

# A BILL

## FOR

AN ACT TO AMEND THE UNIVERSITY OF BENIN (TRANSITIONAL PROVISIONS) ACT, CAP. U4 LAWS OF THE FEDERATION OF NIGERIA 2004 TO SPECIFY THE MINIMUM QUALIFICATION OF THE CHAIRMAN OF THE GOVERNING COUNCIL, OWNERSHIP OF INTELLECTUAL PROPERTY AND TO PROVIDE FOR PRE-ACTION NOTICE TO THE UNIVERSITY AUTHORITY; AND FOR RELATED MATTERS

*Sponsored by Hon. Omoregie Ogbeide*

[ ] Commencement

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

1           1. The University of Benin (Transitional Provisions) Act, Cap. U4   Amendment of  
2   Laws of the Federation of Nigeria, 2004 (in this Bill referred to as "the   Cap. U4, LFN,  
3   Principal Act") is amended as set out in this Bill.                           2004

4           2. Section 8(a) of the Principal Act is amended by inserting after   Amendment of  
5   the word, "Pro-Chancellor", the words, "who shall possess at least a   Section 8(a)  
6   university degree or its equivalent with cognate experience, integrity,  
7   vibrancy and must be healthy and fit to perform the function of a chairman,".

8           3. Section 11 of the Principal Act is amended by inserting a new   Amendment of  
9   subsection "(2A)"-   Section 11

10           "(2A) The University shall make Intellectual Property Governance  
11   Codes that comply with international best practice to govern the ownership  
12   of intellectual property within the university".

13           4. The Principal Act is amended by inserting a new section "19A"-   Insertion of a  
14           "19A. Pre- Action Notice:   new section 19A

15           (1) An aggrieved staff or student shall not commence a suit in Court  
16   against the University except the staff or student gives the University one  
17   month written notice of intention to commence the suit.

1 (2) The written notice of under subsection (1) of this section shall be  
2 served on the University by the intending plaintiff or his agent and the notice  
3 shall explicitly state the:

4 (a) cause of action;

5 (b) particulars of claim or the grievance sought to be redressed;

6 (c) name, particulars and official address of the intending plaintiff;  
7 and

8 (d) relief which the intending plaintiff claims.

9 (3) The written notice under subsection (1) of this section and any  
10 summons, notice or other document required or authorized to be served on the  
11 University under this Act or any other law shall be addressed to the Vice-  
12 Chancellor of the University and may be served by delivering same to the Vice-  
13 Chancellor, the Deputy Vice-Chancellor or any other Principal Officer of the  
14 University or by sending it by registered post, electronic mail or any other  
15 legally recognized digital form of communication in Nigeria."

Amendment of  
Article 3(2) of  
the Third Schedule

16 5. Article 3(2) of the Third Schedule to the Principal Act is amended  
17 by substituting for the words, "so however that he shall thereafter not be  
18 eligible for re-election until he has been out of office for at least two years", in  
19 lines 2 and 3, the words, "and no more".

Citation

20 6. This Bill may be cited as the University of Benin (Transitional  
21 Provisions) (Amendment) Bill, 2017.

#### EXPLANATORY MEMORANDUM

This Bill seeks to amend the University of Benin (Transitional Provisions) Act, Cap. U4 Laws of the Federation of Nigeria 2004 to specify the minimum qualification of the Chairman of the Governing Council, ownership of intellectual property and to provide for pre-action notice to the University authority.