

MARITIME UNIVERSITY OKERENKOKO (ESTABLISHMENT) BILL, 2016

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SCHEDULES

A BILL

FOR

AN ACT TO ESTABLISH THE MARITIME UNIVERSITY, OKERENKOKO, DELTA STATE AND TO MAKE COMPREHENSIVE PROVISIONS FOR DUE MANAGEMENT AND ADMINISTRATION; AND FOR RELATED MATTERS

Sponsored By Hon Daniel Reyenieju

[] Commencement

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

1 PART I - ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF MARITIME
2 UNIVERSITY, OKERENKOKO

3 1.-(1) There is established the Maritime University, Okerenkoko
4 (in this Act referred to as "the University").

Establishment
of Maritime
University
Okerenkoko

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

9 (3) The Maritime University shall be an autonomous body situated
10 in the Nigerian Maritime Administration and Safety Agency (NIMASA).

11 2. The objects of the University shall be to—
12 (a) develop a comprehensive and liberal programme of maritime
13 education and training to match modern technological innovations
14 associated with shipboard operations and the fishing industry;

Objects of the
University

15 (b) encourage the advancement of learning and to hold out to all
16 persons without distinction of race, creed, sex or political conviction the
17 opportunity of acquiring higher and liberal education;

18 (c) provide courses of instruction and training facilities for the
19 pursuit of learning in all its branches, and to promote the administrative,
20 managerial, operational and technical skills of shore-based shipping and

- 1 ports personnel;
- 2 (d) encourage and promote scholarship and conduct research in
- 3 restricted fields of learning and human endeavour;
- 4 (e) promote maritime co-operation and full participation and prepare
- 5 sea-going officers to assume higher responsibilities on merchant ships and
- 6 fishing vessels; and
- 7 (f) undertake other activities appropriate for a university of the
- 8 highest standard.

Membership of
the University

- 9 3.-(1) The University shall consist of—
- 10 (a) Chancellor;
- 11 (b) Pro-Chancellor and a Council;
- 12 (c) Vice Chancellor and a Senate;
- 13 (d) two Deputy Vice-Chancellors or such number of Deputy Vice-
- 14 Chancellors as the council may, from time to time, deem necessary for the
- 15 proper administration of the University;
- 16 (e) a body to be called Congregation;
- 17 (f) a body to be called Convocation;
- 18 (g) the campuses and colleges of the University;
- 19 (h) the faculties, schools, institutes and other teaching and research
- 20 units of the University;
- 21 (i) the persons holding the offices constituted by the First Schedule to
- 22 this Act other than those mentioned in paragraphs (a) to (c) of this subsection;
- 23 (j) all graduates and undergraduates; and
- 24 (k) 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 therein.
- 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 section 2 of
5 this Act, the University shall have power to—

Functions of the
University

6 (a) establish such campuses, colleges, faculties, institutes, schools,
7 extra-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
4 jointly with any other person, and employ and act through agents;

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

9 (l) hold public lectures and undertake printing, publishing and
10 book 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
14 be immediately required for current expenditure, in any investment or
15 security or in the purchase or improvement of land, with power from time
16 to time to vary any such investment and to deposit any money for the time
17 being un-invested with any bank on deposit or current account;

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

23 (o) make gifts for any charitable purpose;

24 (p) do anything which it is authorized or required by this Act or by
25 any other Statute to do; and

26 (q) do all such acts or things, whether or not incidental to the
27 foregoing powers, as may advance the objects of the University.

28 (2) Subject to the provisions of this Act and of the Statutes made
29 there under and without prejudice to section 9 (2) of this Act, the powers
30 conferred on the University by subsection (1) of this section shall be

1 exercisable on behalf of the University by the Council or by the Senate or in
2 any other manner which may be authorized by this Act.

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

Chancellor to take
precedence before
other members

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

12 **Establishment and membership of the Council**

Establishment
and membership
of the Council

13 6.-(1) There shall be a Council for the University consisting of:

14 (a) the Pro-Chancellor;

15 (b) the Vice-Chancellor;

16 (c) the Deputy Vice-Chancellors;

17 (d) one person from the ministry responsible for education;

18 (e) one person from Nigerian Maritime Administration and Safety

19 Agency (NIMASA) Federal Ministry of Transportation;

20 (f) four persons representing a variety of interest and broadly
21 representative of the whole Federation to be appointed by the President;

22 (g) four persons appointed by the Senate from among its members;

23 (h) two persons appointed by the Congregation from among its
24 members; and

25 (i) one person appointed by the Convocation from among its
26 members.

