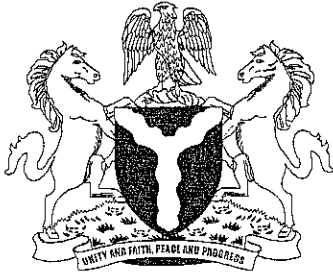


Extraordinary



National Assembly Journal

No. 20

Abuja - 17th December, 2019

Vol. 16

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Printed and Published by the National Assembly Press, Abuja, Nigeria
NASSP 20/122019/900

Subscribers who wish to obtain the *Journal* after 1st January should apply to the Clerk, National Assembly, Abuja for amended Subscriptions.

[SB. 265] UNIVERSITY OF MARITIME STUDIES, ORON BILL, 2019

ARRANGEMENT OF CLAUSES

Clause:

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C1858

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A BILL

FOR

AN ACT TO REPEAL THE MARITIME ACADEMY OF NIGERIA ACT, CAP. M3,
LAWS OF THE FEDERATION OF NIGERIA, 2004; AND ESTABLISH UNIVERSITY OF
MARITIME STUDIES, ORON AND FOR RELATED MATTERS

Sponsored by SENATOR AKON EYAKENYI

[] Commence-
ment.

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

1 PART I — ESTABLISHMENT OF UNIVERSITY OF MARITIME

2 STUDIES, ORON AND ITS GOVERNING COUNCIL

3 1.—(1) There is established, a body to be known as the University
4 of Maritime Studies, Oron, Akwa Ibom State (in this Bill referred to
5 as “the University”).

Establishment
of
University
of Maritime
Studies,
Oron.

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

9 (3) The University may acquire, hold and dispose of movable
10 and immovable property for the purpose of its functions.

11 (4) The University shall be supervised by the Ministry of Education
12 and Ministry of Transport in view of the specialized/technical nature
13 of the courses offered by University which required approval/
14 regulation by the NUC and NIMASA.

15 (5) The University shall have additional source of funding, the
16 additional source of funding of the University shall accrue from 5% of
17 statutory grants by the Nigerian Maritime Administration and Safety
18 Agency (NIMASA) hitherto granted to the Maritime Academy of
19 Nigeria, Oron, to make the university a world class.

Objectives of the University.	1	2. The objects of the University shall be to —
	2	(a) provide courses of instruction and training to various levels
	3	of personnel required for running and operating ships of the merchant
	4	navy and also in marine technology, nautical science, marine
	5	engineering, applied research and applied marine sciences. The
	6	University shall have powers to award its own degrees in accordance
	7	with the highest standards as may be prescribed by the National
	8	Universities Commission (NUC);
	9	(b) encourage the advancement of learning and to hold out to all
	10	persons without distinction of race, creed, sex or political conviction,
	11	the opportunity of acquiring a higher education in shipping, applied
	12	maritime sciences and maritime technology, ship building and the
	13	management thereof;
	14	(c) develop and offer academic and professional programmes,
	15	post graduate research leading to the award of diplomas, first
	16	degrees, and higher degrees in various aspects of shipping, merchant
	17	navy and related fields concerning the improvement of maritime
	18	studies, maritime safety and security, the protection of the maritime
	19	environment and efficiency of national and international shipping;
	20	(d) provide a centre for middle and high level maritime education,
	21	research, scholarship and capacity-building and an effective means
	22	for the sharing of maritime technology with/from other maritime
	23	national, with a view to promoting the achievement nationally and
	24	globally of the highest practicable standards in matters concerning
	25	maritime technology, ports, marine engineering, piloting and
	26	navigation, marine insurance, hydrography, Marine safety and
	27	security, efficiency of navigation and the prevention and control of
	28	marine pollution including air pollution from ships;
	29	(e) establish appropriate relationships with other national and
	30	international institutions involved in training, research and
	31	development of maritime studies and maritime matters;

1 (f) identify the maritime problems and needs of the society and to
2 find solutions to them within the context of the overall national
3 development.

