

FEDERAL UNIVERSITY OF TECHNOLOGY, KADUNA BILL, 2019

ARRANGEMENT OF SECTIONS

Sections

PART I - PRELIMINARY

1. The Objects

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

2. Establishment of the Federal University of Technology, Kaduna
3. Structure of the University
4. Governing Council of the University
5. Membership of the Council for the University
6. Tenure of office of members of the Council
7. Removal of any members of the Council
8. Powers of the University
9. Composition of the Senate of the University
10. Functions of the Senate
11. The Visitor

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

15. The Chancellor
16. The Pro-Chancellor
17. The Vice-Chancellor
18. Deputy Vice-Chancellors
19. Appointment of the Registrar
20. Appointment of other Principal Officers of the University
21. Selection Board for other Principal Officers
22. Other employees of the University
23. Removal and discipline of staff of the University
24. Retiring age of academic and non-academic staff of the University
25. Application of the Pensions Reform Act.

PART IV - FINANCIAL PROVISION

- 23. Establishment of Fund for the University
- 24. Annual estimates, accounts and audit
- 25. Annual report
- 26. Power to accept gifts
- 27. Borrowing and investment power of the University

PART V - MISCELLANEOUS PROVISIONS

- 28. Transitional and savings provisions
- 29. Discipline of students
- 30. The seal of the University
- 31. Limitation of suit against the University
- 32. Power to make Regulations
- 33. Transfer of property
- 34. Restriction on disposal of land belonging to the University.
- 35. Exclusion of discrimination on account of race, religion, etc.
- 36. Interpretation
- 37. Short title

SCHEDULE

First Schedule

Second Schedule

Third Schedule

Fourth Schedule

- 1. The Chancellor
- 2. The Vice-Chancellor
- 3. The Deputy Vice-Chancellor
- 4. The Registrar
- 5. The Director of the University
- 6. The Academic Board
- 7. The Senate
- 8. The Council of the University
- 9. The University
- 10. The University

A BILL

FOR

AN ACT TO REPEAL THE FEDERAL POLYTECHNIC, KADUNA AND ESTABLISH FEDERAL UNIVERSITY OF TECHNOLOGY, KADUNA, TO PROVIDE TRAINING AND TEACHING INSTRUCTION IN EVERY ASPECT OF EDUCATION AND SUCH OTHER FIELDS OF APPLIED LEARNING RELEVANT TO THE NEEDS OF THE DEVELOPMENT OF EDUCATION IN NIGERIA, MATTERS OF ADMINISTRATION AND DISCIPLINE OF STUDENTS AND FOR RELATED MATTERS, 2019

Sponsored by Hon. Abbas Tajudeen

[] Commencement

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

PART 1- PRELIMINARY

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16

1. The objects of the University of Technology, Kaduna shall be to:

The Objects

(a) Encourage the advancement of learning to all persons without distinction of race, religion, sex or political conviction, by availing to all qualified persons the opportunity of acquiring higher education in Nigeria;

(b) Develop, offer academic and professional programmes leading to the award of certificates, first degrees, post-graduate diploma and other higher degrees, which emphasises planning, adaptive, developmental and productive skills in education, technology, applied science, agriculture, commerce, art, social science, humanities, management and allied professional disciplines;

(c) Produce socially mature educational men and women with capability not to only understand need of Nigeria as a nation, but also to exploit existing educational infrastructures and improve on it to develop new ones;

(d) Act as agents and catalysts for effective educational system,

1 through post-graduate training, research and innovation, for effective
2 economic utilisation and conservation of the country's human resources;

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

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

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

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

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

16 PART II - ESTABLISHMENT, STRUCTURE, POWER AND FUNCTIONS OF
17 FEDERAL UNIVERSITY OF TECHNOLOGY, KADUNA

Establishment
of the Federal
University of
Technology

18 2.-(1) There are established the Federal University of Technology
19 specified in the First Schedule to this Act (in this Act referred to as "the
20 University").

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

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

Structure of
the University

26 3.-(1) The University shall consist of:

27 (a) A Chancellor;

28 (b) A Pro-Chancellor;

29 (c) A Vice-Chancellor;

30 (d) A Council;

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

9 4.-(1) The governance of the University and the direction of its
10 affairs shall vest in the Governing Council of the University (in this Act
11 referred to as "the Council").

