both the professional and academic  
23 suitability of a candidate under consideration, as the Senate may from time to  
24 time appoint;

25 (f) Registrar – Secretary.

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

28 (a) the Provost or his representative- Chairman;

29 (b) The Dean of the College – Member;

30 (c) Head of the Department concerned – Member;

1 (d) An internal member of Council (not below the Rank of Senior  
2 Lecturer from the sister college in the Candidate's subject-area) – Member;

3 (e) Registrar or his representative – Secretary.

4 (5) All appointments to senior library posts shall be made in the  
5 same way as equivalent appointments in the academic cadre; and for all such  
6 posts other than that of the Librarian, the Librarian shall be a member of the  
7 Selection Board.

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

13 (3) including the Chairman.

14 *Appointment of Administrative and Professional Staff*

15 15.-(1) The administrative and professional staff of the College  
16 other than principal officers shall be appointed by the Council on its behalf  
17 by the Provost in accordance with delegation of powers made by the Council  
18 on its behalf.

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

20 (i) Provost;

21 (ii) Deputy Provost;

22 (iii) Registrar;

23 (iv) Bursar;

24 (v) College Librarian;

25 (vi) The Head of Department concerned;

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

28 *Interpretation*

29 16. In this Statute, the expression "the Act" means the Federal  
30 College of Education Ekiadolor, Edo State Act and any word or expression

1 defined in the Act has the same meaning in this Statute.

2 *Short Title*

3 17. This Statute may be cited as the Federal College of Education  
4 Ekiadolor, Edo State Statute No.1.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal College of Education Ekiadolor, Edo State.

## FEDERAL POLYTECHNIC DANGE, SOKOTO STATE

(ESTABLISHMENT, ETC ) BILL, 2020

## ARRANGEMENT OF SECTIONS

*Establishment of the Federal Polytechnic Dange, Sokoto State*

1. Establishment of Federal Polytechnic Dange, Sokoto State
2. Functions of the Polytechnic
3. Establishment and constitution of each Council, etc.
4. Visitation
5. Registrar of the Polytechnic
6. Tenure of office of the Registrar
7. General Functions of the Council

*Staff*

8. The Rector of the Polytechnic
9. Deputy Rector
10. Other principal officers of each polytechnic
11. Resignation of appointment of principal officers
12. Selection Board for other principal officers
13. Other employees of the polytechnic.
14. Application of the Pensions Act

*Establishment of the Academic Board*

15. The Academic Board

*Tenure of Office*

16. Removal from office of members of the Council and the Rector
17. Removal and discipline of academic, administrative and technical staff

*Discipline*

18. Discipline of students
19. Discipline of junior staff

*Financial Provision*

20. Audit of account



21. Funds cash council
22. Donation for particular purposes
23. Payment into
24. Annual report

*Miscellaneous and Supplemental*

25. Power to make bye-laws
26. Exclusion of discrimination on account of race, religion. etc.
27. Quorum and Procedure of bodies established under this Act
28. Interpretation
29. Short title

Schedule

Supplementary Provisions relating to the Council

# A BILL

## FOR

AN ACT TO ESTABLISH THE FEDERAL POLYTECHNIC DANGE, SOKOTO STATE TO PROVIDE FULL-TIME COURSES IN TECHNOLOGY, APPLIED SCIENCE MANAGEMENT AND OTHER FIELDS OF STUDIES AND TO MAKE PROVISIONS FOR THE GENERAL ADMINISTRATION OF SUCH POLYTECHNICS AND FOR RELATED MATTERS

*Sponsored by Senator Ibrahim, A. Danbaba*

[     ] Commencement

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

- 1            **1.** There is hereby established the Federal Polytechnic Dange, Establishment of  
2            Sokoto State specified in the First Schedule to this Act (in this Act severally Federal Polytechnic  
3            referred to as "the Polytechnic") which shall have such powers and exercise Dange, Sokoto  
4            such functions as are specified in this Act. State
- 5            **2.-(1)** The functions of the polytechnic shall be: Functions
- 6            (a) to provide full-time or part-time courses of instruction and
- 7            training:
- 8            (i) in technology, applied science, commerce and management;
- 9            and
- 10           (ii) in such other fields of applied learning relevant to the needs of
- 11           the development of Nigeria in the area of industrial and agricultural
- 12           production and distribution and for research in the development and
- 13           adaptation of techniques as the Council may from time to time determine;
- 14           (b) to arrange conferences, seminars and study groups relative to
- 15           the fields of learning specified in paragraph (a) of this subsection (1);
- 16           (c) to perform such other functions as in the opinion of the Council
- 17           may serve to promote the objectives of the polytechnic.
- 18           (2) Nothing in this section shall preclude the government of a State

Establishment  
and Constitution  
of each Council,  
etc.

1 or any of its agencies from setting up a polytechnic similar to any polytechnic  
2 established under this Act

3 3.-(1) There shall be established for the polytechnic a Council  
4 (hereafter in this Act referred to as "the Council") which shall be a body  
5 corporate with perpetual succession and a common seal and may sue and be  
6 sued in its corporate name.

7 (2) The Council shall consist of a Chairman and the following other  
8 members that is:

9 (a) one person to represent the universities;

10 (b) one person to represent the Manufacturers' Association of Nigeria;

11 (c) one person to represent professional bodies whose disciplines are  
12 taught at the polytechnic;

13 (d) one person selected from a Federal or State, public utility statutory  
14 corporation;

15 (e) one person of standing in the community where the polytechnic  
16 is situated;

17 (f) the Rector of the polytechnic;

18 (g) one representative of the Minister charged with responsibility for  
19 matters relating to polytechnics

20 (h) one representative of the Permanent Secretary of the Ministry  
21 charged with responsibility for matters relating to industries:

22 (i) one representative of the academic board of the polytechnic;

23 (j) one representative of the State Commissioner of Education; and

24 (k) five other persons, at least one of whom shall be a woman, to be  
25 selected each on his personal merit based on his contribution to either the  
26 development of industry, technology or commerce or special interest in  
27 technical education.

28 (3) The Chairman and members of the Council other than ex-officio  
29 members shall be appointed by the President.

30 (4) The provisions set out in the Second Schedule to this Act shall to

1 apply in relation to the constitution of the Council and the other matters  
2 therein specified.

3 4.-(1) The Minister of Education shall be the Visitor to the Visitation  
4 Polytechnic.

5 (2) The Visitor shall, not less than once in every five years, conduct  
6 a visitation of the college or appoint a Visitation Panel, consisting of not less  
7 than five experts. To conduct the visitation:

8 (a) for the purpose of evaluating the academic and administrative  
9 performance of the polytechnic;

10 (b) for such other purpose or in respect of any other affairs of the  
11 polytechnic as the Visitor may deem fit.

12 5.-(1) There shall be a Registrar to tile polytechnic who shall be Registrar of the  
13 responsible to the Rector for the day- to-day administration of the Polytechnic  
14 polytechnic and shall perform such other duties as the Councilor, as tile case  
15 may be, the Rector may from time to time require him to do.

16 (2) The Registrar shall be the secretary to the Council, the  
17 Academic Board and any committee of the Council and shall attend all the  
18 meetings of those bodies unless excused for good reason by the chairman of  
19 the Council.

20 (3) In the absence of the Registrar, the Chairman of the Council  
21 may, after consultation with the Rector, appoint a suitable person to act as  
22 secretary for any particular meeting of the Council.

23 (4) The secretary 10 the Councilor a person appointed 10 act under  
24 subsection (3) of this section, shall not vote on any question before the  
25 Councilor count towards a quorum unless he is so entitled as a member of  
26 the Council.

27 6.-(1) A Registrar:

28 (a) shall hold office to a period of five years beginning from the Tenure of office  
29 effective date of his appointment and on such terms and conditions as may of the Registrar  
30 be specified in the letter of his appointment; and

1 (b) may be re-appointed for one further period of five years and no  
2 more.

3 (2) Where on the commencement of this section, a Registrar has held  
4 office:

5 (a) for five years or less, he shall be deemed to be serving his first term  
6 of office-and may be re-appointed for a further term of five years;

7 (b) for more than five years but less than ten years, he shall complete  
8 the maximum period of ten years and thereafter relinquish his post and be  
9 assigned other duties in the polytechnic:

10 (c) for ten years or more, the Council may allow him to serve as  
11 Registrar for a further period of one year only and thereafter he shall relinquish  
12 his post and be assigned other duties in the polytechnic.

General functions  
of the Council

13 7.-(1) Subject to provision of this Act, the Council shall be the  
14 governing body of the polytechnic concerned and shall have the general  
15 management of the affairs of the polytechnic, and in particular, the control of  
16 the property and finances of the polytechnic; and shall also have power to do  
17 anything which in its opinion is calculated to facilitate the carrying out of the  
18 activities of the polytechnic and promote its best interests.

19 (2) The Council may acquire and hold such movable or immovable  
20 property as may be necessary or expedient for carrying into effect the  
21 provisions of this Act, and for the same purpose may sell, lease, and mortgage  
22 or otherwise alienate or dispose of any property so acquired.