4 (g) undertake any other activities appropriate for a maritime
5 university of the highest standard;

6 (h) make plans, and arrangements for perpetual development of
7 the maritime industry;

8 (i) teach science and technology contributory to the maritime
9 profession; and

10 (j) know and comply with the provisions and standards prescribed
11 by the International Maritime Organization (IMO).

12 3.—(1) There is established a Governing Council for the
13 University (in this Bill referred to as “the Council”), which Council
14 shall consist of—

Establishment
and
composition
of the
Governing
Council.

15 (a) Chancellor;

16 (b) Pro-Chancellor;

17 (c) Vice Chancellor ;

18 (d) two Deputy Vice Chancellor ;

19 (e) a body to be called Congregation;

20 (f) a body to be called Convocation;

21 (g) the campuses and colleges of the University;

22 (h) the faculties, schools, and other teaching and research units
23 of the University;

24 (i) the persons holding the offices constituted by the First Schedule
25 to this Bill other than those mentioned in paragraphs (a) to (c) of this
26 sub-clause;

27 (j) all graduates and undergraduates;

28 (k) a representative of National Universities Commission, not
29 below directorate grade; and

30 (l) all other persons who are members of the University in
31 accordance with provisions made by Statute in that behalf.

1 (2) The First Schedule to this Act shall have effect with respect
2 to the Principal Officers of the University mentioned (therein). First
3 Schedule.

4 (3) A provision shall be made by a Statute with respect to the
5 constitution of the following bodies —

6 (a) the Council;

7 (b) the Senate;

8 (c) the Congregation; and

9 (d) the Convocation.

Powers of
the
University.

10 4.—(1) For the carrying out of its objects as specified in Clause
11 2 of this Bill, the University shall have power to —

12 (a) establish such campuses, colleges, faculties, schools, extra-
13 mural departments and other teaching and research units within the
14 University as may, from time to time, seem necessary or desirable,
15 subject to the approval of the National Universities Commission;

16 (b) institute professorships, readerships and associate
17 professorships, lectureships and other posts and offices and to make
18 appointments thereto;

19 (c) institute and award fellowships, scholarships, exhibitions,
20 bursaries, medals, prizes and other titles, distinctions, awards and
21 forms of assistance;

22 (d) provide for the residence, discipline and welfare of members
23 of the University;

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

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

29 (g) demand and receive from any student or any other person
30 attending the University for the purpose of instruction such fees as
31 the University may, from time to time determine, subject to the

1 overall directives of the appropriate authority;

2 (h) subject to Clause 21 of this Bill, to acquire, hold, grant, charge
3 or otherwise deal with or dispose of movable and immovable
4 property wherever situate;

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

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

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

14 (l) hold public lectures and undertake printing, publishing and
15 book selling;

16 (m) subject to any limitation or condition imposed by Statute, to
17 invest any moneys appertaining to the University by law of
18 endorsement, whether for general or special purposes, and such
19 other moneys as may not be immediately required for current
20 expenditure, in any investment or security or in the purchase or
21 improvement of land, with power from time to time to vary any
22 such investment and to deposit any money for the time being un-
23 invested with any bank on deposit or current account;

24 (n) borrow, whether on interest or not, upon the security of any
25 or all of the property movable or immovable of the University,
26 such moneys as the Council may, from time to time in its discretion,
27 find necessary or expedient to borrow or to guarantee any loan,
28 advance or credit facility;

29 (o) make gifts for any charitable purpose;

30 (p) do anything which it is authorized or required by this Bill or
31 by any other Statute to do; and (q) do all such acts or things, whether

1 or not incidental to the foregoing powers, as may advance the objects
2 of the University.

3 (2) Subject to the provisions of this Bill and of the Statutes made
4 there under and without prejudice to Clause 9 (2) of this Bill, the powers
5 conferred on the University by sub-clause (1) of this Clause shall be
6 exercisable on behalf of the University by the Council or by the Senate
7 or in any other manner which may be authorized by this Bill.

Chancellor
to take
precedence
before other
members.

8 **5.**—(1) The Chancellor shall in relation to the University, take
9 precedence before all other members of the University, and when he
10 is present shall preside at all meetings of convocation held for
11 conferring degrees.

