

CITY UNIVERSITY OF TECHNOLOGY, YABA, LAGOS BILL, 2016

ARRANGEMENT OF SECTIONS

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STATUTE NO.1.

A BILL

FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE CITY UNIVERSITY
OF TECHNOLOGY, YABA, LAGOS; AND OTHER RELATED MATTERS
THEREOF

Sponsored by Senator Olugbenga B. Ashafa

Commencement

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

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

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

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

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

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

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

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

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

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

Constitution and
principal officers
of the University

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

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

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

Powers of the
University, and
their exercise

20 3.-(1) For the carrying out its objects as specified in section 1 of this
21 Act the University shall have power:

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

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

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

1 (d) to provide for the discipline and welfare of members of the
2 University;

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

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

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

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

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

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

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

24 (l) to hold public lectures and to undertake printing, publishing
25 and book selling;

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

1 to time to vary any such investments, and to deposit any moneys for the time
2 being uninvested with any bank on deposit or current account;

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

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

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

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

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

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

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

Functions of the
chancellor and
pro-chancellor

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

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

1 5.-(1) Subject to the provisions of this Act relating to the visitor,
2 the Council shall be the governing body of the University and shall be
3 charged with the general control and superintendence of the policy, finances
4 and property of the university, including its public relations.

Functions of the Council and its finance and general purposes committee

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

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

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

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

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

(7) There shall be paid to the members of the Council, of the finance and general purposes committee and of any other committee set up by the Council respectively allowances in respect of traveling and other

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

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

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

Functions of the
Senate

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

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

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

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

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

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

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

3 (f) the supervision of the welfare of students at the University and
4 the regulations of their conduct;

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

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

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

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

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

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

29 7.-(1) The Vice-Chancellor shall, in relation to the University, take
30 precedence before all other members of the University except the chancellor

1 and, subject to section 4 of this Act, except the Pro-Chancellor and any other
2 person for the time being acting as chairman of the Council.

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

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

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

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

15 PART III - STATUTES OF THE UNIVERSITY

16 9.-(1) Subject to this Act, the University may make statutes for any of
17 the following purposes, that is to say:

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

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

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

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

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

30 (2) Subject to section 22 (6) of this Act, the Interpretation Act shall

Transfer of
property, functions,
etc.

Power of
University to
make statutes
Cap. 192

1 apply in relation to any statute made under this section as it applies to a
2 subsidiary instrument within the meaning of section 27 (1) of that Act.

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

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

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

Mode of
exercising power
to make statutes.
Cap. 192

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

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

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

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

22 (4) A statute which:

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

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

29 (5) For the purposes of section 2 (2) of the Interpretation Act, a
30 statute shall be treated as being made on the date on which it is duly

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

Proof of statutes

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

Power of visitor
to decide meaning
of statutes

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

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

18 Provided that nothing in this subsection shall affect any power of a court of
19 competent jurisdiction to determine whether any provision of a statute is
20 wholly or partly void as being ultra vires or as being inconsistent with the
21 Constitution of the Federal Republic of Nigeria.

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

29 PART IV - SUPERVISION AND DISCIPLINE

The Visitor

30 13.-(1) The President shall be the visitor of the University.

1 (2) The Visitor shall as often as the circumstances may require, not
2 being less than once every five years, conduct a visitation of the University
3 or direct that such a visitation be conducted by such persons as the visitor
4 may deem fit and in respect of any of the affairs of the University.

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

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

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

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

Removal of
certain members
of Council

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

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

Removal of and
discipline of
academic,
administrative
and professional
staff

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

2 (b) afford him an opportunity of making representations in person on
3 the matter to the Council; and

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

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

8 (ii) for the person in question to be afforded an opportunity of
9 appearing before and being heard by the investigating committee with respect
10 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 of
15 the staff which in the opinion of the Vice-Chancellor is prejudicial to the
16 interests 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 staff may be suspended from his
19 duties or his appointment may be terminated by Council; and for the purposes
20 of this subsection "good cause" means:

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

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;

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 continue
29 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.

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

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

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

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

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

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

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

29 16.-(1) If, on the recommendation of the senate, it appears to the
30 Vice- Chancellor that a person appointed as an examiner for any

1 examination of the University ought to be removed from his office or
2 appointment, then except in such cases as may be prescribed, he may, after
3 affording the examiner an opportunity of making representation in person on
4 the matter to the Vice-Chancellor, remove the examiner from the appointment
5 by an instrument in writing signed by the Vice-Chancellor and, subject to the
6 provisions of regulations made in pursuance of section 6 (5) of this Act, the
7 Vice-Chancellor may, on the recommendation of the senate, appoint an
8 appropriate person as examiner in the place of the examiner removed in
9 pursuance of this subsection.

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

Discipline of
students

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

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

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

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

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

27 (2) Where a direction is given under subsection (1) (c) or (d) of this
28 section in respect of any student, the student may, within the prescribed period
29 and in the prescribed manner, appeal from the direction to the Council; and
30 where such an appeal is brought, the Council shall, after causing such inquiry to

1 be made in the matter as the Council considers just, either confirm or set
2 aside the direction or modify it in such manner as the Council thinks fit.

