

A BILL

FOR

AN ACT TO ESTABLISH THE FEDERAL UNIVERSITY OF AGRICULTURE AND TECHNOLOGY, IGUEBEN EDO STATE AND FOR RELATED MATTERS, 2021

Sponsored by Hon. Joe Ediomwele

[] Commencement

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

1 PART I - ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF FEDERAL
2 UNIVERSITY OF AGRICULTURE AND TECHNOLOGY IGUEBEN, EDO STATE

3 1.-(1) There is here by established the Federal University of
4 Agriculture and Technology, Igueben, Edo State (in this Bill referred to as
5 "the University") to be known as the Federal University of Agriculture and
6 Technology Igueben, Edo State.

Establishment and Objects of the Federal University of Agriculture and Technology Igueben, Edo State

7 (2) The University:

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

10 (b) May sue or be sued in its corporate name.

11 2. The objects of the University shall be to:

Objects of the University

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

15 (b) to develop and offer academic and professional programmes
16 leading to the award of diplomas, first degrees, post-graduate research and
17 higher degrees with emphasis on Agricultural research, planning, adaptive,
18 technical, maintenance, developmental and productive skills in the
19 engineering, scientific, and allied professional disciplines with the aim of
20 producing socially mature men and women with capability not only to
21 understand, use and adapt existing technologies in the Agriculture, but also

- 1 to improve on them and develop new ones;
- 2 (c) to act as agents and catalysts, through post-graduate training,
3 research and innovation for the effective and economic utilization, exploitation
4 and conservation of the country's Agriculture resources;
- 5 (d) to offer to the general population particularly in the area
6 Agriculture as a form of public service, the results of training and research and
7 to foster the practical applications of these results;
- 8 (e) to establish appropriate relationships with other national
9 institutions involved in training, research and development of technologies in
10 the Agriculture sector;
- 11 (f) to identify the problems and needs of the Agriculture sector in
12 Nigeria and to find solutions to them within the context of overall national
13 development;
- 14 (g) to provide and promote sound basic scientific training as a
15 foundation for the development of Agriculture in Nigeria, taking into account
16 indigenous cultures and the need to enhance national unity;
- 17 (h) to encourage and promote scholarship and conduct research in
18 restricted fields of learning and human endeavor;
- 19 (i) to relate its activities to the technological, social, cultural and
20 economic needs of the people of Nigeria; and
- 21 (j) to undertake any other activities appropriate for an Agriculture
22 university of the highest standard.

*Constitution of
the University
and its Constituent
Bodies, etc.*

23 3.-(1) The University shall consist of:

- 24 (a) a Chancellor;
- 25 (b) a Pro-Chancellor and a Council;
- 26 (c) a Vice Chancellor and a Senate;
- 27 (d) a Deputy Vice-Chancellor(s);
- 28 (e) a body to be called Congregation;
- 29 (f) a body to be called Convocation;
- 30 (g) the campuses and colleges of the University;

1 (h) the faculties, schools, institutes and other teaching and
2 research units of the University;

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

6 (j) all graduates and undergraduates; and

7 (k) all other persons who are members of the University in
8 accordance with provisions made by Statute in that behalf.

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

11 (3) Provision shall be made by Statute with respect to the
12 constitution of the following bodies, namely:

13 (a) the Council;

14 (b) the Senate;

15 (c) the Congregation; and

16 (d) the Convocation.

17 4.-(1) For the carrying out of its objects as specified in Section 2 of
18 this Act, the University shall have power to:

*Powers of the
University*

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

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

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

29 (d) provide for the residence, discipline and welfare of members of
30 the University;

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

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

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

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

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

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

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

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

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

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

6 (o) make gifts for any charitable purpose;

7 (p) do anything which it is authorized or required by this Bill or by
8 any other Statute to do; and

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

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

16 5.-(1) The Chancellor shall in relation to the University, take
17 precedence before all other members of the University, and when he is
18 present shall preside at all meetings of convocation held for conferring
19 degrees.

