

FEDERAL UNIVERSITIES OF TECHNOLOGY KADUNA, LAGOS AND ENUGU

(ESTABLISHMENT) BILL, 2017

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A BILL

FOR

AN ACT TO ESTABLISH FEDERAL UNIVERSITIES OF TECHNOLOGY KADUNA, LAGOS AND ENUGU TO PROVIDE TRAINING AND TEACHING INSTRUCTION IN EVERY ASPECT OF EDUCATION AND SUCH OTHER FIELDS OF APPLIED LEARNING RELEVANT TO THE NEEDS OF THE DEVELOPMENT OF EDUCATION IN NIGERIA, MATTERS OF ADMINISTRATION AND DISCIPLINE OF STUDENTS AND FOR RELATED MATTERS

Sponsors:

Hon. Abbas Tajudeen

Hon. Femi Gbajabamila

Hon. Patrick Asadu

[] Commencement

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

PART I - PRELIMINARY

- 1 1. The Objects Objects
- 2 The objects of the University of Technology shall be to-
- 3 (a) Encourage the advancement of learning to all persons without
- 4 distinction of race, religion, sex or political conviction, by availing to all
- 5 qualified persons the opportunity of acquiring higher education in Nigeria;
- 6 (b) Develop, offer academic and professional programmes leading
- 7 to the award of certificates, first degrees, post-graduate diploma and other
- 8 higher degrees, which emphasises planning, adaptive, developmental and
- 9 productive skills in education, technology, applied science, agriculture,
- 10 commerce, art, social science, humanities, management and allied
- 11 professional disciplines;
- 12 (c) Produce socially mature educational men and women with
- 13 capability not to only understand need of Nigeria as a nation, but also to

1 exploit existing educational infrastructures and improve on it to develop new
2 ones;

3 (d) Act as agents and catalysts for effective educational system,
4 through post-graduate training, research and innovation, for effective
5 economic utilisation and conservation of the country's human resources;

6 (e) Bring quality change in education, focusing on teacher education
7 through teaching and learning innovations;

8 (f) Collaborate with other national and international institutions
9 involved in training, research and development of education with a view to
10 promoting governance, leadership and management skills among educational
11 managers;

12 (g) Identify the educational needs of the society with a view to finding
13 solutions to them within the context of overall national development;

14 (h) Provide and promote sound basic education training as a foundation for the
15 development of Nigeria, taking into account indigenous culture and the need to
16 enhance national unity; and

17 (i) Undertake any other activities that are appropriate for a University
18 of Technology of the highest standard.

19 PART II - ESTABLISHMENT, STRUCTURE, POWER AND FUNCTIONS OF
20 FEDERAL UNIVERSITY OF TECHNOLOGY

Establishment
of the Federal
University of
Technology

21 2.-(1) There are established the Federal University of Technology
22 specified in the First Schedule to this Act (in this Act referred to as "the
23 University").

24 (2) Each University referred to in sub-section (1) of this Section, shall
25 be a body corporate with perpetual succession and a common seal, which may
26 sue or be sued in its corporate name.

27 (3) May acquire, hold or dispose of any property, movable or
28 immovable for the purposes of carrying out any of its objects under this Act.

Structure of
each Universities

29 3.-(1) Each University shall consist of:

30 (a) A Chancellor;

- 1 (b) A Pro-Chancellor;
- 2 (c) A Vice-Chancellor;
- 3 (d) A Council;
- 4 (e) A Senate;
- 5 (f) A body to be known as the Congregation;
- 6 (g) The campuses and colleges of the Universities
- 7 (h) The schools, institutes and other teaching and research units of
- 8 the University;
- 9 (i) Undergraduate and postgraduate students of the University and
- 10 (j) All other persons who are members of the university in
- 11 accordance with provisions of this Act.

12* 4.-(1) The governance of each University and the direction of its
13 affairs shall vest in the Governing Council of each University (in this Act
14 referred to as "the Council").

Governing
Council of each
University

15 (2) Without prejudice to the generality of sub-section (1) of this
16 Section, it shall be the responsibility of the Council to consider and approve
17 the

- 18 (a) Plan of activities of the University;
- 19 (b) Programme of studies, courses, and research to be undertaken
- 20 by the University;
- 21 (c) Annual estimates of the University; and
- 22 (d) Investment plans of the University.

23 5. The Council of each University shall consist of a chairman and
24 other members to be appointed by the President-

Membership of
the Council of
each University

- 25 (a) The Pro-Chancellor;
- 26 (b) The Vice-Chancellor;
- 27 (c) Deputy Vice-Chancellor;
- 28 (d) One person from the Ministry responsible for education;
- 29 (e) Nine persons representing a variety of interests and broadly
- 30 representative of the whole Federation to be appointed by the President;

- 1 (f) Four persons appointed by the Senate from among its members;
2 (g) Two persons appointed by the Congregation of the University
3 from among its members;
4 (h) Two representatives of the academic board of the University;
5 (i) One representatives of the National University Commission; and
6 (j) One person appointed by the Convocation of the University from
7 among its members.

Tenure of office
of members of
the Council

8 6.-(1) A member of the Council, other than an ex-officio member,
9 shall hold office for a term of four years and may be eligible for re-appointment
10 for another four years and no more.

11 (2) A member of the Council shall cease to be a member under this
12 Act, where-

13 (a) Such member resigns his office by notice in writing under his
14 hand, addressed to the President through the Minister; or

15 (b) The President is satisfied that it is not in the best interest of the
16 University or of the public for such member to continue in office and notifies
17 such member in writing to that effect.

Removal of any
member of the
Council

18 7.-(1) Where it appears to the Council that any member of the
19 Council, other than the Pro-Chancellor and the Vice-Chancellor, should be
20 removed from office on the ground of misconduct or inability to perform the
21 functions of his office, the Council shall make recommendation through the
22 Minister to the President.

23 (2) Where the president, after making such enquiries as he considers
24 appropriate and approves the recommendation made by the Council, he may
25 direct the removal of such members of Council from office.

26 (3) The Minister shall communicate to the affected person, a copy of
27 the instrument embodying a direction under sub-section (2) of this Section, to
28 be served on the person to whom it relates.

