

MICHAEL OKPARA UNIVERSITY, UMUDIKE

(ESTABLISHMENT, ETC.) BILL, 2021

ARRANGEMENT OF SECTIONS

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# A BILL

## FOR

AN ACT TO ESTABLISH THE MICHAEL OKPARA UNIVERSITY, UMUDIKE; TO MAKE COMPREHENSIVE PROVISIONS FOR DUE MANAGEMENT AND ADMINISTRATION; AND FOR RELATED MATTERS

*Sponsored by Hon. Benjamin Okezie Kalu*

[ ] Commencement

BE IT ENACTED by the National Assembly of the Federal Republic of Nigeria as follows-

1 PART I - ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF THE  
2 MICHAEL OKPARA UNIVERSITY, UMUDIKE

3 1.-(1) There is hereby established the Michael Okpara University,  
4 Umudike, Abia State in this Bill referred to as "the University").

Establishment of the Michael Okpara University, Umudike

5 (2) The University shall be a body corporate with perpetual  
6 succession and a common seal and may sue and be sued in its corporate  
7 name.

8 2. The Federal Universities of Agriculture Act, Cap F22, Laws of  
9 the Federation of Nigeria, 2004 is amended in section 2(1) thereof by  
10 deleting the words "(c) Federal University of Agriculture, Umudike Abia  
11 State."

Amendment of Cap. F22, LFN, 2004

12 3.-(1) The general objects/purposes of the University shall be to-

Objects and mandate

13 (a) encourage the advancement of learning and to hold out to all  
14 persons without distinction of race, creed, sex or political conviction, the  
15 opportunity of acquiring a higher education in Medicine and other Health  
16 Sciences;

17 (b) develop and offer academic and professional programs leading  
18 to the award of diplomas, first degrees, postgraduate research and higher  
19 degrees with emphasis on planning, adaptive, technical, maintenance,  
20 developmental and productive skills in the field of Medicine, biomedical

1 engineering, scientific, and allied professional disciplines relating to health  
2 resources with the aim of producing socially mature persons with capacity not  
3 only to understand, use and adapt existing technologies in the health industry,  
4 but also to improve on those disciplines and develop new ones, and to  
5 contribute to the scientific transformation of medical and other health practices  
6 in Nigeria;

7 (c) act as agents and catalysts, through postgraduate training, research  
8 and innovation for the effective and economic utilization, exploitation and  
9 conservation of Nigeria's natural, economic and human resources;

10 (d) offer to the general population, as a form of public service, the  
11 results of training and research in medicine and allied disciplines and to foster  
12 the practical application of those results;

13 (e) establish appropriate relationships with other national institutions  
14 involved in training, research and development of health care;

15 (f) identify the health problems and needs of Nigeria and to find  
16 solutions to them within the context of overall national development;

17 (g) provide and promote sound basic scientific training as a  
18 foundation for the development of medicine and allied disciplines, taking into  
19 account indigenous culture, the need to enhance national unity, the need to  
20 vastly increase the practical content of student training, and adequate  
21 preparation of graduates for self-employment in medicine and allied  
22 professions;

23 (h) promote and emphasize teaching, research and extension of health  
24 knowledge, including health extension services and outreach programs, in-  
25 service training, continuing education, and adaptive research;

26 (i) offer academic programs in relation to the training of manpower  
27 for medicine and allied profession in Nigeria;

28 (j) organize research relevant to training of manpower and health  
29 technology;

1 (k) organize extension services and outreach programs for  
2 technology transfer;

3 (l) establish institutional linkages in order to foster collaboration  
4 and integration of training, research, and extension activities; and

5 (m) undertake any other activities appropriate for a University of  
6 Health Sciences.

7 (2) The mandate of the University shall be to-

8 (a) teach and train high caliber health-care professionals;

9 (b) provide healthcare services and consultancy;

10 (c) conduct research and participate in extension, outreach and  
11 community services;

12 (d) operate various schools and specialties that offer exemplary  
13 training and quality research in health care;

14 (e) facilitate the acquisition of knowledge and skills in different  
15 specialties for effective and efficient management of health care;

16 (f) provide solution to the lack and the inequitable distribution of  
17 health professionals serving rural communities;

18 (g) train clinically, competent and socially conscious health  
19 workers who will stay and serve in depressed and undeserved communities  
20 especially in the rural areas of Nigeria;

21 (h) develop a training model for the training of community-  
22 oriented health workers that could be replicated in other areas of Nigeria,

23 (i) facilitate collaboration and enhancement of health sciences  
24 research and education endeavours;

25 (j) advance the national and international reputation as the premier  
26 university for health sciences education and research in Nigeria;

27 (k) advise and report regularly to the ministry of education on all  
28 matters relevant to the health sciences sector and its education and research  
29 programs;

1 (l) work collectively on common health academic issues and their  
2 implementation;

3 (m) provide management support for education and research across  
4 the health sciences sector;

5 (o) promote inter-professional education across all health  
6 professional programs and optimize the resources to do so; and

7 (p) ensure that the health sciences sector is adequately and  
8 appropriately represented at all levels of University governance.

Composition  
of the University

9 4.- (1) The University shall consist of-

10 (a) Chancellor;

11 (b) Pro-Chancellor and a Council;

12 (c) Vice-Chancellor and a Senate;

13 (d) Deputy Vice-Chancellor(s);

14 (e) a body to be called Congregation;

15 (f) a body to be called Convocation;

16 (g) campuses and colleges of the University;

17 (h) schools, institutes and other teaching and research units;

18 (i) persons holding the offices constituted by the First Schedule to this  
19 Act other than those mentioned in paragraph (a) to (d) of this subsection;

20 (j) all graduates and undergraduates of the University; and

21 (k) all other persons who are members of the University in accordance  
22 with provisions made by statute in that behalf.

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

25 (3) Subject to section 7 of this Bill, provision shall be made by statute  
26 with respect to the constitution of the following bodies, namely the Council,  
27 the Senate, Congregation and Convocation.