Governing
Council of the
University

12 (2) Without prejudice to the generality of sub-section (1) of this
13 Section, it shall be the responsibility of the Council to consider and approve
14 the:

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

20 5. The Council of the University shall consist of a chairman and
21 other members to be appointed by the President:

Membership of
the Council of
the University

- 22 (a) The Pro-Chancellor;
- 23 (b) The Vice-Chancellor;
- 24 (c) Deputy Vice-Chancellor;
- 25 (d) One person from the Ministry responsible for education;
- 26 (e) Nine persons representing a variety of interests and broadly
- 27 representative of the whole Federation to be appointed by the President;
- 28 (f) Four persons appointed by the Senate from among its members;
- 29 (g) Two persons appointed by the Congregation of the University
- 30 from among its members;

- 1 (h) Two representatives of the academic board of the University;
2 (i) One representatives of the National University Commission; and
3 (j) One person appointed by the Convocation of the University from
4 among its members.

Tenure of office
of members of
the Council

5 6.-(1) A member of the Council, other than an ex-officio member,
6 shall hold office for a term of four years and may be eligible for re-appointment
7 for another four years and no more.

8 (2) A member of the Council shall cease to be a member under this
9 Act, where:

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

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

Removal of any
member of the
Council

15 7.-(1) Where it appears to the Council that any member of the
16 Council, other than the Pro- Chancellor and the Vice-Chancellor, should be
17 removed from office on the ground of misconduct or inability to perform the
18 functions of his office, the Council shall make recommendation through the
19 Minister to the President.

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

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

Powers of the
University

26 8.-(1) The University shall have power to:

27 (a) Establish such campus, college, institute, schools, extra-moral
28 department and other teaching and research units within the University, as may
29 be necessary or desirable, subject to the approval of the National Universities
30 Commission;

1 (b) Institute professorships, readerships or associate
2 professorships, lecture-ships, other posts and offices and make
3 appointments thereto;

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

7 (d) Provide for the welfare and discipline of members of the
8 University;

9 (e) Conduct examinations and grant 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) Grant 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 Ministers;

18 (h) Acquire, hold, grant, charge or otherwise deal with or disposal
19 of movable and immovable property wherever it is situate for the purposes
20 of carrying out the Objects of this Act;

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 attached thereto;

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

26 (k) Build, provide, equip and maintain libraries, laboratories,
27 lecture halls, halls of residence, refectories, sports grounds, playing fields
28 buildings or other facilities deemed necessary for the achievement of the
29 objects of this Act;

30 (l) Hold public lectures and to undertake printing, publishing and

1 book selling;

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

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

7 (o) Conduct examinations in technology for qualified teachers;

8 (p) Donate gifts for any charitable purposes;

9 (q) Recruit staff of the right calibre and determine the career structure
10 of such staff;

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

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

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

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

Composition of
the Senate of
the University

19 9.-(1) The Senate of the University shall consist of:

20 (a) The Vice-Chancellor;

21 (b) The Deputy Vice-Chancellor;

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

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

24 (e) The Professors in the University;

25 (f) The University Librarian;

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

28 (h) Such lecturers, not being more than one third of the total number
29 of non-elected members, elected by the Congregation of the University of
30 which at least one of whom shall come from each of the schools in the

1 University; and

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

5 10.-(1) The Senate of the University shall perform the following
6 functions:

Functions of the
Senate

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

8 (b) Admit and discipline students, where no other enactment
9 provides to the contrary the procedure for admitting and discipline of
10 students in the University;

11 (c) Promote research activities in the University;

12 (d) Establish, organise and control of campus activities of the
13 University, colleges, schools, institutes and other teaching and research
14 units of the University;

15 (e) Allocate responsibilities to various branches of learning of the
16 University;

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

19 (g) Appoint both internal and external examiners;

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

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

26 (j) Establish, organise and control of halls of residence under the
27 University;

28 (k) Ensure the welfare of students in the University and regulate
29 their conduct;

30 (l) Recommend to the Council the grant of fellowships, on

1 scholarships, prizes and similar awards within the control of the University on
2 any person approved for such awards; and

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

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

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

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

The Visitor

19 **11.-(1)** The President of the Federal Republic of Nigeria shall be the
20 Visitor of the University.

