

A BILL

FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE CITY TECHNICAL UNIVERSITY YABA, LAGOS; AND FOR RELATED MATTERS, 2016

Sponsored by Hon. Kayode Oladele

[] Commencement

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

PART I - CONSTITUTION AND FUNCTIONS OF THE UNIVERSITY AND ITS CONSTITUENT BODIES, ETC.

1 1.-(1) There is hereby established the City Technical University
2 Yaba, Lagos (hereafter in this Act referred to as "the University") which
3 shall be a body corporate with perpetual succession and a common seal.

Incorporation
and objects of
the City Technical
University, Yaba,
Lagos

4 (2) The University may sue and be sued in its corporate name.

5 (3) The objects of the University shall be to:

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

9 (b) provide courses of instruction and other facilities for the pursuit
10 of learning in all its branches, and to make those facilities available on
11 proper terms to such persons as are equipped to benefit from them;

12 (c) encourage and promote scholarship and conduct research in all
13 fields of learning with emphasis on technical education;

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

16 (e) undertake any other activities appropriate for a university of the
17 highest standard.

18 2.-(1) The University shall consist of:

19 (a) a Chancellor;

Constitution and
Principal Officers
of the University

- 1 (b) a Pro-Chancellor and a Council;
2 (c) a Vice-Chancellor and a Senate;
3 (d) a body to be called Congregation;
4 (e) a body to be called Convocation;
5 (f) the campuses and colleges of the University;
6 (g) the faculties, schools, institutes and other teaching and research
7 units of the University;
8 (h) the persons holding the offices constituted by the First Schedule to
9 this Act other than those mentioned in paragraphs (a) to (c) of this subsection;
10 (i) all graduates and undergraduates; and
11 (j) all other persons who are members of the University in accordance
12 with provision made by statute in that behalf.

13 (2) The First Schedule to this Act shall have effect with respect to the
14 principal officers of the University therein mentioned.

15 (3) Provision shall be made by Statute with respect to the constitution
16 of the following bodies, namely the Council, the Senate, Congregation and
17 Convocation.

Powers of the
University, and
their exercise

18 3.-(1) For the carrying out its objects as specified in section 1 of this
19 Act the University shall have power:

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

24 (b) to institute professorships, readerships, lectureships and other
25 posts and offices and to make appointments thereto;

26 (c) to institute and award fellowships, scholarships, exhibitions,
27 bursaries, medals, prizes and other titles, distinctions, awards and forms of
28 assistance;

29 (d) to provide for the discipline and welfare of members of the
30 University;

1 (e) to hold examinations and grant degrees, diplomas, certificates
2 and other distinctions to persons who have pursued a course of study
3 approved by the University and have satisfied such other requirements as the
4 University may lay down;

5 (f) to grant honorary degrees, fellowships or academic titles;

6 (g) to demand and receive from any student or any other person
7 attending the University for the purpose of instruction such fees as the
8 University may from time to time determine, subject to the overall directives
9 of the Minister;

10 (h) subject to section 19 of this Act, to acquire, hold, grant, charge
11 or otherwise deal with or dispose of movable and immovable property
12 wherever situate;

13 (i) to accept gifts, legacies and donations, but without obligation to
14 accept the same for a particular purpose unless it approves the terms and
15 conditions attaching thereto;

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

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

22 (l) to hold public lectures and to undertake printing, publishing
23 and book selling;

24 (m) subject to any limitations or conditions imposed by statute, to
25 invest any moneys appertaining to the University by way of endowment,
26 whether for general or special purposes, and such other moneys as may not
27 be immediately required for current expenditure, in any investments or
28 securities or in the purchase or improvement of land, with power from time
29 to time to vary any such investments, and to deposit any moneys for the time
30 being uninvested with any bank on deposit or current account;

1 (n) to borrow, whether on interest or not and if need be upon the
2 security of any or all of the property movable or immovable of the University,
3 such moneys as the Council may from time to time in its discretion find it
4 necessary or expedient to borrow or to guarantee any loan, advances or credit
5 facilities;

6 (o) to make gifts for any charitable purpose;

7 (p) to arrange for the general welfare of children of members of staff

8 (q) to do anything which it is authorised or required by this Act or by
9 statute to do; and

10 (r) to do all such acts or things, whether or not incidental to the
11 foregoing powers; as may advance the objects of the University.

12 (2) Subject to the provisions of this Act and of the statutes and without
13 prejudice to section 7 (2) of this Act, the powers conferred on the University by
14 subsection (1) of this section shall be exercisable on behalf of the University by
15 the Council or by the senate or in any other manner which may be authorised by
16 statute.

17 (3) The power of the University to establish further campuses and
18 colleges within the University shall be exercisable by statute and not
19 otherwise.

Functions of the
Chancellor and
Pro-Chancellor

20 4.-(1) The chancellor shall, in relation to the University, take
21 precedence before all other members of the University, and when he is present
22 shall preside at all meetings of convocation held for conferring degrees.

23 (2) The Pro-Chancellor shall, in relation to the University, take
24 precedence before all other members of the University except the chancellor
25 and except the Vice-Chancellor when acting as chairman of congregation or
26 convocation the Pro-Chancellor shall, when he is present, be the chairman at all
27 meetings of the Council.

