

FEDERAL UNIVERSITY OF AGRICULTURE AND TECHNOLOGY, OKE-OGUN
(ESTABLISHMENT, ETC) BILL, 2019
ARRANGEMENT OF SECTIONS

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Statute No.1.

A BILL

FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE FEDERAL UNIVERSITY OF AGRICULTURE AND TECHNOLOGY OKE-OGUN AND FOR OTHER RELATED MATTERS THEREOF, 2019

Sponsored by Senator Adefatai Buhari

[] Commencement

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

1 PART I - CONSTITUTION AND FUNCTIONS OF THE UNIVERSITY AND ITS
2 CONSTITUENT BODIES, ETC.

3 1.-(1) There is hereby established the Federal University of
4 Technology Oke-Ogun(hereafter in this Act referred to as "the University")
5 which shall be a body corporate with perpetual succession and a common
6 seal.

Incorporation and objects of the Federal University of Agriculture and Technology Oke-Ogun

7 (2) The University may sue and be sued in its corporate name.

8 (3) The objects of the University shall be to-

9 (a) encourage the advancement of learning and to hold out to all
10 persons without distinction of race, creed, sex or political conviction the
11 opportunity of acquiring a higher and liberal education;

12 (b) provide courses of instruction and other facilities for the pursuit
13 of learning in all its branches, and to make those facilities available on
14 proper terms to such persons as are equipped to benefit from them;

15 (c) encourage and promote scholarship and conduct research in all
16 fields of learning with emphasis on technical education;

17 (d) relate its activities to the social, cultural and economic needs of
18 the people of Nigeria; and

19 (e) undertake any other activities appropriate for a university of the
20 highest standard.

Constitution
and principal
officers of the
University

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 faculties, schools, institutes and other teaching and research
9 units of the University;
10 (h) the persons holding the offices constituted by the First Schedule to
11 this Act other than those mentioned in paragraphs (a) to (c) of this subsection;
12 (i) all graduates and undergraduates; and
13 (j) all other persons who are members of the University in accordance
14 with provision made by statute in that behalf.
15 (2) The First Schedule to this Act shall have effect with respect to the
16 principal officers of the University therein mentioned.
17 (3) Provision shall be made by Statute with respect to the constitution
18 of the following bodies, namely the Council, the Senate, Congregation and
19 Convocation.

Powers of the
University and
their exercise

20 **3.**-(1) For the carrying out its objects as specified in section 1 of this
21 Act the University shall have power-
22 (a) to establish such campuses, colleges, faculties, institutes, schools,
23 extra-mural departments and other teaching and research units within the
24 University as may from time to time seem necessary or desirable subject to the
25 approval of the National Universities Commission;
26 (b) to institute professorships, readerships, lectureships and other
27 posts and offices and to make appointments thereto;
28 (c) to institute and award fellowships, scholarships, exhibitions,
29 bursaries, medals, prizes and other titles, distinctions, awards and forms of
30 assistance;

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

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

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

8 (g) to 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
11 of the Minister;

12 (h) subject to section 19 of this Act, to acquire, hold, grant, charge
13 or otherwise deal with or dispose of movable and immovable property
14 wherever situate;

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

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

24 (l) to hold public lectures and to undertake printing, publishing
25 and bookselling;

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

1 to time to vary any such investments, and to deposit any moneys for the time
2 being uninvested with any bank on deposit or current account;

3 (n) to 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 University,
5 such moneys as the Council may from time to time in its discretion find it
6 necessary or expedient to borrow or to guarantee any loan, advances or credit
7 facilities;

8 (o) to make gifts for any charitable purpose;

9 (p) to arrange for the general welfare of children of members of staff;

10 (q) to do anything which it is authorised or required by this Act or by
11 statute to do; and

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

14 (2) Subject to the provisions of this Act and of the statutes and without
15 prejudice to section 7 (2) of this Act, the powers conferred on the University by
16 subsection (1) of this section shall be exercisable on behalf of the University by
17 the Council or by the Senate or in any other manner which may be authorised
18 by statute.

19 (3) The power of the University to establish further campuses and
20 colleges within the University shall be exercisable by statute and not
21 otherwise.

