

**A BILL**

**FOR**

AN ACT TO ESTABLISH THE FEDERAL UNIVERSITY, GASHUA AND TO MAKE COMPREHENSIVE PROVISIONS FOR ITS DUE MANAGEMENT AND ADMINISTRATION AND OTHER RELATED MATTERS

*Sponsored by Senator Ahmad Lawan*

[ ] Commencement

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

**PART I - ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF FEDERAL UNIVERSITY, GASHUA**

**1.-(1) There is established the Federal University, Gashua (in this**

Establishment and Objects of the Federal University, Gashua

**Act referred to as "the University")**

**(2) The University-**

**(a) shall be a body corporate with perpetual succession and a common seal; and**

**(b) may sue or be sued in its corporate name.**

**2. The objects of the University shall be to-**

Objects of the University

**(a) 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 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;**

**(c) encourage and promote scholarship and conduct research in restricted fields of learning and human endeavour;**

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

**(e) undertake other activities appropriate for a university of the**

1 highest standard.

Constitution of  
the University  
and its Constituent  
Bodies, etc.

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

17 (2) The First Schedule to this Act shall have effect with respect to the  
18 Principal Officers of the University mentioned therein.

19 (3) Provision shall be made by Statute with respect to the constitution  
20 of the following bodies, namely-

21 (a) the Council;  
22 (b) the Senate;  
23 (c) the Congregation; and  
24 (d) the Convocation.

Powers of the  
University

25 4.-(1) For the carrying out of its objects as specified in Section 2 of  
26 this Act, the University shall have power to-

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

1 (b) institute professorships, readerships and associate  
2 professorships, lectureships and other posts and offices and to make  
3 appointments thereto;

4 (c) institute and award fellowships, scholarships, exhibitions,  
5 bursaries, medals, prizes and other titles, distinctions, awards and forms of  
6 assistance;

7 (d) provide for the residence, discipline and welfare of members of  
8 the University;

9 (e) hold examinations and award degrees, diplomas, certificates  
10 and other distinctions to persons who have pursued a course of study  
11 approved by the University and have satisfied such other requirements as the  
12 University may lay down;

13 (f) award honorary degrees, fellowships or academic titles;

14 (g) demand and receive from any student or any other person  
15 attending the University for the purpose of instruction such fees as the  
16 University may from time to time determine, subject to the overall directives  
17 of the appropriate authority;

18 (h) subject to section 22 of this Act, to acquire, hold, grant, charge  
19 or otherwise deal with or dispose of movable and immovable property  
20 wherever situate;

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

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

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

30 (l) hold public lectures and undertake printing, publishing and

(d) institute professorships, readerships and associate professorships, and book selling;

(m) subject to any limitations or conditions imposed by Statute, to invest any moneys appertaining to the University by law of endorsement, whether for general or special purposes, and such other moneys as may not be immediately required for current expenditure, in any investments or securities or in the purchase or improvement of land, with power from time to time to vary any such investments and to deposit any moneys for the time being un-invested with any bank on deposit or current account;

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

(o) make gifts for any charitable purpose, or any student or any other person do anything which it is authorized or required by this Act or by any other Statute to do; and

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

(2) Subject to the provisions of this Act and of the Statutes made thereunder and without prejudice to Section 9 (2) of this Act, the powers conferred on the University by subsection (1) of this section shall be exercisable on behalf of the University by the Council or by the Senate or in any other manner which may be authorized by this Act.

Functions of the Chancellor and Proc-Chancellor

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

(2) The Pro-Chancellor shall, in relation to the University, take precedence before all other members of the University except the Chancellor, and except for the Vice Chancellor when acting as Chairman of Congregation

1 for Convocation, and the Pro-Chancellor shall when he is present, be the  
2 Chairman at all meetings of the Council.

3 6. (1) There shall be a Council for the University consisting of:

4 (a) the Pro-Chancellor;

5 (b) the Vice-Chancellor;

6 (c) the Deputy Vice-Chancellor;

7 (d) one person from the Federal Ministry responsible for  
8 Education;

9 (e) four persons representing a variety of interest and broadly  
10 representative of the whole Federation;

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

12 (g) two persons appointed by the congregation from among its  
13 members; and

14 (h) one persons appointed by Convocation from among its  
15 members.