Powers of the
University

29 8.-(1) Each University shall have power to-

30 (a) Establish such campus, college, institute, schools, extra-moral

1 department and other teaching and research units within the University, as
2 may be necessary or desirable, subject to the approval of the National
3 Universities Commission;

4 (b) Institute professorships, readerships or associate
5 professorships, lecture-ships, other posts and offices and make
6 appointments thereto;

7 (c) Institute and award fellowships, scholarships, exhibitions,
8 bursaries, medals, prizes and other titles, distinctions, awards and other
9 forms of assistance;

10 (d) Provide for the welfare and discipline of members of the
11 University

12 (e) Conduct examinations and grant degrees, diplomas, certificates
13 and other distinctions to persons, who have pursued a course of study
14 approved by the University and have satisfied such other requirements as the
15 University may lay down;

16 (f) Grant honorary degrees, fellowships or academic titles;

17 (g) Demand and receive from any student or any other person
18 attending the University for the purpose of instruction, such fees as the
19 University may from time to time determine subject to the overall directives
20 of the Ministers;

21 (h) Acquire, hold, grant, charge or otherwise deal with or disposal
22 of movable and immovable property wherever it is situate for the purposes
23 of carrying out the objects of this Act;

24 (i) Accept gifts, legacies and donations, but without obligation to
25 accept the same for a particular purpose unless it approves the terms and
26 conditions attached thereto;

27 (j) Enter into contracts, establish trusts, act as trustee, solely or
28 jointly with any other person, and employ or act through agents;

29 (k) Build, provide, equip and maintain libraries, laboratories,
30 lecture halls, halls of residence, refectories, sports grounds, playing fields

1 buildings or other facilities deemed necessary for the achievement of the
2 objects of this Act;

3 (l) Hold public lectures and to undertake printing, publishing and
4 book selling;

5 (m) Invest any surplus funds of the University in profit-yielding
6 ventures;

7 (n) Borrow money, where it is expedient to borrow and guarantee
8 such loan, advances or credit facilities, upon any of the property, movable or
9 immovable, of the University, subject to each University Council's approval;

10 (o) Conduct examinations in education for qualified teachers;

11 (p) Donate gifts for any charitable purposes;

12 (q) Recruit staff of the right calibre and determine the career structure
13 of such staff;

14 (r) Provide amenities for student's welfare and make such other
15 provision for the welfare of the staff of the University;

16 (s) Organise and mount exhibitions to foster an appreciation of trends
17 in technology and the scope requirements of education; and

18 (t) Exercise any other powers as are necessary or expedient for the
19 achievement of the objects of this Act.

20 (2) The power of the University to establish further campuses and
21 colleges under the University shall be exercisable by statute and not otherwise.

Composition of
the Senate of
each University

22 **9.-(1)** The Senate of each University shall consist of:-

23 (a) The Vice-Chancellor;

24 (b) The Deputy Vice-Chancellor;

25 (c) The Deans of various schools in the University;

26 (d) The Directors of various institutes in the University;

27 (e) The Professors in the University;

28 (f) The University Librarian;

29 (g) Persons holding such appointment on the staff payroll of the
30 University as may be specified by the Vice-Chancellor;

1 (h) Such lecturers, not being more than one third of the total
2 number of non-elected members, elected by the Congregation of the
3 University of which at least one of whom shall come from each of the
4 schools in the University; and

5 (i) Two persons representing a variety of interests of professional
6 bodies outside the University, appointed by the Senate on the
7 recommendation of the Vice-Chancellor.

8 10.-(1) The Senate of each University shall perform the following
9 functions-

Functions of the
Senate

10 (a) Determine, organise and regulate teaching in the University;

11 (b) Admit and discipline students, where no other enactment
12 provides to the contrary the procedure for admitting and discipline of
13 students in the University;

14 (c) Promote research activities in the University;

15 (d) Establish, organise and control of campus activities of the
16 University, colleges, schools, institutes and other teaching and research
17 units of the University;

18 (e) Allocate responsibilities to various branches of learning of the
19 University;

20 (f) Organise and control courses of study in the University and
21 conduct examinations based on courses taught;

22 (g) Appoint both internal and external examiners;

23 (h) Consider and approve award of degrees, certificates, diploma
24 and such other qualifications as may be prescribe, in connection with
25 examinations conducted by the University;

26 (i) Make recommendations to the Council with respect to honorary
27 fellowship or honorary degree or the title of professor emeritus, to be
28 conferred on any qualified person by the University;

29 (j) Establish, organise and control of halls of residence under the
30 University;

1 (k) Ensure the welfare of students in the University and regulate their
2 conduct;

3 (l) Recommend to the Council the grant of fellowships, scholarships,
4 prizes and similar awards within the control of the University on any person
5 approved for such awards; and

6 (m) Determine the colour and design of what shall be the academic
7 dress of the University and regulate its usage.

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

11 (3) Subjects to a right of appeal to the Council from a decision of the
12 Senate under this Act, the Senate may deprive any person of any degree,
13 diploma or other award of the University, which has been conferred upon him,
14 but after due enquiry he is shown to have been guilty of discreditable conduct in
15 gaining admission into the University or obtaining that award.

16 (4) The Senate shall ensure that not less than one person out the
17 persons appointed as examiners at each final or professional examination held
18 in conjunction with any course of study at the University is not a Lecturer at the
19 University but is a Lecturer at any other branch of learning to which the course
20 relates in other University of high repute or a person engaged in practising the
21 profession in a reputable organisation or institution.

The Visitor

22 **11.-(1)** The President of the Federal Republic of Nigeria shall be the
23 Visitor of the University.

24 (2) The Visitor shall, not less than once in every five years, conduct a
25 visitation to the University or appoint a visitation panel consisting of not less
26 than five experts to carryout visitation for the purposes of evaluating the
27 academic and administrative performance of the University or for such other
28 purposes in respect of any affairs of the University, which the Visitor may
29 consider necessary.

1 section (5) of this Section shall be determined by the Vice-Chancellor.

2 18.-(1) There shall be for each University, a Selection Board for the
3 appointment of other principal officers, other than the Vice-Chancellor or
4 Deputy Vice-Chancellor, which shall consist of-

Selection Board
for other Principi
Officers

5 (a) The Pro-Chancellor, as chairman;

6 (b) The Vice-Chancellor;

7 (c) Four members of the Council not being members of the Senate;

8 and

9 (d) Two members of the Senate.

10 (2) Functions, procedure and other matters relating to the Selection
11 Board constituted under sub-section (1) of this Section, shall be determined
12 by the Council from time to time.

13 19. The Council may employ such other persons as employees of
14 the University, as may be required to assist the Vice-Chancellor and the
15 principal officers of the University in the performance of their functions and
16 responsibilities under this Act.

