

NIGERIAN CIVIL DEFENCE UNIVERSITY AZARE

(ESTABLISHMENT) BILL 2017

ARRANGEMENT OF CLAUSES

*Clause-*

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FIRST SCHEDULE

SECOND SCHEDULE

# A BILL

## FOR

AN ACT TO ESTABLISH NIGERIAN CIVIL DEFENCE UNIVERSITY TO AMONG OTHER THINGS SERVE AS AN INSTITUTION FOR HIGH LEVEL MANPOWER DEVELOPMENT, WITH A MISSION TO TRAIN CIVIL DEFENCE OFFICERS TO ACQUIRE THE HIGHEST STANDARDS OF PROFESSIONALISM AND KNOWLEDGE AS WELL AS AWARD DEGREE AND OTHER CERTIFICATE TO DESERVING AND QUALIFIED STUDENTS AS MAY BE APPROVE BY THE NATIONAL UNIVERSITY COMMISSION AND OTHER ACADEMIC REGULATORY BODY FROM TIME TO TIME AND FOR RELATED MATTERS

*Sponsored by Hon. Ibrahim Mohammed Baba*

[ ] Commencement

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

1 PART 1 - ESTABLISHMENT OF NIGERIAN CIVIL DEFENCE UNIVERSITY  
2 AZARE AND ITS GOVERNING COUNCIL

3 1.-(1)There is established, a body to be known as the Nigerian Civil  
4 Defence University Azare (in this Bill referred to as "the University").

Establishment of  
Nigerian Civil  
Defence University  
Azare

5 (2) The University shall be a body corporate with perpetual  
6 succession and a common seal and may sue and be sued in its corporate  
7 name.

8 (3) The University may acquire, hold and dispose of movable and  
9 immovable property for the purpose of its functions.

10 2. The objects of the University shall be to-

Objectives of  
the University

11 (a) encourage the advancement of learning and to hold out to all  
12 persons without distinction of race, creed, sex or political conviction the  
13 opportunity of acquiring higher and liberal education;

14 (b) provide courses of instruction and other facilities for the pursuit  
15 of learning in all its branches, and to make those facilities available on

1 proper terms to such persons as are equipped to benefit from them;

2 (c) encourage and promote scholarship and conduct research in  
3 restricted fields of learning and human endeavour;

4 (d) relate its activities to the social, cultural and economic needs of the  
5 people of Nigeria; and

6 (e) undertake other activities appropriate for the highest standard of an  
7 Institute.

Establishment  
and composition  
of the Governing  
Council

8 3.-(1) There is established a Governing Council for the University (in  
9 this Bill referred to as "the Council"), which Council shall consist of-

10 (a) Chancellor;

11 (b) Pro-Chancellor;

12 (c) Vice Chancellor ;

13 (d) two Deputy Vice Chancellor ;

14 (e) a body to be called Congregation;

15 (f) a body to be called Convocation;

16 (g) the campuses and colleges of the University;

17 (h) the faculties, schools, and other teaching and research units of the  
18 University;

19 (i) the persons holding the offices constituted by the First Schedule to  
20 this Bill other than those mentioned in paragraphs (a) to (c) of this sub-clause;

21 (j) all graduates and undergraduates;

22 (k) a representative of National Universities Commission, not below  
23 directorate grade; and

24 (l) all other persons who are members of the University in accordance  
25 with provisions made by Statute in that behalf.

First Schedule

26 (2) The First Schedule to this Act shall have effect with respect to the  
27 Principal Officers of the University mentioned in the Bill.

28 (3) A provision shall be made by a Statute with respect to the  
29 constitution of the following bodies-

30 (a) the Council;

- 1 (b) the Senate;  
2 (c) the Congregation; and  
3 (d) the Convocation.

4 4.-(1) For the carrying out of its objects as specified in clause 2 of  
5 this Bill, the University shall have power to- Functions of the  
University

6 (a) establish such campuses, colleges, faculties, schools, extra-  
7 mural departments and other teaching and research units within the  
8 University as may, from time to time, seem necessary or desirable, subject to  
9 the approval of the National Universities Commission;

10 (b) institute professorships, readerships and associate  
11 professorships, lectureships and other posts and offices and to make  
12 appointments thereto;

13 (c) institute and award fellowships, scholarships, exhibitions,  
14 bursaries, medals, prizes and other titles, distinctions, awards and forms of  
15 assistance;

16 (d) provide for the residence, discipline and welfare of members of  
17 the University;

18 (e) hold examinations and award degrees, diplomas, certificates  
19 and other distinctions to persons who have pursued a course of study  
20 approved by the University and have satisfied such other requirements as the  
21 University may lay down;

22 (f) award honorary degrees, fellowships or academic titles;

23 (g) demand and receive from any student or any other person  
24 attending the University for the purpose of instruction such fees as the  
25 University may, from time to time determine, subject to the overall  
26 directives of the appropriate authority;

27 (h) subject to section 22 of this Act, to acquire, hold, grant, charge  
28 or otherwise deal with or dispose of movable and immovable property  
29 wherever situate;

30 (I) accept gifts, legacies and donations, but without obligation to

1 accept the same for a particular purpose, unless it approves the terms and  
2 conditions attaching thereto;

3 (j) enter into contracts, establish trusts, act as trustee, solely or jointly  
4 with any other person, and employ and act through agents;

5 (k) erect, provide, equip and maintain libraries, laboratories, lecture  
6 halls, halls of residence, refectories, sports grounds, playing fields and other  
7 buildings or things necessary, suitable or convenient for any of the objects of  
8 the University;

9 (l) hold public lectures and undertake printing, publishing and book  
10 selling;

11 (m) subject to any limitation or condition imposed by Statute, to  
12 invest any moneys appertaining to the University by law of endorsement,  
13 whether for general or special purposes, and such other moneys as may not be  
14 immediately required for current expenditure, in any investment or security or  
15 in the purchase or improvement of land, with power from time to time to vary  
16 any such investment and to deposit any money for the time being un-invested  
17 with any bank on deposit or current account;

18 (n) borrow, whether on interest or not, and infeed be, upon the security  
19 of any or all of the property movable or immovable of the University, such  
20 moneys as the Council may, from time to time in its discretion, find necessary  
21 or expedient to borrow or to guarantee any loan, advance or credit facility;

22 (o) make gifts for any charitable purpose;

23 (p) do anything which it is authorized or required by this Bill or by any  
24 other Statute to do; and (q) do all such acts or things, whether or not incidental  
25 to the foregoing powers, as may advance the objects of the University.

