

FEDERAL UNIVERSITY OF TECHNOLOGY OKIJA, ANAMBRA STATE
(ESTABLISHMENT) BILL, 2020
ARRANGEMENT OF CLAUSES

Clauses:

PART I - ESTABLISHMENT, COMPOSITION AND FUNCTIONS OF THE
FEDERAL UNIVERSITY OF TECHNOLOGY OKIJA, ANAMBRA STATE

1. Establishment and objectives of Federal University of Technology Okija, Anambra State
2. Composition of the University.
3. Powers of the University
4. Functions of Chancellor and Pro-Chancellor
5. Composition, tenure and powers of the Council
6. Functions of the Council and its Finance and General Purpose Committee
7. Functions of the Senate of the University
8. Functions of the Vice-Chancellor

PART II - GENERAL FUND, TRANSFER OF PROPERTY, TO THE
UNIVERSITY AND CONDITIONS OF SERVICE OF EMPLOYEES

9. General Fund of the University
10. Transfer of property

PART III - STATUTES OF THE UNIVERSITY

11. Power of the University to make Statutes
12. Mode of Exercising Power to make Statutes
13. Proof of Statute

PART V - MISCELLANEOUS AND GENERAL PROVISIONS

14. The Visitor
15. Removal of certain members of Council
16. Removal and discipline of academic, administrative and professional staff
17. Removal of examiners

18. Participation and discipline of students

PART IV - SUPERVISION AND DISCIPLINE

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

20. Restriction on disposal of Land by University

21. Quorum and procedure of bodies established by this Act

22. Appointment of committee

23. Retiring age of academic staff

24. Special provisions relating to pension of professors

25. Miscellaneous administrative provisions

26. Restriction of suits and execution

27. Interpretation

28. Citation

Schedules

A BILL

FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE FEDERAL UNIVERSITY OF TECHNOLOGY OKIJA, ANAMBRA STATE FOR THE PROMOTION AND DEVELOPMENT OF TECHNICAL EDUCATION IN NIGERIA AND MAKE COMPREHENSIVE PROVISIONS FOR DUE MANAGEMENT AND ADMINISTRATION; AND FOR RELATED MATTERS

Sponsored by Hon. Momah Ifeanyi Chudy

[] Commencement

ENACTED by the National Assembly of the Federal Republic of

Nigeria:

1 PART I - ESTABLISHMENT, COMPOSITION AND FUNCTIONS OF THE
2 FEDERAL UNIVERSITY OF TECHNOLOGY OKIJA, ANAMBRA STATE

3 1.-(1) There is established the Federal University of Technology
4 Okija, Anambra State (in this Bill referred to as "the University").

Establishment and objectives of Federal University of Technology Okija, Anambra State

5 (2) The University:

6 (a) is a body corporate with perpetual succession, and a common
7 seal; and

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

9 (3) The University is a training institution for the development of
10 Technical education in the country.

11 (4) The University shall be supervised by the Federal Ministry of
12 Education through the National Universities Commission (NUC) who is
13 responsible for approving and regulating all academic programmes run in
14 the University, to ensure quality compliance and provide funds for academic
15 and research programmes, infrastructures and remunerations of employees.

16 (5) The objectives of the University are to:

17 (a) encourage the advancement of learning and to hold out to all
18 persons without distinction of race, creed, sex or political conviction;

1 (b) develop and offer academic and professional programmes leading
2 to the award of certificates, first degrees, post-graduate, diploma and higher
3 degrees with emphasis on planning, developmental and adaptive skills in
4 education, technology, applied science, agriculture, commerce, arts, social
5 science, humanities, management and allied professional disciplines;

6 (c) produce socially mature experts in education with capabilities not
7 to only understand educational need of Nigeria as a nation, but also to exploit
8 existing educational infrastructure and improve on it to develop new ones;

9 (d) act as agents and catalysts for effective educational system,
10 through post graduate training , research and innovation, for effective
11 economic utilisation and conservation of the country's human resources;

12 (e) bring quality change in education by focusing on Technical
13 education through teaching and learning innovations;

14 (f) collaborate with other national and international institutions
15 involved in training, research and development of education with a view to
16 promoting governance, leadership and management skills among educational
17 managers;

18 (g) identify educational needs of the society with a view to finding
19 solutions to them within the context of overall national development;

20 (h) provide and promote sound basic education training as a
21 foundation for the development of Nigeria, taking into account indigenous
22 culture and the need to enhance national unity;

23 (i) provide higher education and foster a systematic advancement of
24 the science and art of Technical education;

25 (j) provide for instruction in such branches of Technical education as
26 it may deem necessary to make provision for research advancement and
27 dissemination of knowledge in such manner as it may determine;

28 (k) provide Technicals with operational competence for teaching in
29 pre-tertiary institutions, basic, senior secondary schools and non-formal
30 educational institutions; and

1 (l) undertake any other activity that is appropriate for a university
2 of education of the highest standard.

3 2.- (1) The University shall consist of:

Composition of
the University

4 (a) a Chancellor;

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

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

7 (d) a Congregation;

8 (e) a Convocation;

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

10 (g) the colleges, institutes and other teaching and research units of
11 the University;

12 (h) the persons holding the offices constituted by the First Schedule
13 to this Act other than those mentioned in paragraphs (a) - (c);

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

15 (j) all other persons who are members of the University in
16 accordance with provisions made by Statute in that behalf.

17 (2) The First Schedule to this Act shall have effect with respect to
18 the principal officers of the University.

First Schedule

19 (3) Subject to section 5, provisions shall be made by Statute with
20 respect to the constitution of the Council, the Senate, Congregation and
21 Convocation.

22 3.- (1) For the attainment of its objectives as specified in section 1
23 (5), the University has powers to:

Powers of the
University

24 (a) offer courses of instruction, training and research in education
25 and allied areas for the production of quality and skilled Technicals required
26 to teach at lower, middle and higher levels of education in Nigeria in
27 particular and the world at large;

28 (b) establish such colleges, campuses, institutes, schools,
29 departments and other teaching and research units within the University as
30 may be deemed necessary or desirable subject to the approval of National

1 Universities Commission;

2 (c) institute professorships, readerships, associate professorships,
3 lectureships, and other posts and offices and to make appointments to those
4 post and offices;

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

8 (e) provide for the discipline and welfare of members of the
9 University;

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

14 (g) grant honorary degrees, fellowships or academic titles;

15 (h) demand and receive from any student or any other person
16 attending the University for the purposes of instruction, such fees as the
17 University may determine subject to the overall directives of the Minister;

18 (i) subject to section 20, acquire, hold, grant, charge or otherwise deal
19 with or dispose of movable and immovable property wherever it is situate;

20 (j) accept gifts, legacies and donations, but without obligation to
21 accept the same for a particular purpose unless it approves the terms and
22 conditions attached;

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

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

29 (m) hold public lectures and to undertake printing, publishing and
30 book selling;

1 (n) subject to any limitation or condition imposed by the Statute, to
2 invest money appertaining to the University by way of endowment, not
3 being immediately required for current expenditure in any investment or
4 security or in the purchase or improvement of land, with power, from time to
5 time, to vary such investments and deposit any money for the time being not
6 invested with any bank in a deposit or current account;

7 (o) borrow, whether on interest or not and if need be upon the
8 security of any or all of the property, movable or immovable, of the
9 University, such money as the Council may find necessary or expedient to
10 borrow or to guarantee any loan, advances or credit facilities;

11 (p) make gifts for any charitable purpose;

12 (q) do anything which it is authorised or required by this Act or any
13 Statute to do; and

14 (r) do all such acts or things, whether or not incidental to these
15 powers, as may advance the objects of the University.