Other employees
of the University

17 20.-(1) Where it appears to the Council that there are reasons to
18 believe that any staff employed by the University other than the Vice-
19 Chancellor and other principal staff, should be removed from office or
20 employment of the University on the ground of misconduct or inability to
21 perform the functions of his office, the Council shall-

Removal and
Discipline of Staff
of the University

22 (a) Give notice to the staff, stating the reasons for either his
23 removal or discipline;

24 (b) Afford him an opportunity to make representation in person on
25 the matter to the Council; and

26 (c) Where he made representation to the Council or not less than
27 three members of the Council as may be requested within the period of one
28 month from the date of the notice, an arrangement:

29 (i) For a joint committee of the Council and the Senate to

1 investigate the matter may be constituted and submit report to the Council on
2 the matter;

3 (ii) The staff shall be afforded an opportunity of appearing before the
4 investigating Committee with respect to the matter, and if the Council after
5 considering the report of the investigating committee; and

6 (iii) Is satisfied that the staff in question is guilty of the offence
7 alleged, the Council may so direct his removal or being disciplined through an
8 instrument in writing signed on the directions of the Council.

9 (2) The Vice-Chancellor may, in a case of misconduct by any member
10 of staff of the University which in his opinion is prejudicial to the interests of
11 the University may suspend such member of staff and report such suspension
12 to the Council.

13 (3) The Council may for good cause, suspend or terminate the
14 appointment of any member of staff from duty.

15 (4) For the purposes of this section, "good cause" means-

16 (a) Conviction for any offence which the Council considers to be such
17 as to render the person concerned unfit for the performance of the functions of
18 his office;

19 (b) Any physical or mental incapacity, which in the opinion of the
20 Council and medical advice, considers to be such as to render the person
21 concerned unfit to continue to hold his office;

22 (c) Conduct of a scandalous or other disgraceful nature, which the
23 Council considers to be such as to render the person concerned unfit to
24 continue to hold his office; or

25 (d) Conduct which the Council considers to be such as to constitute
26 failure or inability of the person concerned to perform the functions of his
27 office or to comply with the terms and conditions of his service; or

28 (e) Conduct which the Council considers to be generally of such
29 nature as to render the continued appointment or service of the person
30 concerned as prejudicial or detrimental to the interest of the University.

1 (5) Any person suspended pursuant to sub-sections (2) or (3) of this
2 section, shall be on half pay and the Council shall, before the expiration of
3 three months of such suspension, consider the case against that person and
4 come to a decision as to-

5 (a) Whether to continue such person on the suspension and is so, on
6 what terms, including the proportion of his emoluments to be paid to him;

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

10 (c) Whether to terminate the appointment of such person, which in
11 the circumstance shall not be entitled to the proportion of his emoluments
12 withheld during the period of suspension; or

13 (d) Whether to take such lesser disciplinary action against the
14 person, which include the restoration of such proportion of his emoluments
15 withheld during suspension or as the Council may determine.

16 (6) Where the Council, pursuant to this Section, decides to
17 continue the person's suspension or take further disciplinary action against
18 the person, the Council shall before the expiration of three months of such
19 decision, come to a final determination of the case against the person.

20 (7) It shall be the duty of the person by whom an instrument of
21 removal is signed pursuant to this Section, to make effort to cause a copy of
22 the instrument to be served as soon as reasonably practicable on the person
23 to whom it relates.

24 (8) Notwithstanding the provisions of this section, nothing in the
25 foregoing provisions shall-

26 (a) Apply to any directive given by the Visitor in consequence of
27 any visitation report; or

28 (b) Prevent the Council from making regulations for the discipline
29 of other categories of workers of the University as may be prescribed.

1 PART III - PRINCIPAL OFFICERS, OTHER PRINCIPAL OFFICER
2 AND STAFF OF THE UNIVERSITY

3 12.-(1) The Chancellor of each University shall be appointed and The Chancellor
4 hold office at the pleasure of the President.

5 (2) The Chancellor shall subject to the provisions of this Act, hold
6 office for a period of five years from the date of his appointment and no
7 more.

8 (3) Notwithstanding the provision of sub-section (2) of this
9 Section, the President may remove any Chancellor from office, where it is in
10 the interest of the University or of the public to do so.

11 13.-(1) The Pro-Chancellor of each University shall be appointed The Pro-
12 by the President. Chancellor

13 (2) The Pro-Chancellor shall subject to the provisions of this Act,
14 hold office for a period of five years from the date of his appointment.

15 (3) Notwithstanding the provision of sub-section (2) of this
16 Section, the President may remove any Pro-Chancellor from office, where it
17 is in the interest of the University or of the public to do so.

18 14.-(1) There shall be a Vice-Chancellor of each University, who The
19 shall be appointed by the President in accordance with the provisions of this Vice-Chancellor
20 Section.

21 (2) The Vice-Chancellor shall be the chief executive and academic
22 officer of the University, exercise general function in addition to any other
23 functions conferred on him by this Act or otherwise, which includes
24 directing activities in the University and serves as ex-officio and chairman
25 of the Senate.

26 (3) The Vice-Chancellor shall, in relation to each University, take
27 precedence before all other members of the University except the
28 Chancellor and the Pro-Chancellor and any other person for the time being
29 acting as chairman of the Council.

30 (4) Where a vacancy occurs in the post of a Vice-Chancellor, the

1 Council shall-

2 (a) Advertise the vacancy in a reputable journal or a widely read
3 newspaper in Nigeria, specifying-

4 (i) the qualities and qualifications of the persons who may apply for
5 the post; and

6 (ii) the terms and conditions of service applicable to the post,

7 And thereafter draw up a short list of suitable candidates for the post for
8 consideration;

9 (b) Constitute a Search Team consisting of-

10 (i) a member of the Council, who is not a member of the Senate, as
11 chairman;

12 (ii) Two members of the Senate who are not members of the Council,
13 one of whom shall be a professor;

14 (iii) Two member of the Congregation who are not members of the
15 Council, one of whom shall be a professor, to identify and nominate for
16 consideration, suitable persons who are not likely to apply for the post on their
17 own volition but that of the national interest.

18 (5) A joint Council of Senate Selection Board shall consist of-

19 (a) The pro-Chancellor, as chairman;

20 (b) Two members of the Council, not being members of the Senate;
21 and

22 (c) Two members of the Senate not below the rank of professors,
23 Who were not members of the Search Team, shall consider the candidates and
24 persons shortlisted under sub-section (2) of this Section through evaluation of
25 their curriculum vitae and interaction, shall recommend to the Council,
26 suitable candidates from the list for further consideration.

27 (6) The Council shall select three candidates from among the
28 candidates recommended in sub-section (5) of this Section and may indicate its
29 order of preference stating the reasons, if any, forward the names to the
30 President for consideration and approval.

1 (7) The President may appoint as Vice-Chancellor one of the
2 candidates recommended to him accordance with the provisions of sub-
3 section (6) of this Section.

4 (8) The Vice-Chancellor shall hold office for a single term of five
5 years only on such terms and conditions as may be specified in his letter of
6 appointment and no more.

7 (9) The Vice-Chancellor may be removed from office by the
8 President after due consultation with the Council and the Senate, acting
9 through the Minister responsible for education.