Functions of the
Council and its
finance and
general purposes
committee

28 5.-(1) Subject to the provisions of this Act relating to the visitor, the
29 Council shall be the governing body of the University and shall be charged with
30 the general control and superintendence of the policy, finances and property of

1 the university, including its public relations.

2 (2) There shall be a committee of the Council, to be known as the
3 finance and general purposes committee, which shall, subject to the
4 directions of the Council, exercise control over the property and expenditure
5 of the University and perform such other functions of the Council as the
6 Council may from time to time delegate to it.

7 (3) Provision shall be made by statute with respect to the
8 constitution of the finance and general purposes committee.

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

15 (5) Subject to this Act the statutes, the Council and the finance and
16 general purposes committee may each make rules for the purpose of
17 exercising any of their respective functions or of regulating their own
18 procedure.

19 (6) Rules made under subsection (5) of this section by the finance
20 and general purposes committee shall not come into force unless approved
21 by the Council; and in so far and to the extent that any rules so made by that
22 committee conflict with any directions given by the Council (whether
23 before or after the coming into force of the rules in question), the directions
24 of the Council shall prevail.

25 (7) There shall be paid to the members of the Council, of the
26 finance and general purposes committee and of any other committee set up
27 by the Council respectively allowances in respect of traveling and other
28 reasonable expenses, at such rates as may from time to time be fixed by the
29 Council.

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 three times
2 in every year.

3 (9) If requested in writing by any five members of the Council, the
4 chairman shall within twenty-eight days after the receipt of such request call a
5 meeting of the Council; and the request shall specify the business to be
6 considered at the meeting and no business not so specified shall be transacted at
7 that meeting.

Functions of
the Senate

8 6.-(1) Subject to section 5 of this Act and subsections (3) and (4) of
9 this section, and to the provisions of this Act relating to the visitor, it shall be the
10 general function of the Senate to organise and control the teaching of the
11 University, the admission (where no other enactment provides to the contrary)
12 of students and the discipline of students and to promote research at the
13 University.

14 (2) Without prejudice to the generality of subsection (1) of this section
15 and subject as there mentioned, it shall in particular be the function of the
16 senate to make provision for:

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

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

24 (c) the award of degrees, and such other qualifications as may be
25 prescribed, in connection with examinations held as aforesaid;

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

29 (e) the establishment, organisation and control of halls or residence
30 and similar institutions at the University;

1 (f) the supervision of the welfare of students at the University and
2 the regulations of their conduct;

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

5 (h) determining what descriptions of dress shall be academic dress
6 for the purposes of the University, and regulating the use of academic dress.

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

11 (4) Subject to this Act and the statutes, the senate may make
12 regulations for the purpose of exercising any function conferred on it either
13 by the foregoing provisions of this section or otherwise or for the purpose of
14 making provision for any matter for which provision by regulation is
15 authorised or required by this Act or by statute.

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

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

27 7.-(1) The Vice-Chancellor shall, in relation to the University, take
28 precedence before all other members of the University except the chancellor
29 and, subject to section 4 of this Act, except the Pro-Chancellor and any other
30 person for the time being acting as chairman of the Council.

Functions of the
Vice-Chancellor

1 (2) Subject to sections 5, 6 and 13 of this Act, the Vice-Chancellor
 2 shall have the general function, in addition to any other functions conferred on
 3 him by this Act or otherwise, of directing the activities of the University, and
 4 shall to the exclusion of any other person or authority be the chief executive and
 5 academic officer of the University and ex-officio chairman of the Senate.

6 PART II - TRANSFER OF PROPERTY, ETC. TO THE UNIVERSITY

Transfer of
 property,
 functions, etc.

7 8.-(1) All property held by or on behalf of the Yaba College of
 8 Technology shall, by virtue of this subsection and without further assurance,
 9 vest in the University and be held by it for the purposes of the University .

10 (2) The provisions of the Second Schedule to this Act shall have effect
 11 with respect to, and to matters arising from, the transfer of property by this
 12 section and with respect to the other matters mentioned in that Schedule.

13 PART III - STATUTES OF THE UNIVERSITY

Power of
 University to
 make statutes,
 Cap. 192

14 9.-(1) Subject to this Act, the University may make statutes for any of
 15 the following purposes, that is to say:

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

18 (b) specifying and regulating the powers and duties of any authority
 19 of the University, and regulating any other matter connected with the
 20 University or any of its authorities;

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

23 (d) determining whether any particular matter is to be treated as an
 24 academic or non-academic matter for the purposes of this Act and of any
 25 statute, regulation or other instrument made thereunder; or

26 (e) making provision for any other matter for which provision by
 27 statute is authorised or required by this Act.

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

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

4 (4) The power to make statutes conferred by this section shall not
5 be prejudiced or limited in any way by reason of the inclusion or omission of
6 any matter in or from the Statute contained in the Third Schedule to this Act
7 or any subsequent statute.

8 10.-(1) The power of the University to make statutes shall be
9 exercised in accordance with the provisions of this section and not
10 otherwise.

Mode of
exercising power
to make statutes.
Cap. 192

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

13 (a) at a meeting of the senate, by the votes of not less than two-
14 thirds of the members present and voting; and

15 (b) at a meeting of the Council, by the votes of not less than two-
16 thirds of the members present and voting.

17 (3) A proposed statute may originate either in the senate or in the
18 Council, and may be approved as required by subsection (2) of this section
19 by either one of those bodies before the other.

