

Extraordinary



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A BILL

FOR

AN ACT TO PROVIDE FOR THE LEGAL FRAMEWORK TO ESTABLISH THE
FEDERAL MEDICAL CENTRE, BAUCHI STATE AND FOR RELATED MATTERS

Sponsored Hon. Yakubu Shehu Abdullahi

[] Commencement

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

- | | | |
|----|---|---|
| 1 | 1.-(1) There is hereby established the federal Medical Centre, | Establishment
of Federal Medical
Centre, Bauchi
State |
| 2 | Bauchi State ("in this Act referred to as "the Federal Medical Centre") and | |
| 3 | the Medical Centre shall serve as the Medical Centre subject to the provision | |
| 4 | of this Act. | |
| 5 | (2) The Federal Medical Centre: | |
| 6 | (a) shall be a body corporate; | |
| 7 | (b) May sue and be sued in its corporate name; | |
| 8 | (c) Shall have perpetual succession and a common seal. | |
| 9 | 2. There is hereby established for the management of the Medical | Establishment
of the Board of
Management of
the Medical Centre |
| 10 | Centre a Board of Management (in this Act referred to as "Board") which | |
| 11 | shall be constituted and have the functions and powers set out in this Act. | |
| 12 | 3.-(1) The Board shall consist of: | Membership of
the Board |
| 13 | (a) a chairman; | |
| 14 | (b) the Chief Medical Director of the Medical Centre; | |
| 15 | (c) the Director of Clinical Services; | |
| 16 | (d) the Director of Administration; | |
| 17 | (e) the Director of Finance; | |
| 18 | (f) the Director of Maintenance; | |
| 19 | (g) a representative of the president | |
| 20 | (h) the Federal Ministry of Health; | |
| 21 | (i) the National Planning Commission | |

	1	(j) the Society of Gynaecology and Obstetrics of Nigeria;
	2	(k) the Pharmaceutical Society of Nigeria;
	3	(l) the Paediatric Association of Nigeria;
	4	(m) the National Association of Nigerian Nurses and Midwives; and
	5	(n) one person to represent public interest.
	6	(2)The chairman and members of the Board, other than ex-officio
	7	members, shall be:
	8	(a) appointed by the President; and
	9	(b) persons of proven integrity and ability.
Schedule	10	(3) The supplementary provisions set out in the Schedule to this Act
	11	shall have effect with respect to the proceedings of the Board and the other
	12	matters contained therein.
Tenure of office	13	4. Subject to the provisions of section 5 of this Act, a member of the
	14	Board, other than ex- officio members, shall each hold office:
	15	(a) for a term of three years in the first instance and may be re-
	16	appointed for a further term of three years and no more; and
	17	(b) on such terms and conditions as may be specified in his letter of
	18	appointment.
Cessation of membership	19	5.-(1) Notwithstanding the provisions of section 4 of this Act a person
	20	shall cease to hold office as a member of the Board if:
	21	(a) he becomes bankrupt, suspends payment principal loan with his
	22	creditors; or
	23	(b) he is convicted of a felony or any offence involving dishonesty or
	24	fraud; or
	25	(c) he becomes of unsound mind or is incapable of carrying out his
	26	duties; or
	27	(d) he is guilty of a serious misconduct in relation to his duties; or
	28	(e) in the case of a person possessed of professional qualifications, he
	29	is disqualified or suspended, other than at his own request, from practising his
	30	profession in any part of the world by an order of a competent authority made in

1 respect of that member; or

2 (f) he resigns his appointment by a letter addressed to the President.

3 (2) If a member of the Board ceases to hold office for any reason
4 whatsoever, before the expiration of the term for which he is appointed,
5 another person representing the same Interest as that member shall be
6 appointed to the Board for the unexpired term.

7 (3) A member of the Board may be removed by the President if he is
8 satisfied that it is not in the interest of the Medical Centre or the interest of
9 the public that the member continues in office.

10 6. There shall be paid to every member of the Board such Allowances of
11 allowances and expenses as the Revenue Mobilization Allocation and Fiscal members
12 Commission may, from time to time, direct.

13 P ART II - FUNCTIONS AND POWERS OF THE BOARD, ETC.

14 7.-(1) The Board shall:

15 (a) equip, maintain and operate the Medical Centre so as to provide Functions of the
16 facilities for diagnosis, curative, promotive and rehabilitative services in Board
17 medical treatment;

18 (b) construct, equip, maintain and operate such training schools
19 and similar institutions as the Board considers necessary for providing the
20 Medical Centre at all times with a proper staff of the Medical Centre
21 technicians and nurses;

22 (c) construct, equip, maintain and operate such clinics, out-patient
23 departments, laboratories, research or experimental stations and other like
24 institutions as the Board considers necessary for the efficient functioning of
25 the Medical Centre.

26 (2) The Board shall ensure that the standards of teaching provided
27 at all establishments under its control and the standards of treatment and care
28 provided for patients at those establishments do not fall below those usually
29 provided by similar establishments of international repute.

30 (3) Subject to this Act, the Board shall perform such other

	1	functions which in its opinion are calculated to facilitate the carrying out of its
	2	functions under this Act.
Powers of the Board	3	8. The Board shall have power to:
	4	(a) Provide the general policies and guidelines relating to major
	5	expansion programmes of the Medical Centre;
	6	(b) provide facilities for the training of medical students of associate
	7	universities;
	8	(c) manage and superintend the affairs of the Medical Centre;
	9	(d) subject to the provisions of this Act, make, alter and revoke rules
	10	and regulations for carrying on the functions of the Medical Centre;
	11	(e) fix terms and conditions of service, including remuneration of the
	12	employees of the Medical Centre subject to the approval of National Salaries
	13	Incomes and Wages Commission;
	14	(f) do such other things which in the opinion of the Board are
	15	necessary to ensure the efficient performance of the functions of the Medical
	16	Centre.
	17	PART III - STAFF OF THE MEDICAL CENTRE
Medical Director of the Medical Centre	18	9.-(1) There shall be for the Medical Centre a Chief Medical Director
	19	who shall be appointed by the President on the recommendation of the Board
	20	and on such terms and conditions as may be specified in his letter of
	21	appointment or as may be determined, from time to time, by the National
	22	Salaries Income and Wages Commission.
	23	(2) The Chief Medical Director shall:
	24	(a) be the chief executive and accounting officer of the Medical
	25	Centre;
	26	(b) be responsible to the Board for the day-to-day administration of
	27	the Medical Centre;
	28	(c) be appointed for a term of four years in the first instance and may
	29	be reappointed for a further term of four years subject to satisfactory
	30	performance;

1 (d) be a person who is a medical practitioner and shall have been so
2 qualified for a period of not less than 15 years;

3 (e) have considerable administrative experience in matters of
4 health;

5 (f) hold a post-graduate specialist qualification obtained not less
6 than ten years prior to the appointment as Chief Medical Director.

7 **10.-(1)** The Board shall appoint for the Medical Centre (a) a Appointment of
Directors and
other staff of the
Medical Centre
8 Director of Administration, who shall:

9 (i) be responsible to the Chief Medical Director for the effective
10 functioning of all the administrative divisions of the Medical Centre;

11 (ii) conduct the correspondence of the Board and keep the records
12 of the Medical Centre; and

13 (iii) perform such other functions as the Board or the Chief Medical
14 Director, as the case may be, may, from time to time, assign to him;

15 (b) a Director of Clinical Services;

16 (c) a Director of Finance;

17 (d) a Director of Maintenance.

18 (2) The Directors appointed under paragraphs (b), (c) and (d) of
19 subsection (1) of this section shall each be responsible to the Chief Medical
20 Director for the effective running of the clinical services, the finance and
21 accounts and the co-ordination of the maintenance of the Medical Centre, as
22 the case may be.

23 (3) The Board shall appoint for the Medical Centre such number of
24 employees as may in the opinion of the Board be expedient and necessary
25 for the proper and efficient performance of the functions of the Medical
26 Centre.

27 (4) Notwithstanding the provisions of subsections (1) and (2) of
28 this section the Board shall have power to appoint for the Medical Centre
29 either directly or on secondment from any public service in the Federation,
30 such number of employees as may, in the opinion of the Board, be required

1 to assist the Medical Centre in the discharge of any of its functions under this
2 Act.

3 (5) Nothing in subsection (4) of this section shall preclude the Board
4 from appointing persons from outside the public service of the Federation or of
5 the State whenever it deems it necessary so to do.

6 (6) The terms and conditions of service (including remuneration,
7 allowances, benefits and pensions) of the employees of the Medical Centre
8 shall be as determined by the National Salaries Income and Wages
9 Commission.

Service in the
Medical Centre
to be pensionable

10 11.-(1) Service in the Medical Centre shall be approved service for the
11 purposes of the Pensions Reforms Act.

12 (2) The officers and other persons employed in the Medical Centre
13 shall be entitled to pensions, gratuities and other retirement benefits as are
14 enjoyed by persons holding equivalent grades in the civil service of the
15 Federation.

16 (3) Nothing in subsections (1) and (2) of this section shall prevent the
17 appointment of a person to any office on terms which preclude the grant of
18 pension and gratuity in respect of that office.

Establishment
of the Medical
Advisory
Committee, etc.

19 12.-(1) There shall be for the Medical Centre a Medical Advisory
20 Committee which shall:

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

23 (b) be responsible to the Chief Medical Director for all the clinical and
24 training activities of the Medical Centre; and

25 (c) be appointed by the Board.

26 (2) Subject to this Act, the Board shall have power to appoint either
27 directly or on secondment and discipline consultants holding or acting in any
28 office in the hospital; and any such appointment shall be made having due
29 regard to the approved personnel establishment of the Medical Centre.

30 (3) Notwithstanding anything to the contrary, the Board may, from

1 time to time, appoint consultants outside the hospital to perform such
2 medical duties as the Board or the Chief Medical Director may assign to
3 such consultants.

4 PART IV - FINANCIAL PROVISIONS

5 13. There shall be established and maintained for the Medical Fund of the
6 Centre a fund into which shall be paid and credited: Medical Centre

7 (a) all subventions and budgetary allocation from the Government
8 of the Federation;

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

11 (c) all sums accruing to the Medical Centre by way of gifts,
12 endowments, bequests, grants or other contributions by persons and
13 organisations;

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

15 (e) all other sums which may, from time to time, accrue to the
16 Medical Centre.

17 14. The hospital shall, from time to time, apply the funds at its Expenditure of
18 disposal to: the Medical Centre

19 (a) the cost of administration and maintenance of the Medical
20 Centre;

21 (b) publicize and promote the activities of the Medical Centre;

22 (c) pay allowances, expenses and other benefits of members of the
23 Board and committees of the Board;

24 (d) pay the salaries, allowances and benefits of employees of the
25 Medical Centre;

26 (e) pay other overhead allowances, benefits and other
27 administrative costs of the Medical Centre; and

28 (f) undertake such other activities as are connected with all or any
29 of the functions of the Medical Centre under this Act.

Power to accept gifts	1	15.-(1) The Medical Centre may accept gifts of land, money or other
	2	property on such terms and conditions, if any, as may be specified by the person
	3	or organisation making the gift.
	4	(2) The Medical. Centre shall not accept any gift if the conditions
	5	attached by the person or organisation making the gift are inconsistent with the
	6	functions of the Medical Centre under this Act.
Annual estimates and expenditure	7	16.-(1) The Board shall, not later than 30 September in each year,
	8	submit to the President through the Secretary to the Government of the
	9	Federation an estimate of the expenditure and income of the Medical Centre
	10	during the next succeeding year.
	11	(2) The Board shall cause to be kept proper accounts of the Medical
	12	Centre in respect of each year and proper records in relation thereto and shall
Annual report	13	cause the accounts to be audited not later than six months after the end of each
	14	year by auditors appointed from the list and in accordance with the guidelines
	15	supplied by the Auditor-General for the Federation.
	16	17. The Board shall prepare and submit to the President, not later than
	17	30 June in each year, a report in such form as the President may direct on the
	18	activities of the Medical Centre during the immediately preceding year, and
Power to borrow	19	shall include in the report a copy of the audited accounts of the Federal Medical
	20	Centre for that year and the auditor's report thereon.
	21	18.-(1) The Medical Centre may, from time to time, borrow by
	22	overdraft or otherwise such sums as it may require for the performance of its
	23	functions under this Act.
	24	(2) The Medical Centre shall not, without the approval of the
	25	President, borrow money which exceeds, at any time, the limit set by the
	26	President.
	27	(3) Notwithstanding subsection (1) of this section, where the sum to
	28	be borrowed is in foreign currency, the Medical Centre shall not borrow the
	29	sum without the prior approval of the President.

1 **19.-(1)** The Medical Centre shall not pay income tax on any income Exemption from
2 derived by the Federal Medical Centre under this Act or accruing to it from tax
3 any of its investments.

(2) Accordingly, the provisions of any enactment relating to the taxation of companies or trust funds shall not apply to the Board of the Federal Medical Centre.

7 **20.** The Medical Centre shall not pay customs duty on or be
8 restricted or prohibited from importing any equipment, material, supply and
9 any other thing required by the Medical Centre for the purposes of this Bill.

Exemption from
customs duties, etc.

10 PART V - GENERAL

11 **21.-(1)** Notwithstanding anything to the contrary contained in any Discipline of
12 other enactment, where it appears to the Board that any student of the students
13 Medical Centre has been guilty of misconduct, the Board may, without
14 prejudice to any other disciplinary powers conferred on it by regulations,
15 direct:

(a) that the student shall not, during such period as may be specified in the direction, participate in such activities of the Medical Centre, or make use of such facilities of the Medical Centre as may be so specified; or

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

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

24 (d) that the student be expelled from the Medical Centre.

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

(3) The Board may delegate its powers under this section to a disciplinary committee consisting of such members of the Medical Centre as the Board may nominate.

1 (4) Nothing in this section shall be construed as preventing the
2 restriction or termination of student's activities at the Medical Centre otherwise
3 than on the ground of misconduct.

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

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

Removal and
discipline of clinical,
administrative and
technical staff

9 **22.**-(1) If it appears to the Board that there are reasons for believing
10 that any person employed as a member of the clinical, administrative or
11 technical staff of the Medical Centre, other than the Chief Medical Director,
12 should be removed from his office or employment, the Board shall require the
13 Director of Administration to:

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

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

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

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

20 and

21 (ii) the person in question to be afforded an opportunity of appearing
22 before and being heard by an investigating committee set up with respect to the
23 matter, and if the Board, after considering the report of the investigating
24 committee, is satisfied that the person in question should be removed as
25 aforesaid, the Board may so remove him by a letter signed on the direction of
26 the Board.

27 (2) The Chief Medical Director may, in a case of misconduct by a
28 member of the staff which in the opinion of the Chief Medical Director is
29 prejudicial to the interest of the Medical Centre, suspend any such member and
30 any such suspension shall forthwith be reported to the Board.

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

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

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

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

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

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

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

22 (b) whether to reinstate the person, in which case the Board shall
23 restore his full emoluments to him with effect from the date of suspension;

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

27 (d) whether to take such lesser disciplinary action against the
28 person (including the restoration of his emoluments that might have been
29 withheld), as the Board may determine, and in any case where the Board,
30 pursuant to this section, decides to continue a person's suspension or decides

1 to take further disciplinary action against a person, the Board shall before the
2 expiration of a period of three months from such decision come to a final
3 determination in respect of the case concerning any such person.

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

8 (6) Nothing in the foregoing provisions of this section shall preclude
9 the Board from making such regulations not inconsistent with the provisions of
10 this Act for the discipline of students and all other categories of employees of
11 the hospital as the Board may prescribe.

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

Discipline of
junior staff

16 **23.-(1)** If any junior staff is accused of misconduct or inefficiency, the
17 Chief Medical Director may suspend him for not more than a period of 3
18 months and shall direct a committee to:

19 (a) consider the case; and

20 (b) make recommendations as to the appropriate action to be taken by
21 the Chief Medical Director.

22 (2) In all cases under this section of this Act, the officer shall be
23 informed of the charge against him and given a reasonable opportunity to
24 defend himself.

25 (3) The Chief Medical Director may, after considering the
26 recommendation made pursuant to subsection (1) (b) of this section, dismiss,
27 or take such other disciplinary action against the officer concerned.

28 (4) Any person aggrieved by a decision of the Chief Medical Director
29 made under subsection (3) of this section may, within a period of 21 days from
30 the date of the letter communicating the decision to him, address a petition to

1 the Board to reconsider his case.

2 P ART VI - MISCELLANEOUS

3 **24.**-(1) The Board may, with the approval of the President, make Regulations
4 regulations:

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

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

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

13 **25.** The President may give to the Board directions of a general Power to give
14 character or relating generally to particular matters (but not to any individual directives
15 person or case) with regard to the exercise by the Board of its functions
16 under this Act, and it shall be the duty of the Board to comply with the
17 directions; but no direction shall be given which is inconsistent with the
18 duties of the Board under this Act.

19 **26.**-(1) On the commencement of this Act, any person employed by Transition and
20 or serving 111, the Medical Centre shall be deemed to have been employed savings Provision
21 or serving in the Medical Centre established under this Act.

22 (2) All Assets or liabilities belonging to the Medical Centre shall be
23 deemed to belong to the Medical Centre established under this Act.

24 **27.** In this Act, unless the context otherwise requires- Interpretation

25 "associate universities" means the universities whose medical students
26 receive aspects of their training from the Medical Centre;

27 "Board" means the Board of Management of the Medical Centre;

28 "chairman" means the chairman of the Board;

29 "functions" include powers and duties;

30 "Federal Medical Centre "means the Medical Centre, Bauchi State;

1 "junior staff means staff of such grade as may be determined, from time to time,
2 by the Board;

3 "medical student" means a student whose course of instruction is-

4 (a) designed (either alone or in conjunction with other courses) to
5 enable him to qualify as a medical practitioner; or

6 (b) designed for the further training of medical practitioners.

