

FEDERAL UNIVERSITY OF PETROLEUM RESOURCES, EFFURUN
(ESTABLISHMENT) BILL, 2016
ARRANGEMENT OF SECTIONS

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UNIVERSITY OF PETROLEUM RESOURCES, EFFURUN

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No. 1

A BILL

FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE FEDERAL UNIVERSITY OF PETROLEUM RESOURCES, EFFURUN; AND FOR OTHER MATTERS CONNECTED THEREWITH

Sponsored by Senator Ovie Omo-Agege

[] Commencement

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

PART I

ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF THE FEDERAL UNIVERSITY OF PETROLEUM RESOURCES, EFFURUN

1.-(1) There is hereby established the Federal University of Petroleum Resources, Effurun.

Establishment and Objectives of the Federal University of Petroleum Resources, Effurun

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

(3) The University shall be a training institution for the development of middle and high-level manpower for the oil and gas sector.

(4) The University shall be domiciled in the Federal Ministry of Petroleum Resources for complementarity of purpose.

(5) The objects of the University shall be-

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

(b) to develop and offer academic and professional programmes leading to the award of diplomas, first degrees, post-graduate research and higher degrees with emphasis on planning, adaptive, technical, maintenance, developmental and productive skills in the engineering, scientific, and allied professional disciplines relating to Petroleum

1 resources with the aim of producing socially mature men and women with
2 capability not only to understand, use and adapt existing technology in
3 petroleum industry, but also to improve on it and develop new ones;

4 (c) to act as agents and catalysts, through post-graduate training,
5 research and innovation for the effective and economic utilization,
6 exploitation and conservation of the country's petroleum resources;

7 (d) to offer to the general population particularly the petroleum
8 industry, as a form of public service, the results of training and research and to
9 foster the practical applications of these results;

10 (e) to establish appropriate relationships with other national
11 institutions involved in training, research and development of technologies in
12 petroleum sector;

13 (f) to identify the technological problems and needs of the petroleum
14 industry and to find solutions to them within the context of overall national
15 development;

16 (g) to provide and promote sound basic scientific training as a
17 foundation for the development of petroleum technology and applied
18 sciences, taking into account indigenous culture and the need to enhance
19 national unity; and

20 (h) to undertake any other activities appropriate for a university of
21 petroleum resources, of the highest standard.

Constitution and
Principal Officers
of the University

22 **2.-(1)** The University shall consist of-

23 (a) a Chancellor;

24 (b) a Pro-Chancellor and a Council;

25 (c) a Vice-Chancellor and a Senate;

26 (d) a body to be called Congregation;

27 (e) a body to be called Convocation;

28 (f) the campuses and colleges of the University;

29 (g) the schools, institutes, departments and other teaching and
30 research units of the University;

1 (h) the persons holding the offices constituted by the First Schedule
2 to this Bill other than those mentioned in paragraphs (a) to (c) of this
3 subsection;

4 (i) all graduates and undergraduates of the University; and

5 (j) all other persons who are members of the University in
6 accordance with provisions made by statute in that behalf.

7 (2) The First Schedule to this Bill shall have effect with respect to
8 the principal officers of each University therein mentioned.

9 (3) Subject to section 5 of this Bill provision shall be made by
10 statute with respect to the constitution of the Council, the Senate,
11 Congregation and Convocation.

12 3.-(1) For the carrying out of its objects as specified in section 1 of
13 this Bill, the University shall have power-

Powers of the
University and
its exercise

14 (a) to offer courses of instruction, training and research in
15 Petroleum Technology for the production of middle and high level
16 manpower and other skilled personnel required to run the oil and gas
17 industry in Nigeria in particular and the world at large.

18 (b) to establish such colleges, campuses, institutes, schools,
19 departments and other teaching and research units within the University as
20 may from time to time be deemed necessary or desirable subject to the
21 approval of National Universities Commission;

22 (b) to institute professorships, readerships or associate
23 professorships, lectureships, and other posts and offices and to make
24 appointments thereto;

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

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

30 (e) to hold examinations and grant degrees, diplomas, certificates

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

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

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

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

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

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

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

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

23 (m) subject to any limitations or conditions imposed by statute, to
24 invest any moneys appertaining to the University by way of endowment it, not
25 being immediately required for current expenditure in any investments or
26 securities or in the purchase or improvement of land, with power from time to
27 time, to vary any such investments to deposit any moneys for the time being not
28 invested with any bank on deposit or current account;

29 (n) to borrow, whether on interest or not and if need be upon the
30 security of any or all of the property, movable or immovable, of the University,

1 such moneys as the Council may from time to time in its discretion find it
2 necessary or expedient to borrow of to guarantee any loan, advances or
3 credit facilities;

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

5 (p) to do anything which it is authorized or required by this Bill or
6 by statute to do; and

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

9 (2) Subject to the provisions of this Bill and of the statutes and
10 without prejudice to section 7(2) of this Bill, the powers conferred on the
11 University by subsection (1) of this section shall be exercisable on behalf of
12 the University by the Council or by the Senate or in many other manner
13 which may be authorized by the statute.

14 (3) The power of the University to establish further campuses and
15 colleges within the University shall be exercisable by statute and not
16 otherwise.

17 4.-(1) The Chancellor shall, in relation to the University, take
18 precedence before all other members of the University, and when he is
19 present, shall preside at all meetings of Convocation held for conferring
20 degrees.

Functions of the
Chancellor and
Pro-Chancellor

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

26 5.-(1) The Council of the University shall consist of-

27 (a) the Pro-Chancellor and Chairman who shall be representative
28 of the Honourable Minister of Petroleum Resources;

29 (b) the Vice-Chancellor;

30 (c) the Deputy Vice-Chancellor(s);

Composition,
Tenure and
Powers of the
Council of the
University

1 (d) one person from the Ministry responsible for education;
2 (e) four persons representing a variety of interests and broadly
3 representative of the whole Federation to be appointed by the National Council
4 of Ministers from:

5 (i) the Nigerian National Petroleum Corporation;

6 (ii) Petroleum Technology Development Fund; and

7 (iii) two other persons.

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

9 (g) two persons appointed by Congregation from among its members;

10 (h) one person appointed by Convocation from among its members.

11 (2) Persons to be appointed to the Council shall be of proven integrity,
12 knowledgeable and familiar with the affairs and tradition of the University.

13 (3) The Council so constituted shall have a tenure of four years from
14 the date of its inauguration provided that where a Council is found to be
15 incompetent and corrupt, it shall be dissolved by the Visitor and a new Council
16 shall be immediately constituted for the effective functioning of the University.

