

A BILL

FOR

AN ACT TO ESTABLISH THE NIGERIA MARITIME UNIVERSITY,
OKERENKOKO, DELTA STATE AND FOR RELATED MATTERS, 2019

Sponsored by Senator Manager, James Ebiowou

[] Commencement

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

1 PART I - ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF
2 NIGERIA MARITIME UNIVERSITY, OKERENKOKO

3 1.-(1) There is hereby established the Nigeria Maritime University,
4 Okerenkoko.

Establishment
of the Nigeria
Maritime
University,
Okerenkoko

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

7 (3) (a) The University shall be supervised by the Federal Ministry
8 of Education;

9 (b) The Federal Ministry of Education through the National
10 Universities Commission (NUC) shall be responsible for approving and
11 regulating all academic programmes run in the University, to ensure quality
12 compliance for academic and research programmes.

13 (4) Sources of Funding for the University in addition to other
14 sources of funding:

15 (i) 5% sums in the Cabotage Finance Fund

16 (5) The objectives of the University shall be-

17 (a) to encourage the advancement of learning and to hold out to all
18 persons without distinction of race, creed, sex or political conviction, the
19 opportunity of acquiring higher education in maritime technology;

20 (b) to develop and offer academic and professional programmes
21 leading to the award of diplomas, first degrees, post-graduate research and

1 higher degrees with emphasis on planning, adaptive, technical, maintenance,
2 developmental and productive skills in the engineering, scientific, and allied
3 professional disciplines relating to Maritime resources with the aim of
4 producing socially mature men and women with capability not only to
5 understand, use and adapt existing technologies in the maritime industry, but
6 also to improve on them and develop new ones;

7 (c) to act as agents and catalysts, through post-graduate training,
8 research and innovation for the effective and economic utilization, exploitation
9 and conservation of the country's maritime resources;

10 (d) to offer to the general population particularly the maritime
11 industry, as a form of public service, the results of training and research and to
12 foster the practical applications of these results;

13 (e) to establish appropriate relationships with other national
14 institutions involved in training, research and development of technologies in
15 the maritime sector;

16 (f) to identify the technological problems and needs of the maritime
17 industry and to find solutions to them within the context of overall national
18 development;

19 (g) to provide and promote sound basic scientific training as a
20 foundation for the development of maritime technology and applied sciences,
21 taking into account indigenous cultures and the need to enhance national unity;
22 and

23 (h) to undertake any other activities appropriate for a maritime
24 university of the highest standard.

Constitution
and Principal
Officers of the
University

25 **2.-(1)** The University shall consist of-

26 (a) a Chancellor;

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

28 (c) a Vice-Chancellor and a Senate;

29 (d) a body to be called Congregation;

30 (e) a body to be called Convocation;

- 1 (f) the campuses and colleges of the University;
- 2 (g) the colleges, institutes and other teaching and research units of
3 the University;
- 4 (h) the persons holding the offices constituted by the First Schedule
5 to this bill other than those mentioned in paragraphs (a) to (c) of this
6 subsection;
- 7 (i) all graduates and undergraduates of the University; and all other
8 persons who are members of the university in accordance with provisions
9 made by statute in that behalf.
- 10 (2) The First Schedule to this Bill shall have effect with respect to
11 the principal officers of the University.
- 12 (3) Subject to section 5 of this Bill provision shall be made by
13 statute with respect to the constitution of the Council, the Senate,
14 Congregation and Convocation.
- 15 **3.-**(1) For the carrying out of its objects as specified in section 1
16 of this Bill, the University shall have power:
- 17 (a) to establish such campuses, institutes, schools, extra-mural
18 departments and other teaching and research units within the University as
19 may from time to time be deemed necessary or desirable subject to the
20 approval of the National Universities Commission;
- 21 (b) to institute professorships, readerships or associate
22 professorships, lectureships, and other posts and offices and to make
23 appointments thereto;
- 24 (c) to institute and award fellowships, scholarships, exhibitions,
25 bursaries, medals, prizes and other titles, distinctions, awards and forms of
26 assistance;
- 27 (d) to provide for the discipline and welfare of members of the
28 University;
- 29 (e) to hold examinations and grant degrees, diplomas, certificates
30 and other distinctions to persons who have pursued a course of study

Powers of the
University and
its exercise

1 approved by the University and have satisfied such other requirements as the
2 University may lay down;

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

4 (g) to demand and receive from any student or any other person
5 attending the University for the purpose of instruction, such fees as the
6 University may from time to time determine subject to the overall directives of
7 the Council;

8 (h) subject to section 19 of this Bill, to acquire, hold, grant, charge or
9 otherwise deal with or dispose of movable and immovable property wherever
10 situate;

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

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

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

20 (l) to hold public lectures and to undertake printing, publishing and
21 book selling;

22 (m) to engage students in distance learning programs while they are
23 at sea or in areas of maritime business;

24 (n) subject to any limitations or conditions imposed by statute, to
25 invest any moneys appertaining to the University by way of endowment it, not
26 being immediately required for current expenditure, not being immediately
27 required for current expenditure, in any investments or securities or in the
28 purchase or improvement of land, with power from time to time, to vary any
29 such investments to deposit any moneys for the time being not invested with
30 any bank on deposit or current account;

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

6 (p) to engage income generating ventures as appropriate;

7 (q) to collaborate, co-operate, partner or associate with any other
8 University, authority, Government, organization or institution of higher
9 learning both in Nigeria and abroad;

10 (r) to invest outside of Nigeria which includes building replica
11 institutions;

12 (s) the University may grant scholarships to both local and foreign
13 students as may be deemed necessary;

14 (t) to adopt foreign maritime administration requirements for the
15 purpose of raising standards of training above the minimum IMO
16 requirements;

17 (u) to make gifts for any charitable purpose;

18 (v) to do anything which it is authorized or required by this Bill or
19 by statute to do; and

20 (w) to do all such acts or things, whether or not incidental to the
21 foregoing powers, as may advance the objects of the University.