7 "Minister" means the Minister charged with responsibility for matters relating
8 to health and "Ministry" shall be construed accordingly;

9 "student" means a person enrolled at an institution controlled by the Board for
10 the purpose of pursuing a course of instruction at the institution.

Short title

11 **28.** This Bill may be cited as the Federal Medical Centre, Bauchi State
12 (Establishment) Bill, 2022.

SCHEDULE

[Section 3 (3).]

SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD, ETC.

Proceedings of the Board

1.-(1) Subject to this Act and section 27 of the Interpretation Act, the Board may make standing orders regulating its proceedings or those of any of its committees.

(2) The quorum of the Board shall be the chairman or the person presiding at the meeting and 5 other members of the Board, 2 of whom shall be ex-officio members, and the quorum of any Committee of the Board shall be as determined by the Board.

2.-(1) The Board shall meet whenever it is summoned by the chairman and if the chairman is required to do so by notice given to him by not less than 8 other members, he shall summon a meeting of the Board to be held within 14 days from the date on which the notice is given.

(2) At any meeting of the Board, the chairman shall preside but if he is absent, the members present at the meeting shall appoint one of their members to preside at the meeting.

(3) Where the Board desires to obtain the advice of any person on a particular matter, the Board may co-opt him to the Board [or such period as it deems fit, but a person who is in attendance by virtue of this sub-paragraph shall not be entitled to vote at any meeting of the Board and shall not count towards a quorum.

Committees

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

(2) A committee appointed under this paragraph shall consist of such number of persons as may be determined by the Board and a person shall hold office on the committee in accordance with the terms of his appointment.

1 (3) A decision of a committee of the Board shall be of no effect until it
2 is confirmed by the Board.

3 *Miscellaneous*

4 4.-(1) The fixing of the seal of the Medical Centre shall be
5 authenticated by the signatures of the Chairman, the Chief Medical Director or
6 any person generally or specifically authorized by the Board to act for that
7 purpose.

8 (2) Any contract or instrument which, if made or executed by a person
9 not being a body corporate, would not be required to be under seal may be made
10 or executed on behalf of the Medical Centre by the Chief Medical Director or
11 any person generally or specifically authorized by the Board to act for that
12 purpose.

13 (3) A document purporting to be a document duly executed under the
14 seal of the Medical Centre shall be received in evidence and shall, unless and
15 until the contrary is proved, be presumed to be so executed.

16 5. The validity of any proceedings of the Board or of a committee shall
17 not be adversely affected by-

18 (a) a vacancy in the membership of the Board or committee; or

19 (b) a defect in the appointment of a member of the Board or
20 committee; or

21 (c) reason that a person not entitled to do so took part in the
22 proceedings of the Board or committee.

EXPLANATORY NOTE

This Bill seeks to provide for the Legal Framework to establish the Federal Medical Centre, Bauchi State and equip, maintain and operate the Medical Centre so as to provide facilities for diagnosis, curative, promotive and rehabilitative services in medical treatment.

A BILL

FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE NATIONAL
INSTITUTE FOR ARTIFICIAL INTELLIGENCE AND ROBOTIC STUDIES
AWKUZU, ANAMBRA STATE AND FOR RELATED MATTERS

Sponsored by Hon. Vincent Ofumelu Ekene

[] Commencement

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

1 PART 1 - ESTABLISHMENT, POWERS AND FUNCTIONS OF THE INSTITUTE

2 1.-(1) There is hereby established an Institute to be known as the
3 National Institute for Artificial Intelligence and Robotic Studies (in this Act
4 referred to as "the Institute") which shall have such powers and exercise
5 such functions as are conferred on it by this Act.

Establishment
of National Institute
for Artificial
Intelligence and
Robotic Studies

6 (2) The Institute shall be a body corporate with perpetual
7 succession and a common seal and shall have power to acquire and dispose
8 of interests in movable and immovable property and may sue and be sued in
9 its corporate name.

10 (3) The object of the Institute shall be-

11 (a) to encourage the advancement of learning and to hold out to all
12 persons without distinction of race, creed, sex, political conviction, the
13 opportunity of acquiring a higher education in Artificial Intelligence and
14 Robotic Studies;

15 (b) to develop and offer academic and professional programmes
16 leading to the award of Professional Certificates, National Diplomas and
17 Higher National Diplomas which emphasize planning, adaptive, technical,
18 maintenance, developmental and productive skills in technology and to
19 contribute to the scientific transformation of digital learning in Nigeria;

20 (c) to act as agent and catalysts through training, research and

1 innovation for the effective utilization and exploitation of the global cutting
2 edge technology;

3 (d) to identify the technological deficiencies and needs of Nigeria and
4 to find solutions to them within the context of overall national development;

5 (e) to provide and promote sound basic scientific training as a
6 foundation for the development of Artificial Intelligence and allied disciplines,
7 taking into account indigenous culture, the need to enhance national unity, the
8 need to vastly increase the practical content of student training and adequate
9 preparation of graduates for self-employment in science and technology and
10 allied professions;

11 (f) to promote and emphasize teaching, research and other emerging
12 technologies aimed at transforming the Nigerian digital economy in line with
13 the National Digital Economy Policy and Strategy (NDEPS);

14 (g) to create a thriving ecosystem for innovation driven technology,
15 job creation and national development; and

16 (h) to undertake any other activity appropriate for Institutions of
17 Technology.

Governing Board
of the Institute

18 **2.** -(1) The affairs and running of the Institute shall vest in the
19 Governing Board of the Institute (in this Act referred to as "the Board).

20 (2) Without prejudice to the generality of subsection (1) of this
21 section, it shall be the responsibility of the Board to consider and approve-

22 (a) the objectives and plan of activities of the Institute;

23 (b) the programme of studies, courses and research to be undertaken
24 by the Institute;

25 (c) the annual estimates of the Institute;

26 (d) the investment plan of the Institute.

27 (3) The Provisions of the First Schedule to this Act shall have effect
28 with respect to the Board as specified therein.

Membership of
the Board

29 **3.**-(1) The Board shall consist of a Chairman and the following other

1 members to be appointed by the Minister of Communications and Digital
2 Economy;

3 (a) a representative of the Federal Ministry responsible for
4 Education;

5 (b) a representative of the Federal Ministry responsible for
6 Communications and Digital Economy;

7 (c) a representative of the National Board for Technical Education
8 (NBTE);

9 (d) a representative of the National Information Technology
10 Development Agency (NITDA);

11 (e) three persons appointed on individual merit on a nationwide
12 basis with wide experience of service in the public or private sector;

13 (f) two representatives of the Academic Board of the Institute;

14 (g) the Director-General of the Institute

15 **4.-(1)** A member of the Board (other than an ex-officio member) Tenure of office
of members of
the Board
16 shall hold office for a term of four years and shall be eligible for
17 reappointment for a further period of three years and no more.

18 (2) Any member of the Board other than an ex-officio member
19 may by notice to the Board resign his appointment.

20 (3) Any vacancy occurring in the membership of the Board shall
21 be filled by the appointment of a successor who shall represent the same
22 interest as his predecessor for the remainder of the term of the predecessor.

23 **5.-(1)** For the carrying out of its objects as specified in section 1 of Powers of the
Board
24 this Act, the Board shall have power to:-

25 (a) hold examinations and award diplomas, professional
26 certificates and other distinctions to persons who have pursued a course of
27 study approved and accredited by the National Board for Technical
28 Education (NBTE) and have satisfied such other requirements as the Board
29 may lay down;

30 (b) demand and receive from any student or any other person he

1 attending the Institute for the purpose of instruction such fees as the Board may,
2 with the approval of the Minister, from time to time determine;

3 (c) to exercise disciplinary control over members of the staff of the
4 Institute;

5 (d) prescribe the terms and conditions of service including salaries,
6 allowances, pensions and other remunerations, for all members of the staff of
7 the Institute;

8 (e) encourage and make provisions for research in the Institute;

9 (f) erect, provide, equip and maintain libraries, lecture halls, hall of
10 residence, refectories, sports grounds, playing fields and such other buildings
11 or things as may be necessary, suitable or required;

12 (g) enter into such contracts as may be necessary or expedient for
13 carrying into effect the provisions of this Act;

14 (h) acquire and hold such movable or immovable property as may be
15 necessary or expedient for carrying into effect the provisions of this Act and for
16 the same purpose may sell, lease, mortgage or otherwise alienate or dispose of
17 any property acquired;

18 (i) do anything which in its opinion is calculated to facilitate the
19 carrying out of the objects of the Institute and to promote its best interest;

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

23 (k) institute and award fellowships, scholarships, medals, prizes and
24 other titles;

25 (l) borrow money within Nigeria in such manner and upon such
26 security as the Minister may from time to time authorize;

27 (m) invest the funds of the Institute in securities specified by law or in
28 such other securities in Nigeria as may be approved by the Minister; and

29 (n) do such acts and things whether or not incidental to the foregoing
30 powers as may advance the objects of the Institute.

1	6.-(1) The Minister shall be the Visitor of the Institute.	Visitation
2	(2) The Visitor shall, not less than once in every five years conduct	
3	a visitation of the Institute or appoint a visiting panel consisting of not less	
4	than five experts to conduct the visitation-	
5	(a) for the purpose of evaluating the academic and administrative	
6	performance of the Institute; or	
7	(b) for such other purpose or in respect of any other affairs of the	
8	Institute as the Visitor may deem fit.	
9	7. Subject to the provisions of this Act, the Minister may give to	Power of the
10	the Board directions of a general character or relating generally to matters of	Minister to give
11	policy with regard to the exercise by the Board of its functions under this Act	directions to the
12	and it shall be the duty of the Board to comply with such directions.	Board
13	8.-(1) There shall be established for the Institute the Academic	The Academic
14	Board which shall consist of the following members-	Board and its
15	(a) the Director-General of the Institute who shall be the Chairman;	functions
16	(b) the Deputy Director-General;	
17	(c) all Heads of Departments;	
18	(d) the Librarian;	
19	(e) not more than two members of the academic staff other than	
20	Heads of Departments to be appointed by the Board.	
21	(2) The Academic Board shall be responsible for-	
22	(a) the direction and management of academic matters of the	
23	Institute including the regulation of admission of students, the award of	
24	certificates, scholarships, prizes and other academic distinctions;	
25	(b) making periodic reports on such academic matters to the	
26	Academic Board as the Board may from time to time direct;	
27	(c) discharging any other functions which the Board may delegate	
28	to it.	
29	9.-(1) There shall be for the Institute a Director-General (in this Act	The Director-
30	referred to as "the Director-General) who shall be appointed by the Minister	General of the Institute

1 in accordance with the provisions of this section.

2 (2) Where a vacancy occurs in the post of Director-General, the Board
3 shall-

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

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

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

9 (b) constitute a search team consisting of:

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

12 (ii) two members of the Academic Board not below the rank of chief
13 lecturer;

14 (iii) two members of the Academic Community of the Institute not
15 below the rank of chief lecturer to be selected by the Board, to identify and
16 draw up a short list of suitable persons who are not likely to apply for the post
17 for any reason whatsoever,

18 (3) a Joint Board and Academic Selection Board consisting of:

19 (a) the Chairman of the Board;

20 (b) two members of the Board not being members of the Academic
21 Board;

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

28 (4) The Minister shall appoint as Director one of the candidates
29 recommended to him under the provisions of subsection (3) of this section.

30 (5) Subject to this Act and the general control of the Council, the

1 Director shall be the chief executive of the Institute and shall be charged
2 with general responsibility for matters relating to the day to day
3 management operations of the Institute.

4 (6) The Director:

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

8 (b) may be reappointed for one further period of four years and no
9 more.

10 **10.-(1)** There shall be for the Institute a Deputy Director General. Deputy Director
General

11 (2) The Board shall appoint the Deputy Director General from
12 among the chief lecturers in the Institute in one of the following ways, that
13 is:

14 (a) from a list of three candidates in order of preference, submitted
15 by the Director General;

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

18 (c) on the nomination of the Director General.

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

21 (a) consist of:

22 (i) the Chairman of the Board;

23 (ii) the Director General;

24 (iii) two members of the Board not being members of the Academic
25 Board;

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

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

29 (4) The Deputy Director General shall:

30 (a) Assist the Director General in the performance of his functions;

1 (b) Act in the place of the Director General when the post of Director
2 General is vacant or if the Director General is, for any reason, absent or unable
3 to perform his functions as Director General; and

4 (c) Perform such other functions as the Director General or the Board
5 may from time to time, assign to him.

6 (5) The Deputy Director General:

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

10 (b) may be reappointed for further period of two years and no more.

The Registrar
and other staff
of the Institute

11 **11.-(1)** The Board shall appoint a Registrar to the Institute (hereinafter
12 referred to as “the Registrar”) who shall keep the records and conduct the
13 correspondence of the Board and shall perform such other duties as the Board
14 and subject thereto as the Director may from time to time direct.

15 (2) The Registrar shall in addition to other duties conferred on him by
16 or under this Act, be the Secretary to the Board, the Academic Board and any
17 committee of the Board and in his absence, the Board or any such committee
18 may appoint some other person to act as the Secretary, and he shall not vote on
19 any question before the Board or count towards a quorum.

20 (3) The Registrar:

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

24 (b) may be reappointed for one further period of four years and no
25 more.

Other Principal
Officers of the
Institute

26 **12.-(1)** There shall be for the Institute the following principal officers
27 in addition to the Registrar, that is:

28 (a) the Bursar;

29 (b) the Librarian;

30 (c) the Head of Works; and

1 (d) the Head of Medical and Health Services, who shall be
2 appointed by the Board on the recommendation of the Selection Board
3 constituted under section 10(3) of this Act.

4 (2) The Bursar shall be the chief financial officer of the Institute
5 and be responsible to the Director General for the day to day administration
6 and control of the financial affairs of the Institute

7 (3) The Librarian shall be responsible to the Director General for
8 the administration of the Library and the coordination of the library services
9 in the teaching units of the Institute.

10 (4) The Head of Works shall be responsible to the Director General
11 for the maintenance of the Institute buildings, minor works, transport and
12 supervision of the construction projects.

13 (5) The Head of Medical and Health Services shall be responsible
14 to the Director General for the supervision of the medical and health
15 facilities of the Institute.

16 (6) The Principal Officers mentioned in subsection (1):

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

20 (b) may be reappointed for a further period of four years and no
21 more.

22 (7) Any question as to the scope of the responsibilities of the
23 Principal Officers shall be determined by the Director General.

24 **13.-(1)** A principal officer may resign his appointment:

25 (a) in the case of the Director General, by notice in writing to the
26 Visitor; and

27 (b) in any other case, by notice in writing to the Board.

28 **14.-(1)** The Board may appoint such other persons to be staff of the
29 Institute as the Board may determine, to assist the Director General and the
30 Principal Officers in the performance of their functions under this Act.

Resignation of
appointment of
Principal Officers

Other employees
of the Institute

	1	(2) Subject to the provisions of this Act, the remuneration, tenure of
	2	office and conditions of service of the employees of the Institute shall be
	3	determined by the Board.
Selection Board for other Principal Officers	4	15. -(1) There shall be for the Institute, s Selection Board which shall
	5	consist of:
	6	(a) the Chairman of the Board;
	7	(b) the Director General;
	8	(c) four members of the Board who are not members of the Academic
	9	Board; and
	10	(d) two members of the Academic Board.
	11	(2) The functions, procedure and other matters relating to the
	12	Selection Board constituted under subsection (1) of this section shall be as the
	13	Board may from time to time determine.
Pensions	14	16. -(1) It is hereby declared that service in the Institute shall be
	15	approved service for the purposes of the Pensions Reform Act and accordingly,
	16	officers and other persons employed in the Institute shall in respect of the
	17	service in the Institute be entitled to pensions, gratuities and other retirement
	18	benefits as are prescribed thereunder, so however that nothing in this Act shall
	19	prevent the appointment of a person to any office on terms which preclude the
	20	grant of a pension and gratuity in respect of that office.
	21	(2) For the purposes of the application of the provisions of the
	22	Pensions Reform Act, any power exercisable thereunder by the Minister or
	23	other authority of the Government of the Federation (other than the power to
	24	make regulations) shall be exercisable by the College and not by any other
	25	person or authority.
	26	PART II - FINANCIAL PROVISIONS
Establishment of fund of the Institute	27	17. -(1) The Board shall establish and maintain a fund which shall be
	28	applied towards the promotion of the objectives specified in this Act.
	29	(2) There shall be paid and credited to the fund established under
	30	subsection (1) of this section:

1 (a) such sums as may from time to time be granted to the Board by
2 the Federal Government through the National Board for Technical
3 Education (NBTE);

4 (b) all monies raised for the purposes of the Board by way of gifts,
5 grants-in-aid or testamentary disposition; and

6 (c) all subscriptions, fees and charges for services rendered by the
7 Board and all other sums that may accrue to the Board from any source.

8 (3) The Board shall submit to the Minister, through the National
9 Board for Technical Education (NBTE), not later than three months before
10 the end of each financial year or at such other time as he may direct, an
11 estimate of its revenue and expenditure for the next succeeding financial
12 year.

13 **18.** The Board shall keep proper accounts of its receipts, payments, Accounts and
audit
14 assets and liabilities and shall in respect of each year cause the accounts to be
15 audited.

16 **19.** The Board shall as soon as may be after the expiration of each Annual reports
17 financial year, prepare and submit to the Minister, a report of the activities of
18 the Institute during the immediately preceding year, and shall include in the
19 report a copy of the audited accounts of the Institute for that year and the
20 auditor's report on the accounts.