27 (2) Persons to be appointed to the Council shall be persons of
28 proven integrity, knowledgeable and familiar with the affairs and tradition
29 of the University.

Council and other
Committees of the
University

1 7.-(1) Subject to the provisions of this Act relating to the Visitor, the
2 Council shall be the governing body of the University and shall be charged with
3 the general control and superintendence of the policy, finances and property of
4 the University, including its public relations.

5 (2) There shall be a committee of the Council to be known as the
6 Finance and General Purposes Committee, which shall, subject to the
7 directions of the Council, exercise control over the property and expenditure of
8 the Council as the Council may from time to time delegate to it.

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

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

17 (5) Subject to this Act and the Statutes, the Council and the Finance
18 and General Purposes Committee may each make rules for the purpose of
19 exercising any of their respective functions or of regulating their own
20 procedure.

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

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

30 (8) The Council shall meet as and when necessary for the

1 performance of its functions under this Act, and shall meet at least four times
2 every year.

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

6 PROVIDED that if after 28 days of the receipt or delivering to him
7 of such request, the Chairman fails or neglects to call a meeting, the
8 Registrar shall, within 14 days thereof, cause a meeting of the Council to be
9 convened for that purpose and the request shall specify the business to be
10 considered at the meeting and no business not so specified shall be
11 transacted at that meeting.

12 8.-(1) Subject to section 5 of this Act and subsections (3) and (4) of
13 this section and to the provisions of this Act relating to the Visitor, it shall be
14 the general function of the Senate to organize and control teaching in the
15 University, admission to Post-graduate courses and other admission of
16 students, the discipline of students and to promote research in the
17 University.

Functions of the
Senate

18 (2) Without prejudice to the generality of the provisions of
19 subsection (1) of this section, it shall in particular be the function of the
20 Senate to make provision for the—

21 (a) establishment, organization and control of campuses, colleges,
22 faculties, departments, schools, Institutes and other teaching and research
23 units of the University, and the allocation of responsibility for different
24 branches of learning;

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

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

30 (d) making of recommendations to the Council with respect to the

1 award to any person of an honorary fellowship or honorary degree or the title of
2 professor emeritus;

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

5 (f) supervision of the welfare of students in the University and the
6 regulation of their conduct

7 (g) granting of fellowships, scholarships, prizes and similar awards
8 in so far as the awards are within the control of the University; and

9 (h) determination of what description of dress shall be academic dress
10 for the purposes of the University, and regulating the use of academic dress.

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

15 (4) Subject to this Act and the Statutes, the Senate may make
16 regulations for the purpose of exercising any function conferred on it either by
17 the provisions of this section or for the purpose of providing for any matter for
18 which provision by regulation is authorized or required by this Act or by
19 Statute.

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

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

1 9.-(1) The Vice-Chancellor shall, in relation to the University, take
2 precedence before all other members of the University except the
3 Chancellor and, subject to section 5 of this Act, the Pro-Chancellor and any
4 other person for the time being acting as Chairman of the Council.

Vice-Chancellor
to take precedence
in the absence of
Chancellor

5 (2) Subject to the provisions of this Act, the Vice-Chancellor shall
6 have general function, in addition to any other function conferred on him by
7 this Act or otherwise, of directing the activities of the University, and shall,
8 to the exclusion of any other person or authority, be the chief executive and
9 academic officer of the University and ex-officio Chairman of the Senate.

10 PART II - TRANSFER OF PROPERTY

11 10.-(1) All property held by or on behalf of the Provisional Council
12 shall, by virtue of this subsection and without further assurance, vest in the
13 University and be held by it for the purpose of the University.

Transfer of
Property

14 (2) The provisions of the Second Schedule to this Act shall have
15 effect with respect to the transfer of property by this section and to matters
16 arising therefrom and with respect to other matters mentioned in that
17 Schedule.

Second Schedule

18 PART III - STATUTES OF THE UNIVERSITY

19 11.-(1) Subject to this Act, the University may make Statutes for
20 any of the following purposes-

Statutes or the
University

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

23 (b) specifying and regulating the powers and duties of any
24 authority of the University, and regulating any other matter connected with
25 the University or any of its authorities;

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

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

1 (e) making provision for other matters for which provision by Statute
2 is authorized or required by this Act.