20 (4) A statute which:

21 (a) makes provision for or alters the composition or constitution of
22 the Council, the senate or any other authority of the University; or

23 (b) provides for the establishment of a new campus or college or for
24 the amendment or revocation of any statute whereby a campus or college is
25 established, shall not come into operation unless it has been approved by the
26 National Council of Ministers.

27 (5) For the purposes of section 2 (2) of the Interpretation Act, a
28 statute shall be treated as being made on the date on which it is duly
29 approved by the Council after having been duly approved by the senate, or
30 on the date on which it is duly approved by the senate after having been duly

1 approved by the Council, as the case may be or, in the case of a statute falling
2 within subsection (4) of this section, on the date on which it is approved by the
3 National Council of Ministers.

Proof of
statutes

4 **11.** A statute may be proved in any court by the production of a copy
5 thereof bearing or having affixed to it a certificate purporting to be signed by
6 the Vice-Chancellor or the registrar to the effect that the copy is a true copy of a
7 statute of the University.

Power of Visitor
to decide meaning
of statutes

8 **12.-(1)** In the event of any doubt or dispute arising at any time as to the
9 meaning of any provision of a statute, the matter may be referred to the visitor,
10 who shall take such advice and make such decision thereon as he shall think fit.

11 (2) The decision of the visitor on any matter referred to him under this
12 section shall be binding upon the authorities, staff and students of the
13 University, and where any question as to the meaning of any provision of a
14 statute has been decided by the visitor under this section, no question as to the
15 meaning of that provision shall be entertained in any court of law in Nigeria:
16 Provided that nothing in this subsection shall affect any power of a court of
17 competent jurisdiction to determine whether any provision of a statute is
18 wholly or partly void as being ultra vires or as being inconsistent with the
19 Constitution of the Federal Republic of Nigeria.

20 (3) The foregoing provisions of this section shall apply in relation to
21 any doubt or dispute as to whether any matter is for the purposes of this Act an
22 academic or a non-academic matter as they apply in relation to any such doubt
23 or dispute as is mentioned in subsection (1) of this section; and accordingly the
24 references in subsection (2) of this section to any question as to the meaning of
25 any provision of a statute shall include references to any question as to whether
26 any matter is for the said purposes an academic or a non-academic matter.

27 PART IV - SUPERVISION AND DISCIPLINE

The Visitor

28 **13.-(1)** The President shall be the visitor of the University.

29 (2) The Visitor shall as often as the circumstances may require, not
30 being less than once every five years, conduct a visitation of the University or

1 direct that such a visitation be conducted by such persons as the visitor may
2 deem fit and in respect of any of the affairs of the University.

3 (3) It shall be the duty of the bodies and persons comprising the
4 University:

5 (a) to make available to the visitor, and to any other persons
6 conducting a visitation in pursuance of this section, such facilities and
7 assistance as he or they may reasonably require for the purposes of a
8 visitation; and

9 (b) to give effect to any instructions consistent with the provisions
10 of this Act which may be given by the visitor in consequence of a visitation.

11 14.-(1) If it appears to the Council that a member of the Council
12 (other than the Pro-Chancellor, or the Vice-Chancellor) should be removed
13 from office on the ground of misconduct or inability to perform the
14 functions of his office or employment, the Council shall make a
15 recommendation to that effect through the Minister to the President and if
16 the President, after making such enquiries (if any) as may be considered
17 appropriate, approves the recommendation, may direct the removal of the
18 person in question from office.

Removal of
certain members
of Council

19 (2) It shall be the duty of the Minister to use his best endeavours to
20 cause a copy of the instrument embodying a direction under subsection (1)
21 of this section to be served as soon as reasonably practicable on the person to
22 whom it relates.

23 15.-(1) If it appears to the Council that there are reasons for
24 believing that any person employed as a member of the academic or
25 administrative or professional staff of the University other than the Vice-
26 Chancellor, should be removed from his office or employment on the
27 ground of misconduct or of inability to perform the functions of his office or
28 employment the Council shall:

Removal of and
discipline of
academic,
administrative
and professional
staff

29 (a) give notice of those reasons to the person in question;
30 (b) afford him an opportunity of making representations in person

1 on the matter to the Council; and

2 (c) if he or any three members of the Council so request within the
3 period of one month beginning with the date of the notice, make arrangements:

4 (i) for a joint committee of the Council and the senate to investigate
5 the matter and to report on it to the Council, or

6 (ii) for the person in question to be afforded an opportunity of
7 appearing before and being heard by the investigating committee with respect
8 to the matter, and if the Council, after considering the report of the
9 investigating committee, is satisfied that the person in question should be
10 removed as aforesaid, the Council may so remove him by an instrument in
11 writing signed on the directions of the Council.

12 (2) The Vice-Chancellor may, in a case of misconduct by a member of
13 the staff which in the opinion of the Vice-Chancellor is prejudicial to the
14 interests of the University, suspend such member and any such suspension
15 shall forthwith be reported to the Council.