Functions of
the Chancellor
and Pro-Chancellor

22 4.-(1) The chancellor shall, in relation to the University, take
23 precedence before all other members of the University, and when he is present
24 shall preside at all meetings of convocation held for conferring degrees.

25 (2) The Pro-Chancellor shall, in relation to the University, take
26 precedence before all other members of the University except the Chancellor
27 and except the Vice-Chancellor when acting as chairman of congregation or
28 convocation the Pro-Chancellor shall, when he is present, be the chairman at all
29 meetings of the Council.

1 5.-(1) Subject to the provisions of this Act relating to the visitor, the
2 Council shall be the governing body of the University and shall be charged
3 with the general control and superintendence of the policy, finances and
4 property of the university, including its public relations.

Functions of the
Council and its
finance and general
purposes committee

5 (2) There shall be a committee of the Council, to be known as the
6 finance and general purposes committee, which shall, subject to the
7 directions of the Council, exercise control over the property and expenditure
8 of the University and perform such other functions of the Council as the
9 Council may from time to time delegate to it.

10 (3) Provision shall be made by statute with respect to the
11 constitution of the finance and general purposes committee.

12 (4) The Council shall ensure that proper accounts of the University
13 are kept and that the accounts of the University are audited annually by
14 auditors appointed by the Council from the list and in accordance with
15 guidelines supplied by the Auditor-General of the Federation; and that an
16 annual report is published by the University together with certified copies of
17 the said accounts as audited.

18 (5) Subject to this Act the statutes, the Council and the finance and
19 general purposes committee may each make rules for the purpose of
20 exercising any of their respective functions or of regulating their own
21 procedure.

22 (6) Rules made under subsection (5) of this section by the finance
23 and general purposes committee shall not come into force unless approved
24 by the Council; and in so far and to the extent that any rules so made by that
25 committee conflict with any directions given by the Council (whether
26 before or after the coming into force of the rules in question), the directions
27 of the Council shall prevail.

28 (7) There shall be paid to the members of the Council, of the
29 finance and general purposes committee and of any other committee set up
30 by the Council respectively allowances in respect of traveling and other

1 reasonable expenses, at such rates as may from time to time be fixed by the
2 Council.

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

6 (9) If requested in writing by any five members of the Council, the
7 chairman shall within twenty-eight days after the receipt of such request call a
8 meeting of the Council; and the request shall specify the business to be
9 considered at the meeting and no business not so specified shall be transacted at
10 that meeting.

Functions of
the Senate

11 **6.**(1) Subject to section 5 of this Act and subsections (3) and (4) of
12 this section, and to the provisions of this Act relating to the visitor, it shall be the
13 general function of the Senate to organise and control the teaching of the
14 University, the admission (where no other enactment provides to the contrary)
15 of students and the discipline of students and to promote research at the
16 University.

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

20 (a) the establishment, organisation and control of campuses, colleges,
21 faculties, departments, schools, institutes and other teaching and research units
22 of the University, and the allocation of responsibility for different branches of
23 learning;

24 (b) the organisation and control of courses of study at the University
25 and o' the examinations held in conjunction with those courses, including the
26 appointment of examiners, both internal and external;

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

29 (d) the making of recommendations to the Council with respect to the
30 award to any person of an honorary fellowship or honorary degree or the title or

1 professor emeritus;

2 (e) the establishment, organisation and control of halls or residence
3 and similar institutions at the University;

4 (f) the supervision of the welfare of students at the University and
5 the regulations of their conduct;

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

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

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

14 (4) Subject to this Act and the statutes, the Senate may make
15 regulations for the purpose of exercising any function conferred on it either
16 by the foregoing provisions of this section or otherwise or for the purpose of
17 making provision for any matter for which provision by regulation is
18 authorised or required by this Act or by statute.

19 (5) Regulations shall provide that at least one of the persons
20 appointed as the examiners at each final or professional examination held in
21 conjunction with any course of study at the University is not a teacher at the
22 University but is a teacher of the branch of learning to which the course
23 relates at some other university of high repute.

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

Functions of
the Vice-Chancellor

1 7.-(1) The Vice-Chancellor shall, in relation to the University, take
2 precedence before all other members of the University except the chancellor
3 and, subject to section 4 of this Act, except the Pro-Chancellor and any other
4 person for the time being acting as chairman of the Council.

