

# A BILL

## FOR

AN ACT TO AMEND THE OBAFEMI AWOLOWO UNIVERSITY (TRANSITIONAL PROVISIONS) ACT, CAP. O2 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. Ayo H. Omidiran*

[ ] Commencement

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

- 1           1. The Obafemi Awolowo University (Transitional Provisions) Amendment of  
2 Act, Cap. O2 Laws of the Federation of Nigeria 2004 (in this Bill referred to Cap. O2, LFN,  
3 as "the Principal Act") is amended as set out in this Bill. 2004
- 4           2. Section 16(a) of the Principal Act is amended by inserting after Amendment of  
5 the word, "Pro-Chancellor", the words, "who shall possess a minimum of a Section 16(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 28 of the Principal Act is amended by inserting a new Amendment of  
9 subsection "(4A)"- Section 28
- 10           "(4A) The Senate shall make Intellectual Property Governance  
11 Codes that comply with international best practice to regulate the ownership  
12 of intellectual property within the university".
- 13           4. "35A. Pre-Action Notice: Insertion of a  
14           (1) An aggrieved staff or student shall not commence a suit in Court new section 35A  
15 against the University except the staff or student gives the University one  
16 month written notice of intention to commence the suit.  
17           (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."

Citation

15 5. This Bill may be cited as the Obafemi Awolowo University  
16 (Transitional Provisions) (Amendment) Bill, 2017.

#### EXPLANATORY MEMORANDUM

This Bill seeks to amend the Obafemi Awolowo University (Transitional Provisions) Act Cap. O2, Laws of the Federation of Nigeria, 2004 to specify the minimum qualification of the Chairman of the Governing Council, ownership of intellectual property and providing for pre-action notice to the University authority from an aggrieved staff or student.