

FEDERAL UNIVERSITY OF SPORTS, AFUZE, EDO STATE (ESTABLISHMENT,
ETC.) BILL, 2019

ARRANGEMENT OF SECTION

Section:

PART I - ESTABLISHMENT, OBJECTS, STRUCTURE, POWERS ETC. OF THE
FEDERAL UNIVERSITY OF SPORTS

1. Establishment of the Federal University of Sports
2. Objects of the University
3. Composition of the University and its Constituent Bodies
4. Powers of the University
5. Functions of the Chancellor and Pro-Chancellor of the University
6. Establishment and Composition of Council of the University
7. Functions of the Council and its Finance and General Purpose
8. Functions of the Senate of the University
9. Functions of the Vice-Chancellor of the University

PART II - PROPERTY OF THE UNIVERSITY

10. Transfer of Property to the University

PART III - STATUTES OF THE UNIVERSITY

11. Power of the University to make Statutes
12. Mode of exercising the power to make Statutes
13. Proof of Statute
14. Power to decide the meaning of Statute

PART IV - SUPERVISION AND DISCIPLINE

15. The Visitor
16. Removal of certain Members of the Council
17. Removal and discipline of Academic, Administrative and Professional Staff
18. Removal of Examiners
19. Discipline of Students

PART V - MISCELLANEOUS PROVISIONS

20. Matters of discrimination on account of race, religion, etc.
21. Transfer of land to the University
22. Restriction on disposal of land by the University
23. Quorum and procedure of bodies established by this Act
24. Committees, etc.
25. Other Administrative provisions
26. Interpretation
27. Short Title

A BILL

FOR

AN ACT TO ESTABLISH THE FEDERAL UNIVERSITY OF SPORTS, AFUZE, EDO STATE TO MAKE COMPREHENSIVE PROVISIONS FOR ITS DUE MANAGEMENT AND ADMINISTRATION; AND FOR RELATED MATTERS

Sponsored by Hon. Julius .O. Ihonvbere

[] Commencement

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

PART I - ESTABLISHMENT, COMPOSITION AND FUNCTIONS OF THE FEDERAL UNIVERSITY OF SPORTS, AFUZE, EDO STATE

1 **1.**-(1) There is hereby established the Federal University of Sports, Afuze Edo State (in this Bill referred to as "the University").

Establishment of the Federal University of Sports, Afuze, Edo State

2 (2) The University-

3 (a) Shall be a body corporate with perpetual succession and a common seal; and

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

5 **2.** The objects of the University shall be to -

Objects of the University

6 (a) Encourage the advancement of learning and to hold out to all persons without distinction of race, creed, sex or political conviction the opportunity of acquiring higher education in Sports;

7 (b) To develop and offer academic and professional programmes leading to the award of diplomas, first degrees, post-graduate research and higher degrees with emphasis on planning, adaptive, technical, maintenance, developmental and productive skills in the engineering, scientific, and allied professional disciplines relating to Sports resources with the aim of producing socially mature men and women with capability not only to understand, use and adapt existing technologies in Sports , but also to improve on them and develop new ones;

1 (c) To act as agents and catalysts, through post-graduate training,
2 research and innovation for the effective and economic utilization, exploitation
3 and conservation of the country's Sports resources;

4 (d) To develop and offer courses in Sports Business, Sports
5 Management, Sports Information and Broadcasting which will be the first of
6 its kind in Nigeria and within the African Continent. This no doubt will attract
7 Students from far and wide to the University;

8 (e) To offer to the general population particularly in the area Sports as
9 a form of public service, the results of training and research and to foster the
10 practical applications of these results;

11 (f) To establish appropriate relationships with other national
12 institutions involved in training, research and development of technologies in
13 the Sports sector;

14 (g) To identify the problems and needs of Sports in Nigeria and to find
15 solutions to them within the context of overall national development;

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

19 (i) To encourage and promote scholarship and conduct research in
20 restricted fields of learning and human endeavour;

21 (j) To relate its activities to the technological, social, cultural and
22 economic needs of the people of Nigeria; and

23 (k) To undertake any other activities appropriate for a Sports
24 university of the highest standard.

Composition
of the University
and its Constituents
Bodies, etc.