16 (2) Subject to the provisions of this Act and of the Statutes and
17 without prejudice to section 7 (2), the powers conferred on the University
18 under subsection (1) is exercisable on behalf of the University by the
19 Council, Senate or in any other manner which may be authorised by the
20 Statute.

21 (3) The power of the University to establish additional campuses
22 and colleges within the University shall be exercised in accordance with the
23 Statute.

24 4.-(1) The Chancellor shall, in relation to the University, take
25 precedence before all other members of the University and, when he is
26 present, shall preside at all meetings of Convocation held for conferring
27 degrees.

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

Functions of
Chancellor and
Pro-Chancellor

Establishment,
Composition,
tenure and
powers of the
Council

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

3 **5.-(1)** There is established for the university a Governing Council (in
4 this Act referred to as "the Council").

5 (2) The Council shall consist of

6 (a) the Pro-Chancellor who is appointed by the President on the
7 recommendation of the Minister;

8 (b) the Vice-Chancellor;

9 (c) the Deputy Vice-Chancellors;

10 (d) one person from the Federal Ministry responsible for education;

11 (e) four persons representing a variety of interests and broadly
12 representative of the whole Federation to be appointed from:

13 (i) the Technical's Registration Council,

14 (ii) Tertiary Education Trust Fund, and

15 (iii) two other persons, one of whom shall be a representative of the
16 University host community;

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

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

19 (h) one person appointed by Convocation from among its members;

20 and

21 (i) two persons representing the community appointed by the
22 President.

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

25 (3) The Council shall have a tenure of four years from the date of its
26 inauguration but where the Council is found to be incompetent and corrupt, it
27 shall be dissolved by the Visitor and a new Council shall be immediately
28 constituted for the effective functioning of the University.

29 (4) The powers of the Council shall be exercised, as specified in this
30 Act and, to that extent, establishment circulars that are inconsistent with this

1 Act shall not apply to the University.

2 (5) The Council shall be free in the performance of its functions
3 and discharge of its responsibilities for the good management, growth and
4 development of the University.

5 (6) The Council, in the performance of its functions, shall ensure
6 that disbursement of funds of the University complies with the approved
7 budgetary ratio for:

8 (a) personnel cost;

9 (b) overhead cost;

10 (c) research and development;

11 (d) library developments; and

12 (e) the balance in expenditure between academic and non-
13 academic activities.

14 6.-(1) Subject to the provisions of this Act relating to the Visitor,
15 the Council is:

16 (a) the governing body of the University; and

17 (b) responsible for the general control and superintendence of the
18 policy, finances and property of the University.

19 (2) There shall be the Finance and General Purposes Committee
20 which shall, subject to the directions of the Council:

21 (a) exercise control over the property and expenditure of the
22 University; and

23 (b) perform such other functions of the Council as the Council may
24 delegate to it.

25 (3) Provisions shall be made by the Statute with respect to the
26 constitution of the Finance and General Purposes Committee.

27 (4) The Council shall ensure that proper accounts of the University
28 are kept and that the accounts of the University are audited annually by an
29 independent firm of auditors approved by the Council and that an annual
30 report is published by the University together with certified copies of the

Functions of the
Council and its
Finance and
General Purpose
Committee

1 said accounts as audited.

2 (5) Subject to this Act and the Statute, the Council and Finance and
3 General Purposes Committee may each make rules for the purpose of
4 performing their respective functions or of regulating their own procedure.

5 (6) Rules made under subsection (5) by the Finance and General
6 Purposes Committee shall not come into effect unless they are approved by the
7 Council, and where the rules made by that Committee conflict with any
8 direction given by the Council, whether before or after the coming into effect of
9 the rules in question, the directions of the Council prevails.

10 (7) There shall be paid to the members respectively of the Council,
11 Finance and General Purposes Committee and any other committee set up by
12 the Council allowances in respect of travelling and other reasonable expenses
13 at such rates as may be fixed by the Minister.

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

17 (9) If requested in writing by five members of the Council, the
18 Chairman shall, within 28 days after the receipt of such request, call a meeting
19 of the Council.

20 (10) Any request made under subsection (9) shall specify the business
21 to be considered at the meeting, and no business which is not so specified shall
22 be transacted at that meeting.

23 7.-(1) Subject to subsections (3) and (4) and the provisions of this Act
24 relating to the Visitor, it shall be the general function of the Senate to organise
25 and control the teaching by the University, the admission of student where no
26 other enactment provides to the contrary, and the discipline of students, and
27 promote research at the University.

28 (2) Without prejudice to the generality of subsection (1), it shall in
29 particular be the function of the Senate to make provision for:

30 (a) the establishment, organisation and control of campuses, colleges,

1 schools, institutes and other teaching and research units of the University;
2 and the allocation of responsibility for different branches of learning;

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

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

8 (d) the making of recommendations to the Council with respect to
9 the award to any person of an honorary fellowship, honorary degree or the
10 title of professor emeritus;

11 (e) the establishment, organisation and control of halls of residence
12 and similar institutions at the University;

13 (f) the supervision of the welfare of students at the University and
14 the regulation of their conduct;

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

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

19 (3) The Senate shall not establish any new campus, college, school,
20 department, institute or other teaching and research units of the University,
21 any hall of residence or similar institution at the University without the
22 approval of the Council.

23 (4) Subject to this Act and the Statutes, the Senate may make
24 regulations for the purpose of performing any function conferred on it either
25 by this section or for the purpose of making provision for any matter covered
26 by regulations and is authorised or required by this Act or by Statute.

27 (5) Regulations shall provide that at least one of the persons
28 appointed as the examiners at each final or professional examination held in
29 conjunction with any course of study at the University is not a Technical at
30 the University but is a Technical of the branch of learning to which the

1 course relates at some other University of high repute or a person engaged in
2 practicing the profession in a reputable organisation or institution.

3 (6) Subject to right of appeal to the Council from a decision of the
4 Senate under this subsection, the Senate may deprive any person of any degree,
5 diploma or other award of the University which has been conferred upon him if
6 after due enquiry the person is found to have been guilty of dishonourable or
7 scandalous conduct in gaining admission into the University or obtaining that
8 award.

Functions of the
Vice-Chancellor

9 8.-(1) The Vice-Chancellor shall, in relation to the University, take
10 precedence before all other members of the University except the Chancellor,
11 and subject to section 4 except the Pro-Chancellor and any other person for the
12 time being acting as Chairman of the Council.

