

Extraordinary



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TRAFFIC WARDEN SERVICE BILL, 2019

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WARDEN SERVICE

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A BILL

FOR

AN ACT TO REPEAL SECTIONS 59 - 69 OF THE POLICE ACT CAP 359 LAWS OF THE FEDERATION OF NIGERIA, 1990, TO RE-ENACT THE TRAFFIC WARDEN SERVICE WHICH SHALL BE RESPONSIBLE FOR THE APPOINTMENT, PROMOTION AND DISCIPLINE OF TRAFFIC WARDENS, ISSUANCE OF CERTIFICATE OF APPOINTMENT AND DISCHARGE, AND FOR RELATED MATTERS

Sponsored by Hon. Alex Egbona

[] Commencement

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

1 A. INTENDMENT OF THE BILL:

2 The Police Act Cap. 359 Laws of the Federation of Nigeria, 1990, contains
3 provisions the establishment of Traffic Warden Service, the appointment of
4 Traffic Wardens, period of service of a Traffic Warden, powers of a Traffic
5 Warden, issuance of Certificate of Appointment and discharge to Traffic
6 Wardens, ranks of Traffic Wardens, resignation and discipline of Traffic
7 Wardens, provision of equipment for Traffic Wardens and instruction of
8 Traffic Wardens under sections 59 - 69 of the Police Act.

9 B. REPEAL OF SECTIONS 56 - 69 OF THE POLICE ACT:

10 All the foregoing provisions contained in section 56 - 69, are hereby
11 repealed from the Police Act CAP. 359 LFN, 1990 and to re-enact the Traffic
12 Warden Service.

13 PART I

14 1.-(1) There shall be established a Traffic Warden Service
15 (hereafter in this Act referred to as "The Warden Service") which shall be a
16 body corporate with perpetual succession and a common seal, and may sue
17 or be sued in its corporate name.

Establishment,
composition, etc
of the Traffic
Warden Service

	1	(2) The Warden Service shall consist of Traffic Wardens appointed
	2	from time to time under this Act. The Board established pursuant to subsection
	3	(1) of this section shall have its headquarters located in the Federal Capital
	4	Territory, Abuja.
Establishment and composition of the Board	5	2.-(1) The Board shall consist of-
	6	(a) the Controller-General of the Traffic Warden Service, who shall be
	7	chairman of the Board;
	8	(b) 6 Deputy Controller-Generals;
	9	(c) all Assistant Commandant-Generals;
	10	(d) all State Controller of Traffic;
	11	(2) one representative each of:
	12	(i) the Ministry of Interior,
	13	(ii) the Ministry of Transport,
	14	(e) the National Co-ordinator of the Service, who shall be the
	15	Secretary to the Board.
	16	(3) Members of the Board in sub-section 2(i) and (ii) shall be
	17	appointed into the Board by their Ministers on the recommendation of the
	18	Controller-General of the Traffic Warden Service.
	19	(4) The representatives from the Ministries of Interior and Transport
	20	to the Board section 2(i) and (ii) of this Section, shall hold office for a period of
	21	four years, and shall be eligible for reappointment for one further period of four
	22	years, and no more.
	23	(4) The salaries and allowances payable to members of the Board in
	24	sub-section 2(i) and (ii) shall be in accordance with such rates as may be
	25	approved by the Government of the Federation, from time to time.
Proceedings of the Board	26	3. The provisions of the First Schedule to this Act shall apply with
	27	respect to the proceedings of the Board and the other matters contained therein.
Removal from office, and cessation of membership of the Board	28	4. A member of the Board, other than an ex-officio member, may:
	29	(a) be removed from office by the President, if he has been found,
	30	after due enquiry, to have conducted himself in a manner that renders him

1 unsuitable as a member of the Board, or is mentally or physically incapable
2 of carrying out the duties and responsibilities of his office under this Act;

3 (b) resign his appointment by writing under his hand a letter or
4 resignation to the President, and his membership of the Board shall cease on
5 the date of the receipt of the letter by the President.

6 5.-(1) The Traffic Warden Service shall for the meantime be under
7 control of the Presidency and the supervision of a Governing Board of the
8 Service which shall consist of a Chairman and other Members.

Establishment
and composition
of the Governing
Board

9 (2) The Chairman and Members of the Board shall be appointed by
10 the President and Commander-in-Chief of the Federal Republic of Nigeria
11 for a period of four years and subject to renewal for another four years and no
12 more.

13 (3) The Chairman shall be the Chief Executive Officer of the Board
14 and shall be responsible for the overall supervision, development,
15 regulation and policy formulation and implementation of Traffic Warden
16 Service matters.

17 (4) The Members of the Board of the Warden Service shall be
18 persons of reputable qualities and must have served the public for at least 20
19 years.

20 (5) There shall be appointed by the Board of the Traffic Warden
21 Service, a Secretary/National Coordinator to the Board, who shall not be a
22 Member of the Board and who shall keep the records and conduct the
23 correspondence of the Board and perform such other duties as the Chairman
24 may from time to time direct.

25 (6) The Board shall be accountable only to President.

26 6.-(1) There shall be established for the Service a Transitional
27 Management Committee which shall for the meantime be responsible for
28 the overall supervision, development, regulation, policy formulation and
29 implementation of the Nigerian Traffic Service matters.

Establishment of
Transitional
Management
Committee

30 (2) The Committee shall be chaired by the Chairman of the Civil

1 Rights Non- Governmental Organization for a period of eight years to nurture
2 the take-off of the Service, provide necessary logistics, build, develop, re-
3 organize, reform, re-structure and reposition the Service firmly on ground.

4 (3) The Committee shall have the power to acquire/covert all federal
5 government abandoned and/or unutilized buildings and structures across the
6 nation into office accommodation for the Service.

7 (4) The National Coordinator shall hold forth the office of the
8 Controller-General of the Service for eight years in Acting Capacity until the
9 President, Commander-In-Chief of the Armed Forces of the Federal Republic
10 of Nigeria appoints a substantive Controller-General for the Service.

11 PART 2 - COMMAND STRUCTURES, ORGANIZATION, OFFICERS AND
12 OTHER RANKS OF THE TRAFFIC WARDEN SERVICE

Controller-General
of Traffic. CGT

13 7.-(1) -(a) There shall be the Office of the Controller-General of
14 Traffic CGT, as the Chief Executive Officer of the Traffic Warden Service who
15 shall be appointed by the President on the on the advice of the Board of the
16 Traffic Warden Service, and who shall be a person possessing sound
17 knowledge of and ability in the organization and administration of matters
18 relating to the Traffic Control;

19 (b) the Controller-General shall:

20 (i) exercise general supervision and control over members of the
21 Service, the Zonal and State Commands of the Traffic Warden Service, and the
22 other staff of the Board;

23 (ii) direct the activities of Traffic Wardens including the course of
24 their training and education, and of the officers and servants of the Board;

25 (iii) manage the Service financial affairs; and

26 (iv) be free to deploy the human and material resources of the Council
27 in accordance with this Act in order to achieve results and ensure the attainment
28 of the objects of this Act, and in this regard, the Board shall not interfere with
29 his methods or with the manner in which he performs the foregoing duties.

30 (c) Powers of the Controller-General.

(i) The Controller-General of Traffic shall be vested with the power to delegate function(s) to any capable Senior Staff Officer beneath, in the ranks of Deputy Controller-General, Assistant Controller-General, Controller of Traffic, Deputy Controller, Assistant Controller, Chief Superintendent, Deputy Superintendent, Assistant Superintendent (1) and Assistant Superintendent (11) to carryout such function(s) on behalf of the Controller-General of Traffic, anywhere within the federation;

(ii) The Office of the Controller-General of Traffic shall be assisted by other appointed Staff Officer/Personnel of the Service, to ensure effective, efficient and smooth running of the day to day administration and operation of the Service;

(iii) The Controller-General of Traffic is answerable to the President and Commander-In-Chief of the Armed Forces, Federal Republic of Nigeria.

B. DEPUTY CONTROLLER-GENERAL - DCG:

(i) There shall be the 6(six) Deputy Controller-Generals of Traffic in place as Officers- in-Charge of the various Directorates or Arms of the Service, as may be designed from time to time;

(ii) All Deputy Controller-Generals of Traffic shall be appointed by the Controller-General of Traffic from time to time on the advice of the Board of the Traffic Warden Service;

(iii) A Deputy Controller-General appointed shall exercise powers as may be delegated/assigned to him/her only within the Directorate or Arm of the Service, as assigned;

(iv) All Deputy-Controller-General(s) shall be assisted by other appointed Staff Officers.

C. ASSISTANT CONTROLLER-GENERAL - ACG:

(i) There shall be the Office(s) of Assistant Controller-Generals of Traffic in place to hold appointment under the Office of each Deputy Controller-General and/or Directorate or Arm of the Service and, in each

1 Zonal Command as may be demarcated. The Zonal Assistant Controller-
2 General of Traffic shall be the Officer-in-charge of the Zone;

3 (ii) An Assistant Controller-General shall be appointed by the
4 Controller-General of Traffic from time to time on the advice of the Board of
5 the Traffic Warden Service;

6 (iii) An Assistant Controller-General appointed (under the Office of
7 DCG and/or at the Service National Headquarters) shall exercise powers as
8 may be assigned to him/her within the Directorate under the Office of Deputy
9 Controller-General of Traffic or any other Special assignment that he/she may
10 be called to carryout. In case of Zonal Assistant Controller-General appointed
11 (to Head the Zonal Command) shall exercise powers as may be
12 delegated/assigned to him/her only within the designated and Specified Area of
13 Jurisdiction;

14 (iv) All Assistant Controller-General(s) shall be assisted by other
15 appointed Staff Officers.

16 D. STATE CONTROLLER OF TRAFFIC - CT:

17 (i) There shall be in each State of the federation and, the Federal
18 Capital Territory, FCT, the Office of the Controller of Traffic, as the Chief
19 Executive Officer of the State/FCT Command Sector of the Traffic Warden
20 Service;

21 (ii) State Controllers shall be appointed by the Controller-General of
22 Traffic, on the advice and upon the approval of the Board of the Traffic Warden
23 Service;

24 (iii) A State Controller appointed, shall exercise powers as may be
25 assigned to him/her by the Controller-General of Traffic, only within that State
26 of appointment;

27 (iv) The State Controller shall be assisted by other appointed Staff
28 Officers and Personnel of the Traffic Warden Service, to ensure effective,
29 efficient and smooth running of the day to day administration of the Service in
30 the State of appointment;

1 (v) The State Controller is hereby vested with the power to delegate
2 function(s) to any capable Staff Officer beneath, in the ranks of Deputy
3 Controller, Assistant Controller, Chief Superintendent, Superintendent,
4 Deputy Superintendent and Assistant Superintendent of Traffic, to carryout
5 such function(s) on behalf of the State Controller of Traffic, within the State
6 of appointment;

7 (vi) A Controller of Traffic is answerable to the Controller-
8 General of Traffic.

