

Extraordinary



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1 other instrument prescribed in relation to tenure limit of Directors and
2 Permanent Secretaries in statutory corporations or otherwise provided for, and
3 such enactment, law or instrument shall be construed as provided under this
4 Bill with necessary modifications.

Citation 5 **3.** This Bill may be cited as Directors and Permanent Secretaries
6 Tenure Limit Bill, 2019.

EXPLANATORY MEMORANDUM

This Bill seeks to provide for a specific tenure for Directors and Permanent Secretaries of Statutory Corporations.

A BILL

FOR

AN ACT TO ESTABLISH THE NIGERIA SECURITY AND CIVIL DEFENSE CORPS
TRUST FUND AND FOR RELATED MATTERS

Sponsored by Hon Sulaiman Abubakar Gumi

[] Commencement

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

1 PART I - OBJECTIVE AND SCOPE

2 1. The objective of this Bill is to provide a legal framework for Objective
3 management and control of the special intervention fund established under
4 clause 3 of this Bill for training and retraining of personnel of the Nigeria
5 Security and Civil Defense Corps and for the enhancement of the skills of
6 the personnel of the Corps in the handling of operational equipment and
7 machines.

8 2. The Trust Fund established under clause 3 of this Bill covers all Scope
9 personnel of the Nigeria Security and Civil Defense Corps, including its
10 auxiliary staff in Nigeria and abroad for the overall improvement and
11 efficiency in the discharge of their duties and responsibilities.

12 PART II - ESTABLISHMENT AND MANAGEMENT OF THE NIGERIA
13 SECURITY AND CIVIL DEFENSE CORPS TRUST FUND

14 3.-(1) There is established a Fund to be known as the Nigeria and Establishment of
15 Civil Defense Corps Trust Fund (in this referred to as "the Trust fund"). the Nigeria Security
Corps Trust

16 (2) The Trust Fund-

17 (a) shall be a body corporate with a common seal; and

18 (b) may sue and be sued in its corporate name.

19 4.-(1) The Fund shall comprise of- Composition of
20 the Fund

(a) A levy of 0.005% of the net profit of all multinational firms and
21 oil companies operating business in Nigeria;

Purpose of
the Fund

1 (b) Any take-off grant and special intervention funds as may be
2 provided by the federal, state and Local Government of the Federation;

3 (c) Such moneys as may be appropriated by the National Assembly to
4 meet the objectives of this Bill in the National budget;

5 (d) Aids, grants and assistance from international bilateral and
6 multilateral agencies, non-governmental organization and the private sectors;

7 (e) Grants, donations, endowments, bequests and gifts, whether of
8 money, lands or any other property whatsoever, from any source; and

9 (f) Monies derived from investment made by the Trust Fund.

10 (2) The sources of monies referred to in paragraphs (d) and (e) of sub-
11 clause (1) of this clause shall be acceptable to the Trust Fund except where the
12 terms and conditions attached to an aid, grants donation or gift are consistent
13 with the objective of the Trust Fund and the provisions under this Bill.

14 **5.** The purpose of the trust Fund shall be-

15 (a) to meet the training and re-training needs of the personnel of the
16 Nigeria Security and Civil Defense Corps and its auxiliary staff within and
17 outside Nigeria;

18 (b) for the enhancement of skills of the personnel of the Nigeria
19 Security and Civil Defense Corps and its auxiliary staff for improved
20 proficiency in the use of operational equipment and machineries;

21 (c) for the overall improvement, performance and efficiency in the
22 discharge of the duties and responsibilities of the Nigeria Security and Civil
23 Defense Corps;

24 (d) for the purchase of equipment, machineries, including operational
25 vehicles for the Nigeria Security and Civil Defense Corps;

26 (e) for the construction of notice stations, provision of living
27 facilities, such as quarters or barracks for the Nigeria Security and Civil
28 Defense Corps;

29 (f) to finance the procurement of books, instructional materials,
30 training equipment for use at the Nigeria Security and Civil Defense Corps

1 learning centers and such other similar training institutions;
2 (g) to meet the cost of participation by the personnel of the Nigeria
3 Security and Civil Defense Corps at seminars and conferences relevant to or
4 connected with security or civil defense; and

5 (h) for such other purposes incidental to or connected with the
6 attainment of objective of this Bill.

7 **6.** The Trust fund shall-

Functions of the
Trust Fund

8 (a) receive all monies accruing to the Trust Fund under the
9 provision of this Bill;

10 (b) utilize all monies accruing to the Trust Fund under this Bill to
11 meet the stated objectives of this Bill; and

12 (c) carry out such other activities as considered necessary for the
13 attainment of the objectives of this Bill.

14 **7.-** (1) There is established for the Trust Fund, a Management
15 Board (in this Bill referred to as "the Board") which shall consist of-

Membership of
the Board

16 (a) A chairman who shall-

17 (i) be a person with good knowledge in finance and administrative
18 matters;

19 (ii) have qualifications and experiences as are required to perform
20 the functions of the office under this Bill.

21 (b) 6 persons, each representing a geo-political zone in the country;

22 (c) a representative each of the following Federal ministries, who
23 shall not be below the rank of a Director-

24 (i) Interior; and

25 (ii) Finance.

26 (d) a representative of the Nigeria Security And Civil Defence
27 Corps whose rank shall not be lower Deputy Commandant General; and

28 (e) the Executive Secretary, who shall be the Secretary to the
29 Board.

30 (2) the membership of the board shall reflect the six geo-political

1 zones of the federation.

2 (3) the members of the Board shall-

3 (a) be persons with considerable experience from both the public and
4 private sectors to represent the business, financial and education sectors;

5 (b) be appointed by the president on the recommendation of the
6 Minister;

7 (c) other than the ex-official members, each member shall hold office
8 for a term of 4 years in the first instance and may be eligible for reappointment
9 for a further term of 4 years and no more;

10 (d) be paid such remuneration and allowances as may be determined
11 by the Board in consultation with the National Salaries and Wages
12 Commission.

13 (4) The Board shall meet for the conduct of its ordinary meetings 4
14 times in a calendar year.

15 (5) Notwithstanding the provisions of sub-clause (4) of this Clause,
16 the Board may meet to conduct such other business as exigency demands.

17 (6) The supplementary provisions contained in the Schedule to this
18 Bill shall have effect with respect to the proceedings of the Board and other
19 matters contained therein.

Resignation of
a Member

20 **8.** A Member, other than ex-officio member, may resign his
21 appointment by a notice in writing, under his hand, addressed to the President.

Cessation of
Membership

22 **9.** A member of the Board of Trustees shall cease to hold office if he-

23 (a) becomes of unsound mind;

24 (b) becomes bankrupt or makes compromises with his creditors;

25 (c) is convicted of a felony or any offence involving dishonesty; or

26 (d) is guilty of corrupt practices or misconduct in relation to his duties.

27 (2) A member of the Board may be removed from office by the
28 President if he is satisfied that it is not in the interest of the Trust Fund or the
29 public that the Member should continue in that office.

30 (3) Where a vacancy occurs in the membership of the Board, it shall

1 be filled by the appointment of a successor to hold office for the remainder of
2 the term of office of his predecessor, so that the successor shall represent the
3 same interest and shall be appointed by the President.

4 **10.** Notwithstanding the provisions of clauses 8 and 9 of this Bill,
5 the President may remove a member from the Board if any circumstance
6 which borders on corruption and other activities that negates the interest and
7 security of the nation would require the removal of member from the Board.

Removal from
Office of a
Member

8 **11.** The board shall be responsible for-

Functions of the
Board

9 (a) setting out the policies and programs for the training and re-
10 training of personnel of the Nigeria Security and Civil Defense Corps and its
11 auxiliary staff in Nigeria and abroad in accordance with purpose of this Bill;

12 (b) approving the disbursement of monies from the Fund to finance
13 projects or activities of the Nigeria Security and Civil Defense Corps and its
14 institutions;

15 (c) scrutinizing and approving projects which qualify for financing
16 under the Bill;

17 (d) exercising control over the management of the Fund with a
18 view to ensuring accountability and proper utilization of money in the Fund
19 for the purposes set out in this Bill;

20 (e) carrying out such other activities as are considered necessary
21 for the attainment of the objectives of this Bill;

22 (f) updating the Federal Government on its activities and progress
23 through annual and audited reports;

24 (g) reviewing progress and suggesting improvement within the
25 provisions of this Bill;

26 (h) making and issuing guidelines, from time to time, to all
27 beneficiaries on disbursement of monies from the Fund; and

28 (i) generally regulating the administration, application and
29 disbursement of monies from the Fund under this Bill.

Powers of the
Board

- 1 **12.** The Board shall have the powers to-
- 2 (1) (a) award contracts of any kind or description for any amount,
- 3 whether in local or foreign currency in conformity with the due process
- 4 requirements as provided under the law, rules, guidelines or regulations; and
- 5 (b) invest monies accruing to the Trust Fund and approve the
- 6 utilization of the returns on investment in the same way as monies accruing to
- 7 the Trust Fund.
- 8 (2) In the discharge of its functions under this Bill, the Board shall-
- 9 (a) through the Ministry, identify the funding needs of the various
- 10 institutions belonging to the Nigeria Security and Civil Defense Corps for the
- 11 enhancement of the performance of the Nigeria Security and Civil Defense
- 12 Corps;
- 13 (b) enter into contractual arrangements of the purpose of executing of
- 14 approved projects on behalf of the Trust Fund;
- 15 (c) oversee the implementation of projects financed through monies
- 16 accruing to the Trust Fund; and
- 17 (d) enter into public-private partnership and private finance initiative
- 18 arrangements and agreements necessary for project execution.

Establishment
of the Nigeria
Security and
Civil Defense
Corps

- 19 **13.**-(1) for the purpose of implementing any project approved by the
- 20 Board under this Bill, there is established the Nigeria Security and Civil
- 21 Defence Corps Trust Implementation Committee (in this Bill referred to as the
- 22 "Implementation Committee")
- 23 (2) The implementation Committee established under sub-clause (1)
- 24 of this Clause is comprised of the Minister, who shall be the Chairman of the
- 25 Committee; and
- 26 (3) such other member, not exceeding six in number, with proven
- 27 integrity to be appointed by the Board.
- 28 (4) The Implementation Committee is responsible to the Board in the
- 29 execution of duties and responsibilities assigned to it by the Board.

1 PART III - STAFF OF THE TRUST FUND

2 14.-(1) The Executive Secretary of the Trust Fund shall be Appointment of
3 appointed by the President on the recommendation of the Minister. the Executive
4 Secretary and
5 other Staff of the
6 Trust Fund

7 (2) The Executive Secretary shall-
8 (a) be a person of unquestionable character and integrity; and
9 (b) have qualifications and experience as are appropriate for a
10 person required to perform the functions of that office under this Bill; and

11 (3) The Executive Secretary shall hold office-
12 (a) for a term of four years in the first instance and may be eligible
13 for re-appointment for another term of four years and no more; and
14 (b) on such other terms and conditions as may be specified in his
15 letter of appointment.

16 15. The Executive Secretary shall- Functions of the
17 Executive Secretary

18 (a) be the Chief Executive and Accounting Officer of the Trust
19 Fund;

20 (b) be responsible for the day to day administration of the Trust
21 Fund;

22 (c) be Secretary to the Board;

23 (d) keep proper records of the proceedings of the Board;

24 (e) work closely with the Implementation Committee established
25 under Clause 13 of this Bill in carrying out such duties and responsibilities
26 as may be assigned by the Board;

27 (f) be in charge of the general direction and control of all other
28 employees of the Trust Fund; and

29 (g) carry out such other duties as may be requested of him by the
30 Board.

31 16.-(1) Notwithstanding the provisions under clause 14 of this Bill, Removal of the
32 the Executive Secretary may be removed from office by the President where Executive
33 any circumstances arises which in the opinion of the President makes the Secretary
34 Executive Secretary no longer capable of carrying out the duties and

1 responsibilities of the office.

2 (2) A person appointed as the Executive Secretary upon the removal
3 of an Executive Secretary under sub-clause (1) of this Clause shall serve the
4 unexpired period of the term of his predecessor in office or the remainder of the
5 term of the Trust Fund, whichever is shorter.

Staff of the
Trust Fund

6 17.-(1) The Board may appoint such other members of the staff in the
7 opinion of the Board to be staff of the Board necessary to assist the Trust Fund
8 in carrying out its functions under this Bill.

9 (2) The terms and conditions of the service (including terms and
10 conditions as to the remuneration, payment of allowances, and other benefits)
11 of persons employed by the Board for the Trust Fund shall be in line with the
12 general conditions of service as obtainable in the Public Service of the
13 Federation.

14 (3) The Board shall have power to appoint, either on transfer or on
15 secondment from any public service of the federation, such number of
16 employees required for the effective discharge of the duties and function of
17 Trust Fund under this Bill.

Severance
Allowance

18 18. Service in the Trust Fund shall be for the Duration of the Trust
19 Fund and accordingly employees of the Trust Fund, in respect of their service
20 as shall be entitled to other retirement benefits and severance allowances as
21 shall be approved by the Board.

22 PART IV - FINANCIAL PROVISIONS

Financial
Provisions for
the Management
of the Fund Trust

23 19. There is established under this Bill a general Fund for the day to
24 day Administration of the Trust Fund comprising of-

25 (a) annual budgetary allocation appropriated by National Assembly
26 for the management of the Trust Fund

27 (b) take-off grants such other monies as may from time to time be
28 made available to the Trust Fund to meet the cost of Administration; and

29 (c) all other monies which may from time to time to be made available
30 for the running of the trust Fund.