16 (2) Persons to be appointed to the Council shall be persons of  
17 proven integrity, knowledgeable and familiar with the affairs and tradition  
18 of the University.

19 7. (1) Subject to the provisions of this Act relating to the Visitor,  
20 the Council shall be the Governing Body of the University and shall be  
21 charged with the general control and superintendence of the policy, finances  
22 and property of the University, including its public relations.

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

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

29 (4) The Council shall ensure proper accounts of the University are  
30 kept and that the accounts of the University are audited annually by auditors

Establishment  
and Composition  
of Council

Functions of the  
Council and its  
Finance and  
General Purpose

1 appointed by the Council from the list and in accordance with guidelines  
2 supplied by the Auditor-General of the Federation, and that an annual report is  
3 published by the University together with certified copies of the said accounts  
4 as audited.

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

9 (6) Rules made under subsection (S) of this section by the Finance and  
10 General Purposes Committee shall not come into force unless approved by the  
11 Council, and where any rule so made by the Committee conflict with any  
12 directions given by the Council (whether before or after the coming into force  
13 of the rules in question), the direction of the Council shall prevail.

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

18 (8) The Council shall meet as and when necessary for the  
19 performance of its functions under this Act, and shall meet at least four times  
20 every year.

21 (9) If required in writing by any five members of the Council, the  
22 Chairman shall within twenty-eight days after the receipt of such request call a  
23 meeting of the Council:

24 PROVIDED that if after 28 days of the receipt or delivering to him of  
25 such request, the chairman fails or neglects to call a meeting, the Registrar shall  
26 within 14 days thereof, cause a meeting of the Council to be convened for that  
27 purpose. The request shall specify the business to be considered at the meeting  
28 and no business not so specified shall be transacted at that meeting.

29 8.-(1) Subject to section 5 of this Act and subsections (3) and (4) of this  
30 section and to the provisions of this Act relating to the Visitor, it shall be the

1 general function of the Senate to organize and control teaching in the  
2 University, admission to Postgraduate courses and other admission of  
3 students, the discipline of students and to promote research in the  
4 University.

5 (2) Without prejudice to the generality of the provisions of  
6 subsection (1) of this section, it shall in particular be the function of the  
7 Senate to make provision for the-

8 (a) establishment, organization and control of campuses, colleges,  
9 faculties, departments, schools, institutes and other teaching and research  
10 units of the University, and the allocation of responsibility for different  
11 branches of learning;

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

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

17 (d) making of recommendations to the Council with respect to the  
18 award to any person of an honorary fellowship or honorary degree or the title  
19 of professor emeritus;

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

22 (f) supervision of the welfare of students in the University and the  
23 regulation of their conduct;

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

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

29 (3) The Senate shall not establish any new campus, college,  
30 faculty, department, school, institute or other teaching and research units of

1 the University, or any hall of residence or similar institution at the University  
2 without the approval of the Council.

3 (4) (a) Subject to this Act and the Statutes, the Senate may make  
4 regulations for the purpose of exercising any function conferred on it either by  
5 the provisions of this section or for the purpose of providing for any matter for  
6 which provision by regulation is authorized or required by this Act or by  
7 Statute;

8 (b) The Senate shall, by regulation, provide that at least one of the  
9 persons appointed as examiners at each final or professional examination held  
10 in conjunction with any course of study in the University is not a teacher at the  
11 University but is a teacher at the branch of learning to which the course relates  
12 in some other university of high repute.

13 (5) Subject to a right of appeal to the Council from a decision of the  
14 Senate under this subsection, the Senate may deprive any person of any degree,  
15 diploma or other award of the University which has been conferred on him if  
16 after due enquiry he is shown to have been guilty of any dishonourable or  
17 scandalous conduct in gaining admission into the University or obtaining that  
18 award.

Functions of the  
Vice-Chancellor

19 9.-(1) The Vice-Chancellor shall, in relation to the University, take  
20 precedence before all other members of the University except the Chancellor  
21 and, subject to section 5 of this Act, the Pro-Chancellor and any other person  
22 for the time being acting as Chairman of the Council.