25 **3.-(1)** The University shall consist of-

26 (a) a Chancellor;

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

28 (c) a Vice Chancellor and a Senate;

29 (d) a Deputy Vice-Chancellor;

30 (e) a body to be called Congregation;

- 1 (f) a body to be called Convocation;
- 2 (g) the campuses and colleges of the University;
- 3 (h) the faculties, schools, institutes and other teaching and research
4 units of the University;
- 5 (i) the persons holding the offices constituted by the First Schedule
6 to this Act other than those mentioned in paragraphs (a) to (c) of this
7 subsection;
- 8 (j) all graduates and undergraduates; and
- 9 (k) all other persons who are members of the University in
10 accordance with provisions made by Statute in that behalf.
- 11 (2) The First Schedule to this Act shall have effect with respect to
12 the Principal Officers of the University mentioned therein.
- 13 (3) Provision shall be made by Statute with respect to the
14 constitution of the following bodies, namely-
- 15 (a) the Council;
- 16 (b) the Senate;
- 17 (c) the Congregation; and
- 18 (d) the Convocation.
- 19 4.-(1) For the carrying out of its objects as specified in Section 2 of
20 this Act, the University shall have power to-
- 21 (a) Establish such campuses, colleges, faculties, institutes,
22 schools, extra-mural departments and other teaching and research units
23 within the University as may from time to time seem necessary or desirable,
24 subject to the approval of the National Universities Commission;
- 25 (b) Institute professorships, readerships and associate
26 professorships, lectureships and other posts and offices and to make
27 appointments thereto;
- 28 (c) institute and award fellowships, scholarships, exhibitions,
29 bursaries, medals, prizes and other titles, distinctions, awards and forms of
30 assistance;

Powers of the
University

1 (d) provide for the residence, discipline and welfare of members of
2 the University;

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

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

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

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

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

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

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

24 (l) hold public lectures and undertake printing, publishing and book
25 selling;

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

1 any such investments and to deposit any moneys for the time being un-
2 invested with any bank on deposit or current account;

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

8 (o) make gifts for any charitable purpose;

9 (p) do anything which it is authorized or required by this Act or by
10 any other Statute to do; and

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

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

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

Functions of the
Chancellor and
Pro-Chancellor

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

27 **6.-(1)** There shall be a Council for the University consisting of:

Establishment
and Composition
of Council

28 (a) the Pro-Chancellor;

29 (b) the Vice-Chancellor;

30 (c) the Deputy Vice-Chancellor;

- 1 (d) one person from the Ministry responsible for Education;
- 2 (e) four persons representing a variety of interest and broadly
3 representative of the whole Federation;
- 4 (f) four persons appointed by the Senate from among its members;
- 5 (g) two persons appointed by the congregation from among its
6 members; and
- 7 (h) one persons appointed by Convocation from among its members.
- 8 (2) Persons to be appointed to the Council shall be persons of proven
9 integrity, knowledgeable and familiar with the affairs and tradition of the
10 University.
- 11 7.-(1) Subject to the provisions of this Act relating to the Visitor, the
12 Council shall be the Governing Body of the University and shall be charged
13 with the general control and superintendence of the policy, finances and
14 property of the University, including its public relations.
- 15 (2) There shall be a committee of the Council to be known as the
16 Finance and General Purposes Committee, which shall, subject to the
17 directions of the Council, exercise control over the property and expenditure of
18 the Council as the Council may from time to time delegate to it.
- 19 (3) Provision shall be made by Statute with respect to the constitution
20 of the Finance and General Purposes Committee.
- 21 (4) The Council shall ensure proper accounts of the University are
22 kept and that the accounts of the University are audited annually by auditors
23 appointed by the Council from the list and in accordance with guidelines
24 supplied by the Auditor-General of the Federation, and that an annual report is
25 published by the University together with certified copies of the said accounts
26 as audited.
- 27 (5) Subject to this Act and the Statutes, the Council and the Finance
28 and General Purposes Committee may each make rules for the purpose of
29 exercising any of their respective functions or of regulating their own
30 procedure.

Functions of the
Council and its
Finance and
General Purpose

1 (6) Rules made under subsection (5) of this section by the Finance
2 and General Purposes Committee shall not come into force unless approved
3 by the Council, and where any rule so made by the Committee conflict with
4 any directions given by the Council (whether before or after the coming into
5 force of the rules in question), the direction of the Council shall prevail.