5 (2) Subject to sections 5, 6 and 13 of this Act, the Vice-Chancellor
6 shall have the general function, in addition to any other functions conferred on
7 him by this Act or otherwise, of directing the activities of the University, and
8 shall to the exclusion of any other person or authority be the chief executive and
9 academic officer of the University and ex-officio chairman of the Senate.

10 PART II - STATUTES OF THE UNIVERSITY

Power of
University to
make Statutes.
Cap. 192

11 8.-(1) Subject to this Act, the University may make statutes for any of
12 the following purposes, that is to say-

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

15 (b) specifying and regulating the powers and duties of any authority
16 of the University, and regulating any other matter connected with the
17 University or any of its authorities;

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

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

23 (e) making provision for any other matter for which provision by
24 statute is authorised or required by this Act.

25 (2) Subject to section 22 (6) of this Act, the Interpretation Act shall
26 apply in relation to any statute made under this section as it applies to a
27 subsidiary instrument within the meaning of section 27 (1) of that Act.

28 (3) The Statute contained in the Third Schedule to this Act shall be
29 deemed to have come into force on the commencement of this Act and shall be
30 deemed to have been made under this section.

1 (4) The power to make statutes conferred by this section shall not
2 be prejudiced or limited in any way by reason of the inclusion or omission of
3 any matter in or from the Statute contained in the Third Schedule to this Act
4 or any subsequent statute.

5 9.-(1) The power of the University to make statutes shall be
6 exercised in accordance with the provisions of this section and not
7 otherwise.

Mode of exercising
power to make
statutes. Cap. 192

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

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

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

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

17 (4) A statute which-

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

20 (b) provides for the establishment of a new campus or college or for
21 the amendment or revocation of any statute whereby a campus or college is
22 established, shall not come into operation unless it has been approved by the
23 National Council of Ministers.

24 (5) For the purposes of section 2 (2) of the Interpretation Act, a
25 statute shall be treated as being made on the date on which it is duly
26 approved by the Council after having been duly approved by the Senate, or
27 on the date on which it is duly approved by the Senate after having been duly
28 approved by the Council, as the case may be or, in the case of a statute falling
29 within subsection (4) of this section, on the date on which it is approved by
30 the National Council of Ministers.

1 (3) It shall be the duty of the bodies and persons comprising the
2 University-

3 (a) to make available to the visitor, and to any other persons
4 conducting a visitation in pursuance of this section, such facilities and
5 assistance as he or they may reasonably require for the purposes of a
6 visitation; and

7 (b) to give effect to any instructions consistent with the provisions
8 of this Act which may be given by the visitor in consequence of a visitation.

9 **13.**-(1) If it appears to the Council that a member of the Council
10 (other than the Pro-Chancellor, or the Vice-Chancellor) should be removed
11 from office on the ground of misconduct or inability to perform the
12 functions of his office or employment, the Council shall make a
13 recommendation to that effect through the Minister to the President and if
14 the President, after making such enquiries (if any) as may be considered
15 appropriate, approves the recommendation, may direct the removal of the
16 person in question from office.

Removal of
certain members
of Council

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

21 **14.**-(1) If it appears to the Council that there are reasons for
22 believing that any person employed as a member of the academic or
23 administrative or professional staff of the University other than the Vice-
24 Chancellor, should be removed from his office or employment on the
25 ground of misconduct or of inability to perform the functions of his office or
26 employment the Council shall-

Removal of and
discipline of
academic,
administrative
and professional
staff

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

28 (b) afford him an opportunity of making representations in person
29 on the matter to the Council; and

30 (c) if he or any three members of the Council so request within the

1 period of one month beginning with the date of the notice, make arrangements-

2 (i) for a joint committee of the Council and the Senate to investigate
3 the matter and to report on it to the Council, or

4 (ii) for the person in question to be afforded an opportunity of
5 appearing before and being heard by the investigating committee with respect
6 to the matter, and if the Council, after considering the report of the
7 investigating committee, is satisfied that the person in question should be
8 removed as aforesaid, the Council may so remove him by an instrument in
9 writing signed on the directions of the Council.