9 E. AREA TRAFFIC OFFICER - ATO:

10 (i) There shall be the Office of Area Traffic Officers who oversees
11 the designated and specified Area of jurisdiction, referred to, as Area
12 Command;

13 (ii) An Area Traffic Officer shall be appointed by the State
14 Controller of Traffic, to carryout delegated traffic functions on behalf of the
15 State Controller of Traffic;

16 (iii) Area Traffic Officers are answerable to the Controller of
17 Traffic;

18 (iv) The Area Traffic Officers shall be assisted by Staff Officers
19 and Personnel of the Traffic Warden Service.

20 F. DIVISIONAL TRAFFIC OFFICER - DTO:

21 (i) There shall be the Office of Divisional Traffic Officer who is the
22 Administrative Head of each designated and specified area of jurisdiction
23 referred to as Division;

24 (ii) Divisional Traffic Officers shall be appointed by the State
25 Controller of Traffic, to carryout functions within the area of jurisdiction, on
26 behalf of the State Controller of Traffic;

27 (iii) Divisional Traffic Officers shall be assisted by Staff Officers
28 and Personnel of the Traffic Warden Service.

29 **8.-(1)** The Principal Officers of the Traffic Warden Service shall, in
30 the performance of their functions under Sub-sections A - F above, be , any

Approved terms
and warden service

1 governed by the approved Terms and conditions of service for the Traffic
2 Warden Service, provided that, any exercise of such powers prior to the
3 approval and application of the conditions of service, shall be governed by the
4 Federal Civil Service Rules, 1999.

5 (2) Subject to the provision of this Act, a person may be appointed into
6 the Traffic Warden Service if he/she:

7 (a) is not less than eighteen (18) or more than twenty-five years of age;

8 (b) is in possession of a minimum Certificate of Education and/or
9 qualification of a Secondary School Certificate of Education or its equivalent;

10 (c) is not less than 167.64 centimeters and 162.56 centimeters tall
11 respectively, for men and women;

12 (d) in the case of men, has not less than 86.36 centimeters chest
13 measurement when fully expanded;

14 (e) is of good character and is physically fit; and

15 (f) has signified in writing, his/her willingness to serve as a Traffic
16 Warden.

17 (3) Every Traffic Warden shall be liable to serve in any State of the
18 federation.

19 (4) Every Traffic Warden shall upon his appointment, be trained for
20 period of Six months and/or a specified number of additional months for
21 professional training or course (for Professionals only) and thereafter issued
22 Certificate of Appointment by the Controller- General of Traffic.

23 (5) Every Traffic Warden appointed under this Act shall serve as
24 Traffic Warden for a period of thirty-five years or until he is (60) sixty Years old
25 except where duly disengaged in accordance with this Act.

Powers, Privileges
and Immunities of
Traffic Wardens

26 **9.** A Traffic Warden appointed under this Act, shall when on duty and
27 in uniform, have the powers, privileges and immunities of a law enforcement
28 Officer under any law relating to the regulation road of traffic, including the
29 power of arrest, detain and prosecute a traffic offender, provided that the place
30 of detention shall be warden cell rank.

1	10. Traffic Warden Service Personnel shall be employed and	Functions and powers of the Traffic Warden Service
2	deployed to perform the following statutory function(s) in the metropolitan	
3	cities and urban (intra city roads):	
4	(a) Enforcement of intra-city road traffic control, regulation and/or	
5	ensure steady vehicular movement of vehicles in the metropolitan cities and	
6	urban roads in the country;	
7	(b) Control of intra-City road traffic, decongest and removal of all	
8	perceived obstructions blockades and/or obstacles that mayor could likely	
9	create hold up and congestion on the road;	
10	(c) Take control of vehicle(s) reported to be or are involved in	
11	accident on the road (within the cities and urban towns);	
12	(d) Create public enlightenment programme(s) to educate road	
13	users on the proper manner to use the road; on how to obey traffic rules and	
14	road signs and/or promote continuous movement of vehicles on the road in	
15	the metropolitan cities and urban towns.	
16	(e) Check vehicle particulars;	
17	(f) Take active involvement and/or participate in all intra-city road	
18	traffic administration, management and control and other related matters.	
19	(g) Formulate policies including, organized fora, symposia,	
20	conferences, workshops, courses and retraining that shall assist the road	
21	traffic control administration and management of the sub- sector to achieve	
22	desired goal in the nation's metropolitan cities and urban towns;	
23	(h) Assist vehicle Drivers tow and/or rescue broken down vehicles	
24	out of the road corridor, to safe place(s), to avoid traffic hold-up, go- slow or	
25	road obstruction, blockade and congestion;	
26	(i) Survey and/or investigate traffic related matters and car/vehicle	
27	theft;	
28	(j) Prosecute traffic offender(s) (in case of major/fatal accident) to	
29	Court and/or charge other traffic offenders(s) (in case of minor accident) to	
30	pay instant fine with official receipt issued thereupon;	

1 (k) Assist Pedestrians to cross major roads safely and/or encourage
2 Pedestrians to use the foot bridge where available;

3 (l) Liaise with Urban Planners and/or take active/effective role in the
4 building, construction, designing or redesigning and/or the development of
5 intra-city and urban roads;

6 (m) Generate income through the enforcement of daily toll fee on all
7 Commercial vehicles and Motorcycles/Tricycles plying the intra-city and
8 urban roads;

9 (n) Develop commercial car/vehicle parks) at strategic points or
10 where necessary with the aim of clearing and/or discouraging road side parking
11 habit along major roads in the metropolitan cities and urban towns;

12 (o) Relate with the Parent or Supervising Ministry and/or other arms
13 of the government for purpose of rendering or remitting the proceeds (from the
14 activities of paragraphs "m" and "n") appropriately;

15 (p) Protect lives, properties and road infrastructures round the cities
16 and urban towns from willful and/or intentional damage by Motorists and/or
17 Road users;

18 (q) Involve in vehicle fire fighting on the road; evacuate and/or
19 dispose of the remains, to appropriate environment;

20 (r) Assist other Security and Law-enforcement Agencies in
21 combating crime involving vehicles(s) on the road within the cities and urban
22 towns.

Establishment
of administrative
and operations
departments

23 11.-(1) In order to facilitate the proper discharge of its functions and
24 the exercise of the powers conferred on the Service by this Act, there shall be
25 established for the Service the following administrative and operations
26 departments, namely:

27 (a) the Department of State Coordination Services;

28 (b) the Department of Administration Services;

29 (c) the Department of Finance Services;

30 (d) the Department of Procurement and Supply;

1 (e) the Legal and Corporate Services Department;

2 (f) the Department of Training and Operations.

3 (2) The composition, duties and powers of the administrative and
4 operations department established pursuant to subsection (1) of this section
5 shall be as may be determined by the Controller-General, subject to
6 approval by the Board.

7 **12.**-(1) The Board shall have responsibility for drawing up
8 programmes for the appointment, recruitment and training of members of
9 the Service in order to enhance their knowledge, diligence and efficiency in
10 the performance of their functions under this Act.

Appointments,
recruitment, etc.
of officers and
other ranks of the
service

11 (2) Members of the Traffic Warden Service appointed and
12 recruited in terms of the foregoing provisions of this section of this Act, shall
13 bear such insignia as may be assigned to them by the Board, and without
14 prejudice to this subsection, the ranks and insignia thereof for members of
15 the Service for the time being shall be as specified in the Second Schedule to
16 this Act.

17 (3) The qualification for the appointment and recruitment of the
18 officers and other members of the Traffic Warden Service and the procedure
19 for their promotion to various ranks shall be in accordance with the rules
20 made by the Board for that purpose.

21 **13.** The Service shall provide for every serving Traffic warden
22 such accouterments as it may consider necessary for the proper discharge of
23 the functions conferred under this Act, and without prejudice to the
24 foregoing provisions of this subsection, such accouterments shall include
25 uniforms, identification cards, raincoats, high-powered motor-cycles,
26 motor cars, two-way mobile radio, telephone sets and other necessary
27 equipment and such other items in the Schedule.

Accouterments,
immunity and
protection of
members of the
Traffic Warden
Service

28 PART III - FINANCIAL PROVISIONS

29 **14.**-(1) There shall be established and maintained by the Board a
30 fund into which shall be paid and credited:

Establishment of
Fund and
Expenditure

- 1 (a) the take-off grant for the Board and the Service;
- 2 (b) the annual subvention received from the Government of the
3 Federation;
- 4 (c) such monies as may, from time to time, be lent, deposited with or
5 granted to the Board and the Service by the Government of the Federation,
6 State or Local Council, or any other department, agency, etc. of government
7 and otherwise howsoever;
- 8 (d) all fees and charges for services rendered by the Board and the
9 Service; and
- 10 (e) all other sums which may, from time, accrue to the Board and the
11 Service.
- 12 (2) The Board may, from time to time, apply the proceeds of the fund
13 at its disposal:
- 14 (a) to the cost of administration and operations of the Board and the
15 Service and other activities undertaken thereof;
- 16 (b) to the payment of fees, allowances and expenses of the members
17 of the Board and of any committee set up by the Board;
- 18 (c) to the payment of salaries, allowances and benefits of officers,
19 staff and other members of the Service;
- 20 (d) for the maintenance of any property vested in the Board or under
21 its administration;
- 22 (e) for the training of members of the Service within and outside
23 Nigeria, and other research programmes carried on by the Service; and
- 24 (f) for and in connection with all or any of the functions of the Traffic
25 Warden Service under this Act.
- 26 (3) The proceeds of the funds established pursuant to subsection (1) of
27 this section shall be disbursed by the Chairman of the Board with the approval
28 of other members of the Board.
- 29 **15.-(1)** The Board may accept gifts of land, money, donations or other
30 property and testamentary dispositions by persons, bodies corporate or non-

Power to accept
gifts, etc.

1 governmental organizations within or outside Nigeria, upon such terms and
2 conditions, if any, as may be specified by the person or organization making
3 the gift.

4 (2) The Board shall not accept any gift if the condition attached by
5 the person or organization making the gift are inconsistent with the
6 functions of the Board and the Service under this Act.

7 **16.**-(1) The Board may, with the consent of its members or in
8 accordance with the general guidelines or authority given by the
9 Government of the Federation, borrow by way of loan or overdraft from any
10 source, any moneys required by the Board and the Service to meets its
11 obligations and its functions under this Act, so however, that such consent or
12 authority shall be required where the sum or aggregate of the sums involved
13 at any time does not exceed such amount as is for the time being specified in
14 relation to the Board and the Service by the Government of the Federation.

