

A BILL

FOR

AN ACT TO ESTABLISH THE ALEX EKWUEME UNIVERSITY OF TECHNOLOGY, OKO TO PROVIDE FOR ITS DUE ADMINISTRATION, MANAGEMENT AND DISCIPLINE OF STUDENTS OF THE UNIVERSITY; AND FOR RELATED MATTERS

Sponsored by Hon. Ben Nwankwo

[] Commencement

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

1 *Establishment, Constitution and Functions of Alex Ekwueme Federal*
2 *University of Technology*

3 1.-(1) There is established the Alex Ekwueme Federal University
4 of Technology, Oko (herein after referred to as "the University").

Establishment
and objects of
Alex Ekwueme
University of
Technology, Oko

5 (2) The University shall be a body Corporate with perpetual
6 Succession and a common seal.

7 (3) The University may sue and be sued in its corporate name.

8 2. The objects of the University shall be:

Objects of the
University

9 (1) To encourage the advancement of learning and to hold out all
10 persons without discrimination on ground of race, creed, sex or political
11 conviction, the opportunity of acquiring a higher education in technology.

12 (2) To establish appropriate relationship with other national
13 institutions involved in training, research and development of technologies.

14 (3) To develop and offer academic and professional programmes,
15 leading to the awards of first degrees, post-graduate research and higher
16 degrees which emphasize planning, technical, maintenance, development
17 and productive skills in the engineering, scientific, agricultural and allied
18 professional disciplines with the aim of producing matured minds with
19 capability not to only understand, use and adopt existing technology, but

1 also improve on it and develop new ones.

2 (4) To identify the technological problems and needs of the society
3 and to find solutions to them within the context of overall national
4 development.

5 (5) To undertake any other activities appropriate for a University of
6 technology of the highest standard.

Constitution and
Principal Officers
of the University

7 3.-(1) The University shall consist of:

8 (a) a Chancellor;

9 (b) a Pro-chancellor and a Council;

10 (c) a vice-chancellor and a senate;

11 (d) two deputy vice chancellors;

12 (e) a body to be called congregation;

13 (f) a body to be called convocation;

14 (g) the schools, institutes and other teaching and research units of the
15 University;

16 (h) all graduates and undergraduates of the University; and

17 (i) all other persons who are members of the University in accordance
18 with provisions made by statute in that behalf.

19 (2) The first schedule to this Bill shall have effect with respect to the
20 Principal Officers of the University.

21 (3) Subject to the provisions of this Bill statute shall be made with
22 respect to the constitute of the Council, the Senate, the Congregation and the
23 Convocation.

Powers of the
University

24 4.-(1) For the carrying out of its objects slated in clause 2 of this Bill,
25 the University shall have power to:

26 (a) establish such campuses, colleges, institute, schools, extra-moral
27 departments and other teaching or research units within the University as may
28 from time to time be deemed necessary or desirable subject to the approval of
29 the National Universities Commission;

30 (b) Hold examinations and grant degrees, certificates and other

1 distinctions to persons who have pursued a course of study approved by the
2 University and have satisfied such other requirements as the University may
3 lay down;

4 (c) Institute professorships, readerships or associate
5 professorships, lectureships and other posts of offices and to make
6 appointments thereto;

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

9 (e) grant honorary degrees, fellowships or academic titles;

10 (f) demand and receive from any student, or any other person
11 attending the University for the purpose of instruction, such fees as the
12 University may from time to time determine subject to the overall directions
13 of the minister;

14 (g) hold public lectures and to undertake printing, publishing and
15 book selling;

16 (h) accept gifts, legacies, donations, but without obligation to
17 accept same for a particular purpose unless it approves the terms and
18 conditions attaching thereto;

19 (i) erect, equip, provide and maintain libraries, laboratories, lecture
20 halls, halls of residence, sports grounds, play fields and other buildings or
21 things necessary, suitable or convenient for any of the objects of the
22 University;

23 (j) acquire, hold, grant, charge or otherwise deal with or dispose of
24 movable or immovable wherever situated;

25 (k) ~~to make gifts for any charitable purpose.~~

26 (l) ~~do anything which is authorized or required by this Bill or by~~
27 ~~statute to do; and~~

28 (m) do all such acts or things, whether or not incidental to the
29 foregoing powers, as may advance the objects of the university.

