

FEDERAL UNIVERSITY OF TECHNOLOGY, AUCHI, BILL, 2019

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FEDERAL UNIVERSITY OF TECHNOLOGY, AUCHI

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# A BILL

## FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE FEDERAL UNIVERSITY OF TECHNOLOGY, AUCHI, EDO STATE AND FOR RELATED MATTERS, 2019

*Sponsored by Hon. Johnson E. Oghuma*

[ ] Commencement

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

1 PART I - ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF THE  
2 FEDERAL UNIVERSITY OF TECHNOLOGY, AUCHI

3 (1) There is hereby Federal Polytechnic, Auchi upgraded and  
4 established as the Federal University of Technology, Auchi, Edo State.

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

7 (3) The University shall be a training institution for the  
8 development of Technologists in the country.

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

14 (5) The objects of the University shall be:

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

17 (b) to develop and offer academic and professional programmes  
18 leading to the award of certificates, first degrees, post-graduate research,  
19 diploma and higher degrees with emphasis on planning, developmental and  
20 adaptive skills in technology, applied science, social science, management

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Technology, Auchi,  
Edo State

1 and allied professional disciplines;

2 (c) to produce socially mature technologists with capabilities not to  
3 only understand the technology need of Nigeria as a nation, but also to exploit  
4 existing technological infrastructure and improve on it to develop new ones;

5 (d) to act as agents and analysts for effective technology system,  
6 through post graduate training, research and innovation, for effective  
7 economic utilization and conservation of the country's human resources;

8 (e) to bring quality change in Technology Education by focusing on  
9 practical teaching and learning innovations;

10 (f) to collaborate with other national and international institutions  
11 involved in training, research and development of Technology with a view to  
12 promoting governance, leadership and management skills among  
13 Technologists;

14 (g) to identify Technology needs of the society with a view to finding  
15 solutions to them within the context of overall national development;

16 (h) to provide and promote sound basic technology training as a  
17 foundation for the development of Nigeria, taking into account indigenous  
18 culture and the need to enhance national unity;

19 (i) to provide higher Education and foster a systematic advancement  
20 of the science and Technology Education;

21 (j) to provide for instruction in such branches of Technological  
22 education as it may deem necessary to make provision for research  
23 advancement and dissemination of knowledge in such manner as it may  
24 determine;

25 (k) to provide students with operational competence for applying  
26 knowledge in the society as well as making technological changes in the  
27 society;

28 (m) to undertake any other activities that is appropriate for a  
29 University of Technology of the highest standard.

- 1                   2.-(1) The University shall consist of:
- 2                   (a) a Chancellor;
- 3                   (b) a Pro-Chancellor and a Council;
- 4                   (c) a Vice-Chancellor and a Senate;
- 5                   (d) a body to be called Congregation;
- 6                   (e) a body to be called Convocation;
- 7                   (f) the campuses and colleges of the University;
- 8                   (g) the colleges, institutes and other teaching and research units of
- 9                   the University;
- 10                  (h) the persons holding the offices constituted by the First Schedule
- 11                  to this Bill other than those mentioned in paragraphs (a) to (c) of this
- 12                  subsection;
- 13                  (i) all graduates and undergraduates of the University; and
- 14                  (j) all other persons who are members of the University in
- 15                  accordance with provisions made by statute in that behalf.
- 16                  (2) The First Schedule to this Bill shall have effect with respect to
- 17                  the principal officers of the University.
- 18                  (3) Subject to section 5 of this Bill provision shall be made by
- 19                  statute with respect to the constitution of the Council, the Senate,
- 20                  Congregation and Convocation.
- 21                  3.-(1) For the carrying out of its objects as specified in section 1 of
- 22                  this Bill, Federal University of Technology, Auchi shall have power:
- 23                  (a) to offer courses of instruction, training and research in
- 24                  Technology and allied areas for the production of quality and skilled
- 25                  technologists required at lower, middle and higher levels of manpower in
- 26                  Nigeria in particular and the world at large;
- 27                  (b) to establish such colleges, campuses, institutes, schools,
- 28                  departments and other teaching and research units within the University as
- 29                  may from time to time be deemed necessary or desirable subject to the
- 30                  approval of National Universities Commission;

Constitution and  
principal officers  
of the University

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University of  
Technology, Auchi  
and its exercise

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

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

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

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

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

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

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

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

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

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

30 (m) to hold public lectures and to undertake printing, publishing and

1 book selling;

2 (n) subject to any limitations or conditions imposed by statute, to  
3 invest any moneys appertaining to the University by way of endowment it,  
4 not being immediately required for current expenditure in any investments  
5 or securities or in the purchase or improvement of land, with power from  
6 time to time, to vary any such investments to deposit any moneys for the  
7 time being not invested with any bank on deposit or current account;

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

13 (p) to make gifts for any charitable purpose;

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

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

18 (2) Subject to the provisions of this Bill and of the statutes and  
19 without prejudice to section 7 (2) of this Bill, the powers conferred on the  
20 University by subsection (1) of this section shall be exercisable on behalf of  
21 the University by the Council or by the Senate or in many other manner  
22 which may be authorized by the statute.

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

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

30 (2) The Pro-Chancellor shall, in relation to the University, take

1 precedence before all other members of the University, except the Chancellor  
2 and except the Vice-Chancellor when acting as chairman of Congregation or  
3 Convocation and the Pro-Chancellor shall, when he is present, be the chairman  
4 at all meetings of the Council.