22 (2) Subject to the provisions of this Bill and of the statutes and
23 without prejudice to section 7(2) of this Bill, the powers conferred on the
24 University by subsection (1) of this section shall be exercisable on behalf of
25 the University by the Council or by the Senate or in any other manner as may
26 be authorized by the statute.

27 (3) The power of the University to establish further campuses and
28 colleges within the University shall be exercisable by statute and not
29 otherwise.

Sources of funding for the University in addition to other sources of funding	1 2 3 4 5 6 7 8	<p>4.(i) 1% of the total annual revenue of Nigerian Petroleum Development Company (NPDC) Ltd;</p> <p>(ii) 1% of the total annual revenue of Nigerian Content Monitoring Board (NCMB);</p> <p>(iii) the Tertiary Education Trust Fund (TETFUND);</p> <p>(iv) 5% of total NIMASA Revenue;</p> <p>(v) Petroleum Technology Development Fund (PTDF) should extend its statutory duties to the Nigeria Maritime University.</p>
Functions of the Chancellor and the Pro-Chancellor	9 10 11 12 13 14 15 16 17	<p>5.(1) The Chancellor shall, in relation to the University, take precedence Chancellor and the Pro- before all other members of the University, and when he is present, shall Chancellor preside at all meetings of Convocation held for conferring degrees.</p> <p>(2) The Pro-Chancellor Shall, in relation to the University, take precedence before all other members of the University, except the Chancellor and except the Vice-Chancellor when acting as chairman of Congregation or Convocation and the Pro-Chancellor shall, when he is present, be the chairman at all meetings of the Council.</p>
Composition of the Council	18 19 20 21 22 23 24 25 26 27 28 29 30	<p>6. The Council of the University shall consist of -</p> <p>(a) the Pro-Chancellor;</p> <p>(b) the Vice-Chancellor;</p> <p>(c) two Deputy Vice-Chancellors;</p> <p>(d) one person from the Ministry responsible for education;</p> <p>(e) four persons representing a variety of interests with requisite knowledge and experience in maritime sector, and broadly, representatives of the whole Federation to be appointed by the President;</p> <p>(f) four persons appointed by the Senate from among its members;</p> <p>(g) two persons appointed by Congregation from among its members;</p> <p>(h) one person appointed by convocation from among its members.</p> <p>(i) Minister responsible for transportation or his representative;</p> <p>(j) Director-General of NIMASA or his representative.</p>

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

5 (3) The powers of the Council shall be exercised, as in this Bill and
6 to that extent establishment circulars that are inconsistent with this Bill shall
7 not apply to the University.

8 (4) The Council shall be free in the discharge of its functions and
9 exercise of its responsibilities for the good management, growth and
10 development of the University.

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

- 14 (a) personnel cost;
- 15 (b) overhead cost;
- 16 (c) research and development;
- 17 (d) library developments, and
- 18 (e) the balance in expenditure between academic vis-à-vis non-
19 academic activities.

20 7.-(1) Subject to the provisions of this Bill relating to the Visitor,
21 the Council shall be the governing body of the University and shall be
22 charged with the general control and superintendence of the policy, finances
23 and property of the University.

Functions of the
Council and its
Finance and
General Purpose
Committee

24 (2) There shall be a committee of the Council, to be known as the
25 Finance and General Purposes Committee, which shall, subject to the
26 directions of the Council, exercise control over the property and expenditure
27 of the University and perform such other functions of the Council as the
28 Council may from time to time delegate to it.

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

1 (4) The Council shall ensure that proper accounts of the University
2 are kept and that the accounts of the University are audited annually by an
3 independent firm of auditors approved by the Council and that an annual report
4 is published by the University together with certified copies of the said
5 accounts as audited.

6 (5) Subject to this Bill and the statutes, the Council and the Finance
7 and General Purposes Committee may each make rules for the purpose of
8 exercising any of their respective functions or of regulating their own
9 procedure.

10 (6) Rules made under subsection (5) of this section by the Finance and
11 General Purposes Committee shall not come into force unless approved by the
12 Council; and in so far and to the extent that any rules so made by that
13 Committee conflict with any direction given by the Council whether before or
14 after the coming into force of the rules in question, the directions of the Council
15 shall prevail.

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

20 (8) The Council shall meet for the performance of its functions under
21 this Bill and shall meet at least three times a year.

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

25 (10) Any request made under subsection (9) of this section shall
26 specify the business to be considered at the meeting and no business not so
27 specified shall be transacted at that meeting.

Functions of
the Senate

28 **8.-(1)** Subject to section 6 of this Bill and subsections (3) and (4) of
29 this section and the provisions of this Bill relating to the Visitor, it shall be the
30 general function of the Senate to organise and control the teaching by the

1 University, the admission of student where no other enactment provides to
2 the contrary and the discipline of students; and to promote research at the
3 University.

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

7 (a) the establishment, organization and control of campuses,
8 colleges, schools, institutes and other teaching and research units of the
9 University and the allocation of responsibility for different branches of
10 learning;

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

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

16 (d) the making of recommendations to the Council with respect to
17 the award to any person of an honorary fellowship or honorary degree or the
18 title of professor emeritus;

19 (e) the establishment, organization and control of halls or residence
20 and similar institutions at the University;

21 (f) the supervision of the welfare of students at the university and
22 the regulation of their conduct;

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

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

27 (3) The Senate shall not establish any new campus, college, school,
28 department, institute or other teaching and research units of the university,
29 or any hall of residence or similar institution at the University without the
30 approval of the Council.