23 (3) The Council may enter into such contracts as may be necessary or  
24 expedient for carrying into effect the provisions of this Act.

25 (4) The Minister may give to the Council directions of a general  
26 character or relating generally to particular matters (but with any individual  
27 person or case) with regard to the exercise by the Council of its functions and it  
28 shall be the duty of the Council to comply with the directions.

29 *Staff*

The Rector

30 8.-(1) There shall be a Rector of the polytechnic ("the Rector") who

1 shall be appointed by the President in accordance with the provisions of this  
2 section.

3 (2) Where a vacancy occurs in the post of Rector, the Council shall:

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

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

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

9 (b) constitute a Search Team consisting of:

10 (i) a member of the Council, not being a member of the Academic  
11 Board, as Chairman;

12 (ii) two members of the Academic Board not below the rank of  
13 Chief Lecturer;

14 (iii) two members of the Academic Community of the college not  
15 below the rank of Chief Lecturer, to be selected by Council, to identify and  
16 draw up a short list of persons who are not likely to apply on their own  
17 volition because they feel that it is not proper to do so.

18 (3) A Joint Council and Academic Board Selection Board  
19 consisting of:

20 (a) the Chairman of the Council;

21 (b) two members of the Council not being members of the  
22 Academic Board:

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

29 (4) The President shall appoint, as Rector, one of the candidates  
30 recommended to him under the provisions of subsection (3) of this section.

1 (5) Subject to this Act and the general control of the Council, the  
2 Rector shall be the Chief Executive of the polytechnic and shall be charged  
3 with responsibility for matters relating to the day-to-day management  
4 operations of the polytechnic.

5 (6) The Rector:

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

9 (b) may be re-appointed for a further period of four years and no more.

Deputy Rector

10 9.-(1) There shall be for the polytechnic a Deputy Rector.

11 (2) The Council shall appoint the Deputy Rector from among the  
12 chief lecturers in the polytechnic in one of the following ways:

13 (a) from a list of three candidates, in order of preference, submitted by  
14 the Rector; or

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

17 (c) on the nomination of the Rector.

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

20 (a) consist of:

21 (i) the Chairman of the Council;

22 (ii) the Rector;

23 (iii) two members of the Council not being members of the Academic  
24 Board:

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

26 (b) make such inquiries as it deems fit before making the  
27 commendation required under that subsection.

28 (4) The Deputy Rector:

29 (a) shall assist the Rector in the performance of his functions;

30 (b) act in the place of the Rector when the post of Rector is vacant or if

1 the Rector is for any reason absent or unable to perform his functions as  
2 Rector; and

3 (c) perform such other functions as the Rector may, from time to  
4 time, assign to him.

5 (5) The Deputy Rector:

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

9 (b) may be re-appointed for one further period of two years and no  
10 more

11 10.-(1) There shall be for the polytechnic the following other  
12 principal officers in addition to the Registrar, that is: Other principal  
officers of the  
polytechnic

13 (a) the Bursar; and

14 (b) the polytechnic Librarian, who shall be appointed by the  
15 Council on the recommendation of the Selection Board constituted under  
16 section 9 (b) of this Act.

17 (2) The Bursar shall be the Chief Financial Officer of the  
18 polytechnic and be responsible to the Rector for the day to day  
19 administration and control of the financial affairs of the polytechnic.

20 (3) The polytechnic Librarian shall be responsible to the Rector for  
21 the administration of the polytechnic library and the co-ordination of the  
22 library services in the teaching units of the polytechnic.

23 (4) The Bursar or Librarian:

24 (a) shall hold office for a period of five years in the first instance  
25 and on such terms and conditions as may be specified in his letter of  
26 appointment:

27 (b) may be re-appointed for a further period of five years and no  
28 more.

29 (5) Where on the commencement of this section, a Bursar or  
30 Librarian has held office:



	1	(a) for five years or less, he shall be deemed to be serving his first term
	2	of office and may be reappointed for a further term of five years;
	3	(b) for more than five years but less than ten years, he shall complete
	4	the maximum period of ten years and thereafter relinquish his post and be
	5	assigned other duties in the polytechnic;
	6	(c) for ten years or more, the Council may allow him to serve as
	7	Registrar for a further period of one year only and thereafter he shall relinquish
	8	his post and be assigned other duties in the polytechnic.
Resignation of appointment of principal officers	9	<b>11.</b> A principal officer may resign his appointment:
	10	(a) in the case of the Rector, by notice to the Visitor:
	11	(b) in any other case, by notice to the Council.
Selection Board for other principal officers	12	<b>12.-(1)</b> There shall be, for each college, a Selection Board which shall
	13	consist of:
	14	(a) the chairman of the Council;
	15	(b) the Rector;
	16	(c) four members of the Council not being members of the Academic
	17	Board;
	18	(d) two members of the Academic Board.
	19	(2) The functions and procedure and other matters relating to the
	20	Selection Board constituted under subsection (1) of this section shall be as the
	21	Council may, from time to time, determine.
Other employees of the polytechnic	22	<b>13.-(1)</b> The Council may appoint such other persons to be employees
	23	of the polytechnic as the Council may determine to assist the Rector and the
	24	principal officers of the polytechnic in the performance of their functions under
	25	this Act.
	26	(2) The power to appoint all other employees of the polytechnic shall
	27	be exercised:
	28	(a) in the case of senior employees, by the Council on the
	29	recommendation of the Appointment and Promotions Committee set up under
	30	the provisions of paragraph 3 (2) (a) of the Second Schedule to this Act:

1 (b) in the case of junior employees, by the Rector on the  
2 recommendation of the junior Staff Appointments and Promotions  
3 Committee constituted under paragraph 3 (2) (b) of the Second schedule to  
4 this Act.

5 (3) subject to the provisions of this Act, the remuneration, tenure of  
6 office and conditions of service of the employees of the Council shall be  
7 determined by the Council in consultation with the Federal Civil Service  
8 Commission.

9 **14.**-(1) The Federal Civil Service Commission may by order  
10 published in the Federal Gazette declare the office of the Rector or any other  
11 person employed by the Council to be a pensionable office for the purposes  
12 of the Pensions Act.

Application of  
the Pensions Act

13 (2) Nothing in the provisions of subsection (1) of this section shall  
14 prevent the appointment of any person to any office 011 terms which  
15 preclude the grant of a pension or gratuity in respect of service in that office.

16 *Establishment of the Academic Board*

17 **15.**-(1) There shall be established for each polytechnic a board to  
18 be known as the Academic Board which shall consist of the following  
19 members:

The Academic  
Board

- 20 (a) the Rector of the polytechnic, as the Chairman;  
21 (b) the Deputy-Rector of the polytechnic;  
22 (c) all Heads of Departments;  
23 (d) the polytechnic Librarian; and  
24 (e) not more than two members of the academic staff, other than  
25 heads of departments, who may be appointed by the Academic Board.

26 The Academic Board shall be responsible for:

- 27 (a) the direction and management of academic matters of the  
28 polytechnic including the regulation of admission of students, the award of  
29 certificates and diplomas, scholarships, prizes and other academic  
30 distinctions;

1 (b) the making to the Council of such periodic reports on such  
2 academic matter as the Academic Board may think fit or as the Council may  
3 from time to time direct; and

4 (c) the discharge of any other functions which the Council may  
5 delegate to it.

6 *Tenure of Office*

Removal from  
office of members  
of the Council  
and the Rector t

7 **16.-(1)** If it appears to the Council that a member of the Council (other  
8 than an ex-officio member) or the Rector should be removed from office on the  
9 ground of misconduct or inability to perform the functions of his office, the  
10 Council shall make a recommendation to that effect to the President, and if the  
11 President, after making such inquiries as he considers necessary, approves the  
12 recommendation, the President: shall, in writing, declare the office of such  
13 member vacant.

14 (2) The President may remove any member of the Council if he is  
15 satisfied that it is not in the public interest or in the interest of the polytechnic  
16 that such member should continue as a member of the Council.

Removal and  
discipline of  
academic,  
administrative  
and technical  
staff

17 **17.-(1)** If it appears to the Council that there me reasons for believing  
18 that an) person employed as a member of the academic, administrative or  
19 technical staff of the polytechnic other than the Rector should be removed from  
20 office on the ground of misconduct or inability to Perform the functions of his  
21 office the Council shall:

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

23 (b) afford him an opportunity of making representations in person in  
24 the matter to the Council; and

25 (c) if he or any three members of the Council so request within the  
26 period of one month beginning with the date of the notice, make arrangements:

27 (i) if he is an academic staff, for a joint committee of the Council and  
28 the Academic Board to investigate the matter and to report on it to the Council;

29 (ii) for a committee of the Council to investigate the matter, where it  
30 relates to any other member of the staff of the polytechnic and to report on it to

1 the Council; and

2 (iii) for the person in question to be afforded an opportunity of  
3 appearing before and being heard by the investigating committee with  
4 respect to the matter, and if the Council, after considering the report of the  
5 investigating committee, is satisfied that the person in question should be  
6 removed as aforesaid, the Council may so remove him by an instrument in  
7 writing signed on the directions of the Council.