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

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

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

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

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

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

29 (4) Any person suspended pursuant to subsection (2) or (3) of this
30 section shall be on half pay and the Council shall before the expiration of a

1 period of three months after the date of such suspension consider the case
2 against that person and come to a decision as to-

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

5 (b) whether to reinstate such person in which case the Council shall
6 restore his full emoluments to him with effect from the date of suspension;

7 (c) whether to terminate the appointment of the person concerned,
8 in which case such a person shall not be entitled 'to the proportion of his
9 emoluments withheld during the period of suspension; or

10 (d) whether to take such lesser disciplinary action against such
11 person (including the restoration of such proportion of his emoluments that
12 might have been withheld) as the Council may determine; and in any case
13 where the Council, pursuant to this section, decides to continue a person's
14 suspension or decides to take further disciplinary action against a person, the
15 Council shall before the expiration of a period of three months from such
16 decision come to final determination in respect of the case concerning any
17 such person.

18 (5) It shall be the duty of the person by whom an instrument of
19 removal is signed in pursuant of subsection (1) above to use his best
20 endeavours to cause a copy of the instrument to be served as soon as
21 reasonably practicable on the person to whom it relates.

22 (6) Nothing in the foregoing provisions of this section shall prevent
23 the Council from making regulations for the discipline of other categories of
24 staff and workers of the University as may be prescribed.

25 **15.-(1)** If on the recommendation of the Senate, it appears to the
26 Vice-Chancellor that a person appointed as an examiner for any
27 examination of the University ought to be removed from his office or
28 appointment, then except in such cases as may be prescribed, he may, after
29 affording the examiner an opportunity of making representation in person
30 on the matter to the Vice-Chancellor, remove the examiner from the

Removal of
examiners

1 appointment by an instrument in writing signed by the Vice-Chancellor and,
2 subject to the provisions of regulations made in pursuance of section 6 (5) of
3 this Act, the Vice-Chancellor may, on the recommendation of the Senate,
4 appoint an appropriate person as examiner in the place of the examiner
5 removed in pursuance of this subsection.

6 (2) It shall be the duty of the Vice-Chancellor, on signing an
7 instrument of removal in pursuance of this section, to use his best endeavours
8 to cause a copy of the instrument to be served as soon as reasonably practicable
9 on the person to whom it relates.

Discipline of
students

10 **16.**-(1) Subject to the provisions of this section, where it appears to
11 the Vice-Chancellor that any student of the University has been guilty of
12 misconduct, the Vice-Chancellor may, without prejudice to any other
13 disciplinary powers conferred on him by statute or regulations, direct-

14 (a) that the student shall not, during such period as may be specified in
15 the direction, participate in such activities of the University, or make use of
16 such facilities of the University, as may be so specified; or

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

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

21 (d) that the student be, expelled from the University.

22 (2) Where a direction is given under subsection (1) (c) or (d) of this
23 section in respect of any student, the student may, within the prescribed period
24 and in the prescribed manner, appeal from the direction to the Council; and
25 where such an appeal is brought, the Council shall, after causing such inquiry to
26 be made in the matter as the Council considers just, either confirm or set aside
27 the direction or modify it in such manner as the Council thinks fit.

28 (3) The fact that an appeal from a direction is brought in pursuance of
29 the last foregoing subsection shall not affect the operation of the direction
30 while the appeal is pending.

1 (4) The Vice-Chancellor may delegate his powers under this
2 section to a disciplinary board consisting of such members of the University
3 as he may nominate.

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

7 (6) It is hereby declared that a direction under subsection (1) (a) of
8 this section may be combined with a direction under subsection 1 (b) of this
9 section.

10 PART V - MISCELLANEOUS AND GENERAL

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

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

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

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

Restriction on
disposal of land
by University.
Cap. 202

30 Provided that such consent shall not be required in the case of any

1 lease or tenancy at a rack-rent for a term not exceeding twenty-one years or
2 lease or tenancy to a member of the University for residential purposes.

Quorum and
procedure of
bodies established
by this Act

3 **19.** Except as may be otherwise provided by statute or by regulations,
4 the quorum and procedure of any body of persons established by this Act shall
5 be such as may be determined by that body.

Appointment
of committees,
etc.