12 (2) The Pro-Chancellor shall, in relation to the University, take
13 precedence before all other members of the University except the
14 Chancellor, and except for the Vice Chancellor when acting as
15 Chairman of Congregation or Convocation, and the Pro-Chancellor
16 shall, when he is present, be the Chairman at all meetings of the
17 Council.

Establishment
and
membership
of the
Council.

18 **6.**—(1) There shall be a Council for the University consisting of
19 —

20 (a) the Pro-Chancellor;

21 (b) the Vice Chancellor;

22 (c) the Deputies Vice Chancellor;

23 (d) one person from the Federal Ministry responsible for
24 education;

25 (e) the Director General Nigerian Maritime Administration and
26 Safety Agency or his representatives;

27 (f) four persons representing a variety of interest and broadly
28 representative of the whole Federation to be appointed by the
29 President;

30 (g) four persons appointed by the Senate from among its members;

31 (h) two persons appointed by the Congregation from among its

1 members;

2 (i) one person appointed by the Convocation from among its
3 members; and

4 (j) the Registrar, who shall be the Secretary of then Council.

5 (2) Persons to be appointed to the Council shall be persons of
6 proven integrity, knowledgeable and familiar with the affairs and
7 tradition of the University.

8 7.—(1) Subject to the provisions of this Bill relating to the Visitor, Council and
9 the Council shall be the governing body of the University and shall be Other
10 charged with the general control and superintendence of the policy, Committees
11 finances and property of the University, including its public relations. of the
12 University.

13 (2) There shall be a committee of the Council to be known as the
14 Finance and General Purposes Committee, which shall, subject to the
15 directions of the Council, exercise control over the property and
16 expenditure of the Council as the Council may from time to time delegate
17 to it.

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

20 (4) The Council shall ensure that proper accounts of the University
21 are kept and the accounts of the University are audited annually by
22 auditors appointed by the Council from the list and in accordance with
23 guidelines supplied by the Auditor-General for the Federation, and
24 that an annual report is published by the University together with
25 certified copies of the said accounts as audited.

26 (5) Subject to this Bill and the Statutes, the Council and the Finance
27 and General Purposes Committee may each make rules for the purpose
28 of exercising any of their respective functions or of regulating their
29 own procedure.

30 (6) Rules made under sub-clause (5) of this Clause by the Finance
31 and General Purposes Committee shall not come into force unless
approved by the Council, and where any rule so made by the Committee

1 conflicts with any direction given by the Council (whether before or
2 after the coming into force of the rules in question), the direction of
3 the Council shall prevail.

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

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

12 (9) If required in writing by five members of the Council, the
13 Chairman shall within, 28 days after the receipt of such request, call
14 a meeting of the Council, provided that if after 28 days of the receipt
15 or delivering to him of such request, the Chairman fails or neglects to
16 call a meeting, the Registrar shall, within 14 days thereof, cause a
17 meeting of the Council to be convened for that purpose and the request
18 shall specify the business to be considered at the meeting and no business
19 not so specified shall be transacted at that meeting.

Functions of
the Senate.

20 8.—(1) Subject to Clause 5 of this Bill and sub-clauses (3) and (4)
21 of this Clause and to the provisions of this Bill relating to the Visitor, it
22 shall be the general function of the Senate to organize and control
23 teaching in the University, admission to Post-graduate courses and
24 other admission of students, the discipline of students and to promote
25 research in the University.

26 (2) Without prejudice to the generality of the provisions of sub-
27 clause (1) of this Clause, it shall in particular be the function of the
28 Senate to make provision for the —

29 (a) establishment, organization and control of campuses, colleges,
30 faculties, departments, schools, Institutes and other teaching and
31 research units of the University, and the allocation of responsibility

1 for different branches of learning;

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

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

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

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

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

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

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

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

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

30 (5) The Senate shall, by regulation, provide that at least one of
31 the persons appointed as examiners at each final or professional

1 examination held in conjunction with any course of study in the
 2 University is not a teacher at the University but is a teacher at the
 3 branch of learning to which the course relates in some other Institute
 4 of high repute.

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

Vice
 Chancellor
 to take
 precedence
 in the
 absence of
 Chancellor.