8 (2) The Rector may, in a case of misconduct by a member of the  
9 staff which in the opinion of the Rector is prejudicial to the interests of the  
10 polytechnic, suspend such member and any such suspension shall forthwith  
11 be reported to the Council.

12 (3) For good cause, any member of staff may be suspended from  
13 office or his appointment may be terminated by the Council, and for the  
14 purpose of this subsection, "good cause" means:

15 (a) any physical or mental incapacity which the Council, after  
16 obtaining medical advice, considers to be such as to render the person  
17 concerned unfit for the discharge of the functions of his office;

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

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

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

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

1 (a) whether to continue such person's, suspension and if so on what  
2 terms (including the proportion of this emoluments to be paid to him);

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

5 (c) whether to terminate the appointment of the person in question, in  
6 which case such a person, will not be entitled to the proportion of his  
7 emoluments withheld during the period of suspension; or

8 (d) whether to take such lesser disciplinary action against such person  
9 (including the restoration of such proportion of his emolument that might have  
10 been 'withheld) as the Council may determine and in any case where the  
11 Council, pursuant to this section decides to continue a person's suspension or  
12 decides to take further disciplinary action against a person, the Council shall  
13 before the expiration of a period of three months from such decision come to a  
14 final determination in respect of the case concerning any such person.

15 (5) It shall be the duty of the person by whom an instrument of  
16 removal is signed in pursuance of subsection (1) of this section to use his best  
17 endeavours to cause a copy of the instrument to be served as soon as reasonably  
18 practicable on the person to whom it relates.

19 (6) Nothing in the foregoing provisions of this section shall prevent  
20 the Council from making such regulations for the discipline of other categories  
21 of staff and workers of the polytechnic as it may think fit

22 *Discipline*

Discipline of  
students

23 **18.-(1)** Subject to the provisions of this section, where ~1 appears to  
24 the Rector that any student of the polytechnic has been guilty of misconduct,  
25 the Rector may, without prejudice to any other disciplinary powers conferred  
26 on him by this Act or regulations made hereunder direct:

27 (a) that the student shall not during such period as may be specified in  
28 the direction, participate in such activities of the polytechnic, or make use of  
29 such facilities of the polytechnic, as he may specify; or

30 (b) that the activities of the student shall, during such period as may be

1 specified in the directions, be restricted in such manner as may be so  
2 specified; or

3 (c) that the student be suspended for such period as may be  
4 specified in the directions; or

5 (d) that the student be expelled from the polytechnic.

6 (2) Where there is temporarily no Rector or where the Rector  
7 refuses to apply any disciplinary measures, the Council, either directly or  
8 through some other staff, may apply such disciplinary actions as are  
9 specified in subsection (1) of this section to any student of the polytechnic  
10 who is guilty of misconduct.

11 (3) Where a direction is given under subsection (1) (c) or (d) of this  
12 section in respect of any student, the student may, within a period of 21 days  
13 from the date of the letter communicating the decision to him, appeal from  
14 the direction to the Council; and where such an appeal is brought, the  
15 Council shall, after causing such inquiry to be made in the matter as the  
16 Council considers just, either confirm or set aside the direction or modify it  
17 in such manner as the Council may think fit.

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

21 (5) The Rector may delegate his power under this section to a  
22 disciplinary committee consisting of such members of the polytechnic as he  
23 may nominate.

24 (6) Nothing in this section shall be construed as preventing the  
25 restriction or termination of student's activities at the polytechnic otherwise  
26 than on the ground of misconduct

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

Discipline of  
junior staff

1 (8) In all cases under this section the decision of the Council shall be  
2 final.

3 **19.-(1)** If a junior staff is accused of misconduct or inefficiency, the  
4 Rector may suspend him for not more than three months and forthwith shall  
5 direct the Junior Staff Appointments and Promotions Committee:

6 (a) to consider the case; and

7 (b) to make recommendations as to the appropriate action to be taken  
8 by the Rector.

9 (2) In all cases under this section, the officer shall be informed of the  
10 charge against him and shall be given reasonable opportunity to defend himself

11 (3) The Rector may, after considering the recommendation made  
12 pursuant to subsection (i) (b) of this section, dismiss, terminate, retire or down-  
13 grade the officer concerned.

14 (4) Any person aggrieved by the Rector's decision under subsection  
15 (3) of this section. may within a period of 21 days from the date of the letter  
16 communicating the decision to him, address a petition to the Council to  
17 reconsider his case and the Council's decision thereon shall be final.

18 (5) In any case of gross misconduct on the part of a junior staff, the  
19 Rector shall forthwith suspend him and thereafter refer the matter to the Junior  
20 Staff Appointments and Promotions Committee to be dealt with according to  
21 the foregoing provision of this section.

#### 22 *Financial Provisions*

Audits of accounts

23 **20.-(1)** Each Council shall keep proper accounts and proper records in  
24 relation thereto and shall cause to be prepared, not later than 1 October in each  
25 financial year, an estimate of its revenue and expenditure for the ensuing  
26 financial year and when prepared, the estimate shall be submitted to the  
27 National Board for Technical Education for approval.

28 (2) At the end of each financial year but not later than 30 June the  
29 Council shall cause to be prepared a statement of its income and expenditure  
30 during the previous financial year.

1 (3) The statement of accounts referred to in subsection (2) of this  
2 section shall, when certified by the Rector, be audited by a firm of auditors  
3 appointed from the list and in accordance with the guidelines supplied by the  
4 Auditor-General of the Federation and shall be published in the annual  
5 report of the polytechnic.

6 **21.** The funds of the Council shall include:

Funds of the  
Council

7 (a) fees charged by and payable to the Council in respect of  
8 students;

9 (b) any other amounts due to or recoverable by the Council;

10 (c) revenue from time to time accruing to the Council from the  
11 Federal Government by way of subvention, grant-in-aid, endowment or  
12 otherwise howsoever;

13 (d) donations and legacies accruing to the Council from any source  
14 for the special purpose of the Council.

15 **22.-(1)** Donations of money to be applied to any particular purpose  
16 shall be placed to the credit of a special reserve account approved by the  
17 Council until such time as they may be expended in fulfilment of such  
18 purpose.

Donations for  
participation  
purposes

19 (2) No Council shall be obliged to accept a donation for a particular  
20 purpose unless it approves of the terms and condition' attached to such  
21 donation.

22 **23.** All sums of money received on account of the Council shall be  
23 paid into such bank for the credit of the Council as may be approved by the  
24 Council.

Payment into  
bank

25 **24,** The Council shall on or before:] December in each year  
26 prepare and submit to the President through the Minister, a report of the  
27 activities during the preceding financial year and shall-include-in-the-  
28 report, the audited, accounts of the polytechnic in respect of that financial  
29 year and the auditors' comments on the account.

Annual report



*Miscellaneous and Supplemental*

Power to make  
bye-laws

**25.**-(1) The Council may make bye-laws relating to any matter within its competence under this Act other than matters for which provision is to be made by standing orders pursuant to paragraph 7 of the Schedule to this Act.

(2) All such bye-laws shall be in writing and shall come into force when sealed with the seal of the Council unless some other date for their commencement is prescribed therein.

(3) Nothing in subsection (2) of this section, shall make it obligatory for the Council to publish any of the said bye-laws in the Federal Gazette but the Council shall bring such bye-laws to the notice of all affected thereby.

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

**26.** No person shall be required to satisfy requirements as to any of the following matters, that is to say race (including ethnic grouping), sex, place of birth or of the family origin or religious or political persuasion or as a condition of becoming or continuing to be a student at the polytechnic or as a holder of any certificate of the polytechnic, or of any appointment or employment at the polytechnic, or a member of anybody established by virtue of this Act; and no person shall be subjected to any disadvantage or accorded any advantage in relation to the polytechnic by reference to any of those matters:

Provided that, nothing in this section shall be construed as preventing the polytechnic from imposing any disability or restriction on any of the aforementioned persons where such a person wilfully refuses or fails on grounds of religious belief to undertake any duty generally and uniformly imposed on all such persons or any group of them which duty, having regard to its nature and the special circumstances pertaining thereto is, in the opinion of the polytechnic, reasonably justifiable in the national interest.

Quorum and  
procedure of  
bodies established  
under this Act

**27.** Subject to the provisions of paragraph 6 (2) of the Schedule to this Act and any standing orders or bye-law made under this Act, the quorum and procedure of any body of persons established by this Act shall be such as may be determined by that body.