21 **PART III - MISCELLANEOUS AND SUPPLEMENTARY**

22 **20.-(1)** For the purpose of providing offices and premises Offices and
premises
23 necessary for the performance of its functions, the Board may:

24 (a) purchase any interest in or take on lease any land; and

25 (b) build, equip and maintain offices and premises.

26 (2) The Board may, with the approval of the Minister, sell any
27 interest in or lease any land, offices or premises held by it and no longer
28 required for the performance of its functions.

29 **21.-(1)** The Board may make rules providing for the Director to Discipline of
students
30 conduct enquiries into alleged acts of misconduct (including lack of

1 discipline) by students and such rules may make different provisions for
2 different circumstances.

3 (2) The rules shall provide for the procedure and rules of evidence to
4 be followed at enquiries under this section.

5 (3) Notwithstanding anything to the contrary contained in any other
6 enactment, where it appears to the Board that any student of the Institute has
7 been guilty of misconduct, the Board may, without prejudice to any other
8 disciplinary powers conferred on it by regulations direct that-

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

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

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

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

17 (4) Where the post of the Director is vacant or where the Director
18 refuses to apply any disciplinary measures, the Board may either directly or
19 through some other staff apply such disciplinary actions as are specified in
20 subsection (1) to any student of the Institute who is considered guilty of
21 misconduct.

22 (5) Where a direction is given under subsection (3) (c) or (d) in respect
23 of any student, the student may, within a period of twenty one days from the
24 date of the letter communicating the decision to him appeal against the
25 direction to the Board, and where such appeal is brought, the Board shall, after
26 causing an inquiry to be made in the matter as the Board considers just, either
27 confirm or set aside the direction or modify it in the manner the Board may
28 deem fit.

29 (6) The fact that an appeal from a direction is pending under

1 subsection (5) shall not affect the operation of the direction while the appeal
2 is pending.

3 (7) The Director may delegate his powers under this section to a
4 disciplinary committee of such members of the Institute as he may
5 nominate.

6 (8) Nothing in this section shall be construed as preventing the
7 restriction or termination of a student's activity at the Institute otherwise
8 than on the grounds of misconduct.

9 (9) It is hereby declared that the direction under subsection (3) (a)
10 may be combined with a direction under subsection (3) (b).

11 (10) In all cases under this section, the decision of the Board shall
12 be final unless reversed by the Minister on appeal by the student.

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

14 "Chairman" means chairman of the Board;

15 "Board" means the Governing Board of the Institute established by or
16 pursuant to section 2 of this Act;

17 "Director" means the Director of the Institute appointed under section 9 of
18 this Act;

19 "Powers" include functions and duties;

20 "Minister" means the Minister charged with responsibility for matters
21 relating to Communications and Digital Economy;

22 "Member" means a member of the Board including the chairman.

23 **23.** This Bill may be cited as the National Institute for Artificial Short title
24 Intelligence and Robotic Studies (Establishment) Bill, 2022.

EXPLANATORY MEMORANDUM

This Bill seeks to provide for the establishment of the National Institute for Artificial Intelligence and Robotic Studies, Awkuzu, Anambra State to identify the technology needs of Nigeria and to find solutions to them within the context of national development.

1 SCHEDULES

2 FIRST SCHEDULE

3 [Section 2(3).]

4 SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD ETC.

5 *Terms of service*

6 1. There may be paid to the members of the Board or any committee,
7 other than ex-officio members, such remuneration and allowances as may from
8 time to time be determined by the Minister.

9 2. The Board may act notwithstanding any vacancy in its membership
10 or any defect in the appointment of a member or the absence of a member.

11 *Proceedings*

12 3.-(1) The Board shall meet for the conduct of business at such times,
13 place and on such days as the chairman may appoint but shall meet not less than
14 once every four months.

15 (2) The Chairman may at any time and shall, at the request in writing
16 of not less than five members, convene a meeting of the Board.

17 (3) At any meeting of the Board, the Chairman shall preside but in his
18 absence, members present shall elect one of their members to preside at the
19 meeting.

20 (4) Where the Board desires to obtain the advice of any person on any
21 particular matter, the Board may co-opt persons who are not members of the
22 Board but persons co-opted shall not be entitled to vote at a meeting of the
23 Board.

24 (5) The quorum of the Board shall be one half of the total members of
25 the Board, at least one of whom shall be a member appointed by the Minister.

26 (6) Decisions of the Board shall be made on approval by a simple
27 majority of members.

28 *Miscellaneous*

29 4.-(1) The fixing of the seal of the Institute shall be authenticated by
30 the signature of the Chairman, Director and of some other members of the act

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

2 (2) Any contract or instrument which, if made or executed by a
3 person other than a body corporate would not be required to be under seal
4 made or executed on behalf of the Institute by any person generally or
5 specially authorized to act for that purpose by the Board.

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

NATIONAL INSTITUTE OF VOCATIONAL AND TECHNICAL EDUCATION,
OMOR, ANAMBRA STATE (ESTABLISHMENT) BILL, 2022

ARRANGEMENT OF SECTIONS

Section:

PART I - ESTABLISHMENT OF NATIONAL INSTITUTE OF VOCATIONAL
AND TECHNICAL EDUCATION, ETC.

1. Establishment of National Institute of Vocational and Technical Education
2. Establishment and composition of the Governing Board of the Institute, etc.
3. Functions and Powers of the Board
4. Tenure of office of members of the Board
5. Removal from office
6. Remuneration

PART II - FUNCTIONS OF THE INSTITUTE

7. Functions of the Institute
8. Powers of the Institute
9. Establishment of Academic Board

PART III - APPOINTMENT, QUALIFICATION, TENURE, ETC OF PRINCIPAL
OFFICERS AND OTHER STAFF OF THE INSTITUTE

10. Appointment of the Director of the Institute
11. Duties of the Director
12. Tenure of office of the Director
13. Terms and conditions of office of the Director
14. Removal of Director from office
15. Registrar of the Institute
16. Tenure of office of Registrar
17. Appointment of Deputy Director of the Institute
18. Other principal officers of the Institute
19. Resignation of appointment by principal officers

- 20. Appointment of other employees of the Institute
- 21. Staff regulation
- 22. Removal of staff from the office

PART IV - FINANCIAL PROVISIONS

- 23. Establishment of funds for the Institute
- 24. Donations for particular purposes
- 25. Payment to Bank
- 26. Powers to accept gift
- 27. Expenditure of the Institute
- 28. Power to borrow
- 29. Annual estimates and expenditure
- 30. Annual report

PART V - MISCELLANEOUS PROVISIONS

- 31. Discipline of students
- 32. Transitional provisions
- 33. Exclusion or discrimination on account of race, religion etc.
- 34. Interpretation
- 35. Citation

A BILL

FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE NATIONAL
INSTITUTE OF VOCATIONAL AND TECHNICAL EDUCATION, OMOR,
ANAMBRA STATE AND FOR RELATED MATTERS

Sponsored by Hon. Vincent Ofumelu Ekene

[] Commencement

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

- 1 1.-(1) There is hereby established a body to be known as the Establishment
2 National Institute of Vocational and Technical Education (in this Act of National Institute
3 referred to as "the Institute") which shall have the functions assigned to it by of Vocational and
4 this Act. Technical Education
- 5 (2) The Institute shall be a body corporate with perpetual
6 succession and a common seal and shall have the power to acquire and
7 dispose of interests in movable and immovable property and may sue and be
8 sued in its corporate name.
- 9 (3) The Institute shall consist of the following departments-
- 10 (a) business education;
11 (b) agricultural education;
12 (c) technical education;
13 (d) computer education;
14 (e) home economics;
15 (f) music and arts;
16 (g) general studies department;
17 (h) such other educational units or departments or variations of the
18 above as may, subject to this Act be established from time to time by the
19 Board.

Establishment
and composition
of the Governing
Board of the
Institute

- 1 **2.**-(1) The affairs and running of the Institute shall vest in the
- 2 Governing Board of the Institute (in this Act referred to as "the Board)
- 3 (2) Without prejudice to the generality of subsection (1) of this
- 4 section, it shall be the responsibility of the Board to consider and approve-
- 5 (a) the objectives and plan of activities of the Institute;
- 6 (b) the program of studies, courses, and research to be undertaken by
- 7 the Institute;
- 8 (c) the annual estimates of the Institute;
- 9 (d) the investment plan of the Institute.
- 10 (3) The Board shall consist of:
- 11 (a) a Chairman who shall be appointed by the President;
- 12 (b) the Director of the Institute appointed under section 9 of this Act;
- 13 (c) one representative of the National Board for Technical Education;
- 14 (d) three members to be nominated by each of the Ministries
- 15 responsible for Industries, Education and Labour;
- 16 (e) one representative of the Manufacturers Association of Nigeria
- 17 (MAN);
- 18 (f) one person of standing in the community where the Institute is
- 19 located;
- 20 (g) one representative of the Academic Board of the Institute;
- 21 (h) one representative of the state commissioner of education;
- 22 (i) one person to represent professional bodies whose disciplines are
- 23 taught in the Institute.

Functions and
powers of the
Board

- 24 **3.**-(1) Subject to the provisions of this Act, the Board shall have
- 25 responsibility for the general management of the affairs of the Institute and, in
- 26 particular, the general control of the Institute.
- 27 (2) Without prejudice to the generality of the provisions of section (3)
- 28 of this Act, the Board shall have power-
- 29 (a) to create lectureships and other posts and offices and to make
- 30 appointments thereto;

1 (b) to appoint such administrative and other members of staff of the
2 Institute as may appear necessary or expedient;

3 (c) to exercise disciplinary control over members of the staff of the
4 Institute;

5 (d) to prescribe the terms and conditions of service including
6 salaries, allowances, pensions and other remunerations, for all members of
7 the staff of the Institute;

8 (e) to encourage and make provisions for research in the Institute;

9 (f) to erect, provide, equip and maintain libraries, lecture halls, hall
10 of residence, refectories, sports grounds, playing fields and such other
11 buildings or things as may be necessary, suitable or required;

12 (g) to enter into such contracts as may be necessary or expedient for
13 carrying into effect the provisions of this Act;

14 (h) to acquire and hold such movable or immovable property as
15 may be necessary or expedient for carrying into effect the provisions of this
16 Act and for the same purpose may sell, lease, mortgage or otherwise alienate
17 or dispose of any property acquired; and

18 (i) to do anything which in its opinion is calculated to facilitate the
19 carrying out of the objects
20 of the Institute and to promote its best interest.

21 **4.** A member of the Board (other than an ex-officio member) shall
22 hold office for a term of four years and may be eligible for reappointment for
23 another term of four years and no more

Tenure of office
of members of
the Board

24 **5.-(1)** A member of the Board (other than an ex-officio member)
25 may resign his appointment by notice in writing addressed to the President

Resolution of
appointment or
removal from
office

26 (2) The President may remove any member of the Board if he is
27 satisfied that it is not in the interest of the Institute that the member
28 concerned should continue in office.

29 **6.** A member of the Board (other than an ex-officio member) shall

Remuneration

1 be paid such remuneration and allowances as may be determined by the
2 President.

3 **PART II - FUNCTIONS OF THE INSTITUTE**

Functions of
the Institute

4 **7.-(1)** The functions of the Institute shall be-

5 (a) to provide detailed identification of technical and skills
6 acquisition needs for the economy in training and development training
7 programmes to meet those needs;

8 (b) to establish a vocational education and training system which
9 includes basic and specialized training to meet the needs of both the formal and
10 informal sectors;

11 (c) to carry out training of students and artisans and retraining of
12 professionals to meet the newest requirement identified in paragraph (a);

13 (d) to satisfy the demands of the labour market for employees with
14 trade skills in order to improve production and productivity of the economy;

15 (e) to promote the balancing of supply and demand for skilled labour
16 in both wage employment and for skills needed for self-employment in rural
17 and urban areas;

18 (f) to promote on-the-job training in the industry for both
19 apprenticeship training and for skills updating and upgrading;

20 (g) to promote and undertake any other activity that in the opinion of
21 the management is calculated to help achieve the purposes of the Institute.

22 (2) The Institute shall ensure that the training approach to be followed
23 shall be highly job specific and practical and shall utilize modern methods of
24 management skills development usually utilized by similar establishments in
25 order to attain the highest standards.

Powers of the
Institute

26 **8.** The Institute shall have power to-

27 (a) award diplomas and certificates for courses provided by it under
28 section 1 of this Act;

29 (b) invest its funds in a manner and to such an extent as it may deem
30 necessary or expedient;

1 (c) establish and maintain a library, comprising such books,
2 journals, records, reports and other publications and information systems as
3 may be required for the performance of the functions conferred on the
4 Institute by this Act;

5 (d) accept gifts of land, money or other property upon such terms
6 and conditions, as may be specified by the person or organization making
7 the gift, but the Institute shall not accept any gift if the terms and conditions
8 attached are inconsistent with its functions under this Act.

9 **9.-(1)** There shall be established for the Institute the Academic
10 Board which shall consist of the following members-

Establishment
of the Academic
Board

- 11 (a) the Director of the Institute who shall be the Chairman;
- 12 (b) the Deputy Director;
- 13 (c) all Heads of Departments;
- 14 (d) the Librarian;
- 15 (e) not more than two members of the academic staff other than
16 Heads of Departments are to be appointed by the Board.

17 (2) The Academic Board shall be responsible for:

- 18 (a) the direction and management of academic matters of the
19 Institute including the regulation of admission of students, the award of
20 certificates, scholarships, prizes and other academic distinctions;
- 21 (b) making periodic reports on such academic matters to the
22 Academic Board as the Board may from time to time direct;
- 23 (c) discharging any other functions which the Board may delegate
24 to it.

25 **PART III - APPOINTMENT, TENURE, DUTIES, ETC. OF PRINCIPAL OFFICERS**

26 **AND OTHER STAFF OF THE INSTITUTE**

27 **10.-(1)** There shall be for the Institute a Director (in this Act
28 referred to as "the Director) who shall:-

Appointment
of Director of
the Institute

- 29 (a) be appointed by the President;
- 30 (b) have such qualification and experience as are appropriate for a

	1	person required to perform the functions of those offices under this Act;
	2	(c) hold office on such terms and conditions of service as stipulated in
	3	his letter of appointment.
Duties of the Director	4	11. Subject to the provisions of this Act, the Director shall be the chief
	5	executive officer of the Institute and shall be charged with the general
	6	responsibility for the management of the educational affairs and academic
	7	matters of the Institute and shall in particular-
	8	(a) direct and regulate the program of work of the Institute;
	9	(b) promote research within the Institute;
	10	(c) award certificates or diplomas;
	11	(d) keep in safe custody all records of the Institute;
	12	(e) demand and receive from any student or any other person
	13	attending the institute, such fees as the Board may, from time to time,
	14	determine;
	15	(f) exercise and perform such other powers and duties as may be
	16	conferred or imposed upon him by the Board.
Tenure of office of the Director	17	12. The Director shall hold office for a term of four years and may be
	18	reappointed for another term of four years and no more.
Terms and conditions of office of the Director	19	13. The Director shall hold office on such terms and conditions as
	20	may be determined by the Board as set out in his letter of appointment.
Removal of the Director from office	21	14. Where it appears to the Board that the Director should be removed
	22	from office on the grounds of-
	23	(a) misconduct;
	24	(b) conviction from a court of competent jurisdiction (or panel of
	25	inquiry if not challenged in court);
	26	(c) inability to perform the functions of his office,
	27	the Board shall make a recommendation to that effect to the President and if the
	28	President, after making inquiries as he considers necessary, approves the
	29	recommendation, the President shall, in writing, declare the office of the
	30	Director vacant.

1 **15.**-(1) There shall be a Registrar for the Institute who shall- Registrar of the
2 (a) be responsible to the Director for the day-to-day administration Institute
3 of the Institute;

4 (b) perform such other duties as the Board or the Director may
5 require him to do.

6 (2) The Registrar shall be the Secretary to the Board and any other
7 Committee and shall attend meetings unless excused for good cause or
8 reason by the Chairman of the Board.

9 (3) Where the Registrar is absent from a meeting of the Board, the
10 Chairman may, after consultation with the Director, appoint a suitable
11 person to act as Secretary for any particular meeting of the Board

12 (4) A person so appointed to act under subsection (3) shall not be
13 entitled to vote on any issue before the Board, or be counted towards a
14 quorum unless such a person is so entitled as a member of the Board.

15 **16.**-(1) The Registrar- Tenure of office
16 (a) shall hold office for a term of four years effective from the date of the Registrar
17 of his appointment and on such terms and conditions as may be specified in
18 his letter of appointment;

19 (b) may be reappointed for another term of four years and no more.

20 **17.**-(1) There shall be for the Institute a Deputy Director. Appointment of
21 (2) The Deputy Director shall be a person of high academic and the Deputy Director

22 moral standing and manifest administrative experience and shall be
23 appointed by the Board on the recommendation of the Director.

24 (3) The Board shall appoint the Deputy Director from among the
25 Chief Lecturers in the Institute:

26 (a) from a list of three candidates, in order of preference, submitted
27 by the Director;

28 (b) on the recommendation of the Selection Board constituted for
29 the Institute.