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

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

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

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

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

Functions of the
Senate

29 (2) Without prejudice to the generality of the provisions of
30 subsection (1) of this section, it shall in particular be the function of the

1 Senate to make provision for the-

2 (a) establishment, organization and control of campuses, colleges,
3 faculties, departments, schools, institutes and other teaching and research units
4 of the University, and the allocation of responsibility for different branches of
5 learning;

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

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

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

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

16 (f) supervision of the welfare of students in the University and the
17 regulation of their conduct;

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

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

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

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

1 (b) The Senate shall, by regulation, provide that at least one of the
2 persons appointed as examiners at each final or professional examination
3 held in conjunction with any course of study in the University is not a
4 teacher at the University but is a teacher at the branch of learning to which
5 the course relates in some other university of high repute.

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

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

Functions of the
Vice-Chancellor

16 (2) Subject to the provisions of this Act, the Vice-Chancellor shall
17 have general function, in addition to any other functions conferred on him
18 by this Act or otherwise, of directing the activities of the University, and
19 shall to the exclusion of any other person or authority be the chief executive
20 and academic officer of the University and ex-officio Chairman of the
21 Senate.

22 PART II - TRANSFER OF PROPERTY

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

Transfer of
Property to the
University

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

1 PART III - STATUTES OF THE UNIVERSITY

Power of the
University to
make Statutes

2 11.-(1) Subject to this Act, the University may make Statutes for any
3 of the following purposes-

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

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

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

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

14 (e) making provision for other matters for which provision by Statute
15 is authorized or required by this Act.

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

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

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

Mode of exercising
the power to make
Statutes

26 12.-(1) The power of the University to make Statutes shall be
27 exercised in accordance with the provisions of this section.

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

30 (a) Senate, by the votes of not less than two thirds of the members

1 present and voting; and

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

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

7 (4) A Statute which-

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

10 (b) provides for the establishment of a new campus or college or for
11 the amendment or revocation of any Statute whereby a campus or college is
12 established;

13 shall not come into operation unless it has been approved by the Visitor.

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

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

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

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

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

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

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

14 PART IV - SUPERVISION AND DISCIPLINE

The Visitor

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

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

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

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

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

Removal of
certain Members
of the Council

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

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

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

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

Removal and
discipline of
Academic,
Administrative
and Professional
Staff

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

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

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

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

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

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

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

30 (3) The Vice-Chancellor may, in a case of gross misconduct by a

1 member of staff which in the opinion of the Vice-Chancellor is prejudicial to
2 the interest of the University, suspend such member and any such suspension
3 shall immediately be reported to the Council.

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

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

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

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

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

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

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

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

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

30 (d) take such lesser disciplinary action against such person (including

1 the restoration of such proportion of his emoluments that might have been
2 withheld) as the Council may determine.

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

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

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

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

Removal of
Examiners

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

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

Discipline of
Students

1 **19.**-(1) Subject to the provisions of this section, where it appears to
2 the Vice-Chancellor that any student is guilty of misconduct, the Vice-
3 Chancellor may, without prejudice to any other disciplinary powers conferred
4 on him by Statute or regulations, direct that the-

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

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

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

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

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

20 (4) The fact that an appeal from a direction is brought pursuant to
21 subsection (2) of this section shall not affect the operation of the direction while
22 the appeal is pending.

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

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

30 (7) A direction under subsection (1) (a) of this section may be

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

2 PART V - MISCELLANEOUS AND GENERAL PROVISIONS

3 **20.**-(1) No person shall be required to satisfy requirements as to
4 any of the following matters, that is to say, race (including ethnic grouping)
5 sex, place of birth, family origin, religious or political persuasion, as a
6 condition for becoming or continuing to be a-

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

7 (a) student in the University;

8 (b) Holder of any degree, appointment or employment in the
9 University; or

10 (c) member of anybody established by virtue of this Act.

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

14 (3) Nothing in subsection (1) of this section shall be construed as
15 preventing the University from imposing any disability or restriction on any
16 of the persons specified in subsection (1) of this section where such persons
17 wilfully refuse or fail on grounds of religious belief to undertake any duty
18 generally and uniformly imposed on all such persons or any group of them
19 which duty, having regard to its nature and the special circumstances, is in
20 the opinion of the University reasonably justifiable in the national interest.