Powers of the  
University and  
their exercise

28 5.-(1) For the carrying out of its objects as specified in section 3 of this  
29 Bill, the University shall have power-

30 (a) to establish such campuses, colleges, institutes, schools,

1 extramural departments and other teaching and research units within the  
2 University as may, from time to time, be deemed necessary or desirable,  
3 subject to the approval of the Federal Ministry of Education;

4 (b) to institute professorships, readerships or associate  
5 professorships, and other posts and offices and to make appointments  
6 thereto;

7 (c) to institute and award fellowships, scholarships, exhibitions,  
8 bursaries, medals, prizes and other titles, distinctions, awards and other  
9 forms of assistance;

10 (d) to provide for the discipline and welfare of members of the  
11 University;

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

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

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

21 (h) subject to section 24 of this Bill, to acquire, hold, grant, charge  
22 or otherwise deal with or dispose of movable and immovable property  
23 wherever situate;

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

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

29 (k) to erect, provide, equip and maintain libraries, laboratories;  
30 lecture halls, halls of residence, refectories, sports grounds, playing fields

1 and other buildings or things necessary or suitable or convenient for any of the  
2 objects of the University;

3 (l) to hold public lectures and to undertake printing, publishing and  
4 book-selling;

5 (m) subject to any limitations on conditions imposed by statute, to  
6 invest any money appertaining to the University by way of endowment, not  
7 being immediately required for current expenditure, in any investments or  
8 securities or the purchase or improvement of land, with power from time to  
9 time to vary any such investments and to deposit any money for the time being  
10 not invested with any bank on deposit or current account;

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

15 (o) to do anything which it is authorized or required by this Bill or by  
16 statute to do; and

17 (p) to do all such acts or things, incidental to the foregoing powers, as  
18 may advance the objects of the University.

19 (2) Subject to the provisions of this Bill and of the statutes and without  
20 prejudice to section 10(2) of this Bill, the powers conferred on the University  
21 by subsection (1) of this section shall be exercisable on behalf of the University  
22 by the Council or by the Senate or in any other manner, which may be  
23 authorized by statute.

24 (3) The power of the University to establish further campuses and  
25 colleges within the University shall be exercisable by statute and not  
26 otherwise.

Functions of  
the Chancellor

27 6.-(1) The Chancellor shall, in relation to the University, take  
28 precedence before all other members of the University and when he is present  
29 shall preside at all meetings of Convocation held for conferring degrees.

30 (2) Every proposal to confer an honorary degree shall be subject to the



1 confirmation of the Chancellor.

2 (3) The Chancellor shall exercise such other powers and perform  
3 such other duties as may be conferred or imposed on him by this Bill or the  
4 statutes.

5 7.-(1) The Pro-Chancellor shall, in relation to the University, take  
6 precedence before all other members of the University, except the  
7 Chancellor and except the Vice-Chancellor when acting as chairman of  
8 Congregation or Convocation and the Pro-Chancellor shall, when he is  
9 present, be the chairman at all meetings of the Council. Functions of the  
Pro-Chancellor

10 (2) Subject to the provisions of this Bill, the Pro-Chancellor shall hold office  
11 for a period of five years beginning with the date of his appointment.

12 8. The Council of each University shall consist of- Composition of  
the Council

13 (a) the Pro-Chancellor;

14 (b) the Vice-Chancellor;

15 (c) the Deputy Vice-Chancellor(s);

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

17 (e) nine persons representing a variety of interests and broadly  
18 representative of the whole Federation to be appointed by the President

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

20 (g) two persons appointed by the Congregation from among its  
21 members; and

22 (h) one person appointed by Convocation from among its  
23 members.

24 9.-(1) Subject to the provisions of this Bill relating to the Visitor, Functions of the  
Council and its  
Finance and  
General Purposes  
Committee  
25 the Council shall be the governing body of each University and shall be  
26 charged with the general control and superintendence of the policy, finance  
27 and property of the University.

28 (2) There shall be a committee of the Council to be known as the  
29 Finance and General Purposes Committee, which shall, subject to the  
30 directions of the Council, exercise control over the property and expenditure

1 of the University and perform such other functions of the Council as the  
2 Council may, from time to time, delegate to it.

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

5 (4) The Council shall ensure that proper accounts of the University  
6 are kept and that the accounts of the University are audited annually by an  
7 independent firm of auditors approved by the Council, and that an annual  
8 report shall be published by the University together with certified copies of the  
9 said accounts as audited.

10 (5) Subject to this Bill and the statutes, the Council and the Finance  
11 and General Purposes Committee may each make rules for regulating their  
12 own procedure.

13 (6) Rules made under subsection (5) of this section by the Finance and  
14 General Purposes Committee shall not come into force unless approved by the  
15 Council; and in so far and to the extent that any rules so made by that  
16 Committee conflict with any directions given by the Council (whether before  
17 or after the coming into force of the rules in question), the direction of the  
18 Council shall prevail.

19 (7) There shall be paid to the members of the Council, the Finance and  
20 General Purposes Committee respectively and of any other committee set up  
21 by the Council an allowance in respect of travelling and other reasonable  
22 expenses, at such rates as may, from time to time, be fixed by the Minister.

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

26 (9) If requested in writing by any five members of the Council the  
27 Chairman shall within 28 days after the receipt of such request call a meeting of  
28 the Council.

29 (10) Any request made under subsection (9) of this section shall  
30 specify the business to be considered at the meeting and a business not so

1 specified shall not be transacted at the meeting.

2 10.-(1) Subject to section 9 of this Bill and subsections (3) and (4) Functions of the  
Senate  
3 of this section and to the provisions of this Bill relating to the Visitor, it shall  
4 be the general function of the Senate to organize and control the teaching by  
5 the University, the admission (where no other enactment provides to the  
6 contrary, of students) and the discipline of students; and to promote research  
7 at the University.