11 9.—(1) The Vice Chancellor shall, in relation to the University,
 12 take precedence before all other members of the University except
 13 the Chancellor and, subject to Clause 5 of this Bill, the Pro-Chancellor
 14 and any other person for the time being acting as Chairman of the
 15 Council.

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

22 PART II — STATUTES OF THE UNIVERSITY

Statute of the
 University.

23 10.—(1) Subject to this Bill, the University may make Statutes
 24 for any of the following purposes —

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

27 (b) specifying and regulating the powers and duties of any
 28 authority of the University, and regulating any other matter connected
 29 with the University or any of its authorities;

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

1 (d) determining whether any particular matter is to be treated as
2 an academic or non-academic matter for the purposes of this Bill
3 and of any Statute, regulation or other instrument made there-under;
4 and

5 (e) making provision for other matters for which provision by
6 Statute is authorized or required by this Bill.

7 (2) Subject to Clause 24 (6) of this Bill, the Interpretation Act
8 shall apply in relation to any Statute made under this Clause as it applies
9 to a subsidiary instrument within the meaning of Clause 27 (1) of this
10 Bill.

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

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

19 **11.**—(1) The power of the University to make Statutes shall be
20 exercised in accordance with the provisions of this Clause. Power to
make and
approve
Statutes.

21 (2) A proposed Statute shall not have the force of law until it has
22 been approved at a meeting of the —

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

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

27 (3) A proposed Statute may originate either in the Senate or
28 Council, and may be approved as required by sub- Clause (2) of this
29 Clause by both bodies in no particular order.

30 (4) A Statute which —

31 (a) makes provision for or alters the composition or constitution

1 of the Council, the Senate or any other authority of the University;
2 or

3 (b) provides for the establishment of a new campus or college or
4 for the amendment or revocation of any Statute whereby a campus
5 or college is established, shall not come into operation unless it has
6 been approved by the Visitor.

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

Proof of
Statute in
court.

12 12. A Statute may be proved in any court by the production of a
13 copy thereof bearing or having affixed to it a certificate signed by the
14 Vice Chancellor or the Registrar to the effect that the copy is a true
15 copy of a Statute of that Institute.

Visitors
decision in
the case of
dispute.

16 13.—(1) In the event of any doubt or dispute arising at any time
17 as to the meaning of any provision of a Statute, the matter may be
18 referred to the Visitor, who shall take such advice and make such
19 decision thereon as he deems fit.

20 (2) The decision of the Visitor on any matter referred to him
21 under this s Clause shall be binding upon the authorities, staff and
22 students of the University and where any question as to the meaning of
23 any provision of a Statute has been decided by the Visitor under this
24 Clause, no question as to the meaning of that provision shall be
25 entertained by any other authority in Nigeria, provided that nothing in
26 this sub-clause shall affect the power of a court of competent jurisdiction
27 to determine whether any provision of a Statute is wholly or partly
28 void as being ultra vires or as being inconsistent with the Constitution.

29 (3) The provisions of this Clause shall apply in relation to any
30 doubt or dispute as to whether any matter is, for the purposes of this
31 Bill, an academic or non-academic matter as they apply in relation to

1 any such doubt or dispute as is mentioned in sub-clause (1) of this
2 Clause, and accordingly the reference in sub-clause (2) of this Clause
3 to any question as to the meaning of any provision of the Statute shall
4 include references to any question as to whether any matter is for the
5 said purposes an academic or Proof of Statute in court Visitor's decision
6 in case of dispute in academic or non-academic matter.

7 PART III — SUPERVISION AND DISCIPLINE

8 14.—(1) The President shall be the Visitor of the University.

Supervision
and
discipline.

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

14 (3) The bodies and persons comprising the University shall —

15 (a) make available to the Visitor, and to any other persons
16 conducting a visitation in pursuance of this Clause, such facilities
17 and assistance as he or they may reasonably require for the purpose
18 of the visitation; and

19 (b) give effect to any instruction consistent with the provisions of
20 this Bill which may be given by the Visitor in consequence of the
21 visitation.