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

28 PART II - TRANSFER OF PROPERTY

Transfer of  
Property to the  
University

29 10.-(1) All property held by or on behalf of the Provisional Council  
30 shall, by virtue of this subsection and without further assurance, vest in the



1 University and be held by it for the purpose of the University.

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

6 PART III — STATUTES OF THE UNIVERSITY

7 11.-(1) Subject to this Act, the University may make Statutes for Power of the  
University to  
make Statues  
8 any of the following purposes-

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

11 (b) specifying and regulating the powers and duties of any  
12 authority of the University, and regulating any other matter connected with  
13 the University or any of its authorities;

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

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

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

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

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

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

Mode of exercising  
the power to  
make Statutes

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

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

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

7 (b) Council by the votes of not less than two thirds of the members  
8 present and voting.

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

12 (4) A Statute which-

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

15 (b) provides for the establishment of a new campus or college or for  
16 the amendment or revocation of any Statute whereby a campus or college is  
17 established;

18 shall not come into operation unless it has been approved by the Visitor.

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

Proof of Statute

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

Power to decide  
the meaning of  
Statute

28 14.-(1) In the event of any doubt or dispute arising at any time as to the  
29 meaning of any provision of a Statute, the matter may be referred to the Visitor,  
30 who shall take such advice and make such decision thereon as he deems fit.



1 (b) give effect to any instructions consistent with the provisions of  
2 this Act which may be given by the Visitor in consequence of the visitation.

Removal of  
certain Members  
of the Council

3 16.-(1) If it appears to the Council that a member (other than the Pro-  
4 Chancellor or the Vice-Chancellor) should be removed from office on grounds  
5 of misconduct or inability to perform the functions of his office, the Council  
6 shall make a recommendation to that effect through the Minister to the Federal  
7 Executive Council and if the Federal Executive Council, after making such  
8 enquiries (if any) as may be considered necessary, approves the  
9 recommendation it may direct the removal of the member from office.

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

Removal and  
discipline of  
Academic,  
Administrative  
and Professional  
Staff

14 17.-(1) If it appears to the Council that there are reasons for believing  
15 that any person employed as a member of the academic, administrative or  
16 professional staff of the University, other than the Vice-Chancellor, should be  
17 removed from office or on grounds of misconduct or inability to perform the  
18 functions of his office Council shall-

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

20 (b) afford such person an opportunity of making representation in  
21 person on the matter to the Council; and

22 (c) take a decision to terminate or not to terminate the appointment.

23 (2) If the affected staff or any three members of the Council so request  
24 within a period of one month from the date of receipt of the notice of the  
25 Council's decision, the Council shall make arrangements for

26 (a) a joint committee of the Council and the Senate to review the  
27 matter and to report on it to the Council;

28 (b) the person in question to be afforded an opportunity to appear  
29 before and be heard by an investigating committee with respect to the matter;  
30 and if the Council after considering the report of the investigating committee, is

1 satisfied that the person in question should be removed, the Council may so  
2 remove him by an instrument in writing signed on the directions of the  
3 Council.

4 (3) The Vice-Chancellor may, in a case of gross misconduct by a  
5 member of staff which in the opinion of the Vice-Chancellor is prejudicial to  
6 the interest of the University, suspend such member and any such  
7 suspension shall immediately be reported to the Council.

8 (4) Any member of staff may be suspended from duty or his  
9 appointment may be terminated by Council for a good cause and for the  
10 purposes of this subsection "good cause" means-

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

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

17 (c) conduct of a scandalous or disgraceful nature which the  
18 Council considers to be such as to render the person concerned unfit to  
19 continue to hold office; or

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

23 (5) Any person suspended pursuant to subsection (3) of this section  
24 shall be on half pay and the Council shall before the expiration of a period of  
25 three months from the date of such suspension consider the case against that  
26 person and come to a decision as to whether to—

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

29 (b) reinstate such person in which case the Council shall restore his  
30 full emoluments with effect from the date of suspension;

1 (c) terminate the appointment of the person concerned in which case  
2 such a person will not be entitled to the proportion of his emoluments withheld  
3 during the period of suspension; or

4 (d) take such lesser disciplinary action against such person (including  
5 the restoration of such proportion of his emoluments that might have been  
6 withheld) as the Council may determine.

7 (6) Where the Council, pursuant to this section, decides to continue a  
8 person's suspension or decides to take further disciplinary action against the  
9 person, the Council shall, before the expiration of three months from such  
10 decision come to a final determination in respect of the case concerning such a  
11 person.