8 (2) Without prejudice to the generality of subsection (1) of this  
9 section and subject as there mentioned, it shall in particular be the function  
10 of the Senate to make provision for-

11 (a) the establishment and organization and control of campuses,  
12 colleges, schools, institutes and other teaching and research units of the  
13 University and allocation of responsibility for different branches of  
14 learning;

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

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

20 (d) the making of recommendations to the Council with respect to  
21 the award to any person of an honorary fellowship or degree or the title of  
22 professor emeritus;

23 (e) the establishment, organization and control of halls of residence  
24 and similar institutions at the University;

25 (f) the supervision of the welfare of students at the University and  
26 the regulation of their conduct;

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

29 (h) determining what description of dress shall be academic dress  
30 for the purposes of the University and regulating the use of academic dress.

1 (3) The Senate shall not establish any new campus, college, school,  
2 department, institute or other teaching and research units of the University  
3 without the approval of the Council.

4 (4) Subject to this Bill and statutes, the Senate may make regulations  
5 for the purpose of exercising any function conferred on it either by the  
6 foregoing provisions of this section or otherwise or for the purpose of making  
7 provisions for any matter for which provision by regulations is authorized or  
8 required by this Bill or by statute.

9 (5) Regulations shall provide that at least one of the persons appointed  
10 as the examiners at each final or professional examination held in conjunction  
11 with any course of study at the University, as may be prescribed by the Senate  
12 from time to time, is not a teacher at the University but is a teacher of the branch  
13 of learning to which the course relates at some other university of high repute or  
14 a person engaged in practicing the profession in a reputable organization or  
15 institution.

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

Functions of  
the Vice-Chancellor

21 11.-(1) The Vice-Chancellor shall, in relation to each University, take  
22 precedence before all other members of the University, except the Chancellor,  
23 and any other person for the time being acting as chairman of the Council.

24 (2) Subject to sections 9, 10, and 16 of this Bill, the Vice-Chancellor  
25 shall have the general function, in addition to any other functions conferred on  
26 him by this Bill or otherwise, of directing the activities of the University and  
27 shall be the chief executive and academic officer of the University and ex-  
28 officio Chairman of the Senate.

Powers of the  
University to  
make statutes

29 PART II - STATUTES OF THE UNIVERSITY

30 12.-(1) Subject to this Bill, the University may make statutes for any

1 of the following purposes, that is to say:

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

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

7 (c) regulating the admission of students (where no other enactment  
8 provides to the contrary), 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 Bill and of any  
11 statute, regulation or other instrument made thereunder; and

12 (e) making provision for any other matter which provision by  
13 statute is authorized or required by this Bill.

14 (2) Subject to section 29(6) of this Bill, the Interpretation Act shall  
15 apply 2 in relation to any statute made under this section as it applies to a 3  
16 subsidiary instrument within the meaning of section 30(1) of that Bill.

17 (3) The statute contained in the Second Schedule to this Bill shall  
18 be 5 deemed to have come into force on the commencement of this section 7  
19 of this Bill and shall be deemed to have been made under this section by each  
20 University.

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

25 13.-(1) The power of the University to make statutes shall be  
26 exercised in accordance with the provisions of this section and not  
27 otherwise.

Mode of exercising  
power to make  
statutes

28 (2) A proposed statute shall not become law unless it has been  
29 approved-

30 (a) at a meeting of the Senate, by the votes of not less than two

1 thirds of the members present and voting; and

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

4 (3) A proposed statute may originate either in the Senate or in the  
5 Council and may be approved as required by subsection (2) of this section by  
6 either one of those bodies before the other.

7 (4) A statute which makes provision for or alters the composition or  
8 constitution of the Council, the Senate or any other authority of the University  
9 shall not come into operation unless it has been approved by the President.

10 (5) For the purposes of section 1(2) of the Interpretation Act a statute  
11 shall be treated as being made on the date on which it is duly approved by the  
12 Council after having been approved by the Senate, as the case may be or, in the  
13 case of a statute falling within sub- section (4) of this section, on the date on  
14 which it is approved by the President.

15 (6) In the event of any doubt or dispute arising at any time-

16 (a) as to the meaning of any provision of a statute; or

17 (b) as to whether any matter is for the purpose of this Bill an academic  
18 matter as they relate to such doubt or dispute, the matter may be referred to the  
19 Visitor, who shall take such advice and make such decision therein as he shall  
20 think fit.

21 (7) The decision of the Visitor on any matter referred to him under  
22 subsection (6) of this section shall be final and binding upon the authorities,  
23 staff and students of the University and where any question as to the meaning of  
24 any provision of a statute has been decided by the Visitor under that subsection,  
25 the question as to the meaning of that provision shall not be entertained by any  
26 court of law in Nigeria.

27 (8) Nothing in subsection (7) of this section shall affect any power of a  
28 court of competent jurisdiction to determine whether any provision of a statute  
29 is wholly or partially void as being ultra vires or as being inconsistent with the  
30 Constitution of the Federal Republic of Nigeria 1999.

1           14. A statute may be proved in any court by the production of a  
2 copy thereto bearing affixed to it a certificate purporting to be signed by the  
3 Vice-Chancellor or the secretary to the Council to the effect that the copy is a  
4 true copy of a statute of the University.

Proof of statutes

5                           PART III - SUPERVISION AND DISCIPLINE

6           15.-(1) The President shall be the Visitor of the University.

The Visitor

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

11           (3) It shall be duty of the bodies and persons comprising the  
12 University to make available to the Visitor       to any other person  
13 conducting a visitation in pursuance of this section such facilities and  
14 assistance as he or they may reasonably require for the purposes of a  
15 visitation.

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

Removal of certain  
members of  
Council

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

28           17.-(1) If it appears to the Council that there are reasons for  
29 believing that any person employed as a member of the academic,  
30 administrative or professional staff of the University, other than Vice-

Removal and  
discipline of  
academic,  
administrative  
and professional  
staff

1 Chancellor, should be removed from his office or employment on the ground of  
2 misconduct or of inability to perform the functions of his office or  
3 employment, the Council shall-

4 (a) give notice of those reasons to the person in question; afford him  
5 an opportunity of making representations in person on the matter;

6 (b) appoint a Staff Disciplinary Committee;

7 (c) and if the Council, after considering the report of the Staff  
8 Disciplinary Committee, is satisfied that the person in question should be  
9 removed as aforesaid, the Council may so remove him by an instrument in  
10 writing signed on the directions of the Council.

