

A BILL

FOR

AN ACT TO ESTABLISH FEDERAL UNIVERSITY OF EDUCATION NSUGBE, TO PROVIDE TRAINING AND TEACHING INSTRUCTION IN EVERY ASPECT OF EDUCATION AND SUCH OTHER FIELDS OF APPLIED LEARNING RELEVANT TO THE NEEDS OF THE DEVELOPMENT OF EDUCATION IN NIGERIA, MATTERS OF ADMINISTRATION AND DISCIPLINE OF STUDENTS AND FOR RELATED MATTERS

Sponsored by Hon. Tony Nwoye

[] Commencement

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

PART I - PRELIMINARY

1. The objects of the Federal University of Education, Nsugbe, shall be to:

The objects

(a) Encourage the advancement of learning to all persons without distinction of race, religion, sex or political conviction, by availing to all qualified persons the opportunity of acquiring higher education in Nigeria;

(b) Develop, offer academic and professional programmes leading to the award of certificates, first degrees, post-graduate diploma and other higher degrees, which emphasises planning, adaptive, developmental and productive skills in education, technology, applied science, agriculture, commerce, art, social science, humanities, management and allied professional disciplines;

(c) Produce socially mature educational men and women with capability not to only understand need of Nigeria as a nation, but also to exploit existing educational infrastructures and improve on it to develop new ones;

(d) Act as agents and catalysts for effective educational system,

1 through post-graduate training, research and innovation, for effective
2 economic utilization and conservation of the country's human resources;

3 (e) Bring quality change in education, focusing on teacher education
4 through teaching and learning innovations;

5 (f) Collaborate with other national and international institutions
6 involved in training, research and development of education with a view to
7 promoting governance, leadership and management skills among educational
8 managers;

9 (g) Identify the educational needs of the society with a view to finding
10 solutions to them within the context of overall national development;

11 (h) Provide and promote sound basic education training as a
12 foundation for the development of Nigeria, taking into account indigenous
13 culture and the need to enhance national unity; and

14 (i) Undertake any other activities that are appropriate for a University
15 of Education of the highest standard.

16 PART II - ESTABLISHMENT, STRUCTURE, POWER AND FUNCTIONS OF

17 FEDERAL UNIVERSITY OF EDUCATION

18 2.-(1) There shall be established the Federal University of Education,
19 Nsugbe, specified in the First Schedule to this Act On this Act referred to as
20 "the University")

21 (2) The University referred to in sub-section (1) of this Section shall
22 be a body corporate with perpetual succession and a common seal, which may
23 sue or be sued in its corporate name.

24 (3) May acquire, hold or dispose of any property, movable or
25 immovable for the purposes of carrying out any of its objects under this Act.

26 3.-(1) The University shall consist of:

27 (a) A Chancellor;

28 (b) A Pro-Chancellor;

29 (c) A Vice-Chancellor;

30 (d) A Council;

- 1 (e) A Senate;
- 2 (f) A body to be known as the Congregation;
- 3 (g) The campuses and colleges of the University
- 4 (h) The schools, institutes and other teaching and research units of
- 5 the University;
- 6 (i) Undergraduate and postgraduate students of the University; and
- 7 (j) All other persons who are members of the university in
- 8 accordance with provisions of this Act.

9 4.-(1) The governance of the University and the direction of its
 10 affairs shall vest in the Governing Council of the University (in this Act
 11 referred to as "the Council").

Governing
 Council of the
 University

12 (2) without prejudice to the generality of sub-section (1) of this
 13 section, it shall be the responsibility of the Council to consider and approve
 14 the:

- 15 (a) Plan of activities of the University;
- 16 (b) Programme of studies, courses, and research to be undertaken
- 17 by the University;
- 18 (c) Annual estimates of the University; and
- 19 (d) Investment plans of the University.

20 5. The Council of the University shall consist of a chairman and
 21 Membership of other members to be appointed by the President:

Membership of
 the Council

- 22 (a) the Pro- Chancellor;
- 23 (b) the Vice-Chancellor;
- 24 (c) Deputy Vice-Chancellor;
- 25 (d) One person from the Ministry responsible for education;
- 26 (e) Nine persons representing a variety of interest and broadly
- 27 representative of the whole Federation to be appointed by the President;
- 28 (f) Four persons appointed by the senate from among its members;
- 29 (g) Two persons appointed by congregation of the University from
- 30 among its members;

- 1 (h) Two representatives of the academic board of the University;
2 (i) One representative of the National University Commission; and
3 (j) One person appointed by the Convocation of the University from
4 among its members.

Tenure of office
of members of
the Council

5 6.-(1) A member of the Council, other than an ex-officio member,
6 shall hold office for a term of four years and may be eligible for re-appointment
7 for another four years and no more.

8 (2) A member of the Council shall cease to be a member under this
9 Act, where:

10 (a) Such member resigns his office by notice in writing under his
11 hand, addressed to the President through the Minister; or

12 (b) The President is satisfied that it is not in the best interest of the
13 University or of the public for such member to continue in office and notifies
14 such member in writing to that effect.

Removal of
any member
of the Council

15 7.-(1) Where it appears to the Council that any member of the
16 Council, other than the Pro-Chancellor and the Vice-Chancellor, should be
17 removed from office on the ground of misconduct or inability to perform the
18 functions of his office, the Council shall make recommendation through the
19 Minister to the President.

20 (2) Where the president, after making such enquiries as he considers
21 appropriate and approves the recommendation made by the Council, he may
22 direct the removal of such members of Council from office.

23 (3) The Minister shall communicate to the affected person, a copy of
24 the instrument embodying a direction under sub-section (2) of this Section, to
25 be served on the person to whom it relates.