26 (2) Subject to the provisions of this Bill and of the Statutes made there  
27 under and without prejudice to Clause 9 (2) of this Bill, the powers conferred  
28 on the University by sub-clause (l) of this Clause shall be exercisable on behalf  
29 of the University by the Council or by the Senate or in any other manner which  
30 may be authorized by this Bill.

1                   5.-(1) The Chancellor shall in relation to the University, take  
2 precedence before all other members of the University, and when he is  
3 present shall preside at all meetings of convocation held for conferring  
4 degrees.

Chancellor to  
take precedence  
before other  
members

5                   (2) The Pro-Chancellor shall, in relation to the University, take  
6 precedence before all other members of the University except the  
7 Chancellor, and except for the Vice Chancellor when acting as Chairman of  
8 Congregation or Convocation, and the Pro-Chancellor shall, when he is  
9 present, be the Chairman at all meetings of the Council.

10                  6.-(1) There shall be a Council for the University consisting of-

Establishment  
and membership  
of the Council

11                   (a) the Pro-Chancellor;

12                   (b) the Vice Chancellor;

13                   (c) the Deputies Vice Chancellor;

14                   (d) one person from the Federal Ministry responsible for  
15 education;

16                   (e) four persons representing a variety of interest and broadly  
17 representative of the whole Federation to be appointed by the President;

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

19                   (g) two persons appointed by the Congregation from among its members;  
20 and

21                   (h) one person appointed by the Convocation from among its  
22 members.

23                   (2) Persons to be appointed to the Council shall be persons of  
24 proven integrity, knowledgeable and familiar with the affairs and tradition  
25 of the University.

26                  7.-(1) Subject to the provisions of this Bill relating to the Visitor,  
27 the Council shall be the governing body of the University and shall be  
28 charged with the general control and superintendence of the policy, finances  
29 and property of the University, including its public relations.

Council and other  
Committees of  
the University

30                   (2) There shall be a committee of the Council to be known as the

1 Finance and General Purposes Committee, which shall, subject to the  
2 directions of the Council, exercise control over the property and expenditure of  
3 the Council as the Council may from time to time delegate to it.

4 (3) Provision shall be made by Statute with respect to the constitution  
5 of the Finance and General Purposes Committee.

6 (4) The Council shall ensure that proper accounts of the University  
7 are kept and the accounts of the University are audited annually by auditors  
8 appointed by the Council from the list and in accordance with guidelines  
9 supplied by the Auditor-General for the Federation, and that an annual report is  
10 published by the University together with certified copies of the said accounts  
11 as audited.

12 (5) Subject to this Bill and the Statutes, the Council and the Finance  
13 and General Purposes Committee may each make rules for the purpose of  
14 exercising any of their respective functions or of regulating their own  
15 procedure.

16 (6) Rules made under subsection (5) of this section by the Finance and  
17 General Purposes Committee shall not come into force unless approved by the  
18 Council, and where any rule so made by the Committee conflicts with any  
19 direction given by the Council (whether before or after the coming into force of  
20 the rules in question), the direction of the Council shall prevail.

21 (7) There shall be paid to the members of the Council, the Finance and  
22 General Purposes Committee and of any other Committee set up by the  
23 Council, allowances in respect of travelling and other reasonable expenses, at  
24 such rates as may from time to time be fixed by extant government circulars.

25 (8) The Council shall meet as and when necessary for the  
26 performance of its functions under this Bill, and shall meet at least four times  
27 every year.

28 (9) If required in writing by five members of the Council, the  
29 Chairman shall within, 28 days after the receipt of such request, call a meeting  
30 of the Council:



1 provided that if after 28 days of the receipt or delivering to him of such  
2 request, the Chairman fails or neglects to call a meeting, the Registrar shall,  
3 within 14 days thereof, cause a meeting of the Council to be convened for  
4 that purpose and the request shall specify the business to be considered at the  
5 meeting and no business not so specified shall be transacted at that  
6 meeting.

7 8.-(1) Subject to Clause 5 of this Bill and sub-clauses (3) and (4) of  
8 this Clause and to the provisions of this Bill relating to the Visitor, it shall be  
9 the general function of the Senate to organize and control teaching in the  
10 University, admission to Post-graduate courses and other admission of  
11 students, the discipline of students and to promote research in the  
12 University.