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

6 (5) Regulations shall provide that at least one of the persons appointed
7 as the examiners at each final or professional examination held in conjunction
8 with any course of study at the University is not a teacher at the university but is
9 a teacher of the branch of learning to which the course relates at some other
10 university of high repute or a person engaged in practicing the profession in a
11 reputable organization or institution.

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

Functions of
the Vice Chancellor

18 **9.**-(1) The Vice-Chancellor shall, in relation to the University, take
19 precedence before all other members of the University except the Chancellor
20 and subject to section 4 of this Bill except the Pro-Chancellor and any other
21 person for the time being acting as chairman of the Council.

22 (2) Subject to sections 6, 7 and 14 of this Bill, the Vice-Chancellor
23 shall have the general function, in addition to any other functions conferred on
24 him by this Bill or otherwise of directing the activities of the University and
25 shall be the chief executive and accounting officer of the University and ex-
26 officio chairman of the Senate.

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

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

4 PART II - TRANSFER OF PROPERTY, ETC, TO THE UNIVERSITY

5 10.-(1) All property held by or on behalf of the provisional council
6 of the University shall by virtue of this sub-section and without further
7 assurance, vest in the University and be held by it for the purpose of the
8 University.

Transfer of
Property

9 (2) The provisions of the Second Schedule to this Bill shall have
10 effect with respect to, and to matters arising from, the transfer of property by
11 this section and with respect to the other matters mentioned in that Schedule.
12 Conditions of Service of the Employees.

Second Schedule

13 (3) The Condition of Service of Employees in the University shall
14 be in line with what is obtainable in the maritime industry to enable the
15 University attract best brains for training and research.

16 PART III - STATUTES OF THE UNIVERSITY

17 11.-(1) Subject to his Bill, the University may make statutes for any
18 of the following purposes, that to say:

Power of the
University to make
Statutes

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

21 (b) specifying and regulating the powers and duties of any
22 authority of the University, and regulating any other matter connected with
23 the University or any of its authorities;

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

26 (d) determining whether any particular matter is to be treated as an
27 academic or non-academic matter for the purposes of this Bill and of any
28 statute, regulation or other instrument made there under;

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

1 (2) Subject to section 2 (6) of this Bill, the Interpretation Act shall
2 apply in relation to any statute made under this section as it applies to a
3 subsidiary instrument within the meaning of section 29 (1) of that Act.

Third Schedule

4 (3) The Statute contained in the Third Schedule to this Bill shall be
5 deemed to have come into force on the commencement of this Bill and shall be
6 deemed to have been made under this section by the University.

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

Mode of exercising
powers to make
statutes

11 **12.**-(1) The power of the University to make statutes shall be
12 exercised in accordance with the provisions of this section and not otherwise.

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

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

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

19 (3) A proposed statute may originate either in the Senate or in the
20 Council, and may be approved as required by subsection (2) of this section by
21 either of the body.

22 (4) A statute which-

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

25 (b) provides for the establishment of a new campus or college or for
26 the amendment or revocation of any statute whereby a campus or college is
27 established, shall not come into operation unless it has been approved by the
28 President.

29 (5) For the purpose of section 2 (2) of the Interpretation act, a statute
30 shall be treated as being made on the date on which it is duly approved by the

1 Council after having been duly approved by the Senate, or on the date on
2 which it is duly approved by the Senate after having been duly approved by
3 the Council, as the case may be or, in the case of a statute falling within
4 subsection (4)'of this section, on the date on which it is approved by the
5 President.

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

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

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

12 (7) The decision of the Visitor on any matter referred to him under
13 subsection (6) of this section shall be binding upon the authorities, staff and
14 students of the University and where any question as to the meaning of any
15 provision of a statute has been decided by the Visitor under that sub-section,
16 no question as to the meaning of that provision shall be entertained except
17 court of competent Jurisdiction in Nigeria.

18 (8) Nothing in subsection (7) of this section shall affect any power
19 of a court of competent jurisdiction to determine whether any provision of a
20 statute is wholly or partly void as being ultra vires or as being inconsistent
21 with the provision of Constitution of the Federal Republic of Nigeria, 1999
22 as amended.

23 13. A statute may be proved in any court by the production of a
24 copy thereof bearing or having affixed to it a certificate purporting to be
25 signed by the Vice-chancellor or the secretary to the Council to the effect
26 that the copy is a true copy of a statute of the University.

Proof of Statutes

27 PART IV - SUPERVISION AND DISCIPLINE

28 14. -(1) The President shall be the Visitor of the University.

The Visitor

29 (2) The Visitor shall as alien as the circumstances may require, not
30 being less than once every five years, conduct a visitation of the University

1 or direct (that such a visitation be conducted by such person or persons as the
2 Visitor may deem fit and in respect of any of the affairs of the University.

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

7 (4) The Visitor shall make the report of such visitations and write
8 paper thereon available to the Council which shall implement same.

Removal of certain
members of
Council

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

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) of
19 this section to be served as soon as reasonably practicable on the person to
20 whom it relates.

Removal and
discipline of
academic,
administrative
and professional
staff

21 **16.**-(1) If it appears to the Council that there are reasons for believing
22 that any person employed as a member of the academic, administrative or
23 professional staff of the University, other than the Vice-chancellor, should be
24 removed from his office or employment on the ground of misconduct or of
25 inability to perform the functions of his office or employment, the Council
26 shall-

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

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

30 (c) for the person in question to be afforded an opportunity of

1 appearing before and being heard by the investigating committee with
2 respect to the matter, and if the Council, after considering the report of the
3 investigating committee, is satisfied that the person in question should be
4 removed as aforesaid, the Council may so remove him by an instrument in
5 writing signed on the directions of the Council.