11 (2) The Vice-Chancellor may, in case of misconduct by a member of  
12 staff, which in the opinion of the Vice-Chancellor is prejudicial to the interests  
13 of the University, suspend such member and any such suspension shall  
14 forthwith be reported to the Council.

15 (3) For good cause, any member of staff may be suspended from his  
16 duties or his appointment may be terminated by the Council; and for the  
17 purposes of this subsection "good cause" means-

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

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

24 (c) conduct of a scandalous or other disgraceful nature which the  
25 Council considers to be such as to render the person concerned unfit to continue  
26 to hold his office;

27 (d) conduct which the Council considers to be such as to constitute  
28 failure or in- ability of the person concerned to discharge the functions of his  
29 office or to comply with terms and conditions of his service; or

30 (e) conduct which the Council considers to be generally of such



1 nature as to render the continued appointment or service of the person  
2 concerned prejudicial or detrimental to the interest of the University.

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

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

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

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

14 (d) whether to take such lesser disciplinary action against such  
15 person (including the restoration of such proportion of his emoluments as  
16 might have been withheld) as the Council may determine.

17 (5) In any case where the Council, pursuant to this section, decides  
18 to continue a person's suspension or decides to take further disciplinary  
19 action against a person, the Council shall before the expiration of a period of  
20 three months from such decision come to a final determination in respect of  
21 the case concerning any such person.

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

26 (7) Nothing in the foregoing provisions of this section shall-

27 (a) apply to any directive given by the Visitor in consequence of  
28 any visitation; or

29 (b) prevent the Council from making regulations for the discipline  
30 of other categories of workers of the University as may be prescribed.

Procedures for  
staff discipline

1           18.-(1) The Vice-Chancellor or Senate shall constitute an  
2 Investigation Panel to determine whether or not a prima facie case has been  
3 established against any member of staff.

4           (2) The Investigation Panel shall include the President or the  
5 chairman of the union to which the staff being investigated belongs.

6           (3) The Vice-Chancellor shall constitute a Staff Disciplinary  
7 Committee, which shall consist of such members of the Senate as he may  
8 determine, to consider the report of the Investigating Panel.

9           (4) The report and recommendation of the Staff Disciplinary  
10 Committee shall be forwarded to the Council for consideration and decision.

Appointment of  
external examiners

11           19. The Senate shall appoint external examiners.

Removal of  
examiners

12           20.-(1) If on the recommendation of the Senate, it appears to the Vice-  
13 Chancellor that a person appointed as an examiner for any examination of the  
14 University ought to be re- moved from his office or appointment, then except in  
15 such cases as may be prescribed, the Vice-Chancellor may, after affording the  
16 examiner an opportunity of making representations in person on the matter to  
17 the Vice-Chancellor, remove the examiner from the office or appointment by  
18 an instrument in writing signed by the Vice-Chancellor.

19           (2) Subject to the provisions of regulations made in pursuance of  
20 section 10(5) of this Bill, the Vice-Chancellor may, on the recommendation of  
21 the Senate, appoint an appropriate person as examiner in place of the examiner  
22 removed in pursuance of subsection (1) of this section.

23           (3) It shall be duty of the Vice-Chancellor to sign an instrument of  
24 removal in pursuance of this section, to use his best endeavour to cause a copy  
25 of this instrument to be served as soon as is reasonably practicable on the  
26 person to whom it relates.

Discipline of  
students

27           21.-(1) Subject to the provisions of this section, where it appears to  
28 the Vice-Chancellor that any student of the University has been guilty of  
29 misconduct, the Vice-Chancellor may, in consultation with the Senate and,  
30 without prejudice to any other disciplinary power conferred on him by statute

1 or regulations, direct that-

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

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

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

10 (d) the student be expelled from the University.

11 (2) Where a direction is given under subsection (1)(c) or (d) of this  
12 section in respect of any student, that student may, within the prescribed  
13 period and in the prescribed manner, appeal to the Council; and where such  
14 an appeal is brought, the Council shall after causing such inquiry to be made  
15 in the matter as the Council considers just, confirm or set aside the direction  
16 or modify it in such manner as the Council thinks fit.

17 (3) The fact that an appeal from a direction is brought in pursuance  
18 of subsection (2) of this section shall not affect the operation of the direction  
19 while the appeal is pending.

20 (4) The Vice-Chancellor may delegate his powers under this  
21 section to a Disciplinary Committee consisting of such members of the  
22 University as he may nominate.

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

26 (6) Without prejudice to the provision of subsection (1) of this  
27 section, nothing shall prevent the Vice-Chancellor from taking an  
28 immediate disciplinary action against a student where he deems fit, and  
29 report thereafter to the Senate.

30 (7) It is hereby declared that a direction under subsection (1)(a) of

1 this section may be combined with a direction under subsection (1)(b) of this  
2 section.

3 (8) No staff or student shall resort to a law court without proof of  
4 having exhausted the integral avenues for settling disputes or grievances or for  
5 seeking redress.

6 (9) The Visitor shall be the final arbiter on staff and student discipline,  
7 and his decision shall not be contestable in any court of law in Nigeria.

8 (10) Nothing in this subsection shall affect any power of a court of  
9 competent jurisdiction to enforce the fundamental right of any aggrieved  
10 citizen as enshrined in the Constitution of the Federal Republic of Nigeria  
11 1999.

#### 12 PART IV - MISCELLANEOUS AND GENERAL PROVISIONS

13 22.-(1) No person shall be required to satisfy the requirements as to  
14 any of the following matters, that is to say, race (including ethnic grounding),  
15 sex, place of birth or family origin, or religious or political persuasion, as a  
16 condition of becoming or continuing to be a student at the University, the  
17 holder of any degree of the University or of any appointment or employment at  
18 the University or a member of any body established by virtue of this Act; and no  
19 person shall be subjected to any disadvantage or accorded any advantage in  
20 relation to the University, by reference to any of those matters.

