

Extraordinary



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NATIONAL HEALTH FUND BILL, 2022

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A BILL

FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE NATIONAL
HEALTH FUND ACT AND FOR RELATED MATTERS

Sponsored by Hon. Usman Danjuma Shiddi

[] Commencement

Be ENACTED by the National Assembly, Federal Republic of
Nigeria.

- 1 **1.** There is hereby establishment of a fund to be known as National
2 Health Fund (in this Act referred as "The Fund") for the purpose of
3 providing Infrastructural and manpower development of all government
4 owned Hospitals across the Federation to enable them give a world class
5 healthcare services delivery in Nigeria.
- 6 **2.** There is hereby establishment for the management of the Fund,
7 a Governing Council (in this Act referred to as "the Council") which shall be
8 subject to this Act and have general control of the Fund. The Governing
9 council shall consist of the following members:
10 (a) The chairman, who shall be appointed by the president on the
11 recommendation of the Minister;
12 (b) One Representative of Federal Ministry of Health;
13 (c) One Representative of Federal Ministry of Finance;
14 (d) One Representative of office of the head of civic service of the
15 federation;
16 (e) One representative of the Nigerian Employers consultative
17 association;
18 (f) One representative of the Nigeria Medical Association;
19 (g) One representative of the Nigeria Labor congress;
20 (h) One representative of the Nigeria Association of resident
21 doctors;

Establishment
of the National
Health Fund Act

Establishment
of the Governing
Council

	1	(i) One representative of the private health providers;
	2	(j) Two representatives of the public interest personality;
	3	(k) The director General of the Fund who shall be the secretary to the
	4	Governing council, and
	5	(l) One representative of the Association of the Chief Medical
	6	Directors.
	7	The chairman shall be appointed from the private sector and be a person of
	8	relevant high education, knowledge and integrity.
	9	The other members of the Governing Council shall:
	10	(a) Be person of proven integrity; and
	11	(b) Be appointed by the president, on the recommendation of the
	12	Minister.
Schedule	13	The Supplementary provisions set out in the schedule to this Act shall have
	14	effect with respect to the proceedings of the council and the other matters
	15	contained therein.
Tenure of office	16	3. A member of the council, other than an ex-officio member, shall
	17	hold office for a term of four years in the first instance and may be re-appointed
	18	for a further term of four years and no more.
	19	The members of the council shall be paid such remuneration and allowances as
	20	the Federal Government may, from time to time, determine for the chairmen
	21	and members of statutory boards generally.
	22	A member of the council, other than an ex-officio member, may resign his
	23	appointment by notice, in writing under his hand, addressed through the
	24	Minister, to the President, which resignation shall take effect only on
	25	acknowledgement by the President.
Cessation of Membership	26	4. A member of the Council shall cease to hold office if:
	27	(1) He becomes of unsound mind; or
	28	(2) He becomes bankrupt or makes a compromise with his creditors;
	29	(3) He is convicted of a felony or of any offence involving dishonesty;
	30	(4) He is guilty of serious misconduct in relation to his duties.

1 A member of the council may be removed from office by the president on the
2 recommendation of the Minister if he is satisfied that it is not in the interest
3 of the Fund or the interest of the public that the member should continue in
4 office.

5 Where a vacancy occurs in the membership of the Council, it shall be filled
6 by the appointment of a successor to hold office for the remainder of the term
7 of office of his predecessor, so however, that the successor shall represent
8 the same interest and shall be appointed by the President.

9 **5. The Objectives of the Fund shall be:**

Objectives of
the Fund

10 (a) Provide world class hospital facilities for effective healthcare
11 services in all federal government owned hospitals across the 36 states and
12 Federal Capital Territory;

13 (b) Training of Medical personnel to meet the global standard of
14 effective service delivery;

15 (c) Partner with local and international donor agencies to support
16 healthcare services development in Nigeria;

17 (d) Set up a platform that will support the welfare packages of
18 medical personnel in all government and private owned hospital across the
19 Federation.

20 **6. The function of the Fund shall be:**

Functions of the
Fund

21 (a) To collect, administer and monitor the taxes, gifts, donation and
22 other related funds that cater for the healthcare services development in
23 Nigeria;

24 (b) To set up world class standard hospitals in each geo-political
25 zones of the federation;

26 (c) To train up medical personnel internationally for effective
27 service delivery;

28 (d) To facilitate the installation of international standard health
29 facilities in various federal hospitals across the six geo-political Zones of
30 the federal;

Functions of
the Council

1 (e) To facilitate the training and workshop of medical personnel
2 locally and internationally for effective service delivery;

3 (f) To facilitate the establishment of federal Hospitals one in each
4 federal constituency in the country for easy access to healthcare services.

5 **7.** The council shall have power to:

6 (1) Manage the fund in accordance with the provisions of this Acts;

7 (2) Determine the overall policies of the fund, including the financial
8 and operative procedures of the funds;

9 (3) Ensure the effective implementation of the policies and
10 procedures of the fund;

11 (4) Assess, from time to time, the research, consultancy and training
12 programmes relative to the fund;

13 (5) Arrange for the financial and medical audit of the NHF;

14 (6) Set guidelines for effective cooperation with other organizations
15 to promote the objectives of the fund;

16 (7) Ensuring public awareness about the fund;

17 (8) Coordinating manpower training under the fund;

18 (9) Carry out such other activities as are necessary and expedient for
19 the purpose of achieving the objectives of the fund as set out in this act.

Director General
and other staff
of the Fund

20 **8.** There shall be appointed by the president, on the recommendation
21 of the Minister, and Director-General.

22 The Director General shall:

23 (1) Be a person with relevant qualification and experience;

24 (2) Be the chief executive and accounting officer of the Fund;

25 Hold office:

26 For a period of five years in the first instance and may be re-appointed for a
27 further term of five years and no more; and on such terms and conditions as
28 may be specified in his letter of appointment.

29 The Director General shall, subject to the general direction of the Council, be
30 responsible for:

- 1 (1) The day-to-day administration of the Fund;
2 (2) Keeping the books and proper records of the proceedings of the
3 Council;
4 (3) The administration of the secretariat of the Council; and
5 (4) The general direction and control of all other employees of the
6 Fund.

7 The Council shall:

8 Appoint, for the Fund, such number of directors and other employees as
9 may, pay to persons so appointed such remuneration (including allowances)
10 as the Council may, after consultation with the Federal Civil Service
11 Commission, determine

12 **9.** The Council shall appoint for the fund, a licensed actuary on
13 such terms and Conditions of service as the Council may, from time to time,
14 determine The actuary shall review the Fund and evaluate it actuarially,
15 including the rates of Contributions payable under the Fund and make
16 appropriate recommendations to the Council. If having regard to the review
17 and evaluation carried out by the actuary under Subsection (2) of this
18 section, the Council considers that the rates of contributions have not
19 retained their value in relation to the general level of earning obtaining in
20 Nigeria, the Council may modify the rates to the extent considered
21 appropriate and bring the new rates to the notice of the persons affected by
22 the modification

Appointment of
an Actuary for
the Fund

23 **10.** Service in the Fund shall be approved service for purposes of
24 the Pensions Act [Cap P4.] Employees of the Fund shall be entitled to
25 pensions, gratuities and other retirement benefits as are enjoyed by persons
26 holding equivalent grades in the civil service of the Federation.

Service in the
Fund to be
pensionable

27 Nothing in subsections (1) and (2) of this section or in this Act shall prevent
28 the appointment of a person to any office on terms which preclude the grant
29 of pension and gratuity in respect of that office For the purposes of the
30 application of the provisions of the Pensions Act, any power exercisable

Funds of the
National Health
Fund

1 thereunder by a Minister or other authority of the Government of the
2 Federation, other than the power to make regulations under section 23 of the
3 Act, is hereby vested in and shall be exercisable by the Council and not by any
4 other person or authority.

5 **11.** The council I shall establish and maintain for the NHF a fund
6 from which shall be defrayed all expenditure incurred for the purposes of the
7 Fund.

8 There shall be paid and credited to the fund established in pursuance of
9 subsection (I) of this section:

10 (1) Such money as may be received from the health maintenance
11 organizations;

12 (2) such money as may be granted or received from the Federal, State
13 and local governments;

14 (3) such money as may, from time to time, be granted or received
15 from:

16 The organized private sector; International or donor organizations and non-
17 Governmental organizations;

18 (4) The Fund shall, from time to time, apply the funds at its disposal-to
19 the cost of the administration of the Fund to the payment of fees, allowances
20 and benefits of members of the Council, to the payment of salaries, allowances
21 and benefits of officers and employees of the fund for the maintenance of any
22 property vested in the fund or under its administration; and for and in
23 connection with the objectives of the Fund under this Act.

24 The Fund shall invest any money not immediately required by It in federal
25 government securities or in such other securities as the Council may, with the
26 approval of the Minister, from time to time, determine

Power to accept
gifts

27 **12.** The fund shall invest any money or other property on such terms
28 and conditions, if any, as may be specified by the person organization making
29 the gift.

30 The fund shall not accept any gift if the conditions attached by the person or

1 organization offering the gift are inconsistent with the objectives and
2 functions of the fund under this Act.

3 **13.** The Council shall cause to be prepared, not later than 30
4 September In each year, an estimate of the expenditure and income of the
5 Fund during the next Succeeding year and when prepared, they shall be sub
6 to the minister for approval The Council shall cause to be kept proper he
7 records in relation thereto and when certified by the council from the list and
8 in accordance with the guidelines supplied by the Auditor-General for the
9 Federation.

Annual Estimate,
Account and audit

10 Any member, agent or employee of the Fund who fails, without reasonable
11 cause, to comply with a requirement of an auditor under subsection (2) of
12 this section, commits an offence and is liable on conviction to a fine not
13 exceeding N10, 000 or imprisonment for a term not exceeding three months
14 or to both such fine and imprisonment.

15 **14.** The Council shall, not later than Six Months immediately
16 following the end of a year submit to the Minister a report on the activities
17 and the administration of the Fund during the immediately preceding year
18 and shall include in the report The audited accounts of the Fund and the
19 auditor's report on the accounts; and present the audited annual accounts,
20 auditor's to report on the accounts and report on the activities of the Fund to
21 an annual meeting comprising the registered contributors to the fund and all
22 the registered health maintenance organization and health care providers
23 under the fund.

Annual reports

24 The Fund shall be exempted from the payment of tax on any income
25 accruing from investments made by the Council for the Fund or otherwise
26 howsoever.

Exemption from
tax

27 The provisions of any enactment relating to the taxation of companies or
28 trust fund shall not apply to the Fund or the Council Contributions, etc.

29 **15.** The Federal government shall make adequate financial
30 contribution to the fund, for the equipping of health centers and training of

Payment of
Contribution under
the Fund

	1	medical personnel across the federation.
	2	The federal government may also make sums in Naira of foreign currency to
	3	the fund as it may deem necessary for the man-power and infrastructural
	4	development of the health sector.
Offences	5	16.-(a) Any person who-fails to pay into the account of an
	6	organization and within the specified period any contribution liable to be paid
	7	under this Act; or deducts the contribution from the employee's wages and
	8	withholds the contribution or refuses or neglects to remit the contribution to the
	9	organizations concerned within the specified time, commits an offence.
	10	A person guilty of an offence under subsection (1) of this section is liable on
	11	conviction- in the case of a first offence, to a fine of N100,000 or 500 per
	12	centum of the amount of the contribution involved, together with accrued
	13	interest on the contribution, whichever is higher, or imprisonment for a term
	14	not exceeding two years or less than one year or to both such fine and
	15	imprisonment; and in the case of the second or subsequent offence, to a fine of
	16	N200,000 or 1,000 per centum of the amount of the contribution involved
	17	together with accrued interest on the contribution, whichever is higher, or
	18	imprisoned for a term not exceeding five years or less than two years or to both
	19	such fine and imprisonment;
Offences by body corporate, etc.	20	(b) Where an offence under this Act has been committed by a body
	21	corporate or firm or other association of individuals, a person who at the time of
	22	the commission of the offence- was an officer of the body corporate, firm or
	23	other association; or was purporting to act in the capacity of an officer of the
	24	body corporate, firm or other association, is deemed to have committed the
	25	offence and liable to be prosecuted and punished for the offence in like manner
	26	as if he had himself committed the offence, unless he proves that the act or
	27	omission constituting the offence took place without his knowledge, consent or
	28	connivance.
	29	In this section, "officer", includes-in the case of a body corporate, a director,
	30	chief executive by whatever name called, manager and secretary of the body

1 corporate; in the case of a firm, a partner, manger and secretary of the firm;
2 and in the case of any other association of individuals, a person concerned in
3 the management of the affairs of the association.

4 **17.** Any person who contravenes any of the provisions of this Act
5 shall be prosecuted by-the Attorney-General of the State or any legal officer
6 in the Ministry of Justice of the State; and in the case of the Federal Capital
7 Territory, Abuja, by the Attorney-General of the Federation or any legal
8 officer in the Federal Ministry of Justice.

Prosecution of
Offender/Penalties

9 **18.** The High Court of a State or of the Federal Capital Territory,
10 Abuja, shall have Jurisdiction to try offenders under this Act; and power,
11 notwithstanding anything to the contrary in any other enactment, to impose
12 the penalties provided for offences in this Act.

Jurisdiction

13 Court to order payment of contributions together with interest and penalty
14 The High Court before which a person is convicted of an offence under this
15 Act may without prejudice to any civil remedy, order a person to pay to the
16 fund of the Fund the amount of any contributions together with interest and
17 penalty thereon, certified by the Council to be due and payable at the date of
18 the conviction and such amount shall be paid into the fund of the Fund for its
19 credit, where applicable or of the employee concerned.

20 Any contribution paid into the fund of the Fund under subsection (1) of this
21 section shall be refunded to the organization entitled to receive the
22 contribution.

23 **19.** A member of the Council, the Director General, any officer or
24 employee of the Fund shall be indemnified out of the assets of the Fund
25 against any liability incurred by him in defending any proceeding, whether
26 civil or criminal, if any such proceeding is brought against him in his
27 capacity as a member, Director General, officer or other employee of the
28 Fund.

Indemnity of
Officers

29 **20.** A member of the Council, the Director General, officer or
30 other employee of the Fund shall-not, for his personal gain, make use of any

Secrecy

1 information which has come to his knowledge in this exercise of his powers or
2 is obtained by him in the ordinary course of his duty under this Act; not disclose
3 any information referred to under paragraph (b) of this subsection except when
4 required to do so by an Arbitration Board or the court or in such other
5 circumstances as may be prescribed by the Council, from time to time.

6 Any person who contravenes the provisions of the subsection (1) of this section
7 commits an offence and is liable on conviction to a fine of not less than
8 N20,000 or imprisonment for a term not exceeding two years or to both such
9 fine and imprisonment for the maintenance of quality assurance among health
10 maintenance organizations and health care providers under the Fund and shall
11 consist of:

12 (a) Chairman:

13 The chairmen of regulatory and registration boards or councils of the health
14 related professional bodies established by law; and the registrars of the boards
15 and councils of the health related professional bodies established by law; and
16 the registrars of the boards and councils referred to in paragraph (b) of this
17 subsection.