Functions of the
Chancellor and
Pro-Chancellor

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

25 6.-(1) There shall be a Council for the University consisting of:

Establishment and
Composition of
Council

26 (a) the Pro-Chancellor;

27 (b) the Vice-Chancellor;

28 (c) the Deputy Vice-Chancellor;

29 (d) one person from the Ministry responsible for Education;

30 (e) four persons representing a variety of interest and broadly

- 1 representative of the whole Federation;
- 2 (f) four persons appointed by the Senate from among its members;
- 3 (g) two persons appointed by the congregation from among its
- 4 members; and
- 5 (h) one persons appointed by Convocation from among its members.

6 (2) Persons to be appointed to the Council shall be persons of proven
7 integrity, knowledgeable and familiar with the affairs and tradition of the
8 University.

Functions of the
Council and its
Finance and
General Purpose

9 7.-(1) Subject to the provisions of this Bill relating to the Visitor, the
10 Council shall be the Governing Body of the University and shall be charged
11 with the general control and superintendence of the policy, finances and
12 property of the University, including its public relations.

13 (2) There shall be a committee of the Council to be known as the
14 Finance and General Purposes Committee, which shall, subject to the
15 directions of the Council, exercise control over the property and expenditure of
16 the Council as the Council by from time to time delegate to it.

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

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

25 (5) Subject to this Bill and the Statutes, the Council and the Finance
26 and General Purposes Committee may each make rules for the purpose of
27 exercising any of their respective functions or of regulating their own
28 procedure.

29 (6) Rules made under subsection (5) of this section by the Finance and
30 General Purposes Committee shall not come into force unless approved by the

1 Council, and where any rule so made by the Committee conflict with any
2 directions given by the Council (whether before or after the coming into
3 force of the rules in question), the direction of the Council shall prevail.

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

9 (8) The Council shall meet as and when necessary for the
10 performance of its functions under this Bill, and shall meet at least four times
11 every year.

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

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

21 8.-(1) Subject to section 5 of this Bill and subsections (3) and (4) of
22 this section and to the provisions of this Act relating to the Visitor, it shall be
23 the general function of the Senate to organize and control teaching in the
24 University, admission to Postgraduate courses and other admission of
25 students, the discipline of students and to promote research in the
26 University.

Functions of the
Senate

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

30 (a) establishment, organization and control of campuses, colleges,

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

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

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

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

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

14 (f) supervision of the welfare of students in the University and the
15 regulation of their conduct;

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

18 (h) Determination of what description of dress shall be academic
19 dress for the purposes of the University, and regulating the use of academic
20 dress.

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

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

30 (b) The Senate shall, by regulation, provide that at least one of the

1 persons appointed as examiners at each final or professional examination
2 held in conjunction with any course of study in the University is not a
3 teacher at the University but is a teacher at the branch of learning to which
4 the course relates in some other University of high repute.

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

11 9.-(1) The Vice-Chancellor shall, in relation to the University, take
12 precedence before all other members of the University except the
13 Chancellor and, subject to section 5 of this Act, the Pro-Chancellor and any
14 other person for the time being acting as Chairman of the Council.

Functions of the
Vice-Chancellor

15 (2) Subject to the provisions of this Bill, the Vice-Chancellor shall
16 have general function, in addition to any other functions conferred on him
17 by this Act or otherwise, of directing the activities of the University, and
18 shall to the exclusion of any other person or authority be the Chief Executive
19 and Academic Officer of the University and Ex-officio Chairman of the
20 Senate.

21 PART II - TRANSFER OF PROPERTY

22 10.-(1) All property held by or on behalf of the Provisional Council
23 shall, by virtue of this subsection and without further assurance, vest in the
24 University and be held by it for the purpose of the University.

Transfer of Property
to the University

25 (2) The provisions of the Second Schedule to this Act shall have
26 effect with respect to the transfer of property by this section and to matters
27 arising there from and with respect to other matters mentioned in that
28 Schedule.