21 (2) Nothing in subsection (1) of this section shall be construed as  
22 preventing the University from imposing any disability or restriction on any of  
23 the aforementioned persons where such person willfully refuses or fails on  
24 grounds of religious belief to undertake any duty generally and uniformly  
25 imposed on all such persons or any group of them which duty, having regard to  
26 its nature and the special circumstance pertaining thereto, is in the opinion of  
27 the University reasonably justifiable in the national interest.

28 23. Without prejudice to the provisions of the Land Use Act, the  
29 University shall not dispose of or charge any land or an interest in any land  
30 (including any land transferred to the University by this Act) except either with

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

Restriction on  
disposal of land  
by University

1 the prior written consent either general or special, of the President:

2 Provided that such consent shall not be required in the case of any lease or  
3 tenancy at a rack-rent for a term not exceeding 21 years or lease or tenancy to  
4 a member of the University for residential purposes.

5 24. Except as may be otherwise provided by statute or by  
6 regulations, the quorum and procedure of any body of persons established  
7 by this Bill shall be as determined by that body.

Quorum and  
procedure of bodies  
established by  
this Act

8 25.-(1) Anybody of persons established by this Bill shall, without  
9 prejudice to the generality of the powers of that body, have power to appoint  
10 committees, which need not consist exclusively of members of that body  
11 and to authorize a committee established by it-

Appointment of  
committees, etc,

12 (a) to exercise, on its behalf, such of its functions as it may  
13 determine;

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

16 (2) Any two or more such bodies may arrange for the holding of  
17 joint meetings of those bodies or for the appointment of committees  
18 consisting of members of those bodies or any of them and either of dealing  
19 with it or of reporting on it to those bodies or any of them.

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

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

27 (a) enabling statutes to be made otherwise than in accordance with  
28 section 13 of this Act; or

29 (b) enabling the Senate to empower any other body to make  
30 regulations or to award degrees or other qualifications.

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

Retiring age of  
academic staff  
of the University

7 26.-(1) Notwithstanding anything to the contrary in the Pensions Act,  
8 the compulsory retiring age of an academic staff of a University shall be 65  
9 years except for the professor, which is 70 years.

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

Special provisions  
relating to pension  
of professors

12 27. A person who retires as a professor having served-

13 (a) a minimum period of fifteen years as a professor in the University  
14 or continuously in the service of a university in Nigeria up to the retiring age;  
15 and

16 (b) who during the period of service was absent from the University  
17 only on approved national or University assignments, shall be entitled to  
18 pension at a rate equivalent to his last annual salary and such allowances as the  
19 Council may, from time to time, determine as qualifying for pension and  
20 gratuity, in addition to any other retirement benefits to which he may be  
21 entitled.

Miscellaneous  
administrative  
provisions

22 28.-(1) The seal of each University shall be such as may be  
23 determined by the Council and approved by the Chancellor, and the affixing of  
24 the seal shall be authenticated by any member of the Council and by the Vice-  
25 Chancellor, secretary to the Council or any other person authorized by statute.

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

29 (3) Any contract or instrument, which if made or executed by a person  
30 not being a body corporate would not be required to be under seal, may be made

1 or executed on behalf of the University by any person generally or  
2 specifically authorized to do so by the Council.

3 (4) The validity of any proceedings of any body established in  
4 pursuance of this Act shall not be affected by any vacancy in the membership  
5 of the body, or by any defect in the appointment of a member of the body or  
6 by reason that any person not entitled to do proceedings.

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

11 (6) Nothing in section 12 of the Interpretation Act (which provides  
12 for the application in relation to subordinate legislation of certain incidental  
13 provisions) shall apply to statutes or regulations made in pursuance of this  
14 Act.

15 (7) The power conferred by this Act on any body to make statutes or  
16 regulations shall include power to revoke or vary any statute (including the  
17 statute contained in the Second Schedule to this Bill) or any regulation by a  
18 subsequent statute, or, as the case may be, by a subsequent regulation and  
19 statute and regulations may make different provisions in reaction to  
20 different circumstances.

21 (8) No stamp duty or other duty shall be payable in respect of any  
22 transfer of property to the University by virtue of any provision of this Bill.

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

26 29.-(1) Subject to the provisions of this Bill, the Vice-Chancellor of  
27 the Federal University of Agriculture, Umudike, shall at the commencement  
28 of this Bill be deemed to have been appointed under this Bill as the Vice-  
29 Chancellor of the University.

Transitional  
provisions

30 (2) Any person who immediately before the commencement of this

1 Bill was a staff of the Federal University of Agriculture, Umudikeshall  
2 continue in office and be deemed to have been appointed under this Bill for  
3 purposes of pension.

4 (3) Properties held immediately before the commencement date of  
5 this Bill on behalf of the Federal University of Agriculture, Umudikeby any  
6 person shall, by virtue of this Bill, be vested in the University established under  
7 this Bill.

8 (4) As from the commencement of this Bill, any disciplinary  
9 proceeding pending or existing against any staff of the Federal University of  
10 Agriculture, Umudikeshall be continued and completed by the University  
11 established under this Bill.

Interpretation t

12 30.-(1) In this Bill, unless the context otherwise requires -

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

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

15 "Council" means the Council established by this Bill for the University;

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

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

19 "notice" means notice in writing;

20 "office" does not include the Visitor;

21 "prescribed" means prescribed by statutes or regulations;

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

24 "property" includes rights, liabilities and obligations;

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

26 "Senate" means the Senate of the University established pursuant to section  
27 4(1)(c) of this Bill;

28 "statute" means a statute made by the University under section 13 of this Act  
29 and in accordance with the provisions of section 14 of this Act;

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



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

3 "undergraduate" means a person in statupupillari at the University other  
4 than-

5 (a) a graduate; and

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

8 "University" means any of the Michael Okpara University, Umudike  
9 established under section 3 of this Act.

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

17 31. This Bill may be cited as the Michael Okpara University, Short title  
18 Umudike (Establishment, etc.) Bill, 2021.