Functions of the  
Senate

13 (2) Without prejudice to the generality of the provisions of  
14 subsection (1) of this section, it shall in particular be the function of the  
15 Senate to make provision for the-

16 (a) establishment, organization and control of campuses, colleges,  
17 faculties, departments, schools, Institutes and other teaching and research  
18 units of the University, and the allocation of responsibility for different  
19 branches of learning;

20 (b) organization and control of courses of study in the University  
21 and of the examinations held in conjunction with those courses, including  
22 the appointment of examiners, both internal and external;

23 (c) award of degrees, and such other qualifications as may be  
24 prescribed, in connection with examinations conducted by the University;

25 (d) making of recommendations to "the 'Council with respect to  
26 the award to any person of an honorary fellowship or honorary degree or the  
27 title of professor emeritus;

28 (e) establishment, organization and control of halls of residence  
29 and similar institutions in the University;

30 (f) supervision of the welfare of students in the University and the

1 regulation of their conduct; (g)granting of fellowships, scholarships, prizes  
2 and similar awards in so far as the awards are within the control of the  
3 University; and

4 (g) determination of what description of dress shall be academic dress  
5 for the purposes of the University, and regulating the use of academic dress.

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

10 (4) Subject to this Bill and the Statutes, the Senate may make  
11 regulations for the purpose of exercising any function conferred on it either by  
12 the provisions of this section or for the purpose of providing for any matter for  
13 which provision by regulation is authorized or required by this Bill or by  
14 Statute.

15 (5) The Senate shall, by regulation, provide that at least one of the  
16 persons appointed as examiners at each final or professional examination held  
17 in conjunction with any course of study in the University is not a teacher at the  
18 University but is a teacher at the branch of learning to which the course relates  
19 in some other Institute of high repute.

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

Vice Chancellor  
to take precedence  
in the absence  
of Chancellor

26 9.-(1) The Vice Chancellor shall, in relation to the University, take  
27 precedence before all other members of the University except the Chancellor  
28 and, subject to clause 5 of this Bill, the Pro-Chancellor and any other person for  
29 the time being acting as Chairman of the Council.

30 (2) Subject to the provisions of this Bill, the Vice Chancellor shall

1 have general function, in addition to any other function conferred on him by  
2 this Bill or otherwise, of directing the activities of the University, and shall,  
3 to the exclusion of any other person or authority, be the chief executive and  
4 academic officer of the University and ex-officio Chairman of the Senate.

5 PART II - STATUTES OF THE UNIVERSITY

6 10.-(1) Subject to this Bill, the University may make Statutes for Statutes of the  
University  
7 any of the following purposes-

8 (a) making provision with respect to the composition and  
9 constitution of any authority of the University;

10 (b) specifying and regulating the powers and duties of any  
11 authority of the University, and regulating any other matter connected with  
12 the University or any of its authorities;

13 (c) regulating the admission of students where it is done by the  
14 University, and their discipline and welfare;

15 (d) determining whether any particular matter is to be treated as an  
16 academic or non-academic matter for the purposes of this Bill and of any  
17 Statute, regulation or other instrument made there-under; and

18 (e) making provision for other matters for which provision by  
19 Statute is authorized or required by this Bill.

20 (2) Subject to section 25 (6) of this Act, the Interpretation Act shall  
21 apply in relation to any Statute made under this section as it applies to a  
22 subsidiary instrument within the meaning of section 27 (1) of that Act.

23 (3) The Statute contained in the Third Schedule to this Bill shall be  
24 deemed to have come into force on the commencement of this Bill and shall  
25 be deemed to have been made under this section by the University.

26 (4) The power to make Statute conferred by this section shall not be Second Schedule  
27 prejudiced or limited in any way by reason of the inclusion or omission of  
28 any matter in or from the Statute contained in the Second Schedule to this  
29 Bill.

Power to make  
and approve  
Statutes

1 11.-(1) The power of the University to make Statutes shall be exercised in  
2 accordance with the provisions of this clause.

3 (2) A proposed Statute shall not have the force of law until it has been  
4 approved at a meeting of the-

5 (a) Senate, by the votes of not less than two thirds of the members  
6 present and voting; and

7 (b) Council by the votes of not less than two thirds of the members  
8 present and voting.

9 (3) A proposed Statute may originate either in the Senate or Council,  
10 and may be approved as required by sub clause (2) of this clause by both bodies  
11 in no particular order.

12 (4) A Statute which-

13 (a) makes provision for or alters the composition or constitution of the  
14 Council, the Senate or any other authority of the University; or

15 (b) provides for the establishment of a new campus or college or for  
16 the amendment or revocation of any Statute whereby a campus or college is  
17 established, shall not come into operation unless it has been approved by the  
18 Visitor.

19 (5) For the purpose of section 2 (2) of the Interpretation Act, Statute  
20 shall be treated as being made on the date on which it is approved by the  
21 Council and the Senate in accordance with sub clause (3) or in the case of a  
22 Statute falling within sub clause (4) of this clause, on the date on which it is  
23 approved by the President.

Proof of Statute  
in court

24 12. A Statute may be proved in any court by the production of a copy  
25 thereof bearing or having affixed to it a certificate signed by the Vice  
26 Chancellor or the Registrar to the effect that the copy is a true copy of a Statute  
27 of that Institute.

Visitor's decision  
in case of dispute

28 13.-(1) In the event of any doubt or dispute arising at any time as to the  
29 meaning of any provision of a Statute, the matter may be referred to the Visitor,  
30 who shall take such advice and make such decision thereon as he deems fit.



1 (b) give effect to any instruction consistent with the provisions of this  
2 Bill which may be given by the Visitor in consequence of the visitation.

Removal of  
members

3 15.-(1) If it appears to the Council that a member (other than Pro-  
4 Chancellor or the Vice Chancellor ) should be removed from office on grounds  
5 of misconduct or inability to perform the functions of his office, the Council  
6 shall make a recommendation to that effect through the Minister to the Federal  
7 Executive Council and if the Federal Executive Council, after making such  
8 enquiries (if any) as may be considered necessary, approves the  
9 recommendation, it may direct the removal of the member from office.

10 (2) The Minister shall use his best endeavors to cause a copy of the  
11 instrument embodying a direction under sub clause (1) of this clause to be  
12 served as soon as reasonably practicable on the person to whom it relates.