6 **20.**-(1) Any body of persons established by the Act shall, without
7 prejudice to the generality of the powers of that body, have power to appoint
8 committees, which need not consist exclusively of members of that body, and
9 to authorize a committee established by it-

10 (a) to exercise, on its behalf, such of its functions as it may determine;
11 and

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

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

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

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

25 (a) enabling statutes to be made otherwise than in accordance with
26 section 10 of this Act; or

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

29 (5) The Pro-Chancellor and the Vice-Chancellor shall be members of
30 every committee of which the members are wholly or partly appointed by the

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

5 21.-(1) The seal of the University shall be such as may be
6 determined by the Council and approved by the chancellor; and the affixing
7 of the seal shall be authenticated by any member of the Council and by the
8 vice- chancellor, registrar or any other person authorized by statute.

Miscellaneous
administrative
provisions.
Cap. 192

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

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

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

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

25 (6) Nothing in section 12 of the Interpretation Act (which provides
26 for the application, in relation to subordinate legislation, of certain
27 incidental provisions) shall apply to statutes or regulations made in
28 pursuance of this Act; but the power conferred by this Act to make statutes or
29 regulations shall include power to revoke or vary any statute (including the
30 Statute contained in the Third Schedule of this Act) or any regulation by a

1 subsequent statute or, as the case may be, by a subsequent regulation, and
2 statutes and regulations may make different provision in relation to different
3 circumstances.

4 (7) No stamp or other duty shall be payable in respect of any transfer
5 of property to the University by virtue of sections 8 and 19 of this Act or the
6 Second Schedule to this Act.

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

Interpretation

9 **22.**-(1) In this Act, unless the context otherwise requires -
10 "campuses" means any campus which may be established by the University;
11 "college" means any college which may be established by the University;
12 "Council" means the Council established by this Act for the University;
13 "graduate" means a person on whom a degree (other than an honorary degree)
14 has been conferred by the University;
15 "Minister" means the Minister charged with responsibility for education;
16 "notice" means notice in writing;
17 "officer" does not include the visitor;
18 "prescribed" means prescribed by statute or regulations;
19 "professor" means a person designated as a professor of the University in
20 accordance with provision made in that behalf by statute or by regulations;
21 "property" includes rights, liabilities and obligations;
22 "regulations" means regulations made by the Senate or Council;
23 "statute" means the statute of the University under section 9 of this Act and in
24 accordance with the provisions of section 10 of this Act, and "the statute"
25 means all such statutes as are in force from time to time;
26 "teacher" means a person holding a full time appointment as a member of the
27 teaching or research staff of the University;
28 "undergraduate" means a person in statu pupillari at the University, other than-
29 (a) a graduate; and
30 (b) a person of such description as may be prescribed for the purposes

1 of this definition;

2 "University" means the Federal University of Agriculture and Technology,
3 Oke-Ogun as incorporated and constituted by this Act.

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

11 23. This Bill may be cited as the Federal University of Agriculture and Technology, Oke-Ogun (Establishment) Bill, 2019. Short title

13 SCHEDULES

14 FIRST SCHEDULE

15 *Section 2*

16 PRINCIPAL OFFICERS OF THE UNIVERSITY

17 *The Chancellor*

18 1. The chancellor shall be appointed by the President.

19 2.-(1) The chancellor shall hold office for a period of five years.

20 (2) If it appears to the visitor, that the chancellor should be removed
21 from his office on the ground of misconduct or of inability to perform the
22 functions of his office, the visitor may by notice in the Federal Gazette
23 remove the chancellor from office.

24 *The Pro-Chancellor*

25 3.-(1) The Pro-Chancellor shall be appointed or removed by the
26 President on the recommendation of the Minister.

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

29 *The Vice-Chancellor*

30 4.-(1) Subject to the provisions of this paragraph, the Vice-

1 Chancellor shall be appointed or removed from his office by the President after
2 consultation with the University Council.

3 (2) The Vice-Chancellor shall hold office for four years in the first
4 instance and shall be eligible for re-appointment for a second term of three
5 years, thereafter he shall no longer be eligible for appointment until at least four
6 years have elapsed since the last held office as Vice-Chancellor.

7 (3) Subject to this paragraph, the Vice-Chancellor shall hold office on
8 such terms as to emoluments and otherwise as may be specified in his
9 instrument of appointment.

10 *Other principal officers of the University*

11 5.-(1) There shall be a registrar, who shall be the chief administrative
12 officer of the University and shall be responsible to the Vice-Chancellor for the
13 day-to-day administrative work of the University except as regards matters for
14 which the bursar is responsible in accordance with subparagraph (3) of this
15 Schedule.