13 (2) Subject to sections 6, 7 and 14, the Vice-Chancellor shall:

14 (a) have the general function, in addition to any other function
15 conferred on him by this Act of directing the activities of the University; and

16 (b) be the Chief Executive and Accounting Officer of the University
17 and ex-officio Chairman of the Senate.

18 (3) The Vice-Chancellor shall be the Chairman of the University
19 Tenders' Board, which is saddled with the responsibility of approving the
20 conduct of public procurement of goods, works and services within the
21 approved threshold.

22 (4) It is the responsibility of the Vice-Chancellor to establish and
23 appoint members of the Tenders' Board in line with the extant Public
24 Procurement Rules and Regulations.

25 PART II - GENERAL FUND, TRANSFER OF PROPERTY TO THE UNIVERSITY

26 AND CONDITIONS OF SERVICE OF EMPLOYEES

General Fund
of the University

27 9.-(1) There shall be a general fund of the University (in this Act
28 referred to as "the General Fund") which shall consist of:

29 (a) grants-in-aid;

30 (b) fees;

- 1 (c) income derived from investments;
- 2 (d) gifts, legacies, endowments and donations not accepted for a
3 particular purpose;
- 4 (e) income derived from the performance of any functions
5 conferred or imposed on the University by this Act;
- 6 (f) any other amount, charges or dues recoverable by the
7 University;
- 8 (g) revenue accruing to the University by way of subvention;
- 9 (h) interests on investments;
- 10 (i) donations and legacies accruing to the University from any
11 source for the general or special purposes of the University; and
- 12 (j) Tertiary Trust Fund (TETFUND) interventions;

13 (2) The General Fund shall be applied for the purposes of the
14 University.

15 **10.**-(1) All property held by, or on behalf of the Provisional Council
16 of the University shall, by virtue of this subsection, vest in the University
17 and be held by it for the purpose of the University.

Transfer of
property

18 (2) The provisions of the Second Schedule to this Act shall have
19 effect with respect to, and to matters arising from:

Second Schedule

20 (a) the transfer of property by this section; and

21 (b) other matters mentioned in that Schedule.

22 PART III - STATUTES OF THE UNIVERSITY

23 **11.**-(1) Subject to this Act, the University may make Statutes for:

Power of the
University to
make Statutes

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

26 (b) specifying and regulating the powers and duties of any
27 authority of the University, and regulating any other matter connected with
28 the University or any of its authorities;

29 (c) regulating the admission of students where no other enactment
30 provides to the contrary, and their discipline and welfare;

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

4 (e) making provision for any other matter which is authorised or
5 required by this Act.

Cap. 123, LFN,
2004

6 (2) Subject to section 25 (6), the Interpretation Act applies in relation
7 to any Statute made under this section as it applies to a subsidiary instrument
8 within the meaning of section 28 (1).

Third Schedule

9 (3) The Statute contained in the Third Schedule to this Act is deemed
10 to have come into effect on the commencement of this Act and is deemed to
11 have been made under this section by the University.

Third Schedule

12 (4) The power to make Statutes conferred by this section shall not be
13 prejudiced or limited in any way by reason of the inclusion or omission of any
14 matter in or from the Statute contained in the Third Schedule to this Act or any
15 subsequent Statute.

Mode of exercising
power to make
Statutes

16 12.-(1) The power of the University to make Statutes shall be
17 exercised in accordance with the provisions of this section.

18 (2) A proposed Statute shall not become law unless it has been
19 approved at the meeting of the:

20 (a) Senate, by the votes of at least two-thirds of the members present
21 and voting; and

22 (b) Council, by the votes of at least two-thirds of the members present
23 and voting.

24 (3) A proposed Statute may originate either in the Senate or Council,
25 and may be approved as required by subsection (2).

26 (4) A Statute which:

27 (a) makes a provision for or alters the composition or constitution of
28 the Council, the Senate or any other authority of the University, or

29 (b) provides for the establishment of a new campus or college or for
30 the amendment or revocation of any statute,

1 shall not come into effect unless it has been approved by the Visitor.

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

7 (6) In the event of any doubt or dispute arising at any time as to:

8 (a) the meaning of any provision of a Statute, or

9 (b) whether any matter is, for the purposes of this Act, an academic
10 or non-academic matter as it relates to such doubt or dispute,

11 the matter may be referred to the Visitor, who shall take such advice and
12 make such decision as he may think fit.

13 (7) The decision of the Visitor on any matter referred to him under
14 subsection (6) is 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 that subsection, no question as
17 to the meaning of that provision shall be entertained by any court of law in
18 Nigeria.

19 (8) Nothing in subsection (7) affects any power of a court of
20 competent jurisdiction to determine whether any provision of a Statute is
21 wholly or partly void as being ultra vires or as being inconsistent with the
22 Constitution of the Federal Republic of Nigeria. Constitution, 1999

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

27 PART IV - SUPERVISION AND DISCIPLINE

28 14.- (1) The President shall be the Visitor of the University. The Visitor

29 (2) The Visitor shall cause a visitation to the University when
30 necessary, at least every five years, or direct that such a visitation be

1 conducted by such person or persons as the Visitor may deem fit and in respect
2 of any of the affairs of the University.

3 (3) It is the duty of the bodies and persons comprising the University
4 to make available to the Visitor and any other person conducting a visitation
5 under this section, such facilities and assistance as the visitor or that person
6 may reasonably require for the purposes of a visitation.

7 (4) The Visitor shall make the report of such visitations and issue a
8 white paper to that effect and make it available to the Council for
9 implementation.

Removal of
certain members
of Council

10 **15.-(1)** If it appears to the Council that a member of the Council, other
11 than the Pro-Chancellor or the Vice-Chancellor should be removed from office
12 on the ground of misconduct or inability to perform the functions of his office
13 or employment, the Council shall make a recommendation to that effect
14 through the Minister, to the Visitor, and the Visitor, after making such inquiries
15 as he may consider appropriate, if he approves the recommendation, may direct
16 the removal of the person in question from office.

17 (2) The Minister shall cause a copy of the instrument embodying a
18 direction under subsection (1) to be served, as soon as reasonably practicable,
19 on the person to whom it relates.

Removal and
discipline of
academic,
administrative
and professional
staff

20 **16.-(1)** If it appears to the Council that there are reasons for believing
21 that any person employed as a member of the academic, administrative or
22 professional staff of the University, other than the Vice-Chancellor, should be
23 removed from his office or employment on the ground of misconduct or
24 professional inability to perform the functions of his office or employment, the
25 Council shall:

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

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

29 (c) afford the person in question, an opportunity of appearing before
30 and being heard by the investigating committee with respect to the matter.

1 (2) If the Council, after considering the report of the investigating
2 committee, is satisfied that the person in question should be removed, the
3 Council may so remove him by an instrument in writing signed on the
4 directions of the Council.

