



THE SENATE
FEDERAL REPUBLIC OF NIGERIA

**FEDERAL UNIVERSITY OF TECHNOLOGY OFFA, KWARA
STATE, BILL, 2022**

[SB: 702]

A BILL FOR AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE FEDERAL
UNIVERSITY OF TECHNOLOGY OFFA, KWARA STATE BY UPGRADING THE FEDERAL
POLYTECHNIC OFFA, KWARA STATE FROM A DIPLOMA AWARDING INSTITUTION
TO A FULL-FLEDGE DEGREE AWARDING UNIVERSITY AND FOR OTHER MATTERS
CONNECTED THEREWITH, 2022

FIRST READING

WEDNESDAY, 28TH APRIL, 2021

SECOND READING

WEDNESDAY, 19TH MAY, 2021

THIRD READING AND PASSAGE

TUESDAY, 1ST FEBRUARY, 2022

FEDERAL UNIVERSITY OF TECHNOLOGY OFFA, KWARA STATE, BILL, 2022



Arrangement of Clauses

Clauses

PART I - ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF FEDERAL UNIVERSITIES OF TECHNOLOGY

Establishment of Federal University of Technology, Offa, Kwara State

Objects of the University.

Constitution and Principal Officers of the University

Powers of the University, and their Exercise

Functions of the Chancellor and Pro-Chancellor

Composition, Tenure and Powers of the Council of the University

Functions of the Council and its Finance and General Purposes Committee

Functions of The Senate

Functions of the Vice-Chancellor

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

General Fund of The University

Transfer of Property.

PART III - STATUTES OF THE UNIVERSITY

Statutes of the University

Mode of exercising power to make statutes

Proof of statutes

Power of Visitor to Decide Meaning of Statutes

PART IIII - SUPERVISION AND DISCIPLINE

The Visitor

Removal of Certain Members of Council

Removal of and Discipline of Academic, Administrative and Professional Staff.

Removal of Examiners

Discipline of Students

PART IV- MISCELLANEOUS AND GENERAL

Exclusion of Discrimination on Account of Race, Religion, etc.

Restriction on Disposal of Land by University

Quorum and procedure of bodies established by this Act

Transfer of Land to the University

Appointment of Committees, etc.

Retiring Age of Academic Staff

Special Provisions Relating to Pension of Professors

Transition and Savings Provision

Miscellaneous Administrative Provisions

Restriction of Suits and Execution

Interpretation

Short Title

Schedules

A BILL FOR AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE FEDERAL UNIVERSITY OF TECHNOLOGY OFFA, KWARA STATE BY UPGRADING THE FEDERAL POLYTECHNIC OFFA, KWARA STATE FROM A DIPLOMA AWARDING INSTITUTION TO A FULL-LEDGE DEGREE AWARDING UNIVERSITY AND FOR OTHER MATTERS CONNECTED THEREWITH, 2022 [SB: 702]

{ } Commencement

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

PART I - ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF FEDERAL UNIVERSITIES OF TECHNOLOGY

1. [1] There is hereby established, a body to be known as Federal University of Technology Offa, Kwara State. [hereafter in this Bill referred to as "the University].

Establishment of Federal University of Technology, Offa, Kwara State

[2] The University:

[a] shall be a body corporate with perpetual succession and a common seal;

[b] and may sue and be sued in its corporate name.

2. The objects of the University shall be to-

Objects of the University.

[a] encourage the advancement of learning and to hold out to all persons without distinction of race, creed, sex or political conviction.

[b] develop and offer academic and professional programmes leading to the award of certificates, first degrees, post-graduate research, diploma and higher degrees with emphasis on planning, developmental and adaptive skills in technology education, technology, applied science, management and allied professional disciplines.

[c] produce socially mature technology specialists with capabilities not to only understand technology need of Nigeria as a nation, but also to exploit existing technological infrastructure and improve on it to develop new ones.

[d] act as agents and catalysts for effective technological system, through post graduate training, research and innovation, for effective economic utilization and conservation of the country's human resources.

[e] bring quality change in education by focusing on teacher education through teaching and learning innovations.

[f] collaborate with other national and international institutions involved in training, research and development of technology with a view to promoting governance, leadership and management skills among technology managers.

[g] identify technological needs of the society with a view to finding solutions to them within the context of overall national development.

[h] provide and promote sound basic education training as a foundation for the development of Nigeria, taking into account indigenous culture and the need to enhance national unity.

[i] provide higher education and foster a systematic advancement of science and act of technology education.

[j] to provide for instruction in such branches of technology education as it may deem necessary to make provision for research advancement and dissemination of knowledge in such manner as it may determine.

[k] provide teachers with operational competence for teaching in pre-tertiary institutions, basic, senior secondary schools and non-formal education institutions.

[l] undertake any other activities that is appropriate for a university of technology of the highest standard.

[1] The University shall consist of—

[a] a Chancellor;

Constitution and Principal Officers of the

- [b] a Pro-Chancellor and a Council;
- [c] a Vice-Chancellor and a Senate;
- [d] a body to be called Congregation;
- [e] a body to be called Convocation;
- [f] the campuses and colleges of the University;
- [g] the faculties, schools, institutes and other teaching and research units of the University;
- [h] the persons holding the offices constituted by the First Schedule to this Bill other than those mentioned in paragraphs [a] to [c] of this subclause;
- [i] all graduates and undergraduates; and
- [j] all other persons who are members of the University in accordance with provision made by statute in that behalf.

[2] The First Schedule to this Bill shall have effect with respect to the principal officers of the University therein mentioned.

[3] Provision shall be made by Statute with respect to the constitution of the following bodies, namely the Council, the Senate, Congregation and Convocation.

4. [1] For the carrying out its objects as specified in clause 1 of this Bill the University shall have power—
- [a] to establish such campuses, colleges, faculties, institutes, schools, extra-mural departments and other teaching and research units within the University as may from time to time seem necessary or desirable subject to the approval of the National Universities Commission;
 - [b] to institute professorships, readerships, lectureships and other posts and offices and to make appointments thereto;
 - [c] to institute and award fellowships, scholarships, exhibitions, bursaries, medals, prizes and other titles, distinctions, awards and forms of assistance;
 - [d] to provide for the discipline and welfare of members of the University;
 - [e] to hold examinations and grant degrees, diplomas, certificates and other distinctions to persons who have pursued a course of study approved by the University and have satisfied such other requirements as the University may lay down;
 - [f] to grant honorary degrees, fellowships or academic titles;
 - [g] to demand and receive from any student or any other person attending the University for the purpose of instruction such fees as the University may from time to time determine, subject to the overall directives of the Minister;
 - [h] subject to clause 19 of this Bill, to acquire, hold, grant, charge or otherwise deal with or dispose of movable and immovable property wherever situate;
 - [i] to accept gifts, legacies and donations, but without obligation to accept the same for a particular purpose unless it approves the terms and conditions attaching thereto;
 - [j] to enter into contracts, establish trusts, act as trustee, solely or jointly with any other person, and employ and act through agents;
 - [k] to erect, provide, equip and maintain libraries, laboratories, lecture halls, halls of residence, refectories, sports grounds, playing fields and other buildings or things necessary or suitable or convenient for any of the objects of the University;
 - [l] to hold public lectures and to undertake printing, publishing and bookselling;
 - [m] subject to any limitations or conditions imposed by statute, to invest any moneys appertaining to the University by way of endowment, whether for general or special purposes, and such other moneys as may not be immediately required for current expenditure, in any investments or securities or in the purchase or improvement of land, with power from time to time to vary any such investments, and to

Powers of the University, and their Exercise

deposit any moneys for the time being un-invested with any bank on deposit or current account;
[n] to borrow, whether on interest or not and if need be upon the security of any or all of the property movable or immovable of the University, such moneys as the Council may from time to time in its discretion find it necessary or expedient to borrow or to guarantee any loan, advances or credit facilities;
[o] to make gifts for any charitable purpose;
[p] to arrange for the general welfare of children of members of staff;
[q] to do anything which it is authorised or required by this Bill or by statute to do; and
[r] to do all such acts or things, whether or not incidental to the foregoing powers, as may advance the objects of the University.