Composition,  
tenure and powers  
of the council  
of the University

5 5.-(1) The Council of the University shall consist of:

- 6 (a) the Pro-Chancellor who shall be appointed by the President on the  
7 recommendation of the Honourable Minister of Education;  
8 (b) the Vice-Chancellor;  
9 (c) the Deputy Vice-Chancellor(s);  
10 (d) one person from the Ministry responsible for Education;  
11 (e) four persons representing a variety of interests and broadly  
12 representative of the whole Federation to be appointed from:  
13 (i) the Teacher's Registration Council;  
14 (ii) Tertiary Education Trust Fund; and  
15 (iii) two other persons, one of whom shall be a representative of the  
16 University host community;  
17 (f) four persons appointed by the Senate from among its members;  
18 (g) two persons appointed by Congregation from among its members;  
19 (h) one person appointed by Convocation from among its members;  
20 (i) two persons representing the community appointed by the  
21 President.

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

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

28 (4) The powers of the Council shall be exercised, as in this Bill and to  
29 that extent establishment circulars that are inconsistent with this Bill shall not  
30 apply to the University.



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

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

7 (a) personnel cost;

8 (b) overhead cost;

9 (c) research and development;

10 (d) library developments; and

11 (e) the balance in expenditure between academic vis-a-vis non-  
12 academic activities.

13 6.-(1) Subject to the provisions of this Bill relating to the Visitor,  
14 the Council shall be the governing body of the University and shall be  
15 charged with the general control and superintendence of the policy, finances  
16 and property of the University.

Functions of the  
council and its  
finance and general  
purposes committee

17 (2) There shall be a committee of the Council, to be known as the  
18 Finance, and General Purposes Committee, which shall, subject to the  
19 directions of the Council, exercise control over the property and expenditure  
20 of the University and perform such other functions of the Council as the  
21 Council may from time to time delegate to it.

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

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

29 (5) Subject to this Bill and the statutes, the Council and the Finance  
30 and General Purposes Committee may each make rules for the purpose of

1 exercising any of their respective functions or of regulating their own  
2 procedure.

3 (6) Rules made under sub-section (5) of this section by the Finance  
4 and General Purposes Committee shall not come into force unless approved by  
5 the Council; and in so far and to the extent that any rules so made by that  
6 Committee conflict with any direction given by the Council, whether before or  
7 after the coming into force of the rules in question, the directions of the Council  
8 shall prevail.

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

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

15 (9) If requested in writing by any five members of the Council, the  
16 chairman shall within 28 days after the receipt of such request call a meeting of  
17 the Council.

18 (10) Any request made under sub-section (9) of this section shall  
19 specify the business to be considered at the meeting and no business not so  
20 specified shall be transacted at that meeting.

Functions of  
the Senate of  
the University

21 7.-(1) Subject to section 6 of this Bill and subsections (3) and (4) of  
22 this section and the provisions of this Bill relating to the Visitor, it shall be the  
23 general function of the Senate to organize and control the teaching by the  
24 University, the admission of student where no other enactment provides to the  
25 contrary and the discipline of students; and to promote research at the  
26 University.

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

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

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

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

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

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

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

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

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

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

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

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

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

1 University but is a teacher of the branch of learning to which the course relates  
 2 at some other University of high repute or a person engaged in practicing the  
 3 profession in a reputable organization or institution.

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

Functions of  
 the Vice-Chancellor

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

14 (2) Subject to sections 6, 7 and 14 of this Bill, the Vice-Chancellor  
 15 shall have the general function, in addition to any other functions conferred on  
 16 him by this Bill or otherwise of directing the activities of the University and  
 17 shall be the Chief Executive and Accounting Officer of the University and ex-  
 18 officio Chairman of the Senate.

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

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

26 PART II - GENERAL FUND, TRANSFER OF PROPERTY, ETC. TO THE  
 27 UNIVERSITY AND CONDITION OF SERVICE OF EMPLOYEES

General Fund  
 of the University

28 9.-(1) There shall be a general fund of the University which shall  
 29 consist of the following:

30 (a) grants-in-aid;

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

15 (2) The general fund shall be applied for the purposes of the  
16 University.

17 10.-(1) All property held by or on behalf of the Provisional Council  
18 of the University shall, by virtue of this sub-section and without further  
19 assurance, vest in the University and be held by it for the purpose of the  
20 University.

Transfer of  
propert, etc.

21 (2) The provisions of the Second Schedule to this Bill shall have  
22 effect with respect to, and to matters arising from, the transfer of property by  
23 this section and with respect to the other matters mentioned in that Schedule.

24 PART III - STATUTES OF THE UNIVERSITY

25 11.-(1) Subject to this Bill, the University may make statutes for  
26 any of the following purposes, that is to say:

Power of the  
University to make  
statutes

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

29 (b) specifying and regulating the powers and duties of any  
30 authority of the University, and regulating any other matter connected with

1 the University or any of its authorities;

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

4 (d) determining whether any particular matter is to be treated as an  
5 academic or non- academic matter for the purposes of this Bill and of any  
6 statute, regulation or other instrument made thereunder; or

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

9 (2) Subject to section 25 (6) of this Bill, the Interpretation Bill shall  
10 apply in relation to any statute made under this section as it applies to a  
11 subsidiary instrument within the meaning of section 28 (1) of that Bill.

Third Schedule

12 (3) The statute contained in the Third Schedule to this Bill shall be  
13 deemed to have come into force on the commencement of this Bill and shall be  
14 deemed to have been made under this section by the University.

15 (4) The power to make statutes conferred by this section shall not be  
16 prejudiced or limited in any way by reason of the inclusion or omission of any  
17 matter in or from the statute contained in the Third Schedule to this Bill or any  
18 subsequent statute.

Mode of  
exercising power  
to make statutes

19 12.-(1) The power of the University to make statutes shall be  
20 exercised in accordance with the provisions of this section and not otherwise.