6 (2) The Vice-chancellor may, in a case of misconduct by a member
7 of the staff which in the opinion of the Vice-chancellor is prejudicial to the
8 interest of the university, suspend such member and any such suspension
9 shall forthwith be reported to the Council.

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

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

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

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

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

25 (e) conduct which the Council considers to be generally of such
26 nature as to render the continued appointment or service of the person
27 concerned prejudicial or detrimental to the interest of the University.

28 (4) Any person suspended pursuant to subsection (2) or (3) of this
29 section shall be on half pay and the Council shall before the expiration of a
30 period of three months after the date of such suspension consider the case

1 against that person and come to a decision as-

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

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

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

9 (d) whether to take such lesser disciplinary action against such person
10 (including the restoration of such proportion of his emoluments that might
11 have been withheld) as the Council may determine.

12 (5) In any case where the Council, pursuant to this section, decides to
13 continue a person's suspension or decides to take further disciplinary action
14 against a person. The Council shall before the expiration of a period of three
15 months from such decision come to a final determination in respect of the case
16 concerning any such person.

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

21 (7) Nothing in the foregoing provisions of this section shall:

22 (a) apply to any directive given by the Visitor in consequence of any
23 visitation; or

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

Removal of
examiners

26 **17.**-(1) If on the recommendation of the Senate it appears to the Vice-
27 Chancellor that a person appointed as an examiner for any examination of the
28 University ought to be removed from his office or appointment, then except in
29 such cases as may be prescribed, the Vice-chancellor may after affording the
30 examiner an opportunity of making representations in person remove the

1 examiner from the appointment by an instrument in writing signed by the
2 Vice-chancellor.

3 (2) Subject to the provisions of regulations made in pursuant to
4 section 7 (5) of this Bill. The Vice-Chancellor may on recommendation of
5 the Senate, appoint an appropriate person as examiner in the place of the
6 examine removed in pursuance of subsection (1) of this section.

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

11 **18.**-(1) Subject to the provisions of this section, where it appears to
12 the Vice-chancellor that any student of the University has been guilty of
13 misconduct, the Vice-chancellor may, without prejudice to any other
14 disciplinary powers conferred on him by statute or regulations, direct:

Discipline of
Students

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

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

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

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

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

30 (3) The fact that an appeal from a direction is brought in pursuance

1 of subsection (2) of this section shall not affect the operation of the direction
2 while the appeal is pending.

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

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

9 (6) A direction under subsection (1) (a) of this section may be
10 combined with a direction under subsection (1)(b) of this section.

11 **PART V - MISCELLANEOUS AND GENERAL**

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

12 **19.**-(1) No person shall be required to satisfy requirements as to any of
13 the following matters. that is to say, race (including ethnic grouping), sex, place
14 of birth or of family origin, or religious or political persuasion, as a condition of
15 becoming or continuing to be a student at the university, the holder of any
16 degree of the University or of any appointment or employment at the
17 University, or a member of anybody established by virtue of this Bill; and no
18 person shall be subject to any disadvantage or accorded any advantage relating
19 to the University, by reference to any of those matters.

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

Restriction on
disposal of Land
by University

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

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

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

Quorum and
procedure of
bodies established
by this Bill

7 **22.**-(1) Anybody of persons established by this Bill shall, without
8 prejudice Appointment of to the generality of the powers of that body, have
9 power to appoint which need not consist exclusively of members of that
10 body and to authorize a committee established by it:

Appointment of
Committees, etc.

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

13 (b) to co-opt members, and

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

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

24 (4) Nothing in the provisions of subsection (1), (2) and (3) of this
25 section shall be construed as-

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

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

30 (5) The Pro-Chancellor and the Vice-chancellor shall be members

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

Retiring age of
staff of the
University

6 **23.**-(1) Notwithstanding anything to the contrary in the Pension Act,
7 the compulsory retiring age of staff shall be as follows:

8 (a) Academic staff of the University in the non-Professional cadre
9 shall be 65 years;

10 (b) Academic staff of the University in the Professional cadre shall be
11 70 years;

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

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

Special provisions
relating to pension
of Professors

15 **24.**-(1) An academic staff who retires as a professor in a recognized
16 University shall be entitled to a pension at a rate equivalent to his annual salary
17 provided that the professor has served continuously in a recognized University
18 up to the retirement age.

19 (2) Notwithstanding subsection (1), where the professor has not
20 served up to the retirement age, he shall be entitled to the rate of pension
21 mentioned under subsection (1) provided that he has served a minimum of 20
22 years as professor in a recognized University.

23 (3) Where an academic joins a Nigerian University as a professor,
24 such a professor shall have served continuously for at least 20 years in a
25 recognized University.

Miscellaneous
administrative
provisions

26 **25.**-(1) The seal of the University shall be such as may be determined
27 by the Council and approved by the Chancellor, and the affixing of the seal
28 shall be authenticated by any member of the Council and by the Vice-
29 Chancellor, secretary to the Council or any other person authorized by statute.

30 (2) Any document purporting to be a document executed under the

1 seal of the University shall be received in evidence and shall, unless the
2 contrary is proved, be presumed to be so executed.

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

7 (4) The validity of any proceedings of anybody established in
8 pursuance of this Bill shall not be affected by any vacancy in the
9 membership of the body, or by any defect in the appointment of a member of
10 the body or by reason that any person not entitled to do so took part in the
11 proceedings.