Grounds and  
procedure for  
removal of  
members

13 16.-(1) If it appears to the Council that there are reasons for believing  
14 that any person employed as a member of the academic, administrative or  
15 professional staff of the University, other than the Vice Chancellor , should be  
16 removed from office or on grounds of misconduct or inability to perform the  
17 functions of his office Council shall-

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

19 (b) afford such person an opportunity of making representation on the  
20 matter to the Council; and

21 (c) take a decision to terminate or not to terminate the appointment.

22 (2) If the affected staff or any three members of the Council so request  
23 within a period of one month from the date of receipt of the notice of the  
24 Council's decision, the Council shall make arrangements for-

25 (a) a joint committee of the Council and the Senate to review the  
26 matter and to report on it to the Council;

27 (b) the person in question to be afforded an opportunity to appear  
28 before and be heard by an investigating committee with respect to the matter;  
29 and if the Council after considering the report of the investigating committee is  
30 satisfied that the person in question should be removed, the Council may so

1 remove him by an instrument in writing signed on the directions of the  
2 Council.

3 (3) The Vice Chancellor may, in a case of gross misconduct by a  
4 member of staff which in the opinion of the Vice Chancellor is prejudicial to  
5 the interest of the University, suspend such member and any such  
6 suspension shall immediately be reported to the Council.

7 (4) Any member of staff may be suspended from duty or his  
8 appointment may be terminated by Council for a good cause and, for the  
9 purposes of this subsection, "good cause" means-

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

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

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

19 (d) conduct which the Council considers to be such as to constitute  
20 failure or inability of the person concerned to discharge the functions of his  
21 office or to comply with the terms and conditions of his service.

22 (5) Any person suspended under sub clause (3) of this clause shall  
23 be on half pay and the Council shall, before the expiration of a period of  
24 three months from the date of such suspension, consider the case against that  
25 person and come to a decision as to whether to-

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

28 (b) reinstate such person in which case the Council shall restore his  
29 full emoluments with effect from the date of suspension;

30 (c) terminate the appointment of the person concerned in which

1 case such a person will not be entitled to the proportion of his emoluments  
2 withheld during the period of suspension; and

3 (d) take such lesser disciplinary action against such person (including  
4 the restoration of such proportion of his emoluments that might have been  
5 withheld) as the Council may determine.

6 (6) Where the Council, pursuant to this section, decides to continue a  
7 person's suspension or decides to take further disciplinary action against the  
8 person, the Council shall, before the expiration of three months from such  
9 decision, come to a final determination in respect of the case concerning such a  
10 person.

11 (7) The person by whom an instrument of removal is signed in  
12 pursuance of subsection (1) of this section shall use his best endeavors' to cause  
13 a copy of the instrument to be served as soon as reasonably practicable on the  
14 person to whom it relates.

15 (8) Nothing in this clause shall prevent the Council from making  
16 regulations for the discipline of staff and workers of the University as may be  
17 appropriate.

Removal of  
Examiner

18 17.-(1) If, on the recommendation of the Vice Chancellor or, it  
19 Examiner appears to the Senate that a person appointed as an examiner for any  
20 examination of the University ought to be removed from his office or  
21 appointment, then, the Senate may, after affording the examiner an opportunity  
22 of making representations in person on the matter, direct the Vice Chancellor to  
23 remove the examiner by an instrument in writing signed by the Registrar.

24 (2) Subject to the provisions of any regulation made under this Bill,  
25 the Vice Chancellor may, on the recommendation of Senate, appoint an  
26 appropriate person as examiner in the place of the examiner removed.

27 (3) The Registrar shall on signing an instrument of removal under this  
28 section, use his best endeavors to cause a copy of the instrument to be served as  
29 soon as reasonably practicable on the person to whom it relates.



- 1                   18.-(1) Subject to the provisions of this clause, where it appears to  
2 the Vice Chancellor that any student is guilty of misconduct, the Vice  
3 Chancellor may, without prejudice to any other disciplinary powers  
4 conferred on him by Statute or regulations, direct that the-
- 5                   (a) student shall not, during such period as may be specified in the  
6 direction, participate in such activities of the University or make use of such  
7 facilities of the University as may be so specified;
- 8                   (b) activities of the student shall, during such period as may be  
9 specified in the direction, be restricted in such manner as may be so  
10 specified;
- 11                   (c) student be rusticated for such period as may be specified in the  
12 direction; or
- 13                   (d) student be expelled from the University.
- 14                   (2) Where a direction is given under sub clause (1) (c) or (d) of this  
15 clause in respect of any student, the student may, within the prescribed  
16 period and in the prescribed manner, appeal against the direction to the  
17 Senate.
- 18                   (3) Where an appeal is brought under sub clause (2) of this clause,  
19 the Senate shall, after causing such inquiry to be made in the matter as the  
20 Senate considers just, either confirm or set aside the direction or modify it in  
21 such manner as the Senate thinks fit.
- 22                   (4) The fact that an appeal from a direction is brought under sub  
23 clause (2) of this clause shall not affect the operation of the direction while  
24 the appeal is pending.
- 25                   (5) The Vice Chancellor may delegate his powers under this clause  
26 to a disciplinary board consisting of such members of the University as he  
27 may nominate.
- 28                   (6) Nothing in this clause shall be construed as preventing the  
29 restriction or termination of a student's activities at the University for  
30 conduct which in the opinion of the Senate is prejudicial to the interest of the

Disciplinary  
action on students

1 University or to its corporate objective or image.

2 (7) A direction under sub clause (1) (a) of this clause may be combined  
3 with a direction under sub clause (1) (b) of this clause.