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

27 **PART III - PRINCIPAL OFFICERS, OTHER PRINCIPAL OFFICER**
28 **AND STAFF OF THE UNIVERSITY**

The Chancellor

29 **12.-(1)** The Chancellor of the University shall be appointed and hold
30 office at the pleasure of the President.

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

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

7 13.-(1) The Pro-Chancellor of the University shall be appointed by The Pro-Chancellor
8 the President.

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

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

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

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

22 (3) The Vice-Chancellor shall, in relation to the University, take
23 precedence before all other members of the University except the
24 Chancellor and the Pro-Chancellor and any other person for the time being
25 acting as chairman of the Council.

26 (4) Where a vacancy occurs in the post of a Vice-Chancellor, the
27 Council shall:

28 (a) Advertise the vacancy in a reputable journal or a widely read
29 newspaper in Nigeria, specifying:

30 (i) the qualities and qualifications of the persons who may apply for

- 1 the post; and
- 2 (ii) the terms and conditions of service applicable to the post, and
- 3 thereafter draw up a short list of suitable candidates for the post for
- 4 consideration;
- 5 (b) Constitute a Search Team consisting of:
- 6 (i) a member of the Council, who is not a member of the Senate, as
- 7 chairman;
- 8 (ii) Two members of the Senate who are not members of the Council,
- 9 one of whom shall be a professor;
- 10 (iii) Two member of the Congregation who are not members of the
- 11 Council, one of whom shall be a professor, to identify and nominate for
- 12 consideration, suitable persons who are not likely to apply for the post on their
- 13 own volition but that of the national interest.
- 14 (5) A joint Council of Senate Selection Board shall consist of:
- 15 (a) The pro-Chancellor, as chairman;
- 16 (b) Two members of the Council, not being members of the Senate;
- 17 and
- 18 (c) Two members of the Senate not below the rank of professors, who
- 19 were not members of the Search Team, shall consider the candidates and
- 20 persons shortlisted under sub-section (2) of this Section through evaluation of
- 21 their curriculum vitae and interaction, shall recommend to the Council,
- 22 suitable candidates from the list for further consideration.
- 23 (6) The Council shall select three candidates from among the
- 24 candidates recommended in sub-section (5) of this Section and may indicate its
- 25 order of preference stating the reasons, if any, forward the names to the
- 26 President for consideration and approval.
- 27 (7) The President may appoint as Vice-Chancellor one of the
- 28 candidates recommended to him accordance with the provisions of sub-section
- 29 (6) of this Section.
- 30 (8) The Vice-Chancellor shall hold office for a single term of five ay

1 years only on such terms and conditions as may be specified in his letter of
2 appointment and no more.

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

6 15.-(1) There shall be for the University such number of Deputy
7 Vice-Chancellors as the Council may, from time to time, deem necessary for
8 the proper management and administration of the University.

Deputy Vice-
Chancellors

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

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

15 (4) A Deputy Vice-Chancellor shall:

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

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

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

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

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

27 16.-(1) There shall be for the University, a Registrar, who shall be
28 the chief administrative officer of the University and shall be responsible to
29 the Vice-Chancellor for the day-to-day administrative work of the
30 University except as regards matters for which the Bursar is responsible in

Appointment of
the Registrar

1 accordance with sub-section (3) of Section 17 of this Act.

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

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

Appointment of
other Principal
Officers of the
University

8 17.-(1) There shall be for the University the following principal
9 officers in addition to the Registrar:

10 (a) The Bursar; and

11 (b) The University Librarian.

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

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

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

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

26 (6) The scope of the responsibilities of the officers referred to in sub-
27 section (5) of this Section shall be determined by the Vice-Chancellor.

Selection Board
for other Principal
Officers

28 18.-(1) There shall be for the University, a Selection Board for the
29 appointment of other principal officers, other than the Vice-Chancellor or
30 Deputy Vice-Chancellor, which shall consist of:

- 1 (a) The Pro-Chancellor, as chairman;
2 (b) The Vice-Chancellor;
3 (c) Four members of the Council not being members of the Senate
4 and
5 (d) Two members of the Senate.