Powers of the
University

26 8.-(1) The University shall have power to:

27 (a) Establish such campus, college, institute, schools, extra-moral
28 department and other teaching and research units within the University, as may
29 be necessary or desirable, subject to the approval of the National Universities
30 Commission;

1 (b) Institute professorships, readerships or associate
2 professorships, lecture-ships, other posts and office and make appointments
3 thereto;

4 (c) Institute and award fellowships, scholarships, exhibitions,
5 bursaries, medals, prizes and other titles, distinctions, awards and other
6 forms of assistance;

7 (d) Provide for the welfare and discipline of members of the
8 University;

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

13 (f) Grant honorary degrees, fellowships or academic titles;

14 (g) Demand and receive from any student or any other person
15 attending the University for the purpose of instruction, such fees as the
16 University may from time to time determine subject to the overall directives
17 of the Ministers;

18 (h) Acquire, hold, grant, charge or otherwise deal with or disposal
19 of movable and immovable property wherever it is situate for the purposes
20 of carrying out the objects of this Act;

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

24 (j) Enter into contracts, establish trusts, act as trustee, solely or
25 jointly with any other person, and employ or act through agents;

26 (k) Build, provide, equip and maintain libraries, laboratories,
27 lecture halls, halls of residence, refectories, sports grounds, playing fields
28 buildings or other facilities deemed necessary for the achievement of the
29 objects of this Act;

30 (l) Hold public lectures and undertake printing, publishing and

1 book selling;

2 (m) Invest any surplus funds of the University 111 profit-yielding
3 ventures;

4 (n) Borrow money, where it is expedient to borrow and guarantee
5 such loan, advances or credit facilities, upon any of the property, movable or
6 immovable, of the University, subject to each University Council's approval;

7 (o) Conduct examinations in education for qualified teachers;

8 (p) Donate gifts for any charitable purposes;

9 (q) Recruit staff of the right caliber and determine the career structure
10 of such staff;

11 (r) Provide amenities for student's welfare and make such other
12 provision for the welfare of the staff of the University;

13 (s) Organise and mount exhibitions to foster an appreciation of trends
14 in technology and the scope requirements of education; and

15 (t) Exercise any other powers as are necessary or expedient for the
16 achievement of the objects of this Act.

17 (2) The power of the University to establish further campuses and
18 college under the University shall be exercisable by statute and not otherwise.

Composition
of the Senate

19 9.-(1) The Senate of the University shall consist of:

20 (a) The Vice-Chancellor;

21 (b) The Deputy Vice-Chancellor;

22 (c) The Deans of various schools in the University;

23 (d) The Directors of various institutes in the University;

24 (e) The Professors in the University;

25 (f) The University Librarian;

26 (g) Persons holding such appointment on the staff payroll of the
27 University as may be specified by the Vice Chancellor;

28 (h) Such lecturers, not being more than one third of the total number of
29 non-elected members, elected by the Congregation of the University of which

1 at least one of whom shall come from each of the schools in the University;
2 and

3 (i) Two persons representing a variety of interests of professional
4 bodies outside the University, appointed by the Senate on the
5 recommendation of the Vice-Chancellor.

6 **10.-(1)** The Senate of the University shall perform the following Functions of the
Senate
7 functions:

8 (a) Determine, organise and regulate teaching in the University;

9 (b) Admit and discipline students, where no other enactment
10 provides to the contrary the procedure for admitting and discipline of
11 students in the University;

12 (c) Promote research activities in the University;

13 (d) Establish, organize and control of campus activities of the
14 University, College, Schools, Institutes and other teaching and research
15 units of the University;

16 (e) Allocate responsibilities to various branches of learning of the
17 University;

18 (f) Organise and control courses of study in the University and
19 conduct examinations based on courses taught;

20 (g) Appoint both internal and external examiners;

21 (h) Consider and approve award of degrees, certificate, diploma
22 and such other qualifications as may be prescribed in connection with
23 examinations conducted by the University;

24 (i) Make recommendations to the Council with respect to honorary
25 fellowship or honorary degree or the title of professor emeritus, to be
26 conferred on any qualified person by the University;

27 (j) Establish, organise and control of halls of residence under the
28 University;

29 (k) Ensure the welfare of students in the University and regulate
30 their conduct;

1 (1) Recommend to the Council the grant of fellowships, scholarships,
2 prizes and similar awards within the control of the University on any person
3 approved for such awards; and

4 (m) Determine the colour and design of what shall be the academic
5 dress of the University and regulate its usage.

6 (2) The Senate shall not establish any new campus, college, school,
7 department, institute or other teaching and research units, hall of residence or
8 similar institution of the University without the approval of the Council.

9 (3) Subjects to a right of appeal to the Council from a decision of the
10 Senate under this Act, the Senate may deprive any person of any degree,
11 diploma or other award of the University, which has been conferred upon him,
12 but after due enquiry he is shown to have been guilty of discreditable conduct in
13 gaining admission into the University or obtaining that award.

14 (4) The Senate shall ensure that not less than one person out of the
15 persons appointed as examiners at each final or professional examination held
16 in conjunction with any course of study at the University is not a Lecturer at the
17 University but is a Lecturer at any other branch of learning to which the course
18 relates in other University of high repute or a person engaged in practicing the
19 profession in a reputable organisation or institution.

The Visitor

20 11.-(1) The President of the Federal Republic of Nigeria shall be the
21 Visitor of the University.

22 (2) The Visitor shall, not less than once in every five years, conduct a
23 visitation to the University or appoint a visitation panel consisting of not less
24 than five experts to carry out visitation for the purposes of evaluating the
25 academic and administrative performance of the University or for such other
26 purposes in respect of any affairs of the University, which the Visitor may
27 consider necessary.

28 PART III - PRINCIPAL OFFICERS, OTHER PRINCIPAL OFFICERS AND
29 STAFF OF THE UNIVERSITY

The Chancellor

30 12.-(1) The Chancellor of the University shall be appointed and hold

1 office at the pleasure of the President.

2 (2)The Chancellor shall subject to the provisions of this Act, hold
3 office for a period of five years from the date of his appointment and no
4 more.

5 (3)Notwithstanding the provision of sub-section (2) of this
6 Section, the President may remove any Chancellor from office, where it is in
7 the interest of the University or of the public to do so.

8 13.-(1) The Pro-Chancellor of the University shall be appointed by
9 the President.

The Pro-
Chancellor

10 (2) The Pro-Chancellor shall subject to the provisions of this Act,
11 hold office for a period of five years from the date of his appointment.

12 (3)Notwithstanding the provision of sub-section (2) of this
13 Section, the President may remove any Pro-Chancellor from office, where it
14 is in the interest of the University or of the public to do so.

15 14.-(1) There shall be a Vice-Chancellor of the University, who
16 shall be appointed by the President in accordance with the provisions of this
17 Section.