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

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

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

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

15 PART V - MISCELLANEOUS AND GENERAL

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

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

Restriction on
disposal of land
by University
Cap. 202

1 19. Without prejudice to the provisions of the Land Use Act, the
2 University shall not dispose of or charge any land or an interest in any land
3 (including any land transferred to the University by this Act) except with the
4 prior written consent, either general or special, of the Minister:

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

Quorum and
procedure of
bodies established
by this Act

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

Appointment of
committees, etc.

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

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

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

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

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

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

30 (a) enabling statutes to be made otherwise than in accordance with

1 section 10 of this Act; or

2 (b) enabling the senate to empower any other body to make
3 regulations or to award degrees or other qualifications.

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

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

Miscellaneous
administrative
provisions.
Cap. 192

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

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

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

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

29 (6) Nothing in section 12 of the Interpretation Act (which provides
30 for the application, in relation to subordinate legislation, of certain

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

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

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

Repeal

13 23. The Yaba College of Technology Act is hereby repealed.

Interpretation

14 24.-(1) In this Act, unless the context otherwise requires:

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

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

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

18 "College" means the Yaba College of Technology, Lagos;

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

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

22 "notice" means notice in writing;

23 "officer" does not include the visitor;

24 "prescribed" means prescribed by statute or regulations;

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

27 "property" includes rights, liabilities and obligations;

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

29 "statute" means the statute of the University under section 9 of this Act and in
30 accordance with the provisions of section 10 of this Act, and "the statute"

means all such statutes as are in force from time to time;

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

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

(a) a graduate; and

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

"University" means the City University of Technology, Yaba, Lagos as incorporated and constituted by this Act.

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

25. This Bill may be cited as the City University of Technology Yaba, Lagos Bill, 2016. Short Title

SCHEDULES

FIRST SCHEDULE

Section 2

PRINCIPAL OFFICES OF THE UNIVERSITY

The Chancellor

1. The Chancellor shall be appointed by the President.

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

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

The Pro-Chancellor

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

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

The Vice-Chancellor

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

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

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

Other principal officers of the University

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

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

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

(4) There shall be a librarian who shall be responsible to the Vice-Chancellor for the administration of the University library and the co-ordination of all library service in the University and its campuses, colleges,

1 faculties, schools, departments and institutes and other teaching or research
2 units.

3 (5) The officers aforesaid shall be appointed in such manner as may
4 be specified by statute and shall hold office for such period and on such
5 terms as to the emoluments of their offices and otherwise as may be
6 specified.

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

9 *Resignation and re-appointment*

10 6.-(1) Any officer mentioned in the foregoing provisions of this
11 Schedule may resign his office:

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

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

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

18 SECOND SCHEDULE

19 *Section 8 (2)*

20 TRANSITIONAL PROVISIONS AS TO PROPERTY, FUNCTION, ETC.

21 *Transfer of property to University*

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

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

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

29 2.-(1) All agreements, contracts, deeds and other instrument to
30 which the College was-party, shall, so far as possible and subject to any

1 necessary modifications, have effect as if the University had been a party
2 thereto in place of the College.

3 (2) Documents not falling within subparagraph (1) of this section,
4 including enactments, which refer whether specially or generally to the
5 College, shall be construed in accordance with that subparagraph so far as
6 applicable.

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

9 *Registration of transfer*

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

19 *Transfer of functions, etc.*

20 4.-(1) The first meeting of the Council shall be convened by the Pro-
21 Chancellor on such date and in such manner as he may determine.

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

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

29 (4) The persons who were members of the Academic Board of the
30 College immediately before the coming into force of this Act shall be deemed

1 to constitute the senate of the University until the date when the senate as set
2 up under Schedule 3 to this Act shall have been duly constituted.

3 (5) Subject to any regulations which may be made by the senate
4 after the date on which this Act is made, the faculties, faculty boards and
5 students of the University immediately before the coming into forces of this
6 Act shall on that day become faculties, faculty boards and students of the
7 University as constituted by this Act.