29 PART III - STATUTES OF THE UNIVERSITY

30 11.-(1) Subject to this Bill, the University may make Statutes for

Power of the
University to make
Statutes

1 any of the following purposes:

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

4 (b) specifying and regulating the powers and duties of any authority
5 of the University, and regulating any other matter connected with the
6 University or any of its authorities;

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

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

12 (e) making provision for other matters for which provision by Statute
13 is authorized or required by this Bill.

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

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

20 (4) The power to make Statute conferred by this section, shall not be
21 prejudiced or limited in any way by reason of the inclusion or omission of any
22 matter in or from the Statute contained in the Third Schedule to this Bill or any
23 subsequent Statute.

Mode of exercising
the power to make
Statutes

24 12.-(1) The power of the University to make Statutes shall be
25 exercised in accordance with the provisions of this section.

26 (2) A proposed Statute shall not have the force of law until it has been
27 approved at a meeting of the:

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

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

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

6 (4) A Statute which:

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

9 (b) provides for the establishment of a new campus or college or for
10 the amendment or revocation of any Statute whereby a campus or college is
11 established: shall not come into operation unless it has been approved by the
12 Visitor.

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

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

Proof of Statute

22 14.-(1) In the event of any doubt or dispute arising at any time as to
23 the meaning of any provision of a Statute, the matter may be referred to the
24 Visitor, who shall take such advice and make such decision thereon as he
25 deems fit.

Power to decide
the meaning of
Statute

26 (2) The decision of the Visitor on any matter referred to him under
27 this section shall be binding upon the authorities, staff and students of that
28 University and where any question as to the meaning of any provision of a
29 statute has been decided by the Visitor under this section, no question as to

1 the meaning of that provision shall be entertained by any other authority in
2 Nigeria:

3 PROVIDED that nothing in this subsection shall affect the power of a
4 court of competent jurisdiction to determine whether any provision of a statute
5 is wholly or partly void as being ultra vires or as being inconsistent with the
6 Constitution.

7 (3) The foregoing provisions of this section shall apply in relation to
8 any doubt or dispute as to whether any matter is, for the purposes of this Bill,
9 academic or a non-academic matter as they apply in relation to any such doubt
10 or dispute as is mentioned in subsection (1) of this section, and accordingly the
11 reference in subsection (2) of this section to any question as to the meaning of
12 any provision of a statute shall include references to any question as to whether
13 any matter is for the said purposes an academic or non-academic matter.

14 PART IV - SUPERVISION AND DISCIPLINE

The Visitor

15 15.-(1) The President shall be the Visitor of the University.

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

20 (3) It shall be the duty of the bodies and persons comprising the
21 University to:

22 (a) make available to the Visitor, and to any other persons conducting
23 a visitation in pursuance of this section, such facilities and assistance as he or
24 they may reasonably require for the purpose of the visitation; and

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

Removal of certain
Members of the
Council

27 16.-(1) If it appears to the Council that a member (other than the Pro-
28 Chancellor or the Vice-Chancellor) should be removed from office on grounds
29 of misconduct or inability to perform the functions of his office, the Council
30 shall make a recommendation to that effect through the Minister to the Federal

1 Executive Council and if the Federal Executive Council after making such
2 enquiries (if any) as may be considered necessary, approves the
3 recommendation it may direct the removal of the member from office.

4 (2) It shall be the duty of the Minister to use his best endeavors to
5 cause a copy of the instrument embodying a direction under subsection (1)
6 of this section to be served as soon as reasonably practicable on the person to
7 whom it relates.

8 17.-(1) If it appears to the Council that there are reasons for
9 believing that any person employed as a member of the academic,
10 administrative or professional staff of the University, other than the Vice-
11 Chancellor, should be removed from office or on grounds of misconduct or
12 inability to perform the functions of his office the Council shall:

Removal and
discipline of
Academic,
Administrative
and Professional
Staff

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

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

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

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

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

22 (b) the person in question to be afforded an opportunity to appear
23 before and be heard by an investigating committee with respect to the
24 matter; and

25 (c) if the Council after considering the report of the investigating
26 committee, is satisfied that the person in question should be removed, the
27 Council may so remove him by an instrument in writing signed on the
28 directions of the Council.

