

# A BILL

## FOR

AN ACT TO AMEND THE UNIVERSITY OF CALABAR ACT CAP. U5 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. Jarigbe Agom Jarigbe*

[ ] Commencement

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

- 1           1. The University of Calabar Act Cap. U5, Laws of the Federation  
2 of Nigeria, 2004 (in this Bill referred to as "the Principal Act") is amended as  
3 set out in this Bill. Amendment of  
Cap. U5, LFN,  
2004
- 4           2. Section 5(a) of the Principal Act is amended by inserting after  
5 the word, "Pro-Chancellor", the words, "who shall possess a minimum of 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 Amendment of  
Section 5(a)
- 9           3. Section 10 of the Principal Act is amended by inserting a new  
10 subsection "(2A)"- Amendment of  
Section 10
- 11           "(2A) The University shall make Intellectual Property Governance  
12 Codes that comply with international best practice to govern the ownership  
13 of intellectual property within the university".
- 14           4. The Principal Act is amended by inserting a new section "19A"- Insertion of a  
new Section 19A
- 15           "19A. Pre-Action Notice:
- 16           (1) An aggrieved staff or student shall not commence a suit in Court  
17 against the University except the staff or student gives the University one  
18 month written notice of intention to commence the suit.
- (2) The written notice of under subsection (1) of this section shall

1 be served on the University by the intending plaintiff or his agent and the notice  
2 shall explicitly state the:

- 3 (a) cause of action;  
4 (b) particulars of claim or the grievance sought to be redressed;  
5 (c) name, particulars and official address of the intending plaintiff;

6 and

- 7 (d) relief which the intending plaintiff claims.

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

Amendment of  
Article 8 of the  
Third Schedule

15 5. Article 8 of the Third Schedule to the Principal Act is amended by  
16 deleting the existing sub article (1) and inserting a new sub article "(1)"-

17 "(1) The Dean of a faculty shall be a professor elected by the faculty  
18 board who shall hold office for a term of two years and shall be eligible for re-  
19 election for another term of two years and no more".

Citation

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

#### EXPLANATORY MEMORANDUM

This Bill seeks to amend the University of Calabar Act Cap. U5 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.