Borrowing and
investment power
of the Board

15 (2) The Board may, subject to the provisions of this Act and
16 conditions of trust in respect of funds held or property owned, invest any
17 surplus of its funds with the same consent or general authority described in
18 subsection (1) of this section.

19 **17.**-(1) The Chairman of the Board shall cause to be prepared, not
20 later than six months before the end of each financial year, estimates of
21 recurrent and capital expenditure and income of the Board during the next
22 succeeding financial year, which shall be acceded to by other members of
23 the Board, and presented to the President, through the Minister.

Annual estimates,
account and audit

24 (2) The Chairman of the Board shall keep proper accounts and
25 proper records in relation thereto, and shall prepare in respect of each
26 financial year, a statement of accounts in such form as the Board may direct.

27 (3) The Board shall, as soon as may be after the end of the financial
28 year to which the accounts relate, cause the accounts to be audited by
29 qualified auditors appointed from the list of auditors in accordance with the
30 guidelines laid down by the Auditor-General of the Federation.

1 (4) The auditors shall on completion of the audit of the accounts of the
2 Board and the Service for each financial year, prepare and submit to the Board
3 the following two reports, that is to say:

4 (a) a general report setting out the observations and recommendations
5 of the auditors on the financial affairs of the Board and the Service generally for
6 that year, and on any important matters which the auditors may consider
7 necessary to bring to the notice of the Board; and

8 (b) a detailed report containing the observations and
9 recommendations of the auditors on all aspects of the operations of the Board
10 for that year.

Annual report

11 18. The Board shall prepare and submit to the President and the
12 National Assembly, not later than the end of June of each financial year, a report
13 on the activities of the Board and the Service during the immediately preceding
14 financial year, and shall include in such report a copy of the audited accounts of
15 the Board and the Service for that year, and the auditors report thereon.

16 PART V - DISCIPLINE OF OFFICERS AND OTHER RANKS OF THE SERVICE

Establishment
of the Traffic
Warden Service
Disciplinary
Committee

17 19.-(1) Without prejudice to the powers of the Board to set up
18 committees for the conduct of its affairs under this Act, there shall be
19 established a committee to be known as the Traffic Warden Service
20 Disciplinary Committee (in this Act referred to as "the Disciplinary
21 Committee") which shall be charged with the duty of the maintenance of
22 discipline among members of the Service, and considering and determining
23 any report of gross indiscipline by any member of the Service referred to it by
24 the Panel established pursuant to section 21 of this Act and any other matter for
25 which the Disciplinary Committee has authority under this Act.

26 (2) The Disciplinary Committee shall consist of a Chairman and four
27 other members of the Council.

28 (3) The Disciplinary Committee shall have a Secretary and such other
29 number of staff as the Chairman of the Board may determine.

30 (4) The Chairman of the Disciplinary Committee shall have power to

1 summon a meeting of the Committee, at any time to consider and determine
2 any report of indiscipline by any member of Service.

3 (5) The Disciplinary Committee may make standing rules for its
4 proceedings not contained in this Act.

5 **20.**-(1) There shall be a body to be known as the Traffic Warden
6 Service Investigating Panel (in this Act, referred to as "the Panel",) which
7 shall be charged with the duty of:

Establishment
of the Traffic
Warden Service
Investigating Panel

8 (a) conducting a preliminary investigation into any matter brought
9 before it where it is alleged that a member of the Service has misbehaved or
10 breached any of the Codes of conduct in his capacity as an officer or other
11 rank of the Service;

12 (b) deciding whether the matter should be referred to the
13 Disciplinary Committee; and

14 (c) present a report containing its recommendations to the
15 Disciplinary Committee in respect of any matter brought before it.

16 (2) The Panel shall be appointed by the Board, and shall consist of
17 three members of the Board and two other persons who are members of the
18 Service, but who are not members of the Board at the time of their
19 appointment.

20 (3) The Panel may make rules, not contained in this Act, as to its
21 procedure for carrying on an investigation into any matter brought before it.

22 **21.**-(1) The Board shall have responsibility for setting out the
23 Codes of Conduct for members of the Service which may not be published in
24 the Federal Government Gazette, but the Board shall cause them to be
25 brought to the notice of all the members of the Service in such a manner as it
26 may, from time to time, determine.

Codes of Conduct
for members of
the service

27 (2) Notwithstanding the foregoing provisions of this section, the
28 Codes of Conduct set out by the Board shall take cognizance of matters
29 relating to the conduct and comportment of members of the Service in public
30 places, their dealings with members of the society and attitude to the

	1	performance of their duties.
Offences and punishment	2	22. -(1) Where a member of the Service breaches, contravenes or
	3	violates any of the Codes of Conduct of the Service or any other law in force in
	4	the Federation, the Disciplinary Committee shall have power to recommend:
	5	(a) the imposition of a fine of an amount on that member of the
	6	Service;
	7	(b) suspension of the member of the Service from duty without pay
	8	for a specified period;
	9	(c) demotion in rank of the member of the Service, or deferment of
	10	promotion for a specified period;
	11	(d) dismissal from the Service; or
	12	(e) any combination of the foregoing punishments.
	13	(2) In the case of the contravention or violation of any law in force in
	14	the Federation by a Traffic Warden, the Disciplinary Committee shall, in
	15	addition to issuing a recommendation for his dismissal, recommend that the
	16	offender be handed over to the appropriate authority for prosecution.
	17	(3) Every recommendation of the Disciplinary Committee under this
	18	section of this act shall not have force unless approved by the Board.
	19	PART IV - MISCELLANEOUS AND SUPPLEMENTARY
Directives by the Minister, etc.	20	23. The Minister may give to the Board such directives of a general
	21	nature or relating generally to matters of policy with regard to the exercise by
	22	the Board of its functions under this Act, and it shall be the duty of the Board to
	23	comply with the directives or cause them to be complied with.
Secrecy	24	24. -(1) A member of the Board or the Controller-General or any other
	25	officer or other ranks or employee of the Service shall:
	26	(a) not, for his personal gain, make use of any information which has
	27	come to his knowledge in the exercise of his powers or is obtained by him in the
	28	ordinary course of his duty as a member of the Board or as Controller-General,
	29	officer, other rank or employee for the Service;
	30	(b) treat as confidential any information which has come to his

1 knowledge in the exercise of his powers or is obtained by him in the
2 performance of his duties under this Act;

3 (c) not disclose any information referred to under paragraph (b) of
4 this subsection, except when required to do so by a Court or in such other
5 circumstances as may be prescribed by the Board, from time to time.

6 (2) Any person who contravenes the provisions of subsection (1) of
7 this section commits an offence and is liable to a fine of fifty thousand Naira
8 or imprisonment for a term not exceeding one year or to both such fine and
9 imprisonment.

10 **25.** The Board shall provide and maintain a library at the
11 headquarters and State Command Offices of the Service comprising such
12 books and publications as may be provided, for the advancement of the
13 knowledge and skills of members of the Service, for research purposes, and
14 for other purposes connected with the objects and functions of the Service.

Provision of
library facilities

15 **26.** On the commencement of this Act:

16 (a) all property held immediately before that day by or on behalf of
17 the former Police Council shall, by virtue of this subsection and without
18 further assurance, vest in the Board established under this Act and held by it
19 for the purposes of the Board and the Service; and

Transfer to the
Board of certain
property, etc.

20 (b) the Police Council shall cease control administratively and
21 otherwise of the Service.

22 **27.-(1)** The Board may, with the approval of the Minister, make
23 such rules and regulations as in its opinion are necessary or expedient for
24 giving full effect to the provisions of this Act and for the due execution of its
25 provisions.

Rules and
regulations

26 (2) Without prejudice to the provisions of subsection (1) of this
27 section, the Board shall have powers to make regulations generally for
28 carrying out the objects of this Act and, in particular, shall make regulations
29 relating to:

30 (a) the rank, pay and allowances of members of the Service;

1 (b) the hours of duty, schedule of work and leave of members of the
2 Service;

3 (c) the procedure and terms of appointment and recruitment of
4 members of the Service;

5 (d) subject to the provisions of this Act, the qualification for
6 appointment of members of the Service or any ranks, and the procedure for
7 promotion to any such rank;

8 (e) the maintenance of discipline among members of the Service; and

9 (f) any other matter for which the Board has powers or which is
10 incidental or supplementary to the foregoing provisions of this subsection.

11 PART V

Retirement/
Resignation
provisions

12 **28.**-(1) A Traffic Warden appointed under this Act shall be retired
13 upon attaining thirty-five Years in Public Service or reaching sixty years of age,
14 whichever comes first.

15 (2) Subject to the provisions in subsection (1) above, a Traffic Warden
16 may resign his or her appointment by a notice in writing addressed to the
17 Controller-General of the Traffic Warden Service indicating his intention to
18 resign his appointment on a date mentioned in the notice (not being less than
19 twenty-eight days after than the date on which the notice is given).

20 (3) On receipt of the notice and upon the Chief Executive Officer
21 consenting in writing to same, the appointment of the Traffic Warden shall
22 determine accordingly.

23 (4) Every Traffic Warden disengaged under this Act, shall be issued
24 Certificate of Discharged,

Remuneration
and allowances

25 **29.**-(1) Every Traffic Warden employed under this Act shall be
26 entitled to his/her monthly basic salary as may be determined by the authority
27 from time to time, including the following:

28 (a) Hazard allowance;

29 (b) Medical allowance;

30 (c) Accommodation allowance;

- 1 (d) Transport allowance;
 2 (e) Torch light allowance;
 3 (f) Meal subsidy allowance;
 4 (g) Kits (uniform) allowance;
 5 (h) Insurance scheme;
 6 (i) Housing scheme;
 7 (j) Leave allowance;
 8 (k) Every Traffic Warden is also entitled to benefit from the
 9 National Health Insurance Scheme, NHIS.

10 PART VI

11 **30.**-(1) There shall be established for the Service Traffic Warden Establishment of
 12 Training Colleges in each geo-political zone of the federation, designated, Training Colleges
 13 College of Road Traffic Control for the purpose of training of eligible
 14 persons employed as Traffic Wardens under this Act.

15 (2) The Traffic Warden Training College shall be manned by
 16 Training Instructors whose educational qualification shall not be less than a
 17 First Degree or its equivalent and other Service Personnel that may be
 18 drafted, deployed or posted to the college.

19 (3) The Officer in-Charge of the Training Colleges shall be
 20 designated as the Commandant, College of Road Traffic Control.

21 (4) There shall also be other Professional Schools established for
 22 the purpose of training and retraining of Traffic Warden Personnel to
 23 enhance their professional backgrounds.