29 (3) The Vice-Chancellor may, in a case of gross misconduct by a
30 member of staff which in the opinion of the Vice-Chancellor is prejudicial to

1 the interest of the University, suspend such member and any such suspension
2 shall immediately be reported to the Council.

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

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

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

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

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

18 (5) Any person suspended pursuant to subsection (3) of this section
19 shall be on half pay and the Council shall before the expiration of a period of
20 three months from the date of such suspension consider the case against that
21 person and come to a decision as to whether to:

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

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

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

29 (d) take such lesser disciplinary action against such person (including
30 the restoration of such proportion of his emoluments that might have been

1 withheld) as the Council may determine.

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

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

11 (8) Nothing in the foregoing provisions of this section shall prevent
12 the Council from making regulations for the discipline of staff and workers
13 of the University may be appropriate.

14 18.-(1) If, on the recommendation of the Vice-Chancellor, it
15 appears to the Senate that a person appointed as an examiner for any
16 examination of the University ought to be removed from his office or
17 appointment, then, the Senate may, after affording the examiner an
18 opportunity of making representations in person on the matter, direct the
19 Vice-Chancellor to remove the examiner by an instrument in writing signed
20 by the Registrar.

Removal of
Examiners

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

25 (3) It shall be the duty of the Registrar, on signing an instrument of
26 removal pursuant to this section, to use his best endeavours to cause a copy
27 of the instrument to be served as soon as reasonably practicable on the
28 person to whom it relates.

29 19.-(1) Subject to the provisions of this section, where after due
30 process it appears to the Vice-Chancellor that any student is guilty of

Discipline of
Students

1 misconduct, the Vice-Chancellor may, without prejudice to any other
2 disciplinary powers conferred on him by Statute or regulations, direct that the:

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

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

8 (c) Student be rusticated for such period as may be specified in the
9 direction.

10 (2) Where a direction is given under subsection (1) paragraphs (a) to
11 (d) of this section in respect of any student, the student may, within the
12 prescribed period and in the prescribed manner, appeal against the direction to
13 the Senate.

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

18 (4) The fact that an appeal from a direction is brought pursuant to
19 subsection (3) of this section shall not affect the operation of the direction while
20 the appeal is pending.

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

24 (6) Nothing in this section shall be construed as preventing the
25 restriction or termination of a student's activities at the University for conduct
26 which in the opinion of Senate is prejudicial to the interest of the University or
27 to its corporate objective or image.

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

PART V - MISCELLANEOUS AND GENERAL PROVISIONS

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

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

(a) student in the University;

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

(c) Member of anybody established by virtue of this Act.

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

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

Transfer of land to the University

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

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

Restriction on disposal of land by University

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

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

Quorum and procedure of bodies established by this Act

Appointment of
Committees, etc.

1 24.-(1) Anybody of persons established by this Bill shall, without
2 prejudice to the generality of the powers of that body, have power to appoint
3 committees, which need not consist exclusively of members of that body and
4 authorize a committee:

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

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

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

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

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

23 (5) Nothing in the foregoing provisions of this section shall be
24 construed as enabling:

25 (a) statutes to be made otherwise than in accordance with section 111 of
26 this Act; or

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

Pension Act

29 25.-(1) Notwithstanding anything to the contrary in the Pension Act,

1 the compulsory retiring age of the following categories of staff shall be as
2 follows:

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

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

7 (c) Non-Academic staff of the University shall be 65 years.

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

11 26. An Academic staff of the University who retires as a Professor
12 in the University shall be entitled to pension at a rate equivalent to his annual
13 salary provided that the Professor has served continuously in the University
14 up to the retirement age.