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

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

Other employees
of the University

13 20.-(1) Where it appears to the Council that there are reasons to
14 believe that any staff employed by the University other than the Vice-
15 Chancellor and other principal staff, should be removed from office or
16 employment of the University on the ground of misconduct or inability to
17 perform the functions of his office, the Council shall:

Removal and
Discipline of
Staff of the
University

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

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

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

25 (i) For a joint committee of the Council and the Senate to
26 investigate the matter may be constituted and submit report to the Council
27 on the matter;

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

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

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

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

10 (4) For the purposes of this section, "good cause" means:

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

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

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

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

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

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

30 (a) Whether to continue such person on the suspension and is so, on

1 what terms, including the proportion of his emoluments to be paid to him;

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

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

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

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

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

19 (8) Notwithstanding the provisions of this section, nothing in the
20 foregoing provisions shall:

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

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

25 21.-(1) Notwithstanding anything to the contrary in the Pensions
26 Act, the compulsory retiring age of an academic staff of the University shall
27 be 70 years.

Retiring Age of
Academic and
Non-academic
Staff of the
University

28 (2) A law or rule requiring a person to retire from the public service
29 after serving for 35 years shall not apply to both academic and non-academic
30 staff of the University.

1 the next financial year.

2 (2) The University shall:

3 (a) Keep proper records of all accounts of its income and
4 expenditure; and

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

6 (3) The University shall not later than so" June of each financial
7 year, submit its accounts to auditors appointed form a list of qualified
8 auditors in accordance with guidelines laid down by the Auditor-General of
9 the Federation and the auditor's fees and expenses shall be paid from the
10 Funds of the University.

11 25.-(1) The University shall not later than 30th June of each Annual Report
12 financial year, submit to the Council, in respect of the preceding financial
13 year, an annual report on the activities of the University in such form as the
14 Council may direct.

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

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

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

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

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

24 26.-(1) The University may accept any gift of land, money or other Power to accept
25 property upon such terms and conditions, if any, as may be specified by the gifts
26 person or organization donating the gift.

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

1 in the Federal University of Technology, Kaduna established by this Act.

2 (5) Any person who at the coming into force of this Act was the
3 holder of any office in the Polytechnic, shall on the commencement of this
4 Act continue in that office and be deemed to have been appointed to the
5 office by the Federal University of Technology established by this Act.

6 (6) Every regulation, order, requirement, certificate, notice,
7 direction, decision, authorization, consent, application, request or thing
8 made, issued, given or done under the Federal Polytechnic Act, (Cap. F8
9 L.F.N. 2004) shall cease to be in force at the commencement of this Act,
10 against the Polytechnic referred to in this Section.

11 29.-(1) The Council may make rules providing for the Vice-
12 Chancellor to conduct enquiries into any alleged breach of discipline in the
13 University, which include lack of due diligence exhibited by any students.

Discipline of
students

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

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

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

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

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

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

30 (4) Where there is no Vice-Chancellor or where the Vice-ions

1 Chancellor refuses to apply any disciplinary measures, the Council may, either
2 directly or through some other staff of the University, apply such disciplinary
3 actions specified in sub-section (3) of this Section to any student of the
4 University that is found guilty of any misconduct.

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

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

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

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

20 (9) The direction under sub-section (3) paragraph (a) of this Section
21 may be combined with a direction under sub-section (3) paragraph (b) of this
22 Section.

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

26 **30.-(1)** The seal of the University shall be such as may be determined
27 by the Council and the affixing of the seal shall be signed by the Chairman of
28 the Council and the Vice-Chancellor of the University.

29 (2) Certificates issued by the University shall have the seal of the

1 University affixed and signed by the Vice-Chancellor and the Registrar of
2 the University.

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

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

10 31.-(1) Subject to the provisions of this Act, the provisions of the
11 Public Officers Protection Act shall apply to any suit instituted against the
12 University, an officer or employee of the University.

Limitation of
suit against the
University

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

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

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

23 (3) No suit shall be commenced against the University, a member
24 of the Council or any principal officer or employee of the University before
25 the expiration of a period of one month after written notice of the intention to
26 commence such suit has been served on the University by the intending
27 plaintiff or his agent.