24 (5) Traffic Wardens shall be trained in fire fighting, to sequel fire
 25 outbreak in burning vehicles on the road and evacuation.

26 (6) Traffic Wardens shall be trained in the use of light arms to assist
 27 other Security Agencies in combating and preventing crime involving
 28 vehicles(s) and on the road.

29 PART VII - MISCELLANEOUS PROVISIONS

30 **31.**-(1) Every Traffic Warden appointed under this Act, shall be Service number
 of Traffic
 Wardens

1 issued Service Number with the letters "TWS" and the Service number. All
2 Traffic Wardens employed in the federation, shall have their names and
3 numbers appear on the register kept for that purpose by, the Board of the
4 Warden Service.

5 (2) Every Traffic Warden to whom a Service number has been
6 allocated under sub- section (1) of this section shall while on duty, wear such
7 Service number (for Rank/File only) and/or name tag on the Chest top pockets
8 of his/her uniform.

9 (3) The Board shall from time to time liaise with the Federal
10 Government to ensure the provisions of the following logistics for the Traffic
11 Warden Service to enhance their performance:

- 12 (a) Vehicles, Trucks, Cars and Buses for official uses;
- 13 (b) Compressor equipment;
- 14 (c) Septic Tankers fixed with pumping machines and hoes;
- 15 (d) Industrial Pumping Machine;
- 16 (e) Motorcycles (Speed Bike), Helmets and Riding kits;
- 17 (f) Communication Equipment/gadgets;
- 18 (g) Medical Equipment;
- 19 (h) Light and heavy towing vehicles and heavy Fork lift plants;
- 20 (i) Crane mounted vehicles to displace heavy broken down vehicles;
- 21 (j) Reflective equipment kits, Jackets, Batons and other logistics for
22 traffic control/directing/dispensing;
- 23 (k) Uniform kits, Iron buttons customized with "TWS", Leg Anklets
24 and Boots, Beret and Belt, Rain Boot, Rain Coat and a round Jungle hat;
- 25 (l) Other necessary logistics gadgets as may be required from time to
26 time.

27 (4) Any person who, before the coming into force of this Act is
28 holding an Office in the Traffic Warden Service shall on the commencement of
29 this Act be deemed to have been appointed by the Board under this Act.

1 **32.** This Bill may be cited as the Traffic Warden Service Bill, 2019. Citation

2 SCHEDULES

3 FIRST SCHEDULE

4 (Section 3)

5 *Proceedings of the Board*

6 **1.** The Board shall have powers to regulate its proceedings at any
7 meeting and may make standing orders for that purpose, and subject to such
8 standing orders and paragraph (2) of this Schedule, may function
9 notwithstanding any vacancy in its membership or the absence of any
10 member.

11 **2.** The quorum at a meeting of the Board shall consist of the
12 chairman or, in an in appropriate case, the person presiding pursuant to
13 paragraph 4 (2) of this Schedule, and five other members.

14 **3.** At any time while the office of the chairman is vacant or the
15 chairman is, in the opinion of the Board, temporarily unable to perform the
16 functions of his office, a member of the Board duly appointed shall perform
17 those functions and references in this Schedule to the chairman shall be
18 construed accordingly.

19 **4.-(1)** Subject to the provisions of its standing orders, the Board
20 shall meet whenever summoned by the chairman; and if the chairman is
21 required to do so by notice given to him by not less then six other members,
22 he shall summon a meeting of the Board to be held within 21 days from the
23 date on which the notice is given.

(2) At any meeting of the Board, the chairman or, in his absence, any member duly appointed by the Board, shall preside at that meeting.

(3) Where the Board wishes to obtain the advice of any person on a particular matter, the Board may co-opt him as a member for such period as it thinks fit, but a person who is a member by virtue of this subparagraph shall not be entitled to vote at any meeting of the Board and shall not count towards a quorum.

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

(2) A committee appointed under this paragraph shall consists of the number of persons determined by the Board, and not more than one-third of such persons may be persons who are not members of the Board; and a person other than a member of the Board shall hold office on the Committee in accordance with the terms of the instrument by which he is appointed.

8 (3) A decision of a Committee of the Board shall be of no effect until it
9 is confirmed or approved by the Board.

10 **6.** The fixing of the seal of the Board shall be authenticated by the
11 signature of the Chairman or of some other member authorized generally or
12 specially by the Board to act for that purpose.

SECOND SCHEDULE

UNIFORMS, FLAG AND EMBLEM

(1) The Traffic Warden Service shall have and maintain the following design of Uniforms, Flag and Emblem:

(a) A pair of Black Trouser for men and Skirt for women with Orange top Shirt and Yellow Beret, Jungle cap or 'P' cap, a Black Line yard for Field control/ Action Uniform/Normal daily duty;

(b) The Liberty Uniform shall be a complete Black starched khaki Trouser and Shirt with Orange collar, Black background Shoulder flap with design Orange pips (for Officers only) and/or "TWS" (for Rank/File only) on it, with the Service colours at the beginning of the flaps and a pair of Yellow Leg Anklets, Yellow belt and Yellow Beret, Jungle cap or 'P' cap with the Service colour-designed feathers on the caps, a Line yard and the designed Hand Badge for general dressing. It shall be known as Liberty Uniform;

(c) The Ceremonial Uniform shall be a complete Yellow Outfit (a pair of Trousers and a Jacket), for officers only. The Officers' trousers shall have the Service colours adorn the sides. The Jacket shall be designed with Ceremonial Line Yard, rank and a Belt. A Yellow 'P' cap with the Service designed-colours

1 on it and a pair of Yellow shoes, Yellow Hand gloves and a Sword by the
2 side.

3 For the Rank/File, the Ceremonial Uniform shall be a pair of Black Trouser
4 and a Yellow Jacket. The Trouser shall have the Service colours adorn on the
5 sides. The Jacket shall have a Conical shaped design at the arms, down the
6 sleeves, a Ceremonial Line Yard and Yellow Hand gloves, with a pair of
7 Black Boots and Yellow Anklets, Yellow Belt, a 'P' cap with the Service
8 colour-designed feathers on it for Ceremonial Functions.

9 (d) The Provost Uniform shall be a complete Black starched khaki
10 Trouser and a Shirt with Orange collar, a pair of White Leg Anklets, White
11 Belt, White crossed Belt, White Line Yard and a White Beret or White 'P' cap
12 or a Jungle cap, with the Service colours-designed feathers on it, a Badge
13 with the inscription "TP" (Traffic Provost) and the Hand Badge and a Neck
14 Moflag with the Service colours and the emblem on it, for Provost Personnel
15 only;

16 (e) In addition, a Special Track Suit is designed for Traffic Warden
17 Service Sports Personnel, the Track Suit is Yellow in colour with the Service
18 colour adorn the sides of the trouser and the sleeves of the Jacket, running
19 from the neck/shoulders down the arms and round the neck flap and hand or
20 wrist. The Service emblem is also printed on the breast position of the
21 Jacket;

22 (f) A Special Cardigan for Traffic Warden Service Personnel uses is
23 also there, it is orange in colour with the Service colours running across the
24 'V' neck, the arms and the down end of the Cardigan. To be worn during
25 and/or in cold environment or in cold atmosphere.

26 (g) A Hand badge, Chest badge are also designed for Personnel
27 uses in addition to the various Uniforms, to show-case the beauty of the
28 Traffic Warden Service Uniform Outfits.

29 (2) Officers Uniform from the rank of Assistant Controller of
30 Traffic (ACT) and above would always have a collar designed Corgem

1 attached to it in accordance with the prevailing lay down ethics of Senior
2 Officers' rights, with the other Paramilitary Organizations in the country.

3 The 'P' cap designs of Officers shall be as follows:

4 (a) Chief Superintendent of Traffic (CST) would always have a Silver
5 designed cord in a single crescent form at the front handle, without a wreath
6 surrounding the Service emblem and/or in all the caps worn by these category
7 of Senior Officers;

8 (b) From the rank of Assistant Controller of Traffic (ACT), Deputy
9 Controller of Traffic (DCT) and the Controller of Traffic (CT), the 'P' cap
10 would always have a designed Gold shells in a single crescent form at the front
11 handle with a single wreath surrounding the Service emblem and/or in all the
12 caps worn by these category of Senior Officers;

13 (c) From the rank of Assistant Controller-General of Traffic (ACG)
14 and the Deputy Controller-General of Traffic (DCG) the 'P' cap would always
15 have a designed Gold shells in double crescent form at the front handle with
16 double wreath surrounding the Service emblem and/or in all the caps worn by
17 these category of Officers;

18 (d) For the Controller-General of Traffic (CGT), the 'P' cap would
19 always have a designed Gold shells in double crescent form at the handle with
20 triple wreath surrounding the Service emblem and/or in all the caps worn by the
21 Controller-General of Traffic (CGT).

22 (3) The Flag shall be Green, White and Orange colours arranged
23 horizontally from either sides.

24 (4) The Emblem of the Traffic Warden Service shall be the traffic sign
25 of "No Parking" represented with cross 'P' circled, with two batons on top,
26 connected by a cord, with an Eagle sitting on the cord. Underneath a wreath,
27 with the ensign "Traffic Warden Service".

28 (5) Any regulation(s) made under sub-section (1) of this section need
29 not be published in the federal gazette but the Traffic Warden Service Board
30 shall cause same to be brought to the notice of all Traffic Wardens.

1 THIRD SCHEDULE

2 RANKS STRUCTURE

3 The different ranks of Superior Traffic Warden Officers of the Service, the
4 precedence and the insignia of each of such rank, shall be as prescribed
5 below:

6 (a) Controller-General the device of the Federation, two Star
7 and crossed tip staves surrounded by a laurel wreath

8 (b) Deputy Controller-General the device of the Federation, one
9 star.... Star and crossed tip staves surrounded by a laurel wreath;

10 (c) Assistant Controller-General the device of the Federation,
11 one Bar, Bar and crossed tripstaves surrounded by a laurel wreath;

12 (d) Controller the device of the Federation, and crossed
13 tipstaved surrounded by a laurel wreath;

14 (e) Deputy Controller a star, and crossed tipstaves surrounded
15 by a laurel wreath;

16 (f) Assistant Controller crossed tipstaves surrounded by a laurel
17 wreath;

18 (g) Chief Superintendent the device of the Federation and a
19 star;

20 (h) Superintendent the device of the Federation;

21 (i) Deputy Superintendent).... three stars arranged vertically;

22 (j) Assistant Superintendent (Substantive rank.... two stars
23 arranged vertically;

24 (k) Assistant Superintendent one star (on probation/on trial);

25 (l) Cadet Assistant Superintendent one star surmounting a white
26 band on the shoulder trap.