15 27-(1) The seal of the University shall be such as may be
16 determined by the Council and approved by the Chancellor and the affixing
17 of the seal shall:

Miscellaneous
Administrative
Provisions

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

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

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

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

30 (4) The validity of the proceedings of anybody established

1 pursuant to this Bill shall not be affected by any vacancy in the membership of
2 the body, or by any defect in the appointment of a member of the body or by
3 reason that any person not entitled to do so took part in the proceeding.

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

7 (6) Nothing in section 12 of the Interpretation Act (which provides for
8 the application, in relation to subordinate legislation, of certain incidental
9 provisions) shall apply to Statutes or Regulations made pursuant to this Bill.

10 (7) The power conferred by this Bill on anybody to make Statute or
11 Regulations shall include power to revoke or vary any:

12 (a) Statute (including the Statute contained in the Third Schedule to
13 this Bill); or

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

16 PROVIDED that the Statutes and Regulations may have different
17 provisions in relation to different circumstances.

18 (8) No stamp or other duty shall be payable in respect of any transfer
19 of property to the University by virtue of sections 10, 21 and the second
20 schedule to this Bill.

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

Interpretation

23 28.-(1) In this Bill:

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

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

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

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

30 "Gross misconduct" means any act of misconduct and improper behavior that

1 may be designated as gross misconduct by any Statute or Regulation made,
2 pursuant to this Bill;

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

4 "misconduct" means any conduct which is prejudicial to the good name of
5 the University and or discipline and the proper administration of the
6 business of the University;

7 "notice" means notice in writing;

8 "officer" does not include the Visitor;

9 "prescribed" means prescribed by Statute or Regulation made under this
10 Bill;

11 "professor" means a person designated as a professor of the University In
12 accordance with provisions made in that behalf by Statute or by
13 Regulations;

14 "property" includes rights, liabilities and obligations;

15 "the provisional Council" means the provisional Council appointed for the
16 University by the President with effect from September 2016;

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

18 "Senate" means the Senate of the University established by the Bill;

19 "Statute" means a Statute made by the University under section 11 of this
20 Bill and in accordance with the provisions of section 12 of this Bill;

21 "the Statutes" means all such Statutes as are in force from time to time;

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

24 "President" means the President of the Federal Republic of Nigeria;

25 "Constitution" means the Constitution of the Federal Republic of Nigeria;

26 "undergraduate" means a person in statupupilari in the University, other
27 than:

28 (a) a graduate; and

29 (b) A person of such description as may be prescribed for the
30 purposes of this definition.

1 "the University" the Federal University of Agriculture and Technology
2 Igueben, Edo State incorporated and constituted by this Act; and
3 "The Act" means the Federal University of Agriculture and Technology
4 Igueben, Edo State Act.

5 (2) Where in any provision of this Bill, it is laid down that proposals
6 are to be submitted or a recommendation is to be made by one authority to
7 another through one or more intermediate authorities, it shall be the duty of
8 every such intermediate authority to forward any proposals or
9 recommendations received by it pursuant to that provision to the appropriate
10 authority; but any such intermediate authority may, if it thinks fit, forward
11 therewith its own comments thereon.

Short title

12 29. This Bill may be cited as the Federal University of Agriculture and
13 Technology Igueben, Edo State, (Establishment, etc.) Bill, 2021.

FIRST SCHEDULE

Section 3 (2)

PRINCIPAL OFFICERS OF THE UNIVERSITY

The Chancellor

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

The Pro-Chancellor

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

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

The Vice-Chancellor

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

Deputy Vice-Chancellor

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

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

(3) A Deputy Vice-Chancellor shall:

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

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

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

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

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

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

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

12 6.-(1) There shall be for the University, the following Principal
13 Officers in addition to the Registrar, that is:

14 (a) the Bursar; and

15 (b) The University Librarian.