17 (4) The powers of the Council shall be exercised, as in this Bill and to
18 that extent establishment circulars that are inconsistent with this Bill shall not
19 apply to the University

20 (5) The Council shall be free in the discharge of its functions and
21 exercise of its responsibilities for the good management, growth and
22 development of the University.

23 (6) The Council in the discharge of its functions shall ensure that
24 disbursement of funds of the University complies with the approved budgetary
25 ratio for-

26 (a) personnel cost;

27 (b) overhead cost;

28 (c) research and development;

29 (d) library developments; and

30 (e) the balance in expenditure between academic vis-à-vis non-

1 academic activities.

2 6.-(1) Subject to the provisions of this Bill relating to the Visitor,
3 the Council shall be the governing body of the University and shall be
4 charged with the general control and superintendence of the policy, finances
5 and property of the University.

Functions of the
Council and its
Finance and
General Purpose
Committee

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

11 (3) Provision shall be made by statute with respect to the
12 constitution of the Finance and General Purposes Committee.

13 (4) The Council shall ensure that proper accounts of the University
14 are kept and that the accounts of the University are audited annually by an
15 independent firm of auditors approved by the Council and that an annual
16 report is published by the University together with certified copies of the
17 said accounts as audited.

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

22 (6) Rules made under sub-section (5) of this section by the Finance
23 and General Purposes Committee shall not come into force unless approved
24 by the Council; and in so far and to the extent that any rules so made by that
25 Committee conflict with any direction given by the Council, whether before
26 or after the coming into force of the rules in question, the directions of the
27 Council shall prevail.

28 (7) There shall be paid to the members respectively of the Council,
29 the Finance and General Purposes Committee and of any other committee
30 set up by the Council, allowances in respect of travelling and other

1 reasonable expenses, at such rates as may from time to time be fixed by the
2 Minister.

3 (8) The Council shall meet as and when necessary for the
4 performance of its functions under this Bill and shall meet at least three times in
5 every year.

6 (9) If requested in writing by any five members of the Council, the
7 chairman shall within 28 days after the receipt of such request call a meeting of
8 the Council.

9 (10) Any request made under sub-section (9) of this section shall
10 specify the business to be considered at the meeting and no business not so
11 specified shall be transacted at that meeting.

Functions of the
Senate of the
University

12 7.-(1) Subject to section 6 of this Bill and subsections (3) and (4) of
13 this section and the provisions of this Bill relating to the Visitor, it shall be the
14 general function of the Senate to organize and control the teaching by the
15 University, the admission of student where no other enactment provides to the
16 contrary and the discipline of students; and to promote research at the
17 University.

18 (2) Without prejudice to the generality of subsection (1) of this section
19 and subject as therein mentioned, it shall in particular be the function of the
20 Senate to make provision for-

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

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

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

29 (d) the making of recommendations to the Council with respect to the
30 award to any person of an honorary fellowship or honorary degree or the title of

1 professor emeritus;

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

4 (f) the supervision of the welfare of students at the university and
5 the regulation of their conduct;

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

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

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

14 (4) Subject to this Bill and the statutes, the Senate may make
15 regulations for the purpose of exercising any function conferred on it either
16 by the foregoing provisions of this section or otherwise or for the purpose of
17 making provision for any matter for which provision by regulations is
18 authorized or required by this Bill or by statute.

19 (5) Regulations shall provide that at least one of the persons
20 appointed as the examiners at each final or professional examination held in
21 conjunction with any course of study at the University is not a teacher at the
22 University but is a teacher of the branch of learning to which the course
23 relates at some other University of high repute or a person engaged in
24 practicing the profession in a reputable organization or institution.

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

1 subvention;

2 (h) all other monies belonging to the University from the
3 Petroleum Technology Development Fund.

4 (i) interests on investments; and

5 (j) donations and legacies accruing to the University from any
6 source for the general or special purposes of the University.

7 (2) The Petroleum Technology Development Fund shall contribute
8 at least two per cent of its gross revenues for the Academic and
9 Infrastructural Development of the University.

10 (3) The general fund shall be applied for the purposes of the
11 University

12 (2)-(1) All property held by or on behalf of the Provisional Council
13 of the University shall, by virtue of this sub-section and without further
14 assurance, vest in the University and be held by it for the purpose of the
15 University.

Transfer of
property

16 (2) The provisions of the Second Schedule to this Bill shall have
17 effect with respect to, and to matters arising from, the transfer of property by
18 this section and with respect to the other matters mentioned in that Schedule.

19 (3) The Condition of Service of Employees in the University shall
20 be in line with what is obtainable in the oil and gas industry to enable the
21 University attract best brains for the training and research in Petroleum
22 Technology.

Condition of
Service of
Employees

23 *[Second Schedule]*

24 PART III - STATUTES OF THE UNIVERSITY

25 10.-(1) Subject to this Bill, the University may make statutes for
26 any of the following purposes, that is to say-

Power of the
University to
make Statutes

27 (a) Making provision with respect to the composition and
28 constitution of any authority of the University;

29 (b) Specifying and regulating the powers and duties of any
30 authority of the University, and regulating any other matter connected with

1 the University or any of its authorities;

2 (c) Regulating the admission of students (where no other enactment
3 provides to the contrary), and their discipline and welfare;

4 (d) Determining whether any particular matter is to be treated as
5 an academic or non-academic matter for the purposes of this Bill and of any
6 statute, regulation or other instrument made thereunder; or

7 (e) Making provision for any other matter for which provision by
8 statute is authorized or required by this Bill.

9 (2) Subject to section 26(6) of this Bill, the Interpretation Act shall
10 apply in relation to any statute made under this section as it applies to a
11 subsidiary instrument within the meaning of section 29(1) of that Act.

12 (3) The statute contained in the Third Schedule to this Bill shall be
13 deemed to have come into force on the commencement of this Bill and shall be
14 deemed to have been made under this section by each University.

15 *[Third Schedule]*

16 (4) The power to make statutes conferred by this section shall not be
17 prejudiced or limited in any way by reason of the inclusion or omission of any
18 matter in or from the statute contained in the Third Schedule to this Bill or any
19 subsequent statute.

Mode of
exercising power
to make statutes

20 **11.**-(1) The power of the University to make statutes shall be
21 exercised in accordance with the provisions of this section and not otherwise.

22 (2) A proposed statute shall not become law unless it has been
23 approved-

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

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

28 (3) A proposed statute may originate either in the Senate or in the
29 Council, and may be approved as required by subsection (2) of this section by
30 either one of those bodies or the other.

1 (4) A statute which-

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

4 (b) provides for the establishment of a new campus or college or for
5 the amendment or revocation of any statute whereby a campus or college is
6 established, shall not come into operation unless it has been approved by the
7 President.