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

9 (4) For good cause, any member of staff may be suspended from
10 his duties, or his appointment may be terminated by the Council, and for the
11 purposes of this subsection, "good cause" means:

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

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

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

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

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

27 (5) A person suspended under subsection (3) or (4) shall be on half
28 pay and the Council shall, before the expiration of three months after the
29 date of such suspension, consider the case against that person and come to a
30 decision as whether to:

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

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

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

8 (d) take such lesser disciplinary action against such person, including
9 the restoration of such proportion of his emoluments that might have been
10 withheld, as the Council may determine.

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

16 (7) The person by whom an instrument of removal is signed under
17 subsection (1) shall use his best endeavours to cause a copy of the instrument to
18 be served, as soon as reasonably practicable, on the person to whom it relates.

19 (8) Nothing in this section:

20 (a) applies to any directive given by the Visitor in consequence of any
21 visitation; or

22 (b) prevents the Council from making regulations for the discipline of
23 other categories of workers of the University as may be prescribed.

Removal of
examiners

24 17.-(1) If, on the recommendation of the Senate, it appears to the
25 Vice-Chancellor that a person appointed as an examiner for any examination of
26 the University ought to be removed from his office or appointment, then,
27 except in such cases as may be prescribed by the Vice-Chancellor, the Senate
28 may, after affording the examiner an opportunity of making representations in
29 person on the matter to the Vice-Chancellor, remove the examiner from the
30 appointment by an instrument in writing signed by the Vice-Chancellor.

1 (2) Subject to the regulations made under section 7 (5), the Vice-
2 Chancellor may, on the recommendation of the Senate, appoint an
3 appropriate person as examiner in the place of the examiner removed under
4 subsection (1).

5 (3) The Vice-Chancellor on signing an instrument of removal
6 under this section, shall cause a copy of the instrument to be served as soon
7 as reasonably practicable on the person to whom it is related.

8 18.-(1) The Students shall:

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

11 (b) participate in various aspects of curriculum development;

12 (c) participate in the process of assessing academic staff in respect
13 of teaching; and

14 (d) be encouraged to be more self-assured as part of the national
15 development process.

16 (2) Subject to the provisions of this section, where it appears to the
17 Vice-Chancellor that any student of the University has been guilty of
18 misconduct, the Vice-Chancellor may, without prejudice to any other
19 disciplinary power conferred on him by Statute or regulations, direct that
20 the:

21 (a) student shall not, during such period as may be specified in the
22 directions, participate in such activities of the University or make use of
23 such facilities of the University, as may be so specified;

24 (b) activities of the student shall, during such period as may be
25 specified in the direction, be restricted in such manner as may be so
26 specified;

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

29 (d) student be expelled from the University.

30 (3) Where a direction is given under subsection (1) (c) or (d) in

Participation
and discipline
of students

1 respect of any student, that student may, within the prescribed period and in the
2 prescribed manner, appeal to the Council, and where such an appeal is brought,
3 the Council shall, after causing such inquiry to be made in the matter as the
4 Council considers just, either confirm, set aside or modify the direction in such
5 manner as the Council deems fit.

6 (4) An appeal brought under subsection (3) does not affect the
7 operation of the direction while the appeal is pending.

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

11 (6) Nothing in this section is construed as preventing the restriction or
12 termination of students' activities at the University than on the ground of
13 misconduct.

14 (7) A direction under subsection (2) (a) may be combined with a
15 direction under subsection (2) (b).

16 PART V - MISCELLANEOUS AND GENERAL PROVISIONS

17 19.-(1) No person shall be required to satisfy requirements as to race
18 (including ethnic grouping), sex, place of birth or of family origin, or religious
19 or political persuasion, as a condition of becoming or continuing to be:

20 (a) a student at the university;

21 (b) the holder of any degree of the University, appointment or
22 employment at the University; or

23 (c) a member of any body established under this Act.

24 (2) No person shall be subject to any disadvantage or accorded any
25 advantage in relation to the University, by reference to any of the matters in
26 subsection (1).

27 (3) Nothing in subsection (1) is construed as preventing the
28 University from imposing any disability or restriction on any of the persons
29 mentioned in that subsection where such person willfully refuses or fails, on
30 grounds of religious belief, to undertake any duty generally and uniformly

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

1 imposed on such persons or any group of them which duty, having regard to
2 its nature and the special circumstances pertaining thereto, is in the opinion
3 of the University, reasonably justifiable in the national interest.

4 **20.** Without prejudice to the provisions of the Land Use Act, the
5 University shall not dispose of or charge any land or an interest in any land
6 (including any land transferred to the University by this Act) except with the
7 prior written consent, either general or special, of the Governor:

Restriction on
disposal of Land
by University

8 Provided that such consent shall not be required in the case of any
9 lease or tenancy at a rack-rent for a term not exceeding 21 years or any lease
10 or tenancy to a member of the University for residential purpose.

Cap. L5, LFN,
2004

11 **21.** Except as may be otherwise provided by Statute or regulations,
12 the quorum and procedure of any body of persons established under this Act
13 shall be as determined by that body.

Quorum and
procedure of
bodies established
under this Act

14 **22.**-(1) Any body of persons established under this Act shall,
15 without prejudice to the generality of the powers of that body, have power to
16 set up committees, which need not consist exclusively of members of that
17 body, and to authorise a committee set up by it to:

Appointment
of committee

18 (a) perform, on its behalf, its functions as it may determine; and

19 (b) co-opt members, and direct whether or not co-opted members
20 are entitled to vote in that committee.

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

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

30 (4) Nothing in the provisions of subsection (1), (2) and (3) is

1 construed as enabling the:

2 (a) Statutes to be made otherwise than in accordance with section 11;

3 (b) Senate to empower any other body to make regulations or award
4 degrees or other qualifications.

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

Retiring age of
academic staff

10 23.-(1) Notwithstanding anything to the contrary in the Pension
11 Reform Act, the compulsory retiring age of the:

12 (a) academic staff of the University in the non-professorial cadre is 65
13 years;

14 (b) academic staff of the University in the professorial cadre is 70
15 years;

16 (c) non-academic staff of the University is 65 years.

Act No. 4, 2014

17 (2) A law or rule requiring a person to retire from the public service
18 after serving for 35 years does not apply to an academic staff of the University.

Special provisions
relating to pension
of professors

19 24. An academic staff of the University who retires as a Professor in
20 the University is entitled to pension at a rate equivalent to his annual salary
21 provided that the Professor has served continuously in the University up to the
22 retirement age.

Miscellaneous
administrative
provisions

23 25.-(1) The seal of the University shall be such as may be determined
24 by the Council and approved by the Chancellor, and the affixing of the seal
25 shall be authenticated by any member of the Council and by the Vice-
26 Chancellor, Secretary to the Council or any other person authorised by Statute.

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

30 (3) Any contract or instrument, which if made or executed by a person

1 not being a body corporate would not be required to be under seal, may be
2 made or executed on behalf of the University by any person generally or
3 specially authorised to do so by the Council.

4 (4) The validity of any proceeding of any body established under
5 this Act is not affected by any vacancy in the membership of the body, any
6 defect in the appointment of a member of the body or by reason that any
7 person not entitled to do so took part in the preceding.