27 (2) The different ranks of the Senior Non-Commissioned Officers
28 of the Service, the precedence, and the insignia of each of such rank shall be
29 as prescribed below;

30 (3) The different ranks of the Junior Non-Commissioned Officer of

1 the Service the precedence and the insignia of each of such rank shall be as
2 prescribed below:

3 (a) Chief Inspector ... four horizontal bars arranged vertically;

4 (b) Principal Inspector (Substantive) three horizontal bars
5 arranged vertically;

6 (c) Inspector (on probation) two horizontal bars arranged
7 vertically;

8 (d) Cadet Inspector (2nd 6 months in training) one epaulette and
9 two horizontal bars arranged vertically;

10 (e) Cadet Inspector (1st 6 months in training) one epaulette:

11 (a) Sergeant three chevrons, worn points down;

12 (b) Corporal two chevrons, worn points down;

EXPLANATORY MEMORANDUM

This Bill seeks to Repeal Sections 59 - 69 of the Police Act Cap 359 Laws of the Federation of Nigeria, 1990, to Re-Enact the Traffic Warden Service which shall be responsible for the appointment, promotion and discipline of traffic wardens, issuance of certificate of appointment and discharge.

A BILL

FOR

AN ACT TO ESTABLISH THE FEDERAL UNIVERSITY OF AGRICULTURE
IGBOORA, OYO STATE TO MAKE COMPREHENSIVE PROVISIONS FOR ITS
DUE MANAGEMENT AND ADMINISTRATION AND FOR RELATED MATTERS

Sponsored by Hon. Muraina S. Ajibola

[] Commencement

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

1 PART I - ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF FEDERAL

2 UNIVERSITY OF AGRICULTURE IGBOORA, OYO STATE

3 1.-(1) There is establish the Federal University of Agriculture
4 Igboora, Oyo State (in this Bill referred to as "the University").

Establishment
and objects of
the Federal
University of
Agriculture
Igboora, Oyo
State

5 (2) The University-

6 (a) shall be a body corporate with perpetual succession and a
7 common seal; and

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

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

Objects of the
University

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

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

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

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

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

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

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

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

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

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

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

Constitution of
the University
and its Constituents
Bodies, etc.

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

25 (a) a Chancellor;

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

27 (c) a Vice Chancellor and a Senate;

28 (d) a Deputy Vice-Chancellor;

29 (e) a body to be called Congregation;

30 (f) a body to be called Convocation;

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

Powers of the
University

1 the University;

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

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

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

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

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

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

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

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

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

1 with any bank on deposit or current account;

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

7 (o) make gifts for any charitable purpose;

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

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

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

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

Functions of the
Chancellor and
Pro-Chancellor

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

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

Establishment
and Composition
of Council

27 (a) the Pro-Chancellor;

28 (b) the Vice-Chancellor;

29 (c) the Deputy Vice-Chancellor;

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

Functions of
the Council and
its Finance and
General Purpose

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Functions of the
Senate

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Functions of the
Vice-Chancellor

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

21 PART II -TRANSFER OF PROPERTY

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

Transfer of
Property to the
University

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

29 PART III - STATUTES OF THE UNIVERSITY

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

Power of the
University to
make Statutes

1 any of the following purposes-

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

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

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

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

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

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

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

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

Mode of exercising
the power to make
Statutes

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

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

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

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

1 present and voting.

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

5 (4) A Statute which-

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

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

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

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

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

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

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

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

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

12 PART IV - SUPERVISION AND DISCIPLINE

The Visitor

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

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

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

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

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

Removal of
 certain Members
 of the Council

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

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

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

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

Removal and
discipline of
Academic,
Administrative
and Professional
Staff

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Removal of
Examiners

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

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

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

Discipline of
Students

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

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

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

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

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

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

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

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

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

28 PART V - MISCELLANEOUS AND GENERAL PROVISIONS

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

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

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

3 (a) student in the University;

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

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

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

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

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

Transfer of land
to the University

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

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

Restriction on
disposal of land
by University

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

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

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

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

Miscellaneous
Administrative
provisions

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

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

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

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

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

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

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

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

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

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

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

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

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

Interpretation

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

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

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

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

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

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

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

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

24 "notice" means notice in writing;

25 "officer" does not include the Visitor;

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

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

29 "property" includes rights, liabilities and obligations;

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

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

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

27 **27.** This Bill may be cited as the Federal University of Agriculture Short Title
28 Igboora, Oyo State (Establishment, etc.) Bill, 2019.

1 SCHEDULES

2 FIRST SCHEDULE

3 *Section 3 (2)*

4 PRINCIPAL OFFICERS OF THE UNIVERSITY

5 *The Chancellor*

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

8 *The Pro-Chancellor*

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

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

13 *The Vice-Chancellor*

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

17 *Deputy Vice-Chancellor*

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

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

24 (3) A Deputy Vice-Chancellor shall-

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

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

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

Office of the Registrar, Bursar and University Librarian

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

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

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

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

(a) the Bursar; and

(b) the University Librarian.

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

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

(4) The Bursar and the University Librarian-

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

Other Officers of the University

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

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

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

8 *Resignation and re-appointment*

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

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

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

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

18 SECOND SCHEDULE

19 *Section 10 (2)*

20 TRANSITIONAL PROVISIONS AS TO PROPERTY, FUNCTIONS, ETC.

21 *Transfer of Property to the University*

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

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

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

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

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

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

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

10 *Registration of Transfers*

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

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

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

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

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

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

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

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

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

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

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

20 THIRD SCHEDULE

21 *Section 11 (3)*

22 FEDERAL UNIVERSITY OF AGRICULTURE IGBOORA, OYO STATE

23 STATUTE NO. 1

24 Articles:

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

1 7. Faculty Board.

2 8. The Dean of the Faculty.

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

4 10. Creation of Academic Post.

5 11. Appointment of Academic Staff.

6 12. Appointment of Administrative and Technical Staff.

7 *The Council*

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

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

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

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

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

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

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

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

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

9 *The Finance and General Purpose Committee*

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

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

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

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

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

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

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

24 *The Senate*

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

26 (a) the Vice-Chancellor;

27 (b) the Deputy Vice-Chancellor;

28 (c) all Professors of the University;

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

1 (e) all Heads of Academic Departments, Units and Research
2 Institutes of the University;
3 (f) the University Librarian; and
4 (g) academic members of the congregation who are not Professors
5 as specified in the Laws of the University.

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

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

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

16 *Congregation*

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

18 (a) the Vice-Chancellor and the Deputy Vice-Chancellor;
19 (b) the full time members of the academic staff;
20 (c) the Registrar;
21 (d) the Bursar; and
22 (e) every member of the administrative and technical staff who
23 holds a degree of any University recognized for the purpose of this Statute
24 by the Vice-Chancellor, not being an honorary degree.

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

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

1 or fifty, whichever is less.

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

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

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

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

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

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

16 *Convocation*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

26 *Organisation of Faculties and Branches thereof*

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

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

1 directions of the Vice-Chancellor, shall-

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

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

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

8 (2) Each Faculty Board shall consist of-

9 (a) the Vice-Chancellor;

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

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

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

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

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

19 *The Dean of the Faculty*

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

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

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

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

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

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

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

19 *Selection of Certain Principal and other key Officers*

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

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

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

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

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

6 *Creation of Academic Post*

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

10 *Appointment of Academic Staff*

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

14 *Appointment of Administrative and Technical Staff*

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

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

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal University of Agriculture Igboora, Oyo State to make comprehensive provisions for its due management and administration.

A BILL

FOR

AN ACT TO AMEND THE ARMED FORCES ACT CAP. A20 LAWS OF THE
FEDERATION OF NIGERIA, 2004 TO PROVIDE FOR COMPLIANCE WITH THE
PRINCIPLE OF FEDERAL CHARACTER IN THE APPOINTMENT OF SERVICE
CHIEFS AND RELATED MATTERS

Sponsored by Hon. Awaji-Inombek D. Abiante

[] Commencement

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

- | | | |
|----|--|-------------------|
| 1 | 1. The Armed Forces Act Cap. A20 Laws of the Federation of | Amendment of |
| 2 | Nigeria, 2004 (in this Bill referred to as the "Principal Act") is amended as | the Principal Act |
| 3 | set out in this Bill. | |
| 4 | 2. Section 18 of the Principal Act is amended by inserting a new | Amendment of |
| 5 | Sub-section 5 as follows: | Section 18 |
| 6 | “5. Without prejudice to the power of the President under this Act, | |
| 7 | the President shall observe the principle of Federal Character as enshrined in | |
| 8 | the Constitution of the Federal Republic of Nigeria, 1999 as amended, when | |
| 9 | appointing Service Chiefs that make up the Armed Forces of the Federal | |
| 10 | Republic of Nigeria. | |
| 11 | 3. This Bill may be cited as the Armed Forces Act (Amended) Bill, | Citation |
| 12 | 2019. | |

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Armed Forces Act Cap. A20 Laws of the
Federation of Nigeria, 2004 by providing that the principle of Federal
Character be observed in the appointment of Service Chiefs for the Armed
Forces of Nigeria.

A BILL

FOR

AN ACT TO ALTER SECTION 162 (2) OF THE CONSTITUTION OF THE
FEDERAL REPUBLIC OF NIGERIA AND FOR RELATED MATTERS

Sponsored by Hon. Awaji-Inombek D. Abiante

Co: Sponsors:

Hon. Dumnamene Dekor
Hon. Bob Solomon
Hon. Nnam-Obi Prince Uchechukwu
Hon. Goodhead Boma
Hon. Dagogo Farah
Hon. Dike Chisom Promise
Hon. Emerengwa Boniface Sunday
Hon. Chinda Kingsley Ogundu
Hon. Gogo Bright Tamuno
Hon. Chikere Kenneth Anayo
Hon. Igwe Chinyere Emmanuel
Hon. Pondi Julius
Hon. Agbedi Frederick

[] Commencement

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

- 1 **1.** The Constitution of the Federal Republic of Nigeria, 1999 (In
- 2 this Bill Referred to as the "Principal Act") is hereby Altered as Set-Out-
- 3 **2.** Section 162 (2) of the Principal Act is Altered by Substituting
- 4 the Existing Words "not less than thirteen percent" line three and with the
- 5 words "not less than fifty percent".
- 6 **3.** This Bill may be cited as the Constitution of the Federal
- 7 Republic of Nigeria (Alteration) Bill, 2019.

Alteration of the
Constitution of
the Federal
Republic of
Nigeria, 1999

Alteration of
Section 162

Citation

EXPLANATORY MEMORANDUM

This Bill seeks to Alter Section 162 (2), Paragraph 2 of the Constitution of the Federal Republic of Nigeria by Increasing the Percentage of Derivation Fund of the Revenue Accruing to the Federation Account Directly from any Natural Resources to not Less than Fifty (50%) Percent.