8 (5) For the purpose of section 2(2) of the Interpretation Act, a
9 statute shall be treated as being made on the date on which it is duly
10 approved by the Council after having been duly approved by the Senate, or
11 on the date on which it is duly approved by the Senate after having been duly
12 approved by the Council, as the case may be or, in the case of a statute falling
13 within subsection (4) of this section, on the date on which it is approved by
14 the President.

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

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

17 (b) as to whether any matter is for the purposes of this Bill an
18 academic or non-academic matter as they relate to such doubt or dispute, the
19 matter may be referred to the Visitor, who shall take such advice and make
20 such decision thereon as he shall think fit.

21 (7) The decision of the Visitor on any matter referred to him under
22 sub-section (6) of this section shall be binding upon the authorities, staff and
23 students of the University and where any question as to the meaning of any
24 provision of a statute has been decided by the Visitor under that sub-section,
25 no question as to the meaning of that provision shall be entertained by any
26 court of law in Nigeria.

27 (8) Nothing in sub-section (7) of this section shall affect any power
28 of a court of competent jurisdiction to determine whether any provision of a
29 statute is wholly or partly void as being ultra vires or as being inconsistent
30 with the Constitution of the Federal Republic of Nigeria, 1999.

Proof of Statute 1 **12.** A statute may be proved in any court by the production of a copy
2 thereof bearing or having affixed to it a certificate purporting to be signed by
3 the Vice-Chancellor or the Secretary to the Council to the effect that the copy is
4 a true copy of a statute of the University.

5 PART IV - SUPERVISION AND DISCIPLINE

The Visitor 6 **13.** -(1) The President shall be the Visitor of the University.

7 (2) The Visitor shall cause a visitation to the University when
8 necessary, at least every five years, or direct that such a visitation be conducted
9 by such person or persons as the Visitor may deem fit and in respect of any of
10 the affairs of the University.

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

15 (4) The Visitor shall make the report of such visitations and white
16 paper thereon available to the Council which shall implement same.

Removal of
certain Members
of Council

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

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

Removal and
discipline of
academic,
administrative and
professional staff

29 **15.** -(1) If it appears to the Council that there are reasons for believing
30 that any person employed as a member of the academic, administrative or

1 professional staff of the University other than the Vice-Chancellor, should
2 be removed from his office or employment on the ground of misconduct or
3 of professional inability to perform the functions of his office or
4 employment, the Council shall-

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

6 (b) afford him an opportunity of making representations in person
7 on the matter by the Council; and

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

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

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

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

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

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

30 (d) conduct which the Council considers to be such as to constitute

1 failure or inability of the person concerned to discharge the functions of his
2 office or to comply with the terms and conditions of his service; or

3 (e) conduct which the Council considers to be generally of such
4 nature as to render the continued appointment or service of the person
5 concerned prejudicial or detrimental to the interest of the University.

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

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

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

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

17 (d) whether to take such lesser disciplinary action against such person
18 (including the restoration of such proportion of his emoluments that might
19 have been withheld) as the Council may determine.

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

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

29 (7) Nothing in the foregoing provisions of this section shall-

30 (a) apply to any directive given by the Visitor in consequence of any

1 visitation; or

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

4 16.-(1) If, on the recommendation of the Senate, it appears to the
5 Vice-Chancellor that a person appointed as an examiner for any
6 examination of the University ought to be removed from his office or
7 appointment, then, except in such cases as may be prescribed by the Vice-
8 Chancellor may, after affording the examiner an opportunity of making
9 representations in person on the matter to the Vice-Chancellor, remove the
10 examiner from the appointment by an instrument in writing signed by the
11 Vice-Chancellor.

Removal of
examiners

12 (2) Subject to the provisions of regulations made in pursuance of
13 section 7(5) of this Bill, the Vice-Chancellor may, on the recommendation of
14 the Senate, appoint an appropriate person as examiner in the place of the
15 examiner removed in pursuance of subsection (1) of this section.

16 (3) It shall be the duty of the Vice-Chancellor on signing an
17 instrument of removal pursuant to this section, to use his best endeavours
18 to cause a copy of the instrument to be served as soon as reasonably
19 practicable on the person to whom it is related.

20 17. -(1) The Students shall be-

21 (a) represented in the University's Students Welfare Board and
22 other committees that deal with the affairs of students;

23 (b) Participate in various aspects of curriculum development;

24 (c) Participate in the process of assessing academic staff in respect
25 of teaching; and

26 (d) Be encouraged to be more self-assured as part of the national
27 development process.

28 (2) Subject to the provisions of this section, where it appears to the
29 Vice-Chancellor that any student of the University has been guilty of
misconduct, the Vice-Chancellor may, without prejudice to any other

Participation and
Discipline of
Students

1 disciplinary powers conferred on him by statute or regulations, direct-

2 (a) that the student shall not, during such period as may be specified in
3 the directions, participate in such activities of the University, or make use of
4 such facilities of the University, as may be so specified; or

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

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

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

10 (3) Where a direction is given under subsection (1)(c) or (d) of this
11 section in respect of any student, that student may, within the prescribed period
12 and in the prescribed manner, appeal to the Council; and where such an appeal
13 is brought, the Council shall, after causing such inquiry to be made in the matter
14 as the Council considers just either confirm or set aside the direction or modify
15 it in such manner as the Council thinks fit.

16 (4) The fact that an appeal from a direction is brought in pursuance to
17 subsection (2) of this section shall not affect the operation of the direction while
18 the appeal is pending.

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

22 (6) Nothing in this section shall be construed as preventing the
23 restriction or termination of students' activities at the University otherwise than
24 on the ground of misconduct.

25 (7) A direction under subsection (2)(a) of this section may be
26 combined with a direction under subsection (2)(b) of this section.

27 PART V - MISCELLANEOUS AND GENERAL

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

28 18.-(1) No person shall be required to satisfy requirements as to any of
29 the following matters, that is to say, race (including ethnic grouping), sex,
30 account of race, place of birth or of family origin, or religious or political

1 persuasion, as a condition of becoming or continuing to be a student at the
2 university, the holder of any degree of the University or of any appointment
3 or employment at the University, or a member of anybody established by
4 virtue of this Bill; and no person shall be subject to any disadvantage or
5 accorded any advantage relation to the University, by reference to any of
6 those matters.

7 (2) Nothing in subsection (1) of this section shall be construed as
8 preventing the University from imposing any disability or restriction on any
9 of the persons mentioned in that subsection where such person willfully
10 refuses or fails on grounds of religious belief to undertake any duty
11 generally and uniformly imposed on all such person or any group of them
12 which duty, having regard to its nature and the special circumstances
13 pertaining thereto, is in the opinion of the University reasonably justifiable
14 in the national interest.