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

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

23 (4) The Bursar and the University Librarian shall each hold office for
24 such period and on such terms and conditions as to emoluments as may be
25 specified in his letter of appointment.

26 *Other Officers of the University*

27 7. There shall be for the University, a Director of Works, who shall be
28 responsible to the Vice Chancellor for the administration of the Works
29 Department. He shall be responsible for all works, services and maintenance of
30 University facilities.

1 established by this Bill had been a party to it in place of the provisional Council.

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

6 (3) Any legal proceedings or application to any authority pending by
7 or against the provisional Council may be continued by or against the
8 University established by this Bill.

9 *Registration of Transfers*

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

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

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

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

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

28 (4) The persons who were members of the Senate immediately before
29 the coming into force of this Act shall be deemed to constitute the Senate of the
30 University until the date when the Senate as set up under the Third Schedule of

1 this Act must have been duly constituted.

2 (5) Subject to any regulations which may be made by the Senate
3 after the date on which this Bill is made, the faculties, faculty boards and
4 students of the University immediately before the coming into force of this
5 Bill shall on that day become faculties, faculty boards and students of the
6 University as established by this Bill.

7 (6) Persons who were deans or associate deans of faculties or
8 members of faculty boards shall continue to be deans or associate deans or
9 become members of the corresponding faculty boards, until new
10 appointment are made in pursuance of the Statutes under this Bill.

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

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

18 THIRD SCHEDULE

19 *Section 11 (3)*

20 FEDERAL UNIVERSITY OF AGRICULTURE AND TECHNOLOGY

21 IGUEBEN, EDO STATE STATUTE NO.1

22 *Articles:*

- 23 1. The Council.
- 24 2. Finance and General Purpose Committee
- 25 3. The Senate
- 26 4. The Congregation
- 27 5. Convocation
- 28 6. Organization of Faculties and the Branches
- 29 7. Faculty Board
- 30 8. The Dean of the Faculty

1 incompetent and corrupt, it shall be dissolved by the visitor and a new
2 Council shall be immediately constituted for the effective functioning of the
3 University.

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

8 *The Finance and General Purpose Committee*

9 2.-(1) The Finance and General Purpose Committee of the Council
10 shall consist of:

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

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

14 (c) six other members of the Council appointed by the Council, two
15 of whom shall be selected from among the four members of the Council
16 appointed by the Senate and one of whom shall be selected from among
17 members of the Council appointed by the congregation; and

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

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

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

24 *The Senate*

25 3.-(1) There shall be a Senate for the University consisting of:

26 (a) the Vice-Chancellor;

27 (b) the Deputy Vice-Chancellor;

28 (c) all Professors of the University;

29 (d) all Deans, Provosts and Directors of Academic units of the
30 University;

1 (e) all Heads of Academic Departments, Units and Research Institutes
2 of the University;

3 (f) the University Librarian; and

4 (g) Academic members of the congregation who are not Professors as
5 specified in the Laws of the University.

6 (2) The Vice-Chancellor shall be the Chairman at all meetings of the
7 Senate when he is present and in his absence, one of the Deputy Vice-
8 Chancellors appointed by him shall be the Chairman at the meeting.

9 (3) The quorum of the Senate shall be one-quarter (or the nearest
10 whole number less than one quarter), and subject to paragraph (2) above the
11 Senate may regulate its own procedure.

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

16 *Congregation*

17 4.-(1) Congregation shall consist of:

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

19 (b) the full time members of the academic staff;

20 (c) the Registrar;

21 (d) the Bursar; and

22 (e) Every member of the administrative and technical staff who holds
23 a degree of any University recognized for the purpose of this Statute by the
24 Vice-Chancellor, not being an honorary degree.

25 (2) Subject to section 5 of this Bill, the Vice-Chancellor shall be the
26 Chairman at all meetings of congregation when he is present, and in his
27 absence one of the Deputy Vice Chancellors appointed by him shall be the
28 Chairman at the meeting.