1                               **28.** In this Act, unless the context otherwise requires: Interpretation

2       "The Academic Board" means the board establish under section 10 of this

3       Act;

4       "The Appointments and Promotions Committee" means a body by that

5       name established under paragraph 3 (2) (a) of the Schedule to this Act;

6       "Polytechnic" means the respective polytechnics set up under section 1 of

7       this Act;

8       "The Junior Staff Appointments and Promotion Committee" means a body

9       by that name set up under paragraph 3 (2) (b) of the Schedule to this Act;

10      "The Minister" means the Minister charged with responsibility for matters

11      relating to technical education;

12      "The Registrar" means the Registrar of each polytechnic appointed under

13      section this Act.

14                   **29.** This Bill may be cited as the Federal Polytechnic Dange,   Short title  
15       Sokoto State (Establishment, etc ) Bill, 2020.

## 16 SCHEDULE

17 [Section 7.]

## 18 PUBLIC OFFICERS FOR THE PURPOSES OF THE CODE OF CONDUCT

## 19 SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

20 *Terms of office of members*

1.-(1) A member of the Council other than an ex-officio member shall hold office for a period of three years beginning with the date on which he was appointed and shall be eligible for re-appointment for a further term of three years and thereafter he shall no longer be eligible for re-appointment.

(2) Members of the Council holding office as specified in paragraph 1 (1) of this Schedule, shall be paid remuneration or allowance in accordance with rates specified from time to time by the National Council of Ministers.

30 (3) A member of the Council holding office as specified in

1 paragraph 1 (1) of this Schedule may by notice in writing to the Minister resign  
2 his office.

3 2.-(1) Where a vacancy occurs in the membership of the Council, that  
4 vacancy shall be filled by the appointment of a successor to hold office for the  
5 remainder of the term of office of his predecessor; so however that the  
6 successor shall represent the same interest as his predecessor.

7 (2) The Council may act notwithstanding any vacancy in its  
8 membership or the absence of any member or that a person not entitled to do so  
9 took part in its proceedings.

10 *Committees*

11 3.-(1) The Council may appoint one or more committees to which it  
12 may delegate any of its functions.

13 (2) Without prejudice to the generality to sub-paragraph (1) of this  
14 Schedule, the Council shall appoint the following committees, that is-

15 (a) the Appointments and Promotions Committee which shall without  
16 prejudice to section 7 (4) of this Act-

17 (i) consist of a chairman to be appointed by the Rector from members  
18 of the senior staff of the polytechnic and four other members who shall be  
19 appointed by the Council;

20 (ii) be charged with the responsibility for making recommendations  
21 to the Council on the appointment and promotion of the academic and senior  
22 staff of the polytechnic and have a quorum of three members;

23 (b) the Junior Staff Appointments and Promotions Committee which  
24 shall consist of a chairman and four other members to be appointed by the  
25 Council and shall have the powers set out in sections 7 (5) and 14 of this Act;

26 (c) the Committee on Students' Affairs which shall consist of the  
27 following members-

28 (i) a chairman who shall be appointed by the Rector from among the  
29 senior employees of the polytechnic;

30 (ii) one member of the Council;

- 1 (iii) two members of the academic staff of the polytechnic; and  
2 (iv) four students of the polytechnic,  
3 and the Committee on Students' Affairs shall be charged with the duty of-  
4 (i) considering any matter which relates to the welfare of students;  
5 (ii) any other matter referred to it by either the Council or students  
6 of the polytechnic;  
7 (iii) any matter which the students wish to refer to the Council shall  
8 be referred to the Committee on Students' Affairs in the first instance.  
9 (3) No decision of a committee shall have effect unless it is  
10 confirmed by the Council.

11 *Proceedings of the Council*

12 4.-(1) The Council shall meet for the conduct of business at such  
13 times as the chairman of the Council may appoint but shall meet not less than  
14 twice in a year.

15 (2) The chairman of the Council may at any time and shall at the  
16 request in writing of not less than five members of the Council summon a  
17 meeting of the Council.

18 (3) Particulars of the business to be transacted shall be circulated to  
19 members with the notice of the meeting at least two weeks before the date of  
20 the meeting.

21 5. Where the Council desires to obtain the advice of any person on  
22 any particular matter, it may co-opt such person as a member for a meeting  
23 whether or not expressly convened for the purpose of considering the  
24 particular matter but no co-opted member shall be entitled to vote or shall  
25 count towards quorum.

26 6.-(1) Every question put before the Council at a meeting shall be  
27 decided by a simple majority of the members present and voting.

28 (2) Seven members shall form a quorum at any meeting of the  
29 Council.

30 (3) The Chairman shall, at any meeting of the Council, have a vote

1 and, in the case of an equality of votes, may exercise a casting vote.

2 7. Subject as aforesaid, the Council may make standing orders with  
3 respect to the holding of meetings, the nature of notices to be given, the  
4 proceedings thereat, the keeping of minutes of such proceedings and the  
5 custody and production for inspection of such minutes.

6 8. If the Chairman of the Council is absent from a meeting of the  
7 Council, the members present shall elect one of their number to act as chairman  
8 for the purposes of that meeting.

9 *Miscellaneous*

10 9. Any contract or instrument which if entered into by a person not  
11 being a body corporate would not be required to be under seal, may in like  
12 manner be entered into or executed on behalf of the Council by any person  
13 generally or specifically authorised by it for that purpose.

14 10.-(1) The common seal of the Council shall not be used or affixed to  
15 any document except in pursuance of a resolution duly passed at a properly  
16 constituted meeting of the Council and recorded in the minutes of such  
17 meeting.

18 (2) The fixing of the seal of the Council shall be authenticated by the  
19 signature of the Chairman of the Council and some other member authorised  
20 generally or specifically by the Council to act for that purpose.

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

24 11. Any member of the Council or a committee thereof who has a  
25 personal interest in any contract or arrangement entered into or proposed to be  
26 considered by the Council or a committee thereof, shall forthwith disclose his  
27 interest to the Council and shall not vote on any question relating to such  
28 contract or arrangement.

## EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal Polytechnic Dange, Sokoto State to provide full- time courses in technology, applied science management and other fields of studies and to make provisions for the general administration of such polytechnics.



FEDERAL COLLEGE OF AGRICULTURE SHAGARI, SOKOTO STATE  
(ESTABLISHMENT) BILL, 2020  
ARRANGEMENT OF CLAUSES

*Clauses:*

PART 1 - ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF THE  
FEDERAL COLLEGE OF AGRICULTURE SHAGARI, SOKOTO STATE

1. Establishment and Objectives of the Federal College of  
Agriculture, Shagari, Sokoto State
2. Constitution and Principal Officers of the College
3. Powers of the College and their exercise
4. Composition, Tenure and Powers of the Council of the College
5. Functions of the Council and its Finance and General Purposes  
Committee
6. Functions of the Senate of the College
7. Functions of the Provost

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

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

PART III - STATUTES OF THE COLLEGE

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

PART IV - SUPERVISION AND DISCIPLINE

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



## PART V - MISCELLANEOUS AND GENERAL

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

FIRST SCHEDULE

SECOND SCHEDULE

THIRD SCHEDULE

# A BILL

## FOR

AN ACT TO ESTABLISH THE FEDERAL COLLEGE OF AGRICULTURE, SHAGARI, SOKOTO STATE , THAT SHALL PROVIDE FULL-TIME COURSES OF AGRICULTURE TEACHING, INSTRUCTION AND TRAINING IN THE SCIENCES, SOCIAL SCIENCES, COMMERCE, ARTS, APPLIED SCIENCES, MANAGEMENT AND HUMANITIES; AND CARRY OUT RESEARCH, INNOVATION, DEVELOPMENT AND ADAPTATION OF TEACHING TECHNIQUES, AND OTHER RELATED MATTERS, 2020

*Sponsored by Senator Ibrahim, A. Danbaba*

[ ] Commencement

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

- 1 PART I - ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF THE
- 2 FEDERAL COLLEGE OF AGRICULTURE, SHAGARI, SOKOTO STATE
- 3 1.-(1)There is hereby established the Federal College of
- 4 Agriculture Shagari, Sokoto State.
- 5 (2) The College shall be a body corporate with perpetual
- 6 succession and a common seal and may sue or be sued in its corporate name.
- 7 (3) The College shall be a training institution for the development
- 8 of Agriculture in the country.
- 9 (4) The College shall be supervised by the Federal Ministry of
- 10 Education through the National Commission for Colleges of Education
- 11 (NCCE) who shall be responsible for approving and regulating all academic
- 12 programmes run in the College, to ensure quality compliance and provide
- 13 funds for academic and research programmes, infrastructures and
- 14 remunerations of employees.
- 15 (5) The objects of the College shall be-
- 16 (a) to encourage the advancement of learning and to hold out to all

Establishment  
and Objectives  
of the Federal  
College of  
Agriculture  
Shagari, Sokoto  
State