Cap. 1123 LFN,
2004

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

Third Schedule

6 (3) The Statute contained in the Third Schedule to this Act shall be
7 deemed to have come into force on the commencement of this Act and shall be
8 deemed to have been made under this section by the University.

9 (4) The power to make Statute conferred by this section shall not be
10 prejudiced or limited in any way by reason of the inclusion or omission of any
11 matter in or from the Statute contained in the Third Schedule to this Act or any
12 subsequent Statute.

Power to make
and approve
Statutes

13 12.-(1) The power of the University to make Statutes shall be
14 exercised in accordance with the provisions of this section.

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

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

19 (b) Council by the votes of not less than two thirds of the members
20 present and voting;

21 (3) A proposed Statute may originate either in the Senate or Council,
22 and may be approved as required by subsection (2) of this section by both
23 bodies in no particular order.

24 (4) A Statute which-

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

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

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

Cap. 1123 LFN,
2004

6 13. A Statute may be proved in any court by the production of a
7 copy thereof bearing or having affixed to it a certificate signed by the Vice-
8 Chancellor or the Registrar to the effect that the copy is a true copy of a
9 Statute of that University.

Proof of Statute
in court

10 14.-(1) In the event of any doubt or dispute arising at any time as to
11 the meaning of any provision of a Statute, the matter may be referred to the
12 Visitor, who shall take such advice and make such decision thereon as he
13 deems fit.

Visitor's decision
in case of dispute

14 (2) The decision of the Visitor on any matter referred to him under
15 this section shall be binding upon the authorities, staff and students of the
16 University and where any question as to the meaning of any provision of a
17 Statute has been decided by the Visitor under this section, no question as to
18 the meaning of that provision shall be entertained by any other authority in
19 Nigeria:

20 PROVIDED that nothing in this subsection shall affect the power
21 of a court of competent jurisdiction to determine whether any provision of a
22 Statute is wholly or partly void as being ultra vires or as being inconsistent
23 with the Constitution.

24 (3) The provisions of this section shall apply in relation to any
25 doubt or dispute as to whether any matter is, for the purposes of this Act, an
26 academic or non-academic matter as they apply in relation to any such doubt
27 or dispute as is mentioned in subsection (1) of this section, and accordingly
28 the reference in subsection (2) of this section to any question as to the
29 meaning of any provision of the Statute shall include references to any
30 question as to whether any matter is for the said purposes an academic or

Commencement	1	non-academic matter.
	2	PART IV - SUPERVISION AND DISCIPLINE
Supervision and Discipline	3	15.-(1) The President shall be the Visitor of the University.
	4	(2) The Visitor shall, as often as the circumstances may require not
	5	being less than once every five years, conduct a visitation of the University or
	6	direct that such a visitation be conducted by such persons as the Visitor may
	7	deem fit and in respect of any of the affairs of the University.
	8	(3) The bodies and persons comprising the University Shall –
	9	(a) make available to the Visitor, and to any other persons conducting
	10	a visitation in pursuance of this section, such facilities and assistance as he or
	11	they may reasonably require for the purpose of the visitation; and
	12	(b) give effect to any instruction consistent with the provisions of this
	13	Act which may be given by the Visitor in consequence of the visitation.
Removal of members	14	16.-(1) If it appears to the Council that a member (other than the Pro-
	15	Chancellor or the Vice-Chancellor) should be removed from office on grounds
	16	of misconduct or inability to perform the functions of his office, the Council
	17	shall make a recommendation to that effect through the Minister to the Federal
	18	Executive Council and if the Federal Executive Council, after making such
	19	enquiries (if any) as may be considered necessary, approves the
	20	recommendation it may direct the removal of the member from office.
	21	(2) The Minister shall use his best endeavors to cause a copy of the
	22	instrument embodying a direction under subsection (1) of this section to be
	23	served as soon as reasonably practicable on the person to whom it relates.
Grounds and procedure for removal of members	24	17.-(1) If it appears to the Council that there are reasons for believing
	25	that any person employed as a member of the academic, administrative or
	26	professional staff of the University, other than the Vice-Chancellor, should be
	27	removed from office or on grounds of misconduct or inability to perform the
	28	functions of his office Council shall-
	29	(a) give notice of those reasons to the person in question;
	30	(b) afford such person an opportunity of making representation in

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

Removal of
Examiner

8 (2) Subject to the provisions of any regulation made under section
9 8 (4) of this Act, the Vice-Chancellor may, on the recommendation of
10 Senate, appoint an appropriate person as examiner in the place of the
11 examiner removed.