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

11 (6) Nothing in section 12 of the Interpretation Act (which provides
12 for the application in relation to subordinate legislation of certain incidental
13 provisions) applies to Statutes or regulations made under this Act.

Cap. 123, LFN,
2004

14 (7) The power conferred by this Act on any body to make Statutes
15 or regulations includes power to revoke or vary any:

Third Schedule

16 (a) statute (including the Statute contained in the Third Schedule to
17 this Act); or

18 (b) regulation by a subsequent statute or subsequent regulation as
19 the case may be:

20 Provided that the subsequent regulation or Statutes may make
21 different provisions in relation to different circumstances.

22 (8) No stamp duty or other duty shall be payable in respect of any
23 transfer of property to the University by virtue of sections 10 or 20 or the
24 Second Schedule to this Act.

Second Schedule

25 (9) Any notice or other instrument authorised to be served by virtue
26 of this Act may, without prejudice to any other mode of service, be served by
27 post.

28 26.-(1) No legal proceeding shall be instituted or commenced
29 against the University or any of its agents in the course of their official duties
30 unless a three months pre-action notice of such intention is served on the

Restriction of
suits and execution

1 University by an aggrieved party.

2 (2) The notice shall state the reason and the cause of action intended to
3 be taken against the University, the particulars of the claim, the name and place
4 of abode of the intending plaintiff and the relief which he claims.

5 (3) No suit shall be commenced against an officer or servant of the
6 University, in any case where the University is vicariously liable for any
7 alleged act, neglect or default of the officer or servant in the performance or
8 intended performances of his duties, unless three months at least has elapsed
9 after written notice of intention to commence the same shall have been served
10 on the University by the intending plaintiff or his agent.

11 (4) In any suit against the University, no execution or attachment or
12 process in the nature thereof shall be issued against the University, but any sum
13 of money which may by the judgment of the court be awarded against the
14 University shall, subject to any direction given by the court where notice of
15 appeal has been given by the University in respect of the said judgment, be paid
16 by the University from its general funds.

17 (5) Service upon the University of any notice, order or other
18 document, may be effected by delivering the same or by sending it by
19 registered post addressed to the Registrar and Secretary of the Council.

Interpretation

20 27.- (1) In this Act:

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

22 "College" means the College established under section 2 (1) (g) of this Act for
23 the University;

24 "Council" means the Governing Council of the University established by
25 section 5 of this Act;

26 "functions" includes powers and duties;

27 "graduate" means a person on whom a degree, other than an honorary degree,
28 has been conferred by the University and any other person as may be
29 designated as a graduate by the Council, acting in accordance with the
30 recommendation of the Senate;

1 "Minister" means the Honourable Minister of Education;

2 "notice" means notice in writing;

3 "officer" does not include the Visitor;

4 "prescribed" means prescribed by Statute or regulations;

5 "Professor" means a person designated as a Professor of the University in
6 accordance with provisions made in that behalf by Statute or by
7 Regulations;

8 "property" includes rights, liabilities and obligations;

9 "Provisional Council" means the provisional council appointed for the
10 University;

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

12 "Senate" means the Senate of the University established under section 2 (1)
13 (c) of this Act;

14 "school" means a unit of closely related academic programmes;

15 "Statute" means a statute made by each University under section 11 and 12
16 of this Act; and

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

18 "Technical" means a person holding a full-time appointment as a member of
19 the teaching or research staff of the University;

20 "undergraduate" means a person registered as a student undergoing a course
21 of study for a first degree of the University or such other course in the
22 University as may be approved by the Senate as qualifying a student
23 undergoing it for the status of an under graduate;

24 "University" means Federal University of Technology Okija, Anambra
25 State established under section 1 (1) of this Act.

26 (2) Where in any provision of this Act it is laid down that the
27 proposals are to be submitted or a recommendation is to be made by one
28 authority or another through one or more intermediate authorities, it shall be
29 the duty of every intermediate authority to forward any proposal of that or
30 recommendation received by it in pursuance of that provision to the

1 appropriate authority, but such intermediate authority may, if it deems fit,
2 forward its own comments thereon.

Citation

3 **28.** This Bill may be cited as the Federal University of Technology
4 Okija, Anambra State (Establishment) Bill, 2020.

5 SCHEDULES

6 FIRST SCHEDULE

7 *Section 2 (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 who shall be the Chairman of Council shall
14 be appointed or removed from office by the President upon recommendation
15 by the Minister.

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

18 *The Vice-Chancellor*

19 3.-(1) There shall be a Vice-Chancellor of the University who is
20 appointed by the Council in accordance with the provisions of this paragraph.

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

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

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

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

27 and thereafter draw up a short list of suitable candidates for the post for
28 consideration; and

29 (b) constitute a Search Team consisting of:

1 (i) a member of the Council, who is not a member of the Senate, as
2 Chairman,

3 (ii) two members of the Senate who are not members of the
4 Council, one of whom shall be a Professor,

5 (iii) two members of Congregation who are not members of the
6 Council, one of whom shall be a Professor,

7 to identify and nominate for consideration, suitable persons who are not
8 likely to apply for the post on their own volition because they felt that it is not
9 proper to do so.

10 (3) A Joint Council and Senate Selection Board consisting of:

11 (a) the Pro-Chancellor, as chairman,

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

13 (c) two members of the Senate who are Professors, but who were
14 not members of the Search Team,

15 shall consider the candidates and persons in the shortlist drawn up under
16 subparagraph (2) (a) (ii) of this paragraph through an examination of their
17 curriculum vitae and interaction with them, and recommend to the Council
18 three candidates for further consideration.

19 (4) The Council shall select and appoint as the Vice-Chancellor one
20 candidate from among the three candidates recommended to it under
21 subparagraph (3) of this paragraph and thereafter inform the Visitor.

22 (5) The Vice-Chancellor shall hold office for a single term of five
23 years only on such terms and conditions as may be specified in his letter of
24 appointment.

25 (6) The Vice-Chancellor may be removed from office by the
26 Council on grounds of gross misconduct or inability to perform the
27 functions of his office as a result of infirmity of the body or mind, at the
28 initiative of the Council, Senate or the Congregation after due process.

29 (7) When the proposal for the removal of the Vice-Chancellor is

1 made, the Council shall constitute a Joint Committee of Council and Senate
2 consisting of:

3 (a) three members of the Council, one of whom shall be the Chairman
4 of the Committee, and

5 (b) two members of the Senate:

6 Provided that where the ground for removal is infirmity of the body or
7 mind, the Council shall seek appropriate medical opinion.

8 (8) The Committee shall conduct investigation into the allegations
9 made against the Vice-Chancellor and shall report its findings to the Council.

10 (9) The Council may, where the allegations are proved, remove the
11 Vice-Chancellor or apply any other disciplinary action it may deem fit and
12 notify the Visitor accordingly but a Vice-Chancellor who is removed shall have
13 right of appeal to the Visitor.

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

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

18 (12) An acting Vice-Chancellor in all circumstances shall not be in
19 office for more than six months.