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

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

19 (7) The power conferred by this Bill on anybody to make statutes or
20 regulations shall include power to revoke or vary any statute (including the
21 statute contained in the Third Schedule of this Bill) or any regulation by a
22 subsequent statute or as the case may be, by a subsequent regulation and
23 statutes and regulations may make different provisions in relation to
24 different circumstances.

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

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

Pro-Action Notice	1	(10) (a) No legal proceedings shall be instituted and /or commenced
	2	against the University or any of its agents in the course of their official duties
	3	unless a 3 months Pre-Action Notice of such intention is served on the
	4	University by an aggrieved party;
	5	(b) The Notice shall state the reason and the cause of action intended
	6	to be taken against the University, the particulars of the claim, the name and
	7	place of abode of the intending plaintiff and the relief which he claims;
	8	(c) For the avoidance of doubt, it is hereby declared that no suit shall
	9	be commenced against an officer or servant of the University, in any case where
	10	the University is vicariously liable for any alleged act, neglect or default of the
	11	officer or servant in the performance or intended performances of his duties,
	12	unless three months at least have elapsed after written notice of intention to
	13	commence the same shall have been served on the University by the intending
	14	plaintiff or his agent;
	15	(d) In any suit against this University, no execution or attachment or
	16	process in the nature thereof shall be issued against the University, but any
	17	sums of money which may be judgment of the Court be awarded against the
	18	University shall, subject to any direction given by the Court where notice of
	19	appeal has been given by the University in respect of the said judgment, be paid
	20	by the University from its general fund.
Service of Notice	21	(11) Service upon the University of any notice, order or other
	22	document may be effected by delivering the same or by sending it by registered
	23	post addressed to the Registrar and Secretary of the Council.
Interpretation	24	26. -(1) In this Bill, unless the context otherwise requires:
	25	"Campus" means any campus which may be established by each University;
	26	"College" means the Council established pursuant to section 2 (1) (g) of this
	27	Bill for the University;
	28	"Graduate" means a person on whom a degree, other than an honorary degree
	29	has been conferred by the University;
	30	"Minister" means the Minister charged with responsibility for matters relating

- 1 to higher education;
- 2 "Notice" means notice in writing;
- 3 "Officer" does not include the Visitor;
- 4 "Prescribed" means prescribed by statute or regulations;
- 5 "Professor" means a person designated as a professor of the University in
6 accordance with provisions made in that behalf by statute or by regulations;
- 7 "Property" includes rights, liabilities and obligations;
- 8 "Provisional Council" means the provisional council appointed for the
9 University;
- 10 "Regulations" means regulations made by the Senate or the Council;
- 11 "Senate" means the Senate of the University established pursuant to section
12 2(1)(c) of this Bill;
- 13 "School" means a unit of closely related academic programmes;
- 14 "Statute" means a statute made by the University under section 11 of this Bill
15 and in accordance with the provisions of section 12 of this Bill, and "the
16 statutes" means all such statutes as are in force from time to time;
- 17 "Teacher" means a person holding a full-time appointment as a member of
18 the teaching or research staff of the University;
- 19 "Undergraduate" means a person in statu pupil lariat the University other
20 than-
- 21 (a) a graduate; and
- 22 (b) a person of such description as may be prescribed for the
23 purpose of the definition;
- 24 "University" means Nigeria Maritime University, Okerenkoko established
25 under section 1 of this Bill;
- 26 "Visitor" means the President of the Federal Republic of Nigeria;
- 27 (2) It is hereby declared that where in any provision of this Bill it is
28 laid down that the proposals are to be submitted or a recommendation is to
29 be made by one authority or another through one or more intermediate
30 authorities, it shall be the duty of every such intermediate authority to

1 forward any proposals or recommendations received by it in pursuance of that
2 provision to the appropriate authority; but any such intermediate authority
3 may, if it thinks fit, forward therewith its own comments thereon.

Short title

4 **27.** This Bill may be cited as Nigeria Maritime University,
5 Okerenkoko (Establishment) Bill, 2019.

6 SCHEDULES

7 FIRST SCHEDULE

8 PRINCIPAL OFFICERS OF THE UNIVERSITY

9 *The Chancellor*

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

12 *The Pro-Chancellor*

13 2.-(1) The Pro-Chancellor shall be appointed or removed from office
14 by the President.

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

17 *The Vice-Chancellor*

18 3.-(1) The First Vice-Chancellor of the University who shall be
19 appointed by the President while the subsequent Vice-Chancellors shall be
20 appointed by the Governing Council in accordance with the provisions of the
21 University Miscellaneous Act as amended 1993.

22 (2) Where a vacancy occurs in the post of a Vice-chancellor, the
23 Council shall-

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

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

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

30 (b) constitute a Search Team consisting of:

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

3 (ii) two members of the Senate who are not members of the
4 Council, one of whom shall be a professor;

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

9 (3) A Joint Council and Senate Selection Board consisting of:

10 (a) the Pro-Chancellor, as chairman:

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

12 (c) two members of the Senate who are professors, but who were
13 not members of the Search Team, shall consider the candidates and persons
14 in the short list drawn up under subparagraph (2) of this paragraph through
15 an examination of their curriculum vitae and Interaction with them, and
16 recommend to the Council suitable candidates for further consideration.

17 (4) The Joint Council and Senate selection Board shall select three
18 candidates from among the candidates recommended to it under
19 subparagraph (3) of this paragraph and may indicate its order of preference.

20 (5) The Council shall select and appoint as Vice-Chancellor one
21 candidate from among the three candidates recommended thereafter inform
22 the Visitor.