- 1 **20.**-(1) There shall be maintained for the Trust Fund an account Accounts of Trust
2 into which shall be paid all monies accruing to the Trust Fund in line with the Fund
3 provisions of Clause 4 of this Bill.
- 4 (2) The Board shall also open and maintain an account into which
5 shall be paid monies received for management of the Trust Fund by virtue of
6 the provision of clause 23 of this Bill.
- 7 (3) The accounts referred to in sub-clause (1) and (2) of this Clause
8 shall be managed in accordance with the extant financial regulations.
- 9 (4) The Board shall from time to time-
- 10 (a) apply the proceeds of the Trust Fund established under Clause 3
11 of this Bill for purpose set out in Clause 5 of the Bill; and
12 (b) apply the proceeds of the monies referred to in sub-clause (2) of
13 this clause to meet the cost of administration, including payment of salaries,
14 fees and other remunerations and allowances payable to members of the
15 Board and employees of the Trust Fund, and payment of experts,
16 professionals and consultants engaged by the Board for the Trust Fund.
- 17 **21.** The Board shall not later than 30th June of every year submit Budgetary
18 to the Minister an estimate of its income and expenditure during the Provisions and
19 succeeding year. Estimates
- 20 **22.** The Board shall cause to be kept for the Trust Fund proper Annual Estimate
21 accounts and records and when certified by the Board, these accounts shall Account and Audit
22 be audited by auditors appointed from the list and in accordance with the
23 guidelines supplied by the Auditor-General of the Federation.
- 24 **23.**-(1) the Trust Fund shall be exempted from the payment of Exemption from
25 income tax on any income accruing from investments made by the Trust Tax
26 Fund or otherwise how so ever.
- 27 (2)The provisions of any enactment relating to the taxation of the
28 companies or trust funds shall not apply to the Trust Fund.
- 29 PART V - SUBMISSION OF REPORTS AND SUPPLEMENTARY PROVISIONS
- 30 **24.** The Board shall at the end of every three months submit to the Quarterly Reports

	1	President a report on its activities and on the administration of the Trust Fund.
Annual Report	2	25. The Board shall not later than three months before end of each
	3	year submit to the President a report on the activities and administration of the
	4	Trust Fund during the preceding year and, shall include in such reports the
	5	Auditor's report thereon.
Power of the President to issue Directives	6	26. The President may give to the Board directives of a general nature
	7	with regard to the exercise by the Board of its functions under this Bill for
	8	compliance by the Board.
Regulations	9	27. The Board may, with the prior approval of the President make
	10	such regulations as deemed necessary or expedient for giving full effect to the
	11	provisions of this Bill.
Interpretation	12	28. In this Bill-
	13	"Board" means the Nigeria Security and Civil Defense Corps Trust Fund
	14	Management Board, established under Clause 6 of this Bill;
	15	"Trust Fund" means the Nigeria Security and Civil Defense Corps Trust Fund
	16	established under clause 3 of this Bill;
	17	"Minister" means the Minister charged with responsibility for Interior and the
	18	Ministry shall be construed accordingly;
	19	"Personnel" means officers and men of the Nigeria Security and Civil Defense
	20	Corps, its auxiliary staff and all of its staff, employees or officers within and
	21	outside Nigeria.
Citation	22	29. This Bill may be cited as the Nigeria Security and Civil Defense
	23	Corps Trust Fund (Establishment) Bill, 2019.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Nigeria Security and Civil Defense Corps Trust Fund to among others things, galvanize and make available funds for the training and retraining of the personnel of the Corps, provide State of Art Security equipment and machineries to improve the general welfare of the personnel of the Corps and enhance their capacity and ability to effectively discharge their constitutional responsibility of providing security to the Nigerians and Public infrastructure.

1 SCHEDULE

2 (Clause 7)

3 SUPPLEMENTARY PROVISIONS ELATING TO THE BOARD PROCEEDINGS

4 1. Subject to the provisions of this Bill and section 27 of the
5 Interpretation Act, the Board may make standing orders regulating its
6 proceedings or those of its committee.

7 2. The quorum of the Board shall be the Chairman and ten other
8 members, and the Board shall determine the quorum of any committee.

9 3. The Board shall meet not less than four times in each year and
10 subject thereto the Board shall meet whenever it is summoned by the
11 Chairman, or if the Chairman is required to do so by notice given to him by
12 not less than Ten members of the Board, he shall summon a meeting of the
13 Board to be held within fourteen days from the date on which the notice was
14 given.

15 4. At any meeting of the Board, the chairman shall preside but in
16 his absence, the members present at the meeting shall appoint one of them to
17 preside at the meeting.

18 5. Where the Board desires to obtain the advice of any person on a
19 particular matter, the Board may co-opt the person to the Board for such
20 period as it thinks fit, but a person who is in attendance by the virtue of this
21 sub-paragraph is not entitled to vote at any meeting of the Board and does
22 not count towards a quorum.

23 6. All members of the Board shall have equal rights and privileges,
24 and where there is equality in vote, the Chairman shall have a casting vote.

25 *Committees*

26 7. The Board may appoint such number of committees to carry out,
27 on behalf of the Board such of its functions as the Board may, from time to
28 time, determine.

29 8. A committee appointed under paragraph 7 of this schedule shall
30 consist of such number of persons (not necessarily members of the Board) as

1 may be determined by the Board, and the person, other than a member of the
2 Board, shall hold office on the committee in accordance with the terms of his
3 appointment.

4 9. A decision of a committee of the Board shall be of no effect until it
5 is confirmed and or ratified by the Board.

6 *Miscellaneous*

7 10. The fixing of the seal of the Fund shall authenticated by the
8 signature of the Chairman or of any other person authorized generally or
9 specially to act for that purpose by the Board.

10 11. Any contract or instrument made or executed by a person not
11 being a body corporate, that would not be required to be under seal may be
12 made or executed on behalf of the Board by the Chairman or any person
13 generally or specifically authorized to act for that purpose by the Board.

14 12. Any document purporting to be a document duly executed under
15 the seal of the Trust Fund shall be received in evidence and shall, unless, and
16 until the contrary is proved, be presumed to be so executed.

17 13. The validity of any proceeding of the Board or of a committee
18 thereof shall not be adversely affected by any vacancy in the membership of the
19 Board or committee, or by any defect in the appointment of a member of the
20 Board or a committee, or by reason that a person not entitled to do so took part
21 in the proceedings of the Board or committee.

NIGERIAN NATIONAL HEROES BILL, 2019

ARRANGEMENT OF CLAUSES

1. Objectives and Purpose of the Bill
 2. Designation of heroes
 3. Values and Principles
 4. Call for nomination and selection
 5. Procedure for nomination
 6. Public Consultation
 7. Eligibility and certain restrictions on persons in Government
 8. Investiture
 9. Nigerian National Heroes Register
 10. The Register and power to inscribe therein names of the first national heroes
 11. Power to direct registration, etc.
 12. Chief Registrar, etc.
 13. Forms of recognition and honour of national heroes
 14. Withdrawal of Honours
 15. Regulations
 16. Repeal of the Nigerian National Heroes Register Act
 17. Interpretation
 18. Short title
- Schedules

A BILL

FOR

AN ACT TO REPEAL THE NIGERIAN NATIONAL HEROES REGISTER ACT CAP N121 LFN 2004 AND ENACT THE NIGERIAN NATIONAL HEROES ACT TO PROVIDE FOR THE RECOGNITION OF HEROES, RE-ESTABLISH THE NIGERIAN HEROES REGISTER AND CRITERIA FOR THE IDENTIFICATION, CATEGORIES, SELECTION AND HONORING OF NATIONAL HEROES AND FOR RELATED MATTERS

Sponsored by Hon. Sulaiman Abubakar Gumi

[] Commencement

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

- | | |
|--|---|
| <p>1 1.-(1) The objective of this Bill is to repeal the Nigerian National</p> <p>2 Heroes Register Act Cap N121 LFN 2010 and to provide a more robust legal</p> <p>3 framework for the recognition and honour of national heroes in Nigeria.</p> <p>4 (2) A person shall be considered a hero for purposes of this Bill</p> <p>5 where the person has positively contributed selflessly and sacrificed for the</p> <p>6 country in any of the categories set out in the First Schedule.</p> | <p>Objectives and Purpose of the Bill</p> |
| <p>7 2. Where the Council of State (in this Bill referred to as the</p> <p>8 Council) upon receipt of a nomination of citizens who are alive or dead and</p> <p>9 have acted to deserve well of our country on account of his outstanding,</p> <p>10 distinctive and distinguished service to Nigeria, The President may, by</p> <p>11 notice in the gazette, designate and register such person as a national hero of</p> <p>12 Nigeria.</p> | <p>Designation of heroes</p> |
| <p>13 3. In the exercise of its functions, the Council shall have regard to</p> <p>14 the following national values and principles of governance-</p> <p>15 (a) patriotism, national unity, sharing and devolution of power, the</p> <p>16 rule of law, democracy and participation of the people;</p> <p>17 (b) human dignity, equity, social justice, inclusiveness, equality,</p> | <p>Values and Principles</p> |

	1	human rights, non-discrimination and protection of the marginalized;
	2	(c) good governance, integrity, transparency and accountability;
	3	(d) sustainable development.
Call for nomination and selection	4	4. The Council may, from time to time, by notice published in the print
	5	and electronic media, call for proposals for nomination of suitable persons to
	6	be recommended for designation as national heroes.
Procedure for nomination	7	5.-(1) The nomination for consideration of a person as national hero
	8	may be made by any citizen of Nigeria to the Council.
	9	(2) Every nomination under this section shall be in writing, addressed
	10	to the Secretary to the Government of the Federation and shall set forth, in
	11	respect of each person nominated-
	12	(a) his full names an address;
	13	(b) his biographical data;
	14	(c) his personal attainments and specific contributions to national
	15	achievements; and
	16	(d) such other particulars as would, in the opinion of the person
	17	making the nomination, assist the Council in arriving at a determination in the
	18	case.
Public Consultation	19	6.-(1) The Council shall, by notice in at least two national newspapers,
	20	publish the names of all persons proposed to be declared as national heroes
	21	under this Bill.
	22	(2) A notice under subsection (1) shall-
	23	(a) specify the names of the persons proposed to be so designated;
	24	(b) set out a brief summary of the achievement for which such
	25	designation is proposed to be made; and
	26	(c) invite objections and representations from members of the public
	27	who are of the opinion that the proposed honour is not deserved.
	28	(3) The Council shall consider all objections and representations
	29	received pursuant to subsection 2(c) and draw up a final list of the persons
	30	confirmed as qualified to be designated as heroes, which it shall forward the

1 president for such declaration.

2 (4) The names of all persons designated heroes shall be notified by
3 the President by notice in gazette.

4 7.-(1) No citizen of Nigeria shall be nominated for consideration as
5 national hero unless the following conditions are satisfied, that is to say- Eligibility and
certain restrictions
on person in
Government

6 (a) he shall have rendered continuous service of a public nature
7 (whether or not in the public services in the Federation) for a period of not
8 less than ten years;

9 (b) he shall have been or have been a person of undoubted integrity;

10 (c) he shall have achieved distinction in his chosen occupation,
11 profession calling or in any field of human endeavor whatsoever; and

12 (d) if alive, he shall not be less than fifty years old and, if dead he
13 shall not have died before 1st January 1914.

14 (2) Notwithstanding subsection (1) of this section, a person
15 holding any executive, legislative or judicial office in the government of the
16 federation or in any State or local government shall not be nominated for
17 consideration as a national hero while holding any such office and shall
18 continue to be so ineligible for nomination, until his death or until after the
19 expiration of a period of five years upon his ceasing to hold such office,
20 whichever is earlier:

21 Provided that where a person who ceased to hold office for such
22 period or longer period is thereafter re-elected or, as the case may be,
23 appointed to again hold any such office, the period of five years
24 aforementioned shall be computed from the time he ceased finally to hold
25 any such office.

26 8.-(1) all heroes under this Bill shall be invested with the honour by Investiture
27 the President at a public ceremony.

28 (2) The investiture of heroes shall take place during the
29 Independence Day, celebrated on the 1st of October in each year, and the
30 person(s) so inaugurated shall be awarded the certificate set out in the

1 Second Schedule of this Bill.

2 (3) The honours proposed by this Bill may be awarded during the
3 lifetime of the hero or posthumously.

Nigerian National
Heroes Register

4 **9.**-(1) There is established a register to be known as the Nigerian
5 National Heroes Register (in this Bill referred to as "the register") in which
6 shall be inscribed in a permanent form, the names of citizens of Nigeria
7 (whether alive or dead) deserving a place of honour in Nigeria's history.

8 (2) The Register shall be kept within the premises of the Secretary to
9 the Government of the Federation and the National Library and shall, subject to
10 such conditions necessary for the securing of its safety and preservation as may
11 be prescribed by the President, be open to members of the public.

The Register
and power to
inscribe therein
names of the
first national
heroes

12 **10.**-(1) The Register shall be divided into two parts, namely-

13 (a) the first part for persons who are dead; and

14 (b) the second part for living persons and which shall not, at anytime,
15 contain more than five names.

16 (2) Notwithstanding any other provisions of this Bill, the persons
17 mentioned in the Schedule to this Act are hereby declared as national heroes
18 and, accordingly, their names shall, as soon as may be after the commencement
19 of this Bill, be inscribed in the first part of the Register, without further
20 assurance but for this Bill.

21 (3) The President shall, as occasion may demand, by order published
22 in the Federal Gazette, add to the list in the said schedule the names of other
23 persons who may, from time to time, be declared as national heroes and whose
24 names have been duly inscribed in the Register.

Power to direct
resignation, etc.