18 The members of the Standards Committee shall be appointed by the Council.

19 The Standards Committee may make rules regulating its own proceedings.

Regulation

20 **21.** The Minister may give to the Council directives of a general
21 nature with respect to any of the functions of the Council and it shall be the duty
22 of the Council to comply with such directives or cause them to be complied
23 with.

Interpretation

24 **22.** In this Act, unless the context otherwise requires:

25 "Arbitration Board" means the State Health Insurance Arbitration Board or the
26 Federal Capital Territory Health Insurance Arbitration Board constituted under
27 section 26 of this Act;

28 "benefit" means a benefit or advantage of any Kind whatsoever derived from
29 the Fund; "contribution" means a contribution payable to an organization
30 under this Act and includes a voluntary contribution, Council means the

1 Governing Council established under section 2 of this Act for the Fund;

2 "employee" means any person who is ordinarily resident in Nigeria and is

3 employed in the service of the Federal, State or local government in a civil

4 capacity or in any of the public services or under a contract of service or an

5 apprenticeship with an employer whether the contract is expressed or

6 implied, oral or in writing;

7 "employer" means an employer registered under the Fund and includes the

8 Federal, State or local government or any Extra-Ministerial Department or a

9 person with whom employee has entered into a contract of service or

10 apprenticeship and who is responsible for the payment of the wages or

11 salaries of the employee including the lawful representative, successor or

12 assignee of that person;

13 "fees for services" means payment made directly for completed health care

14 services, not included in the capitation fees, and paid to health care providers

15 or professionals following appropriate referrals or prescriptions sent to them

16 by health care providers under the Fund;

17 "functions" include powers;

18 "health care provider means any government or private health care

19 practitioner, hospital or maternity centre registered by the Council for the

20 provision of prescribed health Services for insured persons and their

21 dependants under the Fund;

22 "Insured person" means any person who pays the required contribution to

23 the Fund under this Act;

24 "member of the Council" includes the chairman of the Council;

25 "Minister means the Minister charged with responsibility for matters

26 relating to health and "Ministry" shall be construed accordingly;

27 "organization" means any health maintenance organization registered under

28 section 19 of this Act and includes institution, body corporate or a provident

29 association registered by the Council to utilize its administration to provide

30 health care services through healthcare centers approved by the Council;

	1	“public service of the Federation” and “public service of State” have the
	2	meaning respectively assigned to them in the Constitution of the Federal
	3	Republic of Nigeria 1999 [Cap. C23.]
	4	“capitation payment” means a payment to a health care provider in respect of
	5	services to be provided by him to an insured person registered by the health
	6	care provider, whether the insured person uses the services or not.
Arbitration Board	7	23. There shall be established for each State of the Federation and the
	8	Federal Capital Territory, Abuja, as and when necessary, a State Health
	9	Insurance Arbitration Board and a Federal Capital Territory Health Insurance
	10	Arbitration Board, respectively, (in this Act referred to as “Arbitration Board”).
	11	The Arbitration Board shall be charged with the responsibility of considering
	12	complaints made by any aggrieved party of violation of any of the provisions of
	13	this Act, or against any of the agents of the Fund, or against an organization or a
	14	health care provider.
	15	A complaint made under subsection (2) of this section shall be made in writing
	16	within 60 days from the date of the action giving rise to the complaint,
	17	notwithstanding that credible reasons have been rendered for the action.
	18	The period specified in subsection (5) of this section may be extended if the
	19	Arbitration Board is satisfied that the complainant was justifiably unable to
	20	make the complaint within that period.
Membership of the Arbitration Board	21	(1) The Arbitration Board shall consist of:
	22	(a) a chairman who shall be a legal practitioner with not less than 15
	23	year post-qualification experience, one person each to represent each of the
	24	following the Nigerian Medical Association in the State or the Federal Capital
	25	Territory, Abuja, the Nigerian Employers Consultative Association in the State
	26	or the Federal Capital Territory, Abuja; the Nigeria Labour Congress in the
	27	State or the Federal Capital Territory, Abuja; the National Association of
	28	Nigerian Nurses and Midwives in the State or the Federal Capital Territory,
	29	Abuja; and the Pharmaceutical Society of Nigeria in the State of the Federal

1 Capital Territory, Abuja, as the case may be; and two persons to represent the
2 public interest.

3 The members of the Arbitration Board shall be- appointed by the Governor
4 of the State or the Minister of the Federal Capital Territory, Abuja, as the
5 case may be, on such terms and conditions as may be specified in their letters
6 of appointment; and paid such sitting and other allowances as the Council
7 may decide.

8 The quorum of any sitting of the Arbitration Board shall be five members.

9 The chairman of the Arbitration Board shall convene all meetings of the
10 Arbitration Board.

11 Subject to subsection (3) of this section, the Arbitration Board may make
12 provisions regulating its own proceedings.

13 There shall be for the Arbitration Board a secretary who shall be appointed
14 by the Council on such terms and conditions as the Council may determine.

15 **24.** This Bill may be cited as the National Health Fund Bill, 2022. Citation

1 SCHEDULE

2 SUPPLEMENTARY PROVISIONS RELATING TO THE

3 COUNCIL STANDING ORDERS

4 1.-(1) Subject to this Act and section 27 of the Interpretation Act, the
5 Council may make standing orders regulating its proceedings and those of any
6 of its committees. [Cap. 123.]

7 The quorum of the Council shall be the chairman or the member presiding at
8 the meeting and five other members and the quorum of any committee of the
9 Council shall be determined by the Council.

10 (2) The Council shall meet not less than three times in each year and
11 subject thereto, the Council shall meet whenever it is summoned by the
12 chairman and if the chairman is required to do so by notice given to him by not
13 less than seven other members, he shall summon a meeting of the Council to be
14 held within fourteen days from the date on which the notice given.

15 At any meeting of the Council, the chairman shall preside but if he is absent, the
16 members present at the meeting shall appoint one of their number to preside at
17 that meeting.

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

23 *Committees*

24 2.-(1) The Council may appoint one or more committees to carry out,
25 on behalf of the Council, such of its functions as the Council may determine.

26 A committee appointed under this paragraph shall consist of such number of
27 persons (not necessarily members of the Council as may be determined by the
28 Council) and another than a member of the Council shall hold office on the
29 committee in accordance with the terms of his appointment.

- 1 A decision of a committee of the Council shall be of no effect until it is
2 confirmed by the Council.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the National Health Fund with the sole responsibility of providing Infrastructural and Manpower development of the federal Government owned hospitals across the Federation to enable them be fully equipped and ready to deliver a world class healthcare services in Nigeria

A BILL

FOR

AN ACT TO PROVIDE THE LEGAL FRAMEWORK TO ESTABLISH THE
FEDERAL COLLEGE OF MEDICAL LABORATORY SCIENCES SOBA, KADUNA
STATE AND FOR RELATED MATTERS

Sponsored by Hon. Ibrahim Hamza

[] Commencement

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

PART I - ESTABLISHMENT AND CONSTITUTION OF THE

FEDERAL COLLEGE

1.-(1) There is hereby established the Federal College of Medical
Laboratory Sciences Soba, Kaduna State (in this Bill referred to as "the
College").

Establishment
of the Federal
College of Laboratory
Sciences Soba,
Kaduna State

(2) The College:

(a) Shall be a body corporate;

(b) May sue and be sued in its corporate name;

(c) Shall have perpetual succession and a common seal.

(d) Shall be a training institution for the development of Medical
Laboratory Technology in the country;

e) The College shall be supervised by the Federal Ministry of
Education through the National Board for Technical Education (NBTE)
who shall be responsible for approving and regulating all academic
programmes run in the College, to ensure quality compliance and provide
funds for academic and research programmes, infrastructure and
remuneration of employees;

(f) The objects of the College shall be:

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

	1	(b) to develop and offer academic professional programmes leading
	2	to the award of certificates, degrees, post graduate research, diploma and
	3	higher degrees with emphasis on Medical Laboratory and Technological
	4	Sciences;
	5	(c) to undertake any other activities that is appropriate for a Science
	6	College of the highest standard .
Constitution and Principal Officers of the College	7	2.-(1) The College shall consist of:
	8	(a) a Chancellor;
	9	(b) a Pro-Chancellor and a Council;
	10	(c) the Provost of the College and a Senate;
	11	(d) a body to be called Congregation;
	12	(e) a body to be called Convocation;
	13	(f) the Colleges, institutes and other teaching and research units of the
	14	College;
	15	(g) the person holding the offices constituted by the First Schedule to
	16	this Bill other than those mentioned in paragraphs (a) to (c) of this sub section;
	17	(h) all graduates and undergraduates of the College; and
	18	(i) all other persons who are members of the College in accordance
	19	with provisions made by statute in that behalf.
	20	(2) The First Schedule to this Bill shall have effect with respect to the
	21	principal officers of the College.
	22	(3) Subject to section 5 of this Bill provision shall be made by statute
	23	with respect to the constitution of the Council, the Senate, Congregation and
	24	Convocation.
Powers of the College and their exercise	25	3.-(1) For the carrying out of its objects as specified in section 1 of this
	26	Bill, Federal College of Medical Laboratory Sciences Soba, Kaduna State shall
	27	have power:
	28	(a) to offer courses of instruction, training and research in Education,
	29	Medical, Technology and Laboratory Sciences;
	30	(b) to establish such colleges, campuses, institutes, schools,

1 departments and other teaching and research units within the College as may
2 from time to time be deemed necessary or desirable, subject to the approval
3 of National Board for Technical Education (NBTE);

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

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

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

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

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

17 (h) to demand and receive from any student or any person attending
18 the college such fees as the college may from time to time determine subject
19 to the overall directives of the Minister;

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

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

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

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

	1	for any of the objects of the college;
	2	(m) to hold public lectures and undertake printing, publishing and
	3	bookselling
	4	(n) to do all such acts or things, whether or not incidental to the
	5	foregoing powers, as may advance the Objects of the college.
	6	(2) subject to the provisions of this Bill, the powers conferred on the
	7	College by subsection (1) of this section shall be exercisable on behalf of the
	8	college by the council or by the senate or in any manner which may be
	9	authorized by the statute.
	10	(3) The power of the college to establish further campuses and
	11	colleges shall be exercisable by statute and not otherwise.
Functions of the Chancellor and pro-Chancellor	12	4.-(1) The Chancellor shall, in relation to the college, take precedence
	13	before all other members of the college, and when he is present, shall preside at
	14	all meetings of convocation held for conferring degrees.
	15	(2) The Pro-Chancellor shall, in relation to the college, take
	16	precedence before all other members of the college, except the Chancellor and
	17	except the Provost when acting as Chairman of congregation or convocation
	18	and Pro-Chancellor shall, when he is present, to be the Chairman at all
	19	meetings of the Council.
Composition, tenure and powers of the Council of the College	20	5.-(1) The Council of the College shall consist of:
	21	(a) the Pro-Chancellor who shall be appointed by the President on the
	22	recommendation of the Minister of Education;
	23	(b) the Provost;
	24	(c) the Deputy Provost(s);
	25	(d) one person from the Ministry of Education;
	26	(e) four persons representing a variety of interests and broadly
	27	representative of the whole Federation to be appointed from:
	28	(i) Teachers Registration Council;
	29	(ii) Tertiary Education Trust Fund; and
	30	(iii) two other persons, one of whom shall be a representative of the

1 College host community.

2 (2). Persons to be appointed to the council shall be of proven
3 integrity, knowledgeable and familiar with the affairs and traditions of the
4 college.

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

10 (4) The powers of the council shall be exercised, as in this Bill and
11 to the extant establishment circulars that are inconsistent with this Bill shall
12 not apply to the college.

13 **6.-(1)** subject to the provisions of this Bill relating to the visitor,
14 council shall be the governing body of the college and shall be charged with
15 the general control and superintendence of the policy, finances and property
16 of the college.

Functions of the
Council and its
Finance and
General Purposes
Committee

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

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

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

29 **PART II - FUNCTIONS**

30 **7.-(1)** Subject to section 6 of this Bill and subsections (3) and (4) of

Functions of the
Senate of the College

1 this section and the provisions of this Bill relating to the visitor, it shall be the
2 general function of the senate to organize and control the teaching by the
3 college, the admission of students where no other enactment provides to the
4 contrary and the discipline of students, and to promote, research at the college.

5 (2) Without prejudice to the generality of subsection (1) of this section
6 and subject as therein mentioned, it shall in particular be the function of the
7 senate to make provision for:

8 (a) the establishment, organization and control of campuses, colleges,
9 schools, institutes and other teaching and research units of the college and the
10 allocation of responsibility for different branches of learning;

11 (b) the organization and control of courses of study at the college and
12 of the examinations held in conjunction with those courses, including the
13 appointment of examiners, both internal and external;

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

16 (d) the making of recommendations to the council with respect to the
17 award to any person of an honorary fellowship or honorary degree or the title of
18 professor emeritus;

19 (3) the senate shall not establish any new campus, college, school.
20 Department, institute or other teaching and research units of the college, or any
21 hall of residence or similar institution at the college without the approval of the
22 council.

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

Functions of the
Provost of the
College

28 **8.-(1)** The Provost shall, in relation to the college, take precedence
29 before all other members of the college except the chancellor and subject to
30 section 4 of this Bill except the Pro-Chancellor and any other person for the

- 1 time being acting as Chairman of the Council:
- 2 (a) provide the general policies and guidelines relating to major
- 3 expansion programmes of the University;
- 4 (b) provide facilities for the training of medical students of
- 5 associate universities;
- 6 (c) manage and superintend the affairs of the University;
- 7 (d) subject to the provisions of this Bill, make, alter and revoke
- 8 rules and regulations for carrying on the functions of the University;
- 9 (e) fix terms and conditions of service, including remuneration of
- 10 the employees of the College subject to the approval of National Salaries
- 11 Incomes and Wages Commission;
- 12 (f) do such other things which in the opinion of the Board are
- 13 necessary to ensure the efficient performance of the functions of the
- 14 University.

15 **PART III - STAFF OF THE UNIVERSITY**

16 **9.-(1)** There shall be for the College a Provost who shall be
17 appointed by the President on the recommendation of Hon. Minister of
18 Health on such terms and conditions as may be specified in his letter of
19 appointment or as may be determined, from time to time, by the National
20 Salaries Income and Wages Commission.