The Vice-
Chancellor

18 (2) The Vice-Chancellor shall be the Chief Executive and
19 Academic Officer of the University, exercise general function in addition to
20 any other functions conferred on him by this Act or otherwise, which
21 includes directing activities in the University and serves as ex-officio and
22 chairman of the Senate.

23 (3) The Vice-Chancellor shall, in relation to each University, take
24 precedence before all other members of the University except the
25 Chancellor and the Pro-Chancellor and any other person for the time being
26 acting as chairman of the Council.

27 (4) Where a vacancy occurs in the post of a Vice-Chancellor, the
28 Council shall:

29 (a) Advertise the vacancy in a reputable journal or a widely read
30 newspaper in Nigeria, specifying:

1 (i) The qualities and qualifications of the persons who may apply for
2 the post; and

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

6 (b) Constitute a Search Team consisting of:

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

9 (ii) Two members of the Senate who are not members of the Council,
10 one of whom shall be a professor;

11 (iii) Two members of the Congregation who are not members of the
12 Council, one of whom shall be a professor, to identify and nominate for
13 consideration, suitable persons who are not likely to apply for the post on their
14 own volition but that of the national interest.

15 (5) A Joint Council of Senate Selection Board shall consist of:

16 (a) The Pro-Chancellor, as Chairman;

17 (b) Two members of the Council, not being members of the Senate;

18 and

19 (c) Two members of the Senate not below the rank of professors, who
20 were not members of the Search Team, shall consider the candidates and
21 persons shortlisted under sub-section (2) of this Section through evaluation of
22 their curriculum vitae and interaction, shall recommend to the Council,
23 suitable candidates from the list for further consideration.

24 (6) The Council shall select three candidates from among the
25 candidates recommended in sub-section (5) of this Section and may indicate its
26 order of preference stating the reasons, if any, forward the names to the
27 President for consideration and approval.

28 (7) The President may appoint as Vice-Chancellor one of the
29 candidates recommended to him in accordance with the provisions of sub-
30 section (6) of this Section.

1 (8) The Vice-Chancellor shall hold office for a single term of five
2 years only on such terms and conditions as may be specified in his letter of
3 appointment and no more.

4 (9) The Vice-Chancellor may be removed from office by the
5 President after due consultation with the Council and the Senate, acting
6 through the Minister responsible for education.

7 15.-(1) There shall be for the University such number of Deputy
8 Vice-Chancellors as the Council may, from time to time, deem necessary for
9 the proper management and administration of each University.

Deputy
Vice-Chancellor

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

13 (3) The Senate shall select for any vacant post one candidate from
14 the list forwarded to it under sub-section (2) of this Section and forward his
15 name to the Council for confirmation.

16 (4) A Deputy Vice-Chancellor shall:

17 (a) Assist the Vice-Chancellor in the performance of his functions;

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

21 (c) Perform such other functions as the Vice-Chancellor or the
22 Council may, from time to time, assign to him;

23 (d) Hold office for a period of two years from the date of his
24 appointment on such terms and conditions as may be specified in his letter of
25 appointment; and

26 (e) May be re-appointed for another period of two years and no
27 more.

28 16.-(1) There shall be for the University, a Registrar, who shall be
29 the chief administrative officer of the University and shall be responsible to
30 the Vice-Chancellor for the day-to-day administrative work of the

Appointment of
the Registrar

1 University except as regards matters for which the Bursar is responsible in
2 accordance with sub-section (3) of Section 17 of this Act.

3 (2) The Person holding the office of the Registrar shall by virtue of
4 that office be the secretary to the Council, the Senate, the Congregation and the
5 Convocation of the University.

6 (3) The Registrar shall hold office for a period of five years from the
7 date of his appointment on such terms and conditions as may be specified in his
8 letter of appointment.

Appointment of
other Principal
Officers of the
University

9 17.-(1) There shall be for the University the following principal
10 officers in addition to the Registrar:

11 (a) The Bursar; and

12 (b) The University Librarian.

13 (2) The Bursar and the University Librarian shall be appointed by the
14 Council on the recommendation of the Selection Board constituted under this
15 Act.

16 (3) The Bursar shall be the chief financial officer of the University and
17 be responsible to the Vice-Chancellor for the day-to-day administration and
18 control of the financial affairs of the University.

19 (4) The University Librarian shall be responsible to the Vice-
20 Chancellor for the administration of the university library and the co-
21 ordination of the library services in the University and any of its campuses,
22 colleges, faculties, schools, departments, institutes and other teaching or
23 research units of the University.

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

27 (6) The scope of the responsibilities of the officers referred to in sub-
28 section (5) of this Section shall be determined by the Vice-Chancellor.

Selection Board
for other Principal
Officers

29 18.-(1) There shall be for the University, a Selection Board for the
30 appointment of other principal officers, other than the Vice- Chancellor or

1 Deputy Vice-Chancellor, which shall consist of:

2 (a) The Pro-Chancellor, as Chairman;

3 (b) The Vice-Chancellor;

4 (c) Four members of the Council not being members of the Senate

5 and

6 (d) Two members of the Senate

7 (2) Functions, procedure and other matters relating to the Selection

8 Board constituted under sub-section (1) of this Section, shall be determined

9 by the Council from time to time.

10 19. The Council may employ such other persons as employees of
11 the University, as may be required to assist the Vice-Chancellor and the
12 principal officers of the University in the performance of their functions and
13 responsibilities under this Act.

Other employees
of the University

14 20.-(1) Where it appears to the Council that there are reasons to
15 believe that any staff employed by the University other than the Vice-
16 Chancellor and other principal staff, should be removed from office or
17 employment of the University on the ground of misconduct or inability to
18 perform the functions of his office, the Council shall:

Removal and
Discipline of
staff of the
University

19 (a) Give notice to the staff, stating the reasons for either his
20 removal or discipline;

21 (b) Afford him an opportunity to make representation in person on
22 the matter to the Council; and

23 (c) Where he made representation to the Council not less than
24 three members of the Council as may be requested within the period of one
25 month from the date of the notice, an arrangement:

26 (i) For a joint committee of the Council and the Senate to
27 investigate the matter may be constituted and submit report to the Council
28 on the matter;

29 (ii) The staff shall be afforded an opportunity of appearing before
30 the investigating Committee with respect to the matter, and if the Council

1 after considering the report of the Investigating committee; and

2 (iii) is satisfied that the staff in question is guilty of the offence
3 alleged, the Council may so direct his removal or being disciplined through an
4 instrument in writing signed on the directions of the Council.