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

Power to make
Regulations

- 1 32.--(1) The Council may make Regulations:
2 (a) To regulate the activities and programmes of the University, or any
3 matter connected with the University; or
4 (b) For the effective implementation of any of the provisions of this
5 Act.
6 (2) The Council shall have power to amend Regulations made under
7 this Act provided that the proposal for amendment shall be passed by two-
8 thirds majority of the Council members.
9 (3) All Regulations made by the Council subject to the provisions of
10 this Act, may be published in the Official Gazette of the Government of
11 Nigeria.

Transfer of
Property

- 12 33.--(1) All property held by or on behalf of the Colleges shall vest in
13 the University and be held by it for the purposes of the University.
14 (2) The provisions of paragraph the Second Schedule to this Act shall
15 have effect with respect to matters arising from the transfer of property by this
16 section and with respect to the other matters mentioned in that Schedule.

Restriction on
disposal of Land
belonging to
the University

- 17 34.--(1) Without prejudice to the provisions of the Land Use Act, a
18 University shall not dispose of or charge any land or an interest in any land,
19 including any land transferred to the University by this Act, except with the
20 prior written consent of the President.
21 (2) Provided that such consent shall not be required in the case of any
22 lease or tenancy at a rent for a term not exceeding 21 years or any lease or
23 tenancy to a member of the University for residential purpose.

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

- 24 35.--(1) No person shall be required to satisfy any requirements as to
25 race, ethnicity, sex, place of birth or of family origin, or religion or political
26 affiliation, as a condition of becoming or continuing to be a student at the
27 University created by this Act.
28 (2) No person shall be subjected to any disadvantage or accorded any
29 advantage in relation to the University, by reference to any of the holder of any
30 degree of the University or of appointment or employment at the University, or

1 a member of any, of the bodies established by virtue of this Act.

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

8 36.-(1) In this Act, unless the context otherwise requires:

Interpretation

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

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

11 "Council" means the Council established pursuant to sub-section (1) of
12 Section 4 of this Act of the University;

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

15 "Minister" means the Minister charged with responsibility for matters
16 relating to education;

17 "Notice" means notice in writing;

18 "Officer" does not include the Visitor;

19 "Prescribed" means prescribed by statute or regulation;

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

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

24 "Senate" means the Senate of the University established pursuant to
25 paragraph (e) of Section 3 of this Act;

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

27 "Undergraduate" means a person in status pupillary at each University other
28 than:

29 (a) A graduate; and

30 (b) A person of such description as may be prescribed for the

1 purpose of the definition;
2 "University" means the Federal University of Technology, Kaduna established
3 under section 1 of this Act.

Short title

4 37. This Bill may be cited as the University of Technology, Kaduna
5 Bill, 2019.

SCHEDULE

FIRST SCHEDULE

8 (a) Federal Polytechnic, Kaduna.

SECOND SCHEDULE

Proceedings of the Council and Senate's Meetings

11 1. Subject to this Act and section 27 of the Interpretation Act (CAP I
12 23) LFN, 2004,:

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

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

20 3. At any meeting of the Council and Senate, the Chairman shall
21 preside but where he is absent, the members present at the meeting shall
22 appoint one of their members to preside over the meeting.

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

28 5. Notwithstanding anything in the foregoing provisions of these
29 paragraphs, the first meeting of the Council and Senate shall be summoned by
30 the President,

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

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

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

10 *Constitution of Committees*

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

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

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

19 *Miscellaneous*

20 12. The validity of any proceedings of either the Council or the
21 Senate or of a Committee shall not be adversely affected by:

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

23 (b) a defect in the appointment of a member of such body or the
24 Committee; or

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

27 13. Any member of the Council or of the Senate or any person
28 holding office in any Committee, who has personal interest in any contract
29 or arrangement entered into or proposed to be considered by either the
30 Council or the Senate or a Committee thereof, shall disclose his interest to the

1 body concerned and shall not vote on any question relating to the contract or
2 arrangement.

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

6 *Functions of Finance and General Purposes Committee*

7 15. Subject to the provision of this Act relating to the Visitor, the
8 Council shall be the governing body of each University, charged with the
9 general control and superintendence of the policy, finances and property of the
10 University.

11 16. There shall be a committee of the Council to be known as the
12 Finance and General Purposes Committee, which shall subject to the directions
13 of the Council, exercise control over the property and expenditure of the
14 University and perform such other functions as may be delegated to it by the
15 Council.