- 1 persons without distinction of race, creed, sex or political conviction;
- 2 (b) to develop and offer academic and professional programmes
- 3 leading to the award of certificates, first degrees, post-graduate research,
- 4 diploma and higher degrees with emphasis on planning, developmental and
- 5 adaptive skills in technology, applied science, agriculture, commerce, arts,
- 6 social science, humanities, management and allied professional disciplines;
- 7 (c) to produce socially mature Agriculturists men and women with
- 8 capabilities not to only understand the agricultural need of Nigeria as a nation,
- 9 but also to exploit existing agricultural infrastructure and improve on it to
- 10 develop new ones;
- 11 (d) to act as agents and catalysts for effective agricultural system,
- 12 through post graduate training , research and innovation, for effective
- 13 economic utilization and conservation of the country's human resources;
- 14 (e) to bring quality change in agriculture by focusing on Agriculture
- 15 teacher Education through teaching and learning innovations;
- 16 (f) to collaborate with other national and international institutions
- 17 involved in training, research and development of agricultural Education with
- 18 a view to promoting governance, leadership and management skills among
- 19 agricultural managers;
- 20 (g) to identify agricultural needs of the society with a view to finding
- 21 solutions to them within the context of overall national development;
- 22 (h) to provide and promote sound basic agriculture Educational
- 23 training as a foundation for the development of Nigeria, taking into account
- 24 indigenous culture and the need to enhance national unity;
- 25 (i) to provide higher Education in agriculture and foster a systematic
- 26 advancement of the science in agriculture;
- 27 (j) to provide for instruction in such branches of agriculture teacher
- 28 Education as it may deem necessary to make provision for research
- 29 advancement and dissemination of knowledge in such manner as it may
- 30 determine;

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

4 (m) to undertake any other activities that is appropriate for a  
 5 College of agriculture of the highest standard.

6 **2.-(1)** The College shall consist of-

Constitution and  
Principal Officers  
of the College

7 (a) a Provost;

8 (b) Deputy provost;

9 (c) a Provost and a Senate;

10 (d) a body to be called Congregation;

11 (e) a body to be called Convocation;

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

13 (g) the colleges, institutes and other teaching and research units of  
 14 the College;

15 (h) the persons holding the offices constituted by the First Schedule  
 16 to this Bill other than those mentioned in paragraphs (a) to (c) of this  
 17 subsection;

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

19 (j) all other persons who are members of the College in accordance  
 20 with provisions made by statute in that behalf.

21 (2) The First Schedule to this Bill shall have effect with respect to  
 22 the principal officers of the College.

23 (3) Subject to section 5 of this Bill provision shall be made by  
 24 statute with respect to the constitution of the Council, the Senate,  
 25 Congregation and Convocation.

26 **3.-(1)** For the carrying out of its objects as specified in section 1 of  
 27 this Bill, Federal; College of Agriculture, Shagari, Sokoto State shall have  
 28 power:

Powers of the  
Federal College  
of Agriculture  
Shagari, Sokoto  
State and its  
exercise

29 (a) to offer courses of instruction, training and research in  
 30 Agriculture and allied areas for the production of quality and skilled

1 teachers required to teach at lower, middle and higher levels of Education in  
2 Nigeria in particular and the world at large;

3 (b) to establish such colleges, campuses, institutes, schools,  
4 departments and other teaching and research units within the College as may  
5 from time to time be deemed necessary or desirable subject to the approval of  
6 National Universities Commission;

7 (c) to institute professorships, readerships or associate  
8 professorships, lectureships, and other posts and offices and to make  
9 appointments thereto;

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

13 (e) to provide for the discipline and welfare of members of the  
14 College;

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

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

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

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

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

30 (k) to enter into contracts, establish trusts, act as trustee, solely or

- 1 jointly with any other person, and employ and act through agents;
- 2 (l) to erect, provide, equip and maintain libraries, laboratories,  
3 workshops, lecture halls, halls of residence, refectories, sports grounds,  
4 playing fields and other buildings or things necessary, suitable or convenient  
5 for any of the objects of the College;
- 6 (m) to hold public lectures and to undertake printing, publishing  
7 and book selling;
- 8 (n) subject to any limitations or conditions imposed by statute, to  
9 invest any moneys appertaining to the College by way of endowment it, not  
10 being immediately required for current expenditure in any investments or  
11 securities or in the purchase or improvement of land, with power from time  
12 to time, to vary any such investments to deposit any moneys for the time  
13 being not invested with any bank on deposit or current account;
- 14 (o) to borrow, whether on interest or not and if need be upon the  
15 security of any or all of the property, movable or immovable, of the College,  
16 such moneys as the Council may from time to time in its discretion find it  
17 necessary or expedient to borrow of to guarantee any loan, advances or  
18 credit facilities;
- 19 (p) to make gifts for any charitable purpose;
- 20 (q) to do anything which it is authorized or required by this Bill or  
21 by statute to do; and
- 22 (r) to do all such acts or things, whether or not incidental to the  
23 foregoing powers, as may advance the objects of the College.
- 24 (2) Subject to the provisions of this Bill and of the statutes and  
25 without prejudice to section 7(2) of this Bill, the powers conferred on the  
26 College by subsection (1) of this section shall be exercisable on behalf of the  
27 College by the Council or by the Senate or in many other manner which may  
28 be authorized by the statute.
- 29 (3) The power of the College to establish further campuses and

Composition,  
Tenure and Powers  
of the Council  
of the College

1 colleges within the College shall be exercisable by statute and not  
2 otherwise.

3 4.-(1) The Council of the College shall consist of:-

4 (a) the Provost;

5 (c) the Deputy Provost(s);

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

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

9 (i) the Teacher's Registration Council;

10 (ii) Tertiary Education Trust Fund; and

11 (iii) two other persons, one of whom shall be a representative of the  
12 College host community;

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

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

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

16 (i) two persons representing the community appointed by the  
17 President.

18 (2) Persons to be appointed to the Council shall be of proven integrity,  
19 knowledgeable and familiar with the affairs and tradition of the College.

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

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

27 (5) The Council shall be free in the discharge of its functions and  
28 exercise of its responsibilities for the good management, growth and  
29 development of the College.

30 (6) The Council in the discharge of its functions shall ensure that

1 disbursement of funds of the College complies with the approved budgetary  
2 ratio for-

3 (a) personnel cost;  
4 (b) overhead cost;  
5 (c) research and development;  
6 (d) library developments; and  
7 (e) the balance in expenditure between academic vis-à-vis non-  
8 academic activities.

9 **5.-(1)** Subject to the provisions of this Bill relating to the Visitor,  
10 the Council shall be the governing body of the College and shall be charged  
11 with the general control and superintendence of the policy, finances and  
12 property of the College.

Functions of the  
Council and its  
Finance and  
General Purpose  
Committee

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

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

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

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

29 (6) Rules made under sub-section (5) of this section by the Finance  
30 and General Purposes Committee shall not come into force unless approved



1 by the Council; and in so far and to the extent that any rules so made by that  
2 Committee conflict with any direction given by the Council, whether before or  
3 after the coming into force of the rules in question, the directions of the Council  
4 shall prevail.

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

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

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

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

Functions of the  
Senate of the  
College

18 6.-(1) Subject to section 5 of this Bill and subsections (3) and (4) of  
19 this section and the provisions of this Bill relating to the Visitor, it shall be the  
20 general function of the Senate to organize and control the teaching by the  
21 College, the admission of student where no other enactment provides to the  
22 contrary and the discipline of students; and to promote research at the College.

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

26 (a) the establishment, organization and control of campuses, colleges,  
27 schools, institutes and other teaching and research units of the College and the  
28 allocation of responsibility for different branches of learning;

29 (b) the organization and control of courses of study at the College and  
30 of the examinations held in conjunction with those courses, including the

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

Functions of  
the Provost

1 Senate under this sub-section, the Senate may deprive any person of any  
2 degree, diploma or other award of the College which has been conferred upon  
3 him if after due enquiry he is found to have been guilty of dishonourable or  
4 scandalous conduct in gaining admission into the College or obtaining that  
5 award.

6 7.-(1) The Provost shall, in relation to the College, take precedence  
7 before all other members of the College except the Chancellor and subject to  
8 section 4 of this Bill except the Pro-Chancellor and any other person for the  
9 time being acting as Chairman of the Council.

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

15 (3) The Provost shall be the Chairman of the College Tenders' Board,  
16 which is saddled with the responsibility of approving the conduct of public  
17 procurement of goods, works and services within the approved threshold from  
18 time to time.

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

General fund  
of the College

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

24 8.-(1) There shall be a general fund of the College which shall consist  
25 of the following:

26 (a) grants-in-aid;

27 (b) fees;

28 (c) income derived from investments;

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

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

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

4 (g) revenue, from time to time, accruing to the College by way of  
5 subvention;

6 (h) interests on investments;

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

9 (j) Regular TETFUND interventions;

10 (2) The general fund shall be applied for the purposes of the  
11 College.

12 **9.-(1)** All property held by or on behalf of the Provisional Council  
13 of the College shall, by virtue of this sub-section and without further  
14 assurance, vest in the College and be held by it for the purpose of the  
15 College.