30 (2) The power of the University to establish campuses or colleges

1 within the University shall be exercisable by statute and not otherwise.

Functions of the
Chancellor and
Pro-Chancellor

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

5 (2) The Pro-chancellor shall take precedence before all other
6 members of the University, except the chancellor and vice chancellor when
7 acting as chairman of congregation or convocation and the pro-chancellor shall
8 when present, be the Chairman at all meetings of the Council.

Composition of
the Council of
the University

9 6. The council of the University shall consist of:

10 (a) the Pro-Chancellor;

11 (b) the Vice-Chancellor;

12 (c) two Deputy Vice-chancellors;

13 (d) a representative of the ministry responsible for Education;

14 (e) seven persons representing a variety of interest and broadly
15 representative of the whole federation to be appointed by the President;

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

17 (g) two persons appointed by the Congregation from among its
18 members; and

19 (h) one person appointed by the Convocation from among its
20 members.

Functions of the
Council and its
Finance and
General Purposes
Committee

21 7.-(1) Subject to the provisions of this Bill relating to the visitor, the
22 Council shall be the governing body of the University and shall be charged with
23 the general control and superintendence of the policy, finance and property of
24 the University.

25 (2) There shall be a Committee of the Council, to be known as the
26 Finance and General Purposes Committee, which shall, subject to the
27 directions of the Council, exercise control over the property and expenditure of
28 the University and perform such other functions of the Council as the Council
29 may from time to time delegate to it.

30 (3) Provision shall be made by Statute with respect to the Constitution

1 of the Finance and General Purposes Committee.

2 (4) The Council shall ensure that proper accounts of the University
3 are kept and that the accounts of the University and audited annually by an
4 independent firm of auditors approved by the Council and that an annual
5 report is published by the University together with certified copies of the
6 said accounts as audited.

7 (5) The Council and the Finance and General Purposes Committee
8 may make rules for the purpose of exercising any of their respective
9 functions or of regulating their own procedure.

10 (6) Rules made under sub section (5) of this section by the Finance
11 and General Purposes Committee shall not come in to force unless approved
12 by the Council; and that any rules made by the Committee conflict with any
13 direction given by the Council, the directions of the Council shall prevail.

14 (7) There shall be paid to the members of the Council, the Finance
15 and General Purposes Committee or any other committee set up by the
16 Council, such allowances in respect of travelling and other reasonable
17 expenses at such rates as may from time to time be fixed by the minister.

18 (8) The Council shall meet as and when necessary for the
19 performance of its functions and shall meet at least three times in every year.

20 (9) If requested in writing by any five members of the Council, the
21 chairman shall within twenty eight days after the receipt of such request call
22 a meeting of the Council.

23 (10) Any request made under subsection (9) of their section shall
24 specify the business to be considered at the meeting and no business not so
25 specified shall be transacted at that meeting.

26 8.-(1) Subject to section 7 of this Act, and sub section 3 and 4 of this
27 Section and the provisions of relating to the visitor, it shall be the general
28 function of the Senate to organize and control teaching by the University, the
29 admission of students where the enactment provides to the contrary and the
30 disciplines of students, and to promote research at the University.

1 (2) Without prejudice to the generality of the provisions of sub section
2 (1) of this section, the Senate shall perform the following functions:

3 (a) the establishment, organization and control of campus, colleges,
4 schools, institutes and other teaching and research units of the University and
5 the allocation of responsibility for different branches of learning;

6 (b) control of courses of study at the University and of the
7 examinations held in conjunction with those courses, including the
8 appointment of examiners, both internal and external;

9 (c) the award of degrees and such other qualifications as may be
10 prescribed in connection with examinations need;

11 (d) making recommendations to the Council with respect to the award
12 to any person of honorary fellowship or honorary degree or the title of
13 professor emeritus;

14 (e) establishment, organization and control of halls of residence and
15 similar institutions at the University;

16 (f) ensuring the welfare of students at the students and regulation of
17 their conducts;

18 (g) determining what descriptions of dress shall be academic dress for
19 the purpose of the University, and regulating the use of academic dress.

20 (3) The Senate shall not establish any new campus, school, colleges,
21 department or any other research or teaching units of the University or any hall
22 of residence within the University without approval of the Council.