20 *Deputy Vice-Chancellor*

21 4.-(1) There shall be for the University such number of Deputy Vice-
22 Chancellors as Council may deem necessary for the proper administration of
23 the University.

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

27 (3) The Senate shall select for each vacant post one candidate from
28 each list forwarded to it under subparagraph (2) of this paragraph and forward
29 his name to the Council for confirmation.

30 (4) A Deputy Vice-Chancellor shall:

- 1 (a) assist the Vice-Chancellor in the performance of his functions;
- 2 (b) act in the place of the Vice-Chancellor when the post of the Vice-
- 3 Chancellor is vacant or if the Vice-Chancellor is, for any reason, absent or
- 4 unable to perform his functions as Vice-Chancellor; and
- 5 (c) perform such other functions as the Vice-Chancellor or the
- 6 Council may assign to him.

7 (5)(1) A Deputy Vice-Chancellor:

8 (a) shall hold office for a term of two years beginning from the date of

9 his appointment and on such terms and conditions as may be specified in his

10 letter of appointment;

11 (b) may be reappointed for a further term of two years and no more;

12 and

13 (c) may be removed from office for good cause by the Council acting

14 on the recommendations of the Vice-Chancellor and Senate.

15 (6) "Good cause" for the purpose of subparagraph (5) (c) means gross

16 misconduct or inability to perform the functions of his office arising from

17 infirmity of the body or mind.

18 *Office of the Registrar*

19 5.-(1) There shall be, for the University, a Registrar who is the Chief

20 Administrative Officer of the University and is responsible to the Vice-

21 Chancellor for the administrative work of the University except as regards

22 matters for which the Bursar is responsible in accordance with paragraph 6 (2)

23 of this Schedule.

24 (2) The person holding the office of the Registrar shall, by virtue of

25 that office, be Secretary to the Council, the Senate, Congregation and

26 Convocation.

27 *Other Principal Officers of the University*

28 6.-(1) There shall be, for the University, other principal officers in

29 addition to the Registrar:

30 (a) the Bursar, and

1 (b) the University Librarian,
2 who shall be appointed by the Council on the recommendation of the Selection
3 Board constituted under paragraph 7 of this Schedule.

4 (2) The Bursar is the Chief Financial Officer of the University and
5 responsible to the Vice-Chancellor for the administration and control of the
6 financial affairs of the University.

7 (3) The University Librarian is responsible to the Vice-Chancellor for
8 the administration of the University Library and the co-ordination of the library
9 services in the University and its campuses, colleges, schools, departments,
10 institutes and other teaching or research units.

11 (4) Any question as to the scope of the responsibilities of the officers
12 in this paragraph shall be determined by the Vice-Chancellor.

13 *Selection Board for other Principal Officers*

14 7.-(1) There shall be, for the University, a Selection Board for the
15 appointment of principal officers, other than the Vice-Chancellor or Deputy
16 Vice-Chancellor, which shall consist of:

17 (a) the Pro-Chancellor, as Chairman;

18 (b) the Vice-Chancellor;

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

20 (d) two members of the Senate.

21 (2) The functions, procedure and other matters relating to the
22 Selection Board constituted under subparagraph (1) of this paragraph shall be
23 as the Council may determine.

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

27 (4) Notwithstanding subparagraph (3) of this paragraph, the Council
28 may, upon satisfactory performance, extend the tenure of the Registrar, Bursar
29 or Librarian for a further term of one year only and thereafter such principal

1 officer shall relinquish his post and be assigned to other duties in the
2 University.

3 *Resignation and Re-appointment*

4 8.-(1) Any officer mentioned in this Schedule may resign his
5 office:

6 (a) in the case of the Chancellor or Pro-Chancellor, by notice to the
7 Visitor;

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

10 (2) Without prejudice to paragraph 4 of this Schedule, a person
11 who has ceased to hold an office than by removal for misconduct shall be
12 eligible for re-appointment to that office.

13 SECOND SCHEDULE

14 *Section 10 (2) and 25 (8)*

15 TRANSITIONAL PROVISIONS AS TO PROPERTY, FUNCTIONS, ETC.

16 *Transfer of Property to University*

17 1. Without prejudice to section 10 (1) of this Act:

18 (a) the reference to property held by the Provisional Council
19 includes a reference to the right to receive and give a good discharge for any
20 grant or contribution which may have been voted or promised to the
21 Provisional Council; and

22 (b) all debts and liabilities of the Provisional Council outstanding
23 shall become debts or liabilities of the University.

24 2.-(1) All agreements, contracts, deeds and other instruments to
25 which the Provisional Council was a party shall, so far as possible and
26 subject to any necessary modification, have effect as if the University had
27 been a party thereto in place of the Provisional Council.

28 (2) Documents not falling within subparagraph (1) of this
29 paragraph, including enactment which refer, whether specially or generally,
30 to the Provisional Council, shall be construed in accordance with that

1 subparagraph so far as applicable.

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

5 *Registration of transfers*

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

12 (2) The body to which any property is transferred by this Act shall
13 furnish the necessary particulars of the transfer to the proper officer of the
14 registration authority, and of that officer to register the transfer accordingly.

15 *Transfer of Functions, etc.*

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

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

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

24 (4) The persons who are members of the Academic Board
25 immediately before the coming into effect of this Act are deemed to constitute
26 the Senate of the University until the date when the Senate as set up under the
27 Third Schedule to this Act shall have been duly constituted.

28 (5) Subject to any regulation which may be made by the Senate after
29 the date on which this Act is made, the schools, school boards and students of
30 the University immediately before the coming into effect of this Act shall on

1 that day become schools, school boards and students of the University as
2 constituted by this Act.

3 (6) Persons who are Deans of Schools and Heads of Academic
4 Departments shall continue to be Deans or Heads of Department of the
5 corresponding School and Department, until new appointments are made,
6 under the Statutes.

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

12 THIRD SCHEDULE

13 *Section 11 (3)*

14 FEDERAL UNIVERSITY OF TECHNOLOGY OKIJA, ANAMBRA STATE

15 STATUTE NO. 1

16 ARRANGEMENT OF ARTICLES

17 *Article*

- 18 1. The Council.
- 19 2. The Finance and General Purposes Committee.
- 20 3. Annual budget and estimates, etc.
- 21 4. Gifts, donations, payment into bank and audit.
- 22 5. The Senate.
- 23 6. Congregation.
- 24 7. Convocation.
- 25 8. Division of Colleges.
- 26 9. College Boards.
- 27 10. Dean of Colleges.
- 28 11. Departmental Board of Studies.
- 29 12. Selection of Directors of physical planning and development,
30 works, services and health.

- 1 13. Tenure of Directors.
- 2 14. Creation of academic posts.
- 3 15. Appointment of Academic staff.
- 4 16. Appointment of Administrative and professional staff.
- 5 17. Interpretation.
- 6 18. Citation.

7 *The Council*

8 1.-(1) The composition of the Council shall be as provided in section 5
9 of this Act.

10 (2) Any member of the Council holding office other than under
11 section 5 (2) (a), (b), (c), or (d) of this Act may, by notice to the Council, resign
12 his office.