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

19 18. The Council shall ensure that proper accounts of the University
20 are kept and audited annually by an independent firm of auditors approved by
21 the Council and ensure that an annual report is published by the University
22 together with certified copies of the audited account.

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

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

30 21. Where any of the rules made by the Committee is in conflict with

1 any directions given by the Council, before or after the coming into force of
2 such rules, the directions of the Council shall prevail.

3 22. There shall be paid to the members of the Council, the Finance
4 and General Purposes Committee and any other committee set up by the
5 Council, such allowances in respect of travelling and other reasonable
6 expenses incurred, at such rates as may from time to time be fixed by the
7 Government.

8 *Statutory instruments made by the University*

9 23. Subject to this Act, the Federal University of Technology,
10 Kaduna may make rules and regulations to:

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

13 (b) Specify the powers of any authority in the University and any
14 other matter connected with the exercise of such powers confer on such
15 authority;

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

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

20 (e) Determine whether any particular matter is to be treated as an
21 academic or a non-academic matter for the purposes of this Act or
22 Regulations or other instrument made under this Act.

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

27 *(CAP. 123)*

28 *Mode of exercising power to make statutory instruments*

29 25. the power of the University to make stator instruments shall be

1 exercised in accordance with the provisions of Section 32 of this Act and not
2 otherwise.

3 26. Such statutory instruments shall not become law unless it has
4 been approved at a meeting of the:

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

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

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

12 28. Any statutory instrument which:

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

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

20 29. For the purposes of Section 2, sub-section (2) of the interpretation
21 Act, such a statutory instruments shall be treated as being made on the date on
22 which it is duly approved by the Council after having been duly approved by
23 the Senate, or on the date on which it is duly approved by the Senate after
24 having been duly approved by the Council, as the case may be or, in the case of
25 a statute falling within sub-section (4) of this section, on the date on which it is
26 approved by the President.

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

30 31. Where any question as to the meaning of any provision of any ny

1 statutory instrument made subject to this Act has been decided by the
2 Visitor, no question as to the meaning of that provision shall be entertained
3 by any court of law in Nigeria.

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

8 *Proof of statutory instruments*

9 33. Any statutory instrument made by the University, may be
10 proved in any court by the production of a copy thereof bearing or having
11 affixed to it a certificate purporting to be signed by the Vice-Chancellor or
12 the Secretary to the Council to the effect that the copy is a true copy of such
13 statutory instrument of the University.

14 *Removal of examiners*

15 34. If, on the recommendation of the Senate, it appears to the Vice-
16 Chancellor that a person appointed as an examiner for any examination of
17 the University ought to be removed from his office or appointment, except in
18 such cases as may be prescribed, the Vice-Chancellor may, after affording
19 the examiner an opportunity of making representations in person on the
20 matter, may disengage such examiner from the University by an
21 instrument in writing signed by the Vice-Chancellor.

22 35. Subject to the provisions of statutory instrument made in
23 pursuant to Paragraph 34 of the Second Scheduled to this Act, the Vice-
24 Chancellor may, on the recommendation of the Senate, appoint an
25 appropriate person as examiner in the place of the examiner removed under
26 sub-section (1) of this Section.

27 36. It shall be the duty of the Vice-Chancellor, on signing an
28 instrument of removal in accordance to Paragraph 34, shall cause a copy of
29 the instrument to be served as soon as reasonably practicable on the person
30 to whom it relates.

1

THIRD SCHEDULE

2

Composition of the Finance and General Purposes Committee

3

1. The Finance and General Purposes Committee of the Council shall consist of:

4

5

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

6

7

(b) The Vice-Chancellor and Deputy Vice-Chancellor;

8

(c) Six representatives of the Council, two of whom shall be selected from among the Council's members, two members appointed by the Senate and one member appointed by the Congregation;

9

10

(d) The Permanent Secretary, Federal Ministry of Education or such member of his Ministry as may be delegated by him to represent him; and

11

12

(e) The Permanent Secretary, Federal Ministry of Science and Technology or such member of his Ministry as may be delegated by him to represent him.