Transfer of  
Property

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

### 19 PART III - STATUTES OF THE COLLEGE

20 **10.-(1)** Subject to this Bill, the College may make statutes for any  
21 of the following purposes, that is to say:

Power of the  
College to make  
Statutes

22 (a) Making provision with respect to the composition and  
23 constitution of any authority of the College;

24 (b) Specifying and regulating the powers and duties of any  
25 authority of the College, and regulating any other matter connected with the  
26 College or any of its authorities;

27 (c) Regulating the admission of students (where no other  
28 enactment provides to the contrary), and their discipline and welfare;

29 (d) Determining whether any particular matter is to be treated as an  
30 academic or non-academic matter for the purposes of this Bill and of any

	1	statute, regulation or other instrument made thereunder; or
	2	(e) Making provision for any other matter for which provision by
	3	statute is authorized or required by this Bill.
	4	(2) Subject to section 25(6) of this Bill, the Interpretation Act shall
	5	apply in relation to any statute made under this section as it applies to a
	6	subsidiary instrument within the meaning of section 28(1) of that Act.
	7	(3) The statute contained in the Third Schedule to this Bill shall be
	8	deemed to have come into force on the commencement of this Bill and shall be
	9	deemed to have been made under this section by the College.
Third Schedule	10	(4) The power to make statutes conferred by this section shall not be
	11	prejudiced or limited in any way by reason of the inclusion or omission of any
	12	matter in or from the statute contained in the Third Schedule to this Bill or any
	13	subsequent statute.
Mode of exercising power to make statutes	14	<b>11.</b> -(1) The power of the College to make statutes shall be exercised in
	15	accordance with the provisions of this section and not otherwise.
	16	(2) A proposed statute shall not become law unless it has been
	17	approved:
	18	(a) at a meeting of the Senate, by the votes of not less than two thirds
	19	of the members present and voting; and
	20	(b) at a meeting of the Council, by the votes of not less than two thirds
	21	of the members present and voting.
	22	(3) A proposed statute may originate either in the Senate or in the
	23	Council, and may be approved as required by subsection (2) of this section by
	24	either one of those bodies or the other.
	25	(4) A statute which:
	26	(a) makes provision for or alters the composition or constitution of the
	27	Council, the Senate or any other authority of the College; or
	28	(b) provides for the establishment of a new campus or college or for
	29	the amendment or revocation of any statute.
	30	(5) For the purpose of section 2(2) of the Interpretation Act, a statute

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

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

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

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

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

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

23 12. A statute may be proved in any court by the production of a  
24 copy thereof bearing or having affixed to it a certificate purporting to be  
25 signed by the Provost or the Secretary to the Council to the effect that the  
26 copy is a true copy of a statute of the College.

Proof of Statute

27 PART IV - SUPERVISION AND DISCIPLINE

28 13.-(1) The President shall be the Visitor of the College.

The Visitor

29 (2) The Visitor shall cause a visitation to the College when  
30 necessary, at least every five years, or direct that such a visitation be

1 conducted by such person or persons as the Visitor may deem fit and in respect  
2 of any of the affairs of the College.

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

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

Removal of  
certain Members  
of Council

9 **14.**-(1) If it appears to the Council that a member of the Council (other  
10 than the Pro-Chancellor or the Provost) should be removed from office on the  
11 ground of misconduct or inability to perform the functions of his office or  
12 employment, the Council shall make a recommendation to that effect through  
13 the Minister to the President, and the President, after making such enquiries (if  
14 any) as he may consider appropriate approves the recommendation, he may  
15 direct the removal of the person in question from office.

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

Removal and  
discipline of  
academic,  
administrative  
and professional  
staff

20 **15.**-(1) If it appears to the Council that there are reasons for believing  
21 that any person employed as a member of the academic, administrative or  
22 professional staff of the College, other than the Provost, should be removed  
23 from his office or employment on the ground of misconduct or of professional  
24 inability to perform the functions of his office or employment, the Council  
25 shall:

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

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

29 (c) for the person in question to be afforded an opportunity of  
30 appearing before and being heard by the investigating committee with respect

1 to the matter, and if the Council, after considering the report of the  
2 investigating committee, is satisfied that the person in question should be  
3 removed as aforesaid, the Council may so remove him by an instrument in  
4 writing signed on the directions of the Council.

5 (2) The Provost may, in a case of misconduct by a member of the  
6 staff which in the opinion of the Provost is prejudicial to the interest of the  
7 College, suspend such member and any such suspension shall forthwith be  
8 reported to the Council.

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

12 (a) conviction for any offence which the Council considers to be  
13 such as to render the person concerned unfit for the discharge of the  
14 functions of his office; or

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

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

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

24 (e) conduct which the Council considers to be generally of such  
25 nature as to render the continued appointment or service of the person  
26 concerned prejudicial or detrimental to the interest of the College.

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



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

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

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

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

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

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

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

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

23 (b) prevent the Council from making regulations for the discipline of  
24 other categories of workers of the College as may be prescribed.

Removal of  
examiners

25 **16.-(1)** If, on the recommendation of the Senate, it appears to the  
26 Provost that a person appointed as an examiner for any examination of the  
27 College ought to be removed from his office or appointment, then, except in  
28 such cases as may be prescribed by the Provost may, after affording the  
29 examiner an opportunity of making representations in person on the matter to  
30 the Provost, remove the examiner from the appointment by an instrument in

1 writing signed by the Provost.

2 (2) Subject to the provisions of regulations made in pursuance of  
3 section 7(5) of this Bill, the Provost may, on the recommendation of the  
4 Senate, appoint an appropriate person as examiner in the place of the  
5 examiner removed in pursuance of subsection (1) of this section.

6 (3) It shall be the duty of the Provost on signing an instrument of  
7 removal pursuance to this section, to use his best endeavours to cause a copy  
8 of the instrument to be served as soon as reasonably practicable on the  
9 person to whom it is related.

10 17.-(1) The Students shall be:

Participation and  
Discipline of  
Students

11 (a) represented in the College's Students Welfare Board and other  
12 committees that deal with the affairs of students;

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

14 (c) Participate in the process of assessing academic staff in respect  
15 of teaching; and

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

18 (2) Subject to the provisions of this section, where it appears to the  
19 Provost that any student of the College has been guilty of misconduct, the  
20 Provost may, without prejudice to any other disciplinary powers conferred  
21 on him by statute or regulations, direct:

22 (a) that the student shall not, during such period as may be specified  
23 in the directions, participate in such activities of the College, or make use of  
24 such facilities of the College, as may be so specified, or

25 (b) that the activities of the student shall, during such period as may  
26 be specified in the direction, be restricted in such manner as may be so  
27 specified, or

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

30 (d) that the student be expelled from the College.

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

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

10 (a) The Provost may delegate his powers under this section to a  
11 disciplinary board consisting of such members of the College as he may  
12 nominate.

13 (b) Nothing in this section shall be construed as preventing the  
14 restriction or termination of students' activities at the College otherwise than on  
15 the ground of misconduct;

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

18 PART V - MISCELLANEOUS AND GENERAL

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

19 **18.-(1)** No person shall be required to satisfy requirements as to any of  
20 the following matters, that is to say, race (including ethnic grouping), sex,  
21 account of race, place of birth or of family origin, or religious or political  
22 persuasion, as a condition of becoming or continuing to be a student at the  
23 College, the holder of any degree of the College or of any appointment or  
24 employment at the College, or a member of anybody established by virtue of  
25 this Bill; and no person shall be subject to any disadvantage or accorded any  
26 advantage relation to the College, by reference to any of those matters.

27 (2) Nothing in subsection (1) of this section shall be construed as  
28 preventing the College from imposing any disability or restriction on any of the  
29 persons mentioned in that subsection where such person willfully refuses or  
30 fails on grounds of religious belief to undertake any duty generally and

1 uniformly imposed on all such person or any group of them which duty,  
2 having regard to its nature and the special circumstances pertaining thereto,  
3 is in the opinion of the College reasonably justifiable in the national interest.

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

Restriction on  
disposal of land  
by College

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

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

Quorum and  
procedure of  
bodies established  
by this Bill

14 **21.-(1)** Anybody of persons established by this Bill shall, without  
15 prejudice to the generality of the powers of that body, have power to appoint  
16 committees, which need not consist exclusively of members of that body,  
17 and to authorize a committee established by it:

Appointment of  
committee, etc.

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

20 (b) to co-opt members, and

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

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

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

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

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

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

Retiring age of  
academic staff

12 **22.**-(1) Notwithstanding anything to the contrary in the Pension Act,  
13 the compulsory retiring age of the following categories of staff shall be as  
14 follows:

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

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

19 (c) Non-academic staff of the College shall be 65 years.

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

Special Provisions  
relating to  
Pension of  
Professors

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

Miscellaneous  
Administrative  
Provisions

27 **24.**-(1) The seal of the College shall be such as may be determined by  
28 the Council and approved by the Chancellor, and the affixing of the seal shall  
29 be authenticated by any member of the Council and by the Provost, Secretary to  
30 the Council or any other person authorized by statute.