23 (4) The Senate may make regulations for the purpose of exercising
24 any function conferred on it by this Bill or by any statute made by the Council.

25 (5) Regulations shall provide that at least one of the persons appointed
26 as the examiners at either final or professional examination held in conjunction
27 with any course of study at the University is not a teacher at the University, but
28 is a teacher of the branch of learning to which the course relates at some other
29 University of higher repute or a person engaged in practicing the profession in a
30 reputable organization or institution.

1 (6) The Senate may deprive any person of any degree or other
2 award of the University which has been conferred on him if after due
3 enquiry he is shown to have been guilty of dishonorable or scandalous
4 conducts in gaining admission in to the University or obtaining the award,
5 honorer, subject to a right of appeal to the council from the decision of the
6 senate.

7 9.-(1) The vice-chancellor shall take precedence before all other
8 members of the University except the Chancellor and subject to section 5 of
9 this Act, the pro-chancellor and any other person for the time being acting as
10 the chairman of the council.

Functions of the
Vice-Chancellor

11 (2) The vice chancellor shall have the general function, in addition
12 to any other functions conferred on him by this Bill, or otherwise, of
13 directing the activities of the University and shall be the Chief Executive and
14 academic officer of the University and ex-official chairman of the Senate.

15 10.-(1) All property held by or on behalf of the Federal
16 Polytechnic, Oke shall, by virtue of this sub section and without further
17 assurance, vest in the University and be held by if for the purpose of the
18 University.

Transfer of
property to the
University

19 (2) The provisions of the second schedule to this Bill shall have
20 effect with respect to, and to matters arising from the transfer of property by
21 this section and with respect to the other matters mentioned in their
22 schedule.

23 11.-(1) Subject to the provisions of this Bill, the University may
24 make statutes for any of the following purposes, that is to say:

Power of the
University to
make statutes

25 (a) the composition and constitution of any authority of the
26 University;

27 (b) specifying and regulating the powers and duties of the
28 University and regulating any other matter connected with the University or
29 any of its authorities;

30 (c) regulating the admission of students and their discipline and

1 welfare; and

2 (d) determining whether any particular matter is to be treated as an
3 academic or a non-academic matter for the purposes of this Bill, any statute,
4 regulation or other instrument made in their behalf.

5 (2) The statute contained in the Third Schedule to this Bill shall be
6 deemed to have come into force on the commencement of this Bill and shall be
7 deemed to have been made under this section by the University.

8 (3) The statute contained in the Third Schedule to this Bill shall not be
9 prejudiced or limited in any way by reason of the inclusion or omission or any
10 matter in or from the statute contained in the Third Schedule to this Bill or any
11 subsequent statute.

Mode of
exercising power
to make statutes

12 **12.-(1)** The power of the University to make statutes shall be
13 exercised in accordance with the provision of this section and not otherwise.

14 (2) A proposed statute shall not become law unless it has been
15 approved:

16 (a) at a meeting of the Senate, by the votes of not less than two thirds
17 of the members present and voting; and

18 (b) at a meeting of the Council, by the votes of not less than two third
19 of the members present and voting.

20 (3) A proposed statute may originate either in the Senate or in the
21 Council, and may be approved as required by sub section (2) of this section by
22 either one of these bodies before the other.

23 (4) A statute which:

24 (a) makes provision for or alters the composition or constitution of the
25 council, the senate or any other authority of the University; or

26 (b) provides for the establishment of a new campus or college or for
27 the amendment or revocation of any statute whereby a campus or college is
28 established, shall not come in to operation unless it has been approved by the
29 President.

30 (5) For the purposes of section 2(2) of the Interpretation Act, a statute

1 shall be treated as being made on the date in which it is duly approved by the
2 Council after having been duly approved by the Senate, or on the date in
3 which it is duly approved by the council, as the case may be or, in the case of
4 a statute falling within sub section (4) of this section, on the date in which it
5 is approved by the President.

6 (6) In the event of any doubt or dispute arising at any time:

7 (a) as to the meaning of any provision of a statute; or

8 (b) as to whether any matter is for the purposes of this Bill an
9 academic matter as they related t such doubt or discipline, the matter may be
10 referred to the visitor, who shall take such advice and make such decision
11 thereon as he think fit.