10 15.-(1) There shall be for each University such number of Deputy
11 Vice-Chancellors as the Council may, from time to time, deem necessary for
12 the proper management and administration of each University.

Deputy
Vice-Chancellor

13 (2) Where a vacancy occurs in the post of Deputy Vice-Chancellor,
14 the Vice-Chancellor shall forward to the Senate a list of two candidates for
15 the post of Deputy Vice-Chancellor that is vacant.

16 (3) The Senate shall select for any vacant post one candidate from
17 the list forwarded to it under sub-section (2) of this Section and forward his
18 name to the Council for confirmation.

19 (4) A Deputy Vice-Chancellor shall-

20 (a) Assist the Vice-Chancellor in the performance of his functions;

21 (b) Act in the place of the Vice-Chancellor when the post of the
22 Vice-Chancellor is vacant or if the Vice-Chancellor is, for any reason, absent
23 or unable to perform his functions as Vice-Chancellor;

24 (c) Perform such other functions as the Vice-Chancellor or the
25 Council may, from time to time, assign to him;

26 (d) Hold office for a period of two years from the date of his
27 appointment on such terms and conditions as may be specified in his letter of
28 appointment; and

29 (e) May be re-appointed for another period of two years and no
30 more.

Appointment
of the Registrar

1 **16.**-(1) There shall be for each University, a Registrar, who shall be
2 the chief administrative officer of the University and shall be responsible to the
3 Vice-Chancellor for the day-to-day administrative work of the University
4 except as regards matters for which the Bursar is responsible in accordance
5 with sub-section (3) of Section 17 of this Act.

6 (2) The Person holding the office of the Registrar shall by virtue of
7 that office be the secretary to the Council, the Senate, the Congregation and the
8 Convocation of the University.

9 (3) The Registrar shall hold office for a period of five years from the
10 date of his appointment on such terms and conditions as may be specified in his
11 letter of appointment.

Appointment
of other Principal
Officers of the
University

12 **17.**-(1) There shall be for each University the following principal
13 officers in addition to the Registrar:-

- 14 (a) The Bursar; and
15 (b) The University Librarian.

16 (2) The Bursar and the University Librarian shall be appointed by the
17 Council on the recommendation of the Selection Board constituted under this
18 Act.

19 (3) The Bursar shall be the chief financial officer of each University
20 and be responsible to the Vice-Chancellor for the day-to-day administration
21 and control of the financial affairs of the University.

22 (4) The University Librarian shall be responsible to the Vice-
23 Chancellor for the administration of the university library and the co-
24 ordination of the library services in the University and any of its campuses,
25 colleges, faculties, schools, departments, institutes and other teaching or
26 research units of the University.

27 (5) The Registrar, Bursar and Librarian shall hold office for such
28 period and on such terms as to the emoluments of their offices and otherwise as
29 may be specified in their letters of appointment.

30 (6) The scope of the responsibilities of the officers referred to in sub-

1 (b) Fees charged for services rendered by the University; and

2 (c) All sums accruing to the University by way of gifts,
3 testamentary dispositions, endowments or contributions from philanthropic
4 or organizations.

5 24.-(1) The University shall not later than 30th September of each
6 year, submit to the Council for approval its estimates of income and
7 expenditure for the next financial year.

Annual Estimates,
Accounts and
Audit

8 (2) The University shall-

9 (a) Keep proper records of all accounts of its income and
10 expenditure; and

11 (b) Prepare a statement of account in respect of each financial year.

12 (3) The University shall not later than 30th June of each financial
13 year, submit its accounts to auditors appointed from a list of qualified
14 auditors in accordance with guidelines laid down by the Auditor-General of
15 the Federation and the auditor's fees and expenses shall be paid from the
16 Funds of the University.

17 25.-(1) The University shall not later than 30th June of each
18 financial year, submit to the Council, in respect of the preceding financial
19 year, an annual report on the activities of the University in such form as the
20 Council may direct.

Annual Report

21 (2) The report referred to in sub-section (1) of this Section shall
22 include:-

23 (a) Information the activities of the University in that year;

24 (b) A copy of the audited accounts of the University for that year
25 together with the Auditor-General's report on the accounts of the University;
26 and

27 (c) Such other information as the Council may request.

28 (3) The Vice-Chancellor shall provide such information on the
29 affairs of the University as the Council may from time to time request.

30 26.-(1) The University may accept any gift of land, money or other

Power to accept
gifts

1 property upon such terms and conditions, if any, as may be specified by the
2 person or organization donating the gift.

3 (2) The University shall not accept any gift where the conditions
4 attached by the person or organization donating the gifts are inconsistent with
5 the functions and objects of the University.

Borrowing and
Investment
power of the
University

6 27.-(1) The University may with the consent or in accordance with
7 any general authority given by the Council or appropriate authority; borrow by
8 way of loan or overdraft from any source, any specified amount of money
9 required by the University for its Obligations and functions under this Act.

10 (2) The University may, subject to the provisions of this Act and the
11 conditions of any trust created in respect of any property, invest any of its funds
12 with the consent or general authority of the Council.

13 (3) The University may invest any of its surplus funds in such
14 securities as the Council may from time to time approve.

15 (4) For the purposes of this section, "appropriate authority" means
16 Ministry charged with the responsibility of education.

17 PART V - MISCELLANEOUS PROVISIONS

Transitional and
savings provisions

18 28.-(1) Notwithstanding anything to the contrary in the provisions of
19 the Federal Colleges of Education Act (Cap. F8 L.F.N. 2004) and all other
20 subsidiary instruments made thereunder, from the commencement of this Act,
21 it shall not apply to the Colleges of Education now upgraded to Federal
22 University of Education.

23 (2) From the commencement of this Act, all rights, functions,
24 interests, obligations and liabilities of the Colleges, existing before the
25 commencement of this Act under any contract or instrument of Law or in
26 equity shall by virtue of this Act be deemed to have been assigned to and vested
27 in each Federal University of Education established by this Act.

28 (3) Any proceeding or cause of action pending or existing
29 immediately before the commencement of this Act by or against the Colleges
30 in respect of any rights, interest or obligation may be continued or discontinued

1 by or against each Federal University of Education established by this Act in
2 any court of Law or Tribunal.

3 (4) Every asset, funds, resources and other movable or immovable
4 property which before the commencement of this Act was vested in the
5 Colleges, shall by virtue of this Act and without further assurance is vested
6 in each Federal University of Education established by this Act.

7 (5) Any person who at the coming into force of this Act was the
8 holder of any office in the Colleges, shall on the commencement of this Act
9 continue in that office and be deemed to have been appointed to the office by
10 each Federal University of Education established by this Act.