[2] Subject to the provisions of this Bill and of the statutes and without prejudice to clause 7 [2] of this Bill, the powers conferred on the University by subclause [1] of this clause shall be exercisable on behalf of the University by the Council or by the Senate or in any other manner which may be authorised by statute.

[3] The power of the University to establish further campuses and colleges within the University shall be exercisable by statute and not otherwise.

5. [1] The chancellor shall, in relation to the University, take precedence before all other members of the University, and when he is present shall preside at all meetings of convocation held for conferring degrees.

Functions of the
Chancellor and
Pro-Chancellor

[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 the Pro-Chancellor shall, when he is present, be the chairman at all meetings of the Council.

6. [1] The Council of the University shall consist of: -

[a] the Pro-Chancellor who shall be appointed by the President on the recommendation of the Honourable Minister of Education;

[b] the Vice-Chancellor;

[c] the Deputy Vice-Chancellor[s];

[d] The Permanent Secretary, Federal Ministry of Education or, in his/her absence, one Person from the Federal Ministry responsible for Education to represent him/her.;

[e] Four persons representing a variety of interests and broadly representative of the whole Federation appointed by the Federal Executive Council; by virtue of the Universities [Miscellaneous Provisions] Act 1993 [As amended].

[i] the Teacher's Registration Council;

[ii] Tertiary Education Trust Fund; and

[iii] two other persons, one of whom shall be a representative of the University host community.

[f] four persons appointed by the Senate from among its members;

[g] two persons appointed by Congregation from among its members;

[h] one person appointed by Convocation from among its members.

[i] two persons representing the community appointed by the President.

[2] Persons to be appointed to the Council shall be of proven integrity, knowledgeable and familiar with the affairs and tradition of the University.

[3] The Council so constituted shall have a tenure of four years 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.

Composition,
Tenure and
Powers of the
Council of the
University

[4] The powers of the Council shall be exercised, as in this Bill and to that extent establishment circulars that are inconsistent with this Bill shall not apply to the University.

[5] The Council shall be free in the discharge of its functions and exercise of its responsibilities for the good management, growth and development of the University.

[6] The Council in the discharge of its functions shall ensure that disbursement of funds of the University complies with the approved budgetary ratio for –

[a] personnel cost;

[b] overhead cost;

[c] research and development;

[d] library developments; and

[e] the balance in expenditure between academic vis-à-vis non-academic activities.

7. [1] Subject to the provisions of this Bill relating to the visitor, the Council shall be the governing body of the University and shall be charged with the general control and superintendence of the policy, finances and property of the university, including its public relations.

Functions of the
Council and its
Finance and
General
Purposes
Committee

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

[3] Provision shall be made by statute with respect to the constitution of the finance and general purposes committee.

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

[5] Subject to This Bill the statutes, the Council and the finance and general purposes committee may each make rules for the purpose of exercising any of their respective functions or of regulating their own procedure.

[6] Rules made under subclause [5] of this clause by the finance and general purposes committee shall not come into force unless approved by the Council; and in so far and to the extent that any rules so made by that committee conflict with any directions given by the Council [whether before or after the coming into force of the rules in question], the directions of the Council shall prevail.

[7] There shall be paid to the members of the Council, of the finance and general purposes committee and of any other committee set up by the Council respectively allowances in respect of traveling and other reasonable expenses, at such rates as may from time to time be fixed by the Council.

[8] The Council shall meet as and when necessary for the performance of its functions under This Bill, and shall meet at least three times in every year.

[9] If requested in writing by any five members of the Council, the chairman shall within twenty-eight

days after the receipt of such request call a meeting of the Council; and the request shall specify the business to be considered at the meeting and no business not so specified shall be transacted at that meeting.

8. [1] Subject to clause 5 of This Bill and subclauses [3] and [4] of this clause, and to the provisions of This Bill relating to the visitor, it shall be the general function of the Senate to organise and control the teaching of the University, the admission [where no other enactment provides to the contrary] of students and the discipline of students and to promote research at the University.

Functions of The Senate

[2] Without prejudice to the generality of subclause [1] of this clause and subject as there mentioned, it shall in particular be the function of the Senate to make provision for—

[a] the establishment, organisation and control of campuses, colleges, faculties, departments, schools, institutes and other teaching and research units of the University, and the allocation of responsibility for different branches of learning;

[b] the organisation and control of courses of study at the University and of the examinations held in conjunction with those courses, including the appointment of examiners, both internal and external;

[c] the award of degrees, and such other qualifications as may be prescribed, in connection with examinations held as aforesaid;

[d] the making of recommendations to the Council with respect to the award to any person of an honorary fellowship or honorary degree or the title of professor emeritus;

[e] the establishment, organisation and control of halls of residence and similar institutions at the University;

[f] the supervision of the welfare of students at the University and the regulations of their conduct;

[g] the granting of fellowships, scholarships, prizes and similar awards in so far as the awards are within the control of the University; and

[h] determining what descriptions of dress shall be academic dress for the purposes of the University, and regulating the use of academic dress.

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

[4] Subject to This Bill and the statutes, the Senate may make regulations for the purpose of exercising any function conferred on it either by the foregoing provisions of this clause or otherwise or for the purpose of making provision for any matter for which provision by regulation is authorised or required by This Bill or by statute.

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

[6] Subject to a right of appeal to the Council from a decision of the Senate under this subclause, the Senate may deprive any person of any degree, diploma, or other award of the University which has been conferred upon him/her if after due enquiry he is shown to have been guilty of dishonourable or scandalous conduct in gaining admission into the University or obtaining that award.

9. [1] The Vice-Chancellor shall, in relation to the University, take precedence before all other members of

Functions of the

the University except the chancellor and, subject to clause 4 of This Bill, except the Pro-Chancellor and Vice-Chancellor and any other person for the time being acting as chairman of the Council.