22 15.—(1) If it appears to the Council that a member (other than
23 Pro-Chancellor or the Vice Chancellor) should be removed from office
24 on grounds of misconduct or inability to perform the functions of his
25 office, the Council shall make a recommendation to that effect through
26 the Minister to the Federal Executive Council and if the Federal
27 Executive Council, after making such enquiries (if any) as may be
28 considered necessary, approves the recommendation, it may direct
29 the removal of the member from office.

Removal of
member.

30 (2) The Minister shall use his best endeavors to cause a copy of
31 the instrument embodying a direction under sub-clause (1) of this Clause

Grounds and
procedure
for removal
of members.

1 to be served as soon as reasonably practicable on the person to whom
2 it relates.

3 **16.—**(1) If it appears to the Council that there are reasons for
4 believing that any person employed as a member of the academic,
5 administrative or professional staff of the University, other than the
6 Vice Chancellor, should be removed from office or on grounds of
7 misconduct or inability to perform the functions of his office Council
8 shall —

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

10 (b) afford such person an opportunity of making representation
11 on the matter to the Council; and

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

14 (2) If the affected staff or any three members of the Council so
15 request within a period of one month from the date of receipt of the
16 notice of the Council's decision, the Council shall make arrangements
17 for —

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

20 (b) the person in question to be afforded an opportunity to appear
21 before and be heard by an investigating committee with respect to
22 the matter; and if the Council after considering the report of the
23 investigating committee is satisfied that the person in question should
24 be removed, the Council may so remove him by an instrument in
25 writing signed on the directions of the Council.

26 (3) The Vice Chancellor may, in a case of gross misconduct by a
27 member of staff which in the opinion of the Vice Chancellor is
28 prejudicial to the interest of the University, suspend such member and
29 any such suspension shall immediately be reported to the Council.

30 (4) Any member of staff may be suspended from duty or his
31 appointment may be terminated by Council for a good cause and, for

1 the purposes of this sub-clause, “good cause” means —

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

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

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

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

14 (5) Any person suspended under sub-clause (3) of this Clause
15 shall be on half pay and the Council shall, before the expiration of a
16 period of three months from the date of such suspension, consider the
17 case against that person and come to a decision as to whether to —

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

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

22 (c) terminate the appointment of the person concerned in which
23 case such a person will not be entitled to the proportion of his
24 emoluments withheld during the period of suspension; and

25 (d) take such lesser disciplinary action against such person
26 (including the restoration of such proportion of his emoluments that
27 might have been withheld) as the Council may determine.

28 (6) Where the Council, pursuant to this Clause, decides to continue
29 a person’s suspension or decides to take further disciplinary action
30 against the person, the Council shall, before the expiration of three
31 months from such decision, come to a final determination in respect

1 of the case concerning such a person.

2 (7) The person by whom an instrument of removal is signed in
3 pursuance of sub-clause (1) of this Clause shall use his best endeavors'
4 to cause a copy of the instrument to be served as soon as reasonably
5 practicable on the person to whom it relates.

6 (8) Nothing in this Clause shall prevent the Council from making
7 regulations for the discipline of staff and workers of the University as
8 may be appropriate.

Removal of
examiner.

9 17.—(1) If, on the recommendation of the Vice Chancellor or, it
10 examiner appears to the Senate that a person appointed as an examiner
11 for any examination of the University ought to be removed from his
12 office or appointment, then, the Senate may, after affording the
13 examiner an opportunity of making representations in person on the
14 matter, direct the Vice Chancellor to remove the examiner by an
15 instrument in writing signed by the Registrar.

16 (2) Subject to the provisions of any regulation made under this
17 Bill, the Vice Chancellor may, on the recommendation of Senate,
18 appoint an appropriate person as examiner in the place of the examiner
19 removed.

20 (3) The Registrar shall on signing an instrument of removal under
21 this Clause, use his best endeavors to cause a copy of the instrument to
22 be served as soon as reasonably practicable on the person to whom it
23 relates.

Disciplinary
action on
students.