12 (7) The decision of the visitor on any matter referred to him under
13 sub section (6) of this section shall be binding upon the authorities, staff and
14 students of the University, and where any question as to the meaning of any
15 provision of a statute has been decided by the visitor under that subsection,
16 and question as to the meaning of that provision shall be entertained by any
17 Court of Law in Nigeria.

18 (8) Nothing in subsection (7) of this section shall affect any power
19 of any power of a court of competent jurisdiction to determine whether any
20 provision of a statute is wholly or partly void as being ultra vire, or as being
21 inconsistent with the Constitution of the Federal Republic of Nigeria, 1999.

22 13. A statute may be proved in any court by the production of a
23 copy thereof bearing or having affixed to it a certificate purporting to be
24 signed by the vice-chancellor or the secretary to the council to the effect that
25 the copy is a true copy of a statute of the University.

Proof of
Statutes

26 14. -(1) The President shall be the Visitor of the University.

The Visitor

27 (2) The Visitor shall as often as the circumstances may require, not
28 being less than once every five years, conduct a visitation of the University
29 or director that such visitation be conducted by such person or persons as the
30 Visitor may deem fit in respect of any of the affairs of the University.

1 (3) It shall be the duty of the bodies and persons comprising the
2 University to make available to the Visitor and to any other person conducting a
3 visitation in pursuance of this section, such facilities and assistance as he or
4 they may reasonably require for the purpose of a visitation.

Removal of certain
members of
council

5 15.-(1) If it appears to the council that a member of the council (other
6 than the pro-chancellor or the vice-chancellor) should be removed from the
7 office on the ground of misconduct or inability to perform the functions of his
8 employment, the Council shall make a recommendation to that effect through
9 the minister to the President and if the President after making such enquiries (if
10 any) as he may consider appropriate, approves the recommendation, he may
11 direct the removal of the person in question from office.

12 (2) It shall be the duty of the Minister to use his best endeavors to
13 cause a copy of the instrument embodying a direction under sub section(1) of
14 this section to be served as soon as reasonably practicable on the person to
15 whom it relates.

Removal and
discipline of
academic,
administrative
and professional
staff

16 16.-(1) If it appears to the council that there are reasons for believing
17 that any person employed as a member of the academic, administrative or
18 professional staff of the other than the vice-chancellor, should be removed
19 from his office on the ground of misconduct or of inability to perform the
20 functions of his office, the council shall:

- 21 (a) give notice of those reasons to the person in question;
- 22 (b) afford him an opportunity of making representations in person on
23 the matter to the Council; and
- 24 (c) If he so requested or any three members of the Council so request
25 within the period of one month beginning with the date of the notice, make
26 arrangements:
 - 27 (i) for a joint Committee of the Council and the Senate to investigate
28 the matter and to report on it to the Council; and
 - 29 (ii) for the person in question to be afforded an opportunity of
30 appearing before and being heard by the investigating Committee with respect

1 to the matter, and if the Council, after considering the report of the
2 investigating Committee, is satisfied that the person in question should be
3 removed as afore said, the Council may so remove him by an instrument in
4 writing in writing signed on the direction of the Council.

5 (2) The Vice-chancellor may, in a case of misconduct by a member
6 of the staff which in the opinion of the Vice-Chancellor is prejudicial to the
7 interest of the University, suspend such member and any such suspension
8 shall forthwith be reported to the Council.

9 (3) For good cause, any member of the staff may be suspended
10 from his duties or may be terminated by the council, and for the purposes of
11 this subsection "good cause" means:

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

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

18 (c) conduct of a scandalous or other disgraceful nature considers to
19 be such as to render the person concerned unfit to continue to hold his office;

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

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

26 (4) Any person suspend pursuant to subsection (2) or (3) of this
27 section shall be on half pay and the Council shall before the expiration of a
28 period of three months after the date of such suspension consider the case
29 against that person or come to a decision as to:

30 (a) whether to continue such person's suspension and if so on what

1 terms (including the proportion of his emoluments to be paid to him);

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

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

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

12 (6) It shall be the duty of the person by whom an instrument of
13 removal is signed in pursuance of subsection (1) of this section to use his best
14 endeavours to cause a copy of the instrument to be served as soon as reasonably
15 practicable on the person to whom it relates.