[2] Subject to clause 5, 6 and 13 of This Bill, the Vice-Chancellor shall have the general function, in addition to any other functions conferred on him/her by This Bill or otherwise, of directing the activities of the University, and shall to the exclusion of any other person or authority be the chief executive and academic officer of the University and ex-officio chairman of the Senate

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

10. [1] There shall be a general fund of the university which shall consist of the following:
- [a] Annual budgetary allocation by the Federal Government through; Appropriation by the National Assembly
 - [b] grants-in-aid;
 - [c] fees;
 - [d] income derived from investments;
 - [e] gifts, legacies, endowments and donations not accepted for a particular purpose;
 - [f] income derived from the exercise of any functions conferred or imposed on the University by this Bill;
 - [g] any other amounts, charges or dues recoverable by the University;
 - [i] revenue, from time to time, accruing to the University by way of subvention;
 - [j] interests on investments;
 - [k] donations and legacies accruing to the University from any source for the general or special purposes of the University; and
- [2] The general fund shall be applied for the purposes of the University.

General Fund of
The University

11. [1] All property held by or on behalf of the Provisional Council of the University shall, by virtue of this sub-Clause and without further assurance, vest in the University and be held by it for the purpose of the University.

Transfer of
Property.

[2] The provisions of the Second Schedule to this Bill shall have effect with respect to, and to matters arising from, the transfer of property by this Clause and with respect to the other matters mentioned in that Schedule.

PART III - STATUTES OF THE UNIVERSITY

12. [1] Subject to This Bill, the University may make statutes for any of the following purposes, that is to say—
- [a] making provision with respect to the composition and constitution of any authority of the University;
 - [b] specifying and regulating the powers and duties of any authority of the University, and regulating any other matter connected with the University or any of its authorities;
 - [c] regulating the admission of students where it is done by the University, and their discipline and welfare;
 - [d] determining whether any particular matter is to be treated as an academic or non-academic matter for the purposes of This Bill and of any statute, regulation or other instrument made thereunder; or
 - [e] making provision for any other matter for which provision by statute is authorised or required by This Bill.

Statutes of the
University

[2] Subject to clause 22 [6] of This Bill, the Interpretation Act shall apply in relation to any statute made

under this clause as it applies to a subsidiary instrument within the meaning of clause 27 [1] of that Act.

[3] The Statute contained in the Third Schedule to This Bill shall be deemed to have come into force on the commencement of This Bill and shall be deemed to have been made under this clause.

[4] The power to make statutes conferred by this clause shall not be prejudiced or limited in any way by reason of the inclusion or omission of any matter in or from the Statute contained in the Third Schedule to This Bill or any subsequent statute.

13. [1] The power of each University to make statutes shall be exercised in accordance with the provisions of this section and not otherwise.

Mode of
exercising
power to make
statutes

[2] A proposed statute shall not become law unless it has been approved-

[a] at a meeting of the Senate, by the votes of not less than two thirds of the members present and voting; and

[b] at a meeting of the Council, by the votes of not less than two thirds of the members present and voting.

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

[4] A statute which-

[a] makes provision for or alters the composition or constitution of the Council, the Senate or any other authority of the University; or

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

[5] For the purposes of section 2 [2] of the Interpretation Act, a statute shall be treated as being made on the date on which it is duly approved by the Council after having been duly approved by the Senate, or on the date on which it is duly approved by the Senate after having been duly approved by the Council, as the case may be or, in the case of a statute falling within subsection [4] of this section, on the date on which it is approved by the President.

[6] In the event of any doubt or dispute arising at any time-

[a] as to the meaning of any provision of a statute; or

[b] as to whether any matter is for the purposes of this Act an academic or non-academic matter as they relate to such doubt or dispute, the matter may be referred to the Visitor, who shall take such advice and make such decision thereon as he shall think fit.

[7] The decision of the Visitor on any matter referred to him under subsection [6] of this section shall be binding upon the authorities, staff and students of the University, and where any question as to the meaning of any provision of a statute has been decided by the Visitor under that subsection, no question as to the meaning of that provision shall be entertained by any court of law in Nigeria.

[8] Nothing in subsection [7] of this section shall affect any power of a court of competent jurisdiction to determine whether any provision of a statute is wholly or partly void as being ultra vires or as being inconsistent with the Constitution of the Federal Republic of Nigeria 1999.

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

Proof of statutes

15. [1] In the event of any doubt or dispute arising at any time as to the meaning of any provision of a statute, the matter may be referred to the visitor, who shall take such advice and make such decision thereon as he shall think fit.

Power of Visitor to Decide Meaning of Statutes

[2] The decision of the visitor on any matter referred to him/her under this clause shall be binding upon the authorities, staff and students of the University, and where any question as to the meaning of any provision of a statute has been decided by the visitor under this clause, no question as to the meaning of that provision shall be entertained by any court of law in Nigeria:

Provided that nothing in this subclause shall affect any power of a court of competent jurisdiction to determine whether any provision of a statute is wholly or partly void as being ultra vires or as being inconsistent with the Constitution of the Federal Republic of Nigeria.

[3] The foregoing provisions of this clause shall apply in relation to any doubt or dispute as to whether any matter is for the purposes of This Bill an academic or a non-academic matter as they apply in relation to any such doubt or dispute as is mentioned in subclause [1] of this clause; and accordingly the references in subclause [2] of this clause to any question as to the meaning of any provision of a statute shall include references to any question as to whether any matter is for the said purposes an academic or a non-academic matter.

PART III - SUPERVISION AND DISCIPLINE

16. [1] The President shall be the visitor of the University.

The Visitor

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

[3] It shall be the duty of the bodies and persons comprising the University—

[a] to make available to the visitor, and to any other persons conducting a visitation in pursuance of this clause, such facilities and assistance as he or they may reasonably require for the purposes of a visitation; and

[b] to give effect to any instructions consistent with the provisions of This Bill which may be given by the visitor in consequence of a visitation.

17. [1] If it appears to the Council that a member of the Council [other than the Pro-Chancellor, or the Vice-Chancellor] should be removed from office on the ground of misconduct or inability to perform the functions of his/her office or employment, the Council shall make a recommendation to that effect through the Minister to the President and if the President, after making such enquiries [if any] as may be considered appropriate, approves the recommendation, may direct the removal of the person in question from office.

Removal of Certain Members of Council

[2] It shall be the duty of the Minister to use his/her best endeavours to cause a copy of the instrument

embodying a direction under subclause [1] of this clause to be served as soon as reasonably practicable on the person to whom it relates.

18. [1] If it appears to the Council that there are reasons for believing that any person employed as a member of the academic or administrative or professional staff of the University other than the Vice-Chancellor, should be removed from his/her office or employment on the ground of misconduct or of inability to perform the functions of his/her office or employment the Council shall—

Removal of and
Discipline of
Academic,
Administrative
and Professional
Staff.

[a] give notice of those reasons to the person in question;

[b] afford him/her an opportunity of making representations in person on the matter to the Council; and
[c] if he or any three members of the Council so request within the period of one month beginning with the date of the notice, make arrangements—

[i] for a joint committee of the Council and the Senate to investigate the matter and to report on it to the Council, or

[ii] for the person in question to be afforded an opportunity of appearing before and being heard by the investigating committee with respect to the matter, and if the Council, after considering the report of the investigating committee, is satisfied that the person in question should be removed as aforesaid, the Council may so remove him/her by an instrument in writing signed on the directions of the Council.

