

A BILL

FOR

AN ACT TO AMEND THE ABUBAKAR TAFAWA BALEWA UNIVERSITY, BAUCHI ACT CAP. A1, LAWS OF THE FEDERATION OF NIGERIA, 2004 TO SPECIFY THE MINIMUM QUALIFICATION OF THE CHAIRMAN OF THE GOVERNING COUNCIL, OWNERSHIP OF INTELLECTUAL PROPERTY AND TO PROVIDE FOR PRE-ACTION NOTICE TO THE UNIVERSITY AUTHORITY; AND FOR RELATED MATTERS

Sponsored by Hon. Fulata Abubakar Hassan

[] Commencement

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

- 1 **1.** The Abubakar Tafawa Balewa University, Bauchi Act Cap. A1, Amendment of
- 2 Laws of the Federation of Nigeria 2004 (in this Bill referred to as "the Cap. A1, LFN,
- 3 Principal Act") is amended as set out in this Bill. 2004
- 4 **2.** Section 5 of the Principal Act is amended by inserting: Amendment of
- 5 (a) after the word, "functions" in the shoulder note, the words, "and Section 5
- 6 qualification";
- 7 (b) a new subsection (2):
- 8 "(2) The Chairman of the Council shall possess at least a university
- 9 degree or its equivalent with cognate experience, integrity, vibrancy and
- 10 must be healthy and fit to perform the function of a chairman".
- 11 **3.** Section 11 of the Principal Act is amended by inserting a new Amendment of
- 12 subsection "(4A)": Section 11
- 13 "(4A) The University shall make Intellectual property governance
- 14 codes that comply with international best practice to govern the ownership
- 15 of intellectual property within the university".
- 16 **4.** The Principal Act is amended by inserting a new "section 21A": Insertion of
- 17 "21A" Pre-Action Notice: Section 21A

1 (1) An aggrieved staff or student shall not commence a suit in Court
2 against the University except the staff or student gives the University one
3 month written notice of intention to commence the suit.

4 (2) The written notice of under subsection (1) of this section shall be
5 served on the University by the intending plaintiff or his agent and the notice
6 shall explicitly state the:

7 (a) cause of action;

8 (b) particulars of claim or the grievance sought to be redressed;

9 (c) name, particulars and official address of the intending plaintiff;

10 and

11 (d) relief which the intending plaintiff claims.

12 (3) The written notice under subsection (1) of this section and any
13 summons, notice or other document required or authorized to be served on the
14 University under this Act or any other law shall be addressed to the Vice-
15 Chancellor of the University and may be served by delivering same to the Vice-
16 Chancellor, the Deputy Vice-Chancellor or any other Principal Officer of the
17 University or by sending it by registered post, electronic mail or any other
18 legally recognized digital form of communication in Nigeria.

Amendment of
Article 8 of the
Third Schedule

19 **5.** Article 8 of the Third Schedule to the Principal Act is amended in:

20 (a) sub article (1) by inserting after the word, "school" in line 3 the
21 words, " provided that where there is no professor in a collage, the office of the
22 Dean of school shall be held in rotation on the basis of seniority as determined
23 by the Senate; and

24 (b) sub article (2) by substituting for the words, "Thereafter, he shall
25 not be eligible for re-appointment until two years have elapsed" in lines 2 and 3,
26 the words, " and no more".

Citation

27 **6.** This Bill may be cited as the Abubakar Tafawa Balewa University,
28 Bauchi (Amendment) Bill, 2020.

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Abubakar Tafawa Balewa University, Bauchi Act Cap. A1, Laws of the Federation of Nigeria, 2004 to specify the minimum qualification of the Chairman of the Governing Council, ownership of intellectual property and to provide for pre-action notice to the University authority before the commencement of any suit in court.