21 (2) A proposed statute shall not become law unless it has been  
22 approved:

23 (a) at a meeting of the Senate, by the votes of not less than two thirds  
24 of the members present and voting; and

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

27 (3) A proposed statute may originate either in the Senate or in the  
28 Council, and may be approved as required by subsection (2) of this section by  
29 either one of those bodies or the other.

30 (4) A statute which:

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

3 (b) provides for the establishment of a new campus or college or for  
4 the amendment or revocation of any statute.

5 (5) For the purpose of section 2(2) of the Interpretation Act, a  
6 statute shall be treated as being made on the date on which it is duly  
7 approved by the Council after having been duly approved by the Senate, or  
8 on the date on which it is duly approved by the Senate after having been duly  
9 approved by the Council, as the case may be or, in the case of a statute falling  
10 within subsection (4) of this section, on the date on which it is approved by  
11 the President.

12 (6) In the event of any doubt or dispute arising at any time:

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

14 (b) as to whether any matter is for the purposes of this Bill an  
15 academic or non-academic matter as they relate to such doubt or dispute, the  
16 matter may be referred to the Visitor, who shall take such advice and make  
17 such decision thereon as he shall think fit.

18 (7) The decision of the Visitor on any matter referred to him under  
19 sub-section (6) of this section shall be binding upon the authorities, staff and  
20 students of the University and where any question as to the meaning of any  
21 provision of a statute has been decided by the Visitor under that sub-section,  
22 no question as to the meaning of that provision shall be entertained by any  
23 court of law in Nigeria.

24 (8) Nothing in sub-section (7) of this section shall affect any power  
25 of a court of competent jurisdiction to determine whether any provision of a  
26 statute is wholly or partly void as being ultra vires or as being inconsistent  
27 with the Constitution of the Federal Republic of Nigeria, 1999.

28 13. A statute may be proved in any court by the production of a Proof of statutes  
29 copy thereof bearing or having affixed to it a certificate purporting to be  
30 signed by the Vice-Chancellor or the Secretary to the Council to the effect

1 that the copy is a true copy of a statute of the University.

2 PART IV - SUPERVISION AND DISCIPLINE

The Visitor

3 14.-(1) The President shall be the Visitor of the University.

4 (2) The Visitor shall cause a visitation to the University when  
5 necessary, at least every five years, or direct that such a visitation be conducted  
6 by such person or persons as the Visitor may deem fit and in respect of any of  
7 the affairs of the University.

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

12 (4) The Visitor shall make the report of such visitations and white  
13 paper thereon available to the Council which shall implement same.

Removal of  
certain members  
of the Council

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

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

Removal and  
discipline of  
academic,  
administrative  
and professional  
staff

26 16.-(1) If it appears to the Council that there are reasons for believing  
27 that any person employed as a member of the academic, administrative or  
28 professional staff of the University, other than the Vice-Chancellor, should be  
29 removed from his office or employment on the ground of misconduct or of  
30 professional inability to perform the functions of his office or employment, the



1 Council shall:

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

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

5 (c) for the person in question to be afforded an opportunity of  
6 appearing before and being heard by the investigating committee with  
7 respect to the matter, and if the Council, after considering the report of the  
8 investigating 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 a case of misconduct by a member  
12 of the staff which in the opinion of the Vice-Chancellor is prejudicial to the  
13 interest of the University, suspend such member and any such suspension  
14 shall forthwith be reported to the Council.

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

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

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

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:

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 reinstate such person, in which case the Council shall  
10 restore his full emoluments to him with effect from the date of suspension;

11 (c) whether to terminate the appointment of the person concerned, in  
12 which case such a 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 person  
15 (including the restoration of such proportion of his emoluments that might  
16 have been withheld) as the Council may determine.

17 (5) In any case where the Council, pursuant to this section, decides to  
18 continue a person's suspension or decides to take further disciplinary action  
19 against a person, the Council shall before the expiration of a period of three  
20 months from such decision come to a final determination in respect of the case  
21 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 best  
24 endeavours to cause a copy of the instrument to be served as soon as reasonably  
25 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 any  
28 visitation; or

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

1                   17.--(1) If, on the recommendation of the Senate, it appears to the  
2 Vice-Chancellor that a person appointed as an examiner for any  
3 examination of the University ought to be removed from his office or  
4 appointment, then, except in such cases as may be prescribed by the Vice-  
5 Chancellor may, after affording the examiner an opportunity of making  
6 representations in person on the matter to the Vice-Chancellor, remove the  
7 examiner from the appointment by an instrument in writing signed by the  
8 Vice-Chancellor.

Removal of  
examiners

9                   (2) Subject to the provisions of regulations made in pursuance of  
10 section 7(5) of this Bill, the Vice-Chancellor may, on the recommendation of  
11 the Senate, appoint an appropriate person as examiner in the place of the  
12 examiner removed in pursuance of subsection (1) of this section.

13                   (3) It shall be the duty of the Vice-Chancellor on signing an  
14 instrument of removal pursuant to this section, to use his best endeavours  
15 to cause a copy of the instrument to be served as soon as reasonably  
16 practicable on the person to whom it is related.

17                   18.--(1) The Students shall be:

Participation and  
discipline of  
students

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

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

21                   (c) participate in the process of assessing academic staff in respect  
22 of teaching; and

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

25                   (2) Subject to the provisions of this section, where it appears to the  
26 Vice-Chancellor that any student of the University has been guilty of  
27 misconduct, the Vice-Chancellor may, without prejudice to any other  
28 disciplinary powers conferred on him by statute or regulations, direct:

29                   (a) that the student shall not, during such period as may be specified  
30 in the directions, participate in such activities of the University, or make use

1 of such facilities of the University, as may be so specified;

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

4 (c) that the student be rusticated for such period as may be specified in  
5 the direction; or

6 (d) that the student be expelled from the University.