15 19. Without prejudice to the provisions of the Land Use Act, the
16 University shall not dispose of or charge any land or an interest in any land
17 (including any land transferred to the University by this Bill) except with the
18 prior written consent, either general or special, of the President:
19 Provided that such consent shall not be required in the case of any lease or
20 tenancy at a rack-rent for a term not exceeding 21 years or any lease or
21 tenancy to a member of the University for residential purpose.

Restriction on
disposal of land
by University

22 20. Except as may be otherwise provided by statute or by
23 regulations, the quorum and procedure of any body of persons established
24 by this Bill shall be as determined by that body.

Quorum and
procedure of bodies
established by
this Bill

25 21.-(1) Anybody of persons established by this Bill shall, without
26 prejudice to the generality of the powers of that body, have power to appoint
27 committees, which need not consist exclusively of members of that body,
28 and to authorize a committee established by it-

Appointment of
committee, etc.

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

1 (b) to co-opt members, and

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

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

11 (4) Nothing in the provisions of subsection (1), (2) and (3) of this
12 section shall be construed as-

13 (a) enabling the statutes to be made otherwise than in accordance with
14 section 1 of this Bill; or

15 (b) enabling the Senate to empower any other body to make
16 regulations of the award degrees or other qualifications.

17 (5) The Pro-Chancellor and the Vice-Chancellor shall be members of
18 every committee of which the members are wholly or partly appointed by the
19 Council (other than a committee appointed to inquire into the conduct of the
20 officer in question); and the Vice-Chancellor shall be a member of every
21 committee of which the members are wholly or partly appointed by the Senate.

Retiring of
academic staff

22 **22.**-(1) Notwithstanding anything to the contrary in the Pension Act,
23 the compulsory retiring age of the following categories of staff shall be as
24 follows-

25 (a) Academic staff of the University in the non-Professorial cadre
26 shall be 65 years;

27 (b) Academic staff of the University in the Professorial Cadre shall be
28 70 years;

29 (c) Non-academic staff of the University shall be 65 years.

30 (2) A law or rule requiring a person to retire from the public service

1 after serving for 35 years shall not apply to an academic staff of the
2 University.

3 **23.**-(1) An academic staff of the University who retires as a
4 Professor in the University shall be entitled to pension at a rate equivalent to
5 his annual salary provided that the Professor has served continuously in the
6 University up to the retirement age.

Special provisions
relating to pension
of Professors

7 (2) Notwithstanding subsection (1), where the Professor has not
8 served up to the retirement age, he shall be entitled to the rate of pension
9 mentioned under subsection (1) and such allowances as the Council may,
10 from time to time, determine as qualifying for pension in the University.

11 (3) Where an academic joins the University as a Professor, such a
12 Professor shall have served continuously for at least 20 years in a recognized
13 University.

14 **24.**-(1) The seal of each University shall be such as may be
15 determined by the Council and approved by the Chancellor, and the affixing
16 of the seal shall be authenticated by any member of the Council and by the
17 Vice-Chancellor, Secretary to the Council or any other person authorized by
18 statute.

Miscellaneous
Administrative
Provisions

19 (2) Any document purporting to be a document executed under the
20 seal of the University shall be received in evidence and shall, unless the
21 contrary is proved, be presumed to be so executed.

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

26 (4) The validity of any proceedings of anybody established in
27 pursuance of this Bill shall not be affected by any vacancy in the
28 membership of the body, or by any defect in the appointment of a member of
29 the body or by reason that any person not entitled to do so took part in the
30 preceding.

1 (5) Any member of any such body who has a personal interest in any
2 matter proposed to be considered by that body shall forthwith disclose his
3 interest to the body and shall vote on any question relating to that matter.

4 (6) Nothing in section 12 of the Interpretation Act (which provides for
5 the application in relation to subordinate legislation of certain incidental
6 provisions) shall apply to statutes or regulations made in pursuance to this Bill.

7 (7) The power conferred by this Bill on anybody to make statutes or
8 regulations shall include power to revoke or vary any statute (including the
9 statute contained in the Third Schedule of this Bill) or any regulation by a
10 subsequent statute or as the case may be, by a subsequent regulation and
11 statutes and regulations may make different provisions in relation to different
12 circumstances.

13 (8) No stamp or other duty shall be payable in respect of any transfer
14 of property to the University by virtue of section 8 or section 18 of this Bill or
15 the Second Schedule to this Bill.

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

Restriction of
suits and
execution

18 **25.-(1) Pre-Action Notice-**

19 (a) No legal proceeding shall be instituted and/or commenced against
20 the University or any of its agents in the course of their official duties unless a 3
21 months' Pre-Action Notice of such intention is served on the University by an
22 aggrieved party. The Notice shall state the reason and the cause of action
23 intended to be taken against the University, the particulars of the claim, the
24 name and place of abode of the intending plaintiff and the relief which he
25 claims.

26 (b) For the avoidance of doubt, it is hereby declared that no suit shall
27 be commenced against an officer or servant of the University, in any case where
28 the University is vicariously liable for any alleged act, neglect or default of the
29 officer or servant in the performance or intended performances of his duties,
30 unless three months at least has elapsed after written notice of intention to

1 commence the same shall have been served on the University by the
2 intending plaintiff or his agent.

3 (c) In any suit against this University, no execution or attachment
4 or process in the nature thereof shall be issued against the University, but any
5 sums of money which may be judgment of the court be awarded against the
6 University shall, subject to any direction given by the court where notice of
7 appeal has been given by the University in respect of the said judgment, be
8 paid by the University from its general fund.

9 (2) Service upon the University of any notice, order or other Service of Notices
10 document may be effected by delivering the same or by sending it by
11 registered post addressed to the Registrar and Secretary of the Council.