4 PART IV - MISCELLANEOUS AND GENERAL PROVISIONS

Discrimination

5 19.-(1) No person shall be required to satisfy requirements as to race  
6 (including ethnic grouping) sex, place of birth, family origin, religious or  
7 political persuasion, as a condition for becoming or continuing to be a-

8 (a) student in the University;

9 (b) holder of any degree, appointment or employment in the  
10 University; or

11 (c) member of anybody established by virtue of this Bill.

12 (2) No person shall be subjected to any disadvantage or accorded any  
13 advantage in relation to the University by reference to any of the matters  
14 referred to in sub clause (1) of this clause.

15 (3) Nothing in sub clause (1) of this clause shall be construed as  
16 preventing the University from imposing any disability or restriction on any of  
17 the persons specified in sub clause (1) of this clause, where such persons  
18 willfully refuse or fail on grounds of religious belief to undertake any duty  
19 generally and uniformly imposed on all such persons or any group of them  
20 which duty, having regard to its nature and the special circumstances, is in the  
21 opinion of the University reasonably justifiable in the national interest.

Application of  
the Land Use  
Act  
Cap. L5 LFN,  
2004

22 20.-(1) For the purpose of the Land Use Act, which provides for the  
23 compulsory acquisition of land for public purposes, any purpose of the  
24 University shall be the same as that of the Federation.

25 (2) Where an estate or interest in land is acquired by the Government  
26 pursuant to this section, the Government may, by a certificate under the hand  
27 and seal of the Chief Federal Lands Officer or any other person authorized in  
28 that behalf transfer it to the University.

Consent of Visitor  
in Land deals  
Cap. L5. LFN,  
2004

29 21. Without prejudice to the provisions of the Land Use Act, the  
30 University shall not dispose of or charge any land or an interest in any land,

1 including any land transferred to the University by this Bill, except with the  
2 prior written consent, either general or special, of the Visitor:

3           Provided that such consent shall not be required in the case of any  
4 lease or tenancy at a rack-rent for a term not exceeding 21 years of any lease  
5 or tenancy to a member of the University for residential purpose.

6           **22.** Except as may be otherwise provided by Statute or by Quorum  
7 regulation, the quorum and procedure of any body of persons established by  
8 this Bill shall be such as may be determined by that body.

9           **23.**-(1) Anybody of persons established by this Bill shall, without Committees  
10 prejudice to the generality of the powers of that body, have power to appoint  
11 committees, which need not consist exclusively of members of that body  
12 and authorize a committee established by it to-

13           (a) exercise on its behalf, such of its functions as it may determine,  
14 and

15           (b) co-opt members and direct whether or not coopted members  
16 shall be entitled to vote in that committee.

17           (2) Any two or more of such bodies may arrange for holding of  
18 joint meetings of those bodies or for the appointment of Committees  
19 consisting of members of those bodies, for the purpose of considering any  
20 matter within the competence of those bodies or any of them and either  
21 dealing with it or of reporting on it to those bodies or any of them.

22           (3) Except as may be otherwise provided by a Statute or regulation,  
23 the quorum and procedure of a committee established or meeting held  
24 pursuant to this section shall be such as may be determined by the body or  
25 bodies which have decided to establish the committee or hold the meeting.

26           (4) The Pro-Chancellor and the Vice Chancellor shall be members  
27 of every committee of which the members are wholly or partly appointed by  
28 the Council, other than a committee appointed to inquire into the conduct of  
29 the officer in question and the Vice Chancellor shall be a member of every

1 committee of which the members are wholly or partly appointed by the Senate.

2 (5) Nothing in this section shall be construed as enabling-

3 (a) statutes to be made otherwise than in accordance with clause 11 of  
4 this Bill; or

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

Seal of the  
University

7 **24.-(1)** The seal of the University shall be such as may be determined  
8 by the Council and approved by the Chancellor and the affixing of the seal  
9 shall-

10 (a) in the case of certificates issued by the University, be authenticated  
11 by the Vice Chancellor and the Registrar; and

12 (b) in the case of any other document, be authenticated by any  
13 member of Council, the Vice Chancellor and the Registrar or any other person  
14 authorized by Statute.

15 (2) Any document purporting to be a document executed under the  
16 seal of the University shall be received in evidence and shall, unless the  
17 contrary is proved, be deemed to be so executed.

18 (3) Any contract or instrument which, if made or executed by a person  
19 not being a body corporate, would not be required to be under seal, may be  
20 made or executed on behalf of the University by any person generally or  
21 specially authorized to do so by the Council without seal.

22 (4) The validity of the proceedings of anybody established pursuant to  
23 this Bill shall not be affected by-

24 (a) any vacancy in the membership of the body;

25 (b) any defect with appointment of a member of the body; or

26 (c) by reason that any person not entitled to do so took part in the  
27 proceedings.

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

1 (6) Nothing in clause 12 of the Interpretation Act, which provides  
2 for the application, in relation to subordinate legislation, of certain  
3 incidental provisions, shall apply to Statutes or Regulations made under this  
4 Bill.

5 (7) The power conferred by this Bill on anybody to make Statutes  
6 or Regulations shall include power to revoke or vary any-

7 (a) Statute, including the Statute contained in the Second Schedule  
8 to this Bill; or

9 (b) Regulation by a subsequent Statute or Regulation as the case  
10 may be:

11 Provided that the Statutes and Regulations may have different provisions in  
12 relation to different circumstances.

13 (8) No stamp or other duty shall be payable in respect of any  
14 transfer of property to the University by virtue of clauses 10, 21, and the  
15 Second Schedule to this Bill.

16 (9) Any notice or other instrument authorized to be served by virtue  
17 of this Bill may, without prejudice to any other mode of service, be served by  
18 post.

19 25. Where in any provisions of this Bill, it is laid down that  
20 proposals are to be submitted or a recommendation is to be made by one  
21 authority to another through one or more intermediate authorities, every  
22 such intermediate authority shall forward any proposal or recommendation  
23 received by it pursuant to that provision to the appropriate authority; but any  
24 such intermediate authority may, if it thinks fit, forward therewith its own  
25 comments thereon.

Proposal and  
recommendation

26 26. A person who has a cause of action against the University shall-

Pre-Action Notice

27 (a) give the University three months' notice, in writing, of intention  
28 to commence an action, disclosing the cause of action and served the  
29 processes to the principal office of the University; and

30 (b) commence the legal action within two years from the date the

	1	cause of action arose.
Interpretation	2	27. In this Bill-
	3	"Appropriate authority" means any person, body or authority authorized by
	4	law to act in a specific or general capacity in relation to a subject matter;
	5	"Campus" means any campus which may be established by the University;
	6	"College" means any college which may be established by the University;
	7	"Constitution" means the Constitution of the Federal Republic of Nigeria;
	8	"Government" means the Federal Government of Nigeria;
	9	"Graduate" means a person on whom a degree, other than an honorary degree,
	10	has been conferred by the University to him;
	11	"Gross misconduct" means any act of misconduct and improper behavior that
	12	may be designated as gross misconduct by any Statute or regulation made,
	13	under this Bill;
	14	"Minister" means the Minister charged with responsibility for education;
	15	"Misconduct" means any conduct which is prejudicial to the good name of the
	16	University and or discipline and the proper administration of the business of
	17	the University;
	18	"Officer" does not include the Visitor;
	19	"Prescribed" means prescribed by Statute or regulation made under this Bill;
	20	"Professor" means a person designated as a professor of the University in
	21	accordance with provisions made in that behalf by Statute or regulations;
	22	"Property" includes rights, liabilities and obligations;
	23	"Regulations" means regulations made by the Senate or Council;
	24	"Senate" means the Senate of the University established by this Bill;
	25	"Statute" means a Statute made by the University under section 11 of this Bill;
	26	"The provisional Council" means the provisional Council appointed for the
	27	University by the President;
	28	"Teacher" means a person holding a full time appointment as a member of the
	29	teaching or research staff of the University; and
	30	"The University" means the Nigerian Civil Defence University Azare.



1 to the Vice Chancellor for the day-to-day administration of the University  
2 except as regards matters for which the Bursar is responsible in accordance  
3 with paragraph 6 (2) of this schedule.

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

6 (3) The Registrar shall hold office for such period and on such terms  
7 and conditions as to emoluments as may be specified in his letter of  
8 appointment.

9 6.-(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 shall be the Chief Financial Officer of the University  
14 and shall be responsible to the Vice Chancellor for the day-to-day  
15 administration and control of the financial affairs of the University.

16 (3) The University Librarian shall be responsible to the Vice  
17 Chancellor for the administration of the University Library and the co-  
18 ordination of all library services in the University and its campuses, colleges,  
19 faculties, schools, departments and institutes and other teaching or research  
20 units.

21 (4) The Bursar and the University Librarian shall each hold office for  
22 such period and on such terms and conditions as to emoluments as may be  
23 specified in their letters of appointment.

24 7. There shall be for the University, a Director of Works, who shall be  
25 responsible to the Vice Chancellor for the administration of the Works  
26 Department, and shall be responsible for all works, services and maintenance  
27 of Institute facilities.

28 8. There shall be for the University, a Director of Health Services,  
29 who shall be responsible to the Vice Chancellor for the administration of the  
30 Health Centre and he shall be the Chief Medical Officer of the University and



1 shall coordinate all matters relating to the health of all staff and students.

2 9. -(1) Any officer mentioned in this Schedule may resign his  
3 office in-

4 (a) the case of the Chancellor or Pro-Chancellor, by notice to the  
5 Visitor;

6 (b) in the case of the Vice Chancellor , by notice to the Council  
7 which shall immediately notify the Minister.

8 (2) A person who has ceased to hold an office so mentioned  
9 otherwise than by removal for misconduct shall be eligible for re-  
10 appointment to that office.

11 SECOND SCHEDULE

12 NIGERIAN CIVIL DEFENCE UNIVERSITY AZARE STATUTE NO.1

13 Articles:

14 1. The Council

15 2. Finance and General Purpose Committee

16 3. The Senate

17 4. The Congregation

18 5. The Convocation

19 6. Organization of Faculties and the Branches thereof

20 7. Faculty Board

21 8. The Dean of the Faculty

22 9. Selection of certain Principal and other key officers

23 10. Creation of Academic Post

24 11. Appointment of Academic Staff

25 12. Appointment of Administrative and Technical Staff

26 *The Council*

27 1.-(1)Any member of Council holding office pursuant to section  
28 6(e) (f) (g) or (h) of this Bill may, by notice to the Council resign his office.

29 (2)A member of Council holding office pursuant to section 6(e) (f)  
30 (g) or (h) of this Bill shall, unless he previously vacates it, vacate that office

1 on the expiration of a period of four years starting.

2 (3) Where a member of Council holding office pursuant to section  
3 6(e) (f) (g) or (h) of this Bill vacates office before the expiration of his tenure,  
4 the body that appointed him may appoint a successor to hold office for the  
5 residue of his unexpired term.

6 (4) A person ceasing to hold office as a member of Council otherwise  
7 than by removal for misconduct shall be eligible for re-appointment for only  
8 one further period of four years.

9 (5) The quorum of the Council shall be five, at least one of whom shall  
10 be a member pursuant to section 6(d) and (e) of this Bill.

11 (6) If the Pro-Chancellor is not present at a meeting of the Council, the  
12 members present at the meeting may appoint one of them to be the Chairman at  
13 that meeting, and subject to section 5 of this Bill and the provisions of this  
14 paragraph, the Council may regulate its own procedure.

15 (7) Where the Council desires to obtain advice with respect to any  
16 particular matter, it may co-opt not more than two persons for that purpose; and  
17 the persons co-opted may take part in the deliberations of the Council at any  
18 meeting but shall not be entitled to vote.

19 (8) The Council constituted by this Bill shall have a four year tenure  
20 from the date of its inauguration, provided that where a Council is found to be  
21 incompetent and corrupt, it shall be dissolved by the visitor and a new Council  
22 shall be immediately constituted for the effective functioning of the University.

23 (9) The powers of the Council shall be exercised in accordance with  
24 the laws and Statutes of the University, and to that extent, establishment  
25 circulars that are inconsistent with the laws and Statutes of the University shall  
26 not apply to the University.

27 *The Finance and General Purpose Committee*

28 2.-(1) The Finance and General Purpose Committee of the Council  
29 shall consist of-

30 (a) the Pro-Chancellor, who shall be the Chairman of the Committee

1 at any meeting at which he is present;

2 (b) the Vice Chancellor and a Deputy Vice Chancellor;

3 (c) six other members of the Council appointed by the Council two  
4 of whom shall be selected from among the four members of the Council  
5 appointed by the Senate and one of whom shall be selected from among  
6 members of the Council appointed by the congregation; and

7 (d) the Permanent Secretary, Federal Ministry of Education or, in  
8 his absence, such member of his Ministry as he may designate to represent  
9 him.

10 (2) The quorum of the Committee shall be six.

11 (3) Subject to any direction given by the Council, the Committee  
12 may regulate its own procedure.

13 *The Senate*

14 3.-(1) There shall be a Senate for the University consisting of-

15 (a) the Vice Chancellor;

16 (b) the Deputy Vice Chancellors;

17 (c) all Professors of the University;

18 (d) all Deans, Provosts and Directors of Academic Units of the  
19 University;

20 (e) all Heads of Academic Departments, Units and Research  
21 Institutes of the University;

22 (f) the University Librarian; and

23 (g) academic members of the Congregation who are not Professors  
24 as specified in the Laws of the University.

25 (2) The Vice Chancellor shall be the Chairman at all meetings of  
26 the Senate when he is present and, in his absence, one of the Deputy Vice  
27 Chancellors appointed by him shall be the Chairman at the meeting.

28 (3) The quorum of the Senate shall be one-quarter, or the nearest  
29 whole number less than one quarter, and subject to paragraph (2), the Senate  
30 may regulate its own procedure.

1 (4) If so requested in writing by any 10 members of the Senate, the  
2 Vice Chancellor, or, in his absence a person duly appointed by him shall  
3 convene a meeting of the Senate to be held not later than the tenth day  
4 following that on which the request was received.

5 *Congregation*

6 4.-(1) The Congregation shall consist of-

7 (a) the Vice Chancellor and the Deputy Vice Chancellors;

8 (b) the full time members of the academic staff;

9 (c) the Registrar;

10 (d) the Bursar; and

11 (e) every member of the administrative and technical staff who holds  
12 a degree of any Institute recognized for the purpose of this Statute by the Vice  
13 Chancellor, not being an honorary degree.

14 (2) Subject to section 5 of this Bill, the Vice Chancellor shall be the  
15 Chairman at all meetings of Congregation when he is present, and, in his  
16 absence, one of the Deputy Vice Chancellors appointed by him shall be the  
17 Chairman at the meeting.

18 (3) The quorum of Congregation shall be one-third, or the nearest  
19 whole number to one-third, of the total number of members of Congregation or  
20 fifty, whichever is less.

21 (4) A certificate signed by the Vice Chancellor specifying-

22 (a) the total number of members of the Congregation for the purposes  
23 of any particular meeting or meetings of the Congregation, or

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

27 (5) Subject to the provisions of this Schedule, the Congregation may  
28 regulate its own procedure.

29 (6) The Congregation shall be entitled to express by, resolution or  
30 otherwise, its opinion on all matters affecting the interest and welfare of the

1 University and shall have such other functions in addition to the function of  
2 electing a member of the Council, as may be provided by Statute or  
3 regulations.

4 *The Convocation*

5 5.-(1) The Convocation shall consist of-

6 (a) the Officers of the University mentioned in the First Schedule to  
7 this Bill;

8 (b) all teachers within the meaning of this Bill; and

9 (c) all other persons whose names are registered in accordance with  
10 sub-paragraph (2) of this paragraph.

11 (2) A person shall be entitled to have his name registered as a  
12 member of the convocation if he-

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

15 (b) applies for the registration of his name in the prescribed manner  
16 and pays the prescribed fee.

17 (3) Regulations shall provide for the establishment and  
18 maintenance of a register for the purpose of this paragraph and, subject to  
19 sub-paragraph (3), may provide for the payment from time to time of further  
20 fees by persons whose names are on the register and for the removal from the  
21 register of the name of any person who fails to pay those fees.

22 (4) The person responsible for maintaining the register shall,  
23 without the payment of any fee, ensure that the names of all persons who are  
24 for the time being members of the Convocation by virtue of sub-paragraph  
25 (1)(a) or (b) of this paragraph are entered and retained in the register.

26 (5) A person who reasonably claims that he is entitled to have his  
27 name on the register shall be entitled on demand to inspect the register, or a  
28 copy of the register at the principal offices of the University at all reasonable  
29 times.

30 (6) The register shall, unless the contrary is proved, be sufficient

1 evidence that any person named therein is, and that any person not named  
2 therein is not, a member of the convocation; but for the purpose of ascertaining  
3 whether a particular person was such a member on a particular date, any entry  
4 in, and deletion from, the register made on or after that date shall be  
5 disregarded.

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

9 (8) Subject to section 5 of this Bill, the Chancellor shall be Chairman  
10 at all meetings of the Convocation when he is present, and, in his absence, the  
11 Vice Chancellor shall be the Chairman at the meeting.

12 (9) The Convocation shall have such functions, in addition to the  
13 function of appointing a member of the Council, as may be provided by Statute.

14 *Organization of Faculties and Branches Thereof*

15 6. Each Faculty shall be divided into such number of branches as may  
16 be prescribed.

17 7.-(1) There shall be established in respect of each Faculty, a Faculty  
18 Board, which, subject to the provisions of this Bill, and subject to the directions  
19 of the Vice Chancellor, shall-

20 (a) regulate the teaching and study of, and the conduct of  
21 examinations connected with, the subjects assigned to the faculty;

22 (b) deal with other matters assigned to it by Statute, the Vice  
23 Chancellor or the Senate; and (c) advise the Vice Chancellor or Senate on any  
24 matter referred to it by the Vice Chancellor or Senate.

25 (2) Each Faculty Board shall consists of-

26 (a) the Vice Chancellor;

27 (b) the persons severally in charge of the branches of the faculty;

28 (c) such number of the teachers assigned to the faculty and having the  
29 prescribed qualifications as the Board may determine; and

30 (d) such persons whether or not members of the University as the

1 Board may determine with the general or special approval of Senate.

2 (3) The quorum of the Board shall be 8 members or one-quarter of  
3 the members of the Board for the time being, whichever is greater.

4 (4) Subject to the provisions of this Statute and any provision made  
5 by regulations in that behalf, the Board may regulate its own procedure.

6 *The Dean of the Faculty*

7 8.-(1) The Dean of a faculty shall be a professor elected by the  
8 Faculty Board and such Dean shall hold office for a term of two years and  
9 may be eligible for re-election for another term of two years after which he  
10 may not be elected again until two years have elapsed.

11 (2) If there is no professor in a faculty, the Vice Chancellor shall  
12 appoint an acting Dean who shall not be below the rank of Senior Lecturer  
13 for the faculty, who shall act for a period of one year in the first instance,  
14 renewable for another one year only.

15 (3) In the absence of the Vice Chancellor, the Dean shall be the  
16 Chairman at all meetings of the Faculty Board when he is present and he  
17 shall be a member of all committees and other boards appointed by the  
18 faculty.

19 (4) The Dean of a faculty shall exercise general superintendence  
20 over the academic and administrative affairs of the faculty and shall present  
21 to the Convocation for the conferment of Degrees, persons who have  
22 qualified for the Degrees of the University at examinations held in the  
23 branches of learning for which responsibility is allocated to that faculty.

24 (5) There shall be a committee to be known as the Committee of  
25 Deans which shall consist of all the Deans of the several faculties and that  
26 committee shall advise the Vice Chancellor on all academic matters and on  
27 particular matters referred to the Committee by the Senate.

28 (6) The Dean of a faculty may be removed from office for a good  
29 cause by the Faculty Board after a vote would have been taken at a meeting  
30 of the Board, and in the event of a vacancy occurring following the removal

1 of the Dean, an Billing Dean may be appointed by the Vice Chancellor  
2 provided that at the next faculty board meeting an election shall be held for a  
3 new Dean.

4 (7) In this article, "good cause" has the same meaning as in section 17  
5 (4) of this Bill.

6 *Selection of Certain Principal and Other Key Officers*

7 9.-(1) When a vacancy occurs in the Office of the Registrar, Bursar,  
8 the University Librarian, Director of Works or Director of Health Services, a  
9 Selection Board shall be constituted by the Council and shall consist of-

10 (a) the Pro-Chancellor;

11 (b) the Vice Chancellor;

12 (c) two members appointed by the Council, not being members of  
13 Senate; and

14 (d) two members appointed by the Senate not being members of  
15 Council.

16 (2) The Selection Board, after making such inquiries as it thinks fit,  
17 shall recommend a candidate to the Council for appointment to the vacant  
18 office, and after considering the recommendation of the Board, the Council  
19 may make an appointment to that office.

20 (3) A person appointed to the office of Director of Works or Director  
21 of Health Services shall hold office for such period and on such terms and  
22 conditions as may be specified in his letter of appointment.

23 *Creation of Academic Post*

24 10. Recommendation for the creation of posts other than those  
25 mentioned in paragraph 9 of this Schedule shall be made by the Senate to the  
26 Council through the Finance and General Purposes Committee.

27 *Appointment of Academic Staff*

28 11. Subject to this Bill and the Statute made under it, the filling of  
29 vacancies in academic posts, including newly created ones, shall be as  
30 prescribed from time to time by Statute.



1                    *Appointment of Technical Staff Administrative and Technical Staff*

2                    12.-(1) The administrative and technical staff of the University,  
3                    other than those mentioned in paragraph 9 of this Schedule, shall be  
4                    appointed by the Council or on its behalf by the Vice Chancellor or the  
5                    Registrar in accordance with any delegation of powers made by the Council  
6                    in that behalf.

7                    (2) In the case of administrative or technical staff that has close and  
8                    important contacts with the academic staff, there shall be Senate  
9                    participation in the process of selection.

EXPLANATORY MEMORANDUM

This Bill seeks to establish Nigerian Civil Defence University to among other things serve as an institution for high level manpower development, with a mission to train Civil Defence Officers to acquire the highest standards of professionalism and knowledge as well as award Degree and other certificate to deserving and qualified students as may be approve by the National University Commission and other academic regulatory body from time to time