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

13 (4) The fact that an appeal from a direction is brought in pursuance to  
14 subsection (2) of this section shall not affect the operation of the direction while  
15 the appeal is pending:

16 (a) the Vice-Chancellor may delegate his powers under this section to  
17 a disciplinary board consisting of such members of the University as he may  
18 nominate;

19 (b) nothing in this section shall be construed as preventing the  
20 restriction or termination of students' activities at the University otherwise than  
21 on the ground of misconduct; and

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

#### 24 PART V - MISCELLANEOUS AND GENERAL

25 19.-(1) No person shall be required to satisfy requirements as to any of  
26 the following matters, that is to say, race (including ethnic grouping), sex,  
27 account of race, place of birth or of family origin, or religious or political  
28 persuasion, as a condition of becoming or continuing to be a student at the  
29 University, the holder of any degree of the University or of any appointment or  
30 employment at the University, or a member of anybody established by virtue of

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

1 this Bill; and no person shall be subject to any disadvantage or accorded any  
2 advantage relation to the University, by reference to any of those matters.

3 (2) Nothing in subsection (1) of this section shall be construed as  
4 preventing the University from imposing any disability or restriction on any  
5 of the persons mentioned in that subsection where such person willfully  
6 refuses or fails on grounds of religious belief to undertake any duty  
7 generally and uniformly imposed on all such person or any group of them  
8 which duty, having regard to its nature and the special circumstances  
9 pertaining thereto, is in the opinion of the University reasonably justifiable  
10 in the national interest.

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

Restriction on  
disposal of land  
by University

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

18 21. Except as may be otherwise provided by statute or by  
19 regulations, the quorum and procedure of anybody of persons established by  
20 this Bill shall be as determined by that body.

Quorum and  
procedure of  
bodies established  
by this Bill

21 22.-(1) Anybody of persons established by this Bill shall, without  
22 prejudice to the Appointment of generality of the powers of that body, have  
23 power to appoint committees, which need not committees, etc. consist  
24 exclusively of members of that body, and to authorize a committee  
25 established by it:

Appointment of  
committees, etc.

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

28 (b) to co-opt members; and

29 (2) Any two or more such bodies may arrange for the holding of  
30 joint meetings of those bodies, or for the appointment of committees

1 consisting of members of those bodies, for the purpose of considering any  
 2 matter within the competence of those bodies or any of them, and either of  
 3 dealing with it or of reporting on it to those bodies or any of them.

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

8 (4) Nothing in the provisions of subsection (1), (2) and (3) of this  
 9 section shall be construed as:

10 (a) enabling the statutes to be made otherwise than in accordance with  
 11 section 1 of this Bill; or

12 (b) enabling the Senate to empower any other body to make  
 13 regulations of the award degrees or other qualifications.

14 (5) The Pro-Chancellor and the Vice-Chancellor shall be members of  
 15 every committee of which the members are wholly or partly appointed by the  
 16 Council (other than a committee appointed to inquire into the conduct of the  
 17 officer in question); and the Vice-Chancellor shall be a member of every  
 18 committee of which the members are wholly or partly appointed by the Senate.

Retiring age of  
 academic staff

19 **23.**-(1) Notwithstanding anything to the contrary in the Pension Act,  
 20 the compulsory retiring age of the following categories of staff shall be as  
 21 follows:

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

24 (b) Academic staff of the University in the Professorial Cadre shall be  
 25 70 years;

26 (c) Non-academic staff of the University shall be 65 years.

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

Special provisions  
 relating to pensions  
 of professors

29 **24.** An academic staff of the University who retires as a Professor in  
 30 the University shall be entitled to pension at a rate equivalent to his annual

1 salary provided that the Professor has served continuously in the University  
2 up to the retirement age.

3 25.-(1) The seal of the University shall be such as may be  
4 determined by the Council and approved by the Chancellor, and the affixing  
5 of the seal shall be authenticated by any member of the Council and by the  
6 Vice-Chancellor, Secretary to the Council or any other person authorized by  
7 statute.

Miscellaneous  
administrative  
provisions

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

11 (3) Any contract or instrument which if made or executed by a  
12 person not being a body corporate would not be required to be under seal,  
13 may be made or executed on behalf of the University by any person  
14 generally or specially authorized to do so by the Council.

15 (4) The validity of any proceedings of anybody established in  
16 pursuance of this Bill shall not be affected by any vacancy in the  
17 membership of the body, or by any defect in the appointment of a member of  
18 the body or by reason that any person not entitled to do so took part in the  
19 preceding.

20 (5) Any member of any such body who has a personal interest in  
21 any matter proposed to be considered by that body shall forthwith disclose  
22 his interest to the body and shall vote on any question relating to that matter.

23 (6) Nothing in section 12 of the Interpretation Act (which provides  
24 for the application in relation to subordinate legislation of certain incidental  
25 provisions) shall apply to statutes or regulations made in pursuance to this  
26 Bill.

27 (7) The power conferred by this Bill on anybody to make statutes or  
28 regulations shall include power to revoke or vary any statute (including the  
29 statute contained in the Third Schedule of this Bill) or any regulation by a  
30 subsequent statute or as the case may be, by a subsequent regulation and

1 statutes and regulations may make different provisions in relation to different  
2 circumstances.

3 (8) No stamp or other duty shall be payable in respect of any transfer  
4 of property to the University by virtue of section 8 or section 18 of this Bill or  
5 the Second Schedule to this Bill.