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

15 19.-(1) Subject to the provisions of this section, where it appears to
16 the Vice-Chancellor that any student is guilty of misconduct, the Vice-
17 Chancellor may, without prejudice to any other disciplinary powers
18 conferred on him by Statute or regulations, direct that the—

Disciplinary
action on students

19 (a) student shall not, during such period as may be specified in the
20 direction, participate in such activities of the University or make use of such
21 facilities of the University as may be so specified;

22 (b) activities of the student shall, during such period as may be
23 specified in the direction, be restricted in such manner as may be so
24 specified;

25 (c) student be rusticated for such period as may be specified in the
26 direction; or

27 (d) student be expelled from the University.

28 (2) Where a direction is given under subsection (1) (c) or (d) of this
29 section in respect of any student, the student may, within the prescribed

1 period and in the prescribed manner, appeal against the direction to the Senate.

2 (3) Where an appeal is brought under subsection (2) of this section,
3 the Senate shall, after causing such inquiry to be made in the matter as the
4 Senate considers just, either confirm or set aside the direction or modify it in
5 such manner as the Senate thinks fit.

6 (4) The fact that an appeal from a direction is brought under
7 subsection (2) of this section shall not affect the operation of the direction while
8 the appeal is pending.

9 (5) The Vice-Chancellor may delegate his powers under this section
10 to a disciplinary board consisting of such members of the University as he may
11 nominate.

12 (6) Nothing in this section shall be construed as preventing the
13 restriction or termination of a student's activities at the University for conduct
14 which in the opinion of the Senate is prejudicial to the interest of the University
15 or to its corporate objective or image.

16 (7) A direction under subsection (1) (a) of this section may be
17 combined with a direction under subsection (1) (b) of this section.

18 PART V - MISCELLANEOUS AND GENERAL PROVISIONS

A student not to
be discriminated
against

19 20.-(1) No person shall be required to satisfy requirements as to race
20 (including ethnic grouping) sex, place of birth, family origin, religious or
21 political persuasion, as a condition for becoming or continuing to be a-

22 (a) student in the University;

23 (b) holder of any degree, appointment or employment in the
24 University; or

25 (c) member of any body established by virtue of this Act.

26 (2) No person shall be subjected to any disadvantage or accorded any
27 advantage in relation to the University by reference to any of the matters
28 referred to in subsection (1) of this section.

29 (3) Nothing in subsection (1) of this section shall be construed as
30 preventing the University from imposing any disability or restriction on any of

1 **18.**-(1) If, on the recommendation of the Vice-Chancellor, it
2 appears to the Senate that a person appointed as an examiner for any
3 examination of the University ought to be removed from his office or
4 appointment, then, the Senate may, after affording the examiner an
5 opportunity of making representations in person on the matter, direct the
6 Vice-Chancellor to remove the examiner by an instrument in writing signed
7 by the Registrar.

Removal of
Examiner

8 (2) Subject to the provisions of any regulation made under section
9 8 (4) of this Act, the Vice-Chancellor may, on the recommendation of
10 Senate, appoint an appropriate person as examiner in the place of the
11 examiner removed.

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

15 **19.**-(1) Subject to the provisions of this section, where it appears to
16 the Vice-Chancellor that any student is guilty of misconduct, the Vice-
17 Chancellor may, without prejudice to any other disciplinary powers
18 conferred on him by Statute or regulations, direct that the—

Disciplinary
action on students

19 (a) student shall not, during such period as may be specified in the
20 direction, participate in such activities of the University or make use of such
21 facilities of the University as may be so specified;

22 (b) activities of the student shall, during such period as may be
23 specified in the direction, be restricted in such manner as may be so
24 specified;

25 (c) student be rusticated for such period as may be specified in the
26 direction; or

27 (d) student be expelled from the University.

28 (2) Where a direction is given under subsection (1) (c) or (d) of this
29 section in respect of any student, the student may, within the prescribed

1 period and in the prescribed manner, appeal against the direction to the Senate.

2 (3) Where an appeal is brought under subsection (2) of this section,
3 the Senate shall, after causing such inquiry to be made in the matter as the
4 Senate considers just, either confirm or set aside the direction or modify it in
5 such manner as the Senate thinks fit.