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

9 (3) The Council may for good cause, suspend or terminate the
10 appointment of any member of staff from duty.

11 (4) For the purposes of this section, "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 performance of the functions of
14 his office;

15 (b) Any physical or mental incapacity, which in the opinion of the
16 Council and 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; or

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

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

27 (5) Any person suspended pursuant to sub-sections (2) or (3) of this
28 section, shall be on half pay and the Council shall, before the expiration of three
29 months of such suspension, consider the case against that person and come to a
30 decision as to:

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

3 (b) Whether to reinstate such person, in which case the Council
4 shall restore his full emoluments to him with effect from the date of
5 suspension;

6 (c) Whether to terminate the appointment of such person, which in
7 the circumstance shall not be entitled to the proportion of his emoluments
8 withheld during the period of suspension; or

9 (d) Whether to take such lesser disciplinary action against the
10 person, which include the restoration of such proportion of his emoluments
11 withheld during suspension or as the Council may determine.

12 (6) Where the Council, pursuant to this Section, decides to
13 continue the person's suspension or take further disciplinary action against
14 the person, the Council shall before the expiration of three months of such
15 decision, come to a final determination of the case against the person.

16 (7) It shall be the duty of the person by whom an instrument of
17 removal is signed pursuant to this Section, to make effort to cause a copy of
18 the instrument to be served as soon as reasonably practicable on the person
19 to whom it relates.

20 (8) Notwithstanding the provisions of this section, nothing in the
21 foregoing provisions shall:

22 (a) Apply to any directive given by the Visitor in consequence of
23 any visitation report; or

24 (b) Prevent the Council from making regulations for the discipline
25 of other categories of workers of the University as may be prescribed.

26 21.-(1) Notwithstanding anything to the contrary in the Pensions
27 Act, the compulsory retiring age of an academic staff of each University
28 shall be 70 years.

29 (2) A law or rule requiring a person to retire from the public service
30 after serving for 35 years shall not apply to both academic and non-academic

1 expenditure for the next financial year.

2 (2) The University shall:

3 (a) Keep proper records of all accounts of its income and
4 expenditure; and

5 (b) Prepare a statement of account in respect of each financial year.

6 (3) The University shall not later than 30th June of each financial
7 year, submit its accounts to auditors appointed from a list of qualified
8 auditors in accordance with guidelines laid down by the Auditor-General of
9 the Federation and the auditor's fees and expenses shall be paid from the
10 Funds of the University.

11 25.-(The University shall not later than 30th June of each financial Annual Report
12 year submit to the Council, in respect of the preceding financial year, an
13 annual report on the activities of the University in such form as the Council
14 may direct.

15 (2) The report referred to in sub-section (1) of this Section shall
16 include:

17 (a) Information of the activities of the University in that year;

18 (b) A copy of the audited accounts of the University for that year
19 together with the Auditor-General's report on the accounts of the University;
20 and

21 (c) Such other information as the Council may request.

22 (3) The Vice-Chancellor shall provide such information on the
23 affairs of the University as the Council may from time to time request.

24 26.-(1) The University may accept any gift of land, money or other Power to accept
25 Power property upon such terms and conditions, if any, as may be specified gifts
26 by the person or organization donating the gift;

27 (2) The University shall not accept any gift where the conditions
28 attached by the person or organization donating the gifts are inconsistent
29 with the functions and objects of the University.

1 The Federal University of Education Nsugbe established by this Act.

2 (5) Any person who at the coming into force of this Act was the
3 holder of any office in the College, shall on the commencement of this Act
4 continue in that office and be deemed to have been appointed to the office by
5 the Federal University of Education established by this Act.

6 (6) Every regulation, order, requirement, certificate, notice,
7 direction, decision, authorization, consent, application, request or thing
8 made, issued, given or done under the Federal Colleges of Education Act,
9 (Cap. F8 L.F.N. 2004) shall cease to be in force at the commencement of this
10 Act, against the College referred to in this Section.

11 29.-(1) The Council may make rules providing for the Vice-
12 Chancellor to conduct enquiries into any alleged breach of discipline in the
13 University, which include lack of due diligence exhibited by any student(s).

Discipline of
Students

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

16 (3) Subject to the provisions of sub-section (1) of this Section,
17 where it is proved during enquiry that any student of the University has been
18 found guilty of any misconduct, the Vice-Chancellor may, without prejudice
19 to any other disciplinary powers conferred on him by this Act or any
20 regulations made pursuant to this Act, direct that the:

21 (a) Student shall not, during such period as may be specified in the
22 direction, participate in such activities of the University, or make use of such
23 facilities of the University, as may be specified;

24 (b) Activities of such student shall during such period as may be
25 specified in the directions, be restricted in such manner as may be so
26 specified;

27 (c) The student may be suspended for such period as may be
28 specified in the direction; or

29 (d) Student should be expelled from the University.

30 (4) Where there is no Vice-Chancellor or where the Vice-

1 Chancellor refuses to apply any disciplinary measures, the Council may, either
2 directly or through some other staff of the University, apply such disciplinary
3 actions specified in sub-section (3) of this Section to any student of the
4 University that is found guilty of any misconduct.

5 (5) Where a direction is given under sub-section (3), paragraphs (c) or
6 (d) of this Section in respect of any student, the student may, within 21 days
7 from the date of the letter communicating the decision to him, appeal against
8 the direction to the Council, and where such an appeal is brought, the Council
9 after making inquiry in relation to the matter, may either modify, confirm or set
10 aside the direction in such manner as the Council may deem necessary.

11 (6) The fact that an appeal from a direction is brought pursuant to sub-
12 section (5) of this Section shall not affect the operation of the direction while
13 the appeal is pending.

14 (7) The Vice-Chancellor may delegate his powers under this Section
15 to a disciplinary committee consisting of such members of the University as he
16 may nominate.

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

20 (9) The direction under sub-section (3) paragraph (a) of this Section
21 may be combined with a direction under sub-section (3) paragraph (b) of this
22 Section.

23 (10) In all cases of indiscipline and misconduct under this Section, the
24 decision of the Council shall be final unless it is reversed by the Minister on
25 appeal by the student.

The Seal of
the University

26 30.-(1) The Seal of the University shall be such as may be determined
27 by the Council and the affixing of the seal shall be signed by the Chairman of
28 the Council and the Vice-Chancellor of the University.