25 **11.**-(1) Where the Council upon receipt of a nomination is of opinion
26 that the circumstances are such to render it expedient that the name of the
27 person concerned should be inscribed in the Register, the Council shall advise
28 the President accordingly, and the President may thereafter give such
29 directions relative thereto, as he may, in his discretion, think fit:

30 Provided that the President shall not direct the inclusion of the name

1 of a living person in the Register if there are already not less than five names
2 of other living persons in the relevant part of the Register.

3 **12.-(1)** The Secretary to the Government of the Federation shall be Chief Registrar, etc.
4 the Chief Registrar and shall, subject to the provisions of this Bill, do or
5 cause to be done, all such things as may be necessary for the purposes of this
6 Bill.

7 (2) In pursuance of subsection (1) of this section, the Secretary to
8 the Government of the Federation may designate such number of public
9 officers to be Registrars to assist him in the discharge of his functions and the
10 due administration of the provisions of this Bill.

11 **13.-(1)** A person declared a hero under this Bill shall be entitled to Forms of
12 the following privileges, among others- recognition and
and honour of
national heroes

13 (a) invitations to national and community functions as a state guest

14 (b) having cultural festivals, concerts exhibitions and sports events
15 organized in their honour;

16 (c) having towers, institutions, open parks in urban areas, roads,
17 streets estates, stamps and notable landmarks named after hero;

18 (d) the award of medals, insignia, commendations, certificates and
19 such other commemorative as may be determined by the Council from time
20 to time;

21 (e) the issuance of such postage stamps, scarves mementoes,
22 utensils, apparel and artifacts as may be determined by the Council from
23 time to time;

24 (f) the publication, of books depicting their respective roles in the
25 country's history or the social life of the society, which shall be part of the
26 educational curriculum; or

27 (g) being accorded financial assistance where their economic
28 circumstances warrant such assistance.

29 (2) in furtherance to the provisions of subsection (1), the
30 Government may, from time to time, accord national heroes who are in need

- 1 of assistance-
- 2 (a) the highest attainable standard of health care services, including
- 3 reproductive health care;
- 4 (b) accessible and adequate housing and reasonable standards of
- 5 sanitation;
- 6 (c) adequate food of acceptable quality;
- 7 (d) clean and safe water in adequate quantities;
- 8 (e) social security;
- 9 (g) free education for their dependants up to school-going age up to
- 10 tertiary level;
- 11 (h) free transport to public functions to which they are invited within
- 12 the country and;
- 13 (I) Employment opportunities for their dependants who have relevant
- 14 qualifications.

Withdrawal of
Honours

- 15 **14.**-(1) The Council may, on its own motion or upon receipt of
- 16 allegations of misconduct by a hero from any person or institution, appoint a
- 17 committee of its members to investigate the allegations and make a report to its
- 18 members to investigate the allegations and make a report to it within a specified
- 19 period.
- 20 (2) The Committee shall conduct its investigations within the time
- 21 specified, and during the course of the investigation-
- 22 (a) may adduce evidence from the complaints or from any other
- 23 person to prove the allegations; and
- 24 (b) shall accord the person against whom the allegations are made a
- 25 chance to be heard in his own defence.
- 26 (3) Upon receipt and consideration of the report of the committee
- 27 under th this section, the Council may-
- 28 (a) caution or censure the person; or
- 29 (b) withdraw all the privileges attached to the designation of a hero

1 under this Bill and order the removal of the name of such person from the
2 Register.

3 (4) For the purposes of this section' "misconduct" includes
4 conviction by a court of law of a cognizable offence and sentence to a term of
5 imprisonment

6 **15.** The President may, after consultation with the Council, make Regulations
7 regulations as may be necessary for the purposes of this Bill and the due
8 administration thereof as may be necessary for the purposes of this Bill and
9 the due administration thereof and prescribe-

10 (a) the categories and classes of honours to be bestowed under this
11 Bill;

12 (b) the privileges attached to each honour specified under
13 paragraph (a);

14 (c) the procedure for the ceremony of investiture of honours;

15 (d) the symbols to signify investiture of honours;

16 (e) the criteria for identification, selection and designation of
17 heroes.

18 (f) day to be designated as the Nigerian Heroes Day

19 **16.** The Nigerian National Heroes Register Act Cap N121 Law of Repeal of the
20 the Federation of Nigeria 2010 is hereby repealed. Nigerian National
Heroes Register
Act

21 **17.** In this Bill, unless the context otherwise requires- Interpretation
22 "dependent" in relation to a Hero means-

23 (a) a child, including a step child or an adopted child;

24 (b) widow or widower; or

25 (c) any person not referred to in paragraph (a) or (b) who was
26 wholly or partly maintained by the hero at the time of the hero's death;

27 "hero or national hero" means a person designated and invested and invested
28 with such honour under the provisions of this Bill.

29 **18.** This Bill may be cited as the Nigerian National Heroes Bill, Citation
30 2019.

EXPLANATORY MEMORANDUM

This Bill seeks to repeal the Nigerian National Heroes Register Act Cap N121 LFN 2004 and enact the Nigerian National Heroes Act to Provide for the Recognition of Heroes, re-establish the Nigerian Heroes Register and Criteria for the Identification, Categories, Selection and Honoring of National Heroes.

FIRST SCHEDULE

S.1 (2)

No	CATEGORY	MERITS
1	STRUGGLE FOR LIBERATION	<ul style="list-style-type: none"> • Integrity • Commitment to the Nigerian Project • Courage • Selfness • Perseverance • Optimism • Decisiveness • Patriotism • Vision
2	ARTS	<ul style="list-style-type: none"> • Patriotism • Talent • Persistence • Creativity • Mentorship • Inspirational • Integrity • Vision • Commitment
3	SPORTS	<ul style="list-style-type: none"> • Patriotism • Talent • Inspirational • Mentorship • Vision • Discipline • Perseverance • Optimism • Integrity • Commitment • Competitiveness
4	PEACE AND/OR CONFLICT RESOLUTION	<ul style="list-style-type: none"> • Selflessness • Patriotism • Vision • Integrity • Commitment • Expertise • Inspirational • Reliability • Charisma

5.	PHILANTHROPY	<ul style="list-style-type: none"> • Patriotism • Vision • Integrity • Selflessness • Courage • Nationalism • Discipline • Commitment • Charisma
6.	STATEMANSHIP	<ul style="list-style-type: none"> • Patriotism • Vision • Integrity • Selflessness • Courage • Nationalism • Discipline • Commitment • Charisma
7.	ENTERPRENEUSHIP	<ul style="list-style-type: none"> • Patriotism • Talent • Innovative • Mentorship • Vision • Discipline • Perseverance • Optimism • Reliability • Commitment
8.	CULTURAL VALUE AND PRACTICES	<ul style="list-style-type: none"> • Patriotism • Vision • Integrity • Inspirational • Courage • Discipline • Commitment • Charisma
9.	PROFESSINALISM	<ul style="list-style-type: none"> • Patriotism • Talent • Innovative • Mentorship • Vision • Discipline

		<ul style="list-style-type: none"> • Perseverance • Optimism • Reliability • Commitment • Discovery • Inspirational • Expertise
10.	SPIRITUAL LEADERSHIP	<ul style="list-style-type: none"> • Patriotism • Vision • Integrity • Selflessness • Courage • Honesty • Discipline • Commitment • Charisma
11.	HUMAN RIGHTS	<ul style="list-style-type: none"> • Selfness • Patriotism • Vision • Integrity • Commitment • Courage • Inspirational • Reliability • Talent • Nationalism • Patience • Optimism • Innovation

SECOND SCHEDULE

S. 8(2)

CERTIFICATE OF DESIGNATION AS NATIONAL HERO

THIS IS TO CERTIFY THAT.....

HAS BEEN DULY RECOGNISED FOR HIS / HER REMARKABLE WORK AND SERVICE TO NIGERIA IN THE FIELD OF.....

AND BY THE POWER COFFERED ON ME AS PRESIDENT OF THE FEDERAL REPUBLIC OF NIGERIA AND THE NIGERIAN NATIONAL HEROES BILL 2019, HEREBY CONFER HIM/HER WITH THE STATUS OF NATIONAL HERO

THIS DAY.....

A BILL

FOR

AN ACT TO AMEND THE ELECTORAL ACT TO PROHIBIT MEMBERS OF THE NATIONAL ELECTORAL COMMISSION AND RESIDENT ELECTORAL COMMISSIONERS FROM ENGAGING IN PARTISAN POLITICS WITHIN FIVE (5) YEARS OF RETIREMENT, RESIGNATION AND OFFICIAL RELIEF OF DUTIES AND FOR RELATED MATTERS

Sponsored by Hon. Tasir Olawale Raji

[] Commencement

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

- 1 **1.** The Electoral Act (herein referred to as "The Principal Act") is Amendment of
2 hereby amended as set out hereunder. the Principal Act
- 3 **2.** The Principal Act is hereby amended by creating new Sub-
4 section 2 in Section 146 as follows:
- 5 (2) Notwithstanding (1) above, and anything to the contrary in any
6 enactment or law, a person who holds or has held office as a member of the
7 Commission appointed by the President by virtue of the 3rd Schedule, Part 1
8 (F) of the 1999 Constitution (as amended) and Resident Electoral
9 Commissioners appointed under the Act shall not, until after a period of five
10 years immediately after retirement, resignation or official relief of duties, be
11 qualified for any elective office in Nigeria.
- 12 **3.** This Bill may be cited as the Electoral Act (Amendment) Bill, Citation
13 2019.

EXPLANATORY NOTES

This Bill seeks to amend the Electoral Act to Prohibit Members of the National Electoral Commission and Resident Electoral Commissioners from engaging in Partisan Politics within five (5) years of Retirement, Resignation and Official Relief of Duties.

FOR

Sponsored by Hon. Tasir Olawale Raji

[] Commencement

1 **1.** The Labour Act (herein referred to as "The Principal Act") is Amendment of
2 hereby amended as set out hereunder. the Principal Act

S.8-(1) Every worker in Nigeria engaged or employed by and has remained in such employment for a period of not less than six months shall have his employment or engagement regularized by the Employer as a full and permanent staff of such employer with all its accompanying entitlements.

(2) Any Employer who disengages a worker after a period of six months from the date of first engagement without regularizing the worker's employment as in sub section 1 of this section shall at the date of disengagement pay to the worker full salary and all allowances and entitlements due to a permanent staff for six months as if the worker has been a permanent staff in the employment of the Employee for six months immediately preceding the date of disengagement provided the worker has not been found liable of any criminal act involving fraud resulting to financial loss to the company.

19 (3) Notwithstanding Section 23 of this Act, failure to comply with

1 the provisions of subsections (1) and (2) above is an offence and the employer:

2 (a) in the case of a natural person, shall be liable on conviction to a
3 fine not exceeding two million naira or to imprisonment for a period of two
4 years or to both such fine and imprisonment as the Court may deem fit without
5 prejudice to the right of the worker to his full entitlements as provided under
6 this section;

7 (b) in the case of a Corporate body, shall be liable on conviction to a
8 fine not exceeding two million naira or to imprisonment for a period of two
9 years for each director of the Company or to both such fine and imprisonment
10 as the Court may deem fit without prejudice to the right of the worker to his full
11 entitlements as provided under this section

12 **3.** The Principal Act is hereby amended by creating new Section 9 as
13 follows:

14 9 (1) notwithstanding Section 25 of this Act, an employer, who has
15 obtained the Minister's license, employment outsourcing by such employers
16 within its core aims and objectives of operation is hereby prohibited. It is an
17 offence for an employer to pay another person, whether corporate or natural
18 person for services rendered to it by its worker.

19 (2) Failure to comply with the provisions of subsection (1) above, the
20 employer shall be guilty of an offence and liable on conviction to:

21 (a) in the case of a natural person, shall be liable on conviction to a
22 fine not exceeding two million naira or to imprisonment for a period of two
23 years or to both such fine and imprisonment as the Court may deem fit without
24 prejudice to the right of the worker to his full entitlements as provided under
25 this section;

26 (b) in the case of a Corporate body, shall be liable on conviction to a
27 fine not exceeding two million naira or to imprisonment for a period of two
28 years for each director of the Company or to both such fine and imprisonment
29 as the Court may deem fit without prejudice to the right of the worker to his full
30 entitlements as provided under this section.

- 1 **4.** Section 91 (1) of the Principal Act is amended by inserting Amendment of
2 "regularized means to make regular a worker's employment" Section 91 (1)
- 3 **5.** The Principal Act is hereby amended by renumbering the
4 existing sections 8 to 92 of the Principal Act as sections 10 to 94 of the
5 Labour (Amendment) Bill, 2019.
- 6 **6.** This Bill may be cited as the Labour Act (Amendment) Bill, Citation
7 2019.

EXPLANATORY NOTES

This Bill seeks to amend the Labour Act to Prohibit and Criminalize
Casualization of Employment more than Six Months by Employers in
Nigeria, outsourcing employment in core areas of operation.