30 (4) The Selection Board referred to in subsection (3) (b) of this

- 1 section shall consist of-
- 2 (a) the Chairman of the Board;
- 3 (b) the Director;
- 4 (c) two members of the Board not being members of the Academic
- 5 Board;
- 6 (d) two members of the Academic Board,
- 7 which may make inquiries as it deems fit before making the recommendation
- 8 required under subsection (3) (b).
- 9 (5) The Deputy Director shall-
- 10 (a) assist the Director in the performance of his functions;
- 11 (b) act in the place of the Director when the office of the Director is
- 12 vacant or if the Director is, for any reason, absent or unable to perform his
- 13 functions as Director;
- 14 (c) perform such other functions as the Director or the Board may
- 15 from time to time assign to him.
- 16 (6) The Deputy Director-
- 17 (a) shall hold office for a term of four years effective from the date of
- 18 his appointment and on such terms and conditions as may be specified in his
- 19 letter of appointment;
- 20 (b) may be reappointed for another term of four years and no more.
- 21 **18.-(1)** There shall be for the Institute the following Principal Officers
- 22 in addition to the Registrar-
- 23 (a) the Bursar;
- 24 (b) the Librarian;
- 25 (c) the Head of Works;
- 26 (d) the Head of Medical and Health Services.
- 27 (2) The Bursar shall be the Chief Financial Officer of the Institute and
- 28 shall be responsible to the Director for the day-to-day administration and
- 29 control of the financial affairs of the Institute.
- 30 (3) The Librarian shall be responsible to the Director for the

Other principal
officers of the
Institute

1 administration of the Library and the coordination of the library services in
2 the teaching units of the Institute.

3 (4) The Head of Works shall be responsible to the Director for the
4 maintenance of the Institute's buildings, minor works, transport and
5 supervision of the construction projects.

6 (5) The Head of Medical and Health Services shall be responsible
7 to the Director for the supervision of the medical and health facilities of the
8 Institute

9 (6) The Principal Officers mentioned in subsection (1)-

10 (a) Shall hold office for a term of four years in the first instance and
11 on such terms and conditions as may be specified in their letters of
12 appointment;

13 (b) May be reappointed for another term of four years and no more.

14 (7) Any question as to the scope of the responsibilities of the
15 Principal Officers shall be determined by the Director.

16 **19.** A Principal Officer may resign his appointment-

Resignation of
appointment by
Principal Officers

17 (a) in the case of the Director, by notice in writing to the Board and
18 the Board shall forward it to the President;

19 (b) in any other case, by notice in writing to the Director who shall
20 forward it to the Board.

21 **20.-(1)** The Board may appoint such other persons to be staff of the
22 Institute as the Board may determine, to assist the Director and the Principal
23 Officers in the performance of their functions under this Act.

Appointment of
other employees
of the Institute

24 (2) The remuneration of the staff of the Institute shall be
25 determined by the Board.

26 **21.** Staff regulations shall be in line with the existing Public
27 Service Rules and Regulations.

Staff Regulation

28 **22.-(1)** If it appears to the Board that there are reasons for believing
29 that any person employed as a member of the academic, administrative, or
30 technical staff of the Institute other than the Director, should be removed

Removal of staff
of Institute from
office

1 from office on grounds of misconduct or inability to perform the functions of
2 that office, the Board shall-

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

4 (b) afford him an opportunity to make representations in person on the
5 matter to the Board;

6 (c) if he or any three members of the Board so request within the
7 period of one month beginning with the date of the notice, make arrangements:

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

9 (ii) the person in question be afforded an opportunity of appearing
10 before and be heard by an investigating committee set up with respect to the
11 matter, and if the Board after considering the report of the investigating
12 committee, is satisfied that the person in question should be removed as
13 aforesaid, the Board may so remove him by a letter signed on the direction of
14 the Board.

15 (2) The Director may, in the case of misconduct by a member of staff
16 which, in the opinion of the Director, is prejudicial to the interests of the
17 Institute, suspend any such member and any such suspension shall forthwith be
18 reported to the Board.

19 (3) A member of staff may be suspended from office for good cause,
20 or his appointment may be terminated by the Board, and for the purpose of this
21 subsection, "good cause" means-

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

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

28 (c) conduct of a scandalous or disgraceful nature which the Board
29 considers being such as to render the person concerned unfit to continue to hold
30 his office;

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

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

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

10 (b) whether to reinstate the person, in which case the Board shall
11 restore his full emoluments to him with effect from the date of the
12 suspension;

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

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

23 (5) The person by whom an instrument of removal is signed under
24 subsection (1) shall use his best endeavors to cause a copy of the instrument
25 to be served as soon as reasonably practicable on the person to whom it
26 relates.

27 (6) Nothing in this section shall prevent the Board from making
28 such regulations for the discipline of other categories of staff and workers of
29 the Institute as it may deem fit.

	1	PART IV - FINANCIAL PROVISIONS
Establishment of funds for the Institute	2	23. -(1) The Institute shall establish and maintain a fund (the Fund)
	3	from which shall be defrayed all expenditure incurred by the Institute in the
	4	performance of its functions under this Act.
	5	(2) There shall be paid into the Fund-
	6	(a) all subventions and budgetary allocation from the Federal
	7	Government of Nigeria;
	8	(b) fees charged and payable to the Institute by the students;
	9	(c) any other amount charged or dues recoverable by the Institute;
	10	(d) revenue accruing to the Institute by way of subvention, grants-in-
	11	aid, endowment, or otherwise;
	12	(e) interest on investments;
	13	(f) donations and legacies accruing to the Institute from any source,
	14	for the general or special purpose of the Institute.
Donation for particular purposes	15	24. -(1) Donations of money to be applied to any particular purpose
	16	shall be placed to the credit of a Special Reserve Account approved by the
	17	Board until such a time as they may be expended in fulfillment of such purpose.
	18	(2) The Board is not obliged to accept a donation of land, money, and
	19	any other property for a particular purpose if the terms and conditions are
	20	contrary to the functions of the Institute.
Payment to Bank	21	25. All sums of money received on account of the Institute shall be
	22	paid into the bank as may be approved for the credit of the Institute's general
	23	current and deposit accounts.
Powers to accept gifts	24	26. -(1) The Institute may accept gifts of land, money, or other
	25	property on such terms and conditions if any as may be specified by the person
	26	or organization making the gift.
	27	(2) The Institute shall accept gifts if the conditions attached by the
	28	person or the organization making the gift are inconsistent with the functions of
	29	the Institute under this Act.

1	27. The Institute shall from time to time apply the fund at its	Expenditure of the Institute
2	disposal to-	
3	(a) the cost of administration and maintenance of the Institute;	
4	(b) publicize and promote the activities of the Institute;	
5	(c) pay allowances, expenses, and other benefits of members of the	
6	Board and Committees of the Board;	
7	(d) pay the salaries, allowances and benefits of employees of the	
8	Institute;	
9	(e) pay other overhead allowances, benefits and other	
10	administrative costs of the Institute;	
11	(f) undertake such other activities as are connected with all or any	
12	of the functions of the Institute under this Act.	
13	28.-(1) The Institute may, from time to time, borrow by overdraft or	Power to borrow
14	otherwise such sums as it may require for the performance of its functions	
15	under this Act.	
16	(2) The Institute shall not, without the approval of the President,	
17	borrow money which exceeds, at any time, the limit set by the President.	
18	(3) Notwithstanding subsection (1) of this section, where the sum	
19	to be borrowed is in foreign currency, the Institute shall not borrow the sum	
20	without the prior approval of the President.	
21	29.-(1) The Board shall not later than 30 September in each year,	Annual estimates and expenditure
22	submit to the President an estimate of the expenditure and income of the	
23	Institute during the next succeeding year.	
24	(2) The Board shall cause to be kept proper accounts of the Institute	
25	in respect of each year and proper records in relation thereto and shall cause	
26	the accounts to be audited not later than six months after the end of each year	
27	by auditors appointed from the list in accordance with the guidelines	
28	supplied by the Auditor- General of the Federation.	
29	30. The Board shall prepare and submit to the President, not later	Annual report
30	than 31 December in each year, a report in such form as the President may	

Discipline of
students

1 direct on the activities of the Institute during the immediately preceding year
2 and shall include in the report a copy of the audited accounts of the Institute for
3 that year and the auditor's report thereto.

4 **PART V - MISCELLANEOUS PROVISIONS**

5 **31.-(1)** The Board may make rules providing for the Director to
6 conduct enquiries into alleged acts of misconduct (including lack of discipline)
7 by students and such rules may make different provisions for different
8 circumstances.

9 (2) The rules shall provide for the procedure and rules of evidence to
10 be followed at inquiries under this section.

11 (3) Notwithstanding anything to the contrary contained in any other
12 enactment, where it appears to the Board that any student of the Institute has
13 been guilty of misconduct, the Board may, without prejudice to any other
14 disciplinary powers conferred on it by regulations direct that-

15 (a) the student shall not during the period specified in the direction,
16 participate in the activities of the Institute or make use of the facilities of the
17 Institute as may be specified;

18 (b) the activities of the student shall during the period as may be
19 specified in the direction, be restricted in the manner specified;

20 (c) the student be suspended for such period as may be specified in the
21 direction;

22 (d) the student is expelled from the Institute.

23 (4) Where the post of the Director is vacant or where the Director
24 refuses to apply any disciplinary measures, the Board may either directly or
25 through some other staff apply such disciplinary actions as are specified in
26 subsection (1) to any student of the Institute who is considered guilty of
27 misconduct.

28 (5) Where a direction is given under subsection (3)(c) or (d) in respect
29 of any student, the student may, within a period of twenty-one days from the
30 date of the letter communicating the decision to him appeal against the

1 direction to the Board, and where such appeal is brought, the Board shall,
2 after causing an inquiry to be made in the matter as the Board considers just,
3 either confirm or set aside the direction or modify it in the manner the Board
4 may deem fit.

5 (6) The fact that an appeal from a direction I spending under
6 subsection (5) shall not affect the operation of the direction while the appeal
7 is pending.

8 (7) The Director may delegate his powers under this section to a
9 disciplinary committee of such members of the Institute as he may
10 nominate.

11 (8) Nothing in this section shall be construed as terminating a
12 student's activity in the Institute except on the grounds of misconduct.

13 (9) The direction under subsection (3) (a) may be combined with a
14 direction under subsection (3) (b).

15 (10) In all cases under this section, the decision of the Board shall
16 be final.

17 **32.-(1)** On the commencement of this Act, any person employed by
18 or serving in the Institute shall be deemed to have been employed or serving
19 in the Institute under this Act. Transitional
provisions

20 (2) All assets or liabilities belonging to the Institute shall be
21 deemed to belong to the Institute established under this Act.

22 **33.-(1)** No person shall be- Exclusion or
discrimination on
account of race,
religion etc.
23 (a) Required to satisfy requirements as to race (including ethnic
24 groupings), sex, place of birth, family origin, and religious or political
25 persuasion as a condition for-

26 (i) becoming or continuing to be a student of the Institute;
27 (ii) being a holder of any certificate of the Institute or any
28 appointment or employment at the Institute;

29 (iii) being a member of anybody established under this Act.

30 (b) Subjected to any disadvantage or accorded any advantage in

1 relation to the Institute by reference to any of the matters mentioned in this
2 subsection.

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

Interpretation

9 **34.** In this Act, unless otherwise requires:
10 "institute" means the Federal Institute of Vocational and Technical Education,
11 Anambra State established by section 1 of this Act;
12 "board" means the governing body of the Institute;
13 "chairman" means chairman of the Governing Board;
14 "director" means Director of the Institute;
15 "government" means government of the Federal Republic of Nigeria;
16 "president" means President of the Federal Republic of Nigeria.

Citation

17 **35.** This Bill may be cited as the Federal Institute of Vocational and
18 Technical Education, Anambra State (Establishment) Bill, 2022.

EXPLANATORY MEMORANDUM

This Bill seeks to provide for the Legal Framework to establish the Federal Institute of Vocational and Technical Education, Omor, Anambra State.

A BILL

FOR

AN ACT TO ESTABLISH FEDERAL INSTITUTE FOR DIVING TECHNOLOGY,
ANAKU, AYAMELUM, ANAMBRA STATE CHARGED WITH RESPONSIBILITY
TO PROVIDE FULL-TIME COURSES IN DEEP SEA (OCEAN) DIVING STUDIES
AND FOR RELATED MATTERS

Sponsored by Hon. Vincent Ekene Ofumelu

[] Commencement

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

- 1 **1.**-(1) There is established Federal Institute for Diving Technology, Establishment
2 Anaku, Ayamelum, Anambra State (in the Bill referred to as "the Institute). of the Federal
3 (2) The institute shall be a body corporate with- Institute for Diving
4 (a) perpetual succession; Technology, Anaku,
5 (b) a common seal; Ayamelum
6 (c) may sue and be sued in its corporate name; and
7 (d) may hold, acquire and dispose of any movable and immovable
8 property.
- 9 **2.** The Objects of the Institute shall be- Objects
10 (a) to encourage the advancement of learning and research and to
11 hold out all persons, the opportunity of acquiring a higher education in
12 diving technology;
13 (b) to act as agent and catalyst, through training, research and
14 innovation for the effective and economic utilization, and conservation of
15 Nigeria's natural and human resources;
16 (c) to develop and offer academic and professional programmes
17 leading to the award of diplomas, higher national diplomas, certification in
18 International Marine Contractors Association- IMCA, and other deserving
19 certificates in diving and related fields of study in diving;

- 1 (d) to identify the diving problems and needs of Nigeria and to find
 2 solutions to them within the context of overall national development;
 3 (e) to offer academic programs in relation to the training of manpower
 4 in diving in seas, oceans, rivers etc in Nigeria;
 5 (f) to organize research and studies relevant to training in diving with
 6 emphasis on ocean, sea, and river diving;
 7 (g) to organize rescue services and out-reach programs for technology
 8 transfer;
 9 (h) to establish institutions linkages in order to foster collaboration
 10 and integration of training, research and rescue activities; and
 11 (i) to do such things as may be appropriate to achieving the objects of
 12 the Institute.

Constituents of
the Institute

- 13 **3.-(1)** The Governing Council shall consist of:
 14 (a) Chairman;
 15 (b) Rector;
 16 (c) Deputy Rector;
 17 (d) Schools, Departments and other teaching and research units;
 18 (e) persons holding the office constituted by the schedule to this Bill
 19 other than those maintained in paragraphs (a) - (d) of this sub-clause;
 20 (f) all students of the Institute; and
 21 (g) all other persons who are members of the Institute in accordance
 22 with provisions made by regulation in that behalf.
 23 (2) The Schedule to this Bill shall have effect with respect to the
 24 principal officers of the Institute mentioned herein.
 25 (3) Subject to Clause 6 of the Bill, provision shall be made by
 26 regulation with respect to the constitution of the following bodies, namely
 27 Board, Congregation and Convocation.

Powers of the
Institute

- 28 **4.-(1)** For the carrying out of its objects as specified in clause 2 of this
 29 Bill, the Institute shall have power to:
 30 (a) to establish such campus, college, schools, extra-moral

1 departments and other teaching and research units within the Institute as
2 may, from time to time be deemed necessary or desirable, subject to the
3 approval of the appropriate body;

4 (b) to offer complete programme of training and professional
5 certification in the Institute's technological field-theory, practical
6 experience and certificates as a professional divers' Institute and have
7 satisfied such other requirements as the Institute may lay down; that is:

- 8 (i) Saturation Diving Theory;
- 9 (ii) Nitrox Mixed GSS Diving (Specialty Elective);
- 10 (iii) Hot Water Systems;
- 11 (iv) Hazwoper;
- 12 (v) First Aid & CPR;
- 13 (vi) Safety Standards;
- 14 (vii) Inland Diving Operations;
- 15 (viii) Inspections and Report Writing;
- 16 (ix) Dive Boat Seamanship;
- 17 (x) Oxygen Provider;
- 18 (xi) Underwater Tools;
- 19 (xii) Diving Equipment Maintenance;
- 20 (xiii) Surface Decompression;
- 21 (xiv) Offshore Oil Operations;
- 22 (xv) Dive Tending;
- 23 (xvi) Commercial Scuba;
- 24 (xvii) Hyperbaric Chamber Operations;
- 25 (xviii) Rigging;
- 26 (xix) Remote Operated Vehicles ROV;
- 27 (xx) Non-Destructive Testing – NDT;
- 28 (xxi) Bridge Inspections;
- 29 (xxii) Salvage;
- 30 (xxiii) Underwater cutting and welding;

- 1 (xxiv) Communications;
- 2 (xxv) Decompression and Treatment Tables;
- 3 (xxvi) Medical Aspects of Diving Theory;
- 4 (xxvii) Diving Physics and Physiology Theory;
- 5 (xxviii) Pipe Penetration;
- 6 (xxix) Underwater Projects etc.
- 7 (c) institute readerships, exhibitions, bursaries, medal prizes and
- 8 other titles, distinctions, awards and other forms of assistance;
- 9 (d) provide for the discipline and welfare of Students of the Institute;
- 10 (e) demand and receive from any student or any other person
- 11 attending the Institute for the purpose of instruction such as fee as the institute
- 12 may; from time to time, determine subject to the overall direction of the
- 13 council;
- 14 (f) acquire, hold, grant, charge or otherwise deal with or dispose of
- 15 movable or immovable property wherever situate;
- 16 (g) accept gifts, donations, legacies but without obligation to accept
- 17 the same for a particular purpose unless it approves the terms and condition
- 18 attaching thereto;
- 19 (h) enter into contracts, establish trust, act as trustee, solely or jointly
- 20 with any other person, and employ and act through agents;
- 21 (i) erect, provide, equip and maintain libraries, laboratories, lecture
- 22 halls, hall of residence, sports grounds, playing fields and other buildings or
- 23 things or things necessary or suitable or convenient for any of the objects of the
- 24 institute;
- 25 (j) hold public lectures and to undertake printing, publishing and book
- 26 selling;
- 27 (k) subject to any limitations or conditions imposed by regulations, to
- 28 invest any money appertaining to the institute by way of endowment, not being
- 29 immediately required for expenditure in any investment or securities or the
- 30 purchase or improvement of land, with power from time to time to vary any

1 such investment and to deposit any money for the time being not invested
2 with any bank on deposit or current account;

3 (l) do anything which it is authorized or required by this Bill or by
4 regulation to do; and

5 (m) do all such acts or things incidental to the foregoing powers, as
6 may advance the objects of the institute.