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SCHEDULES

FIRST SCHEDULE

[Section 2 (2).]

PRINCIPAL OFFICERS OF THE UNIVERSITY

*The Chancellor*

1.- (1) The Chancellor shall be appointed by the President of Nigeria.

(2) The Chancellor shall hold office for a period of 5 years.

(3) If it appears to the Visitor that the Chancellor should be removed from his/her office on the ground of misconduct or of inability to perform the functions of his office, the Visitor may by notice in the Federal Gazette remove the Chancellor from office.

*The Pro-Chancellor*

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

(2) Subject to the provisions of this Act, the Pro-Chancellor shall hold office for a period of 4 years beginning with the date of his/her appointment.

*The Vice-Chancellor*

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

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

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

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

(ii) the terms and conditions of service applicable to the post, and thereafter draw up a short list of suitable candidates for the post for consideration;

(b) constitute a search team consisting of-

(i) a member of the Council, who is not a member of the Senate, as chairman,

1 (ii) two members of the Senate who are not members of the  
2 Council, one of whom shall be a professor, and

3 (iii) two members of Congregation who are not members of the  
4 Council, one of whom shall be a professor, to identify and nominate for  
5 consideration, suitable persons who are not likely to apply for the post on  
6 their own volition because they feel that it is not proper to do so.

7 (3) A joint Council and Senate Selection Board consisting of-

8 (a) the Pro-Chancellor, as chairman;

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

10 (c) two members of the Senate who are professors, but who were  
11 not members of the Search Team, shall consider the candidates and persons  
12 on the short list drawn up under subparagraph (2) of this paragraph through  
13 an examination of their curriculum vitae and interaction with them, and  
14 recommend to the Council suitable candidates for further consideration.

15 (4) The Council shall select three candidates from among the  
16 candidates recommended to it under subparagraph (3) of this paragraph and  
17 may indicate its order of preference stating the reasons therefore and  
18 forward the names to the President.

19 (5) The President may appoint as Vice-Chancellor anyone of the  
20 candidates recommended to him in accordance with the provisions of  
21 subparagraph (4) of this paragraph.

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

25 (7) For the avoidance of doubt, the provisions of subparagraph (6)  
26 of this paragraph shall-

27 (a) only be applicable to those appointed to the office of Vice-  
28 Chancellor after 1 January, 1993;

29 (b) not confer on a person serving a first term of office as Vice  
30 Chancellor before 1st January, 1993 any right to renewal of the appointment

1 for a further term of four years.

2 (8) The Vice-Chancellor may be removed from office by the Visitor  
3 after due consultation with the Council and the Senate acting through the  
4 Minister of Education.

5 *Deputy Vice-Chancellors*

6 4.-(1) There shall be for the University such number of Deputy Vice  
7 Chancellors as the Council may, from time to time, deem necessary for the  
8 proper administration of the University.

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 each  
11 post of Deputy Vice-Chancellor that is vacant.

12 (3) The Senate shall select for each vacant post one candidate from  
13 each list forwarded to it under subparagraph (2) of this paragraph and forward  
14 his 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 Vice-  
18 Chancellor is vacant or if the Vice-Chancellor is, for any reason, absent or  
19 unable to perform his functions as Vice-Chancellor; and

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

22 (5) A Deputy Vice-Chancellor-

23 (a) shall hold office for a period of two years beginning from the  
24 effective date of his appointment and on such terms and conditions as may be  
25 specified in his letter of appointment; and

26 (b) may be re-appointed for one further period of 2 years and no more.  
27 Office of the Registrar.

28 5.-(1) There shall be for the University a Registrar, who shall be the  
29 chief administrative officer of the University and shall be responsible to the  
30 Vice-Chancellor for the day-to-day administrative work of the University

1 except as regards matters for which the Bursar is responsible in accordance  
2 with paragraph 6(2) of this Schedule.

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

6 (3) The Registrar shall hold office for such period and on such  
7 terms as to the emoluments of his/her office and otherwise as may be  
8 specified

9 *Other principal officers of the University*

10 6.-(1) There shall be for each University the following principal  
11 officers, in addition to the Registrar, that is-

12 (a) the Bursar; and

13 (b) the University Librarian, who shall be appointed by the Council  
14 on the recommendation of the Selection Board constituted under paragraph  
15 8 of this Schedule.

16 (2) The Bursar shall be the chief financial officer of the University  
17 and be responsible to the Vice-Chancellor for the day-to-day administration  
18 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-  
21 ordination of the library services in the University and its campuses,  
22 colleges, faculties, schools, departments, institutes and other teaching or  
23 research units.

24 (4) The Bursar and Librarian shall hold office for such period and  
25 on such terms as to the emoluments of their offices and otherwise as may be  
26 specified.

27 (5) Any question as to the scope of the responsibilities of the  
28 aforesaid officers shall be determined by the Vice-Chancellor.

29 *Selection Board for other principal officers*

30 7.-(1) There shall be, for the University, a Selection Board for the

1 appointment of principal officers, other than the Vice-Chancellor or Deputy  
2 Vice-Chancellor, which shall consist of-

- 3 (a) the Pro-Chancellor, as chairman;  
4 (b) the Vice-Chancellor;  
5 (c) four members of the Council not being members of the Senate; and  
6 (d) two members of the Senate.

7 (2) The functions, procedure and other matters relating to the  
8 Selection Board constituted under sub-paragraph (1) of this paragraph shall be  
9 as the Council may, from time to time, determine.

10 (3) The Registrar, Bursar and Librarian shall hold office for such  
11 period and on such terms as to the emoluments of their offices and otherwise as  
12 may be specified in their letters of appointment.

13 *Resignation and re-appointment*

14 8.-(1) Any officer mentioned in the foregoing provisions of this  
15 Schedule may resign his office-

- 16 (a) in the case of the Chancellor, by notice to the President; and  
17 (b) in any other case, by notice to the Council and the Council shall  
18 immediately notify the Minister in the case of the Vice-Chancellor.