16 (7) Nothing in the foregoing provisions of this section shall:

17 (a) apply to any directive given by the visitor in consequence of any
18 visitation; or

19 (b) prevent the Council from making regulations for the discipline of
20 other categories of workers of the University as may be prescribed.

21 **17.-(1)** If, on the recommendation of the Senate, it appears to the
22 Vice-chancellors that a person appointed as an examiner for any examination
23 of the University ought to be removed from his office or appointment, then,
24 except in such cases as may be prescribed, the Vice-chancellor may, after
25 affording the examiner an opportunity of making representation in person on
26 the matter to the Vice-chancellor, remove the examiner from the appointment
27 by an instrument in writing signed by the Vice-chancellor.

28 (2) Subject to the Provisions of regulation made in pursuance of
29 section 8 (5) of this Bill, the Vice-chancellor may, on the recommendation of
30 the Senate, appoint an appropriate person as examiner in the place of the

1 examiner in pursuance of subsection (1) of this section.

2 (3) It shall be the duty of the Vice-chancellor, on signing an
3 instrument of removal pursuant to this section, to use his best endeavour to
4 cause a copy of the instrument to be served as soon as reasonably practicable
5 on the person to whom it relates.

6 18.-(1) Where it appears to the Vice-chancellor that any student of
7 the University has been guilty of misconduct, the Vice-chancellor may,
8 without prejudice to any other disciplinary powers conferred on him by
9 statute or regulations, direct:

Discipline of
Students

10 (a) that the student shall not, during such period as may be specified
11 in the direction, participate in such activities of the University, or make use
12 of such facilities of the University, as may be so specified;

13 (b) that the activities of the students shall, during such period as
14 may be specified in the direction, be restricted in such manner as may be so
15 specified;

16 (c) that the student be rusticated for such period as may be specified
17 in the direction; or

18 (d) that the student be expelled from the University.

19 (2) Where a direction is given under sub section (1) (c) or (d) of
20 this section, in respect of any student, that student may, within the prescribed
21 period and in the prescribed manner, appeal to the Council, and where such
22 an appeal is brought, the Council shall, after causing such inquiry to be made
23 in the matter as the Council considers just, either confirm or set aside the
24 direction or modify it in such manner as the Council thinks fit.

25 (3) The fact that an appeal from a direction is brought in pursuance
26 of sub section (2) of this section shall not affect the operation of the direction
27 while the appeal is pending.

28 (4) The Vice-chancellor may delegate his powers under this section
29 to a disciplinary board consisting of such member of the University as he
30 may nominate.

1 (5) Nothing in this section shall be construed as preventing the
2 restriction or termination of a student's activities at the University otherwise
3 than on the ground of misconduct.

4 (6) A direction under sub section (1) (a) of this section may be
5 combined with a direction under sub section (1)(b) of this section.

Restriction in
disposal of land
by the University

6 19. Without prejudice to the provisions of the land use Act, the
7 University shall not dispose of or charge any land or an interest in any land
8 (including any land transferred to the University by this Act) except with the
9 prior written consent, either general or special, of the President:

10 Provided that such consent shall not be required in the cases of any
11 lease or tenancy at a rack-rent for a term not exceeding twenty-one years or any
12 lease or tenancy to a member of the University for residential purpose.

Quorum and
Procedure of bodies
established by
this Act

13 20. Except as may be otherwise provided by statute or by regulations,
14 the Quorum and Procedure of any body of persons established by this Act shall
15 be as determined by that body.

Appointment of
Committees

16 21.-(1) Anybody of persons established by this Act, shall, without
17 prejudice to the generality of the powers of that body, have power to appoint
18 Committees, which need not consist exclusively of members of their body, and
19 to authorize a Committee established by it:

20 (a) to exercise, on its behalf, such of its functions as it may determine;

21 (b) to co-opt members, and may direct whether or not co-opted
22 members (if any) shall be entitled to vote in that Committee.

23 (2) Any two or more such bodies may arrange for the holding of joint
24 meetings of those bodies, or for the appointment of Committees consisting of
25 members of those bodies, for the purpose of considering any matter within the
26 competence of those bodies or any of them, and either of dealing with it or of
27 reporting on it to those bodies or any of them.

28 (3) The Quorum and procedure of a Committee established or
29 meeting held in pursuance of this section, shall be such as may be determined

1 by the bodies or body which have decided to establish the Committee or hold
2 the meeting.