7 (2) Subject to the provisions of this Bill and of the regulations, the
8 power conferred on the institute shall be exercisable on behalf of the
9 institute by the Governing Board or in any other manner, which may be
10 authorized by regulation.

11 5.-(1) There is established for the Institute, a governing
12 board/council (herein after referred to as the exceed Council

Establishment
of the Governing
Council

13 (2) The Board/Council shall consist of:

14 (a) the Chairman;

15 (b) the Director;

16 (c) the Deputy Director;

17 (d) the person not below the rank of Director to represent the
18 Federal Ministry of Water Resources;

19 (e) two persons appointed by the Academic Board from among its
20 members;

21 (f) two persons appointed by congregation from among its
22 members;

23 (g) one person appointed by convocation from among its members;

24 (h) the Director and Deputy Director shall be Chairman and
25 Secretary respectively.

26 6.-(1) The Chairman shall, in relation to the Institute, take
27 precedence before all other members of the Institute and when he is present
28 preside at all meetings of convocation held for conferring National Diploma
29 and Higher National Diploma and/or any other certification as may be
30 approved by the Institute;

Functions of the
Chairman of the
Governing Council

Functions of the
Council

1 7.-(1) Subject to the provisions of this Bill relating to the visitor, the
2 Board/Council shall be the governing body of the Institute, and shall be
3 charged with the general control and superintendence of the policy, finance and
4 property of the Institute,

5 (2) The Council shall ensure that proper accounts of the institute are
6 kept and that the accounts are audited annually by an independent firm of
7 auditors approved by the board/council.

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

10 (4) If request in writing by any five members of board/council, the
11 Chairman shall within 28 days after the receipt of such request call a meeting of
12 the board/council.

13 (5) Any request made under sub-clause (4) of this clause shall specify
14 the business to be considered at the meeting and a business not so specified
15 shall not be transacted at the meeting.

16 (6) The council may make rules for regulating its own procedure.

Finance and
General Purpose
Committee

17 8.-(1) There shall be a committee on the council to be known as the
18 Finance and General purpose committee, which shall, subject to the directions
19 of the Council, exercise control over the property and expenditure of the
20 institute, and perform such other functions of the council as the council may,
21 from time to time, delegate to it.

Functions of the
Academic Boards

22 9.-(1) There shall be for the Institute an Academic Board, whose
23 general function shall be to organize and control the teaching by the institute,
24 the admission and the discipline of students; and to promote research at the
25 institute.

26 (2) Without prejudice to the generality of sub clause (1) of this clause,
27 it shall particularly be the functions of the Council to make provision for:

28 (a) the establishment, organization and control of Campuses, Schools
29 and other teaching and research units of the Institute and allocation of
30 responsibility for different branches of learning;

1 (b) the award of National Diplomas, Higher National Diplomas
2 and such other qualifications as may be prescribed, in connection with
3 examinations hold as aforesaid;

4 (c) the making of recommendations to the council with respect to
5 the award to any person of an honorary fellowship;

6 (d) the establishment, organisation and control of halls of residence
7 and similar institutions at the Institute;

8 (f) determine what description of dress shall be academic dress for
9 the purpose of the Institute and regulating the use of academic dress.

10 (2) The Council shall not establish any new campus, college,
11 school, department, institute or other teaching and research units of Institute
12 without the approval of Council.

13 (3) Subject to this Bill, the Academic Board may make regulations
14 for the purpose of exercising any function conferred on it either by the
15 foregoing provisions of this clause or otherwise or for the purpose of making
16 provisions for any matter for which provision by regulations is authorized or
17 required by this Bill.

18 (4) Subject to a right of appeal to the Council from a decision of the
19 Academic Board under this sub-clause, the Council may deprive any person
20 of any Diploma, Higher National Diploma or other award of the Institute
21 which has been conferred upon him if after due enquiry he is shown to have
22 been guilty of dishonourable or scandalous conduct in gaining admission
23 into the Institute or obtaining that award.

24 **10.-(1)** The Rector shall, in relation to the Institute, take
25 precedence before all other members of the Institute and any other person
26 for the time being acting as chairman of the Council.

Functions of the
Rector

27 (2) Subject to clauses 8, 9, and 15 of this Bill, the Director shall
28 have the general function, in addition to any other functions conferred on
29 him by this Bill or otherwise, of directing the activities of the Institute and
30 shall be the chief executive and academic officer of the Institute and

Mode of exercising
power to make
regulations

1 chairman of the Academic Board.

2 (3) The power to make regulations conferred by this clause shall not
3 be prejudiced or limited in any way by reason of the inclusion or omission of
4 any matter in or from the Bill or any subsequent enactment,

5 11.-(1) The power of the Institute to make regulations shall be
6 exercised in accordance with the provisions of this clause and not otherwise

7 (2) A proposed regulation shall not become effective and enforceable
8 unless it has been approved:

9 (a) at a meeting of the Academic Board, by the votes of not less than
10 two thirds of the members present and voting; and

11 (b) at a meeting of the Board/Council, by the votes of not less than two
12 thirds of the members' present and voting.

13 (3) A proposed regulation may originate either in the Academic
14 Board, and may be approved as required by sub-clause (2) of this clause by
15 either one of those bodies.

16 (4) A regulation which makes provision for or alters the composition
17 or constitution of the Council, the Academic Board or any other authority of the
18 Institute shall not come into operation unless it has been approved by the
19 Council.

20 (5) For the purposes of clause 1 (2) of the Interpretation Act, a
21 regulation shall be treated as being made on the date on which it duly approved
22 by the Council after having been approved by the Academic Board, as the case
23 may be or, in the case of a regulation falling within sub-clause (4) of this clause,
24 on the date on which it is approved by the President.

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

26 (a) as to the meeting of, any provision of a regulation; or

27 (b) as to whether any matter is for the purpose of this Bill an academic
28 matter as they relate to such doubt or dispute, the matter may be referred to the
29 Visitor, who shall take such advice and make such decision therein as he shall
30 think fit.

1 (7) The decision of the Visitor on any matter referred to him under
2 sub-clause (6) of this clause shall be final and binding upon the authorities,
3 staff and students of the Institute and where any question as to the meaning
4 of any provision of a regulation has been decided by the visitor under that
5 sub-clause, the question as to the meaning of that provision shall not be
6 entertained by any court of law in Nigeria.

7 (8) Nothing in sub-clause (7) of this clause shall affect any power
8 of a court of competent jurisdiction to determine whether any provision of a
9 regulation is wholly or partially void, as being ultra vires or as being
10 inconsistent with the Constitution of the Federal Republic of Nigeria, 1999.

11 (9) Proof of regulations: A regulation may be proved in any court
12 by the production of a copy thereto bearing affixed to it a certificate
13 purporting to be signed by the Rector or the Secretary to the Council to the
14 effect that the copy is a true copy of a regulation of the Institute.

15 *Supervision and discipline*

16 **12.-(1)** The President shall be the Visitor of the Institute. The Visitor

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

21 (3) It shall be duty of the bodies and persons comprising the
22 Institute to make available to the Visitor and to any other person conducting
23 a visitation in pursuance of this clause, such facilities and assistance as he or
24 they may reasonably require for the purpose of a visitation.

25 **13.-(1)** If it appears to the Council that a member of the Council
26 (other than the Visitor or the Rector should be removed from office on the
27 ground of misconduct or inability to perform the functions of his office or
28 employment, the Council shall make a recommendation to that effect
29 through Minister to the President after making such enquiry, if any, as may
30 be considered appropriate, and if the President approves the

Removal of certain
members of Council

Removal and
discipline of
Academic,
Administrative
and Professional
Staff

1 recommendation he may direct the removal of the person in question from
2 office.

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

7 **14.**-(1) If it appears to the Council that there are reasons for believing
8 that any person employed as a member of the academic, administrative or
9 professional staff of the college, other than Rector should be removed from his
10 office or employment on the ground of misconduct or if inability to perform the
11 functions of his office or employment, the Council shall-

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

13 (b) afford him an opportunity of making representations in person on
14 the matter;

15 (c) appoint a Staff Disciplinary Committee, and if the Council, after
16 considering the report of the Staff Disciplinary Committee, is satisfied that the
17 person in question should be removed as aforesaid, the Council may so remove
18 him by an instrument in writing signed on the directions of the Council.

19 (2) The Rector may, in case of misconduct by a member of staff which
20 in the opinion of the Rector prejudicial to the interests of the Institute, suspend
21 such member and any such suspension shall forthwith be reported to the
22 Council.

23 (3) For good cause, any member of staff may be suspended from his
24 duties or his appointment may be terminated by the Council, and for the
25 purposes of this sub-clause, "Good cause" means-

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

29 (b) any physical or mental incapacity which the Council, after
30 obtaining medical advice, considers to be such as to render the person

- 1 concerned unfit to continue to hold his office; or
- 2 (c) conduct which the Council considers to be such as to constitute
- 3 failure or inability of the person concerned to discharge the functions of his
- 4 office or to comply with terms and conditions of his service; or
- 5 (d) conduct which the Council considers to be generally of such
- 6 nature as to render the continued appointment or service of the person
- 7 concerned prejudicial or detrimental to the interest of the Institute.
- 8 (4) Any person suspended pursuant to sub-clause (2) or (3) of this
- 9 clause shall be on half pay and the Council shall before the expiration of a
- 10 period of three months after the date of such suspension consider the case
- 11 against that person and come to a decision as to-
- 12 (a) whether to continue such person's suspension and if so on what
- 13 terms (including the proportion of his emoluments to be paid to him); or
- 14 (b) whether to re-instate 'such person in which case the Council
- 15 shall restore his full emoluments with effect from the date of suspension; or
- 16 (c) whether to terminate the appointment of the person concerned
- 17 in which case such person shall not be entitled to the proportion of his
- 18 emoluments withheld during the period of suspension; or
- 19 (d) whether to take such lesser disciplinary action against such
- 20 person (including the restoration of such proportion of his emoluments as
- 21 might have been withheld) as the Council may determine.
- 22 (5) In any case where the Council, pursuant to this clause, decides
- 23 to continue a person's suspension or decides to take further disciplinary
- 24 action against a person, the Council shall before the expiration of a period of
- 25 three months from such decision come to a final determination in respect of
- 26 the case concerning any such person.
- 27 (6) It shall be the duty of the person by whom an instrument of
- 28 removal is signed in pursuance of sub-clause (1) of this clause to use his best
- 29 endeavor to cause a copy of instrument to be .served as soon as reasonably
- 30 practicable on the person to whom it relates.

Procedures for
staff discipline

- 1 (7) Nothing in the foregoing provisions of this clause shall-
- 2 (a) apply to any directive given by the Visitor in consequence of any
- 3 visitation; or
- 4 (b) prevent the Council from making regulations for the discipline of
- 5 other categories of workers of the Institute as may be prescribed.

6 **15.-(1)** The Rector or Academic Board shall constitute an

7 Investigation Panel to determine whether or not a prima facie case has been

8 established against any member of staff.

9 (2) The Investigation Panel shall include the President or the

10 Chairman of the union to which the staff being investigated belongs.

11 (3) The Rector shall constitute a Staff Disciplinary Committee which

12 shall consist of such members of the Academic Board as he may determine, to

13 consider the report of the Investigating Panel.

14 (4) The report and recommendation of the Staff Disciplinary

15 Committee shall be forwarded to the Council for consideration and decision.

Appointment
of external
examiners
Removal of
examiners

16 **16.** External examiners shall be appointed by the Academic Board.

17 **17.-(1)** If on the recommendation of the Academic Board, it appears

18 to the Rector that a person appointed as an examiner for any examination of the

19 Institute out to be re-moved from his office or appointment, then except in such

20 cases as may be prescribed, the Rector may, after affording the examiner an

21 opportunity of making representations in person on the matter, remove the

22 examiner from the office or appointment by an instrument in writing signed by

23 the Rector.

24 (2) Subject to the provisions of regulations made in pursuance of

25 clause 9 (5) of this Bill, the Rector may, on the recommendation of the

26 Academic Board, appoint an appropriate person as examiner in place of the

27 examiner removed in pursuance of sub-clause (1) of this clause.

28 (3) It shall be duty of the Rector to sign an instrument of removal in

29 pursuance of this clause, to use his best endeavor to cause a copy of this

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

3 **18.-(1)** Subject to the provisions of this clause, where it appears to
4 the Rector that any student of the Institute has been guilty of misconduct, the
5 Rector may, in consultation with the Academic Board, and without
6 prejudice to any other disciplinary power conferred on him by regulation or
7 regulations, direct that -

Discipline of
students

8 (a) the student shall not, during such period as may be specified in
9 the direction, participate in such activities of the Institute or make use of
10 such facilities of the institute, as may be so specified; or

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

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

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

17 (2) Where a direction is given under subclause (1) (c) or (d) of this
18 clause in respect of any student, that student may, within the prescribed
19 period and in the prescribed manner, appeal to the Council, and where such
20 an appeal is brought, the Council shall after causing such inquiry to be made
21 in the matter as the Council considers just, confirm or set aside the direction
22 or modify in such manner as the Council thinks fit.

23 (3) The Fact that an appeal from a direction is brought in pursuance
24 of subclause (2) of this clause shall not affect the operation of the direction
25 while the appeal is pending.

26 (4) The Rector may delegate his powers under this clause to a
27 Disciplinary Committee consisting of such members of the Institute as he
28 may nominate.

29 (5) Nothing in this clause shall be construed as preventing the
30 restriction or termination of a student's activities at the Institute otherwise

1 than on the ground of misconduct.

2 (6) Without prejudice to the provision of subclause (1) of this clause,
3 nothing shall prevent the Rector from taking an immediate disciplinary action
4 against a student where he deems fit, and report thereafter to the Academic
5 Board.

6 (7) It is hereby declared that a direction under subclause (1) (a) of this
7 clause may be combined with a direction under subclause (1) (b) of this clause.

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

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

13 (10) Nothing in this subclause shall affect any power of a court of
14 competent jurisdiction to enforce the fundamental right of any aggrieved
15 citizen as enshrined in the Constitution of the Federal Republic of Nigeria,
16 1999.

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

17 **19.-(1)** No person shall be required to satisfy the requirement as to any
18 of the following matters, that is to say, race (including ethnic grounding), sex,
19 place of birth or family origin, or religious or political persuasion, as a
20 condition of becoming or continuing to be a student at the Institute, the holder
21 of any certificate of the Institute or of any appointment or employment at the
22 Institute or a member of anybody established by virtue of this Bill; and no
23 person shall be subjected to any disadvantage or accorded any advantage in
24 relation to the Institute, by reference to any of those matters.

25 (2) Nothing in sub-clause (1) of this clause shall be construed as
26 preventing the Institute from imposing any disability or restriction on any of
27 the aforementioned persons where such person willfully refuses or fail on
28 grounds of religious belief to undertake any duty generally and uniformly
29 imposed on all such persons or any group of them which duty, having regard to
30 its nature and the special circumstance pertaining thereto, is in the opinion of

1 the College reasonably justifiable in the national interest.

2 **20.**-(1) Without prejudice to the provisions of the Land Use Act, the
3 Institute shall not dispose of or charge any land or an interest in any land
4 (including any land transferred to the institute by this Bill) except either with
5 the prior written consent either general or special, of the President.

Restriction on
disposal of land
by the Institute

6 (2) Provided that such consent shall not be required in the case of
7 any lease or tenancy at a rack-rent for a term not exceeding 21 years or lease
8 or tenancy to be a member of the Institute for residential purposes.

9 **21.** Except as may be otherwise provided by regulation or by
10 regulations, the quorum and procedure of any body of persons established
11 by this Bill shall be as determined by that body.

Quorum and
procedure of bodies
established by
this Bill

12 **22.**-(1) Anybody of persons established by this Bill shall, without
13 prejudice to the generality of the powers that body, have power to appoint
14 committees, which need not consist exclusively of members of that body
15 and to authorize established by it -

Appointment of
Committee, etc.

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

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

20 (2) Any two or more such bodies may arrange for the holding of
21 joint meeting: of those bodies or for the appointment of Committees
22 consisting of members of those bodies or any of them and either of dealing
23 with it or of reporting on it to those bodies or any of them.

24 (3) Except as may be otherwise provided by regulation or by
25 regulations, the quorum and procedure of a Committee established or
26 meeting held in pursuance of this clause shall be such as may be determined
27 by the body or bodies which have decided to establish the committee or hold
28 the meeting.

29 (4) Nothing in the foregoing provisions of this clause shall be
30 construed as-

1 (a) enabling regulations to be made otherwise than in accordance with
2 clause 13 of this Bill; or

3 (b) enabling the Academic Board to empower any other body to make
4 regulations or to award certificates or other qualifications.

5 (5) The Director shall be member of every committee of which the
6 members are wholly or partly appointed by the Council (other than a
7 committee appointed to inquire into the conduct of any officer in question); and
8 the Director shall be a member of the Council and the Director shall be a
9 member of every committee of which the members are wholly or partly
10 appointed by the Academic Board.

Retiring age of
academic staff
of the Institute

11 **23.**-(1) Notwithstanding anything to the contrary in the Pension
12 Reform Act, the compulsory retiring age of an academic staff of the Institute
13 shall be 65 years.

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

Miscellaneous
administrative
provisions

16 **24.**-(1) The seal of the Institute shall be such as approved by the
17 Council and the affixing of the seal shall be authenticated by any member of the
18 Council and by the Rector/Secretary to the Council or any other person
19 authorized under this Bill.

20 (2) Any document purporting to be a document executed under the
21 seal of the institute shall be received in evidence and shall, unless the contrary
22 is proved, be presumed to be so executed.