16 (3) For good cause, any member of staff may be suspended from his
17 duties or his appointment may be terminated by Council; and for the purposes
18 of this subsection "good cause" means:

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

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

25 (c) conduct of a scandalous or other disgraceful nature which the
26 Council considers to be such as to render the person concerned unfit to continue
27 to hold his office; or

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

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

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

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

9. (c) whether to terminate the appointment of the person concerned,
10. in which case such a person shall not be entitled to the proportion of his
11. emoluments withheld during the period of suspension; or

12. (d) whether to take such lesser disciplinary action against such
13. person (including the restoration of such proportion of his emoluments that
14. might have been withheld) as the Council may determine; and in any case
15. where the Council, pursuant to this section, decides to continue a person's
16. suspension or decides to take further disciplinary action against a person, the
17. Council shall before the expiration of a period of three months from such
18. decision come to final determination in respect of the case concerning any
19. such person.

20. (5) It shall be the duty of the person by whom an instrument of
21. removal is signed in pursuant of subsection (1) above to use his best
22. endeavours to cause a copy of the instrument to be served as soon as
23. reasonably practicable on the person to whom it relates.

24. (6) Nothing in the foregoing provisions of this section shall prevent
25. the Council from making regulations for the discipline of other categories of
26. staff and workers of the University as may be prescribed.

27. 16.-(1) If on the recommendation of the senate, it appears to the
28. Vice-Chancellor that a person appointed as an examiner for any
29. examination of the University ought to be removed from his office or
30. appointment, then except in such cases as may be prescribed, he may, after

Removal of
examiners

1 affording the examiner an opportunity of making representation in person on
2 the matter to the Vice-Chancellor, remove the examiner from the appointment
3 by an instrument in writing signed by the Vice-Chancellor and, subject to the
4 provisions of regulations made in pursuance of section 6 (5) of this Act, the
5 Vice-Chancellor may, on the recommendation of the senate, appoint an
6 appropriate person as examiner in the place of the examiner removed in
7 pursuance of this subsection.

8 (2) It shall be the duty of the Vice-Chancellor, on signing an
9 instrument of removal in pursuance of this section, to use his best endeavours
10 to cause a copy of the instrument to be served as soon as reasonably practicable
11 on the person to whom it relates.

Discipline of
students

12 17.-(1) Subject to the provisions of this section, where it appears to
13 the Vice-Chancellor that any student of the University has been guilty of
14 misconduct, the Vice-Chancellor may, without prejudice to any other
15 disciplinary powers conferred on him by statute or regulations, direct:

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

19 (b) that the activities of the student shall, during such period as may
20 be specified in the direction, be restricted in such manner as may be so
21 specified;

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

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

25 (2) Where a direction is given under subsection (1) (c) or (d) of this
26 section in respect of any student, the student may, within the prescribed period
27 and in the prescribed manner, appeal from the direction to the Council; and
28 where such an appeal is brought, the Council shall, after causing such inquiry to
29 be made in the matter as the Council considers just, either confirm or set aside
30 the direction or modify it in such manner as the Council thinks fit.

1 (3) The fact that an appeal from a direction is brought in pursuance
 2 of the last foregoing subsection shall not affect the operation of the direction
 3 while the appeal is pending.

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

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

10 (6) It is hereby declared that a direction under subsection (1) (a) of
 11 this section may be combined with a direction under subsection (1) (b) of
 12 this section.

13 PART V - MISCELLANEOUS AND GENERAL

14 18. No person shall be required to satisfy requirements as to any of
 15 the following matters, that is to say, race (including ethnic grouping), sex,
 16 place of birth or of family, origin, or religious or political persuasion, as a
 17 condition of becoming or continuing to be a student at the University, the
 18 holder of any degree of the University or of any appointment or employment
 19 at the University, or a member of anybody established by virtue of this Act;
 20 and no person shall be subjected to any disadvantage or accorded any
 21 advantage in relation to the University, by reference to any of those matters:
 22 Provided that nothing in this section shall be construed as preventing the
 23 University from imposing any disability or restriction on any of the
 24 aforementioned persons where such person willfully refuses or fails on
 25 grounds of religious belief to undertake any duty generally and uniformly
 26 imposed on all such persons or any group of them which duty, having regard
 27 to its nature and the special circumstances pertaining thereto, is in the
 28 opinion of the University reasonably justifiable in the national interest.

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

Exclusion of
 discrimination on
 account of race,
 religion, etc.

Restriction on
 disposal of land
 by University.
 Cap. 202

1 (including any land transferred to the University by this Act) except with the
2 prior written consent, either general or special, of the Minister:

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

Quorum and
procedure of
bodies established
by this Act

6 20. Except as may be otherwise provided by statute or by regulations,
7 the quorum and procedure of any body of persons established by this Act shall
8 be such as may be determined by that body.

Appointment of
committees, etc.

9 21.-(1) Any body of persons established by the Act shall, without
10 prejudice to the generality of the powers of that body, have power to appoint
11 committees, which need not consist exclusively of members of that body, and
12 to authorize a committee established by it:

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

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

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

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

26 (4) Nothing in the foregoing provisions of this section shall be
27 construed as:

28 (a) enabling statutes to be made otherwise than in accordance with
29 section 10 of this Act; or

30 (b) enabling the senate to empower any other body to make

1 regulations or to award degrees or other qualifications.

2 (5) The Pro-Chancellor and the Vice-Chancellor shall be members
3 of every committee of which the members are wholly or partly appointed by
4 the Council (other than a committee appointed to inquire into the conduct of
5 the officer in question); and the Vice-Chancellor shall be a member of every
6 committee of which the members are wholly or partly appointed by the
7 senate.