Appointment of
Director of
Administration
and Recruitment
of other staff of
the University

- 21 (2) The Provost shall:
- 22 (a) be the chief executive and accounting officer of the University;
- 23 (b) be responsible to the Board for the day-to-day administration of
- 24 the University;
- 25 (c) be appointed for a term of four years in the first instance and
- 26 may be reappointed for a further term of four years subject to satisfactory
- 27 performance;
- 28 (d) be a person who is a medical practitioner and shall have been so
- 29 qualified for a period of not less than 15 years;

	1	(e) have considerable administrative experience in matters of health;
	2	(f) hold a post-graduate specialist qualification obtained not less than
	3	ten years prior to the appointment as Chief Medical Director.
Commencement	4	10. -(1) All property held by or on behalf of the Provisional Council of
	5	the college shall, by virtue of this sub-section and without further assurance,
	6	vest in the college and be held by it for the purpose of the College.
	7	(2) The provisions of the second schedule to this Bill shall have effect
	8	with respect to, and matters arising from, the transfer of property by this section
	9	and with respect to the other matters mentioned in that schedule .
	10	(3)Notwithstanding the provisions of subsections (1) and (2) of this
	11	section the Board shall have power to appoint for the College either directly or
	12	on secondment from any public service in the Federation, such number of
	13	employees as may, in the opinion of the Board, be required to assist the College
	14	in the discharge of any of its functions under this Bill.
	15	(4) Nothing in subsection (4) of this section shall preclude the Board
	16	from appointing persons from outside the public service of the Federation or of
	17	the State whenever it deems it necessary so to do.
	18	(5) The terms and conditions of service (including remuneration,
	19	allowances, benefits and pensions) of the employees of the College shall be as
	20	determined by the National Salaries Income and Wages Commission.
Service in the College to be pensionable	21	11. -(1) Service in the College shall be approved service for the
	22	purposes of the Pensions Reforms Act.
	23	(2) The officers and other persons employed in the College shall be
	24	entitled to pensions, gratuities and other retirement benefits as are enjoyed by
	25	persons holding equivalent grades in the civil service of the Federation.
	26	(3)Nothing in subsections (1) and (2) of this section shall prevent the
	27	appointment of a person to any office on terms which preclude the grant of
	28	pension and gratuity in respect of that office.
Establishment of the Medical Advisory Committee, etc.	29	12. -(1) There shall be for the College a Medical Advisory Committee
	30	which shall:

1 (a) consist of a chairman who shall be the Director, Clinical
2 Services and such number of other members as may be determined from
3 time to time;

4 (b) be responsible to the Chief Medical Director for all the clinical
5 and training activities of the University; and

6 (c) be appointed by the Board.

7 (2) Subject to this Bill, the Board shall have power to appoint either
8 directly or on secondment and discipline consultants holding or acting in
9 any office in the hospital; and any such appointment shall be made having
10 due regard to the approved personnel establishment of the University.

11 (3) Notwithstanding anything to the contrary, the Board may, from
12 time to time, appoint consultants outside the hospital to perform such
13 medical duties as the Board or the Chief Medical Director may assign to
14 such consultants.

15 PART IV - FINANCIAL PROVISIONS

16 **13.** There shall be established and maintained for the College a Fund of the
17 fund into which shall be paid and credited: College

18 (a) all subventions and budgetary allocation from the Government
19 of the Federation;

20 (b) all fees and funds accruing from the sale of drugs and other
21 services;

22 (c) all sums accruing to the College by way of gifts, endowments,
23 bequests, grants or other contributions by persons and organisations;

24 (d) foreign aid and assistance from bilateral agencies; and

25 (e) all other sums which may, from time to time, accrue to the
26 College.

27 **14.** The College shall, from time to time, apply the funds at its Expenditure of
28 disposal to: the College

29 (a) (a) the cost of administration and maintenance of the
30 University;

	1	(b) publicize and promote the activities of the University;
	2	(c) pay allowances, expenses and other benefits of members of the
	3	Board and committees of the Board;
	4	(d) pay the salaries, allowances and benefits of employees of the
	5	College;
	6	(e) pay other overhead allowances, benefits and other administrative
	7	costs of the College; and
	8	(f) undertake such other activities as are connected with all or any of
	9	the functions of the College under this Bill.
Power to accept gifts	10	15. -(1) The College may accept gifts of land, money or other property
	11	on such terms and conditions, if any, as may be specified by the person or
	12	organization making the gift.
	13	(2) The College shall not accept any gift if the conditions attached by
	14	the person or organisation making the gift are inconsistent with the functions of
	15	the College under this Bill.
Annual Estimate and expenditure	16	16. -(1) The College shall, not later than 30 September in each year,
	17	submit to the President through the Secretary to the Government of the
	18	Federation an estimate of the expenditure and income of the College during the
	19	next succeeding year.
	20	(2) The College shall cause to be kept proper accounts of the College
Annual report	21	in respect of each year and proper records in relation thereto and shall cause
	22	the accounts to be audited not later than six months after the end of each year by
	23	auditors appointed from the list and in accordance with the guidelines supplied
	24	by the Auditor-General for the Federation.
Power to borrow	25	17. The College shall prepare and submit to the President, not later
	26	than 30th June in each year, a report in such form as the President may direct on
	27	the activities of the College during the immediately preceding year, and shall
	28	include in the report a copy of the audited accounts of the Federal College for
	29	that year and the auditor's report thereon.
Exemption from tax	30	18. -(1) The College may, from time to time, borrow by overdraft or

1 otherwise such sums as it may require for the performance of its functions
2 under this Bill.

3 (2) The College shall not, without the approval of the President,
4 borrow money which exceeds, at any time, the limit set by the President.

5 (3) Notwithstanding subsection (1) of this section, where the sum
6 to be borrowed is in foreign currency, the College shall not borrow the sum
7 without the prior approval of the President.

8 **19.**-(1) The College shall not pay income tax on any income Exemption from
9 derived by the Federal College under this Bill or accruing to it from any of its income tax
10 investments.

11 (2) Accordingly, the provisions of any enactment relating to the
12 taxation of companies or trust funds shall not apply to the Board of the
13 Federal College.

14 **20.** The College shall not pay customs duty on or be restricted or Exemption
15 prohibited from importing any equipment, material, supply and any other customs duties,
16 thing required by the College for the purposes of this Bill: Provided that etc.
17 nothing in this section shall be construed as preventing the Nigeria Customs
18 Service from inspecting any equipment, or material imported by the centre.

19 **PART V - GENERAL**

20 **21.**-(1) Notwithstanding anything to the contrary contained in any Discipline of
21 other enactment, where it appears to the Board that any student of the student
22 College has been guilty of misconduct, the Board may, without prejudice to
23 any other disciplinary powers conferred on it by regulations, direct:

24 (a) that the student shall not, during such period as may be specified
25 in the direction, participate in such activities of the University, or make use
26 of such facilities of the College as may be so specified;

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

30 (c) that the student be rusticated for such period as may be specified

1 in the direction; or

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

3 (2) The fact that an appeal from a direction is brought in pursuance of
4 subsection (1) of this section shall not affect the operation of the direction while
5 the appeal is pending.

6 (3) The Board may delegate its powers under this section to a
7 disciplinary committee consisting of such members of the College as the
8 Council may nominate.

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

12 (5) A direction issued under subsection (1) (a) of this section may be
13 combined with a direction issued under subsection (1) (b) of this section.

14 (6) Nothing in this Bill shall affect the provisions of any enactment
15 relating to the discipline of medical practitioners, pharmacists, midwives,
16 nurses or members of any other profession or calling.

Removal and
discipline of
clinical
administrative
and technical
staff

17 **22.-(1)** If it appears to the Board that there are reasons for believing
18 that any person employed as a member of the clinical, administrative or
19 technical staff of the College, other than the Provost, should be removed from
20 his office or employment, the Council shall require the Director of
21 Administration to:

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

23 (b) afford him an opportunity of making representations in person on
24 the matter to the Board; and

25 (c) if the person in question so requests within a period of 1 month
26 beginning with the date of the notice, make arrangements for:

27 (i) a committee to investigate the matter and report on it to the Board;
28 and

29 (ii) the person in question to be afforded an opportunity of appearing
30 before and being heard by an investigating committee set up with respect to the

1 matter, and if the Board, after considering the report of the investigating
2 committee, is satisfied that the person in question should be removed as
3 aforesaid, the Board may so remove him by a letter signed on the direction of
4 the Board.

5 (2) The Provost may, in a case of misconduct by a member of the
6 staff which in the opinion of the Chief Medical Director is prejudicial to the
7 interest of the University, suspend any such member and any such
8 suspension shall forthwith be reported to the Board.

9 (3) For good cause, any member of staff may be suspended from
10 his duties or his appointment may be terminated or he may be dismissed by
11 the Board and for the purposes of this section, "good cause" means:

12 (a) a conviction for any offence which the Board considers to be
13 such as to render the person concerned unfit for the discharge of the
14 functions of his office;

15 (b) any physical or mental incapacity which the Board, after
16 obtaining medical advice, considers to be such as to render the person
17 concerned unfit to continue to hold his office;

18 (c) conduct of a scandalous or other disgraceful nature which the
19 Board considers to be such as to render the person concerned unfit to
20 continue to hold his office; or

21 (d) conduct which the Board considers to be such as to constitute a
22 failure or inability of the person concerned to discharge the functions of his
23 office or to comply with the terms and conditions of his service.

24 (4) Any person suspended shall, subject to subsections (2) and (3)
25 of this section be on half pay and the Board shall before the expiration of a
26 period of three months after the date of such suspension consider the case
27 against that person and come to a decision as to:

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

30 (b) whether to reinstate the person, in which case the Board shall

1 restore his full emoluments to him with effect from the date of suspension;

2 (c) whether to terminate the appointment of the person concerned, in
3 which case he shall not be entitled to the proportion of his emoluments
4 withheld during the period of suspension; or

5 (d) whether to take such lesser disciplinary action against the person
6 (including the restoration of his emoluments that might have been withheld), as
7 the Board may determine, and in any case where the Board, pursuant to this
8 section, decides to continue a person's suspension or decides to take further
9 disciplinary action against a person, the Board shall before the expiration of a
10 period of three months from such decision come to a final determination in
11 respect of the case concerning any such person.

12 (5) It shall be the duty of the person by whom a letter of removal is
13 signed in pursuance of subsection (1) of this section to use his best endeavors to
14 cause a copy of the letter to be served as soon as reasonably practicable on the
15 person to whom it relates.

16 (6) Nothing in the foregoing provisions of this section shall preclude
17 the Board from making such regulations not inconsistent with the provisions of
18 this Bill for the discipline of students and all other categories of employees of
19 the hospital as the Board may prescribe.

20 (7) Regulations made under subsection (6) of this section need not be
21 published in the Gazette but the Board shall cause them to be brought to the
22 notice of all affected persons in such manner as it may, from time to time,
23 determine.

Discipline of
junior staff

24 **23.-(1)** If any junior staff is accused of misconduct or inefficiency, the
25 Provost may suspend him for not more than a period of 3 months and shall
26 direct a committee to:

27 (a) consider the case; and

28 (b) make recommendations as to the appropriate action to be taken by
29 the Provost.

30 (2) In all cases under this section of this Bill, the officer shall be

1 informed of the charge against him and given a reasonable opportunity to
2 defend himself.

3 (3) The Provost may, after considering the recommendation made
4 pursuant to subsection (1) (b) of this section, dismiss, or take such other
5 disciplinary action against the officer concerned.

6 (4) Any person aggrieved by a decision of the Provost made under
7 subsection (3) of this section may, within a period of 21 days from the date of
8 the letter communicating the decision to him, address a petition to the Board
9 to reconsider his case.

10 **PART VI - MISCELLANEOUS**

11 **24.**-(1) The Council may, with the approval of the President, make Regulations
12 regulations

13 (a) as to the access of members of the public either generally or of a
14 particular class, to premises under the control of the Board and as to the
15 orderly conduct of members of the public on those premises; and

16 (b) for safeguarding any property belonging to or controlled by the
17 Board from damage by members of the public.

18 (2) Bye-laws under this section shall not come into force until they
19 are confirmed (with or without modification) by the National Assembly and
20 published in such manner as he may direct.

21 **25.** The "Minister of Health" may give to the Council directions of Powers to give
22 a general character or relating generally to particular matters (but not to any directives
23 individual person or case) with regard to the exercise by the Board of its
24 functions under this Bill, and it shall be the duty of the Board to comply with
25 the directions; but no direction shall be given which is inconsistent with the
26 duties of the Board under this Bill.

27 **26.** In this Bill: Interpretation

28 "Council" means the Management Council of the College;

29 "member" means a member of the Council including the Chairman;

30 "Provost" means the Provost of the College so appointed under this Bill;

- 1 "chairman" means the chairman of the Council;
2 "functions" include powers and duties;
3 "Federal College "means the Federal College Soba, Kaduna State;
4 "junior staff" means staff of such grade as may be determined, from time to
5 time, by the Board;
6 "medical student" means a student whose course of instruction is:
7 (a)designed (either alone or in conjunction with other courses) to enable him to
8 qualify as a medical practitioner; or
9 (b)designed for the further training of medical practitioners;
10 "Minister" means the Minister charged with responsibility for matters relating
11 to health; and
12 "student" means a person enrolled at an institution controlled by the Council
13 for the purpose of pursuing a course of instruction at the institution.
14 **27.** This Bill may be cited as the Federal College of Medical
15 Laboratory Sciences Soba, Kaduna State (Establishment) Bill, 2022.

Citation

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal College of Medical Laboratory Sciences Soba, Kaduna State and to provide Legal framework for due management and administration.

The passage of this Bill will provide a Federal Institution to promote Medical and Technological Sciences in Kaduna State and engage our restive youths.

1 SCHEDULE

2 SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL, ETC.

3 *Terms of Service*

4 1. There may be paid to the members of the Council, any
5 committee, other than ex-officio members, such remuneration and
6 allowances as may be determined by the President from time to time.

7 2. Where a vacancy occurs in respect of the membership specified
8 in section 3, it shall be filled by the appointment of a successor to hold office
9 for the remainder of the term of office of his predecessor in office and such
10 successor shall represent the same interest as his predecessor.

11 3. The Council may act notwithstanding any vacancy in its
12 membership or any defect in the appointment of a member or the absence of
13 a member.

14 *Proceedings*

15 4.-(1) Where the Council desires to obtain the advice of any person
16 on any particular matter, the Council may co-opt persons who are not
17 members of the Council but persons co-opted shall not be entitled to vote at a
18 meeting of the Council.

19 (2) The quorum of the Council shall be one half of the total
20 members of the Council, at least one of whom shall be a member appointed
21 by the President.

22 (3) Decisions of the Council shall be made on approval by a simple
23 majority of members.

24 *Miscellaneous*

25 5.-(1) The fixing of the Seal of the College shall be authenticated
26 by the signature of the Chairman, Provost and some other members of the
27 Council authorized generally or specifically by the Council to act for that
28 purpose.

29 (2) Any contract or instrument which, if made or executed by a
30 person other than a body corporate would not be required to be under seal

1 may be made or executed on behalf of the College by any person generally or
2 specifically authorized to act for that purpose by the Council.

3 (3) Any document purporting to be duly executed under the seal of
4 the College shall be received in evidence and shall, unless the contrary is
5 proved, be presumed to be so executed.