11 (6) Every regulation, order, requirement, certificate, notice,
12 direction, decision, authorization, consent, application, request or thing
13 made, issued, given or done under the Federal Colleges of Education Act,
14 (Cap. F8 L.F.N. 2004) shall cease to be in force at the commencement of this
15 Act, against the Colleges referred to in this Section.

16 **29.-(1)** The Council may make rules providing for the Vice-
17 Chancellor to conduct enquiries into any alleged breach of discipline in the
18 University, which include lack of due diligence exhibited by any students.

Discipline of
students

19 (2) The rules shall provide for the procedure and rules of evidence
20 to be followed at enquiries under this section.

21 (3) Subject to the provisions of sub-section (1) of this Section,
22 where it is proved during enquiry that any student of the University has been
23 found guilty of any misconduct, the Vice-Chancellor may, without prejudice
24 to any other disciplinary powers conferred on him by this Act or any
25 regulations made pursuant to this Act, direct that the-

26 (a) Student shall not, during such period as may be specified in the
27 direction, participate in such activities of the University, or make use of such
28 facilities of the University, as may be specified;

29 (b) Activities of such student shall during such period as may be

1 specified in the directions, be restricted in such manner as may be so specified;

2 (c) The student may be suspended for such period as may be specified
3 in the direction; or

4 (d) Student should be expelled from the University.

5 (4) Where there is no Vice-Chancellor or where the Vice-Chancellor
6 refuses to apply any disciplinary measures, the Council may, either directly or
7 through some other staff of the University, apply such disciplinary actions
8 specified in sub-section (3) of this Section to any student of the University that
9 is found guilty of any misconduct.

10 (5) Where a direction is given under sub-section (3), paragraphs © or
11 (d) of this Section in respect of any student, the student may, within 21 days
12 from the date of the letter communicating the decision to him, appeal against
13 the direction to the Council, and where such an appeal is brought, the Council
14 after making inquiry in relation to the matter, may either modify, confirm or set
15 aside the direction in such manner as the Council may deem necessary.

16 (6) The fact that an appeal from a direction is brought pursuant to sub-
17 section (5) of this Section, shall not affect the operation of the direction while
18 the appeal is pending.

19 (7) The Vice-Chancellor may delegate his powers under this Section
20 to a disciplinary committee consisting of such members of the University as he
21 may nominate.

22 (8) Nothing in this Section shall be construed as preventing the
23 restriction or termination of a student's activities in the University otherwise
24 than on the ground of misconduct.

25 (9) The direction under sub-section (3) paragraph (a) of this Section
26 may be combined with a direction under sub-section (3) paragraph (b) of this
27 Section.

28 (10) In all cases of indiscipline and misconduct under this Section,
29 the decision of the Council shall be final unless it is reversed by the Minister on
30 appeal by the student.

1 30.-(1) The seal of the University shall be such as may be The seal of the
2 determined by the Council and the affixing of the seal shall be signed by the University
3 Chairman of the Council and the Vice-Chancellor of the University.

4 (2) Certificates issued by the University shall have the seal of the
5 University affixed and signed by the Vice-Chancellor and the Registrar of
6 each University.

7 (3) Any document purporting to be a document executed under the
8 seal of the University shall be received in evidence and shall, unless the
9 contrary is proved, shall be presumed to be so executed.

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

14 31.-(1) Subject to the provisions of this Act, the provisions of the Limitation of
15 Public Officers Protection Act shall apply to any suit instituted against the suit against the
16 University, an officer or employee of the University. University

17 (2) No suit shall lie or be instituted in any court against the
18 University, a member of the Governing Board or any principal officer or
19 employee of the University for an action carried out in pursuance to the
20 execution of this Act or any enactment, or of any public duty in respect of
21 any alleged neglect or default in the execution of this Act or any other
22 enactment or law, duty or authority, unless it is commenced-

23 (a) Within three months of such act, neglect or default complained
24 thereof; or

25 (b) In the case of a continuation of damages or injury, within six
26 months after the ceasing of the act, neglect or default.

27 (3) No suit shall be commenced against the University, a member
28 of the Council or any principal officer or employee of the University before
29 the expiration of a period of one month after written notice of the intention to
30 commence such suit has been served on the University by the intending

1 plaintiff or his agent.

2 (4) The notice referred to in sub-section (3) of this Section shall
3 clearly state the cause of action, particulars of the claim, the name and place of
4 abode of the intending plaintiff and the relief sought.

Power to make
Regulations

5 32.-(1) The Council may make Regulations-

6 (a) To regulate the activities and programmes of the University, or any
7 matter connected with the University; or

8 (b) For the effective implementation of any of the provisions of this
9 Act.

10 (2) The Council shall have power to amend Regulations made under
11 this Act provided that the proposal for amendment shall be passed by two-
12 thirds majority of the Council members.

13 (3) All Regulations made by the Council subject to the provisions of
14 this Act, may be published in the Official Gazette of the Government of
15 Nigeria.

Transfer of
Property

16 33.-(1) All property held by or on behalf of the Colleges shall vest in
17 the University and be held by it for the purposes of the University.

18 (2) The provisions of paragraph the Second Schedule to this Act shall
19 have effect with respect to matters arising from the transfer of property by this
20 section and with respect to the other matters mentioned in that Schedule.

Restriction on
disposal of land
belonging to the
University

21 34.-(1) Without prejudice to the provisions of the Land Use Act, a
22 University shall not dispose of or charge any land or an interest in any land,
23 including any land transferred to the University by this Act, except with the
24 prior written consent of the President.

25 (2) Provided that such consent shall not be required in the case of any
26 lease or tenancy at a rent for a term not exceeding 21 years or any lease or
27 tenancy to a member of the University for residential purpose.

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

28 35.-(1) No person shall be required to satisfy any requirements as to
29 race, ethnicity, sex, place of birth or of family origin, or religion or political
30 affiliation, as a condition of becoming or continuing to be a student at any

1 University created by this Act.

2 (2) No person shall be subjected to any disadvantage or accorded
3 any advantage in relation to the University, by reference to any of the holder
4 of any degree of the University or of appointment or employment at the
5 University, or a member of any, of the bodies established by virtue of this
6 Act.

7 (3) Nothing in sub-section (1) of this Section shall prevent the
8 University from imposing any disability or restriction on any of the persons
9 mentioned in that sub-section, where such person wilfully refuses or fails on
10 grounds of religious belief to undertake any duty generally and uniformly
11 imposed on all such persons or any group of them, which in the opinion of
12 the University is reasonably justifiable in the national interest.