12 (7) It shall be the duty of the person by whom an instrument of  
13 removal is signed in pursuance of subsection (1) above to use his best  
14 endeavours to cause a copy of the instrument to be served as soon as reasonably  
15 practicable on the person to whom it relates.

16 (8) Nothing in the foregoing provisions of this section shall prevent  
17 the Council from making regulations for the discipline of staff and workers of  
18 the University as may be appropriate.

Removal of  
Examiners

19 18.-(1) If, on the recommendation of the Vice-Chancellor, it appears  
20 to the Senate that a person appointed as an examiner for any examination of the  
21 University ought to be removed from his office or appointment, then, the  
22 Senate may, after affording the examiner an opportunity of making  
23 representations in person on the matter, direct the Vice-Chancellor to remove  
24 the examiner by an instrument in writing signed by the Registrar.

25 (2) Subject to the provisions of any regulation made pursuant to  
26 section 8 (4) of this Act, the Vice-Chancellor may, on the recommendation of  
27 Senate, appoint an appropriate person as examiner in the place of the examiner  
28 removed.

29 (3) It shall be the duty of the Registrar on signing an instrument of  
30 removal pursuant to this section, to use his best endeavours to cause a copy of

1 the instrument to be served as soon as reasonably practicable on the person  
2 to whom it relates.

3 19.-(1) Subject to the provisions of this section, where it appears to  
4 the Vice-Chancellor that any student is guilty of misconduct, the Vice-  
5 Chancellor may, without prejudice to any other disciplinary powers  
6 conferred on him by Statute or regulations, direct that the—

Discipline of  
Students

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

10 (b) activities of the student shall, during such period as may be  
11 specified in the direction, be restricted in such manner as may be so  
12 specified;

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

15 (2) Where a direction is given under subsection (1) paragraphs (c)  
16 or (d) of this section in respect of any student, the student may, within the  
17 prescribed period and in the prescribed manner, appeal against the direction  
18 to the Senate.

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

23 (4) The fact that an appeal from a direction is brought pursuant to  
24 subsection (2) of this section shall not affect the operation of the direction  
25 while the appeal is pending.

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

29 (6) Nothing in this section shall be construed as preventing the  
30 restriction or termination of a student's activities at the University for

1 conduct which in the opinion of Senate is prejudicial to the interest of the  
2 University or to its corporate objective or image.

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

5 PART V - MISCELLANEOUS AND GENERAL PROVISIONS

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

6 20.-(1) No person shall be required to satisfy requirements as to any of  
7 the following matters, that is to say, race (including ethnic grouping) sex, place  
8 of birth, family origin, religious or political persuasion, as a condition for  
9 becoming or continuing to be a-

10 (a) student in the University;

11 (b) holder of any degree, appointment or employment in the  
12 University; or

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

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

17 (3) Nothing in subsection (1) of this section shall be construed as  
18 preventing the University from imposing any disability or restriction on any of  
19 the persons specified in subsection (1) of this section where such persons  
20 wilfully refuse or fail on grounds of religious belief to undertake any duty  
21 generally and uniformly imposed on all such persons or any group of them  
22 which duty, having regard to its nature and the special circumstances, is in the  
23 opinion of the University reasonably justifiable in the national interest.

Transfer of land  
to the University

24 21.-(1) For the purpose of the Land Use Act (which provides for the  
25 compulsory acquisition of land for public purposes) any purpose of the  
26 University shall be the same as that of the Federation.

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



1           22. 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 Visitor:

Restriction on  
disposal of land  
by University

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

9           23. Except as may be otherwise provided by Statute or by  
10 Regulation, the quorum and procedure of any body of persons established  
11 by this Act shall be such as may be determined by that body.

Quorum and  
procedure of  
bodies established  
by this Act

12           24.-(1) Any body of persons established by this Act shall, without  
13 prejudice to the generality of the powers of that body, have power to appoint  
14 committees, which need not consist exclusively of members of that body  
15 and authorize a committee established by it to—

Appointment of  
Committees, etc.

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

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

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

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

29           (4) The Pro-Chancellor and the Vice-Chancellor shall be members  
30 of every committee of which the members are wholly or partly appointed by

1 the Council, (other than a committee appointed to inquire into the conduct of  
2 the officer in question) and the Vice-Chancellor shall be a member of every  
3 committee of which the members are wholly or partly appointed by the Senate.