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

[3] For good cause, any member of staff may be suspended from his/her duties or his/her appointment may be terminated by Council; and for the purposes of this subclause "good cause" means—

[a] conviction for any offence which the Council considers to be such as to render the person concerned unfit for the discharge of the functions of his/her office; or

[b] any physical or mental incapacity which the Council, after obtaining medical advice, considers to be such as to render the person concerned unfit to continue to hold his/her office; or

[c] conduct of a scandalous or other disgraceful nature which the Council considers to be such as to render the person concerned unfit to continue to hold his/her office; or

[d] conduct which the Council considers to be such as to constitute failure or inability of the person concerned to discharge the functions of his/her office or to comply with the terms and conditions of his/her service.

[4] Any person suspended pursuant to subclause [2] or [3] of this clause shall be on half pay and the Council shall before the expiration of a period of three months after the date of such suspension consider the case against that person and come to a decision as to—

[a] Whether to continue such person's suspension and if so on what terms [including the proportion of his/her emoluments to be paid to him/her];

[b] Whether to reinstate such person in which case the Council shall restore his/her full emoluments to him/her with effect from the date of suspension;

[c] whether to terminate the appointment of the person concerned, in which case such a person shall not be entitled 'to the proportion of his/her emoluments withheld during the period of suspension; or

[d] whether to take such lesser disciplinary action against such person [including the restoration of such proportion of his/her emoluments that might have been withheld] as the Council may determine; and in any case where the Council, pursuant to this clause, decides to continue a person's suspension or decides to take further disciplinary action against a person, the Council shall before the expiration of a period of

three months from such decision come to final determination in respect of the case concerning any such person.

[5] It shall be the duty of the person by whom an instrument of removal is signed in pursuant of subclause [1] above to use his/her best endeavours to cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it relates.

[6] Nothing in the foregoing provisions of this clause shall prevent the Council from making regulations for the discipline of other categories of staff and workers of the University as may be prescribed.

19. [1] If on the recommendation of the Senate, it appears to the Vice-Chancellor that a person appointed as an examiner for any examination of the University ought to be removed from his/her office or appointment, then except in such cases as may be prescribed, he may, after affording the examiner an opportunity of making representation in person on the matter to the Vice-Chancellor, remove the examiner from the appointment by an instrument in writing signed by the Vice-Chancellor and, subject to the provisions of regulations made in pursuance of clause 6 [5] of This Bill, the Vice-Chancellor may, on the recommendation of the Senate, appoint an appropriate person as examiner in the place of the examiner removed in pursuance of this subclause.

Removal of
Examiners

[2] It shall be the duty of the Vice-Chancellor, on signing an instrument of removal in pursuance of this clause, to use his/her best endeavours to cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it relates.

20. [1] Subject to the provisions of this clause, where it appears to the Vice-Chancellor that any student of the University has been guilty of misconduct, the Vice-Chancellor may, without prejudice to any other disciplinary powers conferred on him/her by statute or regulations, direct—
[a] that the student shall not, during such period as may be specified in the direction, participate in such activities of the University, or make use of such facilities of the University, as may be so specified; or
[b] that the activities of the student shall, during such period as may be specified in the direction, be restricted in such manner as may be so specified; or
[c] that the student be rusticated for such period as may be specified in the direction; or
[d] that the student be, expelled from the University.

Discipline of
Students

[2] Where a direction is given under subclause [1] [c] or [d] of this clause in respect of any student, the student may, within the prescribed period and in the prescribed manner, appeal from the direction to the Council; and where such an appeal is brought, the Council shall, after causing such inquiry to be made in the matter as the Council considers just, either confirm or set aside the direction or modify it in such manner as the Council thinks fit.

[3] The fact that an appeal from a direction is brought in pursuance of the last foregoing subclause shall not affect the operation of the direction while the appeal is pending.

[4] The Vice-Chancellor may delegate his/her powers under this clause to a disciplinary board consisting of such members of the University as he may nominate.

[5] Nothing in this clause shall be construed as preventing the restriction or termination of a student's activities at the University otherwise than on the ground of misconduct.

[6] It is hereby declared that a direction under subclause [1] [a] of this clause may be combined with a direction under subclause 1 [b] of this clause.

PART IV- MISCELLANEOUS AND GENERAL

21. [1] No person shall be required to satisfy requirements as to any of the following matters, that is to say, race [including ethnic grouping], sex, place of birth or of family, origin, or religious or political persuasion, as a condition of becoming or continuing to be a student at the University, the holder of any degree of the University or of any appointment or employment at the University, or a member of anybody established by virtue of This Bill; and no person shall be subjected to any disadvantage or accorded any advantage in relation to the University, by reference to any of those matters: Provided that nothing in this clause shall be construed as preventing the University from imposing any disability or restriction on any of the aforementioned persons where such person willfully refuses or fails on grounds of religious belief to undertake any duty generally and uniformly imposed on all such persons or any group of them which duty, having regard to its nature and the special circumstances pertaining thereto, is in the opinion of the University reasonably justifiable in the national interest.
22. Without prejudice to the provisions of the Land Use Act, the University shall not dispose of or charge any land or an interest in any land [including any land transferred to the University by This Bill] except with the prior written consent, either general or special, of the Minister:
Provided that such consent shall not be required in the case of any lease or tenancy at a rack-rent for a term not exceeding twenty-one years or lease or tenancy to a member of the University for residential purposes.
23. Except as may be otherwise provided by statute or by regulations, the quorum and procedure of any body of persons established by this Act shall be as determined by that body. 23. Quorum
Except as may be otherwise provided by statute or by regulations, the quorum and procedure of any body of persons established by This Bill shall be such as may be determined by that body.
24. [1] For the purpose of the Land Use Act [which provides for the compulsory acquisition of land for public purposes] any purpose of the University shall be the same as that of the Federation.
[2] Where an estate or interest in land is acquired by the Government pursuant to this clause, the Government may, by a certificate under the hand and seal of the person so authorized or any other person authorized in that behalf transfer it to the University.
25. [1] Any body of persons established by this Act shall, without prejudice to the generality of the powers of that body, have power to appoint committees, which need not consist exclusively of members of that body, and to authorize a committee established by it-
[a] to exercise, on its behalf, such of its functions as it may determine;
[b] to co-opt members, and may direct whether or not co-opted members [if any] shall be entitled to vote in that committee.
[2] Any two or more such bodies may arrange for the holding of joint meetings of those bodies, or for the appointment of committees consisting of members of those bodies, for the purpose of considering any matter within the competence of those bodies or any of them, and either of dealing with it or of reporting on it to those bodies or any of them.
[3] Except as may be otherwise provided by statute or by regulations, the quorum and procedure of a committee established or meeting held in pursuance of this section, shall be such as may be determined

Exclusion of Discrimination on Account of Race, Religion, etc.

Restriction on Disposal of Land by University

Quorum and procedure of bodies established by this Act

Transfer of Land to the University

Appointment of Committees, etc.

by the body or bodies which have decided to establish the committee or hold the meeting.