SERVICE COMPACT MANAGEMENT AGENCY BILL, 2019

ARRANGEMENT OF CLAUSES

Clause-

ESTABLISHMENT OF THE AGENCY AND THE GOVERNING BOARD

1. Establishment of the Agency
2. Establishment and Constitution of the Governing Board of the Agency
3. Tenure of Office of Members of Board
4. Cessation of Membership
5. Allowances of Members of Board

FUNCTIONS AND POWERS OF THE AGENCY

6. Functions and powers of the Agency
7. Powers of the Board

STRUCTURE OF THE AGENCY

8. Structure of the Agency

STAFF OF THE AGENCY

9. Staff of the Agency
10. Other Staff of the Agency
11. Staff pension

FINANCIAL PROVISIONS

12. Financial Provisions
13. Expenditure of the Agency
14. Gifts to the Agency
15. Power to Borrow
16. Annual Estimates and Expenditure
17. Quarterly Report
18. Annual Report

MISCELLANEOUS PROVISIONS

19. Request for Information and Records
20. Offices and Premises of the Agency

- 21. Directives by the President, etc
- 22. Limitation of Suits against the Agency
- 23. Services of Document
- 24. Restriction of Execution against Property of the Agency
- 25. Power to Make Regulations
- 26. Savings and Transition
- 27. Interpretations
- 28. Short title
- Schedule

A BILL

FOR

AN ACT TO ESTABLISH THE SERVICE COMPACT MANAGEMENT AGENCY (SERVICOM) FOR THE EFFECTIVE MANAGEMENT EXECUTION AND ENFORCEMENT OF SERVICE COMPACT WITH CITIZENS, SETTING, CONTROLLING, IMPLEMENTATION AND ENFORCEMENT OF SERVICE CHARTER AND STANDARDS, THE IDENTIFICATION AND FACILITATION OF RESOLUTION OF SERVICE FAILURES AND ENHANCEMENT OF CITIZENS SERVICE RIGHTS AND RESPONSIBILITIES IN NIGERIA AND FOR RELATED MATTERS

Sponsored by Hon. Chris Emeka Azubogu

[] Commencement

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

1 SERVICE COMPACT MANAGEMENT AGENCY (SERVICOM).

2 1.-(1) There is established for the Federation the Service Compact
3 Management Agency [SERVICOM] (in this Bill referred to as "the
4 Agency"). Establishment
of the Agency

5 (2) The Agency:

6 (a) shall be a body Corporate with perpetual succession and a
7 common seal and may sue and be sued in its corporate name; and

8 (b) acquire, hold, mortgage, purchase and deal howsoever with
9 property, whether movable or immovable, real or personal.

10 2.-(1) There is established for the Agency a Governing Board (in
11 this Bill referred to as "the Board"). Establishment
and Constitution
of Governing
Board of the
Agency

12 (2) The Board shall consist of:

13 (a) The President of the Federal republic of Nigeria as the
14 Chairperson;

15 (b) the Secretary to the Government of the Federation, or the
16 representative;

- 1 (c) the Head of the Civil Service of the Federation, or a representative;
- 2 (d) the Director-General Federal Competition and Consumer
- 3 Protection Commission or his representative not below the rank of Director;
- 4 (e) the Chief Commissioner of the Public Complaints Commission or
- 5 his representative not below the rank of Director;
- 6 (f) the Director General Ethics and Corporate compliance Institute of
- 7 Nigeria, or his representative not below the rank of Director;
- 8 (g) a representative each of the Organized Private Sector and relevant
- 9 Non-Governmental Organizations;
- 10 (h) a representative not below the rank of a Director of the Ministries
- 11 in charge of-
- 12 (i) Education;
- 13 (ii) Finance;
- 14 (iii) Water Resources;
- 15 (iv) Health;
- 16 (v) Internal Affairs;
- 17 (vi) Works and Housing; and
- 18 (vii) the Director-General of the Agency who shall also be the
- 19 Secretary of the Board.
- 20 (4) The members of the Governing Board shall be appointed by the
- 21 President.
- 22 (5) The Board shall from time to time elect from among its members a
- 23 vice-chairperson who shall in the absence of the chairperson have all the
- 24 powers and duties of the chairperson, and if neither the chairperson nor the
- 25 vice-chairperson is available, the Board shall nominate a person from their
- 26 own ranks to preside at that meeting.
- 27 (6) A member of the Governing Board shall-
- 28 (a) be a person of proven integrity;
- 29 (b) be not below the age of 25 (twenty-five) years;

1 (c) Have not less than 5 years cognate experience in public or
2 private service.

3 (7) The supplementary provision set out in the third schedule to
4 this Bill shall have effect with respect to the proceeding of the Board and
5 other related matters.

6 **3.-(1)** A member of the Board, holds office for a term of 4 (four) Tenure of office
of members of
Board
7 years.

8 (2) A member of the Board may be re-appointed at the expiry of his
9 or her term of office for a second term of 4 (four) years and no more.

10 (3) No person shall be appointed as a member of the Board if he or
11 she:

12 (a) is an un-discharged bankrupt;

13 (b) fails to comply or is not capable of fully complying with a
14 judgment or order, including an order for costs, given against him or her by
15 a court of law in a civil case;

16 (c) in the preceding 10 years has been convicted of an offence of
17 which fraud, violence, dishonesty, extortion or intimidation is an element; or

18 (d) is not permanently resident in the Federal Republic of Nigeria.

19 **4.-(1)** Membership of the Board shall cease and a member shall Cessation of
Membership
20 vacate his or her office if he or she-

21 (a) becomes subject to a disqualification contemplated in section
22 3(3) of this bill;

23 (b) becomes of unsound mind;

24 © is absent without the leave of the Secretary for more than four
25 consecutive meetings of the Board.

26 **5.** There shall be paid to every member of the Board such Allowances of
Members of
Board
27 allowances as the Agency may from time to time determine.

28 **FUNCTIONS AND POWERS OF THE AGENCY**

29 **6.-(1)** The Agency shall:

30 (a) formulate and implement or cause the implementation of policy Functions of
the Agency

1 on all activities related to improved public service delivery in Nigeria;

2 (b) develop, execute and oversee the management and effective
3 implementation of Federal Government's Improved Public Service Delivery
4 Initiative as expressed in the Service Compact With All Nigerians known as
5 "SERVICOM", contained in the First Schedule to this Bill;

6 (c) establish and coordinate the operations of the Agency's offices,
7 units and departments in all Federal Government Ministries, Departments and
8 Agencies (in this Bill referred to as "the MDAs");

9 (d) determine, establish and enforce Federal Government's standard
10 for quality service delivery with the use of SERVICOM Index contained in the
11 Second Schedule to this Bill as may be amended or modified by the Agency;

12 (e) develop all necessary curriculum and train the requisite human
13 resources and provide capacity building for effective and quality service
14 delivery by the MDAs in all matters related to or incidental to the
15 implementation of, compliance with and enforcement of this Bill;

16 (f) carry out and publish regular survey and assessment of both public
17 and private service delivery, and customer satisfaction;

18 (g) collate and regularly publish evaluation and performance results
19 to all MDAs;

20 (h) conduct and carry out public awareness and general
21 enlightenment about citizens' service rights responsibilities;

22 (i) establish a service improvement forum involving all the MDAs
23 and Citizens groups as well as other stakeholders;

24 (j) Establish administrative and operational manual for the operations
25 and management of the Agency;

26 (k) Co-ordinate and promote research activities on improved public
27 service delivery ;

28 (l) maintain effective collaboration with the governments at-

29 (i) all States of the Federation ;

30 (ii) the Federal capital Territory;

1 (iii) all Local Governments; and
 2 (iv) all Area Councils.
 3 (m) Perform such other functions as may be necessary to the
 4 effective implementation of this Bill.

5 (2) The Agency shall have the power to:

Powers of the
Agency

6 (a) Establish the guidelines or framework for the development of
 7 Service Charters by the Chief Executives of all the MDAs and Public
 8 Institutions in Nigeria;

9 (b) Issue guidelines to facilitate the resolution of service failures
 10 and related citizens' service complaints and grievances in all MDAs and
 11 Public Institutions in Nigeria;

12 (c) Issue Circulars and guidance on annual Service Improvement
 13 Plans for MDAs and Public Institutions in Nigeria;

14 (d) Conduct assessments and evaluations on whether any MDA,
 15 Public Institution or employee is in breach of any of the Service Compact
 16 principles or has occasioned 'service failure' as defined under this Bill;

17 (e) Recommend disciplinary actions against any MDA, Public
 18 Institution or person who in the opinion of the Agency is in breach of any
 19 provisions of this Bill, the Service Compact or has occasioned a service
 20 failure;

21 (f) With the approval of the Board, issue such Regulations as may
 22 be necessary for effective implementation of this Bill;

23 (g) Issue annual evaluation and performance ratings of all MDAs
 24 and make appropriate recommendation to the President and National
 25 Assembly; and

26 (h) Do such other things as are necessary to give effect to this Bill.

27 7.-(1) The Board of the Agency shall have powers to-

Powers of the
Board

28 (a) manage and superintend the affairs of the Agency;

29 (b) subject to the provisions of this Bill, make; alter, and revoke
 30 rules and regulations for carrying out the functions of the Agency;

1 (c) Approve and ensure enforcement of regulations relating to
2 effective implementation of this Bill;

3 (d) appoint either on transfer, secondment or leave of absence from
4 any public service of the federation or private sector, such number of
5 employees as may, in the opinion of the Board be required to assist the Agency
6 in the discharge of any of its functions under this Bill;

7 (e) Approve the payment to employees remunerations including
8 allowances as the Board may from time to time determine;

9 (f) Determine the terms and conditions of service including
10 remunerations of employees;

11 (g) subject to the provisions of this Bill, make staff regulations
12 relating generally to the conditions of service of employees of the Agency and
13 without prejudice to the generality of the foregoing, such regulations may
14 provide for:

15 (i) The appointment, promotion and disciplinary control including
16 dismissal of employee of the Agency; and

17 (ii) Procedure for appeals by such employees against dismissal or
18 other disciplinary measures.

19 (h) do such other thing which in the opinion of the Board are
20 necessary and expedient to ensure the efficient functions of the Agency.

Director General
to act in place
of the Board
where there is
no Board

21 (2) Notwithstanding anything contained in this Bill or in any other
22 enactment, where the Board is unable to perform its functions or exercise its
23 powers, for whatever reason, or where there is no Board in place, the Director
24 General or a person acting in that capacity, shall assume the powers of the
25 Board and act in that behalf.

STRUCTURE OF THE AGENCY

Structure of
the Agency

27 **8.-(1)** For the purposes of effective administration:

28 (a) The Agency is structured into directorates, operational
29 departments and offices as the Agency shall from time to time determine;

30 (b) There is established for the Agency the following Organs, whose

1 composition and responsibilities are as determined by the Agency-

2 (i) SERVICOM Departments; and

3 (ii) SERVICOM Training Institute.

4 (c) There is established for the Agency a dedicated cadre with the
5 service staff structure as contained in the fourth schedule to this Bill.

(2) The administrative and operational manual of the Agency shall spell out the functions, structure and operations of the directorates, operational departments, and offices of the Agency.

9 STAFF OF THE AGENCY

10	9.-(1) There shall be for the Agency, a Director General who shall	The Director General of the Agency
11	be appointed by the president.	

(2) The Director General shall be the Chief Executive and Accounting Officer of the Agency.

(3) The Director General is responsible for the general administration of the Agency.

16 (4) The Director General shall be-

(a) a fit and proper person, being a member of the Agency with suitable degree of skill and experience in the administration and management of public service delivery; and

20 (b) of proven integrity and ability.

(5) The Director General shall keep the records of proceedings and decisions of the Board and such other functions as the Board may from time to time direct.

(6) The Director-General shall hold office on such terms and conditions as are specified in his or her letter of appointment

26 **10.-(1)** The Board shall appoint for the Agency such number of Other staff of
27 employees as may in the opinion of the Board be expedient and necessary the Agency
28 for the proper and efficient performance of the functions of the Agency.

29 (2) The terms and conditions of service (including remuneration,
30 allowances, benefits and pensions) of the employees of the Agency shall be

	1	as determined by the Board.
Staff pension	2	11. Service in the Agency to be pensionable under the subsisting
	3	Pensions Act.
	4	FINANCIAL PROVISIONS
Fund of the Agency	5	12.-(1) There shall be established and maintained by the Agency, a
	6	Fund into which shall be paid and credited-
	7	(a) all allocations from the Federal Government;
	8	(b) such monies as may, from time to time, be lent, deposited or
	9	granted to the Agency by the Government of the Federation or of a State;
	10	(c) all Grants received from both local and international organization
	11	for the purpose of the Agency;
	12	(d) all monies received by the Agency as gifts, loans, testamentary
	13	deposition or donations; and
	14	(e) all other monies and assets which may accrue to the Fund from
	15	time to time.
	16	(2) The Fund shall be managed in accordance with rules and
	17	guidelines approved by the Board, which shall in particular include provisions-
	18	(a) Specifying the manner in which the assets of the Fund are to be
	19	held and regulating the making payments into and out of the Fund; and
	20	(b) Requiring the keeping of proper accounts and records for the
	21	purposes of the Fund in such form as may be specified in the rules.
Expenditure of the Agency	22	13. The Agency shall apply the proceeds of the fund established
	23	pursuant to Section 12 of this Bill-
	24	(a) to the cost of administration of the Agency;
	25	(b) to the payment of salaries, fees, remuneration, bills, rent;
	26	(c) allowances, pensions and gratuities payable to the members of the
	27	Board or any Committee of the Board and the employees of the Agency, so
	28	however that no payment of any kind under this paragraph (except such as may
	29	be expressly authorized by the Board) shall be made to any person who is in
	30	receipt of emolument from the government of the Federation or a State;

1 (d) the payment for all contracts, including mobilisation,
 2 fluctuations, variations, legal fees and cost on contract administration;
 3 (e) to the payment for all purchases; and
 4 (f) to undertaking such other activities as are connected with all or
 5 any of the functions and powers of the Agency and the board under this Bill.

6 **14.**-(1) The Agency may accept gifts of land, money or other Gifts to the
 7 property on such terms and conditions; considered lawful. Agency

8 (2) The Agency shall not accept any gift if the conditions attached
 9 by the person or organization making the gift are inconsistent with the
 10 functions of the Agency under this Bill.