29 (2) Certificates issued by the University shall have the seal of the

1 University affixed and signed by the Vice-Chancellor and the Registrar of
2 each University.

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

6 (4) Any contract or instrument which, if made or executed by a
7 person not being a body corporate, would not be required to be under seal
8 may be made or executed on behalf of the University by any authorized
9 person generally or specifically authorized to do so by the Council.

10 31.-(1) Subject to the provisions of this Act, the provisions of the
11 Public Officers Protection Act shall apply to any suit instituted against the
12 University, an officer or employee of the University .

13 (2) No suit shall lie or be instituted in any court against the
14 University, a member of the Governing Board or any principal officer or
15 employee of the University for an action carried out in pursuance to the
16 execution of this Act or any enactment, or of any public duty in respect of
17 any alleged neglect or default in the execution of this Act or any other
18 enactment or law, duty or authority, unless it is commenced:

19 (a) Within three months of such act, neglect or default complained
20 thereof; or

21 (b) In the case of a continuation of damages or injury, within six
22 months after the ceasing of the act, neglect or default.

23 (3) No suit shall be commenced against the University, a member
24 of the Council or any principal officer or employee of the University before
25 the expiration of a period of one month after written notice of the intention to
26 commence such suit has been served on the University by the intending
27 plaintiff or his agent.

28 (4) The notice referred to in sub-section (3) of this Section shall
29 clearly state the cause of action, particulars of the claim, the name and place
30 of abode of the intending plaintiff and the relief sought.

Power to make
Regulations

1 32.-(1) The Council may make Regulations:

2 (a) To regulate the activities and programmes of the University, or any
3 matter connected with the University; or

4 (b) For the effective implementation of any of the provisions of this
5 Act.

6 (2) The Council shall have power to amend Regulations made under
7 this Act provided that the proposal for amendment shall be passed by two-
8 thirds majority of the Council members.

9 (3) All Regulations made by the Council subject to the provisions of
10 this Act, may be published in the Official Gazette of the Government of
11 Nigeria.

12 33.-(1) All property held by or on behalf of the College shall vest in -
13 the University and be held by it for the purposes of the University.

14 (2) The provisions of the paragraphs to the Second Schedule to this
15 Act shall have effect with respect to matters arising from the transfer of
16 property by this section and with respect to the other matters mentioned in that
17 Schedule.

18 34.-(1) Without prejudice to the provisions of the Land Use Act, a
19 University shall not dispose of or charge any land or an interest in any land,
20 including any land transferred to the University by this Act, except with the
21 prior written consent of the President.

22 (2) Provided that such consent shall not be required in the case of any
23 lease or tenancy at a rent for a term not exceeding 21 years or any lease or
24 tenancy to a member of the University for residential purpose.

25 35.-(1) No person shall be required to satisfy any requirements as to
26 race, ethnicity, sex, place of birth or of family origin, or religion or political
27 affiliation, as a condition of becoming or continuing to be a student at any
28 University created by this Act,

29 (2) No person shall be subjected to any disadvantage or accorded any
30 advantage in relation to the University, by reference to any of the holder of any

1 degree of the University or of appointment or employment at the University,
2 or a member of any, of the bodies established by virtue of this Act.

3 (3) Nothing in sub-section (1) of this Section shall prevent the
4 University from imposing any disability or restriction on any of the persons
5 mentioned in that sub-section, where such person willfully refuses or fails
6 on grounds of religious belief to undertake any duty generally and uniformly
7 imposed on all such persons or any group of them, which in the opinion of
8 the University is reasonably justifiable in the national interest.

9 36.-(1) In this Act, unless the context otherwise requires:

Interpretation

10 "Campus" means any campus which may be established by the University;
11 "College" means any college which may be established by the University;
12 "College" means Federal College of Education, Nsugbe, Anambra State;
13 "Council" means the Council established pursuant to sub-section (1) of
14 Section 4 of this Act for the University;
15 "Graduate" means a person on whom a degree, other than an honorary
16 degree, has been conferred by the University;
17 "Minister" means the Minister charged with responsibility for matters
18 relating to education;
19 "Notice" means notice in writing;
20 "Officer" does not include the Visitor;
21 "Prescribed" means prescribed by statute or regulation;
22 "Professor" means a person designated as a professor of the University in
23 accordance with provisions made in that behalf by statute or by regulations;
24 "Regulations" means regulations and other statutory instruments made by
25 the Council under this Act;
26 "Senate" means the Senate of the University established pursuant to
27 paragraph (e) of Section 3 of this Act;
28 "School" means a unit of closely related academic programmes;
29 "Undergraduate" means a person in status pupillary at the University other
30 than:

1 (a) A graduate; and

2 (b) A person of such description as may be prescribed for the purpose
3 of the definition;

4 "University" means the Federal University of Education, Nsugbe established
5 under section 1 of this Act.

Short Title

6 37. This Bill may be cited as the Federal University of Education,
7 Nsugbe (Establishment) Bill, 2017.

8 SCHEDULE

9 FIRST SCHEDULE

10 (a) Federal University of Education, Nsugbe.

11 SECOND SCHEDULE

12 *Proceedings of the Council and Senate's Meetings*

13 1. Subject to this Act and section 27 of the Interpretation Act (CAP 1
14 23) LFN, 2004,-

15 (a) The Council and Senate may make Standing Orders to regulate its
16 proceedings or those of any of its Committees; and

17 2. The Council or the Senate shall meet whenever it is summoned by
18 the chairman and if, the chairman is required to do so by notice given to him by
19 not less than 3 other members, he shall summon a meeting of the Council or of
20 the Senate, to be held within fourteen days from the date on which the notice is
21 given.

22 3. At any meeting of the Council and Senate, the Chairman shall
23 preside but where he is absent, the members present at the meeting shall
24 appoint one of their members to preside over the meeting.

25 4. Where the Council or the Senate, desires to obtain the advice of any
26 person on a particular matter, they may co-opt such person to be members for
27 such period as it deems fit, but the person who is in attendance by virtue of this
28 paragraph shall not be entitled to vote at any meeting and shall not count
29 towards constitution of required quorum as contemplated by paragraph 2.