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

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

15 THIRD SCHEDULE

16 *Section 9 (3)*

17 CITY UNIVERSITY OF TECHNOLOGY, YABA, LAGOS NO.1

18 ARRANGEMENT OF ARTICLES

19 *Article*

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

12. Short Title.
- The Council*
- 1.-(1) The Council shall consist of:
- (a) the Pro-Chancellor;
- (b) the Vice-Chancellor and the deputy Vice-Chancellor;
- (c) six persons representing a variety of interests and broadly representative of the whole Federation appointed by the National Council of Ministers;
- (d) four person appointed by the senate from among the members of that body;
- (e) one person appointed by congregation from among the members of that body;
- (f) one person appointed by convocation from among the members of that body;
- (g) the Permanent Secretary, Federal Ministry of Education or, in his absence, such member of his Ministry as may be designated to represent him; and
- (h) one person to represent the armed forces of the Federation and the Police Force.
- (2) Any member of the Council holding office otherwise than in pursuance of paragraph (1) (a), (b), (g) or (h) of this article may, by notice to the Council, resign his office.
- (3) A member of the Council holding office otherwise than in pursuance of paragraph (1) (a), (b), (g) or (h) of this article shall, unless he previously vacates it, vacate that office on the expiration of the period of four years beginning with effect from the 1st of August in the year in which he was appointed.
- (4) Where a member of the Council holding office otherwise than in pursuance of paragraph (1) (a), (b), (g) or (h) of this article vacates office before the expiration of the period aforesaid, the body or person by whom he was

1 appointed may appoint a successor to hold office for the residue of the term
2 of his predecessor.

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

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

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

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

18 *The Senate*

19 2.-(1) The finance and general purposes committee of the Council
20 shall consist of:

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

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

24 (c) six other members of the Council appointed by the Council, two
25 of whom shall be selected from among the four members of the Council
26 appointed by the senate and one member appointed to Council by the
27 congregation;

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

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

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

4 *The Senate*

5 3.-(1) The senate shall consist of:

6 (a) the Vice-Chancellor and the deputy Vice-Chancellor;

7 (b) the deans of the several faculties;

8 (c) the directors of the several institutes;

9 (d) the professors;

10 (e) the librarian;

11 (f) the persons for the time being holding such appointments on the
12 staff of the University as may be specified by the Vice-Chancellor; and

13 (g) such teachers (of seniors lecturer rank and above and not being
14 more than two in respect of each faculty) as may be elected from among the
15 members of each faculty, the total number thereto to be determined from time
16 to time by the senate; and

17 (h) such persons, not exceeding two in number, whether or not
18 members of the University, as may be appointed by the senate to be members of
19 the senate.

20 (2) The Vice-Chancellor shall be the chairman at all meetings of the
21 senate when he is present; and in his absence such other member of the senate
22 present at the meeting as the senate may appoint for that meeting, shall be the
23 chairman at the meeting.

24 (3) The quorum of the senate shall be one-quarter (or the nearest
25 whole number less than one-quarter); and subject to paragraph (2) of this
26 article, the senate may regulate its own procedure.

27 (4) An elected member may, by notice to the senate, resign his office,

28 (5) Subject to paragraph (7) of this article, there shall be elections for
29 the selection of elected members which shall be held in the prescribed manner
30 on such day in the month of May or June in each year as the Vice-Chancellor

1 may from time to time determine.

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

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

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

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

27 *Congregation*

28 4.-(1) Congregation shall consist of:

- 29 (a) the Vice-Chancellor;
- 30 (b) the full time members of the academic staff;

1 (c) the registrar;
2 (d) the bursar; and
3 (e) every member of the administrative staff who holds a degree of
4 any university recognised for the purposes of this statute by the Vice-
5 Chancellor, not being an honorary degree.

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

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

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

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

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

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

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

25 *Convocation*

26 5.-(1) Convocation shall consist of:

27 (a) the officers of the University mentioned in the First Schedule to
28 the Act;

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

30 (c) all other persons whose names are registered in accordance with

1 paragraph (2) of this article.

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

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

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

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

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

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

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

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

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

6 *Organisation of faculties and branches thereof*

7 6. Each faculty shall be divided into such number of branches as may
8 be prescribed.

9 7.-(1) There shall be established in respect of each faculty a faculty
10 board, which, subject to the provisions of this Statute, and subject to the
11 directions of the Vice-Chancellor, shall:

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

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

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

18 (2) Each faculty board shall consist of:

19 (a) the Vice-Chancellor;

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

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

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

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

29 *The Dean of the Faculty*

30 8.-(1) The dean of a faculty shall be a professor elected by the faculty

1 board and each dean shall hold office for years. He will be eligible for re-
2 election for another term of two years after which he may not be elected
3 again until two years have elapsed.

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

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

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

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

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

26 (7) In this article, "good cause" has the same meaning as in section
27 15(3) of the Act.

28 *Selection of certain principal officers*

29 9.-(1) When a vacancy occurs in the office of the registrar, bursar,
30 librarian, or director of works, a selection board shall be constituted by the

1 Council and shall consist of:

2 (a) the Pro-Chancellor;

3 (b) the Vice-Chancellor;

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

6 (d) two members appointed by the Senate.

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

11 *Creation of academic posts*

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

15 *Appointment of academic staff*

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

19 *Appointment of administrative and technical staff*

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

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

27 *Interpretation*

28 13. In this Statute, the expression "the Act" means the City University
29 of Technology, Yaba Act and any expression defined in the Act has the same
30 meaning in this Statute.

1 *Short Title*

2 14. The Statute may be cited as City University of Technology,
3 Yaba, Lagos Statute No. 1.

EXPLANATORY MEMORANDUM

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