11 **15.** The Agency may, with the consent of the President, borrow, on Power to borrow
 12 such terms and conditions as the Agency may require in the exercise of its
 13 functions under this Bill.

14 **16.**-(1) The Board shall, not later than 30th September in each year, Annual Estimates
 15 or such earlier time as the circumstances may demand, submit to the and Expenditure
 16 President, an estimate of the expenditure and income(including payments to
 17 the Agency' Fund) for the next succeeding year.

18 (2) The Board shall cause to be kept proper accounts of the Agency
 19 in respect of each year and proper records in relation thereto and shall cause
 20 the accounts to be audited not later than 6 months after the end of each year
 21 by auditors appointed from the list in accordance with the guidelines
 22 supplied by the Auditor-General of the Federation.

23 **17.** The Board shall, at the end of every quarter in each year, Quarterly Report
 24 submit to the President a report on the activities and administration of the
 25 Agency.

26 **18.**-(1) The Board shall prepare and submit to the President, not Annual Report
 27 later than 30th June in each year, a report in such form as the President, may
 28 direct on the activities of the Agency during the immediately preceding year,
 29 and shall include in the report a copy of the audited accounts of the Agency
 30 for that year and auditor's report thereon.

1 (2) The President, may, upon receipt of the report referred to in
2 subsection (1) of this section, cause a copy of the report and the audited
3 accounts of the Agency and the auditor's report thereon to be submitted to each
4 House of the National Assembly.

5 MISCELLANEOUS PROVISIONS

Request for
information and
records

6 **19.-(1)** The Agency may:

7 (i) Require any MDA or Public Institution to provide any document or
8 information required by the Agency in connection with the performance of its
9 functions;

10 (ii) Specify the form in which information required from any MDA or
11 Public Institution is to be provided;

12 (2) Every MDA or Public Institution must provide to the Agency any
13 document and any information or records required by the Agency and in the
14 form specified by the Agency.

Establishment
of SERVICOM
departments in
MDAs and public
institution

15 (3) (i) There shall be established in every MDA or Public Institution
16 the SERVICOM department which shall be charged with the effective
17 implementation of and compliance with this Bill in the MDA or Public
18 Institution;

19 (ii) The Chief Executive of every MDA or Public Institution shall be
20 responsible for the establishment of the SERVICOM department;

21 (iii) Every Chief Executive of an MDA or Public Institution who fails,
22 refuses or neglects to Comply with the provisions of this section shall in
23 addition to the appropriate sanctions contained in the Service Rules be
24 personally liable to a fine of N500,000 (Five hundred thousand naira only).

Offices and
Premises of the
Agency

25 **20.-(1)** For the purposes of providing offices and premises necessary
26 for the performance of its functions under this Bill, the Agency may, subject to
27 the land use Act-

28 (a) purchase or take on lease any interest land, or other property; and

29 (b) construct offices and premises and equip and maintain same.

30 (2) The Agency may, subject to the land use Act, sell or lease out any

1 office or premises held by it, which office or premises is no longer required
2 for the performance of its functions under this Bill.

3 **21.**-(1) On or before January 1 and July 1 of each year, the Director
4 General shall cause to be submitted to the President of the Federal Republic
5 of Nigeria and presented to the Federal Executive Council the bi-annual
6 SERVICOM Report which shall include-

Submission and
presentation of
Report

- 7 (a) the MDA Service Charter Performance Report;
8 (b) the SERVICOM Compliance Report;
9 (c) report of SERVICOM Independent Customer Satisfaction
10 Survey;
11 (d) such other reports and information as the Board shall from time
12 to time determine.

13 (2) The Agency shall ensure that report referred to in this section is
14 widely disseminated and made readily available to members of the public
15 through various means, including print, electronic and online sources.

16 (3) The Director General shall notify the Chairman of the
17 Committee of both houses of the National Assembly, with Oversight over
18 the Agency, not later than three months after the submission of the report to
19 the President or Presentation at the Federal Executive Council, of the
20 existence of such report and make the same available to them in hard copies
21 as well as by electronic means.

Notification of
existence of report
to the National
Assembly
Committees

22 **22.** The President, Federal Republic of Nigeria may give to the
23 Agency directives of a general nature or relating generally to matters of
24 policy with regard to the performance by the Agency of its functions and it
25 shall be the duty of the Agency to comply with the directives.

Directives by the
President, etc.

26 **23.**-(1) Subject to the provisions of this Bill, the provisions of the
27 Public Officers Protection Act shall apply in relation to any suit against any
28 member or Officer or employee of the Agency.

Limitation of
suit against the
Agency

29 (2) Notwithstanding anything contained in any other law or
30 enactment, no suit shall lie against any member of the Board, the Director

	1	General or any other officer or employee of the Agency for anything done in
	2	pursuance or execution of this Bill or any other law or enactment, or any
	3	alleged neglect or default in the execution of this Bill or such law or enactment,
	4	duty or authority, shall lie or be Agency in any court unless-
	5	(a) it is commenced within three months after the act, neglect or
	6	default complained of; or
	7	(b) in the case of a continuation of damage or injury, within six
	8	months next after the leasing thereof.
Services of document	9	24. A notice, summons or other document required or authorized to
	10	be served upon the Agency under the provisions of this Bill or any other law or
	11	enactment may be served by delivering it to the Director General of the
	12	Agency.
Restriction of execution against property of the Agency	13	25. In any action or suit against the Agency, no execution or
	14	attachment of process shall be made against Agency unless not less than three
	15	months' notice of the intention to execute or attach has been given to the
	16	Agency.
Power to make Regulations	17	26. The Agency may, with the approval of the President, make
	18	regulations, generally for the purposes of giving full effect to this Bill and for
	19	the due administration of its provisions.
Savings and Transition	20	27.-(1) The SERVICOM office established prior to the
	21	commencement of this Bill is subsumed in the Agency. Savings and Transition
	22	(2) By virtue of this Bill, there shall be vested in the Agency
	23	immediately at the commencement of this Act, without further assurance, all
	24	assets, funds, resources and other movable and immovable property which
	25	immediately before the commencement of this Act were vested in the
	26	SERVICOM office.
	27	(3) As from the date of commencement of this Bill-
	28	(a) all rights, interests, obligations and liabilities of the SERVICOM
	29	office existing before the commencement of this Bill under any contract or
	30	instrument, or in law or in equity, shall by virtue of this Bill be assigned to and

1 vested in the Agency established by this Bill;

2 (b) any contract or instrument as is mentioned in paragraph (a) of
3 this subsection shall be of the same force and effect against or in favour of
4 the Agency established by this Bill and shall be enforceable as fully and
5 effectively as if instead of the SERVICOM office, the Agency established by
6 this Bill had been named therein or had been a party thereto;

7 (c) the Agency established by this Bill shall be subject to all the
8 obligations and liabilities to which the SERVICOM office was subject
9 immediately before the commencement of this Bill and all other persons
10 shall have the same rights, powers and remedies against the Agency as they
11 had against the SERVICOM office immediately before the commencement
12 of this Bill.

13 (4) Any proceedings or cause of action pending or existing
14 immediately before the commencement of this Bill by or against the
15 SERVICOM office in respect of any right, interest, obligation or liability of
16 the SERVICOM office may be commenced or continued, as the case may be,
17 and any determination of any court of law, tribunal or other authority or
18 person may be enforced by or against the Agency to the same extent that the
19 proceedings, cause of action or determination might have been continued,
20 commenced or enforced by or against the SERVICOM office as if this Bill
21 had not been made.

22 (5) Notwithstanding the provisions of this Bill but subject to such
23 directions as may be issued by the Agency established by this Bill, a person
24 who immediately before the commencement of this Bill held office or is in
25 employment in the SERVICOM office shall continue to hold such office and
26 be in such employment in the Agency established by this Bill on terms and
27 conditions not less favourable than those obtaining immediately before the
28 commencement of this Bill, and service in the SERVICOM office shall be
29 deemed to be service in the Agency established by this Bill for all purposes
30 including the purposes of pension.

Lateral Conversion
of staff to the
Dedicated Cadre

1 (6) The Dedicated Cadre created for the Agency under this Bill shall
2 affect all persons holding office or in employment of the SERVICOM office
3 immediately before the commence of this Bill as though such persons were
4 holding offices or in employment under the dedicated cadre on the same level
5 and grade which a lateral conversion would have afforded such persons,
6 provided that no person shall be stepped down upon the commencement of this
7 Bill.

8 (7) The President, if he thinks fit, may, within twelve months after the
9 commencement of this Bill, by order published in the Gazette, make additional
10 transitional or savings provisions for the better carrying out of the objectives of
11 this section.

Interpretation

12 **28.** In this Bill unless the context otherwise requires-

13 "Agency" means the Service Compact Management Agency;
14 "Board" means the Governing Board of the Agency;
15 "Dedicated Cadre" the SERVICOM staff structure;
16 "MDAs" means Ministries, Departments and Agencies of Government and
17 includes Extra-ministerial Departments;
18 "Person" includes an officer or employee of any MDA and public Institution in
19 Nigeria; as well as a corporation sole and body of persons whether corporate or
20 incorporate; acting individually or as a group;
21 "Personal information" means any official information held about an
22 identifiable person, but does not include information that bears on the public
23 duties of public employees and officials;
24 "Pilots" includes Special Service Delivery Improvement Projects;
25 "President" means the President of the Federal Republic of Nigeria;
26 "Public institution" means any legislative, executive, judicial, administrative
27 or advisory body of the government, including boards, bureau, committees or
28 commissions of the State, and any subsidiary body of those bodies including
29 but not limited to committees and sub-committees which are supported in
30 whole or in part by public fund or which expends public fund and private

1 bodies providing public services, performing public functions or utilizing
2 public funds;

3 "Public record or document" means a record in any form having been
4 prepared, or having been or being used, received, possessed or under the
5 control of any public or private bodies relating to matters of public interest
6 and includes any-

7 (b) information recorded or stored or other devices; and any
8 material subsequently derived from information so recorded or stored;

9 (c) label marking, or other writing that identifies or describes
10 anything of which it forms part, or to which it is attached by any means;

11 (d) book, card, form, map, plan, graph, or drawing;

12 (e) photograph, film, negative, microfilm, tape, or other device in
13 which one or more visual images are embodied so as to be capable (with or
14 without the aid of some other equipment) of being reproduced;

15 "Service failure" includes not meeting the expectation to which a customer,
16 or end-user is entitled to;

17 "Service Rules" includes the Civil Service Rules and the Public Service
18 Rules;

19 "SERVICOM" means the Agency established by this Act and includes the
20 Federal Government's Service Compact with All Nigerians;.

21 "SERVICOM Departments" means the departments established in the
22 MDAs charged with responsibility for implementation of this Act;

23 "SERVICOM Index" means the tool for evaluation and assessment of
24 service delivery performance of MDAs; and

25 "SERVICOM Institute" means SERVICOM Training Institute established
26 in December 2005, by Federal executive Council Resolution No. EC
27 (2005)402;

28 "SERVICOM office" means the office established and domiciled in the
29 Presidency under the office of the Secretary to the Government of the
30 Federation before the commencement of this Act.

Short title 1 **29.** This Bill may be cited as Service Compact Management Agency
2 [SERVICOM] (Establishment) Bill, 2019.

3 SCHEDULES

4 FIRST SCHEDULE

5 *Section 6 (1)(b)*

6 SERVICE COMPACT WITH ALL NIGERIANS

7 We, the President, the Vice President, the Ministers, Secretary to the
8 Government of the Federation, Special Advisers, Presidential Aides and
9 Permanent Secretaries of the Government of the Federal Republic of Nigeria:

10 (a) Having participated in The Special Presidential Retreat on Service
11 Delivery in Nigeria at the State Banquet Hall, State House Abuja, 19th - 21st
12 March 2004;

13 (b) And having discussed analysed and considered the contents and
14 recommendations of the special report "Delivering Service in Nigeria: A
15 Roadmap";

16 (c) Reaffirming our commitment to the Millennium Development
17 goals and the Kuru Declaration in which we subscribed to the New National
18 Ideology, which is to build a truly great African democratic country, politically
19 united, integrated and stable, economically prosperous, socially organised,
20 with equal opportunity for all, and responsibility from all;

21 (d) Recalling, the Code of Ethics for Ministers, and Special Advisers
22 and Presidential Aides to which we have committed ourselves;

23 (e) Mindful of the needs and the rights of all Nigerians to enjoy social
24 and economic advancement, to have access to education and to health services,
25 and (f) to live in conditions of peace, tolerance and respect for human dignity;

26 (g) Convinced that an informed citizenry, aware of its rights and
27 asserting them confidently, is a vital underpinning to national unity, stability
28 and integrity;

29 (h) Aware of the enormous challenges of leadership in a country
30 whose institutions have been seriously undermined over the years,

1 consequently leading to poor standard of service delivery;

2 (i) Renewing our commitment, both individually and collectively,
3 to the service of our country in the conviction that it is the solemn duty of
4 each of us to use his or best endeavours to build a nation that is peaceful,
5 respects fundamental human rights, is administered honestly in the best
6 interests of all Nigerians, and governed under the Rule of Law;

7 Hereby Enter into the Following Solemn Compact with All Nigerians:

8 1.0 We dedicate ourselves to providing the basic services to which
9 each citizen is entitled in a timely, fair, honest, effective and transparent
10 manner and-

11 (a) provide quality service designed around the requirement of
12 their customers and served by trained staff sensitive to the needs of their
13 clients;

14 (b) set out entitlements of the citizens with whom they interact
15 clearly and in ways they can readily understand;

16 (c) list the fees payable (if any) and prohibit the asking for and the
17 making of any additional payments;

18 (d) commit to the provision of service (including the procession of
19 applications and the answering of correspondence) with realistic set time
20 frames;

21 (e) maintain "suggestion boxes" in public places to facilitate the
22 making of suggestions for improvements in level of service;

23 (f) provide details of agencies and government officials to whom
24 complaint about any failure to provide such services (or any demand for
25 bribes) should be addressed;

26 (g) publish these details in conspicuous places accessible to the
27 public in all buildings where the agencies provide their service and on the
28 internet;

29 (h) periodically conduct and publish surveys of citizens to
30 determine levels of customer satisfaction and the extent to which particular

1 Ministries and Agencies are seen as honouring their SERVICOM
2 commitments; and

3 (i) from time to time, review the commitment contained in their
4 SERVICOM Charters and to revise them in the light of experience and further
5 developments.