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

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

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

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

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

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

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

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

	1	of this Bill may, without prejudice to any other mode of service, be served by
	2	post.
Restriction of suits and execution	3	<b>25.-(1) Pre-Action Notice:</b>
	4	(a) No legal proceeding shall be instituted and/or commenced against
	5	the College or any of its agents in the course of their official duties unless a 3
	6	months' Pre-Action Notice of such intention is served on the College by an
	7	aggrieved party.
	8	(b) The Notice shall state the reason and the cause of action intended
	9	to be taken against the College, the particulars of the claim, the name and place
	10	of abode of the intending plaintiff and the relief which he claims.
	11	(b) For the avoidance of doubt, it is hereby declared that no suit shall
	12	be commenced against an officer or servant of the College, in any case where
	13	the College is vicariously liable for any alleged act, neglect or default of the
	14	officer or servant in the performance or intended performances of his duties,
	15	unless three months at least has elapsed after written notice of intention to
	16	commence the same shall have been served on the College by the intending
	17	plaintiff or his agent;
	18	(c) In any suit against this College, no execution or attachment or
	19	process in the nature thereof shall be issued against the College, but any sums
	20	of money which may be judgment of the court be awarded against the College
	21	shall, subject to any direction given by the court where notice of appeal has
	22	been given by the College in respect of the said judgment, be paid by the
	23	College from its general fund.
	24	<b>(2) Service of Notices:</b>
	25	Service upon the College of any notice, order or other document may be
	26	effected by delivering the same or by sending it by registered post addressed to
	27	the Registrar and Secretary of the Council.
Interpretation	28	<b>26.-(1) In this Bill, unless the context otherwise requires-</b>
	29	"Campus" means any campus which may be established by the College;
	30	"College" means the College established pursuant to section 2 (1) (b) of this

- 1 Bill for the College;
- 2 "Council" means the Governing Council of the College established by
- 3 section 5 of this Bill;
- 4 "Functions" includes powers and duties;
- 5 "Graduate" means a person on whom a degree, other than an honorary
- 6 degree, has been conferred by the College and any other person as may be
- 7 designated as a graduate by the Council, acting in accordance with the
- 8 recommendation of the Senate; (Erroneously omitted)
- 9 "Minister" means the Hon. Minister of Education;
- 10 "Notice" means notice in writing;
- 11 "Officer" does not include the Visitor;
- 12 "Prescribed" means prescribed by statute or regulations;
- 13 "Professor" means a person designated as a Professor of the College in
- 14 accordance with provisions made in that behalf by statute or by regulations;
- 15 "Property" includes rights, liabilities and obligations;
- 16 "Provisional Council" means the provisional council appointed for the
- 17 College;
- 18 "Regulations" means regulations made by the Senate or the Council;
- 19 "Senate" means the Senate of the College established pursuant to section
- 20 2(1)(e) of this Bill;
- 21 "School" means a unit of closely related academic programmes;
- 22 "Statute" means a statute made by each College under section 10 of this Bill
- 23 and in accordance with the provisions of section 11 of this Bill, and
- 24 "the statutes" means all such statutes as are in force from time to time;
- 25 "Teacher" means a person holding a full-time appointment as a member of
- 26 the teaching or research staff of the College;
- 27 "Undergraduate" means a person registered as a student undergoing a course
- 28 of study for a first degree of the College or such other course in the College
- 29 as may be approved by the Senate as qualifying a student undergoing it for
- 30 the status of an under-graduate;



1 "College" means the Federal College of Agriculture, Shagari, Sokoto State  
2 established and incorporated by section I of this Bill.

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

Short title

10 27. This Bill may be cited as the Federal College of Agriculture,  
11 Shagari, Sokoto State Bill, 2020.

12 SCHEDULES

13 FIRST SCHEDULE

14 [Section 2(2)]

15 *Principal Officers of the College*

16 *The Provost*

17 1 -(1) There shall be a Provost of the College who shall be appointed  
18 by the Council in accordance with the provisions of this paragraph.

19 (2) Where a vacancy occurs in the post of a Provost, the Council shall:

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

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

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

26 (b) constitute a Search Team consisting of:

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

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

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

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

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

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

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

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

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

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

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

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

28 (ii) two members of the Senate,

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

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

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

7 (10) There shall be no sole administrator in the College.

8 (11) In any case of a vacancy in the office of the Provost, the Council  
9 shall appoint an acting Provost on recommendation of the Senate.

10 (12) An acting Provost in all circumstances shall not be in office for  
11 more than 6 months.

12 *Deputy Provost*

13 2.-(1) There shall be for the College such number of Deputy Provosts  
14 as Council may from time to time deem necessary for the proper administration  
15 of the College.

16 (2) Where a vacancy occurs in the post of Deputy Provost, the Provost  
17 shall forward to the Senate a list of two candidates for each post of Deputy  
18 Provost that is vacant.

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

22 (4) A Deputy Provost shall-

23 (a) assist the Provost in the performance of his functions;

24 (b) act in the place of the Provost when the post of the Provost is  
25 vacant or if the Provost is, for any reason, absent or unable to perform his  
26 functions as Provost; and

27 (c) perform such other functions as the Provost or the Council may,  
28 from time to time, assign to him.

29 (5) A Deputy Provost:

30 (a) shall hold office for a period of two years beginning from the

1 effective date of his appointment and on such terms and conditions as may  
2 be specified in his letter of appointment;

3 (b) may be reappointed for one further period of two years and no  
4 more;

5 (c) may be removed from office for good cause by the Council  
6 acting on the recommendations of the Provost and Senate; and

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

10 *Office of the Registrar*

11 3.-(1) There shall be for the College, a Registrar, who shall be the  
12 chief administrative officer of the College and shall be responsible to the  
13 Provost for the day-to-day administrative work of the College except as  
14 regards matters for which the Bursar is responsible in accordance with  
15 paragraph 6(2) of this Schedule.

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

19 *Other Principal Officers of the College*

20 4.-(1) There shall be for the College the following principal  
21 officers, in addition to the Registrar, that is:

22 (a) the Bursar; and

23 (b) the College Librarian,

24 who shall be appointed by the Council on the recommendation of the  
25 Selection Board constituted under paragraph 7 of this Schedule.

26 (2) The Bursar shall be the Chief Financial Officer of the College  
27 and be responsible to the Provost for the day-to-day administration and  
28 control of the financial affairs of the College.

29 (3) The College Librarian shall be responsible to the Provost for the  
30 administration of the College Library and the co-ordination of the library

1 services in the College and its campuses, colleges, schools, departments,  
2 institutes and other teaching or research units.

3 (4) Any question as to the scope of the responsibilities of the aforesaid  
4 officers shall be determined by the Provost

5 *Selection Board for other Principal Officers*

6 5.-(1) There shall be, for the College, a Selection Board for the  
7 appointment of principal officers, other than the Provost or Deputy Provost,  
8 which shall consist of:-

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

10 (b) the Provost;

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

12 (d) two members of the Senate.

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

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

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

24 *Resignation and Re-appointment*

25 8.-(1) Any officer mentioned in the foregoing provisions of this  
26 Schedule may resign his office:

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

29 (b) in any other case, by notice to the Council and the Council shall, in  
30 the case of the Provost, immediately notify the Visitor.

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

#### SECOND SCHEDULE

##### *Transitional provisions as to property, functions, etc.*

##### *Transfer of Property to College*

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

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

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

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

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

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

##### *Registration of transfers*

3. (1) If the law in force at the place where any property transferred by this Bill is situate provides for the registration of transfers of property of the kind in question (whether by reference to an instrument of transfer or otherwise), the law shall, so far as it provides for alterations of a register (but not for avoidance of transfers, the payment of fees or any other matter)

1 apply, with necessary modifications, to the property aforesaid.

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

6 *Transfer of Functions, etc.*

7 4.-(1) The first meeting of the Council shall be convened by the Pro-  
8 Chancellor on such date and in such manner as he may determine.

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

12 (3) The first meeting of the Senate as constituted by this Bill shall be  
13 convened by the Provost on such date and in such manner as he may determine.

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

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

(6) Persons who were Deans of schools and Heads of Academic Departments shall continue to be Deans or HODs of the corresponding School/Department, until new appointments are made in pursuance of the statutes.

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

1 to him as member of that staff or as such an employee.

2 THIRD SCHEDULE

3 [Section 9 (3)]

4 FEDERAL COLLEGE OF AGRICULTURE, SHAGARI, SOKOTO STATE

5 Statute No. 1

6 ARRANGEMENT OF ARTICLES

7 *Articles*

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

22 *The Council*

23 1.-(1) The composition of the Council shall be as provided in  
24 section 5 of this Bill.

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

28 (3) A member of the Council holding office otherwise than in  
29 pursuance of section 5 (a), (b), (c), or (d) of this Bill shall, unless he  
30 previously vacates it, vacate that office on the expiration of the period of



1 four years beginning with effect from 1 August in the year which he was  
2 appointed.