12 **26. -(1) In this Bill, unless the context otherwise requires-** Interpretation

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

14 "College" means the College established pursuant to section 2 (1) (b) of this
15 Bill for the University;

16 "Council" means the Governing Council of the University established by
17 section 5 of this Bill. (Erroneously omitted)

18 "Functions" includes powers and duties;

19 "Graduate" means a person on whom a degree, other than an honorary
20 degree, has been conferred by the University and any other person as may be
21 designated as a graduate by the Council, acting in accordance with the
22 recommendation of the Senate; (Erroneously omitted)

23 "Minister" means the Hon. Minister of Petroleum Resources;

24 "Notice" means notice in writing;

25 "Officer" does not include the Visitor;

26 "Prescribed" means prescribed by statute or regulations;

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

29 "Property" includes rights, liabilities and obligations;

1 "Provisional Council" means the provisional council appointed for the
2 University;

3 "Regulations" means regulations made by the Senate or the Council;

4 "Senate" means the Senate of the University established pursuant to section 2
5 (1)(e) of this Bill;

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

7 "Statute" means a statute made by each University under section 10 of this Bill
8 and in accordance with the provisions of section 11 of this Bill, and "the
9 statutes" means all such statutes as are in force from time to time;

10 "Teacher" means a person holding a full-time appointment as a member of the
11 teaching or research staff of the University;

12 "Undergraduate" means a person registered as a student undergoing a course of
13 study for a first degree of the University or such other course in the University
14 as may be approved by the Senate as qualifying a student undergoing it for the
15 status of an under-graduate;

16 "University" means Federal University of Petroleum Resources, Effurun
17 established and incorporated by section I of this Bill.

18 (2) It is hereby declared that where in any provision of this Bill it is
19 laid down that the proposals are to be submitted or a recommendation is to be
20 made by one authority or another through one or more intermediate authorities,
21 it shall be the duty of every such intermediate authority to forward any
22 proposals or recommendations received by it in pursuance of that provision to
23 the appropriate authority; but any such intermediate authority may, if it thinks
24 fit, forward therewith its own comments thereon.

Short title

25 27. This Bill may be cited as the Federal University of Petroleum
26 Resources, Effurun Bill, 2016.

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SCHEDULES

FIRST SCHEDULE

[Section 2(2)]

PRINCIPAL OFFICERS OF THE UNIVERSITY

The Chancellor

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

The Pro-Chancellor

2.-(1) The Pro-Chancellor who shall be the representative of the Minister of Petroleum Resources shall be appointed or removed from office by the President upon recommendation by the Minister.

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

The Vice-Chancellor

3.-(1) There shall be a Vice-Chancellor of the University who shall be appointed by the Council in accordance with the provisions of this paragraph.

(2) Where a vacancy occurs in the post of a Vice-Chancellor, the Council shall-

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

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

(ii) the terms of conditions of service applicable to the post, and thereafter draw up a short list of suitable candidates for the post for consideration.

(b) constitute a Search Team consisting of-

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

(ii) two members of the Senate who are not members of the

1 Council, one of whom shall be a Professor;

2 (iii) two members of Congregation who are not members of the
3 Council, one of whom shall be a Professor, to identify and nominate for
4 consideration, suitable persons who are not likely to apply for the post on their
5 own volition because they felt that it is not proper to do so.

6 (3) A Joint Council and Senate Selection Board consisting of-

7 (a) the Pro-Chancellor, as chairman;

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

9 (c) two members of the Senate who are Professors, but who were not
10 members of the Search Team, shall consider the candidates and persons in the
11 shortlist drawn up under subsection (2) of this paragraph through an
12 examination of their curriculum vitae and interaction with them, and
13 recommend to the Council three candidates for further consideration.

14 The Council shall select and appoint as the Vice-Chancellor one candidate
15 from among the three candidates recommended to it under subsection (3) of
16 this section and thereafter inform the Visitor.

17 (4) The Vice-Chancellor shall hold office for a single term of five
18 years only on such terms and conditions as may be specified in his letter of
19 appointment.

20 (5) The Vice Chancellor may be removed from office by the Council
21 on grounds of gross misconduct or inability to discharge the functions of his
22 office as a result of infirmity of the body or mind, at the initiative of the
23 Council, Senate or the Congregation after due process.

24 (6) When the proposal for the removal of the Vice-Chancellor is
25 made, the Council shall constitute a Joint Committee of Council and Senate
26 consisting of-

27 (i) three members of the Council, one of whom shall be the Chairman
28 of the committee; and

29 (ii) two members of the Senate,

30 Provided that where the ground for removal is infirmity of the body or mind,

1 the Council shall seek appropriate medical opinion.

2 (7) The committee shall conduct investigation into the allegations
3 made against the Vice-Chancellor and shall report its findings to the
4 Council.

5 (8) The Council may where the allegations are proved remove the
6 Vice-Chancellor or apply any other disciplinary action it may deem fit and
7 notify the Visitor accordingly provided that a Vice-Chancellor who is
8 removed shall have right of appeal to the Visitor.

9 (9) There shall be no sole administrator in the University.

10 (10) In any case of a vacancy in the office of the Vice-Chancellor,
11 the Council shall appoint an acting Vice-Chancellor on recommendation of
12 the Senate.

13 (11) An acting Vice Chancellor in all circumstances shall not be in
14 office for more than 6 months.

15 *Deputy Vice-Chancellor*

16 4.-(1) There shall be for the University such number of Deputy
17 Vice-Chancellors as Council may from time to time deem necessary for the
18 proper administration of the University.

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

22 (3) The Senate shall select for each vacant post one candidate from
23 each list forwarded to it under subsection (2) of this paragraph and forward
24 his name to the Council for confirmation.

25 (4) A Deputy Vice-Chancellor shall-

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

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

30 (c) perform such other functions as the Vice-Chancellor or the

1 Council may, from time to time, assign to him.

2 (5) A Deputy Vice-Chancellor-

3 (a) shall hold office for a period of two years beginning from the
4 effective date of his appointment and on such terms and conditions as may be
5 specified in his letter of appointment; and

6 (b) may be reappointed for one further period of two years and no
7 more.

8 (c) may be removed from office for good cause by the Council acting
9 on the recommendations of the Vice-Chancellor and Senate.

10 (d) "Good cause" for the purpose of this section means gross
11 misconduct or inability to discharge the functions of his office arising from
12 infirmity of the body or mind.

13 *Office of the Registrar*

14 5.-(1) There shall be for the University, a Registrar, who shall be the
15 chief administrative officer of the University and shall be responsible to the
16 Vice-Chancellor for the day-to-day administrative work of the University
17 except as regards matters for which the Bursar is responsible in accordance
18 with paragraph 6(2) of this Schedule.

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

22 *Other Principal Officers of the University*

23 6.-(1) There shall be for the University the following principal
24 officers, in addition to the Registrar, that is:-

25 (a) the Bursar; and

26 (b) the University Librarian,

27 who shall be appointed by the Council on the recommendation of the Selection
28 Board constituted under paragraph 7 of this Schedule.

29 (2) The Bursar shall be the Chief Financial Officer of the University
30 and be responsible to the Vice-Chancellor for the day-to-day administration

1 and control of the financial affairs of the University.

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

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

9 *Selection Board for other Principal Officers*

10 7.-(1) There shall be, for the University, a Selection Board for the
11 appointment of principal officers, other than the Vice-Chancellor or Deputy
12 Vice-Chancellor, which shall consist of-

13 (a) the Pro-Chancellor, as chairman;

14 (b) the Vice-Chancellor;

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

16 and

17 (d) two members of the Senate.