A BILL

FOR

AN ACT TO AMEND THE SEA FISHERIES ACT CAP. S4 LAWS OF THE
FEDERATION OF NIGERIA, 2004 TO AMONG OTHER THINGS BRING THE
PENALTIES THEREIN IN CONFORMITY WITH MODERN DAY REALITIES AND
FOR RELATED MATTERS

Sponsored by Hon. Awaji-Inombek D. Abiante

[] Commencement

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

- | | | |
|----|---|-------------------|
| 1 | 1. The Sea Fisheries Act Cap S4 Laws of the Federation, 2004 (in | Amendment of |
| 2 | this Bill, referred to as "the Principal Act") is hereby amended as set out | Sea Fisheries Act |
| 3 | hereunder; | |
| 4 | 2. Section 1 (2) of the Principal Act is hereby amended by | Amendment of |
| 5 | substituting the sum of "\$250,000" with "not less than "N50,000,000". | Section 1 (2) |
| 6 | 3. Section 5 of the Principal Act is hereby amended by substituting | Amendment of |
| 7 | the sum of "N50,000" with "not less than "N500,000". | Section 5 |
| 8 | 4. Section 10 of the Principal Act is hereby amended by | Amendment of |
| 9 | substituting the sum of "N50,000" with "not less than "N100,000". | Section 10 |
| 10 | 5. Section 11 of the Principal Act is hereby amended by | Amendment of |
| 11 | substituting the sum of "N50,000" with "not less than "N1,000,000". | Section 11 |
| 12 | 6. Section 12 of the Principal Act is hereby amended by | Amendment of |
| 13 | substituting the sum of "N50,000" with "not less than "N500,000". | Section 12 |
| 14 | 7. This Bill may be cited as Sea Fisheries Act (Amended) Bill, | Citation |
| 15 | 2019. | |

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Sea Fisheries Act by increasing the penalties on violators of the provision of this act, thus bringing it in conformity with modern day realities.

NATIONAL INSTITUTE FOR BRACKISH WATER FISHERIES RESEARCH,
NGO-ANDONI (EST.) BILL, 2019
ARRANGEMENT OF CLAUSES

Clause:

PART I - ESTABLISHMENT OF THE NATIONAL INSTITUTE FOR BRACKISH
WATER FISHERIES RESEARCH, NGO-ANDONI

1. Establishment of the National Institute for Brackish Water Fisheries Research, Ngo-Andoni
2. Mandate of the Institute
3. The powers of the Institute
4. Governing Board of the Institution
5. Powers of the Board
6. The Director-General of the Institute
7. The Provost

PART II - PROFESSIONAL DISCIPLINE

8. Professional discipline
9. Penalties for unprofessional conduct

PART III - MISCELLANEOUS AND GENERAL PROVISIONS

10. Provision of Library
11. Rules and regulations
12. Offences.

PART IV - FINANCIAL PROVISIONS

13. Funds of the Institute
 14. Bank account of the Institute
 15. Power to accept gift
 16. Power to borrow
 17. Annual estimates, accounts and audit
 18. Annual report
 19. Indemnity of members
 20. Legal proceedings and service of summons
 21. Seal of the Institute
 22. Interpretation
 23. Citation
- Schedule

A BILL

FOR

AN ACT TO ESTABLISH THE NATIONAL INSTITUTE FOR BRACKISH WATER FISHERIES, NGO-ANDONI FOR FISHERY RESEARCH, EDUCATION AND COOPERATIVE TRAINING IN NIGERIA; AND FOR RELATED MATTERS, 2019

Sponsored by Hon. Awaji-Inombek D. Abiante

[] Commencement

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

1 PART I - ESTABLISHMENT OF THE NATIONAL INSTITUTE FOR BRACKISH
2 WATER FISHERIES RESEARCH, NGO-ANDONI

3 1.-(1) There is established the National Institute for Brackish Water
4 Fisheries Research, Ngo-Andoni (in this Bill referred to as "the Institute").
5 (2) The Institute:

Establishment
of the National
Institute for
Brackish Water
Fisheries Research,
Ngo-Andoni

6 (a) shall be a body corporate with perpetual succession and
7 common seal which shall be kept in such custody as the Institute may
8 authorize;

9 2.-(1) The mandates of the Institute shall be:

Mandate of the
Institute

10 (a) to conduct basic and applied research of national and strategic
11 importance for sustainable brackish water culture systems;

12 (b) act as repository of information on brackish water fishery
13 resources with a systematic database;

14 (c) direct the processes of species and systems expansion in
15 Nigeria brackish water aquaculture;

16 (d) provide platform for human resource development, capacity
17 building and skill development through training, education and extension;

18 (e) conduct of research into brackish water quality management,
19 pollution control and fisheries resources economics and marketing

20 (f) provide link with relevant National and International

1 agencies/institutions;

2 (g) monitoring/management of Geological and geophysical features
3 of brackish- water bodies in Nigeria;

4 (h) improvement and enhancement of the livelihoods of the creeks
5 dwellers with emphasis on youths and women;

6 (i) provide training in fishing craft technology, brackish-water
7 aquaculture; and

8 (j) providing cooperative training for persons engaged in fish
9 business on developing fishing clusters.

10 (2) The Institute shall, when so requested by the Federal Government,
11 government agencies or any of the State or Local Government authorities or
12 any authorized body, provide information or give advice relating to their
13 specified fields of research.

The powers of
the Institute

14 3.-(1) The institute may, with the approval of its supervising Ministry
15 or Board, enter into association or agreement with the competent authorities of
16 any university or other institution of higher learning or recognized
17 international institutions for the purpose of promoting or furthering mutual co-
18 operation in the field of scientific research in respect of which the Board has
19 responsibility under this Bill.

20 (2) The Institute may, at the written request of any government
21 agency, local government authority or private organisation, train laboratory,
22 field ecology extension and other categories or descriptions of workers relative
23 to their specified fields of research.

24 (3) Without prejudice to its research functions, the Institute may
25 produce improved seedlings and other planting materials as part of its research
26 and experimental programmes for use of farmers in different ecological zones
27 of the Federation.

28 (4) The Institute shall, when so requested by the Federal Government,
29 government agencies or any of the State or Local Government authorities or
30 any authorized body, provide information or give advice relating to their

1 specified fields of research.

2 **4.**-(1) There shall be for the Institute, a governing body (in this Bill
3 referred to as "the Board") charged with the administration of government
4 policies.

Governing
Board of the
Institution

5 (2) The Board shall be established by the President of the Federal
6 Republic of Nigeria on the recommendation of the Minister and shall be
7 evenly distributed among the six geo- political zones of the Federation.

8 (3) The Board shall consist of:

9 (a) a chairman, knowledgeable in Fishery or related discipline;

10 (b) a representative of the Ecological Funds Office:

11 (c) a representative of the Supervising Ministry charged with the
12 supervision of Fishery matters;

13 (d) two other members nominated by the President; and

14 (e) the Director-General of the Institute;

15 (f) the Director-General of the Institute who shall be the Secretary
16 to the Board.

17 (4) With the exception of the Director-General, membership of the
18 Board shall be on part-time basis.

19 (5) A member of the Board may resign his appointment by a letter
20 addressed to the President, through the Minister, and, if accepted. The
21 resignation shall take effect from the date the President receives the letter of
22 resignation.

23 (6) Members of the Board shall, unless otherwise provided, hold
24 office for a term of four years and may be eligible for another term of four
25 years and no more.

26 **5.**-(1) The Board shall have the powers to-

Powers of the
Board

27 (a) perform all functions conferred on the Institute by this Bill;

28 (b) formulate policies for the Institute;

29 (c) make rules to govern the procedures of its meetings; and

30 (d) make recommendation to the Minister on the establishment of

The Director-
General of the
Institute

1 specialized colleges in other parts of the country as the need arises.

2 (2) The provision of the Schedule to this Bill shall apply with respect
3 to the proceedings Schedule of the Board.

4 **6.-(1)** The President shall, on the recommendation of the Minister,
5 appoint the Director- General of the Institute.

6 (2) The Director-General shall be-

7 (a) a Research Professor with vast experience in Fishery and or
8 related disciplines;

9 (b) charged with the day-to-day management of the affairs of the
10 Institute in accordance with such instructions as may be given to him by the
11 Minister, through the Board of the Institute;

12 (c) the Accounting Officer of the Institute.

13 (3) The Director-General of the Institute shall hold office for a term of
14 four years and may be eligible for re-appointment for another term of four years
15 and no more.

16 (4) The Board may appoint such other persons as employees of the
17 Institute either by way of transfer or secondment from any of the public service
18 or any university in the Federation or otherwise as it considers necessary.

19 (5) The Institute shall operate research professorial cadre system for
20 researchers or lecturers and directorate equivalent system for support services
21 staff such as:

22 (a) the Institute's Secretary for Administration Cadre System;

23 (b) the Institute's Librarians for Library Cadre system;

24 (c) the Institute's Accountant for the Account and Finance Cadre
25 System;

26 (d) the Institute's Auditor for the Audit Cadre System; and

27 (e) the Head of Procurement for the Procurement Cadre System.

28 (6) The remuneration, conditions of service and tenure of office of the
29 employees of the Institute shall be determined by the National Income, Salaries
30 and Wages Commission and the Federal Civil Service Commission.

The Provost

(2) The Provost shall:

(a) be a Ph.D. holder and shall possess a minimum experience as a

(b) be charged with the day-to-day management of the College in

(c) design research programmes, the formulation and

(d) coordinate the training programmes or research and provisions

(e) be responsible for the collation and interpretation of research

(f) prepare annual and quarterly reports in respect of his College;

(g) be responsible for College development programmes and

(h) hold office for a non-renewable term of five years.