30 5. Notwithstanding anything in the foregoing provisions of these

1 paragraphs, the first meeting of the Council and Senate shall the President,

2 6. The Council shall meet as and when necessary for the
3 performance of its functions under this Act, but shall meet not less than three
4 times in every year.

5 7. Where not less than five members of the Council requested in
6 writing that a meeting should hold, the chairman shall within 28 days after
7 the receipt of such request, call a meeting of the Council.

8 8. Any request made under sub-section (10) of this Section, the
9 agenda of the meeting shall disclose the business to be considered at the
10 meeting and no business not so specified shall be transacted at such meeting.

11 *Constitution of Committees*

12 9. The Council or the Senate may appoint one or more
13 Committees to carry out, on its behalf, such functions as it may consider
14 necessary.

15 10. A Committee appointed under this paragraph shall consist of
16 such number of persons as may be determined by the body constituting the
17 committee and the persons shall hold office on the Committee in accordance
18 with the terms of their appointment.

19 11. A decision of a Committee of the Council and Senate shall be
20 of no effect until it is confirmed by the constituting body.

21 *Miscellaneous*

22 12. The validity of any proceedings of either the Council or the
23 Senate or of a Committee shall not be adversely affected by:

24 (a) a vacancy in the membership of such body or the Committee;

25 (b) a defect in the appointment of a member of such body or the
26 Committee; or

27 (c) reason being that a person not entitled to so take part in the
28 proceedings of such body or the Committee.

29 13. Any member of the Council or the Senate or any person
30 holding office in any Committee, who has personal interest in any contract

1 or arrangement entered into or proposed to be considered by either the
2 Councilor the Senate or a Committee thereof, shall disclose his interest to the
3 body concerned and shall not vote on any question relating to the contract or
4 arrangement.

5 14. A person shall not by reason of his membership of either the
6 Councilor the Senate or of any committees be treated as holding an office of
7 emolument under the University.

8 *Functions of Finance and General Purposes Committee*

9 15. Subject to the provisions of this Act relating to the Visitor, the
10 Council shall be the governing body of each University, charged with the
11 general control and superintendence of the policy, finances and property of the
12 University.

13 16. There shall be a committee of the Council to be known as the
14 Finance and General Purposes Committee, which shall subject to the directions
15 of the Council, exercise control over the property and expenditure of the
16 University and perform such other functions as may be delegated to it by the
17 Council.

18 17. Constitution of the Finance and General Purposes Committee
19 shall be carried out in compliance with the statute made by each of the
20 universities.

21 18. The Council shall ensure that proper accounts of the University
22 are kept and audited annually by an independent firm of auditors approved by
23 the Council and ensure that an annual report is published by the University
24 together with certified copies of the audited account.

25 19. Notwithstanding anything to the contrary contained in this Act or
26 any statutes made subject to this Act, the Council and the Finance and General
27 Purposes Committee may make rules for the purpose of exercising any of their
28 respective functions under this Act.

29 20. Rules made under sub paragraph (16) of this Paragraph by the
30 Finance and General Purposes Committee shall not come into force unless it is

1 approved by the Council.

2 21. Where any of the rules made by the Committee is in conduct
3 with any directions given by the Council, before or after the coming into
4 force of such rules, the directions of the Council shall prevail.

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

10 *Statutory instruments made by the University*

11 23. Subject to this Act, the University of Education Nsugbe, may
12 make rules and regulations to:

13 (a) Provide with respect to the composition and constitution of any
14 authority in the University;

15 (b) Specify the powers of any authority in the University and any
16 other matter connected with the exercise of such powers confer on such
17 authority;

18 (c) Regulate the duties of any authority of the University and any
19 other matter connected with the University;

20 (d) Regulate admission, welfare, and discipline of students, where
21 no other enactment provides to the contrary;

22 (e) Determine whether any particular matter is to be treated as an
23 academic or a non-academic matter for the purposes of this Act or
24 Regulations or other instrument made under this Act.

25 24. Subject to section 24 (6) of this Act, the interpretation Act shall
26 apply in relation to any statutory instruments made under this section as it
27 applies to a subsidiary instrument within the meaning of Section 29 (1) of
28 that, Act.

1 (CAP 123)

2 *Mode of exercising power to make statutory instruments*

3 25. The power of the University to make statutory instruments shall
4 be exercised in accordance with the provisions of Section 32 of this Act and not
5 otherwise.

6 26. Such statutory instruments shall not become law unless it has been
7 approved at a meeting of the:

8 (a) Senate by not less than two thirds votes of the members present at
9 the meeting; and

10 (b) Council by not less than two thirds votes of the members present at
11 the meeting.

12 27. Statutory instruments may originate either from the Senate or
13 from the Council and shall be approved as required by sub paragraphs (a) and
14 (b) of Paragraph (26) by either one of those bodies before the other.

15 28. Any statutory instrument which:

16 (a) makes provision for the alteration of the composition or
17 constitution of the Council and the Senate or any other authority of the
18 University; or

19 (b) provides for the establishment of a new campus or college or for
20 the amendment or revocation of any statutory instrument whereby a campus or
21 college is established, shall not come into operation unless it has been approved
22 by the President.

23 29. for the purposes of Section 2, sub-section (2) of the interpretation
24 Act, such a statutory instruments shall be treated as being made on the date on
25 which it is duly approved by the Council after having been duly approved by
26 the Senate, or on the date on which it is duly approved by the Senate after
27 having been duly approved by the Council, as the case may be or, in the case of
28 a statute falling within sub-section (4) of this section, on the date on which it is
29 approved by the President.

30 30. The decision of the Visitor on any matter referred to him under

1 this Act, shall be binding upon such authorities, staff and students of the
2 University.

3 31. Where any question as to the meaning of any provision of any
4 statutory instrument made subject to this Act has been decided by the
5 Visitor, no question as to the meaning of that provision shall be entertained
6 by any court of law in Nigeria.

7 32. Nothing in this Act shall affect any power of a Council of
8 competent jurisdiction to determine whether any provision of statutory
9 instrument is wholly or partly void as being ultra vires or inconsistent with
10 the Constitution of the Federal Republic of Nigeria 1999 (as Altered).

11 *Proof of statutory instruments*

12 33. Any statutory instrument made by this University, may be
13 proved in any court by the production of a copy thereof bearing or having
14 affixed to it a certificate purporting to be signed by the Vice-Chancellor or
15 the Secretary to the Council to the effect that the copy is a true copy of such
16 statutory instrument of the University.