8 22.-(1) The seal of the University shall be such as may be
9 determined by the Council and approved by the chancellor; and the affixing
10 of the seal shall be authenticated by any member of the Council and by the
11 vice-chancellor, registrar or any other person authorized by statute.

Miscellaneous
administrative
provisions.
Cap. 192

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

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

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

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

27 (6) Nothing in section 12 of the Interpretation Act (which provides
28 for the application, in relation to subordinate legislation, of certain
29 incidental provisions) shall apply to statutes or regulations made in
30 pursuance of this Act; but the power conferred by this Act to make statutes or

1 regulations shall include power to revoke or vary any statute (including the
2 Statute contained in the Third Schedule of this Act) or any regulation by a
3 subsequent statute or, as the case may be, by a subsequent regulation, and
4 statutes and regulations may make different provision in relation to different
5 circumstances.

6 (7) No stamp or other duty shall be payable in respect of any transfer
7 of property to the University by virtue of sections 8 and 19 of this Act or the
8 Second Schedule to this Act.

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

Interpretation

11 23.-(1) In this Act, unless the context otherwise requires:

12 "campuses" means any campus which may be established by the University;

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

14 "Council" means the Council established by this Act for the University;

15 "Polytechnic" means the Federal Polytechnic Yaba, Lagos;

16 "graduate" means a person on whom a degree (other than an honorary degree)
17 has been conferred by the University;

18 "Minister" means the Minister charged with responsibility for education;

19 "notice" means notice in writing;

20 "officer" does not include the visitor;

21 "prescribed" means prescribed by statute or regulations;

22 "professor" means a person designated as a professor of the University in
23 accordance with provision made in that behalf by statute or by regulations;

24 "property" includes rights, liabilities and obligations;

25 "regulations" means regulations made by the Senate or Council;

26 "statute" means the statute of the University under section 9 of this Act and in
27 accordance with the provisions of section 10, of this Act, and "the statute"
28 means all such statutes as are in force from time to time;

29 "teacher" means a person holding a full time appointment as a member of the
30 teaching or research staff of the University;

1 "undergraduate" means a person in statu pupillari at the University, other
2 than:

3 (a) a graduate; and

4 (b) a person of such description as may be prescribed for the
5 purposes of this definition;

6 "University" means the City Technical University Yaba, Lagos as
7 incorporated and constituted by this Act.

8 (2) It is hereby declared that where in any provision of this Act it is
9 laid down that proposals are to be submitted or a recommendation is to be
10 made by one authority to another through one or more intermediate
11 authorities, it shall be the duty of every such intermediate authority to
12 forward any proposals or recommendations received by it in pursuance of
13 that provision to the appropriate authority; but any such intermediate
14 authority may, if it thinks fit, forward therewith its own comments thereon.

15 24. This Bill may be cited as the City Technical University Yaba, Short Title
16 Lagos Bill, 2016.

17 SCHEDULES

18 FIRST SCHEDULE

19 Section 2

20 PRINCIPAL OFFICES OF THE UNIVERSITY

21 *The Chancellor*

22 1. The Chancellor shall be appointed by the President.

23 2.-(1) The Chancellor shall hold office for a period of five years.

24 (2) If it appears to the visitor, that the chancellor should be removed
25 from his office on the ground of misconduct or of inability to perform the
26 functions of his office, the visitor may by notice in the Federal Gazette
27 remove the chancellor from office.

28 *The Pro-Chancellor*

29 3.-(1) The Pro-Chancellor shall be appointed or removed by the
30 President on the recommendation of the Minister.

1 (2) Subject to the provisions of this Act, the Pro-Chancellor shall hold
2 office a period of four years beginning with the date of his appointment.

3 *The Vice-Chancellor*

4 4.-(1) Subject to the provisions of this paragraph, the Vice-Chancellor
5 shall be appointed or removed from his office by the President after
6 consultation with the University Council.

7 (2) The Vice-Chancellor shall hold office for four years in the first
8 instance and shall be eligible for re-appointment for a second term of three
9 years, thereafter he shall no longer be eligible for appointment until at least four
10 years have elapsed since he last held office as Vice-Chancellor.

11 (3) Subject to this paragraph, the Vice-Chancellor shall hold office on
12 such terms as to emoluments and otherwise as may be specified in his
13 instrument of appointment.

14 *Other principal officers of the University*

15 5.-(1) There shall be a registrar, who shall be the chief administrative
16 officer of the University and shall be responsible to the Vice-Chancellor for the
17 day-to-day administrative work of the University except as regards matters for
18 which the bursar is responsible in accordance with subparagraph (3) of this
19 Schedule.

20 (2) The person holding the office of registrar shall by virtue of that
21 office be secretary to the Council, the senate, congregation and convocation.

22 (3) There shall be a bursar, who shall be the chief financial officer of
23 the University and shall be responsible to the Vice-Chancellor for the day-to-
24 day administration and control of the financial affairs of the University.

25 (4) There shall be a librarian who shall be responsible to the Vice-
26 Chancellor for the administration of the University library and the co-
27 ordination of all library service in the University and its campuses, colleges,
28 faculties, schools, departments and institutes and other teaching or research
29 units.

30 (5) The officers aforesaid shall be appointed in such manner as may be

1 specified by statute and shall hold office for such period and on such terms as
2 to the emoluments of their offices and otherwise as may be specified.