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

Transfer of land
to the University

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

28 **22.** 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 with the

Restriction on
disposal of land
by University

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

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

Quorum and
procedure of
bodies established
by this Act

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

Appointment of
Committees, etc.

8 24.-(1) Anybody of persons established by this Act 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 and
11 authorize a committee established by it to-

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

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

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

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

25 (4) The Pro-Chancellor and the Vice-Chancellor shall be members of
26 every committee of which the members are wholly or partly appointed by the
27 Council, (other than a committee appointed to inquire into the conduct of the
28 officer in question) and the Vice-Chancellor shall be a member of every
29 committee of which the members are wholly or partly appointed by the Senate.

30 (5) Nothing in the foregoing provisions of this section shall be

1 construed as enabling-

2 (a) statutes to be made otherwise than in accordance with section
3 11 of this Act; or

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

6 **25.**-(1) The seal of the University shall be such as may be
7 determined by the Council and approved by the Chancellor and the affixing
8 of the seal shall-

Miscellaneous
Administrative
provisions

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

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

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

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

21 (4) The validity of the proceedings of anybody established
22 pursuant to this Act shall not be affected by-

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

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

30 (7) The power conferred by this Act on anybody to make Statute or

1 Regulations shall include power to revoke or vary any-

2 (a) Statute (including the Statute contained in the Third Schedule to
3 this Act; or

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

6 PROVIDED that the Statutes and Regulations may have different
7 provisions in relation to different circumstances.

8 (8) No stamp or other duty shall be payable in respect of any transfer
9 of property to the University by virtue of sections 10, 21 and the Second
10 Schedule to this Act.

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

Interpretation

13 **26.**-(1) In this Act-

14 "Appropriate authority" means any person, body or authority authorized by
15 law to act in a specific or general capacity in relation to a subject matter;

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

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

18 "Graduate" means a person on whom a degree (other than an honorary degree)
19 has been conferred by the University;

20 "Gross misconduct" means any act of misconduct and improper behavior that
21 may be designated as gross misconduct by any Statute or Regulation made,
22 pursuant to this Act;

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

24 "Misconduct" means any conduct which is prejudicial to the good name of the
25 University and or discipline and the proper administration of the business of
26 the University;

27 "Notice" means notice in writing;

28 "Officer" does not include the Visitor;

29 "Prescribed" means prescribed by Statute or Regulation made under this Act;

30 "Professor" means a person designated as a professor of the University in

1 accordance with provisions made in that behalf by Statute or by
2 Regulations;

3 "Property" includes rights, liabilities and obligations;

4 "The provisional Council" means the provisional Council appointed for the
5 University by the President with effect from September 2016;

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

7 "Senate" means the Senate of the University established by the Act;

8 "Statute" means a Statute made by the University under section 11 of this
9 Act and in accordance with the provisions of section 12 of this Act;

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

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

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

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

15 "Undergraduate" means a person in statupupilari in the University, other
16 than-

17 (a) a graduate; and

18 (b) a person of such description as may be prescribed for the
19 purposes of this definition.

20 "the University" the Federal University of Sports, Afuze Edo State
21 incorporated and constituted by this Act; and

22 "the Act" means the Federal University of Sports, Afuze Edo State Act.

23 (2) Where in any provision of this Act, it is laid down that proposals
24 are to be submitted or a recommendation is to be made by one authority to
25 another through one or more intermediate authorities, it shall be the duty of
26 every such intermediate authority to forward any proposals or
27 recommendations received by it pursuant to that provision to the appropriate
28 authority; but any such intermediate authority may, if it thinks fit, forward
29 therewith its own comments thereon.

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

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

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

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

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

15 6.-(1) There shall be for the University, the following Principal
16 Officers in addition to the Registrar, that is-

17 (a) the Bursar; and

18 (b) the University Librarian.

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

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

27 (4) The Bursar and the University Librarian-

28 (a) shall each hold office for such period and on such terms and
29 conditions as to emoluments as may be specified in his letter of
30 appointment.

1 *Other Officers of the University*

2 7. There shall be for the University, a Director of Works, who shall be
3 responsible to the Vice Chancellor for the administration of the Works
4 Department. He shall be responsible for all works, services and maintenance of
5 University facilities.