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

Restriction of  
suits and execution

8 *Pre-Action Notice*

9 26.-(1) (a) No legal proceeding shall be instituted and/or commenced  
10 against the University or any of its agents in the course of their official duties  
11 unless a 3 months' Pre-Action Notice of such intention is served on the  
12 University by an aggrieved party;

13 (b) The Notice shall state the reason and the cause of action intended  
14 to be taken against the University, the particulars of the claim, the name and  
15 place of abode of the intending plaintiff and the relief which he claims;

16 (c) For the avoidance of doubt, it is hereby declared that no suit shall  
17 be commenced against an officer or servant of the University, in any case where  
18 the University is vicariously liable for any alleged act, neglect or default of the  
19 officer or servant in the performance or intended performances of his duties,  
20 unless three months at least has elapsed after written notice of intention to  
21 commence the same shall have been served on the University by the intending  
22 plaintiff or his agent;

23 (d) In any suit against this University, no execution or attachment or  
24 process in the nature thereof shall be issued against the University, but any  
25 sums of money which may be judgment of the court be awarded against the  
26 University shall, subject to any direction given by the court where notice of  
27 appeal has been given by the University in respect of the said judgment, be paid  
28 by the University from its general fund.

Service of Notices

29 (2) Service upon the University of any notice, order or other  
30 document may be effected by delivering the same or by sending it by registered



1 post addressed to the Registrar and Secretary of the Council.

2 27.-(1) In this Bill, unless the context otherwise requires:

Interpretation

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

4 "College" means the College established pursuant to section 2 (1 ) (b) of this  
5 Bill for the University;

6 "Council" means the Governing Council of the University established by  
7 section 5 of this Bill;

8 "Functions" includes powers and duties;

9 "Graduate" means a person on whom a degree, other than an honorary  
10 degree, has been conferred by the University and any other person as may be  
11 designated as a graduate by the Council, acting in accordance with the  
12 recommendation of the Senate;

13 "Minister" means the Hon. Minister of Education;

14 "Notice" means notice in writing;

15 "Officer" does not include the Visitor;

16 "Prescribed" means prescribed by statute or regulations;

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

19 "Property" includes rights, liabilities and obligations;

20 "Provisional Council" means the provisional council appointed for the  
21 University;

22 "Regulations" means regulations made by the Senate or the Council;

23 "Senate" means the Senate of the University established pursuant to section  
24 2 (1) (e) of this Bill;

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

26 "Statute" means a statute made by each University under section 10 of this  
27 Bill and in accordance with the provisions of section 11 of this Bill;

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

29 "Teacher" means a person holding a full-time appointment as a member of  
30 the teaching or research staff of the University;

1 "Undergraduate" means a person registered as a student undergoing a course of  
 2 study for a first degree of the University or such other course in the University  
 3 as may be approved by the Senate as qualifying a student undergoing it for the  
 4 status of an under-graduate;

5 "University" means Federal University of Technology, Auchi established and  
 6 incorporated by section 1 of this Bill;

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

Citation

14 28. This Bill may be cited as the Federal University of Technology,  
 15 Auchi, Bill, 2019.

#### 16 SCHEDULES

#### 17 FIRST SCHEDULE

18 [Section 2 (2) ]

#### 19 PRINCIPAL OFFICERS OF THE UNIVERSITY

#### 20 *The Chancellor*

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

#### 23 *The Pro-Chancellor*

24 2.-(1) The Pro-Chancellor who shall be the Chairman of Council shall  
 25 be appointed or removed from office by Mr. President upon recommendation  
 26 by the Minister of Education.

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

#### 29 *The Vice-Chancellor*

30 3.-(1) There shall be a Vice-Chancellor of the University who shall be

1 appointed by the Council in accordance with the provisions of this  
2 paragraph.

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

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

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

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

11 (b) constitute a Search Team consisting of:

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

14 (ii) two members of the Senate who are not members of the  
15 Council, one of whom shall be a Professor;

16 (iii) two members of Congregation who are not members of the  
17 Council, one of whom shall be a Professor, to identify and nominate for  
18 consideration, suitable persons who are not likely to apply for the post on  
19 their own volition because they felt that it is not proper to do so.

20 (4) A Joint Council and Senate Selection Board consisting of:

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

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

23 (c) two members of the Senate who are Professors, but who were  
24 not members of the Search Team, shall consider the candidates and persons  
25 in the shortlist drawn up under subsection (2) of this paragraph through an  
26 examination of their curriculum vitae and interaction with them, and  
27 recommend to the Council three candidates for further consideration.

28 (5) The Council shall select and appoint as the Vice-Chancellor one  
29 candidate from among the three candidates recommended to it under  
30 subsection (3) of this section and thereafter inform the Visitor.

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

4 (7) The Vice Chancellor may be removed from office by the Council  
5 on grounds of gross misconduct or inability to discharge the functions of his  
6 office as a result of infirmity of the body or mind, at the initiative of the  
7 Council, Senate or the Congregation after due process.

8 (8) When the proposal for the removal of the Vice-Chancellor is  
9 made, the Council shall constitute a Joint Committee of Council and Senate  
10 consisting of:

11 (i) three members of the Council, one of whom shall be the Chairman  
12 of the committee; and

13 (ii) two members of the Senate:

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

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

18 (10) The Council may where the allegations are proved remove the  
19 Vice-Chancellor or apply any other disciplinary action it may deem fit and  
20 notify the Visitor accordingly provided that a Vice-Chancellor who is removed  
21 shall have right of appeal to the Visitor.

22 (11) There shall be no sole administrator in the University.

23 (12) In any case of a vacancy in the office of the Vice-Chancellor, the  
24 Council shall appoint an acting Vice-Chancellor on recommendation of the  
25 Senate.

26 (13) An acting Vice Chancellor in all circumstances shall not be in  
27 office for more than 6 months.

28 *Deputy Vice-Chancellor*

29 4.-(1) There shall be for the University such number of Deputy Vice-  
30 Chancellors as Council may from time to time deem necessary for the proper

1 administration of the University.