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

26 (7) When the proposal for the removal of the Vice-Chancellor is
27 made, the Council shall constitute a Joint Committee of Council and Senate
28 consisting of:

29 (i) three members of the Council, one of whom shall be the
30 Chairman of the Committee, and

1 (ii) two members of the Senate:

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

4 (8) The Committee shall conduct investigation into the allegation
5 made against the Vice-Chancellor and shall report its findings to the Council.

6 (9) The Council may where the allegations are proved remove the
7 Vice-Chancellor or apply any other disciplinary action it may deem fit and
8 notify the Visitor accordingly provided that a Vice-Chancellor who is removed
9 shall have right of Appeal to the Visitor.

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

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

14 (12) An acting Vice-Chancellor in all circumstances shall not be in
15 office for more than 6 months.

16 *Deputy Vice-Chancellors*

17 4.-(1) There shall be for the University such number of Deputy Vice-
18 Chancellors as Council may from time to time, deem necessary for the proper
19 administration of the University.

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

23 (3) The Senate shall select for each vacant post one candidate from
24 each list forward to it under subparagraph (2) of this paragraph and forward his
25 name to the Council for confirmation.

26 (4) A Deputy Vice-chancellor shall:

27 (a) assist the Vice-chancellor in the performance of his functions;

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

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

3 (5) A Deputy Vice-Chancellor:

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

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

9 (c) may be removed from office for good cause by the Council
10 acting on the recommendations of the Vice-Chancellor and Senate; and

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

14 *Office of the Registrar*

15 5.-(1) There shall be for each University, a Registrar, who shall be
16 the chief administrative officer of the University and shall be responsible to
17 the Vice-chancellor for the day-to-day administrative work of the
18 University except as regards matters for which the Bursar is responsible in
19 accordance with paragraph 6 (2) of this Schedule.

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

23 *Other Principal Officers of the University*

24 6.-(1) There shall be for each University the following principal
25 officers, in addition to the Registrar, that is-

26 (a) the Bursar; and

27 (b) the University Librarian, who shall be appointed by the Council
28 on the recommendation of the Selection Board constituted under paragraph
29 7 of this Schedule.

30 (2) The Bursar shall be the Chief Financial Officer of the

1 University and responsible to the Vice-chancellor for the day-to-day
2 administration and control of the financial affairs of the University.

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

7 (4) Any question as to the scope of the responsibilities of the aforesaid
8 officers shall be determined by the Vice-chancellor.

9 *Selection Board for other Principal Officers*

10 7.-(1) There shall be, for the University, a Selection Board for the
11 appointment of principal officers, other than the Vice-chancellor or Deputy
12 Vice-chancellor, which shall consist of-

- 13 (a) the Pro-Chancellor, as chairman;
14 (b) the Vice-chancellor;
15 (c) four members of the Council not being members of the Senate; and
16 (d) two members of the Senate.

17 (2) The functions, procedure and other matters relating to the
18 Selection Board constituted under subparagraph (1) of this paragraph shall be
19 as the Council may, from time to time, determine.

20 (3) The Registrar, Bursar or Librarian shall hold office for a single
21 term of five years only beginning from the effective date of his appointment
22 and on such terms and conditions as may be specified in his letter of
23 appointment.

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

29 *Resignation and Reappointment*

30 8.-(1) Any officer mentioned in the foregoing provisions of this

1 Schedule may resign his office -

2 (a) in the case of the Chancellor or Pro-Chancellor, by notice to the
3 President;

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

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

9 SECOND SCHEDULE

10 TRANSITIONAL PROVISIONS AS TO PROPERTY, FUNCTIONS, ETC.

11 *Transfer of Property to University*

12 1.-(1) Without prejudice to the generality of section 9 (1) of this
13 Bill-

14 (a) the reference in that subsection to property held by the
15 Provisional Council shall include a reference to the right to receive and give
16 a good discharge for any grants or contributions which may have been voted
17 or promised to the provisional council;

18 (b) all debts and liabilities of the provisional council outstanding
19 shall become debts or liabilities of the University.

20 2.-(1) All agreements, contracts, deeds and other instruments to
21 which the provisional council was a party shall, so far as possible and subject
22 to any necessary modifications, have effect as if the University had been a
23 party thereto in place of the provisional council.

24 (2) Documents not falling within subparagraph (1) of this
25 paragraph, including enactment" which refer, whether specially or
26 generally, to the provisional council, shall be construed in accordance with
27 that sub-paragraph so far as applicable.

28 (3) Any legal proceedings or application to any authority pending
29 by or against the provisional council may be continued by or against the
30 University.

1 *Registration of transfers*

2 3.-(1) If the law in force at the place where any property transferred by
3 this Bill is situated provides for the registration of transfers of property of the
4 kind in question (whether by reference to an instrument of transfer or
5 otherwise), the law shall, so far as it provides for alterations of a register (but
6 not for avoidance of transfers, the payment of fees or any other matter) apply,
7 with necessary modifications, to the property aforesaid.

8 (2) It shall be the duty of the body to which any property is transferred
9 by this Bill to furnish the necessary particulars of the transfer to the proper
10 officer of the registration authority, and of that officer to register the transfer
11 accordingly.

12 *Transfer of Functions, etc.*

13 4.-(1) The first meeting of the Council shall be convened by the Pro-
14 Chancellor on such date and in such manner as he may determine.

15 (2) The persons who were members of the provisional council shall be
16 deemed to constitute the Council until the date when the Council as set up
17 under the Third Schedule to this Bill shall have been duly constituted.