6 2.0 To ensure that these commitments to the people of Nigeria are
7 faithfully performed, the Service Delivery (SERVICOM)
8 Office shall-

9 (a) co-ordinate the effects to formulate and implement service
10 Charters;

11 (b) regularly monitor and report to His Excellency, the President, on
12 the progress made by each of the Ministries and Agencies in performing their
13 obligations under this charter; and

14 (c) carry out independent survey of the service provided to citizens by
15 the Ministries and Agencies, their adequacy and their timelines and of
16 customer satisfaction, and will widely publicise the result to keep citizens fully
17 informed.

18 2.0.1 For their part, Ministers shall-

19 (a) ensure that policies and resource proposals presented for approval
20 to the Federal Executive Council shall-

21 (i) include credible proposals for service delivery that can be
22 monitored to indicate performance-based scope of impact on the front-line
23 service delivery, and indicate result-oriented timescale for delivery,

24 (ii) be based on evidence of the needs of the population;

25 (iii) demonstrate evidence of the involvement of stakeholders in
26 development of policy and feedback performance;

27 (b) maintain effective liaison with relevant agencies of all tiers of
28 government concerned with service delivery so that SERVICOM principles
29 are upheld throughout the Nigerian society;

30 (c) establish SERVICOM Department within the Ministries with the

1 responsibility and operationalizing of SERVICOM principles; and
 2 (d) ensure that all those for whom they are responsible will fully
 3 cooperate with the Service Delivery (SERVICOM) office.

4 3.0 This compact, together with the Vision/Mission Statements of
 5 all Ministries will be published widely and displayed in all government
 6 offices to which members of the public have access. Members of the public
 7 will be invited to inform the Service Delivery (SERVICOM) office of
 8 observed failures to provide timely services.

9 4.0 Citizens' Obligations: The success of this Compact is
 10 predicated upon the observance of their civic duties by our citizens.
 11 Accordingly, we call upon each and every citizen to play his or her own part
 12 by honouring Constitutional and social obligations, respect the rights and
 13 legitimate interest of others, assist Government in appropriate ways and
 14 contribute to the wellbeing and progress of their respective communities by
 15 imbibing the enduring values and virtues of African tradition.

16 5.0 We further assert our belief that our country can only realize its
 17 full potential when citizens start to receive prompt and efficient services
 18 from the State and this we are determined to achieve.

19 The Compact was unanimously adopted by the President, the Vice
 20 President, Ministers, Secretary to the Government of the Federation, Head
 21 of Service of the Federation, Special Advisers, Presidential Aides, and
 22 Permanent Secretaries of the Federal Republic of Nigeria in Abuja, 21st Day
 23 of March 2004.

24 SECOND SCHEDULE

25 *Section 6 (1)(d)*

26 The SERVICOM Index

27 SERVICOM Index is:

28 A yardstick for measuring the quality of service as delivered by government
 29 through its various ministries, departments, parastatals and agencies.

30 The result of rigorous assessment for SERVICOM compliance evaluation of

- 1 service frontlines within ministries and parastatals.
- 2 SERVICOM Index is predicated on the facts that -
- 3 The ultimate purpose of governance is to serve the citizens.
- 4 Citizens have the right to be served right.
- 5 Service is well delivered only when the citizens are satisfied.
- 6 The Federal Government's commitment to the provisions of SERVICOM
- 7 (service Compact with All Nigerians) as a programme to improve service
- 8 delivery throughout the country.
- 9 How SERVICOM Index is calculated -
- 10 1. The SERVICOM Office compiles the service profile of all
- 11 Ministries by working through ministerial organograms.
- 12 2. The service profile is broken down into service frontlines, i.e A
- 13 point where service is being delivered with clear identification of -
- 14 Service - What service is being rendered?
- 15 Clientele - To who is service is being rendered?
- 16 A Service Frontline is either:
- 17 Intra - Ministerial serving other departments within the same Ministry.
- 18 Inter-Ministerial serving other ministries, OR Public-serving the general
- 19 public
- 20 3. Each Service Frontline is evaluated and scored on the basis of
- 21 criteria detailed on FORM SCAM.
- 22 SERVICOM Compliance Evaluation
- 23 Customer Satisfaction is the overriding consideration of service delivery.
- 24 Extensive research, consultations and surveys have shown that customer
- 25 satisfaction is broadly driven by the following-
- 26 (i) Service Delivery;
- 27 (ii) Timelines;
- 28 (iii) Information;
- 29 (iv) Professionalism;
- 30 (v) Staff Attitude.

1 Each of these Drivers is composed of Critical Elements.
2 Each Critical Element is made up of a number of Criteria which are scored
3 for SERVICOM Compliance.

4 The total score for each Critical Element is entered and the overall score for
5 the Driver calculated.

6 A summary of scores, at the end of the FORM SCOM, is used to calculate the
7 SERVICOM Index for the organization.

8 Scoring for each Criteria ranges from 4 to 0:

9 (a) 4 All aspects of these Criteria are covered

10 (b) 3 Most aspects are covered but more could be done

11 (c) 2 Some important aspects are not covered and there is a lot more
12 to be done to satisfy the requirements of these Criteria.

13 (d) 1 Very little has been done to satisfy the requirement

14 (e) 0 Nothing has been done.

15 The quality of service provided by an organization is a function of how well
16 its scores satisfy the Critical Element of the Drivers.

17 EVIDENCE

18 No Element can be scored above 0 without supporting evidence. Supporting
19 evidence may be obtained from:

20 D. Document e.g. Survey reports, Records of meetings, Business
21 plan;

22 C. Discussions with Customers;

23 S. Discussions with staff;

24 P. Discussions with Partners;

25 O. Observation: What the evaluator sees;

26 R. Research e.g. Websites.

27 DRIVER 1

28 SERVICE DELIVERY

Weighting: (30%) This confirms that this Driver is the most important to customers. Ultimately they are prepared to put up with failures in other areas

1 provided that the eventual result is satisfactory.

2 CRITICAL ELEMENTS 1:

3 STANDARDS & PRACTICES/PERFORMANCE

4 Criterion A: Sets Standards for main areas of activity.

5 Standards are set for all main services provided by the organization [Service
6 Provision];

7 Standards take account of national or statutory standards;

8 Standards reflect local priorities;

9 Standards are challenging, precise, measurable and realistic.

10 The Evaluator will need to establish what the main services are. Details should
11 be found in the Charter of the organization. At subordinate levels, local Charter
12 must take account of the standards set by superior organizations in their
13 hierarchical chain. But they should also take account of local circumstances
14 and priorities.

15 Criterion B: Sets standards for customer care:

16 Promptness and speed of response; Reliability and punctuality; and

17 Staff treatment of customers.

18 Criterion C: Monitor performance:

19 Systems are in place to monitor performance against all standards; Monitoring
20 actually takes place;

21 The results of monitoring are recorded.

22 The Evaluator needs to be satisfied that there is a robust monitoring system that
23 produces accurate results.

24 Criterion D: Performs well:

25 The organization achieves the majority of its standards targets most of the time;

26 There is independent confirmation of this;

27 The organization compares well with other similar organizations.

28 The Evaluation needs to be satisfied that the performance data is accurate and
29 across the board. There may be an independent of performance; the most
30 reliable indicator will be customer satisfaction. If the organization has bench

1 marked with others it will be a bonus.

2 Criterion E: Explains poor performance:

3 The organization recognizes poor performance;

4 The organization gives an honest explanation of the reason for poor
5 performance:

6 The Evaluator needs to differentiate between reason and excuses.

7 Criterion F: Acts to remedy poor performance:

8 The organization analyses the reasons for poor performance and take
9 remedial action;

10 The organization monitors the remedial action for its effectiveness.

11 The Evaluator needs to be convinced that this process takes place and is
12 effective.

13 Criterion G: Review and raise standards|:

14 All standards are reviewed regularly; if appropriate, standards are raised.

15 Annual review is sufficiently regular. As service improves some standards
16 will become less than challenging and should be raised.

17 CRITICAL ELEMENT 2:

18 RECEPTION EXPERIENCE

19 Criterion A: Access to the services is well publicized and signposted:

20 Services are accessible to everyone; Clear directions and signage are
21 provided.

22 How does the service publicize itself? Did the Evaluator have any problem
23 with accessing the services?

24 Criterion B: Access is easy:

25 Customers can reach the service without difficulty:

26 There are no physical or bureaucratic obstacles to access.

27 Criterion C: Access is at convenient times

28 Consideration has been given to customers' needs:

29 Service has adapted to customer needs.

30 The Evaluator needs to investigate whether the service is serving the needs

1 of all its customers in this respect. If it is only open during normal working
2 hours, can those at work use it without financial or other loss?

3 Criterion D: Access is enabled for those with special needs:

4 Consideration has been given to meeting the access needs of those with
5 physical and mental impairment;

6 Consideration has been given to the needs of ethnic minority communities;

7 Service is adapted to meet these needs.

8 Criterion E: Where possible, choice is offered:

9 Consideration has been given to the needs of customers who find it difficult to
10 access the service e.g. remote communities;

11 Some provision has been made to meet customer need.

12 Criterion F: Access is affordable:

13 Costs/charges are set which are within reach of all customers and potential
14 customers;

15 Consideration has been given to the needs of the very poor.

16 Criterion G: Facilities meet customer needs:

17 Adequate waiting areas;

18 Convenience and refreshments availability;

19 Cleanliness and state of repair;

20 Joined up services/one stop shops.

21 Is everything connected with the provision of the services located in one
22 place?.

23 CRITICAL ELEMENT 3:

24 COMPLAINTS & GRIEVANCE REDRESS

25 Criterion A: Complaints Procedure;

26 There is a written procedure;

27 Easily accessible, easy to use;

28 Procedure guarantees investigation and resolution;

29 Procedure identifies to whom complaint should be sent

30 Criterion B: Complaints office/Desktop;

1 Nominated complaints officer/complaints desk;
2 Officer has sufficient authority to investigate and deal with complaints.

3 Criterion C: Staff Training:

4 Front-line staffs have been trained to receive and handle complaints;

5 Guidance is issued;

6 Staffs are empowered to deal with complaints at point of contact.

7 Criterion D: Complaints recorded and analysed:

8 A record is kept of all complaints;

9 The record includes details of timeliness and resolution;

10 Management carries out regular analysis of complaints received

11 Criteria E: Action taken:

12 Action is taken to remedy the cause to justified complaints;

13 Action is effective.

14 DRIVER 2

15 TIMELINES

16 WEIGHTING: (24%) This Driver is second only to Delivery in importance
17 to customers. It indicates the dislike of customers of waiting for service.

18 Basic considerations:

19 The Initial Wait: The Overall Wait;

20 The number of times the customer had to contact the organization to achieve
21 service.

22 CRITICAL ELEMENT 1: STANDARDS AND PRACTICAL/PERFORMANCE

23 Criterion A: Set Standard for waiting times:

Standards are set for waiting times for any subsequent visit to receive service or for service to be delivered.

26 Criterion B: Monitor Standards:

27 A system exists to monitor waiting times;

28 Monitoring actually takes place; the results are recorded.

29 Criterion C: Perform well.

30 The organization meets its waiting time standards

1 There is independent confirmation of this;

2 The organization compares well with other similar services.

3 CRITICAL ELEMENT 2: CUSTOMER FRIENDLINESS

4 Criterion A: Explain Delays:

5 Staff explain any delays beyond standard waiting times;

6 There is a reasonable explanation for delays, which are not a regular
7 occurrence.

8 Criterion B: Provide prompt service:

9 Staff are attentive and are seen and perceived to provide a prompt service;

10 Management has worked out the busiest times of day and provided extra staff at
11 these times;

12 Off-duty staffs remain out of sight of customers.

13 Criterion C: Provide a predictable and reliable service:

14 Service are provided throughout the advertised times;

15 The full range of service is provided; Customers are told of any foreseen
16 interruptions to service and unforeseen interruptions are explained.

17 DRIVER 3

18 INFORMATION

19 Weighting: (18%) This indicates the importance of keeping customers
20 informed and ensuring that they are consulted. Information needs to be a two-
21 way process if the service is to satisfy its customers.