4 (5) Nothing in the foregoing provisions of this section shall be  
5 construed as enabling-

6 (a) statutes to be made otherwise than in accordance with section 11 of  
7 this Act; or

8 (b) the Senate to empower any other body to make Regulations or to  
9 award degrees or other qualifications.

Miscellaneous  
Administrative  
provisions

10 25.-(1) The seal of the University shall be such as may be determined  
11 by the Council and approved by the Chancellor and the affixing of the seal  
12 shall-

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

15 (b) in the case of any other document, be authenticated by any  
16 member of Council, the Vice-Chancellor and the Registrar or any other person  
17 authorized by Statute.

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

21 (3) Any contract or instrument which, if made or executed by a person  
22 not being a body corporate, would not be required to be under seal, may be  
23 made or executed on behalf of the University by any person generally or  
24 specially authorized to do so by the Council without seal.

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

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

30 (6) Nothing in section 12 of the Interpretation Act (which provides for

1 the application, in relation to subordinate legislation, of certain incidental  
2 provisions) shall apply to Statutes or Regulations made pursuant to this Act.

3 (7) The power conferred by this Act on any body to make Statute or  
4 Regulations shall include power to revoke or vary any-

5 (a) Statute (including the Statute contained in the Third Schedule to  
6 this Act; or

7 (b) regulation by a subsequent Statute or Regulation as the case  
8 may be;

9 PROVIDED that the Statutes and Regulations may have  
10 different provisions in relation to different circumstances.

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

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

17 26.-(1) In this Act-

Interpretation

18 "appropriate authority" means any person, body or authority authorized by  
19 law to act in a specific or general capacity in relation to a subject-matter;

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

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

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

24 "gross misconduct" means any act of misconduct and improper behaviour  
25 that may be designated as gross misconduct by any Statute or Regulation  
26 made, pursuant to this Act;

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

28 "misconduct" means any conduct which is prejudicial to the good name of  
29 the University and or discipline and the proper administration of the  
30 business of the University;

- 1 "notice" means notice in writing;
- 2 "officer" does not include the Visitor;
- 3 "prescribed" means prescribed by Statute or Regulation made under this Act;
- 4 "professor" means a person designated as a professor of the University in  
5 accordance with provisions made in that behalf by Statute or by Regulations;
- 6 "property" includes rights, liabilities and obligations;
- 7 "the provisional Council" means the provisional Council appointed for the  
8 University by the President with effect from September 2011;
- 9 "regulations" means regulations made by the Senate or Council;
- 10 "Senate" means the Senate of the University established by the Act;
- 11 "Statute" means a Statute made by the University under section 11 of this Act  
12 and in accordance with the provisions of section 12 of this Act;
- 13 "the Statutes" means all such Statutes as are in force from time to time;
- 14 "teacher" means a person holding a full time appointment as a member of the  
15 teaching or research staff of the University;
- 16 "Government" means the Federal Government of Nigeria;
- 17 "President" means the President of the Federal Republic of Nigeria;
- 18 "Constitution" means the Constitution of the Federal Republic of Nigeria;
- 19 "undergraduate" means a person in statu pupilari in the University, other than-
- 20 (a) a graduate; and
- 21 (b) a person of such description as may be prescribed for the purposes  
22 of this definition.
- 23 "the University" the Federal University, Gashua as incorporated and  
24 constituted by this Act; and
- 25 "the Act" means the Federal University, Gashua Act.
- 26 (2) Where in any provision of this Act, it is laid down that proposals  
27 are to be submitted or a recommendation is to be made by one authority to  
28 another through one or more intermediate authorities, it shall be the duty of  
29 every such intermediate authority to forward any proposals or  
30 recommendations received by it pursuant to that provision to the appropriate

1 authority; but any such intermediate authority may, if it thinks fit, forward  
2 therewith its own comments thereon.

3 27. This Act may be cited as the Federal University, Gashua Short Title  
4 (Establishment, etc.) Bill, 2017.

#### 5 SCHEDULES

#### 6 FIRST SCHEDULE

#### 7 Section 3 (2)

#### 8 *Principal Officers of the University*

#### 9 *The Chancellor*

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

#### 12 *The Pro-Chancellor*

13 2.-(1) The Pro-Chancellor shall be appointed or removed from  
14 office by the President.