(3) The Board shall recommend the removal of the Provost to the

PART II - PROFESSIONAL DISCIPLINE

Professional discipline

9. Where a staff-

Penalties for unprofessional conduct

(b) is found to have contravened the provisions of Public Service

(c) contravene directives issued as government circulars from the

	1	supervising Ministry, Federal Civil Service Commission, Office of the
	2	Secretary to the Government of the Federation, Office of the Head of Service
	3	and other Federal Government offices with authority to issue circulars and
	4	directives, the staff shall be subjected to disciplinary measures in accordance
	5	with the regulations contained Public Service Rules.
	6	PART III - MISCELLANEOUS AND GENERAL PROVISIONS
Provision of Library	7	10. The Institute shall-
	8	(a) provide and maintain a library comprising of books and
	9	publications for the advancement of knowledge of Fishery and such other
	10	books and publications as the Board may deem necessary for that purpose; and
	11	(b) encourage research into Fishery and allied subjects to the extent
	12	that the Board may consider necessary.
Rules and regulations	13	11.-(1) The Minister shall have powers to make rules and regulations
	14	under this Bill.
	15	(2) The regulation made under this Bill shall be published in the
	16	Federal Government Gazette as soon as they are made.
	17	(3) The rules made for the purposes of this Bill (other than rules made
	18	by the Minister) shall:
	19	(a) be subject to confirmation by the Institute at its next annual
	20	meeting or at any special meeting of the Institute convened for the purpose; and
	21	(b) if not confirmed, cease to have effect on the day after the date of
	22	the confirmation but without prejudice to anything done in pursuance or
	23	intended pursuance of such rules.
Offences	24	12.-(1) If a staff, for the purpose of procuring the registration of any
	25	name, qualification or other matter:
	26	(a) makes a statement which he believes to be false in a particular
	27	matter, or
	28	(b) recklessly makes a statement which is false in a particular matter;
	29	the staff shall commits an offence.
	30	(2) If a member or any other person employed by or on behalf of the

1 Institute willfully makes any falsification on any matter, the member or
2 person commits an offence.

3 (3) Any staff who commits an offence under this section shall, after
4 being found guilty by properly constituted Disciplinary Committee, be
5 subjected to relevant punishment stipulated under the Public Service Rule.

6 PART IV - FINANCIAL PROVISIONS

7 13.-(1) The Institute shall establish and maintain a fund into which Funds of the
8 shall be paid: Institute

9 (a) annual subvention from the Federal Government;

10 (b) Monetary gifts, research grants or aids and contribution from
11 national and international organisations;

12 (c) internally generated revenue from research breakthroughs,
13 products and services provided by the Institute;

14 (d) the internally generated revenue which shall be shared at the
15 ratio of 75% - 25% for the Institute and the Federal Government
16 respectively;

17 (e) the 75% share for the for the institute which shall be expended
18 on areas that would promote the Institute's mandate;

19 (f) loans and other solicited funds received by the Institute; and

20 (g) all other sums accruing to the Institute from time to time.

21 (2) The Institute shall prepare a detailed annual budget of its
22 programmes and activities the approval of the Board and the Minister.

23 (3) The Institute shall apply the funds at its disposal:

24 (a) to meet the cost of administration of the Institute and its
25 Colleges;

26 (b) for the payment of fees, allowances and benefits of members of
27 the Board;

28 (c) to the payment of functions of the Institute under this Bill or any
29 matter connected to its function;

30 (d) to meet any capital expenditure of the Institute;

	1	(e) salaries, allowances and benefits of officers and other employees
	2	of the Institute;
	3	(f) to such reasonable travelling and subsistence allowances of the
	4	Board, Director-General and other members of staff in respect of time spent on
	5	the duties of the Institute as may be determined by the Board and other
	6	guidelines of the Institute;
	7	(g) to maintain any property acquired by or vested in the Institute; and
	8	(h) to implement all or any of the expenditure of the Institute.
Bank account of the Institute	9	14. -(1) The Institute shall maintain a bank account in its name in
	10	banks approved by the Board
	11	(2) Any fund of the Institute in excess of an imprests to be determined
	12	by the Board shall be lodged into the Institute's account.
Power to accept gift	13	15. -(1) The Institute may accept gifts of land, money or other
	14	testament my dispositions, endowments and contributions on such terms and
	15	conditions, if any, as may be specified by the donor.
	16	(2) The Institute shall not accept any gift if the conditions attached by
	17	the donor are Inconsistent with the objectives and functions of the Institute
	18	under this Bill.
Power to borrow	19	16. -(1) The Institute may, with the consent of the Minister and on the
	20	recommendation of the Board, borrow by way of loan, a specified amount as it
	21	may require for meeting its obligations and performing its functions under this
	22	Bill.
	23	(2) No consent or authority shall be required under subsection (1), if
	24	the sum or the aggregate of the sums involved at any time does not exceed such
	25	amount as may, for the time being, specified in relation to the Institute by the
	26	Federal Government.
Annual estimates, accounts and audit	27	17. -(1) The Institute shall prepare, not later than so" September, an
	28	estimate of the expenditure and income of the Institute during the next
	29	succeeding year and, when prepared, they shall be submitted to the Minister for
	30	approval prior to final submission at the National Assembly.

1 (2) The Institute shall keep proper books of records and accounts
2 which shall be audited by auditors approved by the Board from the list of
3 auditors in accordance with the guidelines supplied by the Auditor-General
4 for the Federation.

5 **18.** The Institute shall, not later than six months after the end of Annual report
6 each year, submit to the National Assembly, through the Minister, a report on
7 the activities and the administration of the Institute and its Colleges during
8 the immediately preceding year and shall include in the report. The audited
9 accounts of the Institute and its Colleges and the report of the Auditor on the
10 accounts.

11 **19.** No suit, prosecution or legal proceedings shall lie against any Indemnity of
12 officer, member or employee of the Institute for anything which is done in members
13 good faith or is intended to be done under this Bill rules or regulations made
14 under this Bill.

15 **20.-(1)** A suit shall not be commenced against the Institute before Legal proceedings
16 the expiration of a period of one month. after written notice of intention to and service of
17 commence the suit shall have been served on the Institute by the intending summons
18 plaintiff or claimant or his counsel, and the notice shall clearly state the:

19 (a) cause of action;
20 (b) particulars of the claim;
21 (c) name and place of abode of the intending plaintiff or claimant;
22 and

23 (d) relief which he claims.

24 (2) The notice referred to in subsection (1) of this section and any
25 summons, notice or other document required or authorised to be served on
26 the Institute under the provisions of this Bill or any other enactment or law
27 may be served by:

28 (a) delivering the documents to the office of the Director- General;
29 (b) sending it by registered post addressed to the Director-General
30 at the Headquarters of the Institute.

Seal of the
Institute 1 **21.** The seal of the Institute shall not be affixed on any instrument
2 except with the authority of the Director-General.

Interpretation 3 **22. In this Bill-**
4 "Board" means the Board established as the governing body of the Institute
5 under section 4 (2) of this Bill;
6 "Director-General" means the Director-General appointed under section 6 (1)
7 of this Bill;
8 "institute" means the National Institute for Brackish Water Fisheries Research,
9 Ngo-Andoni established' under section 1 (1) of this Bill;
10 "Colleges" means the Federal Colleges of the Institute under this Bill;
11 "Member" means Member of the Institute;
12 "Minister" means the Minister charged with the responsibility for matters
13 relating to Fishery;
14 "Supervising Ministry" means the Ministry charged with the responsibility for
15 matters relating to Brackish Water Fisheries.

Citation 16 **23.** This Bill may be cited as the National Institute for Brackish Water
17 Fisheries Research, Ngo-Andoni (Est.) Bill, 2019.

SCHEDULE

Sections 5 (2)

SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD AND

THE INSTITUTE

Qualifications and Tenure of Office of members

1.-(1) Subject to the provisions of this paragraph, a member of the
Board shall hold office from the effective date of the instrument of his
appointment.

(2) A member of the Institute who ceases to be a member shall, if he is
also a member of the Board, cease to hold office on the Board.

Powers of the Board

2. The Board shall have powers to do anything which, in its opinion,

1 is calculated to facilitate the carrying-on of the activities of the Institute
2 under this Bill.

3 *Proceedings of the Board*

4 3.-(1) Subject to the provisions of this Bill, the Board may, in the
5 name of the Institute, make standing orders regulating the proceedings of the
6 Institute or Board and, in the exercise of its powers under this Bill, may set
7 up committees in the general interest of the Institute and make standing
8 orders for the committees.

9 (2) Standing orders shall provide that decisions shall be taken by a
10 majority of the members, and, in the event of equality of votes, the Chairman
11 has a second or casting vote.

12 (3) Standing orders made for a Committee shall provide that the
13 Committee is to report back to the Board on any matter not within its
14 competence to decide.

15 (4) The quorum of the Board shall be four and the quorum of a
16 Committee of the Board shall be fixed by the Board.

17 *Committees*

18 4. The Board shall convene the annual fanning systems meeting of
19 the Institute every year.

20 5.-(1) The Institute may set up one or more standing or ad-hoc
21 committees to carry out, on its behalf, such of its functions as it may
22 determine.

23 (2) A Committee set up under this paragraph shall consist of such
24 number of persons as may be determined by the Institute and a person, other
25 than a member of the Institute, shall hold office on the Committee in
26 accordance with the terms of his appointment

27 (3) A decision of a Committee of the Institute shall be of no effect
28 until it is confirmed by the Institute.

29 *Meetings of the Institute*

30 6. The institute shall convene an annual meeting immediately

1 before the commencement of a new academic session or on such other date as
2 the Board may appoint, but if the meeting is not held within one year after the
3 previous annual meeting, not more than 15 months shall elapse between the
4 respective dates of the two meetings.

5 *Meetings of the Board*

6 7.-(1) The Board shall meet at least twice in any financial year, and
7 subject to the provisions of any standing order of the Board, the Board shall
8 meet at other times as it is summoned by the Chairman, and if the Chairman is
9 required to do so by notice in writing given to him by at least four other
10 members, he shall summon a meeting of the Board to be held within seven days
11 from the date on which notice is given.

12 (2) At any meeting of the Board, the Chairman shall preside but, in his
13 absence, the members present at the meeting shall appoint one of them to
14 preside at that meeting.

15 (3) Where the Board decides to obtain the advice of any person on a
16 particular matter, the Board may co-opt him as a member for such period as the
17 Board deems fit, but a person who is a member by virtue of this subparagraph is
18 not entitled to vote at any meeting of the Board and shall not count towards a
19 quorum.

20 (4) Notwithstanding anything in the provisions of this paragraph, the
21 first meeting of the Board shall be convened by the Minister who may give such
22 directions as he deem fit as to the procedure which shall be followed by the
23 Board.

24 *Miscellaneous*

25 8.-(1) The fixing of the seal of the Institute shall be authenticated by
26 the Director-General of the Institute or an officer authorised by the Institute to
27 act in his place for this purpose.

28 (2) A contract or instrument, which if made or executed by a person
29 not being a body corporate would not be required to be under seal, may be made
30 or executed on behalf of the Institute or Board, as the case may require, by any

1 person generally or specially authorised to act for that purpose by the Board.

2 (3) A document purporting to be a document duly executed under
3 the seal of the Institute shall be received in evidence and shall, unless the
4 contrary is proved, be deemed to be so executed.

5 9. The validity of any proceeding of the Institute, Board or
6 Committee of the Board shall not be affected by-

7 (a) any vacancy in the membership;

8 (b) any defect in the appointment of a member of the Institute or
9 Board; or

10 (c) reason that a person not so entitled to do so took part in the
11 proceedings.