24 18.—(1) Subject to the provisions of this Clause, where it appears
25 to the Vice Chancellor that any student is guilty of misconduct, the
26 Vice Chancellor may, without prejudice to any other disciplinary
27 powers conferred on him by Statute or regulations, direct that the —

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

31 (b) activities of the student shall, during such period as may be

1 specified in the direction, be restricted in such manner as may be
2 so specified;

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

5 (d) student be expelled from the University.

6 (2) Where a direction is given under sub-clause (1) (c) or (d) of
7 this Clause in respect of any student, the student may, within the
8 prescribed period and in the prescribed manner, appeal against the
9 direction to the Senate.

10 (3) Where an appeal is brought under sub-clause (2) of this Clause,
11 the Senate shall, after causing such inquiry to be made in the matter as
12 the Senate considers just, either confirm or set aside the direction or
13 modify it in such manner as the Senate thinks fit.

14 (4) The fact that an appeal from a direction is brought under sub-
15 clause (2) of this Clause shall not affect the operation of the direction
16 while the appeal is pending.

17 (5) The Vice Chancellor may delegate his powers under this
18 Clause to a disciplinary board consisting of such members of the
19 University as he may nominate.

20 (6) Nothing in this Clause shall be construed as preventing the
21 restriction or termination of a student's activities at the University for
22 conduct which in the opinion of the Senate is prejudicial to the interest
23 of the University or to its corporate objective or image.

24 (7) A direction under sub-clause (1) (a) of this Clause may be
25 combined with a direction under sub-clause (1) (b) of this Clause.

26 PART IV — MISCELLANEOUS AND GENERAL PROVISIONS

27 19.—(1) No person shall be required to satisfy requirements as Discrimination.
28 to race (including ethnic grouping) sex, place of birth, family origin,
29 religious or political persuasion, as a condition for becoming or
30 continuing to be a —

31 (a) student in the University;

1 (b) holder of any degree, appointment or employment in the
2 University; or

3 (c) member of anybody established by virtue of this Bill.

4 (2) No person shall be subjected to any disadvantage or accorded
5 any advantage in relation to the University by reference to any of the
6 matters referred to in sub-clause (1) of this Clause.

7 (3) Nothing in sub-clause(1) of this Clause shall be construed as
8 preventing the University from imposing any disability or restriction
9 on any of the persons specified in sub-clause (1) of this Clause, where
10 such persons willfully refuse or fail on grounds of religious belief to
11 undertake any duty generally and uniformly imposed on all such persons
12 or any group of them which duty, having regard to its nature and the
13 special circumstances, is in the opinion of the University reasonably
14 justifiable in the national interest.

Application
of the Land
Use Act.

15 **20.**—(1) For the purpose of the Land Use Act, which provides
16 for the compulsory acquisition of land for public purposes, any purpose
17 of the University shall be the same as that of the Federation.

18 (2) Where an estate or interest in land is acquired by the
19 Government pursuant to this Clause, the Government may, by a
20 certificate under the hand and seal of the Chief Federal Lands Officer
21 or any other person authorized in that behalf transfer it to the University.

Consent of
Visitor in
Land deals.

22 **21.** Without prejudice to the provisions of the Land Use Act, the
23 University shall not dispose of or charge any land or an interest in any
24 land, including any land transferred to the University by this Act, except
25 with the prior written consent, either general or special, of the Visitor;
26 provided that such consent shall not be required in the case of any
27 lease or tenancy at a rack-rent for a term not exceeding 21 years of
28 any lease or tenancy to a member of the University for residential
29 purpose.

Quorum.

30 **22.** Except as may be otherwise provided by Statute or by
31 regulation, the quorum and procedure of any body of persons established

1 by this Bill shall be such as may be determined by that body.

2 **23.—**(1) Anybody of persons established by this Bill shall, without Committees.
3 prejudice to the generality of the powers of that body, have power to
4 appoint committees, which need not consist exclusively of members
5 of that body and authorize a committee established by it to —

6 (a) exercise on its behalf, such of its functions as it may determine,
7 and

8 (b) co-opt members and direct whether or not coopted members
9 shall be entitled to vote in that committee.