23 (3) Any contract or instrument which if made or executed by a person
24 not being a body corporate would not be required to be under seal, may be made
25 or executed on behalf of the institute by any person generally or specifically
26 authorized to do so by the Council.

27 (4) The validity of any proceedings of anybody established in
28 pursuance of this Bill shall not be affected by any vacancy in the membership
29 of the body, or by any defect in the appointment of a member of the body or by
30 reason that any person not.

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

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

11 (7) No stamp duty or other duty shall be payable in respect of any
12 transfer of property to the Institute by virtue of any provision of this Bill.

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

16 **25.** In this Bill:

Interpretation

17 "Academic Board" means the Academic Board of the Institute established
18 pursuant to clause 9 of this Bill;

19 "Campus" means any campus which may be established by the Institute;

20 "Institute" means the Federal Institute for Diving Technology established in
21 clause 1 of this Bill;

22 "Council" means the Council established by this Bill for the Institute;

23 "Graduate" means a person on whom National Diploma, Higher National
24 Diploma (other than an honorary fellowship has been conferred by each
25 Institute;

26 "Minister" means the Minister charged with responsibility for Water
27 Resources Development;

28 "Notice" means notice in writing;

29 "Office" does not include the Visitor;

30 "Prescribed" means prescribed by regulations or regulations;

Short title

1 "Property" includes rights, liabilities and obligations;
2 "Regulations" means regulations made by the Academic Board or the Council.
3 **26.** This Bill may be cited as the Federal Institute for Diving
4 Technology (Establishment) Bill, 2022.

SCHEDULE

PRINCIPAL OFFICERS OF THE COLLEGE

The Chairman Governing Board

8 1.-(1) The Chairman shall be appointed by the President of Nigeria
9 (2) The Chairman shall hold office for a period of five years.
10 (3) If it appears to the Visitor that the Chairman should be removed
11 from his office on the ground of misconduct or of inability to perform the
12 functions of his office, the Visitor may by notice in the Federal Gazette remove
13 the Chairman from office.

The Rector

15 2.-(1) There shall be a Rector of the Institute who shall be appointed
16 by the President in accordance with the provisions of this paragraph.
17 (2) Where a vacancy occurs in the post of the Rector, the Council
18 shall-
19 (a) advertise the vacancy in a reputable journal or a widely read
20 newspaper in Nigeria, specifying-
21 (i) the qualities of the persons who may apply for the post; and
22 (ii) the terms and conditions of service applicable to the post, and
23 thereafter draw up a short list of suitable candidates for the post for
24 consideration;
25 (b) constitute a search team consisting of -
26 (i) a member of the Council, who is not a member of the Academic
27 Board, as chairman;
28 (ii) two members of the Academic Board who are not members of the
29 Council, one of whom shall be a reader;
30 (iii) two members of Congregation who are not members of the

1 Council, one of whom shall be a reader, to identify and nominate for
2 consideration, suitable persons who are not likely to apply for the post on
3 their own volition because they feel that it is not proper to do so.

4 (3) A joint Council and Academic Board Selection Board
5 consisting of-

6 (a) the Chairman of the Council as chairman;

7 (b) two members of the Council, not being members of the
8 Academic Board;

9 (c) two members of the Academic Board who are readers, but who
10 were not members of the Search Team, shall consider the candidates and
11 persons on the short list drawn up under subparagraph (2) of this paragraph
12 through an examination of their curriculum vitae and interaction with them,
13 and recommend to the Council suitable candidates for further consideration.

14 (4) The Council shall select three candidates from among the
15 candidates recommended to it under subparagraph (3) of this paragraph and
16 may indicate in order of preference stating the reasons therefore and forward
17 the names to the President.

18 (5) The President may appoint as Rector anyone of the candidates
19 recommended to him in accordance with the provisions of subparagraph (4)
20 of this paragraph.

21 (6) The Rector shall hold office for a single term of five years only
22 on such terms and conditions as may be specified in his letter of
23 appointment.

24 (7) The Rector may be removed from office by the Visitor after due
25 consultation with the Council and the Academic Board acting through the
26 Minister.

27 *Deputy Rector.*

28 3.-(1) There shall be for the Institute a Deputy Rector as the
29 Council may, from time to time, deem necessary for the proper
30 administration of the Institute;

1 (2) Where a vacancy occurs in the post of Deputy Rector, the Rector
2 shall forward to the Academic Board a list of two candidates for the post of
3 Deputy Rector that is vacant.

4 (3) The Academic Board shall select for the vacant post one candidate
5 from each of the list forwarded to it under subparagraph (2) of this paragraph
6 and forward his name to the Council for confirmation.

7 (4) A Deputy Rector shall-

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

9 (b) act in the place of the Rector when the post of the Rector is vacant
10 or if the Rector is for any reason, absent or unable to perform his function as
11 Rector and

12 (c) Perform such other functions as the Rector or the Council may,
13 from time to time assign to him.

14 (5) A Deputy Rector shall hold office for a period of two years
15 beginning from the effective date of his appointment and on such terms and
16 conditions as may be specified in his letter of appointment.

17 *Office of the Registrar*

18 4.-(1) There shall be for each the College a Registrar, who shall be the
19 chief administrative officer of the Institute and shall be responsible to the
20 Rector for the day-to-day administrative work of the Institute except as regards
21 matters for which the Bursar is responsible in accordance with paragraph 6 (2)
22 of this Schedule.

23 (2) The person holding the office of the Registrar shall by virtue of
24 that office be secretary to the Council, the Academic Board, Congregation and
25 Convocation.

26 5.-(1) There shall be for the Institute the following principal officers,
27 in addition to the Registrar, that is-

28 (a) the Bursar; and

29 (b) the College Librarian, who shall be appointed by the Council on

1 the recommendation of the Selection Board constituted under paragraph 8
2 of this Schedule.

3 (2) The Bursar shall be the chief financial officer of the Institute
4 and be responsible to the Rector for the day-to-day administration and
5 control of the financial affairs of the Institute.

6 (3) The Institute Librarian shall be responsible to the Rector for the
7 administration of the Institute library and the co-ordination of the library
8 services in the institute and its campuses, faculties, schools, departments,
9 and other teaching or research units.

10 (4) Any question as to the scope of the responsibilities of the
11 aforesaid officers shall be determined by the Rector.

12 *Selection Board for other Principal Officers*

13 6.-(1) There shall be, for the Institute, a Selection Board for the
14 appointment of principal officers, other than the Rector or Deputy Rector,
15 which shall consist of-

16 (a) the Chairman of the Governing Council;

17 (b) four members of the Council not being members of the
18 Academic Board; and

19 (c) two members of the Academic Board.

20 (2) The functions, procedure and other matters relating to the
21 Selection Board constitute under sub-paragraph (1) of this paragraph shall
22 be as the Council may, from time to time, determine.

23 (3) The Registrar, Bursar and Librarian shall hold office for a five
24 year period only and on such terms as to the emoluments of their offices and
25 otherwise as may be specified in their letters of appointment.

26 7.-(1) Any officer mentioned in the foregoing provisions of this
27 Schedule may resign his office-

28 (a) in the case of the Chairman Governing Council, by notice to the
29 President; and

30 (b) in any other case, by notice to the Council and the Council shall

1 immediately notify the Minister in the case of the Institute .

2 8.-(1) The composition of the Council shall be as provided in clause 7
3 of this Bill.

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

7 (3) A member of the Council holding office otherwise than in
8 pursuance of clause 7 (a), (b), (c) or (d) of this Bill shall, unless he previously
9 vacates, vacate that office on the expiration of the period of five years.

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

14 (5) A person ceasing to hold office as a member of the Council
15 otherwise than by removal for misconduct be eligible for re-appointment for
16 only one further period of five years.

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

19 (7) If the Chairman is not present at a meeting of the Council, such
20 other member of the Council present at the meeting as the Council may be
21 appointed in respect of that meeting, shall be the chairman at that meeting, and
22 subject to clauses 5 and 6 of this Bill and the foregoing provisions, the Council
23 may regulate its own procedure.

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

28 *The Finance and General Purposes Committee*

29 9.-(1) The Finance and General Purposes Committee of the Council
30 shall consist of-

1 (a) the Chairman of the Governing Council, who shall be the
2 chairman of the Committee at any meeting at which he is present;

3 (b) the Rector and Deputy Rector;

4 (c) six other members of the Council appointed by the Council, two
5 of whom shall be selected from among the three members of the Council
6 appointed by the Academic Board and one member appointed to the Council
7 by Congregation.

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

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

11 10.-(1) The Academic Board shall consist of-

12 (a) the Rector and Deputy Rector;

13 (b) the Heads of Academic departments;

14 (c) the Librarians;

15 (d) one member of not less than the rank of senior lecturer of the
16 Institute;

17 (e) four persons representing the Congregation.

18 (2) The shall be the Chairman at all meeting of the Academic Board
19 when he is present; and in his absence any of the Deputy Rector present at
20 the meeting as the Academic Board may appoint for that meeting shall be
21 chairman at the meeting.

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

25 (4) An elected member may, by notice to the Academic Board,
26 resign his office.

27 11.-(1) Congregation shall consist of-

28 (a) the Rector and the Deputy Rector;

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

30 (c) the Registrar;

1 (d) the Bursar;
2 (e) the Librarian;
3 (f) the Director of Works;
4 (g) the Director of Physical Planning;
5 (h) the Director of Academic Planning;
6 (i) the Director of Health Services; and
7 (j) every member of the administrative staff who holds a degree other
8 than an honorary degree of any University recognized for the purposes of this
9 regulation by the Rector.

10 (2) Subject to clauses 5 and 6 of the Bill, the Rector shall be the
11 Chairman at all meetings of Congregation when he is present; and in his
12 absence the Deputy Rector shall be the Chairman at the meeting.

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

16 (4) A certificate signed by the Rector specifying-

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

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

22 (5) The Congregation may regulate its own procedure.

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

28 12.-(1) Convocation shall consist of-

29 (a) the officers of the Institute mentioned in the Schedule to the Bill;

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

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

3 (2) A person shall be entitled to have his name registered as a
4 member of Convocation if

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

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

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

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

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

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

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

1 (8) Subject to clause 5 of this Bill, the Chairman shall be the Chairman
2 at all meetings of Convocation when he is present, and in his absence the
3 Director shall be the Chairman at the meeting.

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

7 *Appointments and Promotions Committee*

8 13.-(1) There shall be an Appointments and Promotions Committee
9 of the Council which shall ultimately be responsible for all appointments,
10 promotions and discipline of all categories of senior staff in the Institute under
11 the Chairmanship of the Rector.

12 (2) The Committee shall operate where necessary through the
13 Academic Board or Selection Board or Ad-hoc Committees and its
14 recommendations shall be subject to the approval of the Council.

15 *Head of Department*

16 14.-(1) The Head of a department shall be appointed by the Rector
17 and such Head shall hold office for a period of three years and shall be eligible
18 for re-appointment for another term of three years after which he may not be
19 appointed again until two years have elapsed.

20 (2) The Head of a department shall exercise general superintendence
21 over the academic and administrative affairs of the department.

22 *Creation of academic posts*

23 15. Recommendations for the creation of posts other than those
24 mentioned in article 10 of this regulation shall be made by Academic Board to
25 the Council through the Finance and General Purposes Committee.

26 *Appointment of Academic Staff*

27 16. Subject to this Bill and regulations deriving there from, the filling
28 of vacancies in academic posts (including newly created ones) shall be the
29 responsibility of the Appointments and Promotions Committee,
30 notwithstanding the fact that the Provost shall have the power to make

1 temporary appointments to academic and non-academic positions for a
2 period not exceeding twelve calendar months.

3 *Funding of the Institute*

4 17. Notwithstanding the provisions of the National Universities
5 Commission Act, the Institute shall receive funds directly from the Federal
6 Ministry of Water Resources Development and from other national and
7 international agencies.

EXPLANATORY MEMORANDUM

This Bill seeks to establish Federal Institute for Diving Technology, Anaku, Ayamelum, Anambra State charged with responsibility to provide full-time courses in Deep Sea (Ocean) Diving Studies.

FEDERAL UNIVERSITY OF HEALTH SCIENCES, ILA-ORANGUN, OSUN
STATE (ESTABLISHMENT) BILL, 2022
ARRANGEMENT OF CLAUSE

Clause:

1. Establishment of the Federal University of Health Sciences, Ila-Orangun, Osun State
2. Objects of the University
3. Composition of the University
4. Powers of the University and their exercise
5. Functions of the Chancellor
6. Functions of the Pro-Chancellor
7. Establishment of the Council
8. Functions of the Council and its Finance and General Purposes Committee
9. Functions of the Senate
10. Functions of the Vice-Chancellor
11. Transfer of property to the University
12. Powers of the University to make statutes
13. Mode of exercising power to make statutes
14. Proof of statutes
15. The Visitor
16. Removal of certain members of Council
17. Removal and discipline of academic, administrative and professional staff
18. Procedures for staff discipline
19. Appointment of external examiners
20. Removal of examiners
21. Discipline of students
22. Exclusion of discrimination on account of race, religion
23. Restriction on disposal of land by University

- 24. Quorum and procedure of bodies established by this Act
- 25. Appointment of committees
- 26. Retiring age of academic staff of the University
- 27. Special provisions relating to pension of professors
- 28. Miscellaneous administrative provisions
- 39. Interpretation
- 30. Interpretation
- 31. Citation
- Schedules

FOR

AN ACT TO ESTABLISH THE FEDERAL UNIVERSITY OF HEALTH SCIENCES,
ILA-ORANGUN, OSUN STATE AS A TRAINING INSTITUTION FOR THE
DEVELOPMENT OF MEDICAL AND HEALTH SCIENCES AND MAKE
COMPREHENSIVE PROVISIONS FOR THE MANAGEMENT AND
ADMINISTRATION OF THE UNIVERSITY; AND FOR RELATED MATTERS

[] Commencement

Establishment
of the Federal
University of
Health Sciences,
Ila-Orangun,
Osun State

Objects of the University

(b) develop and offer academic and professional programs leading to the award of diplomas, first degrees, postgraduate research and higher degrees with emphasis on planning, adaptive, technical, maintenance, developmental and productive skills in the field of medicine, biomedical engineering, scientific, and allied professional disciplines relating to health resources with the aim of producing socially mature persons with capacity

1 not only to understand, use and adapt existing technologies in the health
2 industry, but also to improve on those disciplines, develop new ones, and
3 contribute to the scientific transformation of medical and other health practices
4 in Nigeria;

5 (c) act as agents and catalysts, through postgraduate training, research
6 and innovation for the effective and economic utilisation, exploitation and
7 conservation of Nigeria's natural, economic and human resources;

8 (d) offer to the general population, as a form of public service, the
9 results of training and research in medicine and allied disciplines and to foster
10 the practical application of those results;

11 (e) establish appropriate relationships with other national institutions
12 involved in training, research and development of healthcare;

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

15 (g) provide and promote sound basic scientific training as a
16 foundation for the development of medicine and allied disciplines, taking into
17 account indigenous culture, the need to enhance national unity, the need to
18 vastly increase the practical content of student training, and adequate
19 preparation of graduates for self-employment in medicine and allied
20 professions;

21 (h) promote and emphasise teaching, research and extension of health
22 knowledge, including health extension services and outreach programs, in-
23 service training, continuing education, and adaptive research;

24 (i) offer academic programs in relation to the training of manpower
25 for medicine and allied profession in Nigeria;

26 (j) organise research relevant to training of manpower and health
27 technology;

28 (k) organise extension services and outreach programs for technology
29 transfer;

30 (l) establish institutional linkages in order to foster collaboration and

- 1 integration of training, research, and extension activities; and
- 2 (m) undertake any other activities appropriate for a university of
- 3 health sciences.
- 4 (2) The University has the mandate to-
- 5 (a) teach and train high caliber health-care professionals;
- 6 (b) provide healthcare services and consultancy;
- 7 (c) conduct research and participate in extension, outreach and
- 8 community services;
- 9 (d) operate various schools and specialties that offer exemplary
- 10 training and quality research in health care;
- 11 (e) facilitate the acquisition of knowledge and skills in different
- 12 specialties for effective and efficient management of health care;
- 13 (f) provide solution to the lack and the inequitable distribution of
- 14 health professionals serving rural communities;
- 15 (g) train clinically, competent and socially conscious health
- 16 workers who will stay and serve in depressed and undeserved communities
- 17 especially in the rural areas of Nigeria;
- 18 (h) develop a training model for the training of community
- 19 oriented health workers that could be replicated in other areas of Nigeria;
- 20 (i) facilitate collaboration and enhancement of health sciences
- 21 research and education endeavors;
- 22 (j) advance the national and international reputation as the premier
- 23 university for health sciences education and research in Nigeria;
- 24 (k) advise and report regularly to the Federal Ministry responsible
- 25 for education on all matters relevant to the health sciences sector and its
- 26 education and research programs;
- 27 (l) work collectively on common health academic issues and their
- 28 implementation;
- 29 (m) provide management support for education and research
- 30 across the health sciences sector;

	1	(n) promote inter-professional education across all health
	2	professional programs and optimise the resources to do so; and
	3	(o) ensure that the health sciences sector is adequately and
	4	appropriately represented at all levels of University governance.?
Composition of the University	5	3.-(1) The University shall consist of-
	6	(a) Chancellor;
	7	(b) Pro-Chancellor and a Council;
	8	(c) Vice-Chancellor and a Senate;
	9	(d) Deputy Vice-Chancellors;
	10	(e) Congregation;
	11	(f) Convocation;
	12	(g) campuses and colleges of the University;
	13	(h) schools, institutes and other teaching and research units;
First Schedule	14	(i) persons holding the offices constituted by the First Schedule to this
	15	Act other than those mentioned in paragraph (a)-(d);
	16	(j) all graduates and undergraduates of the University; and
	17	(k) all other persons who are members of the University in accordance
	18	with provisions made by statute in that behalf.
First Schedule	19	(2) The First Schedule to this Act shall have effect with respect to the
	20	principal officers of the University.
	21	(3) Subject to section 6 of this Act, provisions shall be made by statute
	22	with respect to the constitution of the Council, Senate, Congregation and
	23	Convocation.
Powers of the University and their exercise	24	4.-(1) In the carrying out the objects as specified in section 2 of this
	25	Act, the University shall have power to-
	26	(a) establish such campuses, colleges, institutes, schools, extra-mural
	27	departments and other teaching and research units within the University as may
	28	be deemed necessary or desirable, subject to the approval of the National
	29	Universities Commission;
	30	(b) institute professorships, readerships or associate professorships,