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

#### 17 *The Vice-Chancellor*

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

#### 21 *Deputy Vice-Chancellor*

22 4.-(1) There shall be for the University, two Deputy Vice-  
23 Chancellors or such number of Deputy Vice Chancellors as the Council may,  
24 from time to time, deem necessary for the proper administration of the  
25 University.

26 (2) The procedure for the appointment and removal of the Deputy  
27 Vice Chancellor shall be in accordance with the provisions of the  
28 Universities {Miscellaneous Provisions} Act 1993 as amended.

29 (3) A Deputy Vice-Chancellor shall-

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

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

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

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

7 5.-(1) There shall be for the University, a Registrar, who shall be the  
8 Chief Administrative Officer of the University and shall be responsible to the  
9 Vice-Chancellor for the day-to-day administration of the University except as  
10 regards matters for which the Bursar is responsible in accordance with  
11 paragraph 6 (2) below.

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

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

17 6.-(1) There shall be for the University, the following Principal  
18 Officers in addition to the Registrar, that is-

19 (a) the Bursar; and

20 (b) the University Librarian.

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

24 (3) The University Librarian shall be responsible to the Vice-  
25 Chancellor for the administration of the University Library and the co-  
26 ordination of all library services in the University and its campuses, colleges,  
27 faculties, schools, departments and institutes and other teaching or research  
28 units.

29 (4) The Bursar and the University Librarian-

30 (a) shall each hold office for such period and on such terms and

1 conditions as to emoluments as may be specified in his letter of  
2 appointment.

3 *Other Officers of the University*

4 7. There shall be for the University, a Director of Works, who shall  
5 be responsible to the Vice Chancellor for the administration of the Works  
6 Department. He shall be responsible for all works, services and maintenance  
7 of University facilities.

8 8. There shall be for the University, a Director of Health Services,  
9 who shall be responsible to the Vice Chancellor for the administration of the  
10 Health Centre. He shall be the Chief Medical Officer of the University and  
11 shall coordinate all matters relating to the health of all staff and students.

12 *Resignation and re-appointment*

13 9.-(1) Any officer mentioned in the foregoing provisions of this  
14 schedule may resign his office in-

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

17 (b) the case of the Vice-Chancellor by notice to the Council which  
18 shall immediately notify the Minister; and

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

22 *SECOND SCHEDULE*

23 *Section 10 (2)*

24 *TRANSITIONAL PROVISIONS AS TO PROPERTY, FUNCTIONS, ETC.*

25 *Transfer of Property to the University*

26 1. Without prejudice to the generality of Section 10 (1) of this Act-

27 (a) the reference in the subsection to property held by the  
28 provisional Council and the University shall include a reference to the right  
29 to receive and give a good discharge for any grants or contributions which  
30 may have been voted or promised to the provisional Council and the

1 University; and

2 (b) all outstanding debts and liabilities of the provisional Council  
3 shall become debts and liabilities of the University established by this Act.

4 2.-(1) All agreements, contracts, deeds and other instruments to  
5 which the provisional Council was a party shall, so far as possible and subject  
6 to any necessary modifications, have effect as if the University established by  
7 this Act had been a party to it in place of the provisional Council.

8 (2) Documents not falling within sub-paragraph (1) above, including  
9 enactments, which refer whether specially or generally to the provisional  
10 Council shall be construed in accordance with that subparagraph so far as  
11 applicable.

12 • (3) Any legal proceedings or application to any authority pending by  
13 or against the provisional Council may be continued by or against the  
14 University established by this Act.

15 *Registration of Transfers*

16 3.-(1) If the law in force at the place where any property transferred by  
17 this Act is situated provides for the registration of transfers of property of the  
18 kind in question (whether by reference to an instrument of transfer or  
19 otherwise), the law shall, so far as it provides for alterations of a register (but  
20 not for avoidance of transfers, the payment of fees of any other matter) apply,  
21 with the necessary modifications to the transfer of the property in question.

22 (2) It shall be the duty of the body to which any property is transferred  
23 by this Act to furnish the necessary particulars of the transfer to the proper  
24 officer of the registration authority, and of that officer to register the transfer  
25 accordingly.

26 4.-(1) The first meeting of the Council shall be convened by the Pro-  
27 Chancellor on such date and in such manner as he may determine.

28 (2) The persons who were members of the provisional Council shall  
29 be deemed to constitute the Council until the date when the Council set up  
30 under the Third Schedule to this Act must have been duly constituted.