17 *Removal of examiners*

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

25 35. Subject to the provisions of statutory instrument made in
26 pursuant to Paragraph 34 of the Second Scheduled to this Act, the Vice-
27 Chancellor may, on the recommendation of the Senate, appoint an
28 appropriate person as examiner in the place of the examiner removed under
29 sub-section (1) of this Section.

30 36. It shall be the duty of the Vice-Chancellor, on signing an

1 instrument of removal in accordance to Paragraph 34, shall cause a copy of the
2 instrument to be served as soon as reasonably practicable on the person to
3 whom it relates.

4 THIRD SCHEDULE

5 *Composition of the Finance and General Purposes Committee*

6 1. The Finance and General Purposes Committee of the Council shall
7 consist of:

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

10 (b) The Vice-Chancellor and Deputy Vice-Chancellor;

11 (c) Six representatives of the Council, two of whom shall be selected
12 from among the Council's members, two members appointed by the Senate and
13 one member appointed by the Congregation;

14 (d) The Permanent Secretary, Federal Ministry of Education or such
15 member of his Ministry as may be delegated by him to represent him; and

16 (e) The Permanent Secretary, Federal Ministry of Science and
17 Technology or such member of his Ministry as may be delegated by him to
18 represent him.

19 The quorum of the Committee shall be five Subject to any directions given by
20 the Council, the Committee may regulate its own procedure.

21 *Composition of the Congregation of each University*

22 4. The Congregation of the University shall consist of:

23 (a) The vice-Chancellor and the Deputy Vice-Chancellor;

24 (b) Full-time members of the academic staff;

25 (c) The Registrar;

26 (d) The Bursar;

27 (e) The Librarian;

28 (f) The Director of Works;

29 (g) The Director of Health Services; and

30 (h) Every administrative staffs of the University, who holds a degree,

1 other than an honorary degree, of any University recognised for the
2 purposes of this Act by the Vice-Chancellor.

3 5. Subject to sub-paragraph 4 of this Paragraph the Vice-
4 Chancellor shall be the chairman at all meetings of Congregation when he is
5 present and in his absence, any of the Deputy Vice-Chancellors present at
6 the meeting of the Congregation or may appoint for that meeting a chairman
7 where the Vice-Chancellors and Deputy Vice-Chancellors is absent.

8 6. The quorum at any meeting of the Congregation shall be one
9 third of the whole number of the total number of members or fifty members
10 in attendance.

11 7. A certificate signed by the Vice-Chancellor specifying the:

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

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

17 8. Subject to the foregoing provisions of Paragraphs (6) and (7).
18 the Congregation may regulate its own proceeding of meeting.

19 9. Congregation shall be entitled to express by resolutions or
20 otherwise its opinion on all matters affecting the interest and welfare of the
21 University and members, shall have power to elect members of the Council
22 in addition to other functions as may be provided by this Act or Statutory
23 instruments made subject thereto.

24 *Convocation*

25 10. Convocation shall consist of:

26 (a) The officers of the University mentioned in the First Schedule
27 to this Act;

28 (b) All teachers within the meaning of this Act;

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

1 11. A person shall be entitled to have his name registered as a:

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

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

6 12. Regulations shall provide for the establishment and maintenance
7 of a register for the purpose of Paragraph 4, may provide for the payment, from
8 time to time, of fees by persons whose names are on the register and for the
9 removal from the register of the name of any person who fails to pay those fees.

10 13. The person responsible for maintaining the register shall, without
11 the payment of any fees, ensure that the names of all persons who are for the
12 time being members of the Convocation by virtue of sub-paragraphs (a) or (b)
13 of this Paragraph are entered and retained on the register.

14 14. A person who reasonably claims that he is entitled to have his
15 name on the register shall be entitled on demand to inspect the register or a copy
16 of the register at the principal offices of the University at all reasonable times.

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

23 16. The quorum of Convocation shall be fifty or one third or the whole
24 number nearest to one third or the whole number of members of Convocation
25 whichever is less.

26 17. Subject to section 4 of the Act, the Chancellor shall be chairman
27 at all meetings of Convocation when he is present, and in his absence the Vice-
28 Chancellor shall be the chairman at the meeting.

29 18. Convocation shall have such functions, in addition to the function
30 of appointing a member of the Council, as may be provided by any statutory

1 instrument of each University.

2 *Division of Schools*

3 19. Each school shall be divided into such number of branches as
4 may be prescribed.

5 *School Boards*

6 20.-(1) There shall be established in respect of each school a board
7 of studies which, subject to the provisions of this Statute, and subject to the
8 directions of the Vice-Chancellor, shall:

9 (a) Regulate the teaching and study of, and the conduct of
10 examinations connected with, the subjects assigned to the school;

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

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

15 (2) Each school board of studies shall consist of:

16 (a) The Vice-Chancellor;

17 (b) The Dean;

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

19 (d) Such of the teachers assigned to the school and having the
20 prescribed qualifications as the board may determine; and

21 (e) Such persons, whether or not members of the University, as the
22 Board may determine with the approval of the Senate.

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

27 *Dean of the School*

28 21.-(1) The board of each school shall, at a meeting in the last term
29 of any academic year in which the term of office of the Dean expires,
30 nominate one of its members, being one of the professors assigned to that

1 teaching unit, for appointment by the Senate as Dean of the school.

2 (2) The person appointed under sub-paragraph (I) of Paragraph 8,
3 shall act as Dean of the school and chairman at all meetings of the school board
4 when he is present and shall be a member of all committees and other boards
5 appointed by the school.

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

9 (4) The Dean of a school shall exercise general superintendence over
10 the academic and administrative affairs of the school.

11 (5) It shall be the function of the Dean to present to Convocation for
12 the conferment of degrees on persons who are qualified for the degrees of the
13 University at examinations held in the branches of learning for which
14 responsibility is allocated to that school.

15 (6) There shall be a committee to be known as the Committee of
16 Deans consisting of all the Deans of the several schools and the Committee
17 shall advise the Vice-Chancellor on all academic matters and matters referred
18 to the University by the Senate.

19 (7) The Dean of school may be removed from office for good cause by
20 the school board after a vote would have been taken at a meeting of the board,
21 and in the event of a vacancy occurring following the removal of a Dean, an
22 acting Dean may be appointed by the Vice-Chancellor, provided that at the next
23 school board meeting, an election shall be held for a new Dean.