6 (4) The fact that an appeal from a direction is brought under
7 subsection (2) of this section shall not affect the operation of the direction while
8 the appeal is pending.

9 (5) The Vice-Chancellor may delegate his powers under this section
10 to a disciplinary board consisting of such members of the University as he may
11 nominate.

12 (6) Nothing in this section shall be construed as preventing the
13 restriction or termination of a student's activities at the University for conduct
14 which in the opinion of the Senate is prejudicial to the interest of the University
15 or to its corporate objective or image.

16 (7) A direction under subsection (1) (a) of this section may be
17 combined with a direction under subsection (1)(b) of this section.

18 PART V - MISCELLANEOUS AND GENERAL PROVISIONS

A student not to
be discriminated
against

19 20.-(1) No person shall be required to satisfy requirements as to race
20 (including ethnic grouping) sex, place of birth, family origin, religious or
21 political persuasion, as a condition for becoming or continuing to be a-

22 (a) student in the University;

23 (b) holder of any degree, appointment or employment in the
24 University; or

25 (c) member of any body established by virtue of this Act.

26 (2) No person shall be subjected to any disadvantage or accorded any
27 advantage in relation to the University by reference to any of the matters
28 referred to in subsection (1) of this section.

29 (3) Nothing in subsection (1) of this section shall be construed as
30 preventing the University from imposing any disability or restriction on any of

1 the persons specified in subsection (1) of this section where such persons
 2 willfully refuse or fail on grounds of religious belief to undertake any duty
 3 generally and uniformly imposed on all such persons or any group of them
 4 which duty, having regard to its nature and the special circumstances, is in
 5 the opinion of the University reasonably justifiable in the national interest.

6 21.-(1) For the purpose of the Land Use Act (which provides for the
 7 compulsory acquisition of land for public purposes) any purpose of the
 8 University shall be the same as that of the Federation.

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

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

13 22. Without prejudice to the provisions of the Land Use Act, the
 14 University shall not dispose of or charge any land or an interest in any land
 15 (including any land transferred to the University by this Act) except with the
 16 prior written consent, either general or special, of the Visitor;

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

17 PROVIDED that such consent shall not be required in the case of
 18 any lease or tenancy at a rack-rent for a term not exceeding 21 years of any
 19 lease or tenancy to a member of the University for residential purpose.

20 23. Except as may be otherwise provided by Statute or by
 21 regulation, the quorum and procedure of any body of persons established by
 22 this Act shall be such as may be determined by that body.

Quorum

23 24.-(1) Any body of person established by this Act shall, without
 24 prejudice to the generality of the powers of that body, have power to appoint
 25 committees, which need not consist exclusively of members of that body
 26 and authorize a committee established by it to-

Committees

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

29 (b) co-opt members and direct whether or not co-opted members
 30 shall be entitled to vote in that committee.

1 (2) Any two or more such bodies may arrange for the holding of joint
2 meetings of those bodies or for the appointment of committees consisting of
3 members of those bodies, for the purpose of considering any matter within the
4 competence of those bodies or any of them and either dealing with it or of
5 reporting on it to those bodies or any of them.

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

10 (4) The Pro-Chancellor and the Vice-Chancellor shall be members of
11 every committee of which the members are wholly or partly appointed by the
12 Council, (other than a committee appointed to inquire into the conduct of the
13 officer in question) and the Vice-Chancellor shall be a member of every
14 committee of which the members are wholly or partly appointed by the Senate.

15 (5) Nothing in this section shall be construed as enabling –

16 (a) statutes to be made otherwise than in accordance with section 11 or
17 this Act; or

18 (b) the Senate to empower any other body to make regulations of to
19 award degrees or other qualifications.

20 **25.-(1) The seal of the university shall be such as may be determined**
21 **by the Council and approved by the Chancellor and the affixing of the seal shall**

22 **(a) in the case of certificates issued by the University, be authenticated**
23 **by the Vice-Chancellor and the Registrar; and**

24 **(b) in the case of any other document, be authenticated by any**
25 **member of Council, the Vice-Chancellor and the Registrar or any other person**
26 **authorized by Statute.**

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

30 (3) Any contract or instrument which, if made or executed by a person

1 not being a body corporate, would not be required to be under seal, may be
2 made or executed on behalf of the University by any person generally or
3 specially authorized to do so by the Council without seal.