6 *Interpretation*

6. In this Statute, the expression "the Bill" means the Federal
College of Medical Laboratory Sciences Soba, Kaduna State Bill and any
word or expression defined in the Bill has the same meaning in this Statute.

10 *Short Title*

11 7. This Statute may be cited as the Federal College of Medical
12 Laboratory Sciences Soba, Kaduna State (Establishment) Bill, 2022.

A BILL

FOR

AN ACT TO ALTER THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA 1999 CAP. C23-120 LAWS OF THE FEDERATION OF NIGERIA 2004, TO TRANSFER THE ITEM DEALING WITH FINGERPRINTS, IDENTIFICATION AND CRIMINAL RECORDS FROM THE EXCLUSIVE LEGISLATIVE LIST TO THE CONCURRENT LEGISLATIVE LIST, AND FOR RELATED MATTERS

Sponsored by Hon. Ibrahim Hamza

[] 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-
2 120. Laws of the Federation of Nigeria 2004 (in this Bill referred to as "the
3 Principal Act") is altered as set out in this Bill. Alteration of
Cap. 23-120,
LFN 2004
- 4 **2.** Part I to the Second Schedule of the Principal Act is altered by
5 deleting item "28 Fingerprints, Identification and Criminal records" and
6 thereafter, renumbering the entire Exclusive Legislative List to reflect this
7 alteration; and Alteration to the
Second Schedule
of the Constitution
(as amended)
Cap. 23 LFN,
1999
- 8 **3.** Part II to the Second Schedule of the Principal Act is altered by
9 inserting, under the Concurrent List a new item "31" to read as follows:
10 "31. The National Assembly may make Laws for the Federation or any part
11 thereof with respect to Fingerprints, Identification and Criminal records, but
12 nothing in this paragraph shall preclude a House of Assembly from making
13 Laws for the State or any part thereof with respect to Fingerprints,
14 Identification and Criminal records within their State or from the State to
15 any other State with the consent of the State Governments concerned".
- 16 **4.** The Bill may be cited as the Constitution of the Federal Republic Citation
17 of Nigeria 1999 (Alteration) Bill, 2022.

EXPLANATORY MEMORANDUM

This Bill seeks to alter the Constitution of the Federal Republic of Nigeria Act (No 24) 1999 (as amended) to transfer the item dealing with Fingerprints, Identification and Criminal records from the Exclusive Legislative List to Concurrent Legislative List.

A BILL

FOR

AN ACT TO AMEND THE FEDERAL ROAD SAFETY COMMISSION
(ESTABLISHMENT) ACT, CAP 141 LFN, 2007 TO INTRODUCE USE OF HANDS
FREE DRIVING AND CAR VOICE AUTOMATED TELEPHONE SYSTEM IN
NIGERIA, AND FOR RELATED MATTERS

Sponsored by Hon. Ibrahim Hamza

[] Commencement

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

1 PART II - ESTABLISHMENT, FUNCTIONS AND RANK OF MEMBER OF

2 ROAD SAFETY CORPS

3 10.-(4) In the exercise of the functions conferred by this section,
4 members of the Corps shall have power to arrest and prosecute person
5 responsible suspected of having committed any traffic offence including the
6 following offences and serve such person with court processes or notice of
7 offence sheet-

Amendment of
Cap. 141 LFN,
2007

8 (ff) Making or receiving call while driving a vehicle;

9 Section 'ff' of the Act is amended by deleting it completely and introduce
10 new sub-section (ff and gg), and renumber the existing sub-section (4) (gg)
11 as (4) (hh); existing (4) (hh) to (4) (ii); existing (4)(ii) to (4)Uj); existing
12 (4)Uj) to (4) (kk), thus:

Amendment of
Part II Section 10

13 "(ff) Making or receiving; a call, voice, picture or short messaging
14 service using either handheld or handsfree devices for drivers below the age
15 of 21 years, for school bus drivers, and for drivers of Trucks, Trailers, heavy
16 earth moving and articulated vehicles.

17 (gg) Drivers over the age of 21 can use hands-free devices or car
18 voice automated phone systems if not driving any of the prohibited vehicles
19 listed in "(gg)" above."

Short title 1 **2.** This Bill may be cited as the Federal Road Safety Commission Act
2 (Amendment) Bill, 2022.

EXPLANATORY MEMORANDUM

This Bill seeks to amend Part II Section 10 sub-section ff of The Federal Road Safety Commission Act, (2007) by introducing the use of hands-free driving and voice automated phone system in Nigeria.

A BILL

FOR

AN ACT TO AMEND THE DISCRIMINATION AGAINST PERSONS WITH
DISABILITY PROHIBITION ACT 2018 TO MAKE PROVISIONS FOR UPWARD
REVIEW OF THE RETIREMENT AGE OF PERSONS WITH DISABILITY AND
FOR RELATED MATTERS

Sponsored by Hon. Babajimi Benson

[] Commencement

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

- 1 **1.** The Discrimination Against Persons with Disability Prohibition
2 Act 2018 (herein referred to as "the Principal Act") is hereby amended as set
3 out hereunder. Amendment of
the Principal Act
- 4 **2.** Section 30 of the Principal Act is hereby amended by creating a Amendment of
Section 30
5 new section 30 as follows:
6 Section 30:
- 7 (1) Notwithstanding any other provision under this Act or any
8 other law or enactment, persons living with disability in Nigeria shall
9 compulsorily retire upon attainment of the age of 70 (seventy) years or 40
10 (Forty) years of pensionable service from the day of first appointment
11 whichever is earlier.
- 12 (2) Any other Legislation that requires a person to retire from
13 public services at any age below 70 years or after less than 40 years of
14 service shall not apply the persons living with disability in Nigeria;
- 15 **3.** Section 32 of the Principal Act is hereby amended in sub-section Amendment of
Section 32
16 2 by inserting immediately after the word "chairman" the phrase:
17 "Who shall be a person with disability provided he possesses such
18 qualification and experience as appropriate for a person required to perform
19 the functions of that office".

	1	4. The Principal Act is hereby amended by rearranging the existing
	2	sections 30 to 58 as sections sub-sections to 31-59.
Citation	3	5. This Bill may be cited as the Discrimination Against Persons with
	4	Disability Prohibition Act (Amendment) Bill, 2022.

EXPLANATORY NOTES

This Bill seeks to amend the Discrimination against Persons with Disability Prohibition Act 2018 to make provisions for the upward review of the retirement age of persons living with disability and providing for the Chairman of the Council to be a person living with disability.

FOR

Sponsored by Hon. Ajibola S. Muraina

[] Commencement

Establishment
of the Nigeria
International
Institute for
Democratic
Development

Functions and objectives of the Institute

(c) promote and disseminate among Legislative Houses the practice of science based methodologies of law-making;

- 1 (d) promote and protect constitutional due process in legislative
2 practices;
- 3 (e) provide critical research material and policy insights as
4 background materials for committees of Legislative Houses;
- 5 (f) improve the capacity of legislators to sustain and consolidate
6 democratic governance through deliberation and policy formulation;
- 7 (g) improve the technical capacity of legislative staff, committee
8 secretaries and political aides to process bills and policy oversight of the
9 executive;
- 10 (h) document and publish for public use the history and politics of the
11 legislature in governance in Nigeria from colonial period to the present;
- 12 (i) periodic training on democratic principles for members of the
13 Armed Forces, Police and other security services established by Law in
14 Nigeria;
- 15 (j) monitoring of elections;
- 16 (k) provide interface between democratic institutions and the civil
17 societies;
- 18 (l) sensitise the Nigeria public to imbibe, support and defend
19 democratic and legislative ethics; and
- 20 (m) undertake such other and incidental responsibilities relating to the
21 development, consolidation and advancement of legislative independence and
22 oversight of democratic governance in Nigeria.
- 23 (2) In order to realize its objectives, the Institute shall have power to-
- 24 (a) conduct periodic short and refresher courses for National and State
25 legislators, legislative staff, committee secretaries and political aides on
26 democracy and good governance;
- 27 (b) provide research reports for legislators in Legislative, their
28 Committees or the drafting departments;
- 29 (c) produce independent policy responses to legislations or policies

1 pending before either chamber of the National Assembly and other
2 Legislative Houses;

3 (d) initiate and encourage legislative drafting courses in tertiary
4 institutions in Nigeria and abroad;

5 (e) encourage private sector participation and collaborate with
6 national and international organizations on research and training on issues
7 relevant to its mandate;

8 (f) run and maintain quality and world class libraries and database
9 on the legislative system and democratic governance;

10 (g) be involved in teaching, training and research on political
11 culture and political development among others;

12 (h) develop training curricula for schools and tertiary institutions
13 on democracy, legislative practice and procedures, political culture, civics,
14 ethics and political development;

15 (i) provide training courses on democracy, legislative practice and
16 procedures, political culture and political development;

17 (g) provide internship for scholars;

18 (k) engage visiting scholars/fellows to participate in its academic
19 research programmes;

20 (l) provide endowments to enhance the training and teaching
21 offered to its clients;

22 (m) initiate and execute any project that would help to generate
23 ideas and policies for good governance; and

24 (n) award appropriate professional certificates and testimonials
25 according to the training and teaching offered to its clients.

26 (3) Notwithstanding the provisions of any Act the institute shall be
27 responsible for managing any fund released or donated by international
28 donor agencies for research on Democratic Studies and Development in
29 Nigeria

30 (4) The Institute shall not through its program, or policies endorse

Establishment
of a Governing
Council of the
Institute

1 any candidate or any political party for elective office or campaign on behalf of
2 any religious, ethnic or cultural organisation.

3 3.-(1) There is established for the Institute a Governing Council (in
4 this Bill called "the Council").

5 (2) The Council is vested with the powers to make decisions and
6 formulate general policies for the guidance of the Institute.

7 (3) The Council shall consist of the following members-

8 (a) a part-time Chairman who shall be an experienced legal officer or
9 any eminent Nigerian considered suitable for the office of Chairman;

10 (b) the Director-General, who shall be a professional in the field of
11 Political Science or Law and shall have at least 12 years cognate experience in
12 tertiary institutions;

13 (c) the President of Nigerian Political Science Association (NPSA);

14 (d) the President of Nigerian Society of International Affairs (NSIA);

15 (e) the President of National Council of Women Societies, Nigeria
16 (NCWS);

17 (f) six (6) persons, one each from the six (6) geo-political zones of the
18 country, appointed on a rotational basis, amongst the state in each zone, by the
19 President of the Federal Republic of Nigeria to represent public interest;

20 (g) the Clerk of the National Assembly;

21 (h) the Chairman of the National Assembly Service Commission;

22 (i) a representative of the Parliamentary Senior Staff Association of
23 Nigeria, and

24 (4) The Director-General shall serve as the Secretary to the Council.

25 (5) The members of the Council shall be appointed by the President of
26 the Federal Republic of Nigeria, subject to the confirmation of the Senate.

27 (6) The supplementary provisions set out in the Schedule to this Bill
28 shall have effect with respect to the proceedings of the Council. [Schedule]

Tenure of office

29 4.-(1) The Chairman shall hold office for a period of 4 years and may
30 be re-appointed for another term of 4 years.

1 (2) Except for the Ex-officio members, members of the Council
2 shall hold office for one term of 4 years; and may be re-appointed for one
3 more term only;

4 (3) The office of Chairman, Director-General or any member of the
5 Council under this Bill shall become vacant if-

6 (a) he resigns his office by notice in writing under his hand
7 addressed to the President, Commander-in-Chief of the Armed Forces;

8 (b) the President, Commander-in-Chief of the Armed Forces is
9 satisfied that it is not in the interest of the Institute for the person appointed to
10 continue in office and notifies the member in writing to that effect subject to
11 Senate approval;

12 (c) he is a victim of protracted ill-health or he is severely
13 incapacitated by accident and confirmed by constituted medical board;

14 (d) he suffers death;

15 (e) found guilty of financial impropriety; or

16 (f) he is declared bankrupt.

17 5.-(1) There shall be for the Institute, a Director-General who shall
18 possess appropriate qualifications and cognate experience.

Director-General
of the Institute

19 (2) The Director-General shall be appointed by the President,
20 Commander-in- Chief of the Armed Forces from a list of three persons
21 recommended by the Council.

22 (3) The Director-General shall hold office for a period of five years
23 and may be re-appointed for another term of five years, as generally applies
24 in similar institutions.

25 (4) The Director-General shall be the Chief Executive and
26 Academic Officer of the Institute and shall be charged with general
27 responsibility for matters relating to the day-to-day management and
28 operations of the Institute; and

29 (5) The Director-General shall be responsible to the Council.

The Structure
of the Institute

- 1 **6.-(1)** There is established for the Institute:
- 2 (a) School of International Democratic Studies, and
- 3 (b) School of International Legislative Studies, and-
- 4 (c) such other Schools as may be approved by the Council on the
- 5 recommendation of the Management Board.
- 6 (2) Each School shall be headed by a Director who shall be a
- 7 professionally qualified person appointed through a competitive process after
- 8 an open advertisement
- 9 (3) The Council on the recommendation of the Management Board
- 10 may approve the creation of such Departments as it may deem necessary to
- 11 achieve the objectives of the Institute.

Establishment
of the Management
Board

- 12 **7.-(1)** There shall be established for the Institute a Management Board
- 13 (herein-after referred to as "the Board") comprising the Director-General who
- 14 shall act as the Chairman, Heads Of Schools, Registrar, Bursar, Librarian and
- 15 Heads of Departments.
- 16 (2) The Board shall be responsible for general administration of the
- 17 Institute, particularly recruitment, discipline and promotion of staff.
- 18 (3) The Director-General and Heads of Schools shall perform such
- 19 functions as their counterparts in tertiary institutions.
- 20 (4) There shall be positions of Registrar, Bursar, and Librarian as
- 21 contained in subsection (1) of this section whose schedule of duties shall be
- 22 specified by the Council.

Academic
Board

- 23 **8.-(1)** There shall be established for the Institute an Academic Board.
- 24 (2) The Academic Board shall have the Director-General of the
- 25 Institute as Chairman, Heads of Schools, Heads of Department and other
- 26 Senior Academic staff as members.
- 27 (3) Subject to the provisions of this Bill, the Academic Board shall
- 28 advise the Director-General on research and training programs as they relate to
- 29 the objectives of the Institute and the management of Academic staff.