3 (6) Any question as to the scope of the responsibilities of the
4 aforesaid officers shall be determined by the Vice-Chancellor.

5 *Resignation and re-appointment*

6 6.-(1) Any officer mentioned in the foregoing provisions of this
7 Schedule may resign his office:

8 (a) in the case of the chancellor, by notice to the President; and

9 (b) in any other case, by notice to the Council and the Council shall
10 immediately notify the Minister in the case of the Vice-Chancellor.

11 (2) Subject to paragraph 4 of this Schedule, a person who has
12 ceased to hold an office so mentioned otherwise than by removal for
13 misconduct shall be eligible for re-appointment to that office.

14 SECOND SCHEDULE

15 *Section 8 (2)*

16 TRANSITIONAL PROVISIONS AS TO PROPERTY, FUNCTION, ETC.

17 *Transfer of property to University*

18 1. Without prejudice to the generality of section 8 (1) of this Act:

19 (a) the reference in that subsection to property held by the Yaba
20 College of Technology, Lagos shall include a reference to the right to receive
21 and give a good discharge for any grants or contributions which may have
22 been voted or promised to the College;

23 (b) all debts and liabilities of the College provisional Council
24 outstanding shall become debts or liabilities of the University.

25 2.-(1) All agreements, contracts, deeds and other instrument to
26 which the College was-party shall, so far as possible and subject to any
27 necessary modifications, have effect as if the University had been a party
28 thereto in place of the College.

29 (2) Documents not falling within subparagraph (1) of this section,
30 including enactments, which refer whether specially or generally to the

1 College, shall be construed in accordance with that subparagraph so far as
2 applicable.

3 (3) Any legal proceedings or application to any authority pending by
4 or against the College may be continued by or against the University.

5 *Registration of transfer*

6 3. If the law in force at the place where any property transferred by
7 this Act is situated provides for the registration of transfers of property of the
8 kind in question (whether by reference to an instrument of transfer or
9 otherwise), the law shall, so far as it provides for alterations of a register (but
10 not for avoidance of transfers, the payment of fees or any other matter) apply
11 with the necessary modifications to the transfer of the property aforesaid; and it
12 shall be the duty of the body to which any property is transferred by this Act to
13 furnish the necessary particulars of the transfer to the property officer of the
14 registration authority, and of that officer to register the transfer accordingly.

15 *Transfer of functions, etc.*

16 4.-(1) The first meeting of the Council shall be convened by the Pro-
17 Chancellor on such date and in such manner as he may determine.

18 (2) The persons who were members of the Governing Council of the
19 College shall be deemed to constitute the Council until the date when the
20 Council set up under the Third Schedule of this Act shall have been duly
21 constituted.

22 (3) The first meeting of the senate as constituted by this Act shall be
23 convened by the Vice-Chancellor on such date and in such manner as he may
24 determine.

25 (4) The persons who were members of the Academic Board of the
26 College immediately before the coming into force of this Act shall be deemed
27 to constitute the senate of the University until the date when the senate as set up
28 under Schedule 3 to this Act shall have been duly constituted.

29 (5) Subject to any regulations which may be made by the senate after
30 the date on which this Act is made, the faculties, faculty boards and students of

1 the University immediately before the coming into forces of this Act shall on
 2 that day become faculties, faculty boards and students of the University as
 3 constituted by this Act.

4 (6) Persons who were deans or associate deans of faculties or
 5 schools or members of faculty boards shall continue to be deans or associate
 6 deans or become members of the corresponding faculty boards, until new
 7 appointments are made in pursuance of the statutes.

8 5. All the staff of the College are hereby transferred to the
 9 University and previous service in the College shall count as service for the
 10 purposes of any pension payable by the University.

11 THIRD SCHEDULE

12 *Section 9 (3)*

13 CITY TECHNICAL UNIVERSITY YABA, LAGOS NO.1

14 ARRANGEMENT OF ARTICLES

15 *Article*

- 16 1. The Council.
- 17 2. The Senate.
- 18 3. Congregation.
- 19 4. Convocation.
- 20 5. Organisation of Academic Work of the University.
- 21 6. The Dean of the Faculty.
- 22 7. Selection of certain Principal Officers.
- 23 8. Creation of academic posts.
- 24 9. Appointments of academic staff.
- 25 10. Appointment of Administrative and Professional Staff.
- 26 11. Interpretation.
- 27 12. Short Title.

28 *The Council*

- 29 1.-(1) The Council shall consist of:
- 30 (a) the Pro-Chancellor;

1 (b) the Vice-Chancellor and the deputy Vice-Chancellor;

2 (c) six persons representing a variety of interests and broadly
3 representative of the whole Federation appointed by the National Council of
4 Ministers;

5 (d) four person appointed by the senate from among the members of
6 that body;

7 (e) one person appointed by congregation from among the members
8 of that body;

9 (f) one person appointed by convocation from among the members of
10 that body;

11 (g) the Permanent Secretary, Federal Ministry of Education or, in his
12 absence, such member of his Ministry as may be designated to represent him;
13 and

14 (h) one person to represent the armed forces of the Federation and the
15 Police Force.

16 (2) Any member of the Council holding office otherwise than in
17 pursuance of paragraph (1) (a), (b), (g) or (h) of this article may, by notice to the
18 Council, resign his office.