29 (3) The quorum of congregation shall be one-third (or the nearest
30 whole number to one-third) of the total number of members of congregation or

1 fifty, whichever is less.

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

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

5 (b) the names of the persons who are members of Congregation
6 during a particular period;

7 Shall be conclusive evidence of that number or as the case may be of the
8 names of those persons.

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

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

16 *Convocation*

17 5.-(1) Convocation shall consist of:

18 (a) the Officers of the University mentioned in Schedule 1 to this
19 Bill;

20 (b) all teachers within the meaning of this Bill; and

21 (c) All other persons whose names are registered in accordance
22 with paragraph (2) below.

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

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

27 (b) Applies for the registration of his name in the prescribed
28 manner and pays the prescribed fee.

29 (3) Regulations shall provide for the establishment and
30 maintenance of a register for the purpose of this paragraph and, subject to

1 paragraph (3) below, may provide for the payment from time to time of further
2 fees by persons whose names are on the register and for the removal from the
3 register of the name of any person who fails to pay those fees.

4 (4) The person responsible for maintaining the register shall, without
5 the payment of any fees, ensure that the names of all persons who are for the
6 time being members of convocation by virtue of graph (1) (a) or (b) of this
7 paragraph are entered and Retained as in the Bill on the register.

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

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

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

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

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

26 *Organisation of Faculties and Branches thereof*

27 6. Each Faculty shall be divided into such number of branches as may
28 be prescribed.

29 7.-(1) There shall Be established in respect of each Faculty, a Faculty
30 Board, which, subject to the provisions of this Bill, and subject to the directions

1 of the Vice-Chancellor, shall:

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

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

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

8 (2) Each Faculty Board shall consists of:

9 (a) the Vice-Chancellor;

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

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

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

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

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

19 *The Dean of the Faculty*

20 8.-(1) The Dean of a faculty shall be a professor elected by the
21 Faculty Board and such Dean shall hold office for a term of two years. He
22 will be eligible for re-election for another term of two years after which he
23 may not be elected again until two years have elapsed.

24 (2) If there is no professor in a faculty, the Vice-Chancellor shall
25 appoint an Acting Dean who shall not be below the rank of Senior Lecturer
26 for the faculty, who will act for a period of one year in the first instance,
27 renewable for another one year only.

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

1 (4) The Dean of a faculty shall exercise general superintendence over
2 the academic and administrative affairs of the faculty and it shall be the
3 function of the Dean to present to the convocation for the conferment of
4 Degrees, persons who have qualified for the Degrees of the university at
5 examinations held in the branches of learning for which responsibility is
6 allocated to that faculty.

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

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

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

18 *Selection of Certain Principal and other key Officers*

19 9.-(1) When a vacancy occurs in the Office of the Registrar, Bursar,
20 the University Librarian, Director of Works or Director of Health Services, a
21 Selection Board shall be constituted by the Council and shall consist of:

22 (i) the Pro-Chancellor;

23 (ii) the Vice-chancellor;

24 (iii) two members appointed by the Council, not being members of
25 Senate; and

26 (iv) two members appointed by the Senate not being members of
27 Council.

28 (2) The Selection Board, after making such inquiries as it thinks fit,
29 shall recommend a candidate to the Council for appointment to the vacant
30 office, and after considering the recommendation of the Board the Council may

1 make an appointment to that office.

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

5 *Creation of Academic Post*

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

9 *Appointment of Academic Staff*

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

13 *Appointment of Administrative and Technical Staff*

14 12.-(1) The administrative and technical staff of the University,
15 other than those mentioned in paragraph 9 of this schedule shall be
16 appointed by the Council or on its behalf by the Vice-Chancellor or the
17 Registrar in accordance with any delegation of powers made by the Council
18 in that behalf.

19 (2) In the case of administrative or technical staff that has close and
20 important contacts with the academic staff, there shall be Senate
21 participation in the process of selection.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal University of Agriculture and
Technology Igueben, Edo State to make comprehensive provisions for its
due Management and Administration.