1	9.-(1) Staff of the Institute other than those mentioned in the Act	Appointment of staff
2	shall be employed according to procedure of employment as stipulated by	
3	Council.	
4	(2) Staff of the Institute shall be entitled to benefits under the	
5	Pension Reform Act 2004 of Nigeria.	
6	(3) Nothing in subsections (1) and (2) of this Section shall prevent	
7	the employment of a person to any office on temporary or permanent basis	
8	on terms which preclude the grant of pension.	
9	10.-(1) The Council may, subject to the provision of this Bill, make	Staff regulation
10	staff regulations relating generally to the conditions of service of the	
11	employees of the Institute and without prejudice to the generality of the	
12	foregoing such regulations may provide for-	
13	(a) the appointment, promotion and disciplinary control (including	
14	dismissal) of employees of the Institute; and	
15	(b) appeals by such employees against dismissal or other	
16	disciplinary measures, and until such regulations are made, any instrument	
17	relating to the conditions of service of public officers shall be applicable,	
18	with such modification as may be necessary, to the employees of the	
19	Institute.	
20	(2) Staff regulation made under subsection (1) of this section, shall	
21	not have effect until approved by the Council of the Institute and when so	
22	approved, shall be officially Gazetted but the Council shall cause them to be	
23	brought to the notice of all affected persons in such manner as it may, from	
24	time to time, determine.	
25	11.-(1) The Institute shall establish and maintain a fund which shall	Financial Provisions
26	be applied towards the promotion of the objectives specified in this Bill.	
27	(2) At the beginning of every budget year, the Federal Government	
28	shall approve a budget for the Institute.	
29	(3) There shall be paid and credited to the fund established for the	
30	Institute-	

	1	(a) sums appropriated from the Federal budget for the fiscal year;
	2	(b) gifts and donations and contributions from national and
	3	international institutions and philanthropic persons and organizations;
	4	(c) fees charged for services rendered by the Institute.
Power to accept gifts	5	12.-(1) The Institute may accept gifts and bequests upon such terms
	6	that do not compromise its capability to fulfill its objectives and sustain its non-
	7	partisan policy.
	8	(2) The Institute may with approval in writing of the Council, and
	9	subject to other guidelines and policies of the Federal Government, borrow
	10	such money needed for the exercise of its functions as the Board may determine
	11	under the Bill, provided that such borrowing shall be made on terms that do not
	12	compromise the independence and competence of the Institute.
Management of funds for the Institute	13	13. The Institute shall manage its fund in accordance with rules made
	14	by the Board with the general direction of the Council, and without prejudice to
	15	the power to make rules under this section, the rules shall contain provisions
	16	specifying-
	17	(a) the manner in which the assets or funds of the Institute are to be
	18	held;
	19	(b) the keeping of proper accounts and records for the purpose of the
	20	fund in such manner as may be safe and effective.
Application of funds of the Institute	21	14. The institute shall apply its fund to the cost of administration of
	22	the Institute including but not limited to, payment of salaries, gratuities,
	23	allowances and fees and the payment of other contracts, consultancies and
	24	purchases made for the benefit of the Institute.
Estimates of income and expenditure of the Institute	25	15. The Director-General shall not later than 30th of September each
	26	year, present to the Council for approval an estimate of the expenditures and
	27	incomes of the Institute for the next fiscal year.
Annual Budget of the Institute	28	16. The Chairman of Council shall not later than 30th September
	29	each year or other date stipulated by law or administrative policy, submit to the
	30	National Assembly an estimate of the expenditure and incomes of the Institute

1 approved by the Council for the next fiscal year for incorporation in the
2 Budget of the Federation.

3 **17.**-(1) The Director-General shall submit to the National Financial reports
of the Institute
4 Assembly quarterly reports of the Finances of the Institutes.

5 (2) The Chairman of Council shall present yearly report of the
6 activities of the Institute to the National Assembly.

7 **18.**-(1) The Institute may, subject to the provisions of the Land Use Miscellaneous
8 Act and any other applicable law, lease, rent or acquire an interest in land and
9 other properties, build and maintain offices and premises for its activities.

10 (2) For the purpose of its administrative and business activities, the
11 provisions of the Public Officers Protection Act shall apply with such
12 modification as necessary to promote the effective realization of the
13 objectives of the Institute.

14 (3) Subject to provisions of this Bill the Council shall have powers
15 to issue subsidiary rules relating to legal liabilities and indemnities of
16 officials and staff of the Institute.

17 (4) Members of the Council may receive allowances as applies in
18 government agencies and Institutes or as may be stipulated by the Council in
19 accordance with applicable Federal Government regulations.

20 **19.** In this Bill, except the context otherwise permits- Interpretation
21 "Chairman" means the Chairman of the Governing Council;
22 "Director-General" means the Chief Executive of the Institute;
23 "Institute" means the Nigeria Institute for International Democratic
24 Development;
25 "Party" means a political party registered under the Electoral Act in Nigeria
26 and has participated in National Elections.

27 **20.** This Bill may be cited as the Nigeria Institute for Democratic Citation
28 Development Bill, 2022.

1 SCHEDULE

2 *Section 3(6)*

3 SUPPLEMENTARY PROVISIONS RELATING TO THE INSTITUTE

4 *Proceedings of the Council*

5 1. Subject to this Bill and other applicable laws, the Council may
6 make standing orders regulating its proceedings.

7 2. The Council shall meet whenever summoned by the Chairman, or if
8 required to do so by at least 4 members of the Council and shall meet 4 times a
9 year on consultation with the Secretary of the Council who shall issue 14 days'
10 notice of meeting in writing.

11 3. The Chairman shall preside at the meeting of the Council but if the
12 Chairman is absent, the members present at the meeting may appoint one of
13 them to preside.

14 4. The quorum for the Council shall be formed whenever the
15 Chairman and four (4) other members are present at a scheduled meeting. In the
16 absence of the Chairman, six (6) members including the secretary shall form a
17 quorum. Decisions shall be by simple majority.

EXPLANATORY MEMORANDUM

This Bill seeks to an act for the establishment of an International Institute for Democratic Development, which shall be responsible for the training of public officers in the three (3) arms of Government on democratic practices and principles, managing the funds released or donated by international donor agencies for democratic research and development in Nigeria.

FEDERAL UNIVERSITY OF EDUCATION (TECHNICAL), GOMBE, GOMBE
STATE (ESTABLISHMENT) BILL, 2022
ARRANGEMENT OF CLAUSES

Clause:

PART I - ESTABLISHMENT, COMPOSITION AND FUNCTIONS
OF THE UNIVERSITY

1. Establishment and objectives of Federal University of Education (Technical), Gombe, Gombe State
2. Composition of the University
3. Powers of Federal University
4. Functions of the Chancellor and Pro-Chancellor
5. Establishment, composition, tenure and powers of the Council
6. Functions of the Council and the Finance and General Purposes Committee
7. Functions of the Senate of the University
8. Functions of the Vice-Chancellor

PART II - GENERAL FUND OF THE UNIVERSITY

9. General fund of the University

PART III - STATUTES OF THE UNIVERSITY

10. Power of the University to make statutes
11. Mode of exercising power to make statutes
12. Proof of statute

PART IV - SUPERVISION AND DISCIPLINE

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

PART V - MISCELLANEOUS AND GENERAL PROVISIONS

18. Exclusion of discrimination
 19. Restriction on disposal of land by the University
 20. Quorum and procedure of bodies established by this Act
 21. Appointment of committee
 22. Retirement age of academic staff
 23. Special provisions relating to pension of professors
 24. Miscellaneous administrative provisions
 25. Restriction of suits and execution
 26. Repeal
 27. Savings and transitional provisions
 28. Proposal and recommendation
 29. Interpretation
 30. Citation
- Schedules

A BILL

FOR

AN ACT TO ESTABLISH THE FEDERAL UNIVERSITY OF EDUCATION (TECHNICAL), GOMBE, GOMBE STATE FOR THE PROMOTION AND DEVELOPMENT OF TEACHER'S EDUCATION, MAKE COMPREHENSIVE PROVISION FOR MANAGEMENT AND ADMINISTRATION OF THE UNIVERSITY; AND FOR RELATED MATTERS

Sponsored by Hon. Abubakar Yunusa Ahmad

[] Commencement

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

1 PART I - ESTABLISHMENT, COMPOSITION AND FUNCTIONS
2 OF THE UNIVERSITY

3 1.- (1) There is established the Federal University of Education
4 (Technical), Gombe, Gombe State (in this Bill referred to as "the
5 University").

Establishment
and objectives
of Federal University
of Education
(Technical), Gombe,
Gombe State

6 (2) The University-

7 (a) is a body corporate with perpetual succession, and a common
8 seal; and

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

10 (3) The University is a training institution for the development of
11 teacher education in the country.

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

17 (5) The objectives of the University are to-

18 (a) encourage the advancement of learning and to hold out to all

- 1 persons without distinction of race, creed, sex or political conviction;
- 2 (b) develop and offer academic and professional programmes leading
3 to the award of certificates, first degrees, post-graduate, diploma and higher
4 degrees with emphasis on planning, developmental and adaptive skills in
5 education, technology, applied science, agriculture, commerce, arts, social
6 science, humanities, management and allied professional disciplines;
- 7 (c) produce socially mature experts in education with capabilities not
8 to only understand educational needs of Nigeria as a nation, but also to exploit
9 existing educational infrastructure and improve on it to develop new ones;
- 10 (d) act as agents and catalysts for effective educational system,
11 through post graduate training, research and innovation, for effective
12 economic utilisation and conservation of the country's human resources;
- 13 (e) bring quality change in education by focusing on teacher's
14 education through teaching and learning innovations;
- 15 (f) collaborate with other national and international institutions
16 involved in training, research and development of education with a view to
17 promoting governance, leadership and management skills among educational
18 managers;
- 19 (g) identify educational needs of the society and find solutions to
20 them within the context of overall national development;
- 21 (h) provide and promote sound basic education training as a
22 foundation for the development of Nigeria, taking into account indigenous
23 culture and the need to enhance national unity;
- 24 (i) provide higher education and foster a systematic advancement of
25 the science and art of teacher's education;
- 26 (j) provide for instruction in such branches of teacher's education as it
27 may deem necessary to make provision for research advancement and
28 dissemination of knowledge in such manner as it may determine;
- 29 (k) provide teachers with operational competence for teaching in pre-
30 tertiary institutions, basic, senior secondary schools and non-formal

1 educational institutions; and

2 (l) undertake any other activity that is appropriate for a university
3 of education of the highest standard.

4 **2.-(1)** The University shall consist of-

Composition of
the University

5 (a) a Chancellor;

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

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

8 (d) a Congregation;

9 (e) a Convocation;

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

11 (g) the colleges, institutes and other teaching and research units of
12 the University;

13 (h) persons holding the offices constituted under the First Schedule
14 to this Act other than those mentioned in paragraphs (a) - (c);

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

16 (j) all other persons who are members of the University in
17 accordance with provisions made by Statute in that behalf.

18 (2) The First Schedule to this Act shall have effect with respect to First Schedule
19 the principal officers of the University.

20 (3) Subject to section 5 of this Act, provisions shall be made by
21 Statute with respect to the constitution of the Council, the Senate,
22 Congregation and Convocation.

23 **3.-(1)** For the attainment of its objectives under section 1 (5) of this Powers of the
24 Act, the University has powers to - University

25 (a) offer courses of instruction, training and research in education
26 and allied areas for the production of quality and skilled teachers required to
27 teach at lower, middle and higher levels of education in Nigeria in particular
28 and the world at large;

29 (b) establish such colleges, campuses, institutes, schools,
30 departments and other teaching and research units within the University as

- 1 may be deemed necessary or desirable subject to the approval of NUC;
- 2 (c) institute professorships, readerships, associate professorships,
3 lectureships, and other posts and offices and to make appointments to those
4 post and offices;
- 5 (d) institute and award fellowships, scholarships, exhibitions,
6 bursaries, medals, prizes and other titles, distinctions, awards and forms of
7 assistance;
- 8 (e) provide for the discipline and welfare of members of the
9 University;
- 10 (f) hold examinations and grant degrees, diplomas, certificates and
11 other distinctions to persons who have pursued a course of study approved by
12 the University and have satisfied other requirements as the University may lay
13 down;
- 14 (g) grant honorary degrees, fellowships or academic titles;
- 15 (h) demand and receive from any student or any other person
16 attending the University for the purposes of instruction, such fees as the
17 University may determine subject to the overall directives of the Minister;
- 18 (i) subject to section 19 of this Act, acquire, hold, grant, charge or
19 otherwise deal with or dispose of movable and immovable property wherever it
20 is situate;
- 21 (j) accept gifts, legacies and donations, without obligation to accept
22 the same for a particular purpose unless it approves the terms and conditions
23 attached;
- 24 (k) enter into contracts, establish trusts, act as trustee, solely or jointly
25 with any other person, and employ or act through agents;
- 26 (l) erect, provide, equip and maintain libraries, laboratories,
27 workshops, lecture halls, halls of residence, refectories, sports grounds,
28 playing fields and other buildings or things necessary, suitable or convenient
29 for any of the objects of the University;
- 30 (m) hold public lectures and print, publish and sell books;

1 (n) subject to any limitation or condition imposed by the Statute,
2 invest money appertaining to the University by way of endowment, not
3 being immediately required for current expenditure, in any investment,
4 security or in the purchase or improvement of land, with powers to vary such
5 investments and deposit any money not invested with any bank in a deposit
6 or current account;

7 (o) borrow, whether on interest or not and if need be upon the
8 security of any or all of the property, movable or immovable, of the
9 University, such money as the Council may find necessary or expedient to
10 borrow or to guarantee any loan, advance or credit facility;

11 (p) make gifts for any charitable purpose;

12 (q) do anything which it is authorised or required by this Act or any
13 Statute to do; and

14 (r) do all acts or things, whether or not incidental to these powers,
15 as may advance the objects of the University.

16 (2) Subject to the provisions of this Act and of the Statutes and
17 without prejudice to section 7 (2) of this Act, the powers conferred on the
18 University under subsection (1) is exercisable on behalf of the University by
19 the Council, Senate or in any other manner which may be authorised by the
20 Statute.

21 (3) The power of the University to establish additional campuses
22 and colleges within the University shall be exercised in accordance with the
23 Statute.

24 4.-(1) The Chancellor shall, in relation to the University, take
25 precedence before all other members of the University and, when he is
26 present, preside at all meetings of Convocation held for conferring degrees.

Functions of
Chancellor and
Pro-Chancellor

27 (2) The Pro-Chancellor shall, in relation to the University, take
28 precedence before all other members of the University, except the
29 Chancellor and Vice-Chancellor when acting as Chairman of Congregation
30 or Convocation, and the Pro-Chancellor shall, when he is present, be the

	1	Chairman at all meetings of the Council.
Establishment, composition, tenure and powers of the Council	2	5.-(1) There is established for the University a governing council (in
	3	this Bill referred to as "the Council").
	4	(2) The Council shall consist of -
	5	(a) the Pro-Chancellor who is appointed by the President on the
	6	recommendation of the Minister;
	7	(b) the Vice-Chancellor;
	8	(c) the Deputy Vice-Chancellors;
	9	(d) one person representing the Federal Ministry responsible for
	10	education;
	11	(e) four persons representing a variety of interests and broadly
	12	representative of the whole Federation to be appointed from -
	13	(i) the Teacher's Registration Council;
	14	(ii) Tertiary Education Trust (TET) Fund; and
	15	(iii) two other persons, one of whom shall be a representative of the
	16	University host community.
	17	(f) four persons appointed by the Senate from among its members;
	18	(g) two persons appointed by Congregation from among its members;
	19	(h) one person appointed by Convocation from among its members;
	20	and
	21	(i) two persons representing the community appointed by the
	22	President.
	23	(2) Persons to be appointed to the Council shall be of proven integrity,
	24	knowledgeable and familiar with the affairs and traditions of the University.
	25	(3) The Council shall have a tenure of four years from the date of its
	26	inauguration but where the Council is found to be incompetent and corrupt, it
	27	shall be dissolved by the Visitor and a new Council shall be immediately
	28	constituted for the effective functioning of the University.
	29	(4) The Council shall exercise its powers under this Act and,

1 establishment circulars that are inconsistent with this Act shall not apply to
2 the University.