3 (4) The pro-chancellor and the vice-chancellor shall be members of
4 every Committee of which the members are wholly or partly appointed by
5 the Council, and the Vice-chancellor shall be a member of every Committee
6 of which the members are wholly or partly appointed by the Senate.

7 **22.-(1)** Notwithstanding anything to the contrary in the Pension
8 Reform Act, the compulsory retiring age of an Academic Staff of the
9 University (not being Professor) shall be sixty-five years.

Retiring age of
Academic staff

10 (2) A law requiring a person to retire from the public service after
11 serving for thirty-five years shall not apply to an academic staff of the
12 University.

13 (3) The retiring age of Professors shall be seventy years of age.

14 **23.** A person who retires as a Professor having served:

Special Provisions
relating to Pension
of Professors

15 (a) a minimum period of fifteen years as a Professor in the
16 University or continuously in the service of a University in Nigeria up to the
17 retiring age; and

18 (b) who during the period of service was absent from the
19 University only on approved National or University assignments;

20 shall be entitled to pension at a rate equivalent to his last annual salary and
21 such allowances as the council may, from time to time, determine as
22 qualifying for pension, in addition to any other retirement benefits to which
23 he may be entitled.

24 **24.-(1)** The seal of the University shall be such as may be
25 determined by the Council and approved by the Chancellor, and the affixing
26 of the seal shall be authenticated by any member of the Council and by the
27 vice-chancellor, secretary to the council or any other person authorized by
28 the statute.

Administrative
Provisions

29 (2) Any document purporting to be a document executed under the
30 seal of the University shall be received in evidence and shall, unless the

1 contrary is proved, be presumed to be so executed.

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

6 (4) The validity of any proceedings of anybody established in
7 pursuance of this Act shall not be affected by any vacancy in the membership of
8 the body, or by any defect in the appointment of a member of the body or by
9 reason that any person not entitled to do so took part in the Proceedings.

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

13 (6) Nothing in the Interpretation Act (which provides for the
14 application in relation to subordinate legislation of certain incidental
15 Provisions) shall apply to statutes or regulations made in pursuance to this Act.

16 (7) The power conferred by this Act on anybody to make statutes or
17 regulations shall include power to revoke or vary any statutes (including the
18 statute contained in the Third Schedule of this Act) or any regulations by a
19 subsequent statute or, as the case may be, by a subsequent regulation and
20 statutes and regulations may make different provision in relation to different
21 circumstances.

22 (8) Any notice or other instrument authorized to be served by virtue of
23 this Act may, without prejudice to any other mode of service, be served by post.

Repeal and
Consequential
Amendment

24 **25.** Item 'O' of the First Schedule to the Federal Polytechnic Act
25 2004, is repealed and consequently replaced with the Alex Ekwueme Federal
26 University of Technology, Oko Bill.

Interpretation

27 **26.** In this Bill:

28 "Campus" means any Campus which may be established by the University;

29 "College" means any college which may be established by the University;

30 "Council" means the council established pursuant to section 3 of this Bill;

1 by the President.

2 *The Vice-chancellor*

3 3.-(1) There shall be a vice-chancellor of the University who shall be
4 appointed by the President in accordance with the Provision of this paragraph.

5 (2) Where a vacancy occurs in the post of a Vice-chancellor, the
6 Council shall:

7 (a) advertise the vacancy, in a reputable journal or widely read
8 newspaper in Nigeria, specifying:

9 (i) the qualities of the persons who may apply for the post; and

10 (ii) the terms and conditions of service applicable to the post and
11 thereafter draw up a short list of suitable candidates for the post for
12 consideration;

13 (b) constitute a Search Team consisting of:

14 (i) a member of the council, who is not a member of the senate, as
15 chairman;

16 (ii) two members of the senate who are not members of the council,
17 one of whom shall be a Professor;

18 (iii) two members of Congregation who are not members of the
19 council, one of whom shall be a professor, to identify and nominate for
20 consideration, suitable persons who are not likely to apply for the post of their
21 own volition because they feel that it is not proper to do so.