22 Basic Considerations:

23 Accuracy of Information;

24 Comprehensiveness;

25 Being kept informed about progress.

26 CRITICAL ELEMENT 1: INFORMATION

27 Criterion A: Publicize service and access:

28 The organization publishes information on the full range of services provided:

29 The organization gives full details of where and when services are provided;

30 Ensures information is available to all customers and potential customers by

- 1 using a variety of information means.
- 2 Criterion B: Publicize Standards:
- 3 Standards for all major activities and for customer care are published in a
- 4 Charter;
- 5 Information on standards is widely available to customer and potential
- 6 customers;
- 7 Performance against standards is available on a regular basis at all service
- 8 outlets.
- 9 Criterion C: Publicize Costs:
- 10 The cost to the customer of all service should be clearly displayed at all
- 11 service outlets;
- 12 There should be no hidden costs to any customer.
- 13 Criterion D: Plain language:
- 14 All information should be given in plain language, with a minimum of
- 15 technical and legal jargon;
- 16 Customers should be asked to comment on this aspect.
- 17 Criterion E: Special Needs:
- 18 The organization has considered the information requirements of those with
- 19 physical or mental disabilities and those who do not speak or read English;
- 20 The organization has adapted its information provision accordingly.
- 21 Criterion F: Review and Update:
- 22 Information is reviewed and updated on a regular basis.
- 23 CRITICAL ELEMENT 2: CUSTOMER FEEDBACK
- 24 Criterion A: Consultation takes place with customers:
- 25 There is a plan for systematic consultation with customers;
- 26 Consultation takes place on a regular basis.
- 27 Criterion B: Variety of methods are used:
- 28 Consideration has been given to the most suitable ways of obtaining
- 29 feedback from customers;
- 30 A variety of appropriate measures are used.

- 1 Criterion C: Comment is encouraged:
- 2 The organization actively encourages comment on its services;
- 3 Facilities for comment are provoking;
- 4 A nominated officer is responsible for collecting and collating comment.
- 5 Criterion D: Staff and Partners are consulted:
- 6 There is a system for capturing the views of staff and partners/co-providers;
- 7 There is evidence that the system is implemented.
- 8 Criterion E: Results of consultation are recorded and analysed:
- 9 An officer is nominated to collect and collate the feedback from customers,
- 10 staff and partners;
- 11 The results are analysed and reported regularly to management.
- 12 Criterion F: Results are published:
- 13 There is systematic publishing of the results of comment.
- 14 Criterion G: Consultation leads to improvements:
- 15 There is evidence that the organization has responded to the results of
- 16 consultation and adapted services accordingly;
- 17 Customers confirm that their comments are acted upon.
- 18 Criterion H: Consultation covers all customer groups including those with
- 19 special needs:
- 20 The organization has recognized its various customers groups; consultation is
- 21 tailored to meet the needs of the various groups.
- 22 Criterion I: Customer satisfaction is regularly tested:
- 23 The organization has planned and implemented customer satisfactory surveys;
- 24 Surveys cover all customers groups.
- 25 DRIVER 4
- 26 PROFESSIONALISM
- 27 WEIGHTING (16%)
- 28 This emphasizes the importance customers place on well-trained staff and the
- 29 quality of service delivery.

1 CRITICAL ELEMENT 1: TRANSPARENCY

2 Criterion A: Payment procedures:

3 Costs and payment procedures are clearly detailed at all service outlets;

4 Staffs adhere to procedures and there are no hidden costs to the customers

5 Criterion B: Appointment procedures:

6 Appointment procedures are clearly detailed at all service outlets;

7 Staffs adhere to these procedures and do not give unfair preference to certain
8 customers.

9 Criterion C: Staff identifiable:

10 All front-line staffs wear name/appointment badges;

11 Staffs use their names in telephone and written/electronic communications;

12 Offices and desks clearly indicate function and names of officials.

13 Criterion D: organization clearly explained:

14 An organization chart is displayed at all service outlets;

15 Display names: person in charge, customer service and complaints officers.

16 Criterion E: Complaints are published:

17 A summary of complaints received over a certain period is published;

18 Details of action taken as a result of complaints are published.

19 Criterion F: Poor performance is explained:

20 The organization explains the reasons for any poor performance;

21 Details of action taken to remedy poor performance are published.

22 Criterion G: Summary of budget and expenditure are published for the
23 benefit of customers;

24 The results of audit are placed in the public domain.

25 CRITICAL ELEMENT 2: EFFICIENCY

26 Criterion A: Performance Management:

27 Performance targets are set for individuals and department;

28 Performance is monitored. Action is taken to rectify poor performance

29 Criterion B: Business and improvement plans:

30 Business and improvement plans exist;

- 1 Plans are implemented;
- 2 Plans are revised and updated.
- 3 Criterion C: Staff training:
- 4 Staff receive adequate training to fit them for their role;
- 5 Training includes: customer care and complaints handling;
- 6 Refresher/update training is given;
- 7 A training record is maintained.
- 8 Criterion D: Staff motivation
- 9 Staff feel supported by management; Staff are encouraged to comment and
- 10 make suggestions for service improvement;
- 11 There are incentives and rewards for good performance;
- 12 Poor performance is penalized;
- 13 A staff appraisal/career development system exists.
- 14 Criterion E: Cooperation with others:
- 15 The organization recognizes which other services and agencies it is dependent
- 16 upon to deliver a full range of services to its customers;
- 17 The organization recognizes its effect on the delivery of services by others.
- 18 The organization actively seeks partnerships to enhance the service given to
- 19 customers. There are arrangements for the exchange of information and for
- 20 consultation with partners.
- 21 Criterion F: Set and achieve targets:
- 22 There are overall set targets for the achievement of the business of the
- 23 organization.
- 24 These target are largely met and variances are explained
- 25 Criterion G: Service is improving:
- 26 The organization is able to demonstrate that its services have improved over
- 27 time;
- 28 Continuous improvement is the aim.
- 29 Criterion H: Customer perception;
- 30 Customers perceive that the organization is efficient;

1 Customers confirm an improved service.

2 DRIVER 5

3 STAFF ATTITUDE

4 WEIGHTING: (12%)

5 This indicates that customers place an importance on how they are received
6 and treated by staff.

7 Basic consideration:-

8 Polite and friendly staff;

9 How sympathetic staff were to customer needs.

10 CRITICAL ELEMENT 1: STAFF ATTITUDE

11 Criterion A; Customer care policy:

12 The organization has produced a customer care policy;

13 The policy is published and displayed;

14 The policy takes into account the needs of all customers.

15 Criterion B: Customer care training:

16 All staff have received customer care training;

17 There is written guidance for staff on aspects of customer care.

18 Criterion C: Customer relations officer/desk:

19 There is a nominated customer relations officer;

20 The officer has sufficient authority to perform his/her function of behalf of
21 the customer;

22 The officer is clearly identifiable.

23 Criterion D: Polite, friendly and attentive staff:

24 Staff are observed to be polite, friendly and attentive to customers;

25 Customers confirm.

26 Criterion E: Staff treats customers with sensitivity:

27 Staff recognizes the need to preserve the privacy and dignity of customers;

28 Staff are observed to treat customer with sensitivity;

29 Suitable facilities for privacy are available.

30 Criterion F: All customers receive equal treatment:

- 1 All customers receive the same level of service;
2 Consideration is given to the requirements of those with special needs.
3 Criterion G: Services are adapted to meet customer needs:
4 Consideration is given to the actual needs of customers rather than staff
5 convenience and routine;
6 Services are adapted to meet these needs and special needs are catered for.

7 **THIRD SCHEDULE**

8 *Section 2 (7)*

9 **SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD**

10 *Proceedings of the Board*

11 1. Subject to this Bill and section 27 of the Interpretation Act, the
12 Board may make standing orders regulating its proceedings or those of any of
13 its committees. [Cap .123].

14 2. The quorum of the Board shall be the Chairman and six other
15 members and the quorum of any committee of the Board shall be determined
16 by the Board.

17 3. The Board shall meet not less than two times in each year and
18 subject thereto, the Board shall meet whenever it is summoned by the
19 Chairman; and if the chairman is required to do so by notice given to him by not
20 less than four other members, he shall summon a meeting of the Board to be
21 held within fourteen days from the date on which the notice is given.

22 4. At any meeting of the Board, the chairman shall preside, but if he is
23 absent, the members present at the meeting shall appoint one of their numbers
24 to preside at that meeting.

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

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FOURTH SCHEDULE

Section 8 (1) (C)

DEDICATED CADRE**A. SERVICOM OFFICER CADRE**

	POSTS	SALARIES
1.	Director	Grade level 17
2.	Deputy Director	Grade level 16
3.	Assistant Director	Grade level 15
4.	Chief SERVICOM Officer	Grade level 14
5.	Assistant Chief SERVICOM Officer	Grade level 13
6.	Principal SERVICOM Officer	Grade level 12
7.	Senior SERVICOM	Grade level 10
8.	SERVICOM Officer I	Grade level 09
9.	SERVICOM Officer II	Grade level 08

B. SERVICOM EXECUTICE OFFICER CADRE

S/N	POSTS	SALARIES
1.	Chief Executive SERVICOM Officer	Grade Level 14
2.	Assistant Chief Executive SERVICOM Officer	Grade Level 13
3.	Principal Executive SERVICOM Officer I	Grade Level 12
4.	Principal Executive SERVICOM Officer II	Grade Level 10
5.	Senior Executive SERVICOM Officer	Grade Level 09
6.	Higher Executive SERVICOM Officer	Grade Level 08
7.	Executive SERVICOM Officer	Grade Level 07
8.	Assistant Executive SERVICOM Officer	Grade Level 06

EXPLANATORY MEMORANDUM

This Bill seeks to give Legislative foundation and backing to the SERVICOM project established by the Executive by providing for the establishment of the Service Compact Management Agency for the effective management and execution of Service Compact with Citizens, the setting, controlling, implementation and enforcement of Service Charter and Standards; the identification and facilitation of the resolution of service failures and enhancement of citizens service rights and responsibilities, in Nigeria.

FEDERAL UNIVERSITY OF SPORTS, AFUZE, EDO STATE (ESTABLISHMENT,
ETC.) BILL, 2019

ARRANGEMENT OF SECTION

Section:

PART I - ESTABLISHMENT, OBJECTS, STRUCTURE, POWERS ETC. OF THE
FEDERAL UNIVERSITY OF SPORTS

1. Establishment of the Federal University of Sports
2. Objects of the University
3. Composition of the University and its Constituent Bodies
4. Powers of the University
5. Functions of the Chancellor and Pro-Chancellor of the University
6. Establishment and Composition of Council of the University
7. Functions of the Council and its Finance and General Purpose
8. Functions of the Senate of the University
9. Functions of the Vice-Chancellor of the University

PART II - PROPERTY OF THE UNIVERSITY

10. Transfer of Property to the University

PART III - STATUTES OF THE UNIVERSITY

11. Power of the University to make Statues
12. Mode of exercising the power to make Statutes
13. Proof of Statute
14. Power to decide the meaning of Statute

PART IV - SUPERVISION AND DISCIPLINE

15. The Visitor
16. Removal of certain Members of the Council
17. Removal and discipline of Academic, Administrative and Professional Staff
18. Removal of Examiners
19. Discipline of Students

PART V - MISCELLANEOUS PROVISIONS

- 20. Matters of discrimination on account of race, religion, etc.
- 21. Transfer of land to the University
- 22. Restriction on disposal of land by the University
- 23. Quorum and procedure of bodies established by this Act
- 24. Committees, etc.
- 25. Other Administrative provisions
- 26. Interpretation
- 27. Short Title

FOR

Sponsored by Hon. Julius .O. Ihonybere

[] Commencement

FEDERAL UNIVERSITY OF SPORTS, AFUZE, EDO STATE

Establishment
of the Federal
University of
Sports, Afuze,
Edo State

(a) Shall be a body corporate with perpetual succession and a common seal; and

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

Objects of the University

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

(b) To develop and offer academic and professional programmes leading to the award of diplomas, first degrees, post-graduate research and higher degrees with emphasis on planning, adaptive, technical, maintenance, developmental and productive skills in the engineering, scientific, and allied professional disciplines relating to Sports resources with the aim of producing socially mature men and women with capability not only to understand, use and adapt existing technologies in Sports , but also to improve on them and develop new ones;

1 (c) To act as agents and catalysts, through post-graduate training,
2 research and innovation for the effective and economic utilization, exploitation
3 and conservation of the country's Sports resources;

4 (d) To develop and offer courses in Sports Business, Sports
5 Management, Sports Information and Broadcasting which will be the first of
6 its kind in Nigeria and within the African Continent. This no doubt will attract
7 Students from far and wide to the University;

8 (e) To offer to the general population particularly in the area Sports as
9 a form of public service, the results of training and research and to foster the
10 practical applications of these results;

11 (f) To establish appropriate relationships with other national
12 institutions involved in training, research and development of technologies in
13 the Sports sector;

14 (g) To identify the problems and needs of Sports in Nigeria and to find
15 solutions to them within the context of overall national development;

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

19 (i) To encourage and promote scholarship and conduct research in
20 restricted fields of learning and human endeavour;

21 (j) To relate its activities to the technological, social, cultural and
22 economic needs of the people of Nigeria; and

23 (k) To undertake any other activities appropriate for a Sports
24 university of the highest standard.

Composition
of the University
and its Constituents
Bodies, etc.