1 (3) The first meetings of the Senate as constituted by this Act shall  
2 be convened by the Vice-Chancellor on such date and in such manner as he  
3 may determine.

4 (4) The persons who were members of the Senate immediately  
5 before the coming into force of this Act shall be deemed to constitute the  
6 Senate of the University until the date when the Senate as set up under the  
7 Third Schedule of this Act must have been duly constituted.

8 (5) Subject to any regulations which may be made by the Senate  
9 after the date on which this Act is made, the faculties, faculty boards and  
10 students of the University immediately before the coming into force of this  
11 Act shall on that day become faculties, faculty boards and students of the  
12 University as established by this Act.

13 (6) Persons who were deans or associate deans of faculties or  
14 members of faculty boards shall continue to be deans or associate deans or  
15 become members of the corresponding faculty boards, until new  
16 appointment are made in pursuance of the Statutes under this Act.

17 5. Any person who was a member of the staff of the University as  
18 established or was otherwise employed by the provisional Council shall be  
19 employed at the University on such designation, status and functions which  
20 correspond as nearly as possible to those which pertained to him as a  
21 member of that staff or as such an employee.

22 6. Questions as to the scope of the responsibilities of the aforesaid  
23 officers shall be determined by the Vice-Chancellor.

24 THIRD SCHEDULE

25 *Section 11 (3)*

26 Federal University, Gashua Statute No. 1

27 *Articles:*

- 28 1. The Council.  
29 2. Finance and General Purpose Committee  
30 3. The Senate.



1 particular matter, it may co-opt not more than two persons for that purpose;  
2 and the persons co-opted may take part in the deliberations of the Council at  
3 any meeting but shall not be entitled to vote.

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

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

13 *The Finance and General Purpose Committee*

14 2.-(1) The Finance and General Purpose Committee of the Council  
15 shall consist of-

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

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

19 (c) six other members of the Council appointed by the Council two  
20 of whom shall be selected from among the four members of the Council  
21 appointed by the Senate and one of whom shall be selected from among  
22 members of the Council appointed by the congregation; and

23 (d) the Permanent Secretary, Federal Ministry of Education or, in  
24 his absence, such member of his Ministry as he may designate to represent  
25 him.

26 (2) The quorum of the Committee shall be six.

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

29 *The Senate*

30 3.—(1) There shall be a Senate for the University consisting of:

- 1 (a) the Vice-Chancellor;
- 2 (b) the Deputy Vice-Chancellor;
- 3 (c) all Professors of the University;
- 4 (d) all Deans, Provosts and Directors of Academic units of the
- 5 University;
- 6 (e) all Heads of Academic Departments, Units and Research Institutes
- 7 of the University;
- 8 (f) the University Librarian; and
- 9 (g) academic members of the congregation who are not Professors as
- 10 specified in the Laws of the University.

11 (2) The Vice-Chancellor shall be the chairman at all meetings of the

12 Senate when he is present and in his absence, one of the Deputy Vice-

13 Chancellors appointed by him shall be the chairman at the meeting.

14 (3) The quorum of the Senate shall be one-quarter (or the nearest

15 whole number less than one quarter), and subject to paragraph (2) above the

16 Senate may regulate its own procedure.

17 (4) If so requested in writing by any ten members of the Senate, the

18 Vice-Chancellor, or in his absence a person duly appointed by him, shall

19 convene a meeting of the Senate to be held not later than the tenth day

20 following that on which the request was received.

21 *Congregation*

22 4.—(1) Congregation shall consist of-

- 23 (a) the Vice-Chancellor and the Deputy Vice-Chancellor;
- 24 (b) the full time members of the academic staff;
- 25 (c) the Registrar;
- 26 (d) the Bursar; and
- 27 (e) every member of the administrative and technical staff who holds
- 28 a degree of any University recognized for the purpose of this Statute by the
- 29 Vice-Chancellor, not being an honorary degree.

30 (2) Subject to section 5 of this Act, the Vice-Chancellor shall be the

1 Chairman at all meetings of congregation when he is present, and in his  
2 absence one of the Deputy Vice Chancellors appointed by him shall be the  
3 chairman at the meeting.