16 (2) The person holding the office of registrar shall by virtue of that
17 office be secretary to the Council, the Senate, congregation and convocation.

18 (3) There shall be a bursar, who shall be the chief financial officer of
19 the University and shall be responsible to the Vice-Chancellor for the day-to-
20 day administration and control of the financial affairs of the University.

21 (4) There shall be a librarian who shall be responsible to the Vice-
22 Chancellor for the administration of the University library and the co-
23 ordination of all library service in the University and its campuses, colleges,
24 faculties, schools, departments and institutes and other teaching or research
25 units.

26 (5) The officers aforesaid shall be appointed in such manner as may be
27 specified by statute and shall hold office for such period and on such terms as to
28 the emoluments of their offices and otherwise as may be specified.

29 (6) Any question as to the scope of the responsibilities of the aforesaid
30 officers shall be determined by the Vice-Chancellor.

1 *Resignation and re-appointment*

2 6.-(1) Any officer mentioned in the foregoing provisions of this
3 Schedule may resign his office-

4 (a) in the case of the chancellor, by notice to the President; and

5 (b) in any other case, by notice to the Council and the Council shall
6 immediately notify the Minister in the case of the Vice-Chancellor.

7 (2) Subject to paragraph 4 of this Schedule, a person who has
8 ceased to hold an office so mentioned otherwise than by removal for
9 misconduct shall be eligible for re-appointment to that office.

10 SECOND SCHEDULE

11 *Section 9 (3)*

12 FEDERAL UNIVERSITY AGRICULTURE AND TECHNOLOGY, OKE-OGUN

13 STATUTE NO. 1

14 ARRANGEMENT OF ARTICLES

15 *Article*

- 16 1. The Council.
- 17 2. The Senate.
- 18 3. Congregation.
- 19 4. Convocation.
- 20 5. Organisation of Academic Work of the University.
- 21 6. The Dean of the Faculty.
- 22 7. Selection of certain Principal Officers.
- 23 8. Creation of academic posts.
- 24 9. Appointments of academic staff.
- 25 10. Appointment of Administrative and Professional Staff.
- 26 11. Interpretation.
- 27 12. Short Title.

28 *The Council*

29 1.-(1) The Council shall consist of-

30 (a) the Pro-Chancellor;

1 (b) the Vice-Chancellor and the deputy Vice-Chancellor;

2 (c) six persons representing a variety of interests and broadly
3 representative of the whole Federation appointed by the National Council of
4 Ministers.

5 (d) four person appointed by the Senate from among the members of
6 that body;

7 (e) one person appointed by congregation from among the members
8 of that body;

9 (f) one person appointed by convocation from among the members of
10 that body;

11 (g) the Permanent Secretary, Federal Ministry of Education or, in his
12 absence, such member of his Ministry as may be designated to represent him;
13 and

14 (h) one person to represent the armed forces of the Federation and the
15 Police Force.

16 (2) Any member of the Council holding office otherwise than in
17 pursuance of paragraph (1) (a), (b), (g) or (h) of this article may, by notice to the
18 Council, resign his office.

19 (3) A member of the Council holding office otherwise than in
20 pursuance of paragraph (1) (a), (b), (g) or (h) of this article shall, unless he
21 previously vacates it, vacate that office on the expiration of the period of four
22 years beginning with effect from the 1st of August in the year in which he was
23 appointed.

24 (4) Where a member of the Council holding office otherwise than in
25 pursuance of paragraph (1) (a), (b), (g) or (h) of this article vacates office before
26 the expiration of the period aforesaid, the body or person by whom he was
27 appointed may appoint a successor to hold office for the residue of the term of
28 his predecessor.

29 (5) A person ceasing to hold office as a member of the Council
30 otherwise than by the removal for misconduct shall be eligible for re-

1 appointment for only one further period of four years.

2 (6) The quorum of the Council shall be five at least one of whom
3 shall be a member appointed pursuant to paragraph (1) (c), (f), (g) and (h) of
4 this article.