25 **3.-(1)** The University shall consist of-

26 (a) a Chancellor;

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

28 (c) a Vice Chancellor and a Senate;

29 (d) a Deputy Vice-Chancellor;

30 (e) a body to be called Congregation;

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

Powers of the
University

1 (d) provide for the residence, discipline and welfare of members of
2 the University;

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

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

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

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

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

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

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

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

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

1 any such investments and to deposit any moneys for the time being un-
2 invested with any bank on deposit or current account;

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

8 (o) make gifts for any charitable purpose;

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

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

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

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

Functions of the
Chancellor and
Pro-Chancellor

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

27 **6.-(1)** There shall be a Council for the University consisting of:

Establishment
and Composition
of Council

28 (a) the Pro-Chancellor;

29 (b) the Vice-Chancellor;

30 (c) the Deputy Vice-Chancellor;

- 1 (d) one person from the Ministry responsible for Education;
- 2 (e) four persons representing a variety of interest and broadly
- 3 representative of the whole Federation;
- 4 (f) four persons appointed by the Senate from among its members;
- 5 (g) two persons appointed by the congregation from among its
- 6 members; and
- 7 (h) one persons appointed by Convocation from among its members.
- 8 (2) Persons to be appointed to the Council shall be persons of proven
- 9 integrity, knowledgeable and familiar with the affairs and tradition of the
- 10 University.
- 11 7.-(1) Subject to the provisions of this Act relating to the Visitor, the
- 12 Council shall be the Governing Body of the University and shall be charged
- 13 with the general control and superintendence of the policy, finances and
- 14 property of the University, including its public relations.
- 15 (2) There shall be a committee of the Council to be known as the
- 16 Finance and General Purposes Committee, which shall, subject to the
- 17 directions of the Council, exercise control over the property and expenditure of
- 18 the Council as the Council may from time to time delegate to it.
- 19 (3) Provision shall be made by Statute with respect to the constitution
- 20 of the Finance and General Purposes Committee.
- 21 (4) The Council shall ensure proper accounts of the University are
- 22 kept and that the accounts of the University are audited annually by auditors
- 23 appointed by the Council from the list and in accordance with guidelines
- 24 supplied by the Auditor-General of the Federation, and that an annual report is
- 25 published by the University together with certified copies of the said accounts
- 26 as audited.
- 27 (5) Subject to this Act and the Statutes, the Council and the Finance
- 28 and General Purposes Committee may each make rules for the purpose of
- 29 exercising any of their respective functions or of regulating their own
- 30 procedure.

Functions of the
Council and its
Finance and
General Purpose

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

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

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

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

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

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

Functions of the
Senate

29 (2) Without prejudice to the generality of the provisions of
30 subsection (1) of this section, it shall in particular be the function of the

1 Senate to make provision for the-

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

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

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

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

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

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

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

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

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

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

1 (b) The Senate shall, by regulation, provide that at least one of the
2 persons appointed as examiners at each final or professional examination
3 held in conjunction with any course of study in the University is not a
4 teacher at the University but is a teacher at the branch of learning to which
5 the course relates in some other university of high repute.

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

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

Functions of the
Vice-Chancellor

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

22 PART II - TRANSFER OF PROPERTY

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

Transfer of
Property to the
University

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

	1	PART III - STATUTES OF THE UNIVERSITY
Power of the University to make Statutes	2	11. -(1) Subject to this Act, the University may make Statutes for any
	3	of the following purposes-
	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 it is done by the
	10	University, 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 Act and of any
	13	Statute, regulation or other instrument made there-under; and
	14	(e) making provision for other matters for which provision by Statute
	15	is authorized or required by this Act.
	16	(2) Subject to section 25 (6) of this Act, 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 27 (1) of that Act.
	19	(3) The Statute contained in the Third Schedule to this Act shall be
	20	deemed to have come into force on the commencement of this Act and shall be
	21	deemed to have been made under this section by the University.
	22	(4) The power to make Statute 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 Act or any
	25	subsequent Statute.
Mode of exercising the 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.
	28	(2) A proposed Statute shall not have the force of law until it has been
	29	approved at a meeting of the:
	30	(a) Senate, by the votes of not less than two thirds of the members

1 present and voting; and

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

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

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 whereby a campus or college is
12 established;

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

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

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

Proof of Statute

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

Power to decide
the meaning of
Statute

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

1 the meaning of that provision shall be entertained by any other authority in
2 Nigeria:

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

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

14 PART IV - SUPERVISION AND DISCIPLINE

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

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

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

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

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

Removal of
certain Members
of the Council

27 16.-(1) If it appears to the Council that a member (other than the Pro-
28 Chancellor or the Vice-Chancellor) should be removed from office on grounds
29 of misconduct or inability to perform the functions of his office, the Council
30 shall make a recommendation to that effect through the Minister to the Sports

1 university of Nigeria Abuja Executive Council and if the Sports university
2 of Nigeria ABUJA Executive Council, after making such enquiries (if any)
3 as may be considered necessary, approves the recommendation it may direct
4 the removal of the member from office.

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

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

Removal and
discipline of
Academic,
Administrative
and Professional
Staff

14 (a) give notice of those reasons to the person in question;
15 (b) afford such person an opportunity of making representation in
16 person on the matter to the Council; and

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

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

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

23 (b) the person in question to be afforded an opportunity to appear
24 before and be heard by an investigating committee with respect to the
25 matter;

26 and if the Council after considering the report of the investigating
27 committee, is satisfied that the person in question should be removed, the
28 Council may so remove him by an instrument in writing signed on the
29 directions of the Council.

30 (3) The Vice-Chancellor may, in a case of gross misconduct by a

1 member of staff which in the opinion of the Vice-Chancellor is prejudicial to
2 the interest of the University, suspend such member and any such suspension
3 shall immediately be reported to the Council.

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

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

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

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

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

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

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

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

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

30 (d) take such lesser disciplinary action against such person (including

1 the restoration of such proportion of his emoluments that might have been
2 withheld) as the Council may determine.

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

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

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

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

Removal of
Examiners

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

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

Discipline of
Students

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

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

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

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

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

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

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

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

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

30 (7) A direction under subsection (1) (a) of this section may be

1 combined with a direction under subsection (1) (b) of this section.

2 PART V - MISCELLANEOUS AND GENERAL PROVISIONS

3 **20.-(1)** No person shall be required to satisfy requirements as to
4 any of the following matters, that is to say, race (including ethnic grouping)
5 sex, place of birth, family origin, religious or political persuasion, as a
6 condition for becoming or continuing to be a-

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

7 (a) student in the University;

8 (b) Holder of any degree, appointment or employment in the
9 University; or

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

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

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

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

Transfer of land
to the University

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

28 **22.** Without prejudice to the provisions of the Land Use Act, the
29 University shall not dispose of or charge any land or an interest in any land
30 (including any land transferred to the University by this Act) except with the

Restriction on
disposal of land
by University

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

1 construed as enabling-

2 (a) statutes to be made otherwise than in accordance with section
3 11 of this Act; or

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

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

Miscellaneous
Administrative
provisions

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

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

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

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

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

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

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

30 (7) The power conferred by this Act on anybody to make Statute or

1 Regulations shall include power to revoke or vary any-

2 (a) Statute (including the Statute contained in the Third Schedule to
3 this Act; or

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

6 PROVIDED that the Statutes and Regulations may have different
7 provisions in relation to different circumstances.

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

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

Interpretation

13 **26.-(1)** In this Act-

14 "Appropriate authority" means any person, body or authority authorized by
15 law to act in a specific or general capacity in relation to a subject matter;

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

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

18 "Graduate" means a person on whom a degree (other than an honorary degree)
19 has been conferred by the University;

20 "Gross misconduct" means any act of misconduct and improper behavior that
21 may be designated as gross misconduct by any Statute or Regulation made,
22 pursuant to this Act;

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

24 "Misconduct" means any conduct which is prejudicial to the good name of the
25 University and or discipline and the proper administration of the business of
26 the University;

27 "Notice" means notice in writing;

28 "Officer" does not include the Visitor;

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

30 "Professor" means a person designated as a professor of the University in

1 accordance with provisions made in that behalf by Statute or by
2 Regulations;

3 "Property" includes rights, liabilities and obligations;

4 "The provisional Council" means the provisional Council appointed for the
5 University by the President with effect from September 2016;

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

7 "Senate" means the Senate of the University established by the Act;

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

10 "the Statutes" means all such Statutes as are in force from time to time;

11 "Teacher" means a person holding a full-time appointment as a member of
12 the teaching or research staff of the University;

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

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

15 "Undergraduate" means a person in statupupilari in the University, other
16 than-

17 (a) a graduate; and

18 (b) a person of such description as may be prescribed for the
19 purposes of this definition.

20 "the University" the Federal University of Sports, Afuze Edo State
21 incorporated and constituted by this Act; and

22 "the Act" means the Federal University of Sports, Afuze Edo State Act.

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

Short title	1	27. This Bill may be cited as the Federal University of Sports, Afuze,
	2	Edo State (Establishment, etc.) Bill, 2019.
	3	SCHEDULES
	4	FIRST SCHEDULE
	5	<i>Section 3 (2)</i>
	6	PRINCIPAL OFFICERS OF THE UNIVERSITY
	7	<i>The Chancellor</i>
	8	1. The Chancellor shall be appointed by and hold office at the pleasure
	9	of the President.
	10	<i>The Pro-Chancellor</i>
	11	2.-(1) The Pro-Chancellor shall be appointed or removed from office
	12	by the President.
	13	(2) Subject to the provisions of this Act, the Pro-Chancellor shall hold
	14	office for a period of four years from the date of his appointment.
	15	<i>The Vice-Chancellor</i>
	16	3. The procedure for the appointment and removal of the Vice-
	17	Chancellor shall be in accordance with the provision of the University
	18	(Miscellaneous Provisions) Act 1993 as amended.
	19	<i>Deputy Vice-Chancellor</i>
	20	4.-(1) There shall be for the University, two Deputy Vice-Chancellors
	21	or such number of Deputy Vice Chancellors as the Council may, from time to
	22	time, deem necessary for the proper administration of the University.
	23	(2) The procedure for the appointment and removal of the Deputy
	24	Vice Chancellor shall be in accordance with the provisions of the Universities
	25	{Miscellaneous Provisions} Act 1993 as amended.
	26	(3) A Deputy Vice-Chancellor shall-
	27	(a) assist the Vice-Chancellor in the performance of his functions;
	28	(b) act in place of the Vice-Chancellor when the post of the Vice-
	29	Chancellor is vacant or if the Vice-Chancellor is, for any reason, absent or
	30	unable to perform his functions as Vice-Chancellor; and

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

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

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

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

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

15 6.-(1) There shall be for the University, the following Principal
16 Officers in addition to the Registrar, that is-

17 (a) the Bursar; and

18 (b) the University Librarian.

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

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

27 (4) The Bursar and the University Librarian-

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

1 *Other Officers of the University*

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

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

10 *Resignation and re-appointment*

11 9.-(1) Any officer mentioned in the foregoing provisions of this
12 schedule may resign his office in-

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

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

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

20 **SECOND SCHEDULE**

21 *Section 10 (2)*

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

23 *Transfer of Property to the University*

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

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

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

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 University established by this Act had been a party to it in place of the provisional Council.

(2) Documents not falling within sub-paragraph (I) above, including enactments, which refer whether specially or generally to the provisional Council shall be construed in accordance with that subparagraph 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 University established by this Act.

Registration of Transfers

3.-(1) If the law in force at the place where any property transferred by this Act is situated 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 of any other matter) apply, with the necessary modifications to the transfer of the property in question.

(2) It shall be the duty of the body to which any property is transferred by this Act 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.

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

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

(3) The first meetings of the Senate as constituted by this Act shall

1 be convened by the Vice-Chancellor on such date and in such manner as he may
2 determine.

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

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

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

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

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

23 THIRD SCHEDULE

24 *Section 11 (3)*

25 FEDERAL UNIVERSITY OF SPORTS, AFUZE, EDO STATE, STATUTE NO. 1

26 *Articles:*

- 27 1. The Council.
- 28 2. Finance and General-Purpose Committee
- 29 3. The Senate.
- 30 4. The Congregation.

- 1 5. Convocation.
- 2 6. Organization of Faculties and the Branches thereof.
- 3 7. Faculty Board.
- 4 8. The Dean of the Faculty.
- 5 9. Selection of Certain Principal and other key officers.
- 6 10. Creation of Academic Post.
- 7 11. Appointment of Academic Staff.
- 8 12. Appointment of Administrative and Technical Staff.

9 *The Council*

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

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

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

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

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

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

(7) Where the Council desires to obtain advice with respect to any particular matter, it may co-opt not more than two persons for that purpose;

1 and the persons co-opted may take part in the deliberations of the Council at
2 any meeting but shall not be entitled to vote.

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

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

11 *The Finance and General-Purpose Committee*

12 2.-(1) The Finance and General-Purpose Committee of the Council
13 shall consist of-

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

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

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

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

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

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

26 *The Senate*

27 3.-(1) There shall be a Senate for the University consisting of:

28 (a) the Vice-Chancellor;

29 (b) the Deputy Vice-Chancellor;

30 (c) all Professors of the University;

1 (d) all Deans, Provosts and Directors of Academic units of the
2 University;

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

5 (f) the University Librarian; and

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

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

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

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

18 *Congregation*

19 4.-(1) Congregation shall consist of-

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

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

22 (c) the Registrar;

23 (d) the Bursar; and

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

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

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

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

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

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

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

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

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

18 *Convocation*

19 5.-(1) Convocation shall consist of-

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

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

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

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

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

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

30 (3) Regulations shall provide for the establishment and maintenance

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

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

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

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

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

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

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

28 *Organisation of Faculties and Branches thereof-*

29 6. Each Faculty shall be divided into such number of branches as
30 may be prescribed.

30 (3) In the absence of the Vice-Chancellor, the Dean shall be the

1 chairman at all meetings of the Faculty Board when he is present and he shall
2 be a member of all committees and other boards appointed by the faculty.

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

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

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

19 (7) In this article, "good cause" has the same meaning as in section
20 17 (4) of this Act.

21 *Selection of Certain Principal and other key Officers*

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

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

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

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

8 *Creation of Academic Post*

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

12 *Appointment of Academic Staff*

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

16 *Appointment of Administrative and Technical Staff*

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

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

EXPLANATORY MEMORANDUM

This Bill seeks to upgrade Michael Imoudu College of Physical and Health Education, Afuze, Edo State to Federal University of Sports, Afuze, Edo State, to make comprehensive provisions for its due management and administration.