13 36.-(1) In this Act, unless the context otherwise requires:-

Interpretation

14 "Campus" means any campus which may be established by each University;

15 "College" means any college which may be established by each University;

16 "Colleges" means Federal Polytechnic, Kaduna, Yaba College of
17 Technology, Lagos, Institute of Management Technology (IMT), Enugu;

18 "Council" means the Council established pursuant to sub-section (1) of
19 Section 4 of this Act for each University;

20 "Graduate" means a person on whom a degree, other than an honorary
21 degree, has been conferred by each University;

22 "Minister" means the Minister charged with responsibility for matters
23 relating to education;

24 "Notice" means notice in writing;

25 "Officer" does not include the Visitor;

26 "Prescribed" means prescribed by statute or regulation;

27 "Professor" means a person designated as a professor of each University in
28 accordance with provisions made in that behalf by statute or by regulations;

29 "Regulations" means regulations and other statutory instruments made by
30 the Council under this Act;

1 "Senate" means the Senate of each University established pursuant to
2 paragraph (e) of Section 3 of this Act;

3 "School" means a unit of closely related academic programmes;

4 "Undergraduate" means a person in status pupillary at each University other
5 than-

6 (a) A graduate; and

7 (b) A person of such description as may be prescribed for the purpose
8 of the definition;

9 "University" means any of the Federal Universities of Technology established
10 under section 1 of this Act.

Citation

11 37. This Bill may be cited as the Federal Universities of Technology
12 Kaduna, Lagos and Enugu (Establishment) Bill, 2017.

13 SCHEDULE

14 FIRST SCHEDULE

15 (a) Federal Polytechnic, Kaduna;

16 (b) Yaba College of Technology, Lagos;

17 (c) Institute of Management Technology, (IMT) Enugu.

18 SECOND SCHEDULE

19 *Proceedings of the Council and Senate's Meetings*

20 1. Subject to this Act and section 27 of the Interpretation Act (CAP I
21 23) LFN, 2004,-

22 (a) The Council and Senate may make Standing Orders to regulate its
23 proceedings or those of any of its Committees; and

24 2. The Council or the Senate shall meet whenever it is summoned by
25 the chairman and if, the chairman is required to do so by notice given to him by
26 not less than 3 other members, he shall summon a meeting of the Council or of
27 the Senate, to be held within fourteen days from the date on which the notice is
28 given.

29 3. At any meeting of the Council and Senate, the Chairman shall
30 preside but where he is absent, the members present at the meeting shall

1 appoint one of their members to preside over the meeting.

2 4. Where the Council or the Senate, desires to obtain the advice of
3 any person on a particular matter, they may co-opt such person to be
4 members for such period as it deem fit, but the person who is in attendance
5 by virtue of this paragraph shall not be entitled to vote at any meeting and
6 shall not count towards constitution of required quorum as contemplated by
7 paragraph 2.

8 5. Notwithstanding anything in the foregoing provisions of these
9 paragraphs, the first meeting of the Council and Senate shall be summoned
10 by the President,

11 6. The Council shall meet as and when necessary for the
12 performance of its functions under this Act, but shall meet not less than three
13 times in every year.

14 7. Where not less than five members of the Council requested in
15 writing that a meeting should hold, the chairman shall within 28 days after
16 the receipt of such request, call a meeting of the Council.

17 8. Any request made under sub-section (10) of this Section, the
18 agenda of the meeting shall disclose the business to be considered at the
19 meeting and no business not so specified shall be transacted at such meeting.

20 *Constitution of Committees*

21 9. The Council or the Senate may appoint one or more Committees
22 to carry out, on its behalf, such functions as it may consider necessary.

23 10. A Committee appointed under this paragraph shall consist of
24 such number of persons as may be determined by the body constituting the
25 committee and the persons shall hold office on the Committee in accordance
26 with the terms of their appointment.

27 11. A decision of a Committee of the Council and Senate shall be
28 of no effect until it is confirmed by the constituting body.

29 *Miscellaneous*

30 12. The validity of any proceedings of either the Council or the

1. Senate or of a Committee shall not be adversely affected by-

2 (a) a vacancy in the membership of such body or the Committee;

3 (b) a defect in the appointment of a member of such body or the
4 Committee; or

5 (c) reason being that a person not entitled to so took part in the
6 proceedings of such body or the Committee.

7 13. Any member of the Council or of the Senate or any person
8 holding office in any Committee, who has personal interest in any contract or
9 arrangement entered into or proposed to be considered by either the Council or
10 the Senate or a Committee thereof, shall disclose his interest to the body
11 concerned and shall not vote on any question relating to the contract or
12 arrangement.

13 14 A person shall not by reason of his membership of either the
14 Council or the Senate or of any committee be treated as holding an office of
15 emolument under the University.

16 *Functions of Finance and General Purposes Committee*

17 15. Subject to the provision of this Act relating to the Visitor, the
18 Council shall be the governing body of each University, charged with the
19 general control and superintendence of the policy, finances and property of the
20 University.

21 16. There shall be a committee of the Council to be known as the
22 Finance and General Purposes Committee, which shall subject to the directions
23 of the Council, exercise control over the property and expenditure of the
24 University and perform such other functions as may be delegated to it by the
25 Council.

26 17. Constitution of the Finance and General Purposes Committee
27 shall be carried out in compliance with the statute made by each of the
28 universities.

29 18. The Council shall ensure that proper accounts of the University
30 are kept and audited annually by an independent firm of auditors approved by

1 the Council and ensure that an annual report is published by the University
2 together with certified copies of the audited account.

3 19. Notwithstanding anything to the contrary contained in this Act
4 or any statutes made subject to this Act, the Council and the Finance and
5 General Purposes Committee may make rules for the purpose of exercising
6 any of their respective functions under this Act.

7 20. Rules made under sub paragraph (16) of this Paragraph by the
8 Finance and General Purposes Committee shall not come into force unless it
9 is approved by the Council.

10 21. Where any of the rules made by the Committee is in conflict
11 with any directions given by the Council, before or after the coming into
12 force of such rules, the directions of the Council shall prevail.

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

18 *Statutory instruments made by each University*

19 23. Subject to this Act, each University of Education may make
20 rules and regulations to-

21 (a) Provide with respect to the composition and constitution of any
22 authority in the University.

23 (b) Specify the powers of any authority in the University and any
24 other matter connected with the exercise of such powers confer on such
25 authority;

26 (c) Regulate the duties of any authority of the University and any
27 other matter connected with the University;

28 (d) Regulate admission, welfare, and discipline of students, where
29 no other enactment provides to the contrary;

30 (e) Determine whether any particular matter is to be treated as an

1 academic or a non-academic matter for the purposes of this Act or Regulations
2 or other instrument made under this Act.

3 24. Subject to section 24 (6) of this Act, the interpretation Act shall
4 apply in relation to any statutory instruments made under this section as it
5 applies to a subsidiary instrument within the meaning of Section 29 (1) of that,
6 Act.