5 (7) If the Pro-Chancellor is not present at a meeting of the Council
6 such other member of the Council present at the meeting as the Council may
7 appoint as respects that meeting shall be the chairman at that meeting, and
8 subject to section 4 of the Act and the foregoing provisions of this paragraph,
9 the Council may regulate its own procedure.

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

14 2.-(1) The finance and general purposes committee of the Council
15 shall consist of-

16 (a) the Pro-Chancellor, who shall be the chairman of the committee
17 at any meeting at which he is present;

18 (b) the Vice-Chancellor and the deputy Vice-Chancellor;

19 (c) six other members of the Council appointed by the Council, two
20 of whom shall be selected from among the four members of the Council
21 appointed by the Senate and one member appointed to Council by the
22 congregation;

23 (d) the Permanent Secretary, Federal Ministry of Finance or, in his
24 absence, such member of his Ministry shall as may be designated to
25 represent him.

26 (2) The quorum of the committee shall be five.

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

29 *The Senate*

30 3.-(1) The Senate shall consist of-

- 1 (a) the Vice-Chancellor and the deputy Vice-Chancellor;
2 (b) the deans of the several faculties;
3 (c) the directors of the several institutes;
4 (d) the professors;
5 (e) the librarian;
6 (f) the persons for the time being holding such appointments on the
7 staff of the University as may be specified by the Vice-Chancellor; and
8 (g) such teachers (of seniors lecturer rank and above and not being
9 more than two in respect of each faculty) as may be elected from among the
10 members of each faculty, the total number thereto to be determined from time
11 to time by the Senate; and
12 (h) such persons, not exceeding two in number, whether or not
13 members of the University, as may be appointed by the Senate to be members
14 of the Senate.

15 (2) The Vice-Chancellor shall be the chairman at all meetings of the
16 Senate when he is present; and in his absence such other member of the Senate
17 present at the meeting as the Senate may appoint for that meeting, shall be the
18 chairman at the meeting.

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

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

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

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

1 at the end of his current period of office he would have held office as an
2 elected member for a continuous period of six years or would have so held
3 office if he had not resigned it.

4 (7) No election shall be held in pursuance of this article in any year
5 if the number specified in the certificate given in pursuance of paragraph(9)
6 of this article does not exceed by more than one the figure which is thrice the
7 number of those elected members holding office on the date of the certificate
8 who do not vacate office during that year in pursuance of paragraph (6) of
9 this article; but for the avoidance of doubt it is hereby declared that no
10 person shall be precluded from continuing in or taking office as an elected
11 member by reason only of a reduction in the total of non-elected members
12 occurring on or after 30th April in any year in which he is to continue in or
13 take office as an elected member.

14 (8) 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 (9) In this article, "total of non-elected members" means, as
19 respects any year, such number as may be certified by the Vice-Chancellor
20 on the 30 April of that year to be the number of persons holding office as
21 members of the Senate on that day otherwise than as elected members.

22 *Congregation*

23 4.-(1) Congregation shall consist of-

24 (a) the Vice-Chancellor;

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

26 (c) the registrar;

27 (d) the bursar; and

28 (e) every member of the administrative staff who holds a degree of
29 any university recognised for the purposes of this statute by the Vice-
30 Chancellor, not being an honorary degree.

1 (2) Subject to section 4 of the Act, the Vice-Chancellor shall be the
2 chairman at all meetings of congregation when he is present; and in his absence
3 such other member of congregation present at the meeting as congregation may
4 appoint for that meeting, shall be the chairman at the meeting.

5 (3) The quorum of the congregation shall be one-third (or the whole
6 number nearest to one-third) of the total number of members of members of the
7 congregation or fifty, whichever is less.

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

9 (a) the total number of members of congregation for the purposes of
10 any particular meeting or meetings of congregation; or

11 (b) the names of the persons who are members of congregation during
12 a particular period; shall be conclusive evidence of that number or, as the case
13 may be, of the names of those persons.

14 (5) Subject to the foregoing provisions of this article, congregation
15 may regulate its own procedure.

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

20 *Convocation*

21 5.-(1) Convocation shall consist of-

22 (a) the officers of the University mentioned in the First Schedule to
23 the Act

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

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

27 (2) A person shall be entitled to have his name registered as a member
28 of convocation if-

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

1 (b) he applies for the registration of his name in the prescribed
2 manner and pays the prescribed fees; and regulations shall provide for the
3 establishment and maintenance of a register for the purposes of this
4 paragraph and, subject to paragraph (3) below, may provide for the payment
5 from time to time of further fees by persons whose names are on the register
6 and for the removal from the register of the name of any person who fails to
7 pay those fees.