19 (3) A member of the Council holding office otherwise than in
20 pursuance of paragraph (1) (a), (b), (g) or (h) of this article shall, unless he
21 previously vacates it, vacate that office on the expiration of the period of four
22 years beginning with effect from the 1st of August in the year in which he was
23 appointed.

24 (4) Where a member of the Council holding office otherwise than in
25 pursuance of paragraph (1) (a), (b), (g) or (h) of this article vacates office before
26 the expiration of the period aforesaid, the body or person by whom he was
27 appointed may appoint a successor to hold office for the residue of the term of
28 his predecessor.

29 (5) A person ceasing to hold office as a member of the Council
30 otherwise than by the removal for misconduct shall be eligible for re-

1 appointment for only one further period of four years.

2 (6) The quorum of the Council shall be five at least one of whom
3 shall be a member appointed pursuant to paragraph (1) (c), (j), (g) and (h) of
4 this article.

5 (7) If the Pro-Chancellor is not present at a meeting of the Council
6 such other member of the Council present at the meeting as the Council may
7 appoint as respects that meeting shall be the chairman at that meeting, and
8 subject to section 4 of the Act and the foregoing provisions of this paragraph,
9 the Council may regulate its own procedure.

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

14 *The Senate*

15 2.-(1) The finance and general purposes committee of the Council
16 shall consist of:

17 (a) the Pro-Chancellor, who shall be the chairman of the committee
18 at any meeting at which he is present;

19 (b) the Vice-Chancellor and the deputy Vice-Chancellor;

20 (c) six other members of the Council appointed by the Council, two
21 of whom shall be selected from among the four members of the Council
22 appointed by the senate and one member appointed to Council by the
23 congregation;

24 (d) the Permanent Secretary, Federal Ministry of Finance or, in his
25 absence, such member of his Ministry shall as may be designated to
26 represent him.

27 (2) The quorum of the committee shall be five.

28 (3) Subject to any directions given by the Council, the committee
29 may regulate its own procedure.

1 any election held in pursuance of paragraph (5) above in the year in which
2 his period of office expires, so however that no person shall be such a
3 candidate if at the end of his current period of office he would have held
4 office as an elected member for a continuous period of six years or would
5 have so held office if he had not resigned it.

6 (7) No election shall be held in pursuance of this article in any year
7 if the number specified in the certificate given in pursuance of paragraph (9)
8 of this article does not exceed by more than one the figure which is thrice the
9 number of those elected members holding office on the date of the certificate
10 who do not vacate office during that year in pursuance of paragraph (6) of
11 this article; but for the avoidance of doubt it is hereby declared that no person
12 shall be precluded from continuing in or taking office as an elected member
13 by reason only of a reduction in the total of non-elected members occurring
14 on or after 30th April in any year in which he is to continue in or take office as
15 an elected member.

16 (8) If so requested in writing by any ten members of the Senate, the
17 Vice-Chancellor, or in his absence a person duly appointed by him, shall
18 convene a meeting of the senate to be held not later than the tenth day
19 following that on which the request was received.

20 (9) In this article, "total of non-elected members" means, as
21 respects any year, such number as may be certified by the Vice-Chancellor
22 on the 30 April of that year to be the number of persons holding office as
23 members of the senate on that day otherwise than as elected members.

24 *Congregation*

25 4.-(1) Congregation shall consist of:

26 (a) the Vice-Chancellor;

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

28 (c) the registrar;

29 (d) the bursar; and

30 (e) every member of the administrative staff who holds a degree of

1 any university recognised for the purposes of this statute by the Vice-
2 Chancellor, not being an honorary degree.

3 (2) Subject to section 4 of the Act, the Vice-Chancellor shall be the
4 chairman at all meetings of congregation when he is present; and in his absence
5 such other member of congregation present at the meeting as congregation may
6 appoint for that meeting, shall be the chairman at the meeting.

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

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

11 (a) the total number of members of congregation for the purposes of
12 any particular meeting or meetings of congregation; or

13 (b) the names of the persons who are members of congregation during
14 a particular period; shall be conclusive evidence of that number or, as the case
15 may be, of the names of those persons.

16 (5) Subject to the foregoing provisions of this article, congregation
17 may regulate its own procedure.

18 (6) Congregation shall be entitled to express by resolution or
19 otherwise its opinion on all matters affecting the interest and welfare of the
20 University and shall have such other functions in addition to the function of
21 electing a member of the Council, as may be provided by statute or regulations.

22 *Convocation*

23 5.-(1) Convocation shall consist of:

24 (a) the officers of the University mentioned in the First Schedule to
25 the Act;

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

27 (c) all other persons whose names are registered in accordance with
28 paragraph (2) of this article.

29 (2) A person shall be entitled to have his name registered as a member
30 of convocation if:

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

4 (b) he applies for the registration of his name in the prescribed
5 manner and pays the prescribed fees; and regulations shall provide for the
6 establishment and maintenance of a register for the purposes of this
7 paragraph and, subject to paragraph (3) below, may provide for the payment
8 from time to time of further fees by persons whose names are on the register
9 and for the removal from the register of the name of any person who fails to
10 pay those fees.

11 (3) The person responsible for maintaining the register shall,
12 without the payment of any fees, ensure that the names of all persons who
13 are for the time being members of convocation by virtue of paragraph (1) (a)
14 or (b) of this article are entered and retained on the register.