4 (4) The validity of the proceedings of any body established
5 pursuant to this Act shall not be affected by-

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

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

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

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

13 (6) Nothing in section 12 of the Interpretation Act (which provides
14 for the application, in relation to subordinate legislation, of certain
15 incidental provisions) shall apply to Statutes or Regulations made under this
16 Act.

Cap. 1123, 2004

17 (7) The power conferred by this Act on anybody to make Statutes
18 or Regulations shall include power to revoke or vary any-

19 (a) Statute (including the Statute contained in the Third Schedule to
20 this Act); or

Third Schedule

21 (b) Regulation by a subsequent Statute or Regulation as the case
22 may be;

23 **PROVIDED** that the Statutes and Regulations may have different
24 provisions in relation to different circumstances.

25 (8) No stamp or other duty shall be payable in respect of any
26 transfer of property to the University by virtue of sections 10, 21, and the
27 Second Schedule to this Act.

Second Schedule

28 (9) Any notice or other instrument authorized to be served by
29 virtue of this Act may, without prejudice to any other mode of service, be
30 served by post.

Proposals and
recommendation

1 26. Where in any provisions of this Act, it is laid down that proposals
2 are to be submitted or a recommendation is to be made by one authority to
3 another through one or more intermediate authorities, every such intermediate
4 authority shall forward any proposal or recommendation received by it
5 pursuant to that provision to the appropriate authority; but any such
6 intermediate authority may, if it thinks fit, forward therewith its own comments
7 thereon.

Interpretation

8 27. In this Act-
9 "appropriate authority" means any person, body or authority authorized by law
10 to act in a specific or general capacity in relation to a subject matter;
11 "campus" means any campus which may be established by the University;
12 "college" means any college which may be established by the University;
13 "Constitution" means the Constitution of the Federal Republic of Nigeria;
14 "director general" means the Director General Nigerian Maritime
15 Administration and Safety Agency;
16 "Government" means the Federal Government of Nigeria;
17 "graduate" means a person on whom a degree (other than an honorary degree)
18 has been conferred by the University;
19 "gross misconduct" means any act of misconduct and improper behavior that
20 may be designated as gross misconduct by any Statute or regulation made,
21 under this Act;
22 "Minister" means the Minister charged with responsibility for education;
23 "misconduct" means any conduct which is prejudicial to the good name of the
24 University and or discipline and the proper administration of the business of
25 the University;
26 "notice" means notice in writing;
27 "officer" does not include the Visitor;
28 "prescribed" means prescribed by Statute or regulation made under this Act;
29 "professor" means a person designated as a professor of the University in
30 accordance with provisions made in that behalf by Statute or by regulations;

- 1 "property" includes rights, liabilities and obligations;
- 2 "regulations" means regulations made by the Senate or Council;
- 3 "Senate" means the Senate of the University established by this Act;
- 4 "Statute" means a Statute made by the University under section 11 of this
- 5 Act and in accordance with the provisions of section 12 of this Act;
- 6 "the Act" means the Maritime University, Okerenkoko Act;
- 7 "the provisional Council" means the provisional Council appointed for the
- 8 University by the President with effect from September 2015;
- 9 "teacher" means a person holding a full time appointment as a member of the
- 10 teaching or research staff of the University;
- 11 "the Statutes" means all such Statutes as are in force from time to time;
- 12 "the University" means the Maritime University, Okerenkoko as
- 13 incorporated and constituted by this Act; and
- 14 "undergraduate" means a person in statu pupillari in the University, other
- 15 than
- 16 (a) a graduate; and
- 17 (b) a person of such description as may be prescribed for the
- 18 purposes of this definition.

19 28. This Act may be cited as the Maritime University, Okerenkoko Citation
20 (Establishment) Bill, 2016.

21 FIRST SCHEDULE

22 *Section 3(2)*

23 PRINCIPAL OFFICERS OF THE UNIVERSITY

24 The Chancellor

25 1. The Chancellor shall be appointed by, and hold office at the
26 pleasure of, the President.

27 *The Pro-Chancellor*

28 2. The Pro-Chancellor shall be appointed or removed from office
29 by the President.

1 *The Vice Chancellor*

2 3. The procedure for the appointment and removal of the Vice-
3 Chancellor shall be in accordance with the provision of the University
4 (Miscellaneous Provisions) Act 1993 as amended.

5 4.-(1) There shall be for the University, two Deputy Vice- Chancellors
6 or such number of Deputy Vice- Chancellors as the Council may, from time to
7 time, deem necessary for the proper administration of the University.