22 (3) A joint Council and Senate Selection Board consisting of:

23 (a) the pro-chancellor as Chairman;

24 (b) two members of the Council, not being members of the Senate;

25 (c) two members of the Senate, who are Professors, but who were not
26 members of the Search Team, shall consider the candidates and persons on the
27 short list drawn up under sub-paragraph (2) of this paragraph through an
28 examination of their curriculum vitae and interaction with them and
29 recommend to the Council suitable candidates for further consideration.

30 (4) The council shall select three candidates from among the

1 candidates recommended to it under sub-paragraph (3) of this paragraph and
2 may indicate its order of preference stating the reason therefore and forward
3 the names to the president.

4 (5) The President may appoint as Vice-chancellor, anyone of the
5 candidates recommended to him in accordance with the provisions of sub-
6 paragraph (4) of this paragraph.

7 (6) The vice-chancellor shall hold office for a single term of five
8 years only on such terms and conditions as may be specified in his letter of
9 appointment.

10 (7) The vice-chancellor may be removed from office by the visitor
11 after due consultation with the council and the senate acting through the
12 Minister of Education.

13 *Deputy Vice-chancellor*

14 4.-(1) There shall be for the University, two Deputy Vice-
15 chancellors.

16 (2) Where a vacancy occurs in the post of Deputy Vice-chancellors,
17 the vice-chancellor shall forward to senate, a list of two candidates for each
18 post of Deputy, Vice-chancellors that is vacant.

19 (3) The Senate shall select for each vacant post, one candidate from
20 the list forwarded to it, and forward his name for confirmation.

21 (4) A Deputy vice-chancellor shall.

22 (a) assist the vice-chancellor in the performance of his functions;

23 (b) act in the place of the vice-chancellor when the post is vacant or
24 if for any reason, the vice-chancellor is absent to perform the functions of his
25 office; and

26 (c) perform such other functions as the vice-chancellor or the
27 Council may from time to time assign to him.

28 (5) A Deputy vice-chancellor shall hold office for a period of two
29 years and on such terms and conditions as may be specified in his letter of
30 appointment.

1 *The Registrar*

2 5.-(1) There shall for the University, a Registrar who shall be the
3 Chief administrative officer of the University and shall be responsive to the
4 vice-chancellor for the day to day administrative work of the University except
5 as regards matters within the responsibility of the Bursar.

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

8 (3) The Registrar shall be the Secretary to the Senate, the
9 Congregation and the Convocation.

Other Principal
Officers of the
University

10 *Other Principal Officers of the University*

11 6.-(1) There shall be for the University, the following principal
12 officers, in addition to the Registrar, that is:

13 (a) the Bursar; and

14 (b) the University Librarian, who shall each be appointed by the
15 Council on the recommendation of the Selection Board under paragraph (7) to
16 this schedule.

17 (2) The Bursar shall be the chief financial officer of the University and
18 be responsible to the vice-chancellor for the day to day administrative and
19 control of financial affairs of the University.

20 (3) The University Librarian shall be responsible to the vice-
21 chancellor for the administration of the University Library and the co-
22 ordination of the library services: the University and its campuses, colleges,
23 schools, faculties, institutes and other teaching or research units.

24 *Selection Board for other Principal Officers*

25 7.-(1) There shall be for the University, a Selection Board for the
26 appointment of Principal Officers, other than the Registrar, which shall consist
27 of:

28 (a) the Pro-chancellor, as Chairman;

29 (b) the vice-chancellor;

30 (c) four members of the Council not being members of the Senate; and

1 (d) two members of the Senate.

2 (2) The functions, procedure and other matters relating to the
3 Selection Board shall be as the Council may from time to time, determine.

4 (3) The Bursar and the Librarian shall hold office for such period
5 and on such terms and conditions as may be specified in their letters of
6 appointments.

7 *Resignation*

8 8. Any officer mentioned in the foregoing provisions of this
9 Schedule may resign his office:

10 (a) in the case of the Chancellor or pro-chancellor, by notice to the
11 President;

12 (b) in any other case, by notice to the council and the council shall,
13 in the case of vice-chancellor, immediately notify the Minister.

14 SECOND SCHEDULE

15 TRANSITIONAL PROVISIONS AS TO PROPERTY, FUNCTIONS, ETC.

16 1. Without prejudice to the generality of section 10 of this Bill:

17 (a) the reference in that section to property held by Federal
18 Polytechnic, Oko shall include a reference to the right to receive and give a
19 good charge for any grants or contributions which may have been vested or
20 promised to the Federal Polytechnic, Oko.