18 (2) The functions, procedure and other matters relating to the
19 Selection Board constituted under subsection (1) of this paragraph shall be
20 as the Council may, from time to time, determine.

21 (3) The Registrar, Bursar and Librarian shall hold office for a single
22 term of five years only beginning from the effective date of their
23 appointments and on such terms and conditions as may be specified in their
24 letters of appointment.

25 (4) Notwithstanding subsection (3) of this section, the Council
26 may, upon satisfactory performance, extend the tenure of the Registrar,
27 Bursar or Librarian for a further period of one year only and thereafter such
28 principal officer shall relinquish his post and be assigned to other duties in
29 the University.

1 or against the Provisional Council may be continued by or against the
2 University.

3 *Registration of transfers*

4 3.-(1) If the law in force at the place where any property transferred
5 by this Bill is situate provides for the registration of transfers of property of
6 the kind in question (whether by reference to an instrument of transfer or
7 otherwise), the law shall, so far as it provides for alterations of a register (but
8 not for avoidance of transfers, the payment of fees or any other matter)
9 apply, with necessary modifications, to the property aforesaid.

10 (2) It shall be the duty of the body to which any property is
11 transferred by this Bill to furnish the necessary particulars of the transfer to
12 the proper officer of the registration authority, and of that officer to register
13 the transfer accordingly.

14 *Transfer of Functions, etc.*

15 4.-(1) The first meeting of the Council shall be convened by the
16 Pro-Chancellor on such date and in such manner as he may determine.

17 (2) The persons who were members of the Provisional Council
18 shall be deemed to constitute the Council until the date when the Council as
19 set up under the Third Schedule to this Bill shall have been duly constituted.

20 (3) The first meeting of the Senate as constituted by this Bill shall
21 be convened by the Vice-Chancellor on such date and in such manner as he
22 may determine.

23 (4) The persons who were members of the Senate immediately
24 before the coming into force of this Bill shall be deemed to constitute the
25 Senate of the University until the date when the Senate as set up under the
26 Third Schedule to this Bill shall have been duly constituted.

27 (5) Subject to any regulations which may be made by the Senate
28 after the date on which this Bill is made, the schools, school boards and
29 students of the University immediately before the coming into force of this
30 Bill shall on that day become schools, school boards and students of the

1 University as constituted by this Bill.

2 (6) Persons who were Deans or Associate Deans of Colleges, schools
3 or members of College/School Boards shall continue to be Deans or Associate
4 Deans or become members of the corresponding College/School Boards, until
5 new appointments are made in pursuance of the statutes.

6 (7) Any person who was a member of the staff of the University as
7 established or was otherwise employed by the Provisional Council shall
8 become the holder of an appointment at the University with the status,
9 designation and functions which correspond as nearly as may be to those which
10 appertained to him as member of that staff or as such an employee.

11 THIRD SCHEDULE

12 [Section 9 (3)]

13 FEDERAL UNIVERSITY OF PETROLEUM RESOURCES, EFFURUN

14 Statute No. 1

15 ARRANGEMENT OF ARTICLES

16 Articles

- 17 1. The Council.
18 2. The Finance and General Purposes Committee
19 3. The Senate
20 4. The Congregation
21 5. Convocation
22 6. Division of Colleges/Schools.
23 7. College/School Boards.
24 8. Dean of the College/School.
25 9. Selection of certain Principal Officers
26 10. Creation of academic posts
27 11. Appointment of academic staff
28 12. Appointment of administrative and professional staff
29 13. Interpretation.
30 14. Short Title.

1 *The Council*

2 1.-(1) The composition of the Council shall be as provided in
3 section 5 of this Bill.

4 (2) Any member of the Council holding office otherwise than in
5 pursuance of section 5 (a), (b), (c), or (d) of this Bill may, by notice to the
6 Council, resign his office.

7 (3) A member of the Council holding office otherwise than in
8 pursuance of section 5 (a), (b), (c), or (d) of this Bill shall, unless he
9 previously vacates it, vacate that office on the expiration of the period of
10 four years beginning with effect from 1 August in the year which he was
11 appointed.

12 (4) Where a member of the Council holding office otherwise than
13 in pursuance of section 5 (a), (b), (g), or (h) of this Bill vacates office before
14 the expiration of the period aforesaid, the body or person by whom he was
15 appointed may appoint a successor to hold office for the residue of the term
16 of his predecessor.

17 (5) A person ceasing to hold office as a member of the Council
18 otherwise than by removal for misconduct shall be eligible for re-
19 appointment for only one further period of four years.

20 (6) The quorum of the Council shall be five, at least one of whom
21 shall be a member appointed pursuant to section 5 (d) or (e) of this Bill.

22 (7) If the Pro-Chancellor is not present at a meeting of the Council,
23 such other member of the Council present at the meeting as the Council may
24 appoint as respects that meeting shall be the chairman at that meeting, and
25 subject to section 4 of this Bill and the foregoing provisions of this
26 paragraph, the Council may regulate its own procedure.

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

1 *The Finance and General Purposes Committee*

2 2.-(1) The Finance and General Purposes Committee of the Council
3 shall consist of-

4 (a) the Pro-Chancellor, who shall be the chairman of the Committee at
5 any meeting at which he is present;

6 (a) the Vice-Chancellor and Deputy Vice-Chancellors;

7 (b) six other members of the Council appointed by the Council, two of
8 whom shall be selected from among the four members of the Council
9 appointed by the Senate and one member appointed to the Council by
10 Congregation;

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

14 (d) the Executive Secretary of the Petroleum Technology
15 Development Fund, or in his absence, such member of the Fund as he may
16 designate to represent him.

17 (2) The quorum of the Committee shall be five.

18 (3) Subject to any directions given by the Council, the Committee
19 may regulate its own procedure.

20 (4) Annual budget and estimates, etc.

21 (1) The estimates of income and expenditure for a financial year shall
22 be presented by the Vice-Chancellor to the Council and may be approved by the
23 Council before the beginning of that financial year;

24 Provided that the Vice-Chancellor may during any financial year present and
25 the Council may approve supplementary estimates of income or expenditure.

26 (2) The annual and supplementary estimates shall be prepared in such
27 form and shall contain such information as the Council may direct.

28 (5) Gifts, donations, etc.

29 (1) The Council may on behalf of the University accept by way of
30 grants, gift, testamentary disposition or otherwise, property and money in aid

1 of the finances of the University on such conditions as it may approve.