13

14

2. The quorum of the Committee shall be five.

15

16

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

17

18

Composition of the Congregation of the University

19

4. The Congregation of the University shall consist of:

20

21

(a) The vice-Chancellor and the Deputy Vice-Chancellor;

22

(b) Full-time members of the academic staff;

23

(c) The Registrar;

24

(d) The Bursar;

25

(e) The Librarian;

26

(f) The Director of Works;

27

(g) The Director of Health Services; and

28

(h) Every administrative staffs of the University, who holds a degree, other than an honorary degree, of any University recognised for the purposes of this Act by the Vice-Chancellor.

29

30

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

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

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

9 13. 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 sub-paragraphs (a) or (b)
12 of this Paragraph are entered and retained on the register.

13 14. 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 copy
15 of the register at the principal offices of the University at all reasonable times.

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

22 16. The quorum of Convocation shall be fifty or one third or the
23 whole number nearest to one third or the whole number of members of
24 Convocation whichever is less.

25 17. Subject to section 4 of the Act, the Chancellor shall be chairman
26 at all meetings of Convocation when he is present, and in his absence the Vice-
27 Chancellor shall be the chairman at the meeting.

28 18. Convocation shall have such functions, in addition to the function
29 of appointing a member of the Council, as may be provided by any statutory
30 instrument of each University.

1

Division of Schools

2

19. Each school shall be divided into such number of branches as may be prescribed.

3

4

School Boards

5

6

7

20.-(1) There shall be established in respect of each school a board of studies which, subject to the provisions of this Statute, and subject to the directions of the Vice- Chancellor, shall:

8

9

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

10

11

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

12

13

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

14

15

(2) Each school board of studies shall consist of:

16

17

(a) The Vice-Chancellor;

(b) The Dean;

18

19

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

(d) Such of the teachers assigned to the school and having the prescribed qualifications as the board may determine; and

20

21

(e) Such persons, whether or not members of the University, as the Board may determine with the approval of the Senate.

22

23

24

25

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

26

27

28

29

30

Dean of the School

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

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

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

7 *Creation of academic posts*

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

11 *Appointment of academic staff*

12 24.-(1) Subject to the Act and statutes, the filling of vacancies in
13 academic posts (including newly created ones) shall be the responsibility of
14 the Senate.

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

18 (3) For appointments to professorships, associate professorship or
19 readerships or equivalent posts, a board of selection, with power to appoint,
20 shall consist of:

21 (a) The Vice-Chancellor;

22 (b) Two members appointed by the Council;

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

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

29 (e) Where the post is within a school, institute or other teaching unit
30 of the University, the Dean of the school or the teaching unit, or the director

1 of the institute, as the case may be; and

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

6 (4) For other academic posts, a selection board, with power to
7 appoint, shall consist of:

8 (a) The Vice-Chancellor;

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

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

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

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

21 (5) All appointments to senior library posts shall be made in the same
22 way as equivalent appointments in the academic cadre and for all such posts
23 other than that of the Librarian, the Librarian shall be a member of the selection
24 board.

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

Appointment of administrative and professional staff

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

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

FOURTH SCHEDULE

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

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

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

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

Registration of transfers

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

5. It shall be the duty of the body to which any property is rity and

1 transferred by this Act to make available to the transferee, necessary particulars
2 of such transfer to the proper officer of the registration authority and of that
3 officer to register the transfer accordingly.

4 *Transfer of functions*

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

7 7. Persons who were members of the Polytechnic Council shall be
8 deemed to constitute the Council of the University until the date when a new
9 Council will be constituted by the University.

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

13 9. Any person, who is a member of the Council of the Polytechnic
14 before the coming into force of this Act, shall be deemed to constitute the
15 Senate of the University until the date when the Senate as provided for Section
16 9 of this Act have been duly constituted.

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

21 11. Persons who were Deans or associate Dean of schools or
22 members of any school boards shall continue to be Deans or associate Deans or
23 become members of the corresponding school boards, until new appointments
24 are made in pursuance of the statutes.

25 12. Any person who was a member of staff of the Polytechnic as
26 established or was otherwise employed by the Council of the Polytechnic, shall
27 become the holder of an appointment at the University with the status,
28 designation and functions which correspond with his status as a staff of the
29 University.

EXPLANATORY MEMORANDUM

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