19 (2) Subject to paragraphs 4 and 5 of this Schedule, a person who has  
20 ceased to hold an office so mentioned otherwise than by removal for  
21 misconduct shall be eligible for re- appointment to that office.

22 SECOND SCHEDULE

23 *[Section 9 (2).]*

24 UNIVERSITY OF HEALTH SCIENCES STATUTE NO. I

25 ARRANGEMENT OF ARTICLES

26 *Articles*

- 27 1. The Council  
28 2. The Finance and General Purposes Committee  
29 3. The Senate  
30 4. Congregation

- 1 5. Convocation
- 2 6. Division of colleges
- 3 7. College Board
- 4 8. Appointments and Promotions Committees
- 5 9. Dean of college
- 6 10. Deputy Dean of college
- 7 11. Director of institute or center
- 8 12. Head of department
- 9 13. Selection of certain principal officers
- 10 14. Creation of academics posts
- 11 15. Appointment of academic staff
- 12 16. Funding of the University
- 13 17. University Co-ordination Agency
- 14 18. Interpretation
- 15 19. Citation

16 *The Council*

17 1.- (1) The composition of the Council shall be as provided in  
18 section 7 of this Act.

19 (2) Any member of the Council holding office otherwise than in  
20 pursuance of section 7 (a), (b), (c) or (d) of this Act may, by notice to the  
21 Council, resign his office.

22 (3) A member of the Council holding office otherwise than in  
23 pursuance of section 7 (a), (b), (c) or (d) of this Act shall, unless he  
24 previously vacates it, vacate that office on the expiration of the period of five  
25 years beginning with effect from 1 August in the year in which he was  
26 appointed.

27 (4) Where a member of the Council holding office otherwise than  
28 in pursuance of section 7 (a), (b), (c) or (d) of this Act vacates before the  
29 expiration of the period aforesaid, the body or person by whom he was

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

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

6 (6) The quorum of the Council shall be five, at least one of whom shall  
7 be a member appointed pursuant to section 7 (d), (e), or (h) of this Act.

8 (7) If the Pro-Chancellor is not present at a meeting of the Council,  
9 such other member of the Council present at the meeting as the Council may  
10 appoint as respects that meeting, shall be the chairman at that meeting, and  
11 subject to sections 5 and 6 of this Act and the fore-going provisions, the  
12 Council may regulate its own procedure.

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

17 *The Finance and General Purposes Committee*

18 2.-(1) The Finance and General Purposes Committee of the Council  
19 shall consist of-

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

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

23 (c) six other members of the Council appointed by the Council, two of  
24 whom shall be selected from among the three members of the Council  
25 appointed by the Senate and one member appointed to the Council by  
26 Congregation;

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

30 (2) The quorum of the Committee shall be five.



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

3   *The Senate*

4                   3.-(1) The Senate shall consist of-

5                   (a) the Vice-Chancellor and Deputy Vice-Chancellors;

6                   (b) Deans of Colleges;

7                   (c) the Directors of Institutes and Research Centres;

8                   (d) the Heads of academic Departments;

9                   (e) the Librarian;

10                  (f) one member of not less than the rank of senior lecturer of each  
11 college;

12                  (g) four persons representing the Congregation.

13                  (2) The Vice-Chancellor shall be the chairman at all meetings of the  
14 Senate when he is present; and in his absence any of the Deputy Vice-  
15 Chancellors present at the meeting as the Senate may appoint for that  
16 meeting shall be chairman at the meeting.

17                  (3) The quorum of the Senate shall be one quarter (or the nearest  
18 whole number less than one quarter) and subject to paragraph 2 of this  
19 article, the Senate may regulate its own procedure.

20                  (4) An elected member may, by notice to the Senate, resign his  
21 office.

22                  (5) Subject to paragraph (7) of this article, there shall be elections  
23 for the selection of elected members, which shall be in the prescribed  
24 manner on such day in the month of May or June in each year as the Vice-  
25 Chancellor may, from time to time, determine.

26                  (6) An elected member shall hold office for the period of two years  
27 beginning with 1 August in the year of his election and may be a candidate at  
28 any election held in pursuance of paragraph (5) of this article in the year in  
29 which his period of office expires, so however that no person shall be such a  
30 candidate if at the end of his current period of office he will hold office as an

1 elected member for a continuous period of six years or would have so held  
2 office if he had not resigned it.

3 (7) No election held in pursuance of this article in any year if the  
4 number specified in the certificate given in pursuance of paragraph (10) of this  
5 article does not exceed by more than one the figure which is thrice the number  
6 of those elected members holding office on the date of the certificate who do  
7 not vacate office during that year III pursuance of paragraph (6) of this article.

8 (8) For the avoidance of doubt it is hereby declared that no person  
9 shall be precluded from continuing in or taking office as an elected member by  
10 reason only of a reduction in the total of non-elected members occurring on or  
11 after 30 April in any year in which he is to continue in or take office as an  
12 elected member.

13 (9) If so requested in writing by any fifteen members of the Senate, the  
14 Vice-Chancellor, or in his absence, any of the Deputy Vice-Chancellors duly  
15 appointed by him, shall convene a meeting of the Senate to be held not later  
16 than the tenth day following that on which the re-quest was received.

17 (10) In this article "total of non-elected members" means as respects  
18 any year, such number as may be certified by the Vice-Chancellor on 30 April  
19 of that year to be the number of persons holding office as members of the  
20 Senate on that day otherwise than as elected members.

21 *Congregation*

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

23 (a) the Vice-Chancellor and the Deputy Vice-Chancellors;

24 (b) the full-time members of the academic staff;

25 (c) the Registrar;

26 (d) the Bursar;

27 (e) the Librarian;

28 (f) the Director of Works;

29 (g) the Director of Academic Planning;

30 (h) the Director of Physical Planning;

1 (i) the Director of Health Services; and

2 (j) every member of the administrative staff who holds a degree  
3 other than an honorary degree of any university recognized for the purposes  
4 of this statute by the Vice-Chancellor.