2 (2) Registers shall be kept of all donations to the University
3 including the names of donors and any special conditions under which any
4 donation may have been given.

5 Provided that the University shall not be obliged to accept a donation for a
6 particular purpose unless it approves of the terms and conditions attaching to
7 such donation.

8 (3) All property, money or funds donated for any specific purposes
9 shall be applied and administered in accordance with the purposes for which
10 they are donated and shall be accounted for separately.

11 (6) Payment into bank

12 All sums of money received on account of the University shall be paid into
13 such bank as may be approved by the Council for the credit of the
14 University's general, current or deposit account:

15 Provided that the Council may invest, as it deems fit, any money not
16 required for immediate use other than donations of money referred to in
17 subsection (1) of this section.

18 (7) Audit

19 (1) The Council shall cause the accounts of the University to be
20 audited by auditors appointed by the Council as soon as may be after the end
21 of each financial year or for any such other period as the Council may
22 require.

23 (2) The appointment and other matters relative to the auditors, their
24 continuance in office and their functions, as the case may be, shall, subject to
25 the provisions of this section, be prescribed by statute.

26 The Senate

27 3.-(1) The Senate shall consist of-

28 (i) the Vice-Chancellor

29 (ii) Deputy Vice-Chancellors;

30 (iii) the Deans of several Colleges;

- 1 (iv) the Professors in the University;
- 2 (v) Heads of Academic Departments;
- 3 (vi) the University Librarian;
- 4 (vii) One elected representative of each College;
- 5 (viii) Two members of Academic Staff elected by the Congregation;
- 6 (ix) The persons for the time being holding such appointments on the
7 staff of the University as may be specified by the Vice-Chancellor and
8 approved by Senate;
- 9 (x) Two members representing a variety of interests of the
10 professional bodies outside the University appointed by the Senate on the
11 recommendation of the Vice-Chancellor;
- 12 (xi) Registrar - Secretary.
- 13 (2) The procedure for election of members of Senate to the Council
14 shall be prescribed by Regulations
- 15 (3) The Vice-Chancellor shall be the chairman at all meetings of the
16 Senate when he is present, and in his absence any of the Deputy Vice-
17 Chancellors present at the meeting as the Senate may appoint for that meeting
18 shall be the chairman at the meeting.
- 19 (4) The quorum of the Senate shall be one quarter or the nearest whole
20 number less than one quarter; and subject to paragraph (3) of this Article, the
21 Senate may regulate its own procedure.
- 22 (5) An elected member may, by notice to the Senate, resign his office.
- 23 (6) Subject to paragraph (8) of this article, there shall be elections for
24 the selection of elected members which shall be held in the prescribed manner
25 on such day in the month of May or June in each year as the Vice-Chancellor
26 may from time to time determine.
- 27 (7) An elected member shall hold office for the period of two years
28 beginning with 1 August in the year of his election, and may be a candidate at
29 any election held in pursuance to paragraph (6) of this article in the year in
30 which his period of office expires, so however that no person shall be such a

1 candidate if at the end of his current period of office he will have held office
2 as an elected member for a continuous period of six years or would have so
3 held office if he had not resigned it.

4 (8) No election shall be held in pursuance of this article in any year
5 if the number specified in the certificate given in pursuance to paragraph
6 (11) of this article does not exceed by more than one the figure which is
7 thrice the number of those elected members holding office on the date of the
8 certificate who do not vacate office during that year in pursuance of
9 paragraph (7) of this article.

10 (9) For the avoidance of doubt it is hereby declared that no person
11 shall be precluded from continuing in or taking office as an elected member
12 by reason only of reduction in the number of non-elected members
13 occurring on or after 30 April in any year in which he is to continue in or take
14 office as all elected member.

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

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

24 *Congregation*

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

26 (i) Vice-Chancellor;

27 (ii) the Deputy Vice-Chancellors;

28 (iii) the full-time members of the academic staff

29 (iv) The Registrar;

30 (v) The Librarian;

1 (vi) Every member of the administrative staff who holds a degree,
2 other than honorary degree, of any University recognised for the purposes of
3 this statute by the Vice-Chancellor.

4 (2) Subject to section 4 of this Bill, the Vice-Chancellor shall be the
5 chairman at all meetings of Congregation when he is present; and in his
6 absence any of the Deputy Vice Chancellors present at the meeting as
7 Congregation may appoint for that meeting, shall be the chairman at the
8 meeting.

9 (3) The quorum of Congregation shall be one third or the whole
10 number nearest to one third of the total number of members of Congregation of
11 fifty, whichever is less.

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

13 (a) the total number of members of Congregation for the purpose of
14 any particular meeting or meetings of Congregation; or

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

18 (5) The procedure for election of members of Congregation to the
19 Council and the Senate shall be prescribed by Regulations.

20 (6) Subject to the foregoing provisions of this article, Congregation
21 may regulate its own procedure.

22 (7) Congregation shall be entitled to express by resolutions or
23 otherwise its opinion on all matters affecting the interest and welfare of the
24 University and shall have such other functions, in addition to the function of
25 electing a member of the Council, as may be provided by statute or regulations.

26 Convocation

27 5.-(1) Convocation shall consist of-

28 (i) the officers of the University mentioned in the First Schedule to
29 this Bill;

30 (ii) All teachers within the meaning of this Bill;

1 (iii) All other persons whose names are registered in accordance
2 with paragraph (2) of this article.

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

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

7 (b) he applies for the registration of his name in the prescribed
8 manner and pay the prescribed fees.

9 (3) Regulations shall provide for the establishment and
10 maintenance of a register for the purpose of this paragraph and subject to
11 paragraph (4) of this article may provide for the payment, from time to time,
12 of further fees by persons whose names are on the register and for the
13 removal from the register of the name of any person who fails to pay those
14 fees.

15 (4) The person responsible for maintaining the register shall,
16 without the payment of any fees, ensure that the names of all persons who
17 are for the time being members of the Convocation by virtue of paragraph
18 (1) (a) or (b) of this article are entered and retained on the register.

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

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

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

1 (8) Subject to section 4 of the Act, the Chancellor shall be chairman at
2 all meetings of Convocation when he is present, and in his absence the Vice-
3 chancellor shall be the chairman at the meeting.

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

7 *Division of Colleges*

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

10 *College/School Boards*

11 7.-(1) There shall be established in respect of each College/School, a
12 Board of Studies which, subject to the provisions of this Statute, and subject to
13 the directions of the Vice-Chancellor, shall-

14 (a) Regulate the teaching and study of, and the conduct of
15 examinations connected with, the subjects assigned to the college;

16 (b) Deal with any other matter assigned to it by statute or by the Vice-
17 Chancellor or by the Senate; and

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

20 (2) Each College School/Board of Studies shall consist of-

21 (a) the Vice-Chancellor;

22 (b) the Dean;

23 (c) the persons severally in charge of the branches of the school;

24 (d) such of the teachers assigned to the college and having the
25 prescribed qualifications as the Board may determine; and

26 (e) such persons, whether or not members of the University, as the
27 Board may determine with the general or special approval of the Senate.