3 (5) The Council is free to perform its functions and discharge its
4 responsibilities for the good management, growth and development of the
5 University.

6 (6) The Council, in the performance of its functions, shall ensure
7 that disbursement of funds of the University complies with the approved
8 budgetary ratio fo-

9 (a) personnel cost;

10 (b) overhead cost;

11 (c) research and development;

12 (d) library developments; and

13 (e) the balance in expenditure between academic and non-
14 academic activities.

15 **6.-(1)** Subject to the provisions of this Act relating to the Visitor,
16 the Council is-

Functions of the
Council and the
Finance and General
Purposes Committee

17 (a) the governing body of the University; and

18 (b) responsible for the general control and superintendence of the
19 policy, finances and property of the University.

20 (2) There shall be a Finance and General Purposes Committee
21 which shall, subject to the directions of the Council-

22 (a) exercise control over the property and expenditure of the
23 University; and

24 (b) perform such other functions of the Council as the Council may
25 delegate to it.

26 (3) Provisions shall be made by the Statute with respect to the
27 constitution of the Finance and General Purposes Committee.

28 (4) The Council shall ensure that proper accounts of the University
29 are kept and that the accounts of the University are audited annually by an
30 independent firm of auditors approved by the Council and that an annual

1 report is published by the University together with certified copies of the said
2 accounts as audited.

3 (5) Subject to this Act and the Statute, the Council and Finance and
4 General Purposes Committee may each make rules for the purposes of
5 performing their respective functions or of regulating their own procedure.

6 (6) Rules made under subsection (5) by the Finance and General
7 Purposes Committee shall not come into effect unless they are approved by the
8 Council, and where the rules made by that Committee conflicts with any
9 direction given by the Council, whether before or after the coming into effect of
10 the rules in question, the directions of the Council prevails.

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

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

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

21 (10) Any request made under subsection (9) shall specify the business
22 to be considered at the meeting, and business that is not so specified shall not be
23 transacted at that meeting.

Functions of the
Senate of the
University

24 7.-(1) Subject to subsections (3) and (4) of this section and other
25 provisions of this Act relating to the Visitor, the Senate shall organise and
26 control the-

27 (a) teaching by the University;

28 (b) admission of student where no other enactment provides to the
29 contrary; and

30 (c) discipline of students, and promote research at the University.

1 (2) Without prejudice to subsection (1), the Senate shall make
2 provision for-

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

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

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

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

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

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

19 (g) the granting of fellowships, scholarships, prizes and similar
20 awards if the awards are within the control of the University; and

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

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

27 (4) Subject to this Act and the Statutes, the Senate may make
28 regulations for the purpose of performing any function conferred on it either
29 by this section or for the purpose of making provision for any matter covered
30 by regulations and is authorised or required by this Act or Statute.

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

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

Functions of
the Vice-Chancellor

13 **8.-(1)** The Vice-Chancellor shall, in relation to the University, take
14 precedence over other members of the University except the Chancellor and,
15 subject to section 4 of this Act, except the Pro-Chancellor and any other person,
16 for the time being, acting as Chairman of the Council.

17 (2) Subject to sections 6, 7 and 13 of this Act, the Vice-Chancellor
18 shall-

19 (a) have the general function, in addition to any other function
20 conferred on him by this Act of directing the activities of the University; and

21 (b) be the Chief Executive and Accounting Officer of the University
22 and the ex-officio Chairman of the Senate.

23 (3) The Vice-Chancellor shall be the Chairman of the University
24 Tenders' Board, which is responsible for approving the conduct of public
25 procurement of goods, works and services within the approved threshold.

26 (4) The Vice-Chancellor shall establish and appoint members of the
27 Tenders' Board in line with the extant Public Procurement Rules and
28 Regulations.

General Fund
of the University

29 **PART II - GENERAL FUND OF THE UNIVERSITY**

30 **9.-(1)** There shall be a general fund of the University (in this Act

1 referred to as "the General Fund") which shall consist of-

2 (a) grants-in-aid;

3 (b) fees;

4 (c) income derived from investments;

5 (d) gifts, legacies, endowments and donations not accepted for a

6 particular purpose;

7 (e) income derived from the performance of any function

8 conferred or imposed on the University by this Act;

9 (f) other amount, charges or dues recoverable by the University;

10 (g) revenue accruing to the University by way of subvention;

11 (h) interests on investments;

12 (i) donations and legacies accruing to the University from any

13 source for the general or special purposes of the University; and

14 (j) Tertiary Trust Fund (TETFUND) interventions.

15 (2) The General Fund shall be applied for the purpose of the

16 University.

17 PART III - STATUTES OF THE UNIVERSITY

18 **10.-(1)** Subject to this Act, the University may make Statutes for -

19 (a) providing for the composition and constitution of any authority

20 of the University;

21 (b) specifying and regulating the powers and duties of any

22 authority of the University, and regulating any other matter connected with

23 the University or any of its authorities;

24 (c) regulating the admission of students where no other enactment

25 provides to the contrary, and their discipline and welfare;

26 (d) determining whether any particular matter is to be treated as an

27 academic or non-academic matter for the purpose of this Act and any statute,

28 regulation or other instrument made under it; or

29 (e) making provision for any other matter which is authorised or

30 required by this Act.

Power of the
University to make
statutes

C 742 *Federal University of Education (Technical), Gombe, Gombe State (Est.) Bill, 2022* **2022**

Cap. 123, LFN, 2004	1	(2) Subject to section 25 (6) of the Interpretation Act applies in
	2	relation to any Statute made under this section as it applies to a subsidiary
	3	instrument within the meaning of section 28 (1) of the Interpretation Act.
Third Schedule	4	(3) The Statute contained in the Third Schedule to this Act is deemed
	5	to have come into effect on the commencement of this Act and to have been
	6	made under this section by the University.
Third Schedule	7	(4) The power to make Statutes conferred by this section shall not be
	8	prejudiced or limited in any way by reason of the inclusion or omission of any
	9	matter in or from the Statute contained in the Third Schedule to this Act or any
	10	subsequent Statute.
Mode of exercising power to make statutes	11	11.-(1) The power of the University to make Statutes shall be
	12	exercised in accordance with the provisions of this section.
	13	(2) A proposed Statute shall not become law unless it has been
	14	approved at the meeting of the-
	15	(a) Senate, by the votes of at least two-thirds of the members present
	16	and voting; and
	17	(b) Council, by the votes of at least two-thirds of the members present
	18	and voting.
	19	(3) A proposed Statute may originate either in the Senate or Council,
	20	and may be approved as required by subsection (2).
	21	(4) A Statute which-
	22	(a) makes provision for or alters the composition or constitution of the
	23	Council, the Senate or any other authority of the University; or
	24	(b) provides for the establishment of a new campus, college or for the
	25	amendment or revocation of any statute,
	26	shall not come into effect unless it has been approved by the Visitor.
Cap. 123, LFN, 2004	27	(5) For the purpose of section 2 (2) of the Interpretation Act, a Statute
	28	shall be treated as being made on the date on which it is duly approved by the
	29	Council or Senate, in accordance with subsection (2) or in the case of a Statute

1 falling within subsection (4), on the date on which it is approved by the
2 President.

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

9 (7) The decision of the Visitor on any matter referred to him under
10 subsection (6) is binding upon the authorities, staff, and students of the
11 University.

12 (8) Nothing in subsection (7) affects any power of a court of Cap. 123, LFN,
2004
13 competent jurisdiction to determine whether any provision of a Statute is
14 wholly or partly void as being ultra vires or as being inconsistent with the
15 Constitution of the Federal Republic of Nigeria, 1999.

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

20 **PART IV - SUPERVISION AND DISCIPLINE**

21 **13.-(1)** The President shall be the Visitor of the University. The Visitor

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

26 (3) The bodies and persons comprising the University shall make
27 available to the Visitor and any other person conducting a visitation under
28 this section, such facilities and assistance as the Visitor or that person may
29 reasonably require for the purpose of a visitation.

30 (4) The Visitor shall make the report of such visitations, issue a

1 white paper to that effect and make it available to the Council for
2 implementation.

Removal of certain
members of Council

3 **14.**-(1) Where it appears to the Council that a member of the Council,
4 other than the Pro-Chancellor or the Vice-Chancellor should be removed from
5 office on the ground of misconduct or inability to perform the functions of his
6 office or employment, the Council shall make a recommendation to that effect
7 through the Minister, to the Visitor, and the Visitor, after making such inquiries
8 as he may consider appropriate, if he approves the recommendation, may direct
9 the removal of the person in question from office.

10 (2) The Minister shall cause a copy of the instrument embodying a
11 direction under subsection (1) to be served, as soon as reasonably practicable,
12 on the person to whom it relates.

Removal and
discipline of
academic,
administrative
and professional
staff

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

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

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

22 (c) afford the person in question, an opportunity of appearing before
23 and being heard by the investigating committee with respect to the matter.

24 (2) If the Council, after considering the report of the investigating
25 committee, is satisfied that the person in question should be removed, the
26 Council may so remove him by an instrument in writing signed on the
27 directions of the Council.

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

1 reported to the Council.

2 (4) For good cause, any member of staff may be suspended from
3 his duties, or his appointment may be terminated by the Council, and for the
4 purpose of this subsection, "good cause" means-

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

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

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

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

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

20 (5) A person suspended under subsection (3) or (4) shall be on half
21 pay and the Council shall, before the expiration of three months after the
22 date of such suspension, consider the case against that person and come to a
23 decision as whether to-

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

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

28 (c) terminate the appointment of the person, in which case such a
29 person is not entitled to the proportion of his emoluments withheld during
30 the period of suspension; or

1 (d) take such lesser disciplinary action against such person, including
2 the restoration of such proportion of his emoluments that might have been
3 withheld, as the Council may determine.

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

9 (7) The person by whom an instrument of removal is signed under
10 subsection (1) shall use his best endeavours to cause a copy of the instrument to
11 be served, as soon as reasonably practicable, on the person to whom it relates.

12 (8) Nothing in this section-

13 (a) applies to any directive given by the Visitor in consequence of any
14 visitation; or

15 (b) prevents the Council from making regulations for the discipline of
16 other categories of workers of the University as may be prescribed.

Removal of
examiners

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

24 (2) Subject to the regulations made under section 7 (5), the Vice-
25 Chancellor may, on the recommendation of the Senate, appoint an appropriate
26 person as examiner in the place of the examiner removed under subsection (1).

27 (3) The Vice-Chancellor on signing an instrument of removal under
28 this section, shall cause a copy of the instrument to be served, as soon as
29 reasonably practicable, on the person to whom it relates.

- 1 **17.-(1)** The Students shall- Participation and
discipline of
students
- 2 (a) be represented in the University's Students Welfare Board and
- 3 other committees that deal with the affairs of students;
- 4 (b) participate in various aspects of curriculum development;
- 5 (c) participate in the process of assessing academic staff in respect
- 6 of teaching; and
- 7 (d) be encouraged to be more self-assured as part of the national
- 8 development process.
- 9 (2) Subject to the provisions of this section, where it appears to the
- 10 Vice-Chancellor that any student of the University has been guilty of
- 11 misconduct, the Vice-Chancellor may, without prejudice to any other
- 12 disciplinary power conferred on him by Statute or regulations, direct that
- 13 the-
- 14 (a) student shall not, during such period as may be specified in the
- 15 directions, participate in such activities of the University or make use of
- 16 such facilities of the University, as may be so specified;
- 17 (b) activities of the student shall, during such period as may be
- 18 specified in the direction, be restricted in such manner as may be so
- 19 specified;
- 20 (c) student be rusticated for such period as may be specified in the
- 21 direction; or
- 22 (d) student be expelled from the University.
- 23 (3) Where a direction is given under subsection (1) (c) or (d) in
- 24 respect of any student, that student may, within the prescribed period and in
- 25 the prescribed manner, appeal to the Council, and where such an appeal is
- 26 brought, the Council shall, after causing such inquiry to be made in the
- 27 matter as the Council considers just, either confirm, set aside or modify the
- 28 direction in such manner as the Council deems fit.
- 29 (4) An appeal brought under subsection (3) does not affect the
- 30 operation of the direction while the appeal is pending.

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

4 (6) Nothing in this section is construed as preventing the restriction or
5 termination of students' activities at the University than on the ground of
6 misconduct.

7 (7) A direction under subsection (2) (a) may be combined with a
8 direction under subsection (2) (b).

9 **PART V - MISCELLANEOUS AND GENERAL PROVISIONS**

Exclusion of
discrimination

10 **18.**-(1) No person shall be required to satisfy requirements as to race,
11 including ethnic grouping, sex, place of birth, family origin, or religious or
12 political persuasion, as a condition of becoming or continuing to be-

13 (a) a student at the university;

14 (b) the holder of any degree of the University, appointment or
15 employment at the University; or

16 (c) a member of anybody established under this Act.

17 (2) No person shall be subject to any disadvantage or accorded any
18 advantage in relation to the University, by reference to any of the matters in
19 subsection (1).

20 (3) Nothing in subsection (1) is construed as preventing the
21 University from imposing any disability or restriction on any of the persons
22 mentioned in that subsection where such person willfully refuses or fails, on
23 grounds of religious belief, to undertake any duty generally and uniformly
24 imposed on such persons or any group of them which duty, having regard to its
25 nature and the special circumstances pertaining thereto, is in the opinion of the
26 University, reasonably justifiable in the national interest.

Restriction on
disposal of Land
by University
Cap. L5, LFN,
2004

27 **19.** Without prejudice to the provisions of the Land Use Act, the
28 University shall not dispose of or charge any land or an interest in any land
29 (including any land transferred to the University by this Act) except with the
30 prior written consent, either general or special, of the Governor:

1 Provided that such consent shall not be required in the case of any lease or
2 tenancy at a rack-rent for a term not more than 21 years or any lease or
3 tenancy to a member of the University for residential purpose.

4 **20.** Except as may be provided by statute or regulations, the
5 quorum and procedure of any body of persons established under this Act
6 shall be as determined by that body. Quorum and
procedure of bodies
established under
this Act

7 **21.**-(1) Anybody of persons established under this Act shall, Appointment of
Committee
8 without prejudice to the generality of the powers of that body, have power to
9 set up committees, which need not consist exclusively of members of that
10 body, and to authorise a committee set up by it to-

11 (a) perform, on its behalf, its functions as it may determine; and

12 (b) co-opt members, and direct whether or not co-opted members
13 are entitled to vote in that committee.