18 (3) The first meeting of the Senate as constituted by this Bill shall be
19 convened by the Vice-chancellor on such date and in such manner as he may
20 determine.

21 (4) The person who were members of the Senate immediately before
22 the coming into force of this Bill shall be deemed to constitute the Senate of the
23 University until the date when the Senate as set up under the Third Schedule to
24 this Bill shall have been duly constituted.

25 (5) Subject to any regulations which may be made by the Senate after
26 the date on which this Bill is made, the schools, school boards and students of
27 the University immediately before the coming into force of this Bill shall on
28 that day become schools, school boards and students of the University as
29 constituted by this Bill.

30 (6) Persons who were Deans or associate Deans of schools or

1 members of school boards shall continue to be Deans or associate Deans or
2 become members of the corresponding school boards, until new
3 appointments are made in pursuance of the statutes.

4 (7) Any person who was a member of the staff of the University as
5 established or was otherwise employed by the provisional council shall
6 become the holder of an appointment at the University with the status,
7 designation and functions which correspond as nearly as may be to those
8 which appertained to him as member of that staff or as such an employee.

9 THIRD SCHEDULE

10 NIGERIA MARITIME UNIVERSITY, OKERENKOKO

11 STATUTE NO. 1

12 ARRANGEMENT OF ARTICLES

13 *Articles:*

- 14 1. The Council.
- 15 2. The Finance and General Purposes Committee;
- 16 3. The Senate
- 17 4. The Congregation.
- 18 5. Convocation.
- 19 6. Division of schools.
- 20 7. School boards.
- 21 8. Dean of the school.
- 22 9. Selection of certain principal officers.
- 23 10. Creation of academic posts.
- 24 11. Appointment of academic staff.
- 25 12. Appointment of administrative and professional staff.
- 26 13. Interpretation.
- 27 14. Short Title.

28 *The Council.*

29 1.-(1) The composition of the Council shall be as provided in
30 section 5 of this Bill.

1 any meeting at which he is present;

2 (b) the Vice-chancellor and Deputy Vice-Chancellors;

3 (c) six other members of the Council appointed by the Council, two
4 of whom shall be selected from among the three members of the Council
5 appointed by the Senate and one member appointed to the Council by
6 Congregation;

7 (d) the Permanent Secretary of the Federal Ministry of Education,
8 or in his absence, Such member of his Ministry as he may designate to
9 represent him; and

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

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

13 *Annual budget and estimates, etc.*

14 (4) (i) The estimates of income and expenditure for a financial year
15 shall be presented by the Vice-Chancellor to the Council and may be
16 approved by the Council before the beginning of that financial year.

17 Provided that the Vice-Chancellor may during any financial year present
18 and the Council may supplementary estimates of income or expenditure.

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

21 *Gifts, donations, etc.*

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

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

28 Provided that the University shall not be obliged to accept a
29 donation for a particular purpose unless it approves of the terms and
30 conditions attached to such donation.

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

4 *Payment into bank*

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

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

11 *Audit.*

12 (7) (i) The Council shall cause the accounts of the University to be
13 audited by auditors appointed by the Council as soon as may be after the end of
14 each financial year or for any such other period as the Council may require;

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

18 *The Senate.*

19 3.-(1) The Senate shall consist of:

20 (i) the Vice-chancellor;

21 (ii) Deputy Vice Chancellors;

22 (iii) all Professors of the University;

23 (iv) all Deans, Provosts, and Directors of Academic Units of the
24 University;

25 (v) all Heads of Academic Departments, Units and research institutes
26 of the University;

27 (vi) the Librarian;

28 (vii) all Academic Members of the Congregation who are not
29 Professors as specified in the law of the University;

30 (viii) such teachers, not being more than one third of the, total number

1 of non-elected members, elected by Congregation and at least one of whom
2 shall come from each school; and

3 (ix) two members representing a variety of interests of the
4 professional bodies outside the University appointed by the Senate on the
5 recommendation of the Vice-chancellor.

6 (2) The Vice-chancellor shall be the chairman at all meetings of the
7 Senate when he is present, and in his absence any of the Deputy Vice-
8 Chancellors present at the meeting as the Senate may appoint for that
9 meeting shall be the Chairman at the meeting.

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

13 (4) All elected member may, by notice to the Senate, resign his
14 office.

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

19 (6) An elected member shall hold office for the period of two years
20 beginning with 1st August in the year of his election, and may be a candidate
21 at any election held in pursuance of paragraph (5) of this article in the year in
22 which his period of office expires so however that no person shall be such a
23 candidate if at the end of his current period of office he will have held office
24 as all elected member for a continuous period of six years or would have so
25 held office if he had not resigned it.

26 (7) No election shall be held in pursuance of this article in any year
27 if the number specified in the certificate given in pursuance of paragraph

28 (10) of this article does not exceed by more than one the
29 figure which is thrice the number of those elected members holding office
30 on the date of the certificate who do not vacate office during that year in

1 Congregation may appoint for that meeting, shall be the chairman at the
2 meeting.

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

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

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

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

12 (5) Subject to the foregoing provisions of this article, Congregation
13 may regulate its own procedure.

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

19 *Convocation.*

20 5.-(1) Convocation shall consist of:

21 (i) the officers of the University mentioned in the First Schedule to
22 this Bill;

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

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

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

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

30 (b) applies for the registration of his name in the prescribed manner

1 and pay the prescribed fees.

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

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

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

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

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

22 (8) Subject to section 4 of the Bill, the Chancellor shall be chairman
23 at all meetings of Convocation when he is present, and in his absence the Vice-
24 chancellor shall be the chairman at the meeting.