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

16 (3) Except as may be otherwise provided by a Statute or
17 regulation, the quorum and procedure of a committee established or
18 meeting held pursuant to this Clause shall be such as may be determined
19 by the body or bodies which have decided to establish the committee
20 or hold the meeting.

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

27 (5) Nothing in this Clause shall be construed as enabling —

28 (a) statutes to be made otherwise than in accordance with Clause
29 11 of this Bill; or

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

Seal of the
University.

1 24.—(1) The seal of the University shall be such as may be
2 determined by the Council and approved by the Chancellor and the
3 affixing of the seal shall —

4 (a) in the case of certificates issued by the University, be
5 authenticated by the Vice Chancellor and the Registrar; and

6 (b) in the case of any other document, be authenticated by any
7 member of Council, the Vice Chancellor and the Registrar or any
8 other person authorized by Statute.

9 (2) Any document purporting to be a document executed under
10 the seal of the University shall be received in evidence and shall,
11 unless the 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
14 seal, may be made or executed on behalf of the University by any
15 person generally or specially authorized to do so by the Council without
16 seal.

17 (4) The validity of the proceedings of anybody established pursuant
18 to this Bill shall not be affected by —

19 (a) any vacancy in the membership of the body;

20 (b) any defect with appointment of a member of the body; or

21 (c) by reason that any person not entitled to do so took part in the
22 proceedings.

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
25 interest to the body and shall not vote on any question relating to that
26 matter.

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

31 (7) The power conferred by this Bill on anybody to make Statutes

1 or Regulations shall include power to revoke or vary any —

2 (a) Statute, including the Statute contained in the Second Schedule
3 to this Bill,; or

4 (b) Regulation by a subsequent Statute or Regulation as the case
5 may 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
9 transfer of property to the University by virtue of Clauses 10, 21, and
10 the Second Schedule to this Bill.

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

14 **25.** Where in any provisions of this Bill, it is laid down that
15 proposals are to be submitted or a recommendation is to be made by
16 one authority to another through one or more intermediate authorities,
17 every such intermediate authority shall forward any proposal or
18 recommendation received by it pursuant to that provision to the
19 appropriate authority; but any such intermediate authority may, if it
20 thinks fit, forward therewith its own comments thereon.

Proposal and
recommendation.

21 **26.** A person who has a cause of action against the University
22 shall —

Pre-action
Notice.

23 (a) give the University three months' notice, in writing, of intention
24 to commence an action, disclosing the cause of action and served
25 the processes to the principal office of the University; and

26 (b) commence the legal action within two years from the date
27 the cause of action arose.

28 **27.** The Maritime Academy of Nigeria Act, Cap. M3, Laws of
29 the Federation of Nigeria, 2004.

Repeal.

30 **28.—**(1) All assets, funds, resources and other movable or
31 immovable property which immediately before the commencement

Savings and
transitional
provisions.

1 of this Bill were vested in the Maritime Academy of Nigeria shall, by
2 virtue of this Bill, be vested in the Federal University of Maritime
3 Studies, Oron established under this Bill.

4 (2) All employee holding an office under the Maritime Academy
5 of Nigeria with required qualification to work either as an academic
6 or nonacademic staff immediately before the commencement of this
7 Bill shall continue to hold his office on such terms and conditions to be
8 issued by the University.

Interpretations.

9 **29.** In this Bill —

10 “Appropriate authority” means any person, body or authority
11 authorized by law to act in a specific or general capacity in relation
12 to a subject matter;

13 “Campus” means any campus which may be established by the
14 University;

15 “College” means any college which may be established by the
16 University;

17 “Constitution” means the Constitution of the Federal Republic of
18 Nigeria;

19 “Government” means the Federal Government of Nigeria;

20 “Graduate” means a person on whom a degree, other than an
21 honorary degree, has been conferred by the University to him;

22 “Gross misconduct” means any act of misconduct and improper
23 behavior that may be designated as gross misconduct by any Statute
24 or regulation made, under this Bill;

25 “Minister” means the Minister charged with responsibility for
26 education;

27 “Misconduct” means any conduct which is prejudicial to the good
28 name of the University and or discipline and the proper
29 administration of the business of the University;

30 “Officer” does not include the Visitor;