28 (3) The quorum of the Board shall be eight members or one quarter,
29 whichever is greater, of the members for the time being of the board; and
30 subject to the provisions of this statute and to any provision made by

1 regulations in that behalf, the Board may regulate its own procedure.

2 *Deans of the Colleges*

3 8. -(1) The Board of each College shall, at a meeting in the last term
4 of any academic year which the term of office of the Dean expires, nominate
5 one of its members, being one of the Professors assigned to that teaching
6 unit, for appointment by the Senate as Dean of the College.

7 (2) The person appointed under paragraph 1 of this Article shall act
8 as Dean of the College and chairman of all meetings of the College Board
9 when he is present and shall be a member of all committees and other boards
10 appointed by the College.

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

14 (4) The Dean of a College shall exercise general superintendence
15 over the academic and administrative affairs of the College.

16 (5) It shall be the function of the Dean to present to Convocation for
17 the conferment of degrees persons who have qualified for the degrees of the
18 University at examination held in the branches of learning for which
19 responsibility is allocated to that College.

20 (6) There shall be a committee to be known as the Committee of
21 Deans consisting of all the Deans of the several Colleges and that
22 Committee shall advise the Vice-Chancellor on all academic matters and on
23 particular matters referred to the University by the Senate.

24 (7) The Dean of a College may be removed from office for good
25 cause by the College Board after a vote would have been taken at a meeting
26 of the Board, and in the event of a vacancy occurring following the removal
27 of a Dean, an acting Dean may be appointed by the Vice-Chancellor:
28 Provided that at the next College Board meeting an election shall be held for
29 a new Dean.

30 (8) In this article "good cause" has the same meaning as in section

1 15(3) of the Act.

2 *Departmental Board of Studies*

3 9.-(1) There shall be a Departmental Board of Studies whose
4 membership shall be made of all academic staff of the Department;

5 (2) It shall be headed by a Professor who shall be appointed by the
6 Vice Chancellor and in the absence of a Professor, a senior academic staff shall
7 be appointed in acting capacity;

8 (3) For a Professor the term is for 3 years while 1 year is for acting
9 capacity;

10 (4) The Board shall superintend over all teachings and examinations
11 in the Department;

12 (5) The Board shall handle all disciplinary matters in the Department
13 and make recommendations to the College where necessary;

14 (6) Allocation of courses in the department shall be done by the
15 Departmental Board on recommendation of the Head of Department.

16 *Selection of Directors of Physical Planning and Development, Works and*
17 *Services and Health*

18 10.-(1) When a vacancy occurs in the office of the Directors of
19 Physical Planning and Development, Works and Services and Health, a
20 Selection Board shall be constituted by the Council which shall consist of:-

21 (a) the Pro-Chancellor;

22 (b) the Vice-Chancellor;

23 (c) two members appointed by the Council, not being members of the
24 Senate;

25 (d) Two members appointed by the Senate.

26 (2) The Selection Board after making such inquiries as it thinks fit,
27 shall recommend a candidate to the Council for appointment to the vacant
28 office; and after considering the recommendation of the board the Council may
29 make an appointment to that office.

1 *Tenure of Directors*

2 (3) A Director shall hold office on such terms and conditions as
3 may be specified in his letter of appointment subject to the extant
4 Regulations.

5 *Creation of Academic Posts*

6 **11.** Recommendations for the creation of academic posts other than
7 principal officers shall be made by the Senate to the Council through the
8 Finance and General Purposes Committee.

9 *Appointment of Academic Staff*

10 **12.**-(1) Subject to the Act and statutes, the filling of vacancies in
11 academic posts (including newly created ones) shall be the responsibility of
12 the Council through the Departments and Colleges.

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

16 (3) For appointment to Professorships, Associate Professorship or
17 Readerships or equivalent posts, a Board of Selection, with power to
18 appoint, shall consist of-

19 (a) the Vice-Chancellor - Chairman;

20 (b) Deputy Vice-Chancellor - Member;

21 (c) The Dean of the College - Member;

22 (d) Head of Department - Member;

23 (e) such other person(s), not exceeding two in number, deemed
24 capable of helping the Board in assessing both the professional and
25 academic suitability of a candidate under consideration, as the Senate may
26 from time to time appoint.

27 (f) Registrar - Secretary

28 (4) For other academic posts, a Selection Board, with power to
29 appoint, shall consist of-

30 (a) the Vice-Chancellor or his representative - Chairman;

- 1 (b) The Dean of the College - Member;
2 (c) Head of the Department concerned - Member;
3 (d) An internal member of Council (not below the Rank of Senior
4 Lecturer from the sister college in the Candidate's subject-area) - Member;
5 (e) Registrar or his representative - Secretary

6 (5) All appointments to senior library posts shall be made in the same
7 way as equivalent appointments in the academic cadre; and for all such posts
8 other than that of the Librarian, the Librarian shall be a member of the Selection
9 Board.

10 (6) Boards of Selection may interview candidates directly or consider
11 the reports of specialist interviewing panels and shall in addition, in the case of
12 Professorships, Associate Professorship, Readerships or equivalent Posts,
13 consider the reports of External Assessors relevant to the area in which the
14 appointment is being considered.

15 Quorum shall be three (3) including the Chairman.

16 *Appointment of Administrative and Professional Staff*

17 **13.-(1)** The administrative and professional staff of the University
18 other than principal officers shall be appointed by the Council or on its behalf
19 by the Vice-Chancellor in accordance with delegation of powers made by the
20 Council on its behalf.

21 (2) A Selection Board, with power to appoint, shall consist of-

- 22 (i) Vice Chancellor;
23 (ii) Deputy Vice Chancellor;
24 (iii) Registrar;
25 (iv) Bursar;
26 (v) University Librarian;
27 (vi) The Head of Department concerned;
28 (vii) Establishment and Human Resources Officer who shall serve as

29 Secretary Quorum shall be three (3) including the Chairman.

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Interpretation

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14. In this Statute, the expression "the Act" means the Federal University of Petroleum Resources, Effurun Act and any word or expression defined in the Act has the same meaning in this Statute.

Short Title

15. This Statute may be cited as the Federal University of Petroleum Resources, Effurun Statute No. I.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal University of Petroleum Resources, Effurun, Delta State.