7 *(CAP. I 23)*

8 *Mode of exercising power to make statutory instruments*

9 25. the power of each University to make stator instruments shall be
10 exercised in accordance with the provisions of Section 32 of this Act and not
11 otherwise.

12 26. Such statutory instruments shall not become law unless it has
13 been approved at a meeting of the-

14 (a) Senate by not less than two thirds votes of the members present at
15 the meeting; and

16 (b) Council by not less than two thirds votes of the members present
17 at the meeting.

18 27. Statutory instruments may originate either from the Senate or
19 from the Council and shall be approved as required by sub paragraphs (a) and
20 (b) of Paragraph (26) by either one of those bodies before the other.

21 28. Any statutory instrument which-

22 (a) makes provision for the alteration of the composition or
23 constitution of the Council and the Senate or any other authority of the
24 University; or

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

29 29. For the purposes of Section 2, sub-section (2) of the interpretation
30 Act, such a statutory instruments shall be treated as being made on the date on

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

6 30. The decision of the Visitor on any matter referred to him under
7 this Act, shall be binding upon such authorities, staff and students of the
8 University.

9 31. Where any question as to the meaning of any provision of any
10 statutory instrument made subject to this Act has been decided by the
11 Visitor, no question as to the meaning of that provision shall be entertained
12 by any court of law in Nigeria.

13 32. Nothing in this Act shall affect any power of a court of
14 competent jurisdiction to determine whether any provision of statutory
15 instrument is wholly or partly void as being ultra vires or inconsistent with
16 the Constitution of the Federal Republic of Nigeria 1999 (as Altered).

17 *Proof of statutory instruments*

18 33. Any statutory instrument made by each University, may be
19 proved in any court by the production of a copy thereof bearing or having
20 affixed to it a certificate purporting to be signed by the Vice-Chancellor or
21 the Secretary to the Council to the effect that the copy is a true copy of such
22 statutory instrument of the University.

23 *Removal of examiners*

24 34. If, on the recommendation of the Senate, it appears to the Vice-
25 Chancellor that a person appointed as an examiner for any examination of
26 the University ought to be removed from his office or appointment, except in
27 such cases as may be prescribed, the Vice-Chancellor may, after affording
28 the examiner an opportunity of making representations in person on the
29 matter, may disengaged such examiner from the University by an
30 instrument in writing signed by the Vice-Chancellor.

- 1 (b) Full-time members of the academic staff;
- 2 (c) The Registrar;
- 3 (d) The Bursar;
- 4 (e) The Librarian;
- 5 (f) The Director of Works;
- 6 (g) The Director of Health Services; and
- 7 (h) Every administrative staffs of the University, who holds a
- 8 degree, other than an honorary degree, of any University recognised for the
- 9 purposes of this Act by the Vice-Chancellor.

10 5. Subject to sub-paragraph 4 of this Paragraph, the Vice-
11 Chancellor shall be the chairman at all meetings of Congregation when he is
12 present and in his absence, any of the Deputy Vice-Chancellors present at
13 the meeting of the Congregation or may appoint for that meeting a chairman
14 where the Vice-Chancellors and Deputy Vice-Chancellors is absent.

15 6. The quorum at any meeting of the Congregation shall be one
16 third of the whole number of the total number of members or fifty members
17 in attendance.

18 7. A certificate signed by the Vice-Chancellor specifying the-

19 (a) Total number of members of the Congregation for the purpose
20 of any particular meeting or meetings of the Congregation; or

21 (b) Names of members of the Congregation during a particular
22 period, shall be conclusive evidence of that number or, as the case may be, of
23 the names of those persons.

24 8. Subject to the foregoing provisions of Paragraphs (6) and (7),
25 the Congregation may regulate its own proceeding of meeting.

26 9. Congregation shall be entitled to express by resolutions or
27 otherwise its opinion on all matters affecting the interest and welfare of the
28 University and members, shall have power to elect members of the Council
29 in addition to other functions as may be provided by this Act or Statutory
30 instruments made subject thereto.

1 *Convocation*

2 10. Convocation shall consist of-

3 (a) The officers of the University mentioned in the First Schedule to
4 this Act;

5 (b) All teachers within the meaning of this Act;

6 (c) All other persons whose names are registered in accordance with
7 paragraph (2) of this article.

8 11. A person shall be entitled to have his name registered as a member
9 of Convocation if-

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

12 (b) He applies for the registration of his name in the prescribed
13 manner and pays the prescribed fees.

14 12. Regulations shall provide for the establishment and maintenance
15 of a register for the purpose of Paragraph 4, may provide for the payment, from
16 time to time, of fees by persons whose names are on the register and for the
17 removal from the register of the name of any person who fails to pay those fees.

18 13. The person responsible for maintaining the register shall, without
19 the payment of any fees, ensure that the names of all persons who are for the
20 time being members of the Convocation by virtue of sub-paragraphs (a) or (b)
21 of this Paragraph are entered and retained on the register.

22 14. A person who reasonably claims that he is entitled to have his
23 name on the register shall be entitled on demand to inspect the register or a copy
24 of the register at the principal offices of the University at all reasonable times.

25 15. The register shall, unless the contrary is proved, be sufficient
26 evidence that any person named therein is, and that any person not named
27 therein is not, a member of Convocation, but for the purpose of ascertaining
28 whether a particular person was such a member on a particular date, any entries
29 in and deletions from the register made on or after that date shall be
30 disregarded.

1 (3) The quorum of any board meeting shall be eight members or one
2 quarter, whichever is greater, of the members for the time being of the board;
3 and subject to the provisions of this Statute and to any provision made by
4 regulations in that behalf, the board may regulate its own procedure.

5 *Dean of the School*

6 21.-(1) the board of each school shall, at a meeting in the last term of
7 any academic year in which the term of office of the Dean expires, nominate
8 one of its members, being one of the professors assigned to that teaching unit,
9 for appointment by the Senate as Dean of the school.

10 (2) The person appointed under sub-paragraph (1) of Paragraph 8,
11 shall act as Dean of the school and chairman at all meetings of the school board
12 when he is present and shall be a member of all committees and other boards
13 appointed by the school.

14 (3) The Dean shall hold office for two years and shall be eligible for
15 re-appointment for one further period of two years. Thereafter, he shall not be
16 eligible for re-appointment until two years have elapsed.

17 (4) The Dean of a school shall exercise general superintendence over
18 the academic and administrative affairs of the school.

19 (5) It shall be the function of the Dean to present to Convocation for
20 the conferment of degrees on persons who are qualified for the degrees of the
21 University at examinations held in the branches of learning for which
22 responsibility is allocated to that school.

23 (6) There shall be a committee to be known as the Committee of
24 Deans consisting of all the Deans of the several schools and the Committee
25 shall advise the Vice-Chancellor on all academic matters and matters referred
26 to the University by the Senate.