31 “Prescribed” means prescribed by Statute or regulation made

1 under this Bill;

2 “Professor” means a person designated as a professor of the
3 University in accordance with provisions made in that behalf by
4 Statute or regulations;

5 “Property” includes rights, liabilities and obligations;
6 “regulations” means regulations made by the Senate or Council;

7 “Senate” means the Senate of the University established by this
8 Bill’;

9 “Statute” means a Statute made by the University under Clause
10 11 of this Bill;

11 “The provisional Council” means the provisional Council
12 appointed for the University by the President;

13 “Teacher” means a person holding a full time appointment as a
14 member of the teaching or research staff of the University; and

15 “The University” means the University of Maritime Studies,
16 Oron, Akwa Ibom State.

17 **30.** This Bill is cited as University of Maritime Studies, Oron,
18 Bill, 2019.

Citation.

SCHEDULES

FIRST SCHEDULE

PRINCIPAL OFFICERS OF THE UNIVERSITY

The Chancellor

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

The Pro-Chancellor

2. The Pro-Chancellor shall be appointed or removed from office by the President.

The Vice Chancellor

3. The procedure for the appointment and removal of the Vice Chancellor shall be in accordance with the provision of the Universities (Miscellaneous Provisions) Act, 1993 (as amended).

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

(2) The procedure for the appointment and removal of a Deputy Vice Chancellor shall be in accordance with the provision of the Universities (Miscellaneous Provisions) Act 1993 as amended.

(3) A Deputy Vice Chancellor shall —

(a) assist the Vice Chancellor in the performance of his functions under Clause 3
(2) (b), act in place of the Vice Chancellor when the post of the Vice Chancellor is vacant or if the Vice Chancellor is, for any reason, absent or unable to perform his functions as Vice Chancellor; and

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

Office of the Registrar, Bursar and Institute Librarian

5. (1) There shall be for the University, a Registrar, who shall be the Chief

Administrative Officer of the University and shall be responsible to the Vice Chancellor for the day-today administration of the University except as regards matters for which the Bursar is responsible in accordance with paragraph 6 (2) of this schedule.

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

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

6. (1) There shall be for the University, the following Principal Officers in addition to the Registrar —

(a) the Bursar; and

(b) the University Librarian.

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

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

(4) The Bursar and the University Librarian shall each hold office for such period and on such terms and conditions as to emoluments as may be specified in their letters of appointment.

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

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

9. (1) Any officer mentioned in this Schedule may resign his office in —

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

(b) in the case of the Vice Chancellor, by notice to the Council which shall immediately notify the Minister.

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

SECOND SCHEDULE

UNIVERSITY OF MARITIME STUDIES, ORON,
AKWA IBOM STATE STATUTE NO.1

Articles:

1. The Council
2. Finance and General Purpose Committee
3. The Senate
4. The Congregation
5. The Convocation
6. Organization of Faculties and the Branches thereof
7. Faculty Board
8. The Dean of the Faculty
9. Selection of certain Principal and other key officers
10. Creation of Academic Post
11. Appointment of Academic Staff
12. Appointment of Administrative and Technical Staff

The Council

1. (1) Any member of Council holding office pursuant to Clause 6 (e), (f), (g) or (h) of this Bill may, by notice to the Council resign his office.

(2) A member of Council holding office pursuant to Clause 6 (e), (f), (g) or (h) of this Bill shall, unless he previously vacates it, vacate that office on the expiration of a period of four years starting.

(3) Where a member of Council holding office pursuant to Clause 6 (e), (f), (g) or (h) of this Bill vacates office before the expiration of his tenure, the body that appointed him may appoint a successor to hold office for the residue of his unexpired term.

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

(5) The quorum of the Council shall be five, at least one of whom shall be a member pursuant to Clause 6 (d) and (e) of this Bill.

(6) If the Pro-Chancellor is not present at a meeting of the Council, the members present at the meeting may appoint one of them to be the Chairman at that meeting, and subject to Clause 5 of this Bill and the provisions of this paragraph, the Council may regulate its own procedure.

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

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

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

The Finance and General Purpose Committee

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