8 (2) The procedure for the appointment and removal of a Deputy Vice-
9 Chancellor shall be in accordance with the provision of the University
10 (Miscellaneous Provisions) Act 1993 as amended.

11 (3) A Deputy Vice-Chancellor shall-

12 (a) assist the Vice-Chancellor in the performance of his functions;

13 (b) act in place of the Vice-Chancellor when the post of the Vice-
14 Chancellor is vacant or if the Vice-Chancellor is, for any reason, absent or
15 unable to perform his functions as Vice- Chancellor; and

16 (c) perform such other functions as the Vice- Chancellor or the
17 Council may, from time to time, assign to him.

18 *Office of the Registrar, Bursar and University Librarian*

19 5.-(1) There shall be for the University, a Registrar, who shall be the
20 Chief Administrative Officer of the University and shall be responsible to the
21 Vice-Chancellor for the day-to- day administration of the University except as
22 regards matters for which the Bursar is responsible in accordance with
23 paragraph 6 (2) of this schedule.

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

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

29 6.-(1) There shall be for the University, the following Principal
30 Officers in addition to the Registrar-

1 (a) the Bursar; and

2 (b) the University Librarian.

3 (2) The Bursar shall be the Chief Financial Officer of the
4 University and shall be responsible to the Vice-Chancellor for the day-to-
5 day administration and control of the financial affairs of the University.

6 (3) The University Librarian shall be responsible to the Vice-
7 Chancellor for the administration of the University Library and the co-
8 ordination of all library services in the University and its campuses,
9 colleges, faculties, schools, departments and institutes and other teaching or
10 research units.

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

14 7. There shall be for the University, a Director of Works, who shall
15 be responsible to the Vice-Chancellor for the administration of the Works
16 Department, and shall be responsible for all works, services and
17 maintenance of University facilities.

18 8. There shall be for the University, a Director of Health Services,
19 who shall be responsible to the Vice-Chancellor for the administration of the
20 Health Centre and he shall be the Chief Medical Officer of the University
21 and shall coordinate all matters relating to the health of all staff and students.

22 9.- (1) Any officer mentioned in this Schedule may resign his office
23 in-

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

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

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

1

THIRD SCHEDULE

2

Maritime University, Okerenkoko Statute No. 1

3

Articles

4

1. The Council;

5

2. Finance and General Purpose Committee;

6

3. The Senate;

7

4. The Congregation;

8

5. The Convocation;

9

6. Organisation of Faculties and the Branches thereof;

10

7. Faculty Board

11

8. The Dean of the Faculty;

12

9. Selection of certain principal and other key officers;

13

10. Creation of Academic Post;

14

11. Appointment of Academic Staff;

15

12. Appointment of Administrative and Technical Staff;

16

THE COUNCIL.

17

(1) Any member of Council holding office pursuant to section 6 (e)

18

(f) (g) or (h) of this Act may by notice to the Council resign his office.

19

(2) A member of Council holding office pursuant to section 6 (e) (f)

20

(g) or (h) of this Act shall, unless he previously vacates it, vacate that office on

21

the expiration of a period of four years starting from 1st August in the year in

22

which he was appointed.

23

(3) Where a member of Council holding office pursuant to section

24

6(e) (f) (g) or (h) of this Act vacates office before the expiration of his tenure,

25

the body that appointed him may appoint a successor to hold office for the

26

residue of his unexpired term.

27

(4) A person ceasing to hold office as a member of Council otherwise

28

than by removal for misconduct shall be eligible for re-appointment for only

29

one further period of four years.

30

(5) The quorum of the Council shall be five, at least one of whom shall

1 be a member pursuant to section 6(d) and (e) of this Act.

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

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

10 (8) The Council constituted by this Act shall have a four year
11 tenure from the date of its inauguration, provided that where a Council is
12 found to be incompetent and corrupt, it shall be dissolved by the visitor and a
13 new Council shall be immediately constituted for the effective functioning
14 of the University.

15 (9) The powers of the Council shall be exercised in accordance
16 with the laws and Statutes of the University, and to that extent,
17 establishment circulars that are inconsistent with the laws and Statutes of the
18 University shall not apply to the University.