[4] Nothing in the provisions of subsections [1], [2] and [3] of this section shall be construed as-

[a] enabling the statutes to be made otherwise than in accordance with section 11 of this Act; or

[b] enabling the Senate to empower any other body to make regulations or to award degrees or other qualifications.

[5] The Pro-Chancellor and the Vice-Chancellor shall be members of every committee of which the members are wholly or partly appointed by the Council [other than a committee appointed to inquire into the conduct of the officer in question]; and the Vice-Chancellor shall be a member of every committee of which the members are wholly or partly appointed by the Senate.

26. [1] Notwithstanding anything to the contrary in the Pensions Act, the compulsory retiring age of an academic staff of each University shall be 65 years. [Cap. P4.] Retiring Age of Academic Staff
- [2] A law or rule requiring a person to retire from the public service after serving for 35 years shall not apply to an academic staff of each University. [1] Notwithstanding anything to the contrary in the Pension Act, the compulsory retiring age of the following categories of staff shall be as follows:
- [a] Academic staff of the University in the non-Professorial cadre shall be 65 years;
- [b] Academic staff of the University in the Professorial Cadre shall be 70 years;
- [c] Non-academic staff of the University shall be 65 years.
- [2] A law or rule requiring a person to retire from the public service after serving for 35 years shall not apply to an academic staff of the University.
27. A person who retires as a professor having served-
- [a] a minimum period of fifteen years as a professor in the University or continuously in the service of a University in Nigeria up to the retiring age; and Special Provisions Relating to Pension of Professors
- [b] who during the period of service was absent from the University only on approved National or University assignments, shall be entitled to pension at a rate equivalent to his last annual salary and such allowances as the Council may, from time to time, determine as qualifying for pension and gratuity, in addition to any other retirement benefits to which he may be entitled.
28. [1] On the commencement of this Bill, any person employed by or serving in, Federal University Technology, Offa, Kwara State shall be deemed to have been employed or serving in the University established under this Bill. Transition and Savings Provision
- [2] All Assets or liabilities belonging to Federal University of Technology, Offa, Kwara State shall be deemed to belong to the University established under this Bill.
29. [1] The seal of each University shall be such as may be determined by the Council and approved by the Chancellor, and the affixing of the seal shall be authenticated by any member of the Council and by the Vice-Chancellor, secretary to the Council or any other person authorised by statute. Miscellaneous Administrative Provisions
- [2] Any document purporting to be a document executed under the seal of the University shall be received in evidence and shall, unless the contrary is proved, be presumed to be so executed.
- [3] Any contract or instrument which if made or executed by a person not being a body corporate would not be required to be under seal, may be made or executed on behalf of the University by any person generally or specially authorised to do so by the Council.
- [4] The validity of any proceedings of any body established in pursuance of this Act shall not be affected by any vacancy in the membership of the body, or by any defect in the appointment of a member of the body or by reason that any person not entitled to do so took part in the proceedings.
- [5] Any member of any such body who has a personal interest in any matter proposed to be considered by that body shall forthwith disclose his interest to the body and shall not vote on any question relating

to that matter.

[6] Nothing in section 12 of the Interpretation Act [which provides for the application in relation to subordinate legislation of certain incidental provisions] shall apply to statutes or regulations made in pursuance of this Act. [Cap. 123.]

[7] The power conferred by this Act on any body to make statutes or regulations shall include power to revoke or vary any statute [including the statute contained in the Third Schedule of this Act] or any regulation by a subsequent statute or, as the case may be, by a subsequent regulation and statutes and regulations may make different provisions in relation to different circumstances.

[8] No stamp or other duty shall be payable in respect of any transfer of property to the University by virtue of section 8 or section 18 of this Act or the Second Schedule to this Act.

[9] Any notice or other instrument authorised to be served by virtue of this Act may, without prejudice to any other mode of service, be served by post. 29. Miscellaneous Administrative Provisions

[1] The seal of the University shall be such as may be determined by the Council and approved by the chancellor; and the affixing of the seal shall be authenticated by any member of the Council and by the vice-chancellor, registrar or any other person authorized by statute.

[2] Any document purporting to be a document executed under the seal of the University shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed.

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

[4] The validity of any proceedings of anybody established in pursuance of This Bill shall not be affected by any vacancy in the membership of the body, or by any defect in the appointment of a member of the body or by reason that any person not entitled to do so took part in the proceedings.

[5] Any member of any such body who has a personal interest in any matter proposed to be considered by that body shall forthwith disclose his/her interest to the body and shall not vote on any question relating to that matter.

[6] Nothing in clause 2 of the Interpretation Act [which provides for the application, in relation to subordinate legislation, of certain incidental provisions] shall apply to statutes or regulations made in pursuance of This Bill; but the power conferred by This Bill to make statutes or regulations shall include power to revoke or vary any statute [including the Statute contained in the Third Schedule of This Bill] or any regulation by a subsequent statute or, as the case may be, by a subsequent regulation, and statutes and regulations may make different provision in relation to different circumstances.

[7] No stamp or other duty shall be payable in respect of any transfer of property to the University by virtue of clause 8 and 19 of This Bill or the Second Schedule to This Bill.

[8] Any notice or other instrument authorized to be served by virtue of This Bill may, without prejudice to any other mode of service, be served by post.

30. [1] Pre-Action Notice:

[a] No legal proceeding shall be instituted and/or commenced against the University or any of its agents in the course of their official duties unless a 3 months' Pre-Action Notice of such intention is served on the University by an aggrieved party.

[b] The Notice shall state the reason and the cause of action intended to be taken against the University, the particulars of the claim, the name and place of abode of the intending plaintiff and the relief which he claims.

[b] For the avoidance of doubt, it is hereby declared that no suit shall be commenced against an officer or servant of the University, in any case where the University is vicariously liable for any alleged act, neglect or default of the officer or servant in the performance or intended performances of his/her duties, unless three months at least has elapsed after written notice of intention to commence the same shall have

Restriction of
Suits and
Execution

been served on the University by the intending plaintiff or his/her agent.

[c] In any suit against this University, no execution or attachment or process in the nature thereof shall be issued against the University, but any sums of money which may be judgment of the court be awarded against the University shall, subject to any direction given by the court where notice of appeal has been given by the University in respect of the said judgment, be paid by the University from its general fund.

[2] Service of Notices

Service upon the University of any notice, order or other document may be effected by delivering the same or by sending it by registered post addressed to the Registrar and Secretary of the Council.

31. "Campuses" means any campus which may be established by the University;
"College" means any college which may be established by the University;
"Council" means the Council established by This Bill for the University;
"Graduate" means a person on whom a degree [other than an honorary degree] has been conferred by the University;
"Minister" means the Minister charged with responsibility for education;
"Senate" means the senate of the University
"Notice" means notice in writing;
"Officer" does not include the visitor;
"Prescribed" means prescribed by statute or regulations;
"Professor" means a person designated as a professor of the University in accordance with provision made in that behalf by statute or by regulations;
"Property" includes rights, liabilities and obligations;
"Regulations" means regulations made by the Senate or Council;
"Statute" means the statute of the University under clause 9 of This Bill and in accordance with the provisions of clause 10 of This Bill, and "the statute" means all such statutes as are in force from time to time;
"Teacher" means a person holding a full time appointment as a member of the teaching or research staff of the University;
"Undergraduate" means a person in statu pupillari at the University, other than—
[a] a graduate; and
[b] a person of such description as may be prescribed for the purposes of this definition;
"University" means the Federal University of Technology as incorporated and constituted by This Bill.
[2] It is hereby declared that where in any provision of This Bill it is laid down that proposals are to be submitted or a recommendation is to be made by one authority to another through one or more intermediate authorities, it shall be the duty of every such intermediate authority to forward any proposals or recommendations received by it in pursuance of that provision to the appropriate authority; but any such intermediate authority may, if it thinks fit, forward therewith its own comments thereon.