27 (7) The Dean of school may be removed from office for good cause by
28 the school board after a vote would have been taken at a meeting of the board,
29 and in the event of a vacancy occurring following the removal of a Dean, an
30 acting Dean may be appointed by the Vice-Chancellor, provided that at the next

1 school board meeting, an election shall be held for a new Dean.

2 (8) In this Schedule "good cause" has the same meaning as in sub-
3 section (3) of Section 20 of the Act.

4 *Selection of Director of Works*

5 22.-(1) Where a vacancy occurs in the office of the Director of
6 Works, a selection board shall be constituted by the Council which shall
7 consist of:-

8 (a) The Pro-Chancellor;

9 (b) The Vice-Chancellor;

10 (c) Two members appointed by the Council, not being members of
11 the Senate; and

12 (d) The selection board, after making such inquiries as it thinks fit,
13 shall recommend a candidate to the Council for appointment to the vacant
14 office; and after considering the recommendation of the board the Council
15 may make an appointment to that office.

16 *Creation of academic posts*

17 23. Recommendations for the creation of academic posts other
18 than principal officers shall be made by the Senate to the Council through
19 the Finance and General Purposes Committee.

20 *Appointment of academic staff*

21 24.-(1) Subject to the Act and statutes, the filling of vacancies in
22 academic posts (including newly created ones) shall be the responsibility of
23 the Senate.

24 (2) For the purpose of filling such vacancies, suitable selection
25 boards to select and make appointments on behalf of the Council shall be set
26 up.

27 (3) For appointments to professorships, associate professorship or
28 readerships or equivalent posts, a board of selection, with power to appoint,
29 shall consist of:-

30 (a) The Vice-Chancellor;

1 (b) Two members appointed by the Council;

2 (c) Four members appointed by the Senate, at least two of whom shall
3 be members of the Senate, while the other two members shall be professional
4 peers in the professional area in which an appointment is to be considered;

5 (d) Where the post is tenable at the University, the Vice-Chancellor of
6 the University;

7 (e) Where the post is within a school, institute or other teaching unit of
8 the University, the Dean of the school or the teaching unit, or the director of the
9 institute, as the case may be; and

10 (f) Such other persons, not exceeding two in number, deemed capable
11 of helping the board in assessing both the professional and academic suitability
12 of a candidate under consideration, as the Senate may from time to time
13 appoint.

14 (4) For other academic posts, a selection board, with power to
15 appoint, shall consist of:-

16 (a) The Vice-Chancellor;

17 (b) Four members appointed by the Senate, at least two of whom shall
18 be members of the Senate, while the other two members shall be professional
19 peers in the professional area in which an appointment is to be considered;

20 (c) Where the office is justifiable at the University, the Vice-
21 Chancellor of the University;

22 (d) Where the post is within a school, institute or other teaching unit of
23 the University, the Dean of the school or the teaching unit or the director of the
24 institute, as the case may be; and

25 (e) Such other persons, not exceeding two in number, deemed capable
26 of helping the board in assessing both the professional and academic suitability
27 of a candidate under consideration, as the Senate may from time to time
28 appoint.

29 (5) All appointments to senior library posts shall be made in the same
30 way as equivalent appointments in the academic cadre and for all such posts

1 other than that of the Librarian, the Librarian shall be a member of the
2 selection board.

3 (6) Boards of selection may interview candidates directly or
4 consider the reports of interviewing panels and shall in addition, in the case
5 of professorships, associate professorships, readerships or equivalent post,
6 consider the reports of external assessors relevant to the area in which the
7 appointment is being considered.

8 *Appointment of administrative and professional staff*

9 25.-(1) The Administrative and professional staff of the University
10 other than principal officers, shall be appointed by the Council or on its
11 behalf by the Vice-Chancellor or the Registrar in accordance with
12 delegation of any powers made by the Council in that behalf.

13 (2) In the case of administrative or professional staffs that have
14 close and important contacts with the academic staff, the Senate or its
15 representative shall participate in the selection process.

16 FOURTH SCHEDULE

17 *Transitional provisions as to property within the contemplation*
18 *of this Act*

19 1. Agreements, contracts, deeds and other instruments to which
20 the Colleges were party to, shall subject to any necessary modification, have
21 effect as if the University had been a party thereto in place of the Colleges.

22 2. Documents not falling within sub-paragraph (1) of this
23 Paragraph, including enactments, which refer, whether specifically or
24 generally, to the provisional council, shall be construed in accordance with
25 that sub-paragraph so far as applicable.

26 3. Any legal proceedings or application relating to any authority
27 pending or against the College, may be continued by or against the
28 University.

29 *Registration of transfers*

30 4. Where there is a law in force at the place where any property

1 transferred by this Act is situated, which provides for the registration of
2 transfers of property of the kind in question, whether by reference to an
3 instrument of transfer or otherwise, the law shall, so far as it provides for
4 alterations of a register, but not for avoidance of transfers, the payment of fees
5 shall apply to the modifications required under this paragraph.

6 5. It shall be the duty of the body to which any property is transferred
7 by this Act to make available to the transferee, necessary particulars of such
8 transfer to the proper officer of the registration authority and of that officer to
9 register the transfer accordingly.

10 *Transfer of functions*

11 6. The first meeting of the Council shall be convened by the Pro-
12 Chancellor on such date in such manner as he may determine.

13 7. Persons who were members of the College Council shall be
14 deemed to constitute the Council of the University until the date when a new
15 Council will be constituted by the University.

16 8. The first meeting of the Senate as constituted by this Act shall be
17 convened by the Vice-Chancellor on such date and in such manner as he may
18 determine.

19 9. Any person, who is a member of the Council of the Colleges before
20 the coming into force of this Act, shall be deemed to constitute the Senate of the
21 University until the date when the Senate as provided for Section 9 of this Act
22 have been duly constituted.

23 10. Subject to any statutory instruments made by the Senate pursuant
24 to this Act, the schools, school boards and students of the University before the
25 coming into force of this Act, shall on that day become schools, school boards
26 and students of the University as may be constituted by this Act.

27 11. Persons who were Deans or associate Dean of schools or members
28 of any school boards shall continue to be Deans or associate Deans or become
29 members of the corresponding school boards, until new appointments are
30 made in pursuance of the statutes.

1 12. Any person who was a member of staff of the Colleges as
2 established or was otherwise employed by the Council of the Colleges, shall
3 become the holder of an appointment at the University with the status,
4 designation and functions which correspond with his status as a staff of the
5 University.

EXPLANATORY MEMORANDUM

This Bill seeks to establish Federal University of Technology to provide training and teaching Instruction in every aspect of education and such other fields of applied learning relevant to the needs of the development of education in Nigeria, matters of administration and discipline of students.