14 (2) Any two or more such bodies may arrange for the holding of
15 joint meetings of those bodies, or for setting up of committees consisting of
16 members of those bodies, for the purpose of considering any matter within
17 the competence of those bodies or any of them, and either of dealing with it
18 or reporting on it to those bodies or any of them.

19 (3) Except as may be otherwise provided by statute or regulations,
20 the quorum and procedure of a committee established or meeting held in
21 under this section, shall be such as may be determined by the body or bodies
22 which have decided to set up the committee or hold the meeting.

23 (4) Nothing in the provisions of subsections (1), (2) and (3) is
24 construed as enabling the-

25 (a) statutes to be made otherwise than in accordance with section
26 11; or

27 (b) Senate to empower any other body to make regulations or
28 award degrees or other qualifications.

29 (5) The Pro-Chancellor and Vice-Chancellor shall be members of
30 every committee of which the members are wholly or partly appointed by

	1	the Council, other than a committee appointed to inquire into the conduct of the
	2	officer in question, and the Vice-Chancellor shall be a member of every
	3	committee of which the members are wholly or partly appointed by the Senate.
Retirement age of academic staff Act No. 4, 2014	4	22.-(1) Notwithstanding anything to the contrary in the Pension
	5	Reform Act, the compulsory retirement age of the-
	6	(a) academic staff of the University in the non-professorial cadre is 65
	7	years;
	8	(b) academic staff of the University in the professorial cadre is 70
	9	years; and
	10	(c) non-academic staff of the University is 65 years.
	11	(2) A law or rule requiring a person to retire from the public service
	12	after serving for 35 years does not apply to an academic staff of the University.
Special provisions relating to pension of professors	13	23. An academic staff of the University who retires as a professor in
	14	the University is entitled to pension at a rate equivalent to his annual salary
	15	provided that the professor has served continuously in the University up to the
	16	retirement age.
Miscellaneous administrative provisions	17	24.-(1) The seal of the University shall be such as may be determined
	18	by the Council and approved by the Chancellor, and the affixing of the seal
	19	shall be authenticated by any member of the Council and by the Vice-
	20	Chancellor, Secretary to the Council or any other person authorised by Statute.
	21	(2) Any document purporting to be a document executed under the
	22	seal of the University shall be received in evidence and is, unless the contrary is
	23	proved, presumed to be so executed.
	24	(3) Any contract or instrument, which if made or executed by a person
	25	not being a body corporate would not be required to be under seal, may be made
	26	or executed on behalf of the University by any person generally or specially
	27	authorised to do so by the Council.
	28	(4) The validity of any proceeding of anybody established under this
	29	Act is not affected by any vacancy in the membership of the body, any defect in
	30	the appointment of a member of the body or by reason that any person not

1 entitled to do so took part in the proceeding.

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

5 (6) Nothing in section 12 of the Interpretation Act, which provides
6 for the application in relation to subordinate legislation of certain incidental
7 provisions, applies to statutes or regulations made under this Act.

8 (7) The power conferred by this Act on anybody to make statutes or
9 regulations includes power to revoke or vary any- Cap. 123, LFN,
2004

10 (a) statute, including the Statute contained in the Third Schedule to Third Schedule
11 this Act; or

12 (b) regulation by a subsequent statute or subsequent regulation as
13 the case may be:

14 Provided that the subsequent regulation or statutes may make
15 different provisions in relation to different circumstances.

16 (8) No stamp duty or other duty shall be payable in respect of any Second Schedule
17 transfer of property to the University by virtue of sections 10 or 20 or the
18 Second Schedule to this Act.

19 (9) Any notice or other instrument authorised to be served under
20 this Act may, without prejudice to any other mode of service, be served by
21 post.

22 **25.-(1)** No legal proceeding shall be instituted or commenced Restriction of
suits and execution
23 against the University or any of its agents in the course of their official duties
24 unless a three months pre-action notice of such intention is served on the
25 University by an aggrieved party.

26 (2) The notice shall state the reason and the cause of action
27 intended to be taken against the University, the particulars of the claim, the
28 name and place of abode of the intending plaintiff and the relief which he
29 claims.

30 (3) A suit shall not be commenced against an officer or servant of

	<p>1 the University, in any case where the University is vicariously liable for any</p> <p>2 alleged act, neglect or default of the officer or servant in the performance or</p> <p>3 intended performances of his duties, unless three months at least has elapsed</p> <p>4 after written notice of intention to commence the same shall have been served</p> <p>5 on the University by the intending plaintiff or his agent.</p> <p>6 (4) In any suit against the University, no execution, attachment or</p> <p>7 process in the nature thereof shall be issued against the University, but any sum</p> <p>8 of money which may, by the judgment of the court, be awarded against the</p> <p>9 University shall, subject to any direction given by the court where notice of</p> <p>10 appeal has been given by the University in respect of the said judgment, be paid</p> <p>11 by the University from its general funds.</p> <p>12 (5) Service upon the University of any notice, order or other</p> <p>13 document, may be effected by delivering the same or by sending it by</p> <p>14 registered post addressed to the Registrar and Secretary of the Council.</p>
Repeal	<p>15 26. Paragraph (a) of the First Schedule to the Federal Colleges of</p> <p>16 Education Act, Cap. F8, Laws of Federation of Nigeria, 2004, is repealed.</p>
Savings and transitional provisions	<p>17 27.-(1) Anything done or purported to have been done under the</p> <p>18 repealed Act, remains valid, except as otherwise provided under this Bill.</p> <p>19 (2) Subsidiary legislation made or deemed to have been made under</p> <p>20 the repealed Act, immediately before the commencement of this Act, shall</p> <p>21 continue in force with necessary modification and may be amended or revoked</p> <p>22 as if it had been made under this Act.</p> <p>23 (3) The rights, assets, obligations and liabilities under the repealed</p> <p>24 Act shall, at the commencement of this Act, rest in and devolve on the Federal</p> <p>25 University of Education (Technical), Gombe, Gombe State.</p> <p>26 (4) All property held by, or on behalf of the Provisional Council of the</p> <p>27 University shall, by virtue of this subsection, vest in the University and be held</p> <p>28 by it for the purpose of the University.</p>
Second Schedule	<p>29 (5) The provisions of the Second Schedule to this Act shall have effect</p> <p>30 with respect to, and to matters arising from-</p>

1 (a) the transfer of property by this section; and

2 (b) other matters mentioned in that Schedule.

3 **28.** Where, under this Bill, it is provided that proposals are to be
4 submitted or a recommendation is to be made by one or more authority
5 through one or more intermediate authorities, the intermediate authority
6 shall forward the proposal or recommendation received by it under that
7 provision to the appropriate authority, and the intermediate authority may, if
8 it deems fit, forward same with its own comments.

Proposal and
recommendation

9 **29.** In this Bill-

Interpretation

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

11 "college" means the College constituted under section 2 (1) (g) of this Bill
12 for the University;

13 "Council" means the governing council of the University established by
14 section 5 of this Act;

15 "functions" includes powers and duties;

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

20 "Minister" means the Minister responsible for Education;

21 "notice" means notice in writing;

22 "officer" does not include the Visitor;

23 "prescribed" means prescribed by Statute or regulations;

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

27 "property" includes rights, liabilities and obligations;

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

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

1 "Senate" means the Senate of the University established under section 2 (1) (c)
2 of this Bill;
3 "school" means a unit of closely related academic programmes;
4 "Statute" means a statute made by this University under section 10 and 11 of
5 this Bill; and
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 "undergraduate" means a person registered as a student undergoing a course of
10 study for a first degree of the University or such other course in the University
11 as may be approved by the Senate as qualifying a student undergoing it for the
12 status of an under-graduate;
13 "University" means Federal University of Education (Technical), Gombe,
14 Gombe State established under section 1 (1) of this Bill.

Citation

15 **30.** This Bill may be cited as the Federal University of Education
16 (Technical), Gombe, Gombe State (Establishment) Bill, 2022.

1 SCHEDULES

2 FIRST SCHEDULE

3 *Section 2 (1) (h) and (2)*

4 PRINCIPAL OFFICERS OF THE UNIVERSITY

5 *The Chancellor*

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

8 *The Pro-Chancellor*

9 2.-(1) The Pro-Chancellor who shall be the Chairman of Council
10 shall be appointed or removed from office by the President upon
11 recommendation by the Minister.

12 (2) Subject to the provisions of this Act, the Pro-Chancellor shall
13 hold office for a term of four years beginning with the date of his
14 appointment.

15 *The Vice-Chancellor*

16 3.-(1) There shall be a Vice-Chancellor of the University who is
17 appointed by the Council in accordance with the provisions of this
18 paragraph.

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

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

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

24 (ii) terms and conditions of service applicable to the post,

25 and thereafter draw up a short list of suitable candidates for the post for
26 consideration; and

27 (b) constitute a Search Team consisting of-

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

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

1 Council, one of whom shall be a professor;
2 (iii) two members of Congregation who are not members of the
3 Council, one of whom shall be a professor,
4 to identify and nominate for consideration, suitable persons who are not likely
5 to apply for the post on their own volition because they felt that it is not proper
6 to do so.

7 (3) A Joint Council and Senate Selection Board consisting of-
8 (a) the Pro-Chancellor, as Chairman,
9 (b) two members of the Council, not being members of the Senate,
10 and
11 (c) two members of the Senate who are professors, but not members
12 of the Search Team,
13 shall consider the candidates and persons in the shortlist drawn up under
14 subparagraph (2) (a) (ii) through an examination of their curriculum vitae and
15 interaction with them, and recommend to the Council three candidates for
16 further consideration.

17 (4) The Council shall select and appoint as the Vice-Chancellor one
18 candidate from among the three candidates recommended to it under
19 subparagraph (3) and thereafter inform the Visitor.

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

23 (6) The Vice-Chancellor may be removed from office by the Council
24 on grounds of gross misconduct or inability to perform the functions of his
25 office as a result of infirmity of the body or mind, at the initiative of the
26 Council, Senate or the Congregation after due process.

27 (7) When the proposal for the removal of the Vice-Chancellor is
28 made, the Council shall constitute a Joint Committee of Council and Senate
29 consisting of-

30 (a) three members of the Council, one of whom shall be the Chairman

1 of the Committee; and

2 (b) two members of the Senate:

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

5 (8) The Committee shall conduct investigation into the allegations
6 made against the Vice-Chancellor and shall report its findings to the
7 Council.

8 (9) The Council may, where the allegations are proved, remove the
9 Vice-Chancellor or apply any other disciplinary action it deems fit and
10 notify the Visitor accordingly, but a Vice-Chancellor who is removed shall
11 have right of appeal to the Visitor.

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

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

16 (12) An acting Vice-Chancellor in all circumstances shall not be in
17 office for more than six months.

18 *Deputy Vice-Chancellor*

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

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

25 (3) The Senate shall select for each vacant post one candidate from
26 each list forwarded to it under subparagraph (2) and forward his name to the
27 Council for confirmation.

28 (4) A Deputy Vice-Chancellor shall-

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

30 (b) act in the place of the Vice-Chancellor when the post of the

1 Vice-Chancellor is vacant or if the Vice-Chancellor is, for any reason, absent or
2 unable to perform his functions as Vice-Chancellor; and

3 (c) perform such other functions as the Vice-Chancellor or the
4 Council may assign to him.

5 (5) A Deputy Vice-Chancellor-

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

9 (b) may be reappointed for a further term of two years and no more;
10 and

11 (c) may be removed from office for good cause by the Council acting
12 on the recommendations of the Vice-Chancellor and Senate.

13 (6) "Good cause" for the purpose of subparagraph (5) (c) means gross
14 misconduct or inability to perform the functions of his office arising from
15 infirmity of the body or mind.

16 *Office of the Registrar*

17 5.-(1) There shall be, for the University, a Registrar who is the Chief
18 Administrative Officer of the University and is responsible to the Vice-
19 Chancellor for the administrative work of the University except as regards
20 matters for which the Bursar is responsible in accordance with paragraph 6 (2).

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

24 *Other Principal Officers of the University*

25 6.-(1) There shall be, for the University, other principal officers in
26 addition to the Registrar the-

27 (a) Bursar; and

28 (b) University Librarian,

29 who shall be appointed by the Council on the recommendation of the Selection
30 Board constituted under paragraph 7.

1 (2) The Bursar is the Chief Financial Officer of the University and
2 responsible to the Vice-Chancellor for the administration and control of the
3 financial affairs of the University.

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

8 (4) Any question as to the scope of the responsibilities of the
9 officers in this paragraph shall be determined by the Vice-Chancellor.

10 *Selection Board for other Principal Officers*

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

- 14 (a) the Pro-Chancellor, as Chairman;
15 (b) the Vice-Chancellor;
16 (c) four members of the Council not being members of the Senate;
17 and
18 (d) two members of the Senate.

19 (2) The functions, procedure and other matters relating to the
20 Selection Board constituted under subparagraph (1) shall be as the Council
21 may determine.

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

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

1 *Resignation and Re-appointment*

2 8.-(1) Any officer mentioned under this Schedule may resign his
3 office-

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

6 (b) in any other case, by notice to the Council, and the Council shall,
7 in the case of the Vice-Chancellor, immediately notify the Visitor.

8 (2) Without prejudice to paragraph 4, a person who has ceased to hold
9 an office than by removal for misconduct shall be eligible for re-appointment to
10 that office.

11 **SECOND SCHEDULE**

12 *Sections 27 (5) and 24 (8)*

13 **TRANSITIONAL PROVISIONS AS TO PROPERTY AND FUNCTIONS**

14 *Transfer of Property to University*

15 1. Without prejudice to section 27 (5) of this Act-

16 (a) reference to property held by the Provisional Council includes a
17 reference to the right to receive and give a good discharge for any grant or
18 contribution which may have been voted or promised to the Provisional
19 Council; and

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

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

26 (2) Documents not falling within subparagraph (1), including
27 enactment which refer, whether specially or generally, to the Provisional
28 Council, shall be construed in accordance with that subparagraph so far as
29 applicable.

30 (3) Any legal proceeding or application to any authority pending by or

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

3 *Registration of transfers*

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

(2) The body to which any property is transferred under this Act shall furnish the necessary particulars of the transfer to the proper officer of the registration authority, and for that officer to register the transfer accordingly.

14 *Transfer of Functions*

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

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

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

(4) The persons who are members of the Academic Board immediately before the coming into effect of this Act are deemed to constitute the Senate of the University until the date when the Senate as set up under the Third Schedule to this Act shall have been duly constituted.