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

28 *Division of Faculties/Schools.*

29 6. The faculties' shall be divided into such number of branches as may
30 be prescribed.

1 *Faculties/School Boards.*

2 7.-(1) There shall be established in respect of each faculty/school, a
3 board of studies which, subject to the provisions of this Statute, and subject
4 to the directions of the Vice-Chancellor, shall:

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

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

9 (c) advice the Vice-chancellor or the Senate on any matter referred
10 to it by the Vice-Chancellor or the Senate.

11 (2) Each faculty/school board of studies shall consist of:

12 (a) the Vice-chancellor:

13 (b) the Dean;

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

15 (d) such other teachers assigned to the college and having the
16 prescribed qualifications as tire board may determine; and

17 (e) such persons, whether or not members of the University, as the
18 Board may determine with the general or special approval of the Senate.

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

23 *Deans of the Faculties/Schools.*

24 8.-(1) The Board of Provost shall, at a meeting in the last term of
25 any academic year which the term, of office of the Dean express, nominate
26 one of, its members, being one of the professors assigned to that teaching
27 unit, for appointment by the Senate as Dean of the school.

28 (2) The person appointed under paragraph 1 of this article shall act
29 as Dean of the faculty and chairman of all meetings of the University board
30 when he is present and shall be a member of all committees and other boards

1 appointed by the University.

2 (3) The Dean shall hold office for two years and shall be eligible for
3 reappointment One further period of two years, thereafter he shall not be
4 eligible for reappointment.

5 (4) The Dean of a faculty shall exercise general superintendence over
6 the academic and administrative affairs of the University.

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

11 (6) There shall be a committee to be known as the Committee of
12 Deans consisting of all the Deans of the several faculties and that Committee
13 shall advise the Vice-chancellor on all academic matters and on particular
14 matters referred to the University by the Senate.

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

20 (8) In this article "good cause" has the same meaning as in section
21 14(3) of the Bill.

22 *Selection of Director of Works.*

23 9.-(1) When a vacancy occurs in the office of the Director of Works, a
24 selection board shall be constituted by the council which shall consist of:

25 (a) the Pro-Chancellor;

26 (b) the Vice-chancellor;

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

29 (d) two members appointed by the Senate.

30 (2) The selection board after making such inquiries as it thinks fit,

1 shall recommend a candidate to the Council for appointment to the vacant
2 office; and after, considering the recommendation of the board the Council
3 may make an appointment to that office.

4 *Creation of Academic Posts.*

5 10. Recommendations for the creation of academic posts other
6 than principal officers shall be made by the Senate to the Council through the
7 Finance and General purposes Committee.

8 *Appointment of Academic Staff.*

9 11.-(1) Subject to the Bill and statutes, the filling of vacancies in
10 academic posts (including newly created ones) shall be the responsibility of
11 the Senate.

12 (2) For the purpose of filling such vacancies, suitable selection
13 boards to select and make appointments on behalf of the Council shall be set
14 up.

15 (3) For appointment to professorships, associate professorship or
16 readerships or equivalent posts, a board of selection, with power to appoint,
17 shall consist of:

18 (a) the Vice-chancellor;

19 (b) two members appointed by the Council;

20 (c) four members appointed by the Senate, at least two of whom
21 shall be members of the Senate, while the other two members shall be
22 professional peers in the professional area in which an appointment is to be
23 considered;

24 (d) if the post is tenable at a faculty/school, the Dean of the
25 faculty/school;

26 (e) if the post is within a school, institute or other teaching unit in
27 the University, the Dean of the school or the teaching unit, or the director of
28 the institute, as the case may be; and

29 (f) such other persons, not exceeding two in number, deemed
30 capable of helping the board in assessing both the professional and academic

1 suitability of a candidate under consideration, as the Senate may from time to
2 time appoint.

3 (4) For other academic posts, a selection board, with power to
4 appoint, shall consist of:

5 (a) the Vice-chancellor:

6 (b) four members appointed by the Senate, at least two of whom shall
7 be members of the Senate, while the other two members shall be professional
8 peers in the professional area in which an appointment is to be considered;

9 (c) if the post is tenable at a faculty/school, the Dean of
10 faculty/school;

11 (d) if the post is within a school, institute or other teaching unit in the
12 University, the Dean of the school or the teaching unit or the director of the
13 institute, as the case may be; and

14 (e) such other persons, not exceeding two in number, deemed capable
15 of helping the board in assessing both the professional and academic suitability
16 of a candidate under consideration, as the Senate may from time to time
17 appoint.

18 (5) All appointments to senior library posts shall be made in the same
19 way as equivalent appointments in the academic cadre; and for all such posts
20 other than that of the Librarian, the Librarian shall be a Member of the selection
21 Board.

22 (6) Boards of selection may interview candidates directly or consider
23 the reports of specialist interviewing panels and shall in addition, in the case of
24 professorships, associate professorship, readerships or equivalent posts,
25 consider the reports of external assessors relevant to the area in which the
26 appointment is being considered.

27 *Appointment of Administrative and Professional Staff.*

28 12.-(1) The administrative and professional staff of the University
29 other than principal officers shall be appointed by the Council or on its behalf
30 by the vice-chancellors or the Registrar in accordance with delegation of any

1 powers made by the Council in that behalf.

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

5 *Interpretation*

6 13. In this Statute, the expression "the Act" means the Nigeria
7 Maritime University, Okerenkoko Bill and any word or expression defined
8 in the Bill has the same meaning in this Statute.

9 *Short Title*

10 14. This Statute may be cited as Nigeria Maritime University,
11 Okerenkoko Statute NO. 1

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Nigeria Maritime University, Okerenkoko,
Delta State.