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

5 (3) The Senate shall select for each vacant post one candidate from  
6 each list forwarded to it under subsection (2) of this paragraph and forward  
7 his name to the Council for confirmation.

8 (4) A Deputy Vice-Chancellor shall:

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

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

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

15 (5) A Deputy Vice-Chancellor:

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

19 (b) may be reappointed for one further period of two years and no  
20 more; and

21 (c) may be removed from office for good cause by the Council  
22 acting on the recommendations of the Vice-Chancellor and Senate.

23 (d) "Good cause" for the purpose of this section means gross  
24 misconduct or inability to discharge the functions of his office arising from  
25 infirmity of the body or mind.

26 *Office of the Registrar*

27 5.-(1) There shall be for the University, a Registrar, who shall be  
28 the chief administrative officer of the University and shall be responsible to  
29 the Vice-Chancellor for the day-to-day administrative work of the  
30 University except as regards matters for which the Bursar is responsible in

1 accordance with paragraph 6(2) of this Schedule.

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

5 *Other Principal Officers of the University*

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

8 (a) the Bursar; and

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

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

15 (3) The University Librarian shall be responsible to the Vice-  
16 Chancellor for the administration of the University Library and the co-  
17 ordination of the library services in the University and its campuses, colleges,  
18 schools, departments, institutes and other teaching or research units.

19 (4) Any question as to the scope of the responsibilities of the aforesaid  
20 officers shall be determined by the Vice-Chancellor

21 *Selection Board for other Principal Officers*

22 7.-(1) There shall be, for the University, a Selection Board for the  
23 appointment of principal officers, other than the Vice-Chancellor or Deputy  
24 Vice-Chancellor, which shall consist of:

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

26 (b) the Vice-Chancellor;

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

28 (d) two members of the Senate.

29 (2) The functions, procedure and other matters relating to the  
30 Selection Board constituted under subsection (1) of this paragraph shall be as

1 the Council may, from time to time, determine.

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

6 (4) Notwithstanding subsection (3) of this section, the Council  
7 may, upon satisfactory performance, extend the tenure of the Registrar,  
8 Bursar or Librarian for a further period of one year only and thereafter such  
9 principal officer shall relinquish his post and be assigned to other duties in  
10 the University.

#### 11 *Resignation and Re-appointment*

12 8.-(1) Any officer mentioned in the foregoing provisions of this  
13 Schedule may resign his office:

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

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

18 (2) Without prejudice to paragraph 4 of this Schedule, a person  
19 who has ceased to hold an office so mentioned otherwise than by removal for  
20 misconduct shall be eligible for re-appointment to that office.

#### 21 SECOND SCHEDULE

#### 22 TRANSITIONAL PROVISIONS AS TO PROPERTY, FUNCTIONS, ETC.

#### 23 *Transfer of Property to University*

24 1. Without prejudice to the generality of section 9 (1) of this Bill:

25 (a) the reference in that subsection to property held by the  
26 Provisional Council shall include a reference to the right to receive and give  
27 a good discharge for any grants or contributions which may have been voted  
28 or promised to the Provisional Council;

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

## 1 THIRD SCHEDULE

2 [Section 9 (3)]

3 FEDERAL UNIVERSITY OF TECHNOLOGY, AUCHI STATUTE NO. I

## 4 ARRANGEMENT OF ARTICLES

5 *Articles:*

- 6 1. The Council.
- 7 2. The Finance and General Purposes Committee
- 8 3. The Senate
- 9 4. The Congregation
- 10 5. Convocation
- 11 6. Division of Colleges
- 12 7. College/School Boards
- 13 8. Dean of the College
- 14 9. Selection of certain Principal Officers
- 15 10. Creation of academic posts
- 16 11. Appointment of academic staff
- 17 12. Appointment of administrative and professional staff
- 18 13. Interpretation.

## 19 14. Short Title.

20 *The Council*

21 1.-(1) The composition of the Council shall be as provided in section 5  
22 of this Bill.

23 (2) Any member of the Council holding office otherwise than in  
24 pursuance of section 5 (a), (b), (c), or (d) of this Bill may, by notice to the  
25 Council, resign his office.

26 (3) A member of the Council holding office otherwise than in  
27 pursuance of section 5 (a), (b), (c), or (d) of this Bill shall, unless he previously  
28 vacates it, vacate that office on the expiration of the period of four years  
29 beginning with effect from 1 August in the year which he was appointed.

30 (4) Where a member of the Council holding office otherwise than in



1       pursuance of section 5 (a), (b), (g), or (h) of this Bill vacates office before the  
2       expiration of the period aforesaid, the body or person by whom he was  
3       appointed may appoint a successor to hold office for the residue of the term  
4       of his predecessor.

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

8               (6) The quorum of the Council shall be five, at least one of whom  
9       shall be a member appointed pursuant to section 5 (d) or (e) of this Bill.

10              (7) If the Pro-Chancellor is not present at a meeting of the Council,  
11       such other member of the Council present at the meeting as the Council may  
12       appoint as respects that meeting shall be the chairman at that meeting, and  
13       subject to section 4 of this Bill and the foregoing provisions of this  
14       paragraph, the Council may regulate its own procedure.

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

19                              *The Finance and General Purposes Committee*

20              2.-(1) The Finance and General Purposes Committee of the  
21       Council shall consist of:

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

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

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

29              (d) the Permanent Secretary of the Federal Ministry of Education,  
30       or in his absence, such member of his Ministry as he may designate to

1 represent him; and

2 (e) the Executive Secretary of the Petroleum Technology  
3 Development Fund, or in his absence, such member of the Fund as he may  
4 designate to represent him.