13 (3) A member of the Council holding office other than under section 5
14 (2) (a), (b), (c), or (d) of this Act shall, unless he previously vacates it, vacate
15 that office on the expiration of the period of four years beginning with effect
16 from 1 August of the year which he was appointed.

17 (4) Where a member of the Council holding office other than under
18 section 5 (2) (a), (b), (g), or (h) of this Act vacates office before the expiration of
19 the period mentioned, the body or person by whom he was appointed may
20 appoint a successor to hold office for the residue of the term of his predecessor.

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

24 (6) The quorum of the Council is five, at least one of whom shall be a
25 member appointed under section 5 (2) (d) or (e) of this Act.

26 (7) If the Pro-Chancellor is not present at a meeting of the Council,
27 such other member of the Council present at the meeting as the Council may
28 appoint for that meeting shall be the Chairman, and subject to section 4 of this
29 Act and this paragraph, the Council may regulate its own procedure.

30 (8) Where the Council desires to obtain advice with respect to any

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 the meeting but shall not be entitled to vote.

4 *The Finance and General Purposes Committee*

5 2.-(1) The Finance and General Purposes Committee of the
6 Council shall consist of:

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

9 (b) the Vice-Chancellor and Deputy Vice-Chancellors;

10 (c) six other members of the Council appointed by the Council, two
11 of whom shall be selected from among the four members of the Council
12 appointed by the Senate and one member appointed to the Council by
13 Congregation; and

14 (d) the Permanent Secretary of the Federal Ministry of Education,
15 or his representative.

16 (2) The quorum of the Committee is five.

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

19 *Annual budget and estimates, etc.*

20 3.-(1) The estimates of income and expenditure for a financial year
21 shall be presented by the Vice-Chancellor to the Council and may be
22 approved by the Council before the beginning of that financial year:

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

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

28 *Gifts, donations, etc.*

29 4.-(1) The Council may on behalf of the University accept by way
30 of grants, gift, testamentary disposition or otherwise, property and money in

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

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

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

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

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

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

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

21 (6) The appointment and other matters relative to the auditors, their
22 continuance in office and their functions, as the case may be, shall, subject to
23 the provisions of this section, be prescribed by Statute.

24 *The Senate*

25 5.-(1) The Senate shall consist of:

26 (a) the Vice-Chancellor;

27 (b) Deputy Vice-Chancellors;

28 (c) the Deans of respective Colleges;

29 (d) the Professors in the University;

30 (e) Heads of Academic Departments and Units;

- 1 (f) the University Librarian;
- 2 (g) One elected representative of each College;
- 3 (h) Two members of Academic Staff elected by the Congregation;
- 4 (i) One elected representative of each department;
- 5 (j) Two members representing a variety of interests of the
- 6 professional bodies outside the University appointed by the Senate on the
- 7 recommendation of the Vice-Chancellor; and
- 8 (k) Registrar who shall be the Secretary.
- 9 (2) The procedure for election of members of Senate to the Council
- 10 shall be prescribed by regulations.
- 11 (3) The Vice-Chancellor shall be the chairman at all meetings of the
- 12 Senate when he is present, and, in his absence any of the Deputy Vice-
- 13 Chancellors present at the meeting as the Senate may appoint for that
- 14 meeting shall be the chairman at the meeting.
- 15 (4) The quorum of the Senate shall be one quarter or the nearest
- 16 whole number less than one quarter; and subject to subarticle (3) of this
- 17 article, the Senate may regulate its own procedure.
- 18 (5) An elected member may, by notice to the Senate, resign his
- 19 office.
- 20 (6) Subject to subarticle (8) of this article, there shall be elections
- 21 for the selection of elected members, which shall be held in the prescribed
- 22 manner on such day in the month of May or June in each year as the Vice-
- 23 Chancellor may determine.
- 24 (7) An elected member shall hold office for the term of two years
- 25 beginning with 1 August in the year of his election, and may be a candidate at
- 26 any election held under subarticle (6) of this article in the year in which his
- 27 term of office expires, and no person shall be a candidate if at the end of his
- 28 current term of office the person will have held office as an elected member
- 29 for a continuous term of six years or may have so held office if he had not
- 30 resigned it.

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

6 (9) A person shall not be precluded from continuing in or taking office
7 as an elected member by reason only of reduction in the after 30 April in any
8 year in which he is to continue in or take office as all elected member.

9 (10) If so requested in writing by any 15 members of the Senate, the
10 Vice-Chancellor or in his absence any of the Deputy Vice-Chancellor duly
11 appointed by him, shall convene a meeting of the Senate to be held not later
12 than the 10th day following date which the request was received.

13 (11) In this article "total of non-elected members" means as respect
14 any year, such number as may be certified by the Vice-Chancellor on 30 April
15 of that year to be the number of persons holding office as members of the
16 Senate on that day other than elected members.

17 *Congregation*

18 6.-(1) The Congregation shall consist of:

19 (a) Vice-Chancellor;

20 (b) the Deputy Vice-Chancellors;

21 (c) the full-time members of the academic staff;

22 (d) the Registrar;

23 (e) the Librarian; and

24 (f) every member of the administrative staff who holds a degree, other
25 than honorary degree, of any University recognised for the purposes of this
26 Statute by the Vice-Chancellor.

27 (2) Subject to section 4 of this Act, the Vice-Chancellor shall be the
28 Chairman at all meetings of the Congregation when he is present, and, in his
29 absence, any of the Deputy Vice-Chancellors present at the meeting as

1 Congregation may appoint for that meeting, shall be the Chairman at the
2 meeting.

3 (3) The quorum of Congregation is one-third or the whole number
4 nearest to one-third of the total number of members of Congregation of 50,
5 whichever is less.

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

7 (a) total number of members of Congregation for the purpose of
8 any particular meeting or meetings of Congregation, or

9 (b) names of the persons who are members of Congregation during
10 a particular period,

11 shall be conclusive evidence of that number or, as the case may be, of the
12 names of those persons.

13 (5) The procedure for election of members of Congregation to the
14 Council and the Senate shall be prescribed by regulations.

15 (6) Subject to this article, Congregation may regulate its own
16 procedure.

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

21 *Convocation*

22 7.-(1) Convocation shall consist of:

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

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

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

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 a 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 pay the prescribed fees.

4 (3) Regulations shall provide for the establishment and maintenance
5 of a register for the purpose of this article and subject to subarticle (4) of this
6 article may provide for the payment of further fees by persons whose names are
7 on the register and for the removal from the register of the name of any person
8 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 the Convocation by virtue of subarticle (1) (a) or (b) of
12 this article 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 is entitled on demand to inspect the register or a copy of
15 the register at the principal office of the University at all reasonable times.

16 (6) The register is, unless the contrary is proved, be sufficient
17 evidence that any person named therein is, a member of Convocation, but for
18 the purpose of ascertaining whether a particular person was such a member on
19 a particular date, any entries in and deletions from the register made on or after
20 that date shall be disregarded.