Interpretation

32. This Bill may be Cited as the Federal University of Technology Offa, Kwara State, Bill, 2022.

Short Title

FIRST SCHEDULE

PRINCIPAL OFFICERS OF THE UNIVERSITY

.. The chancellor shall be appointed by the President.

1] The chancellor shall hold office for a period of five years.

2] It if appears to the visitor, that the chancellor should be removed from his/her office on the ground of misconduct or of inability to perform the functions of his/her office, the visitor may by notice in the Federal Gazette remove the chancellor from office.

office.

[1] The Pro-Chancellor shall be appointed or removed from office by the President.

[1] There shall be a Vice-Chancellor of the University who shall be appointed by the Council in accordance with the provisions of this paragraph.

[2] Where a vacancy occurs in the post of a Vice-Chancellor, the Council shall: -

[a] advertise the vacancy in a reputable journal or a widely read newspaper in Nigeria, specifying: -

[i] the qualities of the persons who may apply for the post; and

[ii] the terms and conditions of service applicable to the post, and thereafter draw up a short list of suitable candidates for the post for consideration:

[b] constitute a Search Team consisting of>

[i] a member of the Council, who is not a member of the Senate, as chairman;

[ii] two members of the Senate who are not members of the Council, one of whom shall be a Professor;

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

[3] A Joint Council and Senate Selection Board consisting of: -

[a] the Pro-Chancellor, as chairman;

[b] two members of the Council, not being members of the Senate;

[c] two members of the Senate who are Professors, but who were not members of the Search Team, shall consider the candidates and persons in the shortlist drawn up under Subclause [2] of this paragraph through an examination of their curriculum vitae and interaction with them, and recommend to the Council three candidates for further consideration.

[4] The Council shall select and appoint as the Vice-Chancellor one candidate from among the three candidates recommended to it under Subclause [3] of this clause and thereafter inform the Visitor.

[5] The Vice-Chancellor shall hold office for a single term of five years only on such terms and conditions as may be specified in his/her letter of appointment.

[6] The Vice Chancellor may be removed from office by the Council on grounds of gross misconduct or inability to discharge the functions of his/her office as a result of infirmity of the body or mind, at the initiative of the Council, Senate or the Congregation after due process.

[7] When the proposal for the removal of the Vice-Chancellor is made, the Council shall constitute a Joint Committee of Council and Senate of the University consisting of:

[i] three members of the Council, one of whom shall be the Chairman of the committee; and

[ii] two members of the Senate, provided that where the ground for removal is infirmity of the body or mind, the Council shall seek appropriate medical opinion.

[8] The committee shall conduct investigation into the allegations made against the Vice-Chancellor and shall report its findings to the Council.

[9] The Council may, where the allegations are proved, remove the Vice-Chancellor or apply any other disciplinary action it may deem fit and notify the Visitor accordingly provided that a Vice-Chancellor who is removed shall have right of appeal to the Visitor.

[10] There shall be no sole administrator in the University.

[11] In any case of a vacancy in the office of the Vice-Chancellor, the Council shall appoint an acting Vice-Chancellor on recommendation of the Senate.

[12] An acting Vice Chancellor in all circumstances shall not be in office for more than 6 months.

. Deputy Vice - Chancellor

[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 the Deputy Vice-Chancellor shall be in accordance with the provision of the University [Miscellaneous Provisions] Act 1993 as amended.

[3] A Deputy Vice-Chancellor shall:

[a] assist the Vice-Chancellor in the performance of his/her functions;

[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/her functions as Vice-Chancellor; and

[c] perform such other functions as the Vice-Chancellor or the Council may, from time to time, assign to him/her.

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. He/she shall be responsible for all works, services and maintenance of University facilities

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/she shall be the Chief Medical Officer of the University and shall coordinate all matters relating to the health of all staff and students.

[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-to-day administration of the University except as regards matters for which the Bursar is responsible in accordance with paragraph 6 [2] below.

[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 may be specified in his/her letter of appointment

8. Other Principal Officers of the University

[1] There shall be for the University, the following Principal Officers in addition to the Registrar, that is –

[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 –

[a] shall each hold office for such period and on such terms and conditions may be specified in his/her letter of appointment.

[1] The Registrar shall keep the records and conduct the correspondence of the Council and shall perform such other duties as the Council may from time to time direct.

[2] The Registrar shall, in addition to the other duties conferred on him/her by or under this Bill, be a Secretary to the Council, Secretary to Academic Board and any committee of the Council and in his/her absence, the Council or any such committee may appoint some other persons to Act as Secretary. The Registrar shall not vote on any question before the Council or count towards a quorum.

[3] A Registrar shall

[a] hold office for a single term of five years only beginning from the effective date of his/her appointment and such terms and conditions as may be specified in his/her letter of appointment.

[b] Where on the commencement of this Bill a Registrar appointed before the commencement of this Bill has held office:

[i] for less than five years, he/she shall be allowed to complete the five years specified in his/her appointment letter and shall not have right for the renewal of his/her appointment for a further term of five years;

[ii] for more than five years and has more than 1 year to complete his/her second term, the council may allow him/her to serve as Registrar for a further period of one year only and thereafter he/she shall relinquish his/her post and be assigned other duties in the School;

[iii] for more than five years and has less than 1 year to complete his/her second term, the council may allow him/her to serve

as Registrar for a further period of one year only and thereafter he/she shall relinquish his/her post and be assigned other duties in the School.

[1] The Bursar shall be the Chief Financial Officer of the University and be responsible to the Vice Chancellor for the day-to-day administration and control of financial affairs of the University.

[2] [a] A Bursar shall hold office for a single term of five years only beginning from the effective date of his/her appointment on such terms and conditions as may be specified in his/her letter of appointment.

[b] Where on the commencement of this Bill a Bursar appointed before the commencement of this Bill has held office-

[i] for less than five years, he/she shall be allowed to complete the five years specified in his/her appointment letter and shall not have right for the renewal of his/her appointment for a further term of five years;

[ii] for more than five years and has more than 1 year to complete his/her second term, The Council may allow him/her to serve as Bursar for a further period of one year only and thereafter he/she shall relinquish his/her post and be assigned other duties in the University;

[1] The University Librarian shall be responsible to the Vice Chancellor for the administration of the University Library and co-ordination of the Library services in the teaching units of the University.

[2] A University Librarian shall;

[a] hold office for a single term of five years only and upon such terms and conditions as may be specified in his/her letter of appointment.