(5) Subject to any regulation which may be made by the Senate after the date on which this Act is made, the schools, school boards and students of the University immediately before the coming into effect of this Act shall on that day become schools, school boards and students of the

1 University as constituted by this Act.

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

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

11 THIRD SCHEDULE

12 *Section 10 (3), (4) and 24 (7) (a)*

13 FEDERAL UNIVERSITY OF EDUCATION (TECHNICAL),

14 GOMBE, GOMBE STATE

15 STATUTE NO. 1

16 ARRANGEMENT OF ARTICLES

17 *Article:*

18 1. The Council

19 2. The Finance and General Purposes Committee

20 3. Annual budget and estimates

21 4. Gifts, donations, payment into bank and audit

22 5. The Senate

23 6. Congregation

24 7. Convocation

25 8. Division of Colleges

26 9. College Boards

27 10. Dean of Colleges

28 11. Departmental Board of Studies

29 12. Selection of Directors of Physical Planning and Development,

30 Works, Services and Health

1 13. Tenure of Directors

2 14. Creation of academic posts

3 15.Appointment of Academic staff

4 16.Appointment of administrative and professional staff

5 17. Interpretation

6 18. Citation

7 *The Council*

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

10 (2) Any member of the Council holding office other than under
11 section 5 (2) (a), (b), (c), or (d) of this Act may, by notice to the Council,
12 resign his office.

(3) A member of the Council holding office other than under section 5 (2) (a), (b), (c), or (d) of this Act shall, unless he previously vacates it, vacate that office on the expiration of the term of four years commencing from 1 August of the year which he was appointed.

(4) Where a member of the Council holding office other than under section 5 (2) (a), (b), (g), or (h) of this Act vacates office before the expiration of the term mentioned, the body or person by whom he was appointed may appoint a successor to hold office for the residue of the term of his predecessor.

(5) A person ceasing to hold office as a member of the Council
other than by removal for misconduct shall be eligible for re-appointment
for another term of four years and no more.

(6) The quorum of the Council is five, one of which shall be a member appointed under section 5 (2) (d) or (e) of this Act.

(7) If the Pro-Chancellor is not present at a meeting of the Council, such other member of the Council present at the meeting as the Council may appoint for that meeting shall be the Chairman, and subject to section 4 of this Act and this paragraph, the Council may regulate its own procedure.

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

5 *The Finance and General Purposes Committee*

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

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

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

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

14 (d) the Permanent Secretary of the Federal Ministry of Education, or
15 his representative.

16 (2) The quorum of the Committee is five.

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

19 *Annual budget and estimates.*

20 3.-(1) The estimates of income and expenditure for a financial year
21 shall be presented by the Vice-Chancellor to the Council and may be approved
22 by the Council before the beginning of that financial year:

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

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

28 *Gifts, donations, payment into bank and audit.*

29 4.-(1) The Council may on behalf of the University accept by way of
30 grants, gift, testamentary disposition or otherwise, property and money in aid

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

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

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

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

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

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

17 (5) The Council shall cause the accounts of the University to be
18 audited by auditors appointed by the Council soon after the end of each
19 financial year or for any such other period as the Council may require.

20 (6) The appointment and other matters relative to the auditors, their
21 continuance in office and their functions, as the case may be, shall, subject to
22 the provisions of this article, be prescribed by Statute.

23 *The Senate*

24 5.-(1) The Senate shall consist of -

25 (a) the Vice-Chancellor;

26 (b) Deputy Vice-Chancellors;

27 (c) the Deans of respective Colleges;

28 (d) the Professors in the University;

29 (e) Heads of Academic Departments and Units;

30 (f) the University Librarian;

- 1 (g) one elected representative of each College;
- 2 (h) two members of Academic Staff elected by the Congregation;
- 3 (i) one elected representative of each department;
- 4 (j) two members representing a variety of interests of the professional
- 5 bodies outside the University appointed by the Senate on the recommendation
- 6 of the Vice-Chancellor; and
- 7 (k) Registrar who shall be the Secretary.
- 8 (2) The procedure for election of members of Senate to the Council
- 9 shall be prescribed by regulations.
- 10 (3) The Vice-Chancellor shall be the Chairman at all meetings of the
- 11 Senate when he is present, and, in his absence any of the Deputy Vice-
- 12 Chancellors present at the meeting as the Senate may appoint for that meeting
- 13 shall be the Chairman at the meeting.
- 14 (4) The quorum of the Senate shall be one-quarter or the nearest whole
- 15 number less than one-quarter and subject to subarticle (3), the Senate may
- 16 regulate its own procedure.
- 17 (5) An elected member may, by notice to the Senate, resign his office.
- 18 (6) Subject to subarticle (8), there shall be elections for the selection
- 19 of elected members, which shall be held in the prescribed manner on such a day
- 20 in the month of May or June in each year as the Vice-Chancellor may
- 21 determine.
- 22 (7) An elected member shall hold office for a term of two years
- 23 commencing from 1 August in the year of his election, and may be a candidate
- 24 at any election held under subarticle (6) in the year in which his term of office
- 25 expires, and no person shall be a candidate if at the end of his current term of
- 26 office the person will have held office as an elected member for a continuous
- 27 term of six years or may have so held office if he had not resigned it.
- 28 (8) No election shall be held under this article in any year if the
- 29 number specified in the certificate given under subarticle (11) does not exceed
- 30 by more than one the figure which is thrice the number of those elected

1 members holding office on the date of the certificate who do not vacate
2 office during that year under subarticle (7).

3 (9) A person shall not be precluded from continuing in or taking
4 office as an elected member by reason only of reduction in the number of
5 non-elected members occurring on or after 30 April in any year in which he
6 is to continue in or take office as an elected member.

7 (10) If so requested in writing by any 15 members of the Senate, the
8 Vice-Chancellor or in his absence any of the Deputy Vice-Chancellor duly
9 appointed by him, shall convene a meeting of the Senate to be held not later
10 than the 10th day after the request was received.

11 (11) In this article "total of non-elected members" means as respect
12 any year, such number as may be certified by the Vice-Chancellor on 30
13 April of that year to be the number of persons holding office as members of
14 the Senate on that day other than elected members.

15 *Congregation*

16 6.-(1) The Congregation shall consist of-

17 (a) Vice-Chancellor;

18 (b) the Deputy Vice-Chancellors;

19 (c) the full-time members of the academic staff;

20 (d) the Registrar;

21 (e) the Librarian; and

22 (f) every member of the administrative staff who holds a degree,
23 other than honorary degree, of any University recognised for the purpose of
24 this Statute by the Vice-Chancellor.

25 (2) Subject to section 4 of this Act, the Vice-Chancellor shall be the
26 Chairman at all meetings of the Congregation when he is present, and, in his
27 absence, any of the Deputy Vice-Chancellors present at the meeting as
28 Congregation may appoint for that meeting, shall be the Chairman at the
29 meeting.

30 (3) The quorum of Congregation is one-third or the whole number

1 nearest to one-third of the total number of members of Congregation of 50,
2 whichever is less.

3 (4) A certificate signed by the Vice-Chancellor specifying the-
4 (a) total number of members of Congregation for the purpose of any
5 particular meeting or meetings of Congregation; or

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

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

12 (6) Subject to this article, Congregation may regulate its own
13 procedure.

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

18 *Convocation*

19 7.-(1) Convocation shall consist of-

20 (a) the officers of the University mentioned in the First Schedule to
21 this Act;

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

23 (c) all other persons whose names are registered in accordance with
24 subarticle (2).

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

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

29 (b) applies for the registration of his name in the prescribed manner
30 and pay the prescribed fees.

(3) Regulations shall provide for the establishment and maintenance of a register and subject to subarticle (4) may provide for the payment of further fees by persons whose names are on the register and for the removal from the register of the name of any person who fails to pay those fees.

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

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

(6) The register is, unless the contrary is proved, sufficient evidence that any person named in it is a member of Convocation, but for the purpose of ascertaining whether a particular person was such a member on a particular date, any entry in and deletions from the register made on or after that date shall be disregarded.

(7) The quorum of Convocation is 50 or one-third, or the whole number nearest to one-third of the total number of members of Convocation whichever is less.

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

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

27 *Division of Colleges*

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

1 *College Boards*

2 9.-(1) There is established in respect of each College, a Board of
3 Studies which, subject to the provisions of this Statute, and the directions of the
4 Vice-Chancellor, shall-

5 (a) regulate the teaching, study, and conduct of examinations
6 connected with the subjects assigned to the College;

7 (b) deal with any other matter assigned to it by Statute, Vice-
8 Chancellor or Senate; and

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

11 (2) Each College Board of Studies shall consist of-

12 (a) the Vice-Chancellor;

13 (b) the Dean;

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

15 (d) the College examination officer;

16 (e) such number of teachers assigned to the College and having the
17 prescribed qualifications as the Board may determine; and

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

20 (3) The quorum of the Board is eight members or one quarter,
21 whichever is greater, of the members for the time being of the board, and
22 subject to the provisions of this Statute and to any provision made by
23 regulations in that behalf, the Board may regulate its own procedure.

24 *Deans of the Colleges*

25 10.-(1) The Board of each College shall, at a last meeting of any
26 academic year which the term of office of the Dean expires, nominate one of its
27 members, being one of the professors assigned to that teaching unit, for
28 appointment by the Senate as Dean of the College

29 (2) The person appointed under subarticle (1) shall act as Dean of the
30 College and Chairman of all meetings of the College Board when he is present

1 and shall be a member of all committees and other boards appointed by the
2 College.

(3) The Dean shall hold office for two years and shall be eligible for re-appointment for one further term of two years, and shall not be eligible for re-appointment until two years have elapsed.

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

8 (5) The Dean shall present to the Convocation persons who have
9 qualified for the conferment of degrees of the University at examinations
10 held in the branches of learning for which responsibility is allocated to that
11 College.

(6) There shall be a Committee of Deans consisting of all the Deans of the several Colleges and the Committee shall advise the Vice-Chancellor on all academic matters and on particular matters referred to the University by the Senate.

(7) The Dean of a College may be removed from office for good cause by the College Board after a vote has been taken at a meeting of the Board, and in the event of a vacancy occurring due to the removal of a Dean, an acting Dean may be appointed by the Vice-Chancellor:

20 Provided that at the next College Board meeting, an election shall
21 be held for a new Dean.

22 (8) In this article "good cause" has the same meaning, as in section
23 15 (4) of the Act.

24 *Departmental Board of Studies*

25 11.-(1) There shall be a Departmental Board of Studies whose
26 membership shall be made up of all academic staff of the Department.

(2) The Departmental Board of Studies shall be headed by a professor appointed by the Vice-Chancellor and in the absence of a professor, a senior academic staff shall be appointed in acting capacity.

30 (3) The tenure of office for a professor heading the Department of

1 Board of Studies is three years and one year for the person appointed in acting
2 capacity.

3 (4) The Departmental Board of Studies shall-

4 (a) superintend over all teachings and examinations in the
5 department;

6 (b) handle all disciplinary matters in the department and make
7 recommendations to the College where necessary; and

8 (c) allocate courses in the department on the recommendation of the
9 Head of Department.

10 *Selection of Directors of Physical Planning and Development Works,*
11 *Services and Health*

12 12.-(1) When a vacancy occurs in the office of the Directors of
13 Physical Planning and Development, Works and Services and Health, a
14 Selection Board shall be constituted by the Council which shall consist of-

15 (a) the Pro-Chancellor;

16 (b) the Vice-Chancellor;

17 (c) two members appointed by the Council, not being members of the
18 Senate; and

19 (d) two members appointed by the Senate.

20 (2) The Selection Board after making enquiries as it deems fit, shall
21 recommend a candidate to the Council for appointment to the vacant office,
22 and after considering the recommendation of the Selection Board the Council
23 may make an appointment to that office.

24 *Tenure of Directors*

25 13. A Director shall hold office on such terms and conditions as may
26 be specified in his letter of appointment subject to the extant regulations.

27 *Creation of academic posts*

28 14. Recommendations for the creation of academic posts other than
29 principal officers shall be made by the Senate to the Council through the
30 Finance and General Purposes Committee.

1 *Appointment of academic staff*

2 15.-(1) Subject to this Act and Statutes, the filling of vacancies in
3 academic posts, including newly created ones, shall be the responsibility of
4 the Council through the Departments and Colleges.

5 (2) For the purpose of filling such vacancies, suitable Selection
6 Boards to select and make appointments on behalf of the Council shall be set
7 up.

8 (3) For other appointment to professorships, associate
9 professorship, readerships or equivalent posts, a Selection Board, with
10 power to appoint, shall consist of-

11 (a) the Vice-Chancellor who shall be the Chairman;

12 (b) Deputy Vice-Chancellor;

13 (c) the Dean of the College;

14 (d) Head of Department;

15 (e) Registrar who shall be the Secretary; and

16 (f) such other persons, not exceeding two in number, deemed
17 capable of helping the Board in assessing both the professional and
18 academic suitability of a candidate under consideration, as the Senate may
19 appoint.

20 (4) For other academic posts, a Selection Board, with power to
21 appoint, shall consist of-

22 (a) the Vice-Chancellor or his representative who shall be the
23 Chairman;

24 (b) the Dean of the College;

25 (c) Head of the Department concerned;

26 (d) an internal member of Council, not below the rank of Senior
27 Lecturer from the sister college in the candidate's subject-area; and

28 (e) Registrar or his representative who shall be the Secretary.

29 (5) All appointments to senior library posts shall be made in the
30 same way as equivalent appointments in the academic cadre and for all such

1 posts other than that of the Librarian, the Librarian shall be a member of the
2 Selection Board.

3 (6) Selection Boards may interview candidates directly or consider
4 the reports of specialist interviewing panels and shall in addition, in the case of
5 professorships, associate professorship, readerships or equivalent Posts,
6 consider the reports of external assessors relevant to the area in which the
7 appointment is being considered and the quorum is three members including
8 the Chairman.

9 *Appointment of administrative and professional staff*

10 16.-(1) The administrative and professional staff of the University
11 other than principal officers shall be appointed by the Council or on its behalf
12 by the Vice-Chancellor in accordance with delegation of powers made by the
13 Council on its behalf.

14 (2) A Selection Board, with power to appoint, shall consist of-

15 (a) Vice-Chancellor who shall be the Chairman;

16 (b) Deputy Vice-Chancellor;

17 (c) Registrar;

18 (d) Bursar;

19 (e) University Librarian;

20 (f) the Head of Department concerned; and

21 (g) Establishment and Human Resources Officer who shall serve as
22 Secretary, and the Quorum is three including the Chairman.

23 *Interpretation*

24 17. In this Statute, "this Act" means the Federal University of
25 Education (Technical), Gombe, Gombe State (Establishment) Bill and any
26 word or expression defined in the Act has the same meaning in this Statute.

27 **Citation**

28 18. This Statute may be cited as the Federal University of Education
29 (Technical), Gombe, Gombe State, Statute No. 1.

EXPLANATION MEMORANDUM

This Bill seeks to repeal Paragraph (a) of the First Schedule to the Federal Colleges of Education Act, Cap. F8, Laws of Federation of Nigeria, 2004 and enact the Federal University of Education (Technical), Gombe, Gombe State for the promotion and development of teacher's education and makes comprehensive provisions for management and administration of the University.