- 1 and other posts and offices and to make appointments thereto;
- 2 (c) institute and award fellowships, scholarships, exhibitions,
3 bursaries, medals, prizes and other titles, distinctions, awards and other
4 forms of assistance;
- 5 (d) provide for the discipline and welfare of members of the
6 University;
- 7 (e) hold examinations and grant degrees, diplomas, certificates and
8 other distinctions to persons who have pursued a course of study approved
9 by the University and have satisfied such other requirements as the
10 University may lay down;
- 11 (f) grant honorary degrees, fellowships or academic titles;
- 12 (g) demand and receive from any student or any other person
13 attending the University for the purpose of instruction such fees as the
14 University may determine subject to the overall directives of the Minister;
- 15 (h) subject to section 23 of this Act, to acquire, hold, grant, charge
16 or otherwise deal with or dispose of movable and immovable property
17 wherever situate;
- 18 (i) accept gifts, legacies and donations, but without obligation to
19 accept the same for a particular purpose unless it approves the terms and
20 conditions attaching thereto;
- 21 (j) enter into contracts, establish trusts, act as trustee, solely or
22 jointly with any other person, and employ and act through agents;
- 23 (k) erect, provide, equip and maintain libraries, laboratories,
24 lecture halls, halls of residence, refectories, sports grounds, playing fields
25 and other buildings or things necessary or suitable or convenient for any of
26 the objects of the University;
- 27 (l) hold public lectures and to undertake printing, publishing and
28 book-selling;
- 29 (m) subject to any limitations on conditions imposed by statute, to
30 invest any money appertaining to the University by way of endowment, not

1 being immediately required for current expenditure, in any investments or
2 securities or the purchase or improvement of land, with power to vary any such
3 investments and to deposit any money for the time being not invested with any
4 bank on deposit or current account;

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

9 (o) do anything which it is authorised or required by this Act or Statute
10 to do; and

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

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

17 (3) The power of the University to establish further campuses and
18 colleges within the University shall be exercisable by statute and not
19 otherwise.

Functions of the
Chancellor

20 **5.-(1)** The Chancellor shall, in relation to the University, take
21 precedence before all other members of the University and when he is present
22 shall preside at all meetings of Convocation held for conferring degree
23 certificates and other awards of the University.

24 (2) Every proposal to confer an honorary degree shall be subject to the
25 confirmation of the Chancellor.

26 (3) The Chancellor shall exercise such other powers and perform such
27 other duties as may be conferred or imposed on him by this Act.

Functions of the
Pro-Chancellor

28 **6.-(1)** The Pro-Chancellor shall, in relation to the University, take
29 precedence before all other members of the University, except the Chancellor
30 and Vice-Chancellor when acting as Chairman of Congregation or

1 Convocation and the Pro-Chancellor shall, when he is present, be the
2 Chairman at all meetings of the Council.

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

6 7. There is established for the University a Governing Council (in Establishment
7 this Act referred to as "the Council") which shall consist of- of the Council

8 (a) the Pro-Chancellor;

9 (b) the Vice-Chancellor;

10 (c) the Deputy Vice-Chancellors;

11 (d) one person from the Federal Ministry responsible for
12 education;

13 (e) four persons representing a variety of interests and broadly
14 representative of the whole Federation to be appointed by the President;

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

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

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

20 8.-(1) Subject to the provisions of this Act relating to the Visitor, Functions of the
21 the Council shall be the governing body of the University and shall be Council and its
22 charged with the general control and superintendence of the policy, finance Finance and
23 and property of the University. General Purposes
Committee

24 (2) There shall be a committee of the Council to be known as the
25 Finance and General Purposes Committee, which shall, subject to the
26 directions of the Council, exercise control over the property and expenditure
27 of the University and perform such other functions of the Council as the
28 Council may delegate to it.

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

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

6 (5) Subject to provisions of this Act, the Council and the Finance and
7 General Purposes Committee may each make rules for regulating their own
8 procedure.

9 (6) Rules made under subsection (5) by the Finance and General
10 Purposes Committee shall not come into force unless approved by the Council
11 and where rules made by that Committee conflict with any directions given by
12 the Council, whether before or after the coming into force of the rules in
13 question, the direction of the Council shall prevail.

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

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

21 (9) If requested in writing by any five members of the Council the
22 Chairman shall within 28 days after the receipt of such request call a meeting of
23 the Council.

24 (10) Any request made under subsection (9) shall specify the business
25 to be considered at the meeting and a business not so specified shall not be
26 transacted at the meeting.

Functions of
the Senate

27 **9.-(1)** Subject to section 8 of this Act and subsections (3) and (4) and
28 to the provisions of this Act relating to the Visitor, it shall be the general
29 function of the Senate to organise and control the teaching by the University,
30 the admission, (where no other enactment provides to the contrary, of students)

1 and the discipline of students, and to promote research at the University.

2 (2) Without prejudice to the generality of subsection (1), it shall be
3 the function of the Senate to make provision for-

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

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

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

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

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

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

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

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

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

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

1 authorised or required by this Act or Statute.

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

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

Functions of the
Vice-Chancellor

13 **10.**-(1) The Vice-Chancellor shall, in relation to the University, take
14 precedence before all other members of the University, except the Chancellor,
15 and any other person for the time being acting as Chairman of the Council.

16 (2) Subject to sections 8, 9, and 16 of this Act, the Vice-Chancellor
17 shall have the general function, in addition to any other functions conferred on
18 him by this Act or otherwise, of directing the activities of the University and
19 shall be the chief executive and academic officer of the University and ex-
20 officio chairman of the Senate.

Transfer of property
to the University t

21 **11.**-(1) All property held by or on behalf of the University shall, by
22 virtue of this subsection and without further assurance, vest in the University
23 and be held by it for the purposes of the University.

24 (2) Subject to the provisions of subsection (1), all property held on
25 behalf of the University is transferred to the University established under this
26 Act.

Second Schedule

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

1	12. -(1) Subject to this Act, the University may make statutes for-	Power of the University to make statutes
2	(a) making provision with respect to the composition and	
3	constitution of any authority of the University;	
4	(b) specifying and regulating the powers and duties of any	
5	authority of the University and regulating any other matter connected with	
6	the University or any of its authorities;	
7	(c) regulating the admission of students, where no other enactment	
8	provides to the contrary, and their discipline and welfare;	
9	(d) determining whether any particular matter is to be treated as an	
10	academic or non-academic matter for the purposes of this Act and of any	
11	statute, regulation or other instrument made there under; and	
12	(e) making provision for any other matter for which provision by	
13	statute is authorised or required by this Act.	
14	(2) Subject to section 14 of this Act, the Interpretation Act shall	
15	apply in relation to any statute made under this section as it applies to a	
16	subsidiary instrument within the meaning of section 29 (1) of that Act.	
17	(3) The Statute contained in the Third Schedule to this Act shall be	Third Schedule
18	deemed to have come into force on the commencement of this Act and shall	
19	be deemed to have been made under this section by the University.	
20	(4) The power to make statutes conferred by this section shall not	Third Schedule
21	be prejudiced or limited in any way by reason of the inclusion or omission of	
22	any matter in or from the Statute contained in the Third Schedule to this Act	
23	or any subsequent statute.	
24	13. -(1) The power of the University to make statutes shall be	Mode of exercising power to make statutes
25	exercised in accordance with the provisions of this section and not	
26	otherwise.	
27	(2) A proposed statute shall not become law unless it has been	
28	approved -	
29	(a) at a meeting of the Senate, by the votes of not less than two	
30	thirds of the members present and voting; and	

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

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

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

10 (5) For the purposes of section 1 (2) of the Interpretation Act, a statute
11 shall be treated as being made on the date on which it is duly approved by the
12 Council after having been approved by the Senate, as the case may be or, in the
13 case of a statute falling within subsection (4), on the date on which it is
14 approved by the President.

15 (6) In the event of any doubt or dispute arising at any time-

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

17 (b) as to whether any matter is for the purpose of this Act an academic
18 matter as they relate to such doubt or dispute,
19 the matter may be referred to the Visitor, who shall take such advice and make
20 such decision therein as he shall think fit.

21 (7) The decision of the Visitor on any matter referred to him under
22 subsection (6) shall be final and binding upon the authorities, staff and students
23 of the University.

Cap. C23, LFN,
2004

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

Proof of statutes

28 **14.** A statute may be proved in any court by the production of a copy
29 thereto bearing or affixed to it a certificate purporting to be signed by the Vice-
30 Chancellor or the Secretary to the Council to the effect that the copy is a true

1 copy of a statute of the University.

2 **15.**-(1) The President shall be the Visitor of the University. The Visitor

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

7 (3) The bodies and persons comprising the University shall make
8 available to the Visitor and to any other person conducting a visitation under
9 this section, such facilities and assistance as he or they may reasonably
10 require for the purposes of a visitation.

11 **16.**-(1) If it appears to the Council that a member of the Council, Removal of certain
members of Council
12 other than the Pro- Chancellor or the Vice-Chancellor, should be removed
13 from office on the ground of misconduct or inability to perform the
14 functions of his office or employment, the Council shall make a
15 recommendation to that effect through the Minister to the President after
16 making such enquiry, if any, as may be considered appropriate, and if the
17 President approves the recommendation he may direct the removal of the
18 person in question from office.

19 (2) The Minister shall cause a copy of the instrument embodying a
20 direction under subsection (1) to be served immediately on the person to
21 whom it relates.

22 **17.**-(1) If it appears to the Council that there are reasons for Removal and
discipline of
academic,
administrative
and professional
staff
23 believing that any person employed as a member of the academic,
24 administrative or professional staff of the University, other than Vice-
25 Chancellor, should be removed from his office or employment on the
26 ground of misconduct or of inability to perform the functions of his office or
27 employment, the Council shall -

28 (a) give notice of those reasons to the person in question, afford
29 him an opportunity of making representations in person on the matter,

30 (b) appoint a Staff Disciplinary Committee, and

1 (c) if the Council, after considering the report of the Staff Disciplinary
2 Committee, is satisfied that the person in question should be removed,
3 the Council may so remove him by an instrument in writing signed on the
4 directions of the Council.

5 (2) The Vice-Chancellor may, in case of misconduct by a member of
6 staff, which in the opinion of the Vice-Chancellor is prejudicial to the interests
7 of the University, suspend such member and any such suspension shall
8 immediately be reported to the Council.

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

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

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

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

21 (d) conduct which the Council considers to be such as to constitute
22 failure or in ability of the person concerned to discharge the functions of his
23 office or to comply with terms and conditions of his service; or

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

27 (4) Any person suspended under subsections (2) or (3) shall be on half
28 pay and the Council shall before the expiration of a period of three months after
29 the date of such suspension consider the case against that person and come to a
30 decision as whether to-

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

3 (b) re-instate such person in which case the Council shall restore
4 his full emoluments with effect from the date of suspension; or

5 (c) terminate the appointment of the person concerned in which
6 case such person shall not be entitled to the proportion of his emoluments
7 withheld during the period of suspension; or

8 (d) take such lesser disciplinary action against such person,
9 including the restoration of such proportion of his emoluments as might
10 have been withheld, as the Council may determine.

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

16 (6) The person by whom an instrument of removal is signed under
17 subsection (1) shall cause a copy of the instrument to be served immediately
18 on the person to whom it relates.

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

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

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

24 **18.-(1)** The Vice-Chancellor or Senate shall constitute an
25 Investigation Panel to determine whether or not a prima facie case has been
26 established against any member of staff.

Procedures for
staff discipline

27 (2) The Investigation Panel shall include the president or the
28 chairman of the union to which the staff being investigated belongs.

29 (3) The Vice-Chancellor shall constitute a Staff Disciplinary
30 Committee, which shall consist of such members of the Senate as he may

	1	determine, to consider the report of the Investigating Panel.
	2	(4) The report and recommendation of the Staff Disciplinary
	3	Committee shall be forwarded to the Council for consideration and decision.
Appointment of external examiners	4	19. Subject to the regulations made under this Act, the Vice-
	5	Chancellor may on the recommendation of the Senate, appoint an appropriate
	6	person as external examiner.
Removal of examiners	7	20. -(1) If on the recommendation of the Senate, it appears to the Vice-
	8	Chancellor that a person appointed as an examiner for any examination of the
	9	University ought to be re-moved from office or appointment, then except in
	10	such cases as may be prescribed, the Vice-Chancellor may, after affording the
	11	examiner an opportunity of making representations in person on the matter to
	12	the Vice-Chancellor, remove the examiner from the office or appointment by
	13	an instrument in writing signed by the Vice-Chancellor.
	14	(2) Subject to the provisions of regulations made under section 9 (5)
	15	of this Act, the Vice-Chancellor may, on the recommendation of the Senate,
	16	appoint an appropriate person as examiner in place of the examiner removed
	17	under subsection (1).
	18	(3) The Vice-Chancellor shall sign an instrument of removal under
	19	this section and cause a copy of this instrument to be served immediately on the
	20	person to whom it relates.
Discipline of students	21	21. -(1) Subject to the provisions of this section, where it appears to
	22	the Vice-Chancellor that any student of the University has been guilty of
	23	misconduct, the Vice-Chancellor may, in consultation with the Senate and,
	24	without prejudice to any other disciplinary power conferred on him by statutes
	25	or regulations, direct that-
	26	(a) the student shall not, during such period as may be specified in the
	27	direction, participate in such activities of the University, or make use of such
	28	facilities of the University, as may be so specified;
	29	(b) the activities of the student shall, during such period as may be
	30	specified in the direction, be restricted in such manner as may be so specified;

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

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

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

10 (3) The fact that an appeal from a direction is brought under
11 subsection (2) shall not affect the operation of the direction while the appeal
12 is pending.

13 (4) The Vice-Chancellor may delegate his powers under this
14 section to a disciplinary committee consisting of such members of the
15 university as he may appoint.

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

19 (6) Without prejudice to the provision of subsection (1), nothing
20 shall prevent the Vice-Chancellor from taking an immediate disciplinary
21 action against a student where he deems fit, and report thereafter to the
22 Senate.

23 (7) A direction under subsection (1) (a) may be combined with a
24 direction under subsection (1) (b).

25 (8) No staff or student shall resort to a law court without proof of
26 having exhausted the avenues for settling disputes, grievances or seeking
27 redress.

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

Cap. C23, LFN, 2004	1	(10) Nothing in this subsection shall affect any power of a court of
	2	competent jurisdiction to enforce the fundamental right of any aggrieved
	3	citizen as enshrined in the Constitution of the Federal Republic of Nigeria,
	4	1999.
Exclusion of discrimination on account of race, religion	5	22. -(1) No person shall be required to satisfy the requirements as to
	6	race, including ethnic grounding, sex, place of birth, family origin, religious or
	7	political persuasion, as a condition of becoming or continuing to be a student at
	8	the University, the holder of any degree of the University or of any appointment
	9	or employment at the University or a member of anybody established by virtue
	10	of this Act, and no person shall be subjected to any disadvantage or accorded
	11	any advantage in relation to the University, by reference to any of those
	12	matters.
	13	(2) Nothing in subsection (1) shall be construed as preventing the
	14	University from imposing any disability or restriction on a person where such
	15	person willfully refuses or fails on grounds of religious belief to undertake any
	16	duty generally and uniformly imposed on all such persons or any group of them
	17	which duty, having regard to its nature and the special circumstance, is in the
	18	opinion of the University reasonably justifiable in the national interest.
Restriction on disposal of land by University	19	23. Without prejudice to the provisions of the Land Use Act, the
	20	University shall not dispose of or charge any land or an interest in any land,
	21	including any land transferred to the University by this Act, except with the
	22	prior written consent either general or special, of the President:
Cap. L5, LFN, 2004	23	Provided that such consent shall not be required in the case of any
	24	lease or tenancy at a rack-rent for a term not exceeding 21 years or lease or
	25	tenancy to a member of the University for residential purposes.
Quorum and procedure of bodies established by this Act	26	24. Except as may be provided by statutes or regulations, the quorum
	27	and procedure of any body of persons established by this Act shall be as
	28	determined by that body.
Appointment of committees	29	25. -(1) A body of persons established by this Act shall, without
	30	prejudice to the generality of the powers of that body, have power to appoint

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

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

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

7 (2) Two or more bodies may arrange for the holding of joint
8 meetings of those bodies or for the appointment of committees consisting of
9 members of those bodies or any of them and either of dealing with it or of
10 reporting on it to those bodies or any of them.

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

15 (4) Nothing in the provisions of this section shall be construed as
16 enabling-

17 (a) statutes to be made otherwise than in accordance with section
18 13 of this Act; or

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

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

27 **26.-(1)** Notwithstanding anything to the contrary in the Pension
28 Reform Act, the compulsory retirement age of an academic staff of a
29 University shall be 65 years except for those in the professorial cadre which
30 is 70 years.