19 THE FINANCE AND GENERAL PURPOSE COMMITTEE

20 2.-(1) The Finance and General Purpose Committee of the Council
21 shall consist of-

22 (a) the Pro-Chancellor, who shall be the Chairman of the
23 Committee at any meeting at which he is present;

24 (b) the Vice-Chancellor and a Deputy Vice-Chancellor;

25 (c) six other members of the Council appointed by the Council two
26 of whom shall be selected from among the four members of the Council
27 appointed by the Senate and one of whom shall be selected from among
28 members of the Council appointed by the congregation; and

29 (d) the Director General, Nigerian Maritime Administration and
30 Safety Agency (NIMASA) or, in his absence, such member of his Agency as

29 this Act;

30

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

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

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

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

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

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

14 (4) The person responsible for maintaining the register shall, without

15 the payment of any fee, ensure that the names of all persons who are for the time
16 being members of the Convocation by virtue of sub-paragraph (1)(a) or (b) of
17 this paragraph are entered and retained on the register.

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

22 (6) The register shall, unless the contrary is proved, be sufficient
23 evidence that any person named therein is, and that any person not named
24 therein is not, a member of the convocation; but for the purpose of ascertaining
25 whether a particular person was such a member on a particular date, any entry
26 in, and deletion from, the register made on or after that date shall be
27 disregarded.

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

1 (8) Subject to section 5 of this Act, the Chancellor shall be
2 Chairman at all meetings of the Convocation when he is present, and, in his
3 absence, the Vice Chancellor shall be the Chairman at the meeting.

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

7 ORGANIZATION OF FACULTIES AND BRANCHES THEREOF

8 6. Each Faculty shall be divided into such number of branches as
9 may be prescribed.

10 7.-(1) There shall be established in respect of each Faculty, a
11 Faculty Board, which, subject to the provisions of this Act, and subject to the
12 directions of the Vice-Chancellor, shall-

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

15 (b) deal with other matters assigned to it by Statute, the Vice-
16 Chancellor or the Senate; and

17 (c) advise the Vice-Chancellor or Senate on any matter referred to
18 it by the Vice-Chancellor or Senate.

19 (2) Each Faculty Board shall consist of-

20 (a) the Vice-Chancellor;

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

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

24 (d) such persons whether or not members of the University as the
25 Board may determine with the general or special approval of Senate.

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

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

1 THE DEAN OF THE FACULTY

2 8.-(1) The Dean of a faculty shall be a professor elected by the Faculty
3 Board and such Dean shall hold office for a term of two years and may be
4 eligible for re-election for another term of two years after which he may not be
5 elected again until two years have elapsed.

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

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

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

18 (5) There shall be a committee to be known as the Committee of
19 Deans which shall consist of all Deans of the several faculties and that
20 committee shall advise the Vice-Chancellor on all matters referred to the
21 Committee by the Senate.

22 (6) The Dean of a faculty may be removed from office for a good
23 cause by the Faculty Board after a vote would have been taken at a meeting of
24 the Board, and in the event of a vacancy occurring following the removal of the
25 Dean, an Acting Dean may be appointed by the Vice-Chancellor provided that
26 at the next faculty board meeting an election shall be held for a new Dean.

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

29 SELECTION OF CERTAIN PRINCIPAL AND OTHER KEY OFFICERS

30 9.-(1) When a vacancy occurs in the Office of the Registrar, Bursar,

1 the University Librarian, Director of Works or Director of Health Services, a
2 Selection Board shall be constituted by the Council and shall consist of

3 (a) the Pro-Chancellor;

4 (b) the Vice-Chancellor;

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

7 (d) two members appointed by the Senate not being members of
8 Council.

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

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

16 CREATION OF ACADEMIC POST

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

20 APPOINTMENT OF ACADEMIC STAFF

21 11. Subject to this Act and the Statute made under it, the filling of
22 vacancies in academic posts (including newly created ones) shall be as
23 prescribed from time to time by Statute.

24 APPOINTMENT OF ADMINISTRATIVE AND TECHNICAL STAFF

25 12.-(1) The administrative and technical staff of the University,
26 other than those mentioned in paragraph 9 of this Schedule, shall be
27 appointed by the Council or on its behalf by the Vice-Chancellor or the
28 Registrar in accordance with any delegation of powers made by the Council
29 in that behalf.

30 (2) In the case of administrative or technical staff that has close and

- 1 important contacts with the academic staff, there shall be Senate participation
- 2 in the process of selection.

3 EXPLANATORY MEMORANDUM

This Bill seeks to establish the Maritime University, Okerenkoko to ensure equity and access to tertiary education in the Country. The University is a conventional University with restricted programmes and limited and focused faculties.