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

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

8 (a) the total number of members of Congregation for the purposes  
9 of any particular meeting or meetings of Congregation; or

10 (b) the names of the persons who are members of Congregation  
11 during a particular period;  
12 shall be conclusive evidence of that number or as the case may be of the  
13 names of those persons.

14 (5) Subject to the provisions of this schedule, congregation may  
15 regulate its own procedure.

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

21 *Convocation*

22 5.-(1) Convocation shall consist of-

23 (a) the Officers of the University mentioned in Schedule 1 to this  
24 Act;

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

26 (c) all other persons whose names are registered in accordance with  
27 paragraph (2) below.

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

30 (a) is either a graduate of the University or a person satisfying such

1 requirements as may be prescribed for the purposes of this paragraph; and

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

4 (3) Regulations shall provide for the establishment and maintenance  
5 of a register for the purpose of this paragraph and, subject to paragraph (3)  
6 below, may provide for the payment from time to time of further fees by  
7 persons whose names are on the register and for the removal from the register  
8 of the name of any person who fails to pay those fees.

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

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

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

23 (7) The quorum of convocation shall be fifty or one-third (or the  
24 whole number nearest to one-third) of the total number of members of  
25 convocation whichever is less.

26 (8) Subject to section 5 of this Act, the Chancellor shall be chairman at  
27 all meetings of convocation when he is present, and in his absence the Vice  
28 Chancellor shall be the chairman at the meeting.

29 (9) Convocation shall have such functions, in addition to the function

1 of appointing a member of the Council, as may be provided by statute.

2 *Organisation of Faculties and Branches thereof*

3 6. Each Faculty shall be divided into such number of branches as  
4 may be prescribed.

5 7.-(1) There shall Be established in respect of each Faculty, a  
6 Faculty Board, which, subject to the provisions of this Act, and subject to the  
7 directions of the Vice-Chancellor, shall-

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

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

12 (c) advice the Vice-Chancellor or Senate on any matter referred to  
13 it by the Vice-Chancellor or Senate.

14 (2) Each Faculty Board shall consists of-

15 (a) the Vice-Chancellor;

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

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

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

21 (3) The quorum of the Board shall be eight members or one-quarter  
22 of the members of the Board for the time being whichever is greater.

23 (4) Subject to the provisions of this statute and to any provision  
24 made by regulations in that behalf, the Board may regulate it own procedure.

25 *The Dean of the Faculty*

26 8.-(1) The Dean of a faculty shall be a professor elected by the  
27 Faculty Board and such Dean shall hold office for a term of two years. He  
28 will be eligible for re-election for another term of two years after which he  
29 may not be elected again until two years have elapsed.

30 (2) If there is no professor in a faculty, the Vice-Chancellor shall

1 appoint an Acting Dean who shall not be below the rank of Senior Lecturer for  
2 the faculty, who will act for a period of one year in the first instance, renewable  
3 for another one year only.

4 (3) In the absence of the Vice-Chancellor, the Dean shall be the  
5 chairman at all meetings of the Faculty Board when he is present and he shall be  
6 a member of all committees and other boards appointed by the faculty.

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

13 (5) There shall be a committee to be known as the Committee of  
14 Deans which shall consist of all the Deans of the several faculties and that  
15 committee shall advise the Vice-Chancellor on all academic matters and on  
16 particular matters referred to the Committee by the Senate.

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

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

24 *Selection of Certain Principal and other key Officers*

25 9.-(1) When a vacancy occurs in the Office of the Registrar, Bursar,  
26 the University Librarian, Director of Works or Director of Health Services, a  
27 Selection Board shall be constituted by the Council and shall consist of-

28 (i) the Pro-Chancellor;

29 (ii) the Vice-chancellor;

30 (iii) two members appointed by the Council, not being members of



1 Senate; and

2 (iv) two members appointed by the Senate not being members of  
3 Council.

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

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

11 *Creation of Academic Post*

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

15 *Appointment of Academic Staff*

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

19 *Appointment of Administrative and Technical Staff*

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

25 (2) In the case of administrative or technical staff that has close and  
26 important contacts with the academic staff, there shall be Senate

- 1 participation in the process of selection.

EXPLANATORY MEMORANDUM

*(This memo does not form part of this Bill)*

This Bill seeks to establish the Federal University, Gashua to ensure equity and access to tertiary education in the country. The University is a conventional university with restricted programmes and limited and focused faculties.