5 (2) Subject to sections 5 and 6 of the Act, the Vice-Chancellor shall  
6 be the chairman at all meetings of Congregation when he is present; and in  
7 his absence any of the Deputy Vice-Chancellors present at the meeting as  
8 Congregation may appoint for that meeting, shall be the chairman at the  
9 meeting.

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

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

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

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

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

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

26 *Convocation*

27 5.-(1) Convocation shall consist of-

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

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

1 (c) all other persons whose names are registered in accordance with  
2 paragraph (2) of this article.

3 (2) A person shall be entitled to have his name registered as a member  
4 of Convocation if-

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

7 (b) he/she applies for the registration of his name in the prescribed  
8 manner and pays the prescribed fees.

9 (3) Regulations shall provide for the establishment and maintenance  
10 of a register for the purposes of this paragraph and subject to paragraph (4) of  
11 this article may provide for the payment from time to time of further fees by  
12 persons whose names are on the register and for any person who fails to pay  
13 those fees.

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

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

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

27 (7) The quorum of Convocation shall be fifty or one third (or the  
28 whole number nearest to one third) of the total number of members of  
29 Convocation, whichever is less.

30 (8) Subject to section 5 of this Act, the Chancellor shall be the

1 chairman at all meetings of Convocation when he is present, and in his  
2 absence the Vice-Chancellor shall be the chairman at the meeting.

3 (9) Convocation shall have such other functions, in addition to the  
4 functions of appointing a member of the Council, as may be provided by  
5 statute or regulations.

6 *Division of colleges*

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

9 *College Boards*

10 7.-(1) There shall be established in respect of each college a  
11 College Board, which, subject to provisions of this statute, and subject to the  
12 directions of the Vice-Chancellor, shall-

13 (a) regulate the teaching and study of and the conduct of  
14 examinations connected with the subjects assigned to the college;

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

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

19 (2) Each College Board shall consist of-

20 (a) the Vice-Chancellor;

21 (b) the Deputy Vice-Chancellor;

22 (c) the Dean;

23 (d) the persons severally in charge of the departments of the  
24 college;

25 (e) such of the teachers assigned to the college and having the  
26 prescribed qualifications as the Board may determine; and to any provisions  
27 of this article and to any provision made by regulations in that behalf, the  
28 Board may regulate its own procedure;

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

1           (2) For the purpose of filling such vacancies, the Senate shall set up  
2 suitable selection boards to select and make appointments on its behalf.

3           (3) For appointments to professorships, associate professorships or  
4 readerships or equivalent posts, a board of selection (with power to appoint)  
5 shall consist of-

6           (a) the Vice-Chancellor;

7           (b) if the post is tenable at a college, or is within a school comprised in  
8 a college, the Provost of that college;

9           (c) if the post is within a faculty, school, institute or other teaching unit  
10 of the University, the Dean of that teaching unit;

11          (d) two members appointed by the Council;

12          (e) four members of the Senate appointed by the Senate, at least two of  
13 whom shall, if the post is tenable at a college, be senior members of the staff of  
14 the college;

15          (f) such other persons as the Senate may from time to time appoint.

16          (4) Subject to paragraph (5) of this Article, for appointments to  
17 associate professorships, readerships, senior lectureships and other academic  
18 posts, a selection board (with power to appoint) shall consist of-

19          (a) the Vice-Chancellor;

20          (b) if the post is tenable at a college, or is within a school comprised in  
21 a college, the Provost of that college;

22          (c) if the post is within a faculty, school, institute or other teaching unit  
23 of the University, the Dean of that teaching unit;

24          (d) four members of the Senate appointed by the Senate, at least two  
25 of whom shall, if the post is tenable at a college, be members of the staff of the  
26 college; and

27          (e) such other persons as the Senate may from time to time appoint.

28          (5) Where an appointment falling within paragraph (4) above is  
29 tenable at a college, the Senate may authorize the college to set up a selection  
30 board therefore (with power to appoint); but every selection board set up in

1       pursuance of this paragraph shall include the Vice-Chancellor and shall also  
2       include at least two members of the Senate, nominated by the Senate, who  
3       are not members of the academic staff of the college.

4               (6) A college shall have power to make appointments to academic  
5       posts within the college below the level of associate professor or reader.

6               (7) For the purpose of exercising the power conferred by  
7       paragraph (6) above, the college shall set up suitable selection boards to  
8       select and make appointments on its behalf.

9               (8) Every selection board set up in pursuance of paragraph (7) of  
10       this article shall include the Vice Chancellor and shall also include at least  
11       two members of the Senate, nominated by the Senate, who are not members  
12       of the academic staff of the college.

13              (9) All appointments to senior library posts shall be made in the  
14       same way as equivalent appointments in the academic staff; and for all such  
15       posts, other than that of librarian, the librarian shall be a member of the  
16       selection board.

17              (10) Boards of selection may interview candidates directly or  
18       consider the reports of assessors or specialist interviewing panels.

19                      *Appointment of administrative and technical staff*

20              15.-(1) The administrative and technical staff of the University,  
21       other than principal officers, shall be appointed by the council or on its behalf  
22       by the Vice-Chancellor or the Registrar in accordance with any delegation of  
23       powers made by the Council in that behalf.

24              (2) Administrative and technical staff of a college, other than  
25       principal officers, shall be appointed by the board of governors of the  
26       college or by the Provost or secretary of the college in accordance with any  
27       delegation of powers made by the court in that behalf.

28              (3) In the case of administrative or technical staff who have close  
29       and important contracts with the academic staff, there shall be Senate or (in

1 the case of a college) academic board participation in the process of selection.

2 *Interpretation*

3 16. In this Statute, the expression-

4 "the Act" means the Michael Okpara University, Umudike Act and any  
5 expression defined in the Act has the same meaning in this Statute.

6 *Short title*

7 17. This Statute may be cited as Michael Okpara University, Umudike  
8 No. 1.

#### EXPLANATORY MEMORANDUM

This Bill seeks to establish the Michael Okpara University, Umudike in Abia State; to transform the existing Federal University of Agriculture Umudike to a conventional university with mandate to conduct teaching and research in all aspect of academic endeavours.