6 8. There shall be for the University, a Director of Health Services,
7 who shall be responsible to the Vice Chancellor for the administration of the
8 Health Centre. He shall be the Chief Medical Officer of the University and
9 shall coordinate all matters relating to the health of all staff and students.

10 *Resignation and re-appointment*

11 9.-(1) Any officer mentioned in the foregoing provisions of this
12 schedule may resign his office in-

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

15 (b) the case of the Vice-Chancellor by notice to the Council which
16 shall immediately notify the Minister; and

17 (2) A person who has ceased to hold an office so mentioned otherwise
18 than by removal for misconduct shall be eligible for re-appointment to that
19 office.

20 SECOND SCHEDULE

21 *Section 10 (2)*

22 TRANSITIONAL PROVISIONS AS TO PROPERTY, FUNCTIONS, ETC.

23 *Transfer of Property to the University*

24 1. Without prejudice to the generality of Section 10 (1) of this Act-

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

29 (b) all outstanding debts and liabilities of the provisional Council
30 shall become debts and liabilities of the University established by this Act.

1 be convened by the Vice-Chancellor on such date and in such manner as he may
2 determine.

3 (4) The persons who were members of the Senate immediately before
4 the coming into force of this Act shall be deemed to constitute the Senate of the
5 University until the date when the Senate as set up under the Third Schedule of
6 this Act must have been duly constituted.

7 (5) Subject to any regulations which may be made by the Senate after
8 the date on which this Act is made, the faculties, faculty boards and students of
9 the University immediately before the coming into force of this Act shall on
10 that day become faculties, faculty boards and students of the University as
11 established by this Act.

12 (6) Persons who were deans or associate deans of faculties or
13 members of faculty boards shall continue to be deans or associate deans or
14 become members of the corresponding faculty boards, until new appointment
15 are made in pursuance of the Statutes under this Act.

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

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

23 THIRD SCHEDULE

24 *Section 11 (3)*

25 FEDERAL UNIVERSITY OF SPORTS, AFUZE, EDO STATE, STATUTE NO. 1

26 *Articles:*

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

1 and the persons co-opted may take part in the deliberations of the Council at
2 any meeting but shall not be entitled to vote.

3 (8) The Council constituted by this Act shall have a four year tenure
4 from the date of its inauguration, provided that where a Council is found to be
5 incompetent and corrupt, it shall be dissolved by the visitor and a new Council
6 shall be immediately constituted for the effective functioning of the University.

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

11 *The Finance and General-Purpose Committee*

12 2.-(1) The Finance and General-Purpose Committee of the Council
13 shall consist of-

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

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

17 (c) six other members of the Council appointed by the Council two of
18 whom shall be selected from among the four members of the Council
19 appointed by the Senate and one of whom shall be selected from among
20 members of the Council appointed by the congregation; and

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

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

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

26 *The Senate*

27 3.-(1) There shall be a Senate for the University consisting of:

28 (a) the Vice-Chancellor;

29 (b) the Deputy Vice-Chancellor;

30 (c) all Professors of the University;

1 (d) all Deans, Provosts and Directors of Academic units of the
2 University;

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

5 (f) the University Librarian; and

6 (g) academic members of the congregation who are not Professors
7 as specified in the Laws of the University.

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

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

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

18 *Congregation*

19 4.-(1) Congregation shall consist of-

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

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

22 (c) the Registrar;

23 (d) the Bursar; and

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

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

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

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

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

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

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

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

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

28 *Organisation of Faculties and Branches thereof-*

29 6. Each Faculty shall be divided into such number of branches as
30 may be prescribed.

1 chairman at all meetings of the Faculty Board when he is present and he shall
2 be a member of all committees and other boards appointed by the faculty.

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

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

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

19 (7) In this article, "good cause" has the same meaning as in section
20 17(4) of this Act.

21 *Selection of Certain Principal and other key Officers*

22 9.-(1) When a vacancy occurs in the Office of the Registrar, Bursar,
23 the University Librarian, Director of Works or Director of Health Services, a
24 Selection Board shall be constituted by the Council and shall consist of-

25 (i) the Pro-Chancellor;

26 (ii) the Vice-chancellor;

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

29 (iv) two members appointed by the Senate not being members of
30 Council.