[b] Where on the commencement of this Bill a University Librarian appointed before the commencement of this Bill has held office-

[i] for less than five years, he/she shall be allowed to complete the five years specified in his/her appointment letter and shall not have right for the renewal of his/her appointment for a further term of five years;

[ii] for more than five years and has more than 1 year to complete his/her second term, the Council may allow him/her to serve as University Librarian for a further period of one year only and thereafter he/she shall relinquish his/her post and be assigned other duties in the University;

[iii] for more than 5 years and has less than 1 year to complete his/her second term, the Council may allow him/her to serve as University Librarian to complete his/her second term and thereafter he/she shall relinquish his/her post and be assigned other duties in the University.

[1] Any officer mentioned in the foregoing provisions of this schedule may resign his/her office in –

[a] the case of the Chancellor or Pro-Chancellor, by notice to the President;

[b] the case of the Vice-Chancellor by notice to the Council which shall immediately notify the Minister; and

[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

TRANSITIONAL PROVISIONS AS TO PROPERTY, FUNCTIONS, ETC.

1. *The Provisional Council*

[1] All agreements, contracts, deeds and other instruments to which the provisional Council was a party shall, so far as possible and subject to any necessary modifications, have effect as if the University established by This Bill had been a party to it in place of the provisional Council.

[2] Documents not falling within sub-paragraph [1] above, including enactments, which refer whether specially or generally to the provisional Council shall be construed in accordance with that sub-paragraph so far as applicable.

[3] Any legal proceedings or application to any authority pending by or against the provisional Council may be continued by or against the University established by This Bill.

2. *Registration of Transfers*

[1] If the law in force at the place where any property transferred by This Bill is situated provides for the registration of transfers of property of the kind in question [whether by reference to an instrument of transfer or otherwise], the law shall, so far as it provides for alterations of a register [but not for avoidance of transfers, the payment of fees of any other matter] apply, with the necessary modifications to the transfer of the property in question.

[2] It shall be the duty of the body to which any property is transferred by This Bill to furnish the necessary particulars of the transfer to the proper officer of the registration authority, and of that officer to register the transfer accordingly.

3. ***Transfer of functions. etc.***

[1] The first meeting of the Council shall be convened by the Pro-Chancellor on such date and in such manner as he/she may determine.

[2] The persons who were members of the provisional Council shall be deemed to constitute the Council until the date when the Council set up under the Third Schedule to This Bill must have been duly constituted.

[3] The first meetings of the Senate as constituted by This Bill shall be convened by the Vice-Chancellor on such date and in such manner as he/she may determine.

[4] The persons who were members of the Senate immediately before the coming into force of This Bill shall be deemed to constitute the Senate of the University until the date when the Senate as set up under the Third Schedule of This Bill must have been duly constituted.

[5] Subject to any regulations which may be made by the Senate after the date on which This Bill is made, the facilities, faculty boards and students of the University immediately before the coming into force of This Bill shall on that day become faculties, faculty boards and students of the University as established by This Bill.

[6] Persons who were deans or associate deans of faculties or members of faculty boards shall continue to be deans or associate deans or become members of the corresponding faculty boards, until new appointments are made in pursuance of the Statutes under This Bill.

4. ***The Staff***

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

5. ***The Scope***

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

THIRD SCHEDULE

[1] ***The Council***

[1] The Council shall consist of—

[a] the Pro-Chancellor;

[b] the Vice-Chancellor and the deputy Vice-Chancellor;

[c] Four persons representing a variety of interests and broadly representative of the whole Federation appointed by the Federal Executive Council; by virtue of the Universities Miscellaneous Provisions Act, 1993 [As amended].

[d] four person appointed by the Senate from among the members of that body;

[e] Two Persons appointed by congregation from amongst the members of that body; of the Universities Miscellaneous Act, 1993 [As Amended];

[f] one person appointed by convocation from among the members of that body;

[g] The Permanent Secretary, Federal Ministry of Education or, in his/her absence, one Person from the Federal Ministry responsible for Education to represent him/her.

[h] one person to represent the armed forces of the Federation and the Police Force.

[2] Any member of the Council holding office otherwise than in pursuance of paragraph [1] [a], [b], [g] or [h] of this article may, by notice to the Council, resign his/her office.

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

[4] Where a member of the Council holding office otherwise than in pursuance of paragraph [1] [a], [b], [g] or [h] of this article vacates office before the expiration of the period aforesaid, the body or person by whom he//she was appointed may appoint a successor to hold office for the residue of the term of his/her predecessor.

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

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

[7] If the Pro-Chancellor is not present at a meeting of the Council such other member of the Council present at the meeting as the Council may appoint as respects that meeting shall be the chairman at that meeting, and subject to clause 4 of the Bill and the foregoing provisions of this paragraph, the Council may regulate its own procedure.

[8] Where the Council desires to obtain advice to 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.

[2] ***The Finance and General Purposes Committee***

[1] The Finance and General Purposes Committee of the Council shall consist of-

[a] the Pro-Chancellor, who shall be the chairman of the Committee at any meeting at which he/she is present;

[b] the Vice-Chancellor and Deputy Vice-Chancellors;

[c] six other members of the Council appointed by the Council, two of whom shall be selected from among the four members of the Council appointed by the Senate and one member appointed to the Council by Congregation

[2] The quorum of the Committee shall be five.

[3] Subject to any directions given by the Council, the Committee may regulate its own procedure.

[3] ***The Senate***

[1] There shall be a Senate for the University consisting of-

[a] the Vice-Chancellor;

[b] the Deputy Vice-Chancellor;

[c] all Professors of the University;

[d] all Deans, Vice Chancellors and Directors of Academic Units of the University;

[e] all Heads of Academic Departments, Units and Research Institutes of the University;

[f] the University Librarian; and

[g] academic members of the congregation who are not Professors as specified in the Laws of the University.

[2] The Vice-Chancellor shall be the Chairman at all meetings of the Senate when he/she is present and in his/her absence, one of the Deputy Vice-Chancellors appointed by him/her shall be the Chairman at the meeting.

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

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

[4] ***Congregation***

[1] Congregation shall consist of-

[a] the Vice-Chancellor and the Deputy Vice-Chancellor

[b] the full time members of the academic staff;

[c] the Registrar;

[d] the Bursar; and

[e] Every member of the administrative and technical staff who holds a degree of any University recognized for the purpose of this Statute by the Vice-Chancellor, not being an honorary degree.

[2] Subject to Clause 5 of This Bill, the Vice-Chancellor shall be the Chairman at all meetings of congregation when he/she is present, and in his/her absence one of the Deputy Vice-Chancellors appointed by him/her shall be the Chairman at the meeting.

[3] The quorum of congregation shall be one-third [or the nearest whole number to one-third] of the total number of members of congregation or fifty, whichever is less

[4] A certificate signed by the Vice-Chancellor specifying –

[a] the total number of members of Congregation for the purposes of any particular meeting or meetings of Congregation; or

[b] the names of the persons who are members of Congregation during a particular period; shall be conclusive evidence of that

number or as the case may be of the names of those persons.