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

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

8 *Annual budget and estimates, etc.*

9 (4) (i) The estimates of income and expenditure for a financial year  
10 shall be presented by the Vice-Chancellor to the Council and may be approved  
11 by the Council before the beginning of that financial year:

12 Provided that the Vice-Chancellor may during any financial year  
13 present and the Council may approve supplementary estimates of income or  
14 expenditure;

15 (ii) The annual and supplementary estimates shall be prepared in such  
16 form and shall contain such information as the Council may direct.

17 *Gifts, donations, etc.*

18 (5) (i) The Council may on behalf of the University accept by way of  
19 grants, gift, testamentary disposition or otherwise, property and money in aid  
20 of the finances of the University on such conditions as it may approve;

21 (ii) Registers shall be kept of all donations to the University including  
22 the names of donors and any special conditions under which any donation may  
23 have been given:

24 Provided that the University shall not be obliged to accept a donation  
25 for a particular purpose unless it approves of the terms and conditions attaching  
26 to such donation;

27 (iii) All property, money or funds donated for any specific purposes  
28 shall be applied and administered in accordance with the purposes for which  
29 they are donated and shall be accounted for separately.

*Payment into bank*

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

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

*Audit*

3.-(1) The Council shall cause the accounts of the University to be audited by auditors appointed by the Council as soon as may be after the end of each financial year or for any such other period as the Council may require.

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

*The Senate*

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

- (i) the Vice-Chancellor;
- (ii) Deputy Vice-Chancellors;
- (iii) the Deans of respective Colleges;
- (iv) the Professors in the University;
- (v) Heads of Academic Departments and Units;
- (vi) the University Librarian;
- (vii) one elected representative of each College;
- (viii) two members of Academic Staff elected by the Congregation;
- (ix) one elected representative of each department;
- (x) two members representing a variety of interests of the professional bodies outside the University appointed by the Senate on the recommendation of the Vice-Chancellor;

1 (xi) Registrar-Secretary.

2 (2) The procedure for election of members of Senate to the Council  
3 shall be prescribed by Regulations.

4 (3) The Vice-Chancellor shall be the chairman at all meetings of the  
5 Senate when he is present, and in his absence any of the Deputy Vice-  
6 Chancellors present at the meeting as the Senate may appoint for that meeting  
7 shall be the chairman at the meeting.

8 (4) The quorum of the Senate shall be one quarter or the nearest whole  
9 number less than one quarter; and subject to paragraph (3) of this Article, the  
10 Senate may regulate its own procedure.

11 (5) An elected member may, by notice to the Senate, resign his office.

12 (6) Subject to paragraph (8) of this article, there shall be elections for  
13 the selection of elected members which shall be held in the prescribed manner  
14 on such day in the month of May or June in each year as the Vice-Chancellor  
15 may from time to time determine.

16 (7) An elected member shall hold office for the period of two years  
17 beginning with 1 August in the year of his election, and may be a candidate at  
18 any election held in pursuance to paragraph (6) of this article in the year in  
19 which his period of office expires, so however that no person shall be such a  
20 candidate if at the end of his current period of office he will have held office as  
21 an elected member for a continuous period of six years or would have so held  
22 office if he had not resigned it.

23 (8) No election shall be held in pursuance of this article in any year if  
24 the number specified in the certificate given in pursuance to paragraph (11) of  
25 this article does not exceed by more than one the figure which is thrice the  
26 number of those elected members holding office on the date of the certificate  
27 who do not vacate office during that year in pursuance of paragraph (7) of this  
28 article.

29 (9) For the avoidance of doubt it is hereby declared that no person  
30 shall be precluded from continuing in or taking office as an elected member by

1 reason only of reduction in the after 30 April in any year in which he is to  
2 continue in or take office as all elected member.

3 (10) If so requested in writing by any fifteen members of the  
4 Senate, the Vice-Chancellor or in his absence any of the Deputy Vice-  
5 Chancellor duly appointed by him, shall convene a meeting of the Senate to  
6 be held not later than the tenth day following that on which the request was  
7 received.

8 (11) In this article "total of non-elected members" means as respect  
9 any year, such number as may be certified by the Vice-chancellor on 30 April  
10 of that year to be the number of persons holding office as members of the  
11 Senate on that day otherwise than as elected members.

12 *Congregation*

13 5.-(1) Congregation shall consist of:

14 (i) Vice-Chancellor;

15 (ii) the Deputy Vice-Chancellors;

16 (iii) the full-time members of the academic staff;

17 (iv) the Registrar;

18 (v) the Librarian; and

19 (vi) every member of the administrative staff who holds a degree,  
20 other than honorary degree, of any University recognized for the purposes of  
21 this statute by the Vice-Chancellor.

22 (2) Subject to section 4 of this Bill, the Vice-Chancellor shall be the  
23 chairman at all meetings of Congregation when he is present; and in his  
24 absence any of the Deputy Vice Chancellors present at the meeting as  
25 Congregation may appoint for that meeting, shall be the chairman at the  
26 meeting.

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

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

1 (a) the total number of members of Congregation for the purpose of  
2 any particular meeting or meetings of Congregation; or

3 (b) the names of the persons who are members of Congregation  
4 during a particular period, shall be conclusive evidence of that number or, as  
5 the case may be, of the names of those persons.

6 (5) The procedure for election of members of Congregation to the  
7 Council and the Senate shall be prescribed by Regulations.

8 (6) Subject to the foregoing provisions of this article, Congregation  
9 may regulate its own procedure.

10 (7) Congregation shall be entitled to express by resolutions or  
11 otherwise its opinion on all matters affecting the interest and welfare of the  
12 University and shall have such other functions, in addition to the function of  
13 electing a member of the Council, as may be provided by statute or regulations.