24 (8) In this Schedule "good cause" has the same meaning as in sub
25 section (3) of Section 20 of the Act.

26 *Selection of Director of Works*

27 22.-(1) Where a vacancy occurs in the office of the Director of Works,
28 a selection board shall be constituted by the Council which shall consist of:

29 (a) The Pro-Chancellor;

30 (b) The Vice-Chancellor;

1 (c) Two members appointed by the Council, not being members
2 Senate; and

3 (d) The selection board, after making such inquiries as it thinks fit,
4 shall recommend a candidate to the Council for appointment to the vacant
5 office; and after considering the recommendation of the board the Council
6 may make an appointment to that office.

7 *Creation of academic posts*

8 23. Recommendations for the creation of academic posts other
9 than principal officers shall be made by the Senate to the Council through the
10 Finance and General Purposes Committee.

11 *Appointment of academic staff*

12 24.-(1) Subject to the Act and statutes, the filling of vacancies in
13 academic posts (including newly created ones) shall be the responsibility of
14 the Senate.

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

18 (3) For appointments to professorships, associate professorship or
19 readerships or equivalent posts, a board of selection, with power to appoint,
20 shall consist of:

21 (a) The Vice-Chancellor;

22 (b) Two members appointed by the Council;

23 (c) Four members appointed by the Senate, at least two of whom
24 shall be members of the Senate, while the other two members shall be
25 professional peers in the professional area in which an appointment is to be
26 considered;

27 (d) Where the post is tenable at the University, the Vice-Chancellor
28 of the University;

29 (e) Where the post is within a school, institute or other teaching unit
30 of the University, the Dean of the school or the teaching unit, or the director

1 of the institute, as the case may be; and

2 (f) Such other persons, not exceeding two in number, deemed capable
3 of helping the board in assessing both the professional and academic suitability
4 of a candidate under consideration, as the Senate may from time to time
5 appoint.

6 (4) For other academic posts, a selection board, with power to
7 appoint, shall consist of-

8 (a) The Vice-Chancellor;

9 (b) Four members appointed by the Senate, at least two of whom shall
10 be members of the Senate, while the other two members shall be professional
11 peers in the professional area in which an appointment is to be considered;

12 (c) Where the office is justifiable at the University, the Vice-
13 Chancellor of the University;

14 (d) Where the post is within a school, institute or other teaching unit of
15 the University, the Dean of the school or the teaching unit or the director of the
16 institute, as the case may be; and

17 (e) Such other persons not exceeding two in number, deemed capable
18 of helping the board in assessing both the professional and academic suitability
19 of a candidate under consideration, as the Senate may from time to time
20 appoint.

21 (5) All appointments to senior library posts shall be made in the same
22 way as equivalent appointments in the academic cadre and for all such posts
23 other than that of the Librarian, the Librarian shall be a member of the selection
24 board.

25 (6) Boards of selection may interview candidates directly or consider
26 the reports of interviewing panels and shall in addition, in the case of
27 professorships, associate professorships, readerships or equivalent post,
28 consider the reports of external assessors relevant to the area in which the
29 appointment is being considered.

1 *Appointment of administrative and professional staff*

2 25.-(1) The Administrative and professional staff of the University
3 other than principal officers, shall be appointed by the Councilor on its
4 behalf by the Vice-Chancellor or the Registrar in accordance with
5 delegation of any powers made by the Council in that behalf.

6 (2) In the case of administrative or professional staffs that have
7 close and important contacts with the academic staff, the Senate or its
8 representative shall participate in the selection process.

9 FOURTH SCHEDULE

10 *Transitional provisions as to property within the*
11 *Contemplation of this Act*

12 1. Agreements, contracts, deeds and other instruments to which
13 the College was party to, shall subject to any necessary modification, have
14 effect as if the University had been a party thereto in place of the College.

15 2. Documents not falling within sub-paragraph (1) of this
16 Paragraph, including enactments, which refer, whether specifically or
17 generally, to the provisional council, shall be construed in accordance with
18 that sub-paragraph so far as applicable.

19 3. Any legal proceedings or application relating to any authority
20 pending or against the College, may be continued by or against the
21 University.

22 *Registration of transfers*

23 4. Where there is a law in force at the place where any property
24 transferred by this Act is situated, which provides for the registration of
25 transfers of property of the kind in question, whether by reference to an
26 instrument of transfer or otherwise, the law shall, so far as it provides for
27 alterations of a register, but not for avoidance of transfers, the payment of
28 fees shall apply to the modifications required under this paragraph.

29 5. It shall be the duty of the body to which any property is
30 transferred by this Act to make available to the transferee, necessary

1 particulars of such transfer to the proper officer of the registration authority and
2 of that officer to register the transfer accordingly.

3 *Transfer of Functions*

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

6 7. Persons who were members of the College Council shall be deemed
7 to constitute the Council of the University until the date when a new Council
8 will be constituted by the University.

9 8. The first meeting of the Senate as constituted by this Act shall be
10 convened by the Vice-Chancellor on such date and in such manner as he may
11 determine.

12 9. Any person, who is a member of the Council of the College of
13 Education Nsugbe before the coming into force of this Act, shall be deemed to
14 constitute the Senate of the University until the date when the Senate as
15 provided for Section 9 of this Act have been duly constituted.

16 10. Subject to any statutory instruments made by the Senate pursuant
17 to this Act, the schools, school boards and students of the College of Education
18 Nsugbe before the coming into force of this Act, shall on that day become
19 schools, school boards and students of the Federal University of Education
20 Nsugbe as may be constituted by this Act.

21 11. Persons who were Deans or associate Deans of schools or
22 members of any school boards shall continue to be Deans or associate Deans or
23 become members of the corresponding school boards, until new appointments
24 are made in pursuance of the statutes.

25 12. Any person who was a member of staff of the College as
26 established or was otherwise employed by the Council of the College, shall
27 become the holder of an appointment at the University with the status,
28 designation and functions which correspond with his status as a staff of the
29 University.

EXPLANATORY MEMORANDUM

This Bill seeks to establish Federal University of Education, Nsugbe to provide training and teaching instruction in every aspect of Education and such other fields of applied learning relevant to the needs of the development of Education in Nigeria, matters of administration and discipline of students.