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

19 (5) The register shall, unless the contrary is proved, be sufficient
20 evidence that any person named therein is, and that any person not named
21 therein is not, a member of convocation; but for the purpose of ascertaining
22 whether a particular person was such a member on a particular date, any
23 entries in and deletions from the register made on or after that shall be
24 disregarded.

25 (6) The quorum of convocation shall be fifty or one-third (or the
26 whole number nearest to one-third) of the total number of members of
27 convocation, whichever is less.

28 (7) Subject to section 4 of the Act, the Vice-Chancellor shall be
29 chairman at all meetings of convocation when he is present, and in his
30 absence the vice chancellor shall be the chairman at the meeting.

1 (8) Convocation shall have such functions, in addition to the function
2 of appointing a member of the Council, as may be provided by statute.

3 *Organisation of faculties and branches thereof*

4 6. Each faculty shall be divided into such number of branches as may
5 be prescribed.

6 7.-(1) There shall be established in respect of each faculty a faculty
7 board, which, subject to the provisions of this Statute, and subject to the
8 directions of the Vice-Chancellor, shall:

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

11 (b) deal with any other matter assigned to it by the statute or by the
12 Vice-Chancellor or by the senate; and

13 (c) advise the Vice-Chancellor or the senate on any matter referred to
14 it by the Vice-Chancellor or the senate.

15 (2) Each faculty board shall consist of:

16 (a) the Vice-Chancellor;

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

18 (c) such of the teachers assigned to the faculty and having the
19 prescribed qualifications as the board may determine; and

20 (d) such persons whether or not members of the University as the
21 board may determine with the general or special approval of the senate.

22 (3) The quorum of the board shall be eight members or one-quarter
23 (whichever is greater) of the members for the time being of the board; and
24 subject to the provisions of this statute and to any provisions made by
25 regulations in that behalf, the board may regulate its own procedure.

26 *The Dean of the Faculty*

27 8.-(1) The dean of a faculty shall be a professor elected by the faculty
28 board and each dean shall hold office for years. He will be eligible for re-
29 election for another term of two years after which he may not be elected again
30 until two years have elapsed.

1 (2) If there is no professor in a faculty, the office of the dean of the
2 faculty shall be held in rotation by members of the faculty holding the ranks
3 of reader or senior lecturer on the basis of seniority as determined by the
4 statute.

5 (3) The dean shall be the chairman at all meetings of the faculty
6 board when he is present and he shall be a member of all committees and
7 other boards appointed by the faculty.

8 (4) The dean of a faculty shall exercise general superintendence
9 over the academic and administrative affairs of the faculty. It shall be the
10 function of the dean to present to convocation for the conferment of degrees
11 persons who have qualified for the degrees of the University at examinations
12 held in the branches of learning for which responsibility is allocated to that
13 faculty.

14 (5) There shall be a committee to be known as the committee of
15 deans consisting of all the deans of the several faculties and that committee
16 shall advise the Vice-Chancellor on all academic matters and on particular
17 matters referred to the University Council by senate.

18 (6) The dean of a faculty may be removed from office for good
19 cause by the faculty board after a vote would have been taken at a meeting of
20 the board, and in the event of a vacancy occurring following the removal of a
21 dean, an acting dean may be appointed by the Vice-Chancellor provided that
22 at the next faculty board meeting an election shall held for a new dean.

23 (7) In this article, "good cause" has the same meaning as in section
24 15 (3) of the Act.

25 *Selection of certain principal officers*

26 9.-(1) When a vacancy occurs in the office of the registrar, bursar,
27 librarian, or director of works, a selection board shall be constituted by the
28 Council and shall consist of:

29 (a) the Pro-Chancellor;

30 (b) the Vice-Chancellor;

1 (c) two members appointed by the Council, not being members of the
2 senate; and

3 (d) two members appointed by the Senate.

4 (2) The selection board, after making such inquiries as it thinks fit,
5 shall recommend a candidate to the Council for appointment to the vacant
6 office; and after considering the recommendation of the board the Council may
7 make an appointment to that office.

8 *Creation of academic posts*

9 10. Recommendations for the creation of posts other than those
10 mentioned in article 9 of this Statute shall be made by the senate to the Council
11 through the finance and general purposes committee.

12 *Appointment of academic staff*

13 11. Subject to the Act and the statutes, the filling of vacancies in
14 academic posts (including newly created ones) shall be as prescribed from time
15 to time by statutes.

16 *Appointment of administrative and technical staff*

17 12.-(1) The administrative and professional staff of the University
18 other than those mentioned in article 9 of this Statute, shall be appointed by the
19 Council or on its behalf by the Vice-Chancellor or the registrar in accordance
20 with any delegation of powers made by the Council in that behalf.

21 (2) In the case of administrative or professional staff who have close
22 and important contacts with the academic staff, there shall be senate
23 participation in the process of selection.

24 *Interpretation*

25 13. In this Statute, the expression "the Act" means the City Technical
26 University, Yaba, Act and any expression defined in the Act has the same
27 meaning in this Statute.

28 *Short Title*

29 14. The Statute may be cited as City Technical University Yaba, Lagos
30 Statute No. 1.

EXPLANATORY MEMORANDUM

This Bill seeks to provide for the establishment of the City Technical University Yaba, Lagos and for related matters