12 10. A member of the institute or Board and any person holding
13 office on a Committee of the Board who has a personal interest in any
14 contract or arrangement being entered into or proposed to be considered by
15 the Board or any Committee shall declare and disclose his interest in such
16 contract or arrangement to the Board and shall be disqualified to vote on any
17 question relating to such contract or arrangement.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the National Institute for Brackish Water Fisheries Research, Ngo-Andoni for Fishery research, education and cooperative training in Nigeria.

A BILL

FOR

AN ACT TO ALTER THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, 1999 AND FOR RELATED MATTERS

Sponsored by Hon. Awaji-Inombek D. Abiante

[] Commencement

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

- | | | |
|----|--|-----------------------|
| 1 | 1. The Constitution of the Federal Republic of Nigeria Cap. C23 | Alteration of the |
| 2 | Law of the Federation, 2004 (in this Bill referred to as "the Principal Act") is | Constitution of |
| 3 | hereby altered as set out in this Bill. | the Federal |
| 4 | 2. Paragraph 2 of the fifth schedule of the Constitution is hereby | Republic of |
| 5 | altered by deleting the existing paragraph 2 and insert a new paragraph 2. | Nigeria, 1999 |
| 6 | Thus; | Alteration of |
| 7 | Paragraph 2. Restrictions on specified officers: | paragraph 2 of |
| 8 | (a) A public officer shall not receive or be paid the emoluments of | the fifth schedule |
| 9 | any public office at the same time as he receives or is paid the emoluments of | of the Constitution |
| 10 | any public office; | |
| 11 | (b) Subject to paragraph 1 of the fifth schedule, a public officer | |
| 12 | may engage or participate in the management or running of any private | |
| 13 | business, profession or trade; and | |
| 14 | (c) Nothing in paragraphs 1 and 2 of this schedule shall prevent a | |
| 15 | public officer from engaging in farming or participating in the management | |
| 16 | or running of any farm. | |
| 17 | 3. Paragraph 15(3) is hereby altered by deleting the word | Alteration of |
| 18 | "President" in line one and insert "National Judicial Council", and deleting | paragraph 15(3) |
| 19 | "National Judicial Council" in line two and insert "Federal Judicial Service | of the fifth schedule |
| 20 | Commission". | of the Constitution |

Alteration of paragraph 17(3) of the fifth schedule of the Constitution	1	4. Paragraph 17(3) is hereby altered by deleting the word "President"
	2	in line two and insert the words "National Judicial Council".
Citation	3	5. This Bill may be cited as Constitution of the Federal Republic of
	4	Nigeria (Alteration) Bill, 2019.

EXPLANATORY MEMORANDUM

This Bill seeks to alter Paragraphs 2, 15(3) and 17(3) of the Fifth schedule of the Constitution of the Federal Republic of Nigeria by removing the restrictions placed on public officers from engaging or participating in the management of a private business, profession or trade, and as well putting the appointment and removal of the Chairman and members of the Code of Conduct Tribunal under the jurisdiction of the National Judicial Council.

A BILL

FOR

AN ACT TO AMEND THE PRIVATE GUARD COMPANIES ACT CAP. P30 LAWS
OF THE FEDERATION OF NIGERIA, 2004 TO AMONG OTHER THINGS
INCREASE THE PENALTIES THEREIN AND FOR RELATED MATTERS

Sponsored by Hon. Awaji-Inombek D. Abiante

[] Commencement

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

- | | | |
|----|---|--------------------|
| 1 | 1. The Private Guard Companies Act Cap. P30 Laws of the | Amendment of |
| 2 | Federation of Nigeria (in this Bill referred to as 'the Principal Act') is hereby | Private Guard |
| 3 | amended asset out in this Bill. | Companies Act |
| 4 | 2. Section 5 (3) of the Principal Act is hereby amended by | Amendment of |
| 5 | increasing the fine from "N500" to "not less than "N500,000". | Section 5 (3) |
| 6 | 3. Section 32 (1) (a) and (b) of the Principal Act is hereby amended | Amendment of |
| 7 | by increasing the fines imposed by this section as follows: | Section 32 (1) (a) |
| 8 | In para. (a), the amount "N400" is hereby altered by substituting it | and (b) |
| 9 | with "not less than "N500,000". | |
| 10 | In para. (b), the amount "5,000" is hereby altered by substituting it | |
| 11 | with "not less than "N5,000,000". | |
| 12 | 4. This Bill may be cited as Private Guard Companies Act | Citation |
| 13 | (Amendment) Bill, 2019. | |

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Private Guard Companies Act by increasing the penalties on violators of this act, thus bringing it in conformity with modern day realities.

A BILL

FOR

AN ACT TO PROVIDE FOR THE AMENDMENT OF THE CODE OF CONDUCT
BUREAU AND TRIBUNAL ACT CAP. C15 LAWS OF THE FEDERATION OF
NIGERIA, 2004 AND FOR RELATED MATTERS

Sponsored by Hon. Awaji-Inombek D. Abiante

[] Commencement

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

- | | |
|---|---|
| <p>1 1. The Code of Conduct Bureau and Tribunal Act Cap. C15 Laws
2 of the Federation of Nigeria, 2004 (in this Bill referred to as "the Principal
3 Act") is amended asset out in this Bill.</p> | <p>Amendment of
the Code of Conduct
Bureau and
Tribunal Act</p> |
| <p>4 2. Section 6 of the Principal Act is hereby amended by deleting the
5 existing section 6 and insert a new Section 6 thus:</p> | <p>Amendment of
Section 6</p> |
| <p>6 6. Restrictions on specified officers:</p> | |
| <p>7 (a) A public officer shall not receive or be paid the emoluments of
8 any public office at the same time as he receives or is paid the emolument of
9 any other public office;</p> | |
| <p>10 (b) Subject to section 5 of the Principal Act, a public officer may
11 engage or participate in the management or running of any private business,
12 profession or trade;</p> | |
| <p>13 (c) Nothing in this Act shall prevent a public officer from engaging
14 in farming or participating in the management of any farm.</p> | |
| <p>15 3. Section 20 (4) is hereby amended by deleting the word
16 "President" in line 1 and replace it with "National Judicial Council". Also,
17 deleting the words "National Judicial Council" in line 2 and replace it with
18 "Federal Judicial Service Commission".</p> | <p>Amendment of
Section 20 (4)</p> |
| <p>19 4. Section 22 (3) is hereby amended by substituting the word
20 "President" in line two of the Sub-section and insert the following words</p> | <p>Amendment of
Section 22 (3)</p> |

Citation 1 "National Judicial Council".
 2 **5.** This Bill may be cited as Code of Conduct Bureau and Tribunal Act
 3 (Amendment) Bill, 2019.

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Code of Conduct Bureau and Tribunal Act by removing the restriction placed on public officers from engaging or participating in the management of a private business, profession or trade, and as well putting the appointment and removal of the Chairman and members of the Code of Conduct Tribunal under the jurisdiction of the National Judicial Council.

A BILL

FOR

AN ACT TO MAKE PROVISION FOR THE INTEGRATION OF PRIVATE CLOSED
CIRCUIT TELEVISION (CCTV) INFRASTRUCTURE INTO THE NATIONAL
SECURITY NETWORK IN NIGERIA AND FOR RELATED MATTERS

Sponsored by Hon. Awaji-Inombek D. Abiante

[] Commencement

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

1 **1.** This Act makes provision for the integration of Private CCTV
2 infrastructure into the National Security Network in Nigeria.

3 **2.** Every private organization in Nigeria shall within six months
4 this Act come into effect install CCTV within and outside its premises with a
5 view to:

6 (a) maintaining perimeter security in medium-high secure areas
7 and installations;

8 (b) observing behavior of people in order to detect criminal
9 activities within and outside the geographical location of the company;

10 (c) identifying criminal(s) within a reasonable time frame;

11 (d) providing adequate evidence for use in court;

12 (e) obtaining a visual record of activities in situations where it is
13 necessary to maintain proper security or access control.

14 **3.** The broad objective of this bill is to expand the security network
15 infrastructure in Nigeria with a view to protecting the lives and properties of
16 its Citizens.

The objective
of this Bill

17 **4.-(i)** All private companies in Nigeria shall apply or inform the
18 Commissioner of Police in its area of jurisdiction about the installation of
19 the CCTV within and outside its premises;

Police and
Court Powers

20 (ii) This Act grant access to private companies' CCTV by the Police

	1	and the Courts during the course of investigation and trial of suspected
	2	criminals.
Offences and Penalties	3	5. -(a) Any company or organization in Nigeria that refuse, out of
	4	neglect to install CCTV Camera within and outside its premises is liable to a
	5	fine of at least N500,000 or an imprisonment of six months or both;
	6	(b) Continual refusal to install CCTV Camera shall attract a fine of at
	7	least #1million or a year imprisonment or both;
	8	(c) Where there is a complaint of missing of items, lives and property,
	9	and the company/organization within the complaint area is unable to make its
	10	CCTV available to the law enforcement agents during the course of its
	11	investigation, such company/organization shall be liable for negligence and
	12	charged as an accomplice of the crime.
Courts	13	6. The High Court of a State shall have jurisdiction over the offences.
Interpretation	14	7. In this Act, unless the context otherwise requires-
	15	CCTV - Closed Circuit Television is a TV Camera system in which signals are
	16	not publicly distributed but are monitored primarily for surveillance and
	17	security purpose;
	18	Security - Protection of lives and property.
Citation	19	8. This Bill may be cited as the Integration of Private Closed Circuit
	20	Television (CCTV) Infrastructure into the National Security Network in
	21	Nigeria Bill, 2019.

EXPLANATORY MEMORANDUM

This Bill seeks to make provision for compulsory integration of Private CCTV infrastructure into the National Security Network for the purpose of security enhancement in the Country (Nigeria).

A BILL

FOR

AN ACT TO REPEAL THE RIVER NIGER TRANSIT ACT CAP. R10 LAWS OF THE FEDERATION OF NIGERIA, 2004 AND FOR RELATED MATTERS

Sponsored by Hon. Awaji-Inombek D. Abiante

[] Commencement

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

- 1

2

3

4

5
1. The River Niger Transit Act Cap.R10 Laws of the Federation of Nigeria, 2004 (in this Bill referred to as the "Principal Act") is hereby repealed in its entirety.

2. This Bill may cited as the River Niger Transit Act (Repealed) Bill, 2019.
- Repealed River Niger Transit Act

Citation

EXPLANATORY MEMORANDUM

This Bill seeks to repeal the River Niger Transit Act Cap. R10 which is an Act enacted in 1924 and all its provisions and functions has been taken over by the National Inland Waterways Authority Act Cap N47.