21 (7) The quorum of Convocation is 50 or one-third or the whole
22 number nearest to one-third of the total number of members of Convocation
23 whichever is less.

24 (8) Subject to section 4 of the Act, the Chancellor shall be Chairman at
25 all meetings of Convocation when he is present, and in his absence the Vice-
26 Chancellor shall be the Chairman at the meeting.

27 (9) Convocation shall have such functions, in addition to the function
28 of appointing a member of the Council, as may be provided by Statute or
29 regulations.

1 *Division of Colleges*

2 8. Each College shall be divided into such number of branches as
3 may be prescribed.

4 *College Boards*

5 9.-(1) There shall be established in respect of each College, a Board
6 of Studies which, subject to the provisions of this Statute, and the directions
7 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 college;

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

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

14 (2) Each College Board of Studies shall consist of:

15 (a) the Vice-Chancellor;

16 (b) the Dean;

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

18 (d) the College examination officer;

19 (e) such number of Lecturers assigned to the College and having
20 the prescribed qualifications as the Board may determine; and

21 (f) such persons, whether or not members of the University, as the
22 Board may determine with the general or special approval of the Senate.

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

27 *Deans of the Colleges*

28 10.-(1) The Board of each College shall, at a last meeting of any
29 academic year which the term of office of the Dean expires, nominate one of
30 its members, being one of the Professors assigned to that teaching unit, for

1 appointment by the Senate as Dean of the College

2 (2) The person appointed under subarticle (1) of this article shall act
3 as Dean of the College and Chairman of all meetings of the College Board
4 when he is present and shall be a member of all committees and other boards
5 appointed by the College.

6 (3) The Dean shall hold office for two years and shall be eligible for
7 re-appointment one further term of two years, and shall not be eligible for re-
8 appointment until two years have elapsed.

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

11 (5) The Dean shall present to Convocation for the conferment of
12 degrees to persons who have qualified for the degrees of the University at
13 examination held in the branches of learning for which responsibility is
14 allocated to that College.

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

19 (7) The Dean of a College may be removed from office for good cause
20 by the College Board after a vote have been taken at a meeting of the Board, and
21 in the event of a vacancy occurring due to the removal of a Dean, an acting
22 Dean may be appointed by the Vice-Chancellor:

23 Provided that at the next College Board meeting, an election shall be
24 held for a new Dean.

25 (8) In this article "good cause" has the same meaning, as in section 16
26 (4) of the Act.

27 *Departmental Board of Studies*

28 11.-(1) There shall be a Departmental Board of Studies whose
29 membership shall be made of all academic staff of the Department.

30 (2) The Departmental Board of Studies shall be headed by a Professor

1 who shall be appointed by the Vice Chancellor and in the absence of a
2 Professor, a senior academic staff shall be appointed in acting capacity.

3 (3) The tenure of office for a Professor heading the Department of
4 Board of Studies is three years and one year for the person appointed in
5 acting capacity.

6 (4) The Departmental Board of Studies shall:

7 (a) superintend over all teachings and examinations in the
8 department;

9 (b) handle all disciplinary matters in the department and make
10 recommendation to the College where necessary; and

11 (c) allocate courses in the department on the recommendation of
12 the Head of Department.

13 *Selection of Directors of Physical Planning and Development Works,*
14 *Services and Health*

15 12.-(1) When a vacancy occurs in the office of the Directors of
16 Physical Planning and Development, Works and Services and Health, a
17 Selection Board shall be constituted by the Council which shall consist of:

18 (a) the Pro-Chancellor;

19 (b) the Vice-Chancellor;

20 (c) two members appointed by the Council, not being members of
21 the Senate; and

22 (d) two members appointed by the Senate.

23 (2) The Selection Board after making inquiries as it deems fit, shall
24 recommend a candidate to the Council for appointment to the vacant office,
25 and after considering the recommendation of the Selection Board the
26 Council may make an appointment to that office.

27 *Tenure of Directors*

28 13. A Director shall hold office on such terms and conditions as
29 may be specified in his letter of appointment subject to the extant
30 regulations.

1 Creation of Academic Posts

2 14. Recommendations for the creation of academic posts other than
3 principal officers shall be made by the Senate to the Council through the
4 Finance and General Purposes Committee.

5 *Appointment of Academic Staff*

6 15.-(1) Subject to this Act and Statutes, the filling of vacancies in
7 academic posts (including newly created ones) shall be the responsibility of the
8 Council through the Departments and Colleges.

9 (2). For the purpose of filling such vacancies, suitable Selection
10 Boards to select and make appointments on behalf of the Council shall be set
11 up.

12 (3) For appointment to Professorships, Associate Professorship,
13 Readerships or equivalent posts, a Selection Board, with power to appoint,
14 shall consist of:

15 (a) the Vice-Chancellor who shall be the Chairman;

16 (b) Deputy Vice-Chancellor;

17 (c) the Dean of the College;

18 (d) Head of Department;

19 (e) Registrar who shall be the Secretary; and

20 (f) such other persons, not exceeding two in number, deemed capable
21 of helping the Board in assessing both the professional and academic
22 suitability of a candidate under consideration, as the Senate may appoint.

23 (4) For other academic posts, a Selection Board, with power to
24 appoint, shall consist of:

25 (a) the Vice-Chancellor or his representative who shall be the
26 Chairman;

27 (b) The Dean of the College;

28 (c) Head of the Department concerned;

29 (d) An internal member of Council (not below the Rank of Senior
30 Lecturer from the sister college in the candidate's subject area); and

1 (e) Registrar or his representative who shall be the Secretary.

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

6 (6) Selection Boards may interview candidates directly or consider
7 the reports of specialist interviewing panels and shall in addition, in the case
8 of Professorships, Associate Professorship, Readerships or equivalent
9 Posts, consider the reports of external assessors relevant to the area in which
10 the appointment is being considered and the Quorum is three members
11 including the Chairman.

12 *Appointment of Administrative and Professional Staff*

13 16.-(1) The administrative and professional staff of the University
14 other than principal officers shall be appointed by the Council or on its
15 behalf by the Vice-Chancellor in accordance with delegation of powers
16 made by the Council on its behalf.

17 (2) A Selection Board, with power to appoint, shall consist of:

18 (a) Vice-Chancellor who shall be the Chairman;

19 (b) Deputy Vice-Chancellor;

20 (c) Registrar;

21 (d) Bursar;

22 (e) University Librarian;

23 (f) The Head of Department concerned; and

24 (g) Establishment and Human Resources Officer who shall serve
25 as Secretary,

26 and the Quorum is three including the Chairman.

27 *Interpretation.*

28 17. In this Statute, "Act" means the Federal University of
29 Technology Okija, Anambra State Act and any word or expression defined
30 in the Act has the same meaning in this Statute.

1 *Citation*

2 18. This Statute may be cited as the Federal University of Technology
3 Okija, Anambra State Statute No.1, 2020.

EXPLANATION MEMORANDUM

This Bill seeks to establish the Federal University of Technology Okija, Anambra State for the promotion and development of Technical education in Nigeria;and to make comprehensive provisions for due Management and Administration.