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

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

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

22 (6) The quorum of convocation shall be fifty or one-third (or the
23 whole number nearest to one-third) of the total number of members of
24 convocation, whichever is less.

25 (7) Subject to section 4 of the Act, the Vice-Chancellor shall be
26 chairman at all meetings of convocation when he is present, and in his
27 absence the Vice Chancellor shall be the chairman at the meeting.

28 (8) Convocation shall have such functions, in addition to the
29 function of appointing a member of the Council, as may be provided by
30 statute.

1 Organisation of faculties and branches thereof

2 6. Each faculty shall be divided into such number of branches as may
3 be prescribed.

4 7.-(1) There shall be established in respect of each faculty a faculty
5 board, which, subject to the provisions of this Statute, and subject to the
6 directions of the Vice-Chancellor, shall-

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

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

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

13 (2) Each faculty board shall consist of-

14 (a) the Vice-Chancellor;

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

16 (c) such of the teachers assigned to the faculty and having the
17 prescribed qualifications as the board may determine; and

18 (d) such persons whether or not members of the University as the
19 board may determine with the general or special approval of the Senate.

20 (3) The quorum of the board shall be eight members or one-quarter
21 (whichever is greater) of the members for the time being of the board; and
22 subject to the provisions of this statute and to any provisions made by
23 regulations in that behalf, the board may regulate its own procedure.

24 *The Dean of the Faculty*

25 8.-(1) The dean of a faculty shall be a professor elected by the faculty
26 board and each dean shall hold office for years. He will be eligible for re-
27 election for another term of two years after which he may not be elected again
28 until two years have elapsed.

29 (2) If there is no professor in a faculty, the office of the dean of the
30 faculty shall be held in rotation by members of the faculty holding the ranks of

1 reader or senior lecturer on the basis of seniority as determined by the
2 statute.

3 (3) The dean shall be the chairman at all meetings of the faculty
4 board when he is present and he shall be a member of all committees and
5 other boards appointed by the faculty.

6 (4) The dean of a faculty shall exercise general superintendence
7 over the academic and administrative affairs of the faculty. It shall be the
8 function of the dean to present to convocation for the conferment of degrees
9 persons who have qualified for the degrees of the University at examinations
10 held in the branches of learning for which responsibility is allocated to that
11 faculty.

12 (5) There shall be a committee to be known as the committee of
13 deans consisting of all the deans of the several faculties and that committee
14 shall advise the Vice-Chancellor on all academic matters and on particular
15 matters referred to the University Council by Senate.

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

21 (7) In this article, "good cause" has the same meaning as in section
22 15 (3) of the Act.

23 *Selection of certain principal officers*

24 9.-(1) When a vacancy occurs in the office of the registrar, bursar,
25 librarian, or director of works, a selection board shall be constituted by the
26 Council and shall consist of-

27 (a) the Pro-Chancellor;

28 (b) the Vice-Chancellor;

29 (c) two members appointed by the Council, not being members of
30 the Senate; and

1 (d) two members appointed by the Senate.

2 (2) The selection board, after making such inquiries as it thinks fit,
3 shall recommend a candidate to the Council for appointment to the vacant
4 office; and after considering the recommendation of the board the Council may
5 make an appointment to that office.

6 *Creation of academic posts*

7 10. Recommendations for the creation of posts other than those
8 mentioned in article 9 of this Statute shall be made by the Senate to the Council
9 through the finance and general purposes committee.

10 *Appointment of academic staff*

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

14 *Appointment of administrative and technical staff*

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

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

22 *Interpretation*

23 13. In this Statute, the expression "the Act" means the Federal
24 University of Agriculture and Technology, Oke-Ogun Act and any expression
25 defined in the Act has the same meaning in this Statute.

26 *Short Title*

27 14. The Statute may be cited as Federal University of Agriculture and
Technology, Oke-Ogun Statute No. 1.

EXPLANATORY MEMORANDUM

This Bill seeks to provide for the establishment of the Federal University
of Agriculture and Technology Oke-ogun