[5] Subject to the provisions of this schedule, congregation may regulate its own procedure.

[6] Congregation shall be entitled to express by resolution or otherwise its opinion on all matters affecting the interest and welfare of the University and shall have such other functions in addition to the function of electing a member of the Council, as may be provided by Statute.

[5] **Convocation**

[1] Convocation shall consist of –

[a] the Officers of the University mentioned in Schedule 1 to This Bill;

[b] all teachers within the meaning of This Bill; and

[c] all other persons whose names are registered in accordance with paragraph [2] below.

[2] A person shall be entitled to have his/her name registered as a member of convocation if he/she –

[a] is either a graduate of the University or a person satisfying such requirements as may be prescribed for the purposes of this paragraph; and

[b] applies for the registration of his/her name in the prescribed manner and pays the prescribed fee.

[3] Regulations shall provide for the establishment and maintenance of a register for the purpose of this paragraph and, subject to paragraph [3] below, may provide for the payment from time to time of further fees by persons whose names are on the register and for the removal from the register of the name of any person who fails to pay those fees.

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

[5] A person who reasonably claims that he/she is entitled to have his/her name on the register shall be entitled on demand to inspect the register, or a copy of the register at the principal offices of the University at all reasonable times.

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

[7] The quorum of convocation shall be fifty or one-third [or the whole number nearest to one-third] of the total number of members of convocation whichever is less.

[8] Subject to Clause 5 of This Bill, the Chancellor shall be Chairman at all meetings of convocation when he/she is present, and in his/her absence the Vice Chancellor shall be the Chairman at the meeting.

[9] Convocation shall have such functions, in addition to the function of appointing a member of the Council, as may be

provided by Statute.

[6] ***Annual Budget and Estimates***

[1] The estimates of income and expenditure for a financial year shall be presented by the Vice-Chancellor to the Council and may be approved by the Council before the beginning of that financial year; Provided that the Vice-Chancellor may during any financial year present and the Council may approve supplementary estimates of income or expenditure.

[2] The annual and supplementary estimates shall be prepared in such form and shall contain

[7] ***Gift, donations etc.***

[i] The Council may on behalf of the University accept by way of grants, gift, testamentary disposition or otherwise, property and money in aid of the finances of the University on such conditions as it may approve.

[ii] Registers shall be kept of all donations to the University including the names of donors and any special conditions under which any donation may have been given.

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

[iii] All property, money or funds donated for any specific purposes shall be applied and administered in accordance with the purposes for which they are donated and shall be accounted for separately.

[8] ***Payment into Bank***

All sums of money received on account of the University shall be paid into such bank as may be approved by the Council for the credit of the University's general, current or deposit account: Provided that the Council may invest, as it deems fit, any money not required for immediate use other than donations of money referred to in Subclause [1] of this clause.

[9] ***Audit***

[1] The Council shall cause the accounts of the University to be audited by auditors appointed by the Council as soon as may be after the end of each financial year or for any such other period as the Council may require.

[2] The appointment and other matters relative to the auditors, their continuance in office and their functions, as the case may be, shall, subject to the provisions of this clause, be prescribed by statute.

[10] ***Organization of Faculties and Branches Thereof***

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

[1] There shall be established in respect of each Faculty, a Faculty Board, which, subject to the provisions of this Bill, and subject to the directions of the Vice Chancellor shall: -

[a] regulate the teaching and study of, and the conduct of examinations connected with, the subjects assigned to the

faculty;

[b] deal with other matters assigned to it by Statute, the Vice Chancellor or the Senate; and

[c] advise the Vice Chancellor or Senate on any matter referred to it by the vice Chancellor or Senate.

[2] Each Faculty Board shall consist of-

[a] the Vice Chancellor;

[b] the persons severally in charge of the branches of the faculty

[c] such number of the teachers assigned to the faculty and having the prescribed qualifications as the Board may determine; and

[d] such persons whether or not members of the University as the Board may determine with the general or special approval of Senate.

[3] The quorum of the Board shall be 8 members or one-quarter of the members of the Board for the time being, whichever is greater.

[4] Subject to the provisions of this Statute and any provision made by regulations in that behalf, the Board may regulate its own procedure.

[11] ***The Dean of the Faculty***

[1] The Dean of a faculty shall be a professor elected by the Faculty Board and such Dean shall hold office for a term of two years. He/she will be eligible for re-election for another term of two years after which he/she may not be elected again until two years have elapsed.

[2] If there is no professor in a faculty, the Vice-Chancellor shall appoint an Acting Dean who shall not be below the rank of Senior Lecturer for the faculty, who will act for a period of one year in the first instance, renewable for another one year only.

[3] In the absence of the Vice-Chancellor, the Dean shall be the Chairman at all meetings of the Faculty Board when he/she is present and he/she shall be a member of all committees and other boards appointed by the faculty.

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

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

[6] The Dean of a faculty may be removed from office for a good cause by the Faculty Board after a vote would have been taken at a meeting of the Board, and in the event of a vacancy occurring following the removal of the Dean, an Acting Dean

may be appointed by the Vice-Chancellor provided that at the next faculty board meeting an election shall be held for a new Dean.

[7] In this article, "good cause" has the same meaning as in Clause 17 [4] of This Bill.

[12] ***Departmental Board of Studies***

[1] There shall be a Departmental Board of Studies whose membership shall be made of all academic staff of the Department;

[2] It shall be headed by a Professor who shall be appointed by the Vice Chancellor and in the absence of a Professor, a senior academic staff shall be appointed in acting capacity;

[3] For a Professor the term is for 3 years while 1 year is for acting capacity.

[4] The Board shall superintend over all teachings and examinations in the Department;

[5] The Board shall handle all disciplinary matters in the Department and make recommendations to the Senate where necessary;

[6] Allocation of courses in the department shall be done by the Departmental Board on recommendation of the Head of Department.

[13] ***Selection of Certain Principal and other Key Officers***

[1] When a vacancy occurs in the Office of the Registrar, Bursar, the University Librarian, Director of Works or Director of Health Services, a Selection Board shall be constituted by the Council and shall consist of –

[i] the Pro-Chancellor;

[ii] the Vice-Chancellor;

[iii] two members appointed by the Council, not being members of Senate; and

[iv] two members appointed by the Senate not being members of Council.

[2] The Selection Board, after making such inquiries as it thinks fit, shall recommend a candidate to the Council for appointment to the vacant office, and after considering the recommendation of the Board the Council may make an appointment to that office.

[3] A person appointed to the office of Director of Works or Director of Health Services shall hold office for such period and on such terms and conditions as may be specified in his/her letter of appointment.

[14] ***Tenure of Directors***

A Director shall hold office on such terms and conditions as may be specified in his/her letter of appointment subject to the extant Regulations.

[15] **Creation of Academic Post**

Recommendation for the creation of posts other than those mentioned in paragraph 9 of this Schedule shall be made by the Senate to the Council through the Finance and General Purposes Committee.

[16] **Appointment of academic staff**

Subject to This Bill and the Statutes derived from it, the filling of vacancies in academic posts [including newly created ones] shall be as prescribed from time to time by Statutes.

[17] **Appointment of administrative and professional staff**