14 *Convocation*

15 6.-(1) Convocation shall consist of:

16 (i) the officers of the University mentioned in the First Schedule to  
17 this Bill;

18 (ii) all teachers within the meaning of this Bill;

19 (iii) all other persons whose names are registered in accordance with  
20 paragraph (2) of this article.

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

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

25 (b) he applies for the registration of his name in the prescribed manner  
26 and pay the prescribed fees.

27 (3) Regulations shall provide for the establishment and maintenance  
28 of a register for the purpose of this paragraph and subject to paragraph (4) of  
29 this article may provide for the payment, from time to time, of further fees by  
30 persons whose names are on the register and for the removal from the register

1. of the name of any person who fails to pay those fees.

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

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

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

15. (7) The quorum of Convocation shall be fifty or one third or the  
16. whole number nearest to one third or the whole number of members of  
17. Convocation whichever is less.

18. (8) Subject to section 4 of the Act, the Chancellor shall be chairman  
19. at all meetings of Convocation when he is present, and in his absence the  
20. Vice-chancellor shall be the chairman at the meeting.

21. (9) Convocation shall have such functions, in addition to the  
22. function of appointing a member of the Council, as may be provided by  
23. statute or regulations.

24. *Division of Colleges*

25. (10) Each College shall be divided into such number of branches as  
26. may be prescribed.

27. *College Boards*

28. 7.-(1) There shall be established in respect of each College, a Board  
29. of Studies which, subject to the provisions of this Statute, and subject to the  
30. directions of the Vice-Chancellor, shall:

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

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

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

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

8 (a) the Vice-Chancellor;

9 (b) the Dean;

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

11 (d) the College Examination Officer;

12 (e) such of the teachers assigned to the college and having the  
13 prescribed qualifications as the Board may determine; and

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

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

20 *Deans of the Colleges*

21 8.-(1) The Board of each College shall, at a meeting in the last term of  
22 any academic year which the term of office of the Dean expires, nominate one  
23 of its members, being one of the Professors assigned to that teaching unit, for  
24 appointment by the Senate as Dean of the College.

25 (2) The person appointed under paragraph 1 of this Article shall act as  
26 Dean of the College and chairman of all meetings of the College Board when he  
27 is present and shall be a member of all committees and other boards appointed  
28 by the College.

29 (3) The Dean shall hold office for two years and shall be eligible for  
30 re-appointment one further period of two years. Thereafter he shall not be



1 eligible for re-appointment until two years have elapsed.

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

4 (5) It shall be the function of the Dean to present to Convocation for  
5 the conferment of degrees to persons who have qualified for the degrees of  
6 the University at examination held in the branches of learning for which  
7 responsibility is allocated to that College.

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

12 (7) The Dean of a College may be removed from office for good  
13 cause by the College Board after a vote would have been taken at a meeting  
14 of the Board, and in the event of a vacancy occurring following the removal  
15 of a Dean, an acting Dean may be appointed by the Vice-Chancellor:

16 Provided that at the next College Board meeting an election shall  
17 be held for a new Dean.

18 (8) In this article "good cause" has the same meaning as in section  
19 15(3) of the Act.

20 *Departmental Board of Studies*

21 9.-(1) There shall be a Departmental Board of Studies whose  
22 membership shall be made of all academic staff of the Department.

23 (2) It shall be headed by a Professor who shall be appointed by the  
24 Vice Chancellor and in the absence of a Professor, a senior academic staff  
25 shall be appointed in acting capacity.

26 (3) For a Professor the term is for 3 years while 1 year is for acting  
27 capacity. The Board shall superintend over all teachings and examinations  
28 in the Department.

29 (4) The Board shall handle all disciplinary matters in the  
30 Department and make recommendations to the College where necessary.

1 (6) Allocation of courses in the department shall be done by the  
2 Departmental Board on recommendation of the Head of Department.  
3 Selection of Directors of Physical Planning and Development, Works and  
4 Services and Health

5 10.-(1) When a vacancy occurs in the office of the Directors of  
6 Physical Planning and Development, Works and Services and Health, a  
7 Selection Board shall be constituted by the Council which shall consist of:

8 (a) the Pro-Chancellor;

9 (b) the Vice-Chancellor;

10 (c) two members appointed by the Council, not being members of the  
11 Senate;\*

12 (d) two members appointed by the Senate.

13 (2) The Selection Board after making such inquiries as it thinks fit,  
14 shall recommend a candidate to the Council for appointment to the vacant  
15 office; and after considering the recommendation of the board the Council may  
16 make an appointment to that office.

17 *Tenure of Directors*

18 11. A Director shall hold office on such terms and conditions as may  
19 be specified in his letter of appointment subject to the extant Regulations.

20 *Creation of Academic Posts*

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

24 *Appointment of Administrative and Professional Staff*

25 13.-(1) The administrative and professional staff of the University  
26 other than principal officers shall be appointed by the Council on its behalf  
27 by the Vice-Chancellor in accordance with delegation of powers made by the  
28 Council on its behalf.

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

30 (i) Vice Chancellor;

- 1 (ii) Deputy Vice Chancellor;  
2 (iii) Registrar;  
3 (iv) Bursar;  
4 (v) University Librarian;  
5 (vi) the Head of Department concerned; and  
6 (vii) Establishment and Human Resources Officer who shall serve  
7 as Secretary Quorum shall be three (3) including the Chairman.

8 *Interpretation*

9 14. In this Statute, the expression "the Act" means the Federal  
10 University of Technology, Auchi Act and any word or expression defined in  
11 the Act has the same meaning in this Statute.

EXPLANATORY MEMORANDUM

This Bill seeks to upgrade the Federal Polytechnic Auchi to the Federal University of Technology, Auchi, Edo State.