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

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

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

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

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

22 *The Finance and General Purposes Committee*

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

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

27 (b) the Provost and Deputy Provosts;

28 (c) six other members of the Council appointed by the Council, two of  
29 whom shall be selected from among the four members of the Council

1 appointed by the Senate and one member appointed to the Council by  
2 Congregation;

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

6 (e) the Executive Secretary of the Petroleum Technology  
7 Development Fund, or in his absence, such member of the Fund as he may  
8 designate to represent him.

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

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

12 *Annual budget and estimates, etc.*

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

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

19 (ii) The annual and supplementary estimates shall be prepared in  
20 such form and shall contain such information as the Council may direct.  
21 Gifts, donations, etc.

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

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

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

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

4 Payment into bank:

5 (6) All sums of money received on account of the College shall be  
6 paid into such bank as may be approved by the Council for the credit of the  
7 College's general, current or deposit account:

8 Provided that the Council may invest, as it deems fit, any money not  
9 required for immediate use other than donations of money referred to in  
10 subsection (1) of this section.

11 *Audit*

12 3.-(1) The Council shall cause the accounts of the College to be  
13 audited by auditors appointed by the Council as soon as may be after the end of  
14 each financial year or for any such other period as the Council may require.

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

18 *The Senate*

19 4. -(1) The Senate shall consist of:

20 (i) the Provost;

21 (ii) Deputy Provosts;

22 (iii) the Deans in the College;

23 (iv) the Professors in the College;

24 (v) Heads of Academic Departments and Units;

25 (vi) the College Librarian;

26 (vii) One elected representative of the College;

27 (viii) Two members of Academic Staff elected by the Congregation;

28 (ix) One elected representative of each department;

29 (x) Two members representing a variety of interests of the  
30 professional bodies outside the College appointed by the Senate on the

1 recommendation of the Provost;

2 (xi) Registrar - Secretary.

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

5 (3) The Provost shall be the chairman at all meetings of the Senate  
6 when he is present, and in his absence any of the Deputy Provosts present at  
7 the meeting as the Senate may appoint for that meeting shall be the chairman  
8 at the meeting.

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

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

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

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

25 (8) No election shall be held in pursuance of this article in any year  
26 if the number specified in the certificate given in pursuance to paragraph  
27 (11) of this article does not exceed by more than one the figure which is  
28 thrice the number of those elected members holding office on the date of the  
29 certificate who do not vacate office during that year in pursuance of  
30 paragraph (7) of this article.

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

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

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

13 *Congregation*

14 5. -(1) Congregation shall consist of:

15 (i) Provost;

16 (ii) the Deputy Provosts;

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

18 (iv) The Registrar;

19 (v) The Librarian;

20 (vi) Every member of the administrative staff who holds a degree,  
21 other than honorary degree, of any College recognized for the purposes of this  
22 statute by the Provost.

23 (2) Subject to section 4 of this Bill, the Provost shall be the chairman  
24 at all meetings of Congregation when he is present; and in his absence any of  
25 the Deputy Provosts present at the meeting as Congregation may appoint for  
26 that meeting, shall be the chairman at the meeting.

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

30 (4) A certificate signed by the Provost specifying:

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

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

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

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

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

15 *Convocation*

16 6. -(1) Convocation shall consist of:

17 (i) the officers of the College mentioned in the First Schedule to  
18 this Bill;

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

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

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

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

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

28 (3) Regulations shall provide for the establishment and  
29 maintenance of a register for the purpose of this paragraph and subject to  
30 paragraph (4) of this article may provide for the payment, from time to time,

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

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

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

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

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

18 (8) Subject to section 4 of the Act, the Chancellor shall be chairman at  
19 all meetings of Convocation when he is present, and in his absence the Provost  
20 shall be the chairman at the meeting.

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

24 *Division of the College*

25 7. The College shall be divided into such number of branches as may  
26 be prescribed.

27 *College Boards*

28 8.- (1) There shall be established in by the College, a Board of Studies  
29 which, subject to the provisions of this Statute, and subject to the directions of  
30 the Provost, shall:

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

3 (b) Deal with any other matter assigned to it by statute or by the  
4 Provost or by the Senate; and

5 (c) Advise the Provost or the Senate on any matter referred to it by  
6 the Provost or the Senate.

7 (2) The Board of Studies shall consist of:

8 (a) the Provost;

9 (b) the Dean;

10 (c) the persons severally in charge of the branches of the school;

11 (d) the College Examination Officer;

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

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

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

20 *Deans of the Colleges*

21 9.-(1) The Board of the College shall, at a meeting in the last term  
22 of any academic year which the term of office of the Dean expires, nominate  
23 one of its members, being one of the Professors assigned to that teaching  
24 unit, for appointment by the Senate as Dean of the College

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

29 (3) The Dean shall hold office for two years and shall be eligible for  
30 re-appointment one further period of two years. Thereafter he shall not be



1 eligible for re-appointment until two years have elapsed.

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

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

8 (6) There shall be a committee to be known as the Committee of  
9 Deans consisting of all the Deans of the several Colleges and that Committee  
10 shall advise the Provost on all academic matters and on particular matters  
11 referred to the College by the Senate.

12 (7) The Dean of a College may be removed from office for good cause  
13 by the College Board after a vote would have been taken at a meeting of the  
14 Board, and in the event of a vacancy occurring following the removal of a  
15 Dean, an acting Dean may be appointed by the Provost:

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

18 (8) In this article "good cause" has the same meaning as in section  
19 15(3) of the Act.

20 *Departmental Board of Studies*

21 10.-(1) there shall be a Departmental Board of Studies whose  
22 membership shall be made of all academic staff of the Department;

23 (2) It shall be headed by a Professor who shall be appointed by the  
24 Provost and in the absence of a Professor, a senior academic staff shall be  
25 appointed in acting capacity;

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

28 (4) The Board shall superintend over all teachings and examinations  
29 in the Department;

30 (5) The Board shall handle all disciplinary matters in the Department

1 and make recommendations to the College where necessary;

2 (6) Allocation of courses in the department shall be done by the  
3 Departmental Board on recommendation of the Head of Department.

4 *Selection of Directors of Physical Planning and Development,*  
5 *Works and Services and Health*

6 11.-(1) When a vacancy occurs in the office of the Directors of  
7 Physical Planning and Development, Works and Services and Health, a  
8 Selection Board shall be constituted by the Council which shall consist of:

- 9 (a) the Pro-Chancellor;  
10 (b) the Provost;  
11 (c) two members appointed by the Council, not being members of  
12 the Senate;  
13 (d) Two members appointed by the Senate.

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

18 *Tenure of Directors*

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

22 *Creation of Academic Posts*

23 13. Recommendations for the creation of academic posts other  
24 than principal officers shall be made by the Senate to the Council through  
25 the Finance and General Purposes Committee.

26 *Appointment of Academic Staff*

27 14.-(1) Subject to the Act and statutes, the filling of vacancies in  
28 academic posts (including newly created ones) shall be the responsibility of  
29 the Council through the Departments and Colleges.

30 (2) For the purpose of filling such vacancies, suitable selection

1 boards to select and make appointments on behalf of the Council shall be set  
2 up.

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

6 (a) the Provost - Chairman;

7 (b) Deputy Provost - Member;

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

9 (d) Head of Department - Member;

10 (e) such other person(s), not exceeding two in number, deemed  
11 capable of helping the Board in assessing both the professional and academic  
12 suitability of a candidate under consideration, as the Senate may from time to  
13 time appoint;

14 (f) Registrar - Secretary.

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

17 (a) the Provost or his representative- Chairman;

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

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

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

22 (e) Registrar or his representative - Secretary.

23 (5) All appointments to senior library posts shall be made in the same  
24 way as equivalent appointments in the academic cadre; and for all such posts  
25 other than that of the Librarian, the Librarian shall be a member of the Selection  
26 Board.

27 (6) Boards of Selection may interview candidates directly or consider  
28 the reports of specialist interviewing panels and shall in addition, in the case of  
29 Professorships, Associate Professorship, Readerships or equivalent Posts,  
30 consider the reports of External Assessors relevant to the area in which the

1 appointment is being considered. Quorum shall be three (3) including the  
2 Chairman.

3 *Appointment of Administrative and Professional Staff*

4 15.-(1)The administrative and professional staff of the College  
5 other than principal officers shall be appointed by the Council or on its  
6 behalf by the Provost in accordance with delegation of powers made by the  
7 Council on its behalf.

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

9 (i) Provost;

10 (ii) Deputy Provost;

11 (iii) Registrar;

12 (iv) Bursar;

13 (v) College Librarian;

14 (vi) The Head of Department concerned;

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

17 *Interpretation*

18 16. In this Statute, the expression "the Act" means the Federal  
19 College of Agriculture, Shagari, Sokoto State Act and any word or  
20 expression defined in the Act has the same meaning in this Statute.

21 *Short Title*

22 17. This Statute may be cited as the Federal College of  
23 Agriculture, Shagari, Sokoto State Statute No. I.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal College of Agriculture Shagari,  
Sokoto State.