Retiring age of
academic staff
of the University

Act No. 4, 2014	1	(2) A law or rule requiring a person to retire from the public service of
	2	the Federation after serving for 35 years shall not apply to an academic staff of
	3	the University.
Special provisions relating to pension of Professors	4	27. -(1) A person who retires as a professor having served as an
	5	academic staff in a recognised University shall be entitled to pension at a rate
	6	equivalent to his annual salary provided that the professor has served
	7	continuously in a recognized University up to retirement age.
	8	(2) Notwithstanding subsection (1), where the professor has not
	9	served up to retirement age he shall be entitled to the rate of pension mentioned
	10	under subsection (1) provided that he has served a minimum of 20 years as
	11	professor in a recognised University.
	12	(3) Where an academic joins the University as a professor, such a
	13	professor shall have served continuously for at least 20 years in a recognised
	14	University.
Miscellaneous administrative provisions	15	28. -(1) The seal of the University shall be such as may be determined
	16	by the Council and approved by the Chancellor, and the affixing of the seal
	17	shall be authenticated by any member of the Council and by the Vice-
	18	Chancellor, Secretary to the Council or any other person authorised by statute.
	19	(2) Any document purporting to be a document executed under the
	20	seal of the University shall be received in evidence and shall, unless the
	21	contrary is proved, be presumed to be so executed.
	22	(3) Any contract or instrument which if made or executed by a person
	23	not being a body corporate would not be required to be under seal, may be made
	24	or executed on behalf of the University by any person generally or specially
	25	authorised to do so by the Council.
	26	(4) The validity of proceedings of anybody established under this Act
	27	shall not be affected by any vacancy in the membership of the body, or by any
	28	defect in the appointment of a member of the body or by reason that any person
	29	not entitled to do so took part in the proceeding.
	30	(5) Any member of a body who has a personal interest in any matter

1 proposed to be considered by that body shall immediately disclose his
2 interest to the body and shall not vote on any question relating to that matter.

3 (6) Nothing in section 12 of the Interpretation Act, which provides Cap. 123, LFN,
4 for the application in relation to subordinate legislation of certain incidental 2004
5 provisions, shall apply to statutes or regulations made under this Act.

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

12 (8) No stamp or other duty shall be payable in respect of any
13 transfer of property to the University by virtue of the provisions of this Act.

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

17 **39.** It is hereby declared that where in any provisions of this Act it is Proposal and
18 laid down that proposals are to be submitted or a recommendation is to be recommendation
19 made by one authority to another through one or more intermediate
20 authorities, and every such intermediate authority shall forward any
21 proposals or recommendations received by it under that provision to the
22 appropriate authority, but any such intermediate authority may, if it thinks
23 fit, forward its own comments thereon.

24 **30.** In this Bill- Interpretation
25 "campus" means any campus which may be established by the University;
26 "college" means any college which may be established by the University;
27 "Council" means the Council established by this Act for the University;
28 "graduate" means a person on whom a degree, other than an honorary
29 degree, has been conferred by the University;
30 "Minister" means the Minister charged with responsibility for education;

1 "notice" means notice in writing;
2 "officer" does not include the Visitor;
3 "prescribed" means prescribed by statutes or regulations;
4 "professor" means a person designated as a professor of the University in
5 accordance with provisions made in that behalf by statute or regulations;
6 "property" includes rights, liabilities and obligations;
7 "regulations" means regulations made by the Senate or the Council;
8 "Senate" means the Senate of the University established under section 3 (1) (c)
9 of this Act;
10 "statute" means a statute made by the University under section 12 of this Act
11 and in accordance with the provisions of section 13 of this Act; and
12 "the statutes" means all such statutes as are in force;
13 "teacher" means a person holding a full-time appointment as a member of the
14 teaching or research staff of the University;
15 "undergraduate" means a person in statu pupillari at the University other than-
16 (a) a graduate; and
17 (b) a person of such description as may be prescribed for the purposes
18 of this definition;
19 "University" means Federal University of Health Sciences, Ila-Orangun, Osun
20 State; and
21 "Visitor" means the President of the Federal Republic of Nigeria;
22 **31.** This Bill may be cited as the Federal University of Health
23 Sciences, Ila-Orangun, Osun State (Establishment) Bill, 2022.

Citation

1 SCHEDULES

2 FIRST SCHEDULE

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

4 PRINCIPAL OFFICERS OF THE UNIVERSITY

5 *The Chancellor*

6 1.-(1) The Chancellor shall be appointed by the President of
7 Nigeria.

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

9 (3) If it appears to the Visitor that the Chancellor should be
10 removed from office on the ground of misconduct or inability to perform the
11 functions of his office, the Visitor may by notice in the Federal Government
12 Gazette remove the Chancellor from office.

13 *The Pro-Chancellor*

14 2.-(1) The Pro-Chancellor shall be appointed or removed from
15 office by the President.

16 (2) Subject to the provisions of this Act, the Pro-Chancellor shall
17 hold office for a period of four years beginning with the date of his
18 appointment.

19 *The Vice-Chancellor*

20 3.-(1) There shall be a Vice-Chancellor of the University who shall
21 be appointed by the President in accordance with the provisions of this
22 paragraph.

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

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

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

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

29 and thereafter draw up a short list of suitable candidates for the post for
30 consideration; and

1 (b) constitute a search team consisting of-

2 (i) a member of the Council, who is not a member of the Senate, as

3 Chairman,

4 (ii) two members of the Senate who are not members of the Council,

5 one of whom shall be a professor, and

6 (iii) two members of Congregation who are not members of the

7 Council, one of whom shall be a professor,

8 to identify and nominate for consideration, suitable persons who are not likely

9 to apply for the post on their own volition because they feel that it is not proper

10 to do so.

11 (3) A Joint Council and Senate Selection Board consisting of-

12 (a) the Pro-Chancellor, as Chairman,

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

14 and

15 (c) two members of the Senate who are professors, but who were not

16 members of the Search Team,

17 shall consider the candidates and persons on the short list drawn up under

18 subparagraph (2) through an examination of their curriculum vitae and

19 interaction with them, and recommend to the Council suitable candidates for

20 further consideration.

21 (4) The Council shall select and appoint as Vice-Chancellor one from

22 among the candidates recommended to it under subparagraph (3) and informed

23 the visitors.

24 (5) The Vice-Chancellor shall hold office for a single term of five

25 years only on such terms and conditions as may be specified in his letter of

26 appointment.

27 (6) The Vice-Chancellor shall be removed from office by the Council

28 on the ground of gross misconduct or inability to perform the functions of his

29 office as result of the infirmity of the body or mind at the initiative of the

30 Council, Senate or Congregation after due process.

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

4 (a) three members of council of whom one shall be Chairman of the
5 Committee; and

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

9 (8) The Committee shall conduct investigation into the allegations
10 made against the Vice-Chancellor and shall report its findings to the
11 Council.

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

16 Deputy Vice-Chancellors

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

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

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

26 (4) A Deputy Vice-Chancellor shall-

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

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

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

3 (5) A Deputy Vice-Chancellor-

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

7 (b) may be re-appointed for one further period of two years and no
8 more.

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

11 (7) Good cause for the purpose of the inability of this subparagraph
12 means gross misconduct or the inability to discharge the functions of his office
13 arising from infirmity of the body or mind.

14 *Office of the Registrar*

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

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

23 *Other principal officers of the University*

24 6.-(1) There shall, in addition to the Registrar, be other principal
25 officers-

26 (a) the Bursar, and

27 (b) the Librarian,

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

30 (2) The Bursar shall be the chief financial officer of the University and

1 be responsible to the Vice-Chancellor for the administration and control of
2 the financial affairs of the University.

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

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

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

13 (6) Notwithstanding subparagraph (5), the Council may, upon
14 satisfactory performance, extend the tenure of the Registrar, Bursar or
15 Librarian for a further term of one year only and the Registrar, Bursar or
16 Librarian shall relinquish his post and be assigned to other duties in the
17 university.

18 *Selection Board for other Principal Officers*

19 7.-(1) There shall be, for the University, a Selection Board for the
20 appointment of principal officers, other than the Vice-Chancellor or Deputy
21 Vice-Chancellor, which shall consist of-

- 22 (a) the Pro-Chancellor, as Chairman;
23 (b) the Vice-Chancellor;
24 (c) four members of the Council not being members of the Senate;
25 and
26 (d) two members of the Senate.

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

30 (3) The Registrar, Bursar and Librarian shall hold office for such

1 period and on such terms as to the emoluments of their offices and otherwise as
2 may be specified in their letters of appointment.

3 *Resignation and re-appointment*

4 8.-(1) Any officer mentioned in the provisions of this Schedule may
5 resign his office-

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

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

9 (2) Subject to paragraphs 4 and 5, a person who has ceased to hold an
10 office so mentioned otherwise than by removal for misconduct shall be eligible
11 for re- appointment to that office.

12 **SECOND SCHEDULE**

13 *Section 11(3)*

14 **TRANSITIONAL PROVISIONS AS TO PROPERTY OF THE UNIVERSITY**

15 *Transfer of Property to the University*

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

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

21 (b) all outstanding debts and liabilities of the Provisional Council
22 shall become debts and liabilities of the University established by this Act.

23 2.-(1) All agreements, contracts, deeds and other instruments to
24 which the provisional Council was a party shall, if possible and subject to any
25 necessary modifications, have effect as if the University established by this Act
26 had been a party to it in place of the provisional Council.

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

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

1 or against the provisional Council may be continued by or against the
2 University established by this Act.

3 *Registration of Transfers*

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

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

13 4.-(1) The first meeting of the Council shall be convened by the
14 Pro-Chancellor on such date and in such manner as he may determine.

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

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

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

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

30 (6) Persons who were deans or associate deans of faculties or

1 members of faculty boards shall continue to be deans or associate deans or
2 become members of the corresponding faculty boards, until new appointment
3 are made under the Statutes under this Act.

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

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

11 **THIRD SCHEDULE**

12 *Section 12 (3), (5) and 28 (7)*

13

14 **FEDERAL UNIVERSITY OF HEALTH SCIENCES, ILA-ORANGUN, OSUN STATE**

15 **STATUTE NO. 1**

16 **ARRANGEMENT OF ARTICLES**

17 *Articles:*

- 18 1. The Council
- 19 2. The Finance and General Purposes Committee
- 20 3. The Senate
- 21 4. The Congregation
- 22 5. Convocation
- 23 6. Division of Colleges
- 24 7. College Boards
- 25 8. Appointment and Promotion Committee
- 26 9. Dean of the College
- 27 10. Deputy Dean of the College
- 28 11. Director of Institute or Centre
- 29 12. Head of Department
- 30 13. Creation of academic posts

1 14 Appointment of academic staff

2 15. Appointment of administrative and technical staff

3 13. Interpretation

4 14. Citation

5 *The Council*

6 1.- (1) The composition of the Council shall be as provided in
7 section 8 of this Act.

8 (2) Any member of the Council holding office otherwise than
9 under section 7 (a), (b), (c) or (d) of this Act may, by notice to the Council,
10 resign his office.

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

15 (4) Where a member of the Council holding office otherwise than
16 under section 6 (a), (b), (c) or (d) of this Act vacates before the expiration of
17 the period, the body or person by whom he was appointed may appoint a
18 successor to hold office for the residue of the term of his predecessor.

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

22 (6) The quorum of the Council shall be five, at least one of whom
23 shall be a member appointed under section 7 (d), (e), or (h) of this Act.

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

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

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

3 *The Finance and General Purposes Committee*

4 2.-(1) The Finance and General Purposes Committee of the Council
5 shall consist of-

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

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

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

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

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

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

19 *The Senate*

20 3.-(1) The Senate shall consist of-

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

22 (b) the Deputy Vice-Chancellors;

23 (c) all Professors of the University;

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

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

28 (f) University Librarian;

29 (2) The Vice-Chancellor shall be the Chairman at all meetings of the
30 Senate when he is present, and in his absence any of the Deputy Vice-

1 Chancellors present at the meeting as the Senate may appoint for that
2 meeting shall be Chairman at the meeting.

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

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

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

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

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

24 (8) A person shall not be precluded from continuing in or taking
25 office as an elected member by reason only of a reduction in the total of non-
26 elected members occurring on or after 30 April in any year in which he is to
27 continue in or take office as an elected member.

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

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

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

6 *Congregation*

7 4.- (1) Congregation shall consist of-

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

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

10 (c) the Registrar;

11 (d) the Bursar;

12 (e) the Librarian;

13 (f) the Director of Works;

14 (g) the Director of Academic Planning;

15 (h) the Director of Physical Planning;

16 (i) the Director of Health Services; and

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

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

25 (3) The quorum of Congregation shall be one third, or the whole
26 number nearest to one third, of the total numbers of Congregation or 50,
27 whichever is less.

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

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

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

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

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

12 *Convocation*

13 5.-(1) Convocation shall consist of-

14 (a) the officers of the University mentioned in the First Schedule to
15 the Act;

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

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

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

(a) is either a graduate of the University or satisfy requirements as
may be prescribed for the purpose of this paragraph; and

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

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

(4) The person responsible for maintaining the register shall, without the payment of any fees, ensure that the names of all persons who

1 are for the time being members of Convocation by virtue of subarticle (1) (a) or
2 (b) are entered and retained on the register.

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

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

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

14 (8) Subject to section 5 of this Act, the Chancellor shall be the
15 Chairman at all meetings of Convocation when he is present, and in his absence
16 the Vice-Chancellor shall be the Chairman at the meeting.

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

20 *Division of colleges*

21 6. Each college shall be divided into such number of branches as may
22 be prescribed.

23 *College Boards*

24 7.-(1) There shall be established in respect of each college a College
25 Board, which, subject to provisions of this Statute, and subject to the directions
26 of the Vice-Chancellor, shall-

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

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

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

3 (2) Each College Board shall consist of-

4 (a) the Vice-Chancellor;

5 (b) the Deputy Vice-Chancellor;

6 (c) the Dean;

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

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

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

13 (3) The quorum of the Board shall be six members or one quarter,
14 whichever is greater, of the members for the time being of the Board; and
15 subject to the provisions of this Statute.

16 *Appointments and Promotions Committee*

17 8.-(1) There shall be an Appointments and Promotions Committee
18 of the Council which shall ultimately be responsible for all appointments,
19 promotions and discipline of all categories of senior staff in the University,
20 under the chairmanship of the Vice-Chancellor.

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

24 *Dean of college*

25 9.-(1) The Dean of a college shall be a professor appointed by the
26 Appointments and Pro- motions Committee and such Dean shall hold office
27 for a term of three years, and shall be eligible for re-appointment for another
28 term of three years after which he may not be re- appointed again until two
29 years have elapsed.

30 (2) The Dean shall be the Chairman at all meetings of the College

1 Board when he is pre- sent and shall be a member of all committees and other
2 boards appointed by the College.

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

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

12 *Deputy Dean of college*

13 10.-(1) There shall be a Deputy Dean of college who shall be
14 appointed by the Senate on the recommendation of the Dean.

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

18 *Director of Institute or Centre*

19 11.-(1) The Director of an Institute or a Centre shall be appointed by
20 the Appointments and Promotions Committee for academic staff, and such
21 Director shall hold office for a term of three years and shall be eligible for re-
22 appointment for another term of three years after which he may not be
23 appointed again until two years have elapsed.

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

26 *Head of Department*

27 12.-(1) The Head of a Department shall be appointment by the Vice-
28 Chancellor and such Head shall hold office for a period of three years and shall
29 be eligible for re-appointment for another term of three years after which he
30 may not be appointed again until two years have elapsed.

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

4 *Creation of academic posts*

5 13. Recommendations for the creation of posts other than those
6 mentioned in article 10 of this Statute shall be made by Senate to the Council
7 through the Finance and General Purposes Committee.

8 *Appointment of academic staff*

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

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

14 (3) For appointments to professorships, associate professorships or
15 readerships or equivalent posts, a board of selection, with power to appoint,
16 shall consist of-

17 (a) the Vice-Chancellor;

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

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

22 (d) two members appointed by the Council;

23 (e) four members of the Senate appointed by the Senate, at least
24 two of whom shall, if the post is tenable at a college, be senior members of
25 the staff of the college; and

26 (f) such other persons as the Senate may appoint.

27 (4) Subject to subarticle (5), for appointments to associate
28 professorships, readerships, senior lectureships and other academic posts, a
29 selection board (with power to appoint) shall consist of-

30 (a) the Vice-Chancellor;

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

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

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

8 (e) such other persons as the Senate may appoint.

9 (5) Where an appointment falling within subarticle (4) is tenable at a
10 college, the Senate may authorise the college to set up a selection board
11 therefore (with power to appoint), but every selection board set up under this
12 paragraph shall include the Vice-Chancellor, and at least two members of the
13 Senate, nominated by the Senate, who are not members of the academic staff of
14 the college.

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

17 (7) For the purpose of exercising the power conferred by subarticle
18 (6), the college shall set up suitable selection boards to select and make
19 appointments on its behalf.

20 (8) Every selection board set up under subarticle (7) shall include the
21 Vice-Chancellor and shall also include at least two members of the Senate,
22 nominated by the Senate, who are not members of the academic staff of the
23 college.

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

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

1 *Appointment of administrative and technical staff*

2 15.- (1) The administrative and technical staff of the University,
3 other than principal officers, shall be appointed by the Council or on its
4 behalf by the Vice-Chancellor or the Registrar in accordance with any
5 delegation of powers made by the Council in that behalf.

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

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

14 *Interpretation*

15 16. In this Statute, the expression "the Act" means the Federal
16 University of Health Sciences, Ila-Orangun, Osun State (Establishment) Act
17 and any word or expression defined in the Act has the same meaning in this
18 Statute.

19 *Citation*

20 17. This Statute may be cited as the Federal University of Health
21 Sciences, Ila-Orangun, Osun State, Statute No. 1.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal University of Health Sciences, Ila-Orangun, Osun State as a training institution for the development of medical and health sciences, and makes comprehensive provisions for the management and administration of the University.