21 (b) all agreements, contracts, deeds and other instruments to which
22 the Federal Polytechnic, Oko outstanding shall become debts or liabilities of
23 the University.

24 2.-(1) All agreements, contracts, deeds and other instruments to
25 which the Federal Polytechnic, Oko was a party shall so far as possible and
26 subject to any necessary modification, have effect as if the University had
27 been a party thereto.

28 (3) All legal proceedings or application to any authority pending by
29 or against the Federal Polytechnic, Oko may be continued by or against the
30 University.

1 *Transfer of Functions*

2 3.--(1) Subject to any regulations which may be made by the Senate
3 after the commencement of this Bill, the schools of the Federal Polytechnic,
4 Oko shall become the schools of Alex Ekwueme University of Technology,
5 Oko.

6 (2) Persons who were Deans or Associate Deans of schools or
7 members of the School boards shall continue to be Deans or associate Deans of
8 the corresponding schools of the University.

9 4. Any person who was a member of the staff of the Federal
10 Polytechnic, Oko shall become the holder of an appointment of the University
11 with the status, designation and functions which correspond as nearly as may
12 be those which appertained to him as member of staff of the University.

13 *THIRD SCHEDULE*

14 1.--(1) The Council of the University shall consist of persons as
15 provided in section 6 of this Bill.

16 (2) The Quorum of the Council shall be five, at least one of whom
17 shall be a member appointed pursuant to section 6 (d) or (c) of this Bill.

18 (3) If the Pro-chancellor is not present at a meeting of the council,
19 such other members of the council present at the meeting as the council may
20 appoint as respect that meeting, shall be the chairman at that meeting.

21 (4) Where the council desires to obtain advice with respect to any
22 particular matter, it may co-opt not more than two persons for that purpose and
23 the persons co-opted may take part in the deliberations of the council at any
24 meeting but shall not be entitled to vote.

25 *The Finance and General Purposes Committee*

26 2.--(1) The Committee shall consist of:

27 (a) the pro-chancellor, a chairman;

28 (b) the vice-chancellor and Deputy vice-chancellors;

29 (c) six other members of the council nominated by the council;

30 (d) a representative of the Federal Ministry of Education;

1 (e) a representative of the Federal Ministry of Science and
2 Technology.

3 (2) The Quorum of the Committee shall be five.

4 (3) subject to any directions given by the Council, the Committee
5 may regulate its own procedure.

6 *The Senate*

7 3.-(1) The Senate shall consist of the following:

8 (a) the Vice-chancellor, as Chairman;

9 (b) two Deputy Vice-chancellors;

10 (c) the Deans of the several schools;

11 (d) the Directors of the several institutes;

12 (e) the Professors; and

13 (f) the Librarian.

14 (2) The Quorum of the Senate shall be one quarter or the nearest
15 whole number less than one quarter.

16 *Congregation*

17 4.-(1) The congregation shall consist of:

18 (a) the vice-chancellor, as chairman;

19 (b) two Deputy vice-chancellors;

20 (c) full time members of the academic staff;

21 (d) the Registrar;

22 (e) the Bursar;

23 (f) the Librarian;

24 (g) the Directors of works;

25 (h) the Director of Health Services; and

26 (i) every member of the administrative staff who holds a degree
27 other than an honorary degree.

28 (2) The Quorum of the congregation shall be one third or the whole
29 number nearest to one third of the total members of the congregation.

1

Convocation

2

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

3

(a) the officers of the University mentioned in the First Schedule to
4 this Bill;

5

(b) all teacher within the meaning of this Bill;

6

(c) all persons whose names are registered in the University.

7

Division of Schools

8

6. Each school shall be divided into such number of branches as may
9 be prescribed by the Council.

10

Administrative Staff

11

7. The Administrative Staff other than the Principal Officers shall be
12 appointed by the Council on its behalf by the vice-chancellor or the Registrar
13 in accordance with delegation of any powers made by the council in that behalf.

14

Short Title

15

8. This statute may be cited as the Alex Ekwueme Federal University
16 of Technology Statute.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Alex Ekwueme University of Technology, Oke to provide for its due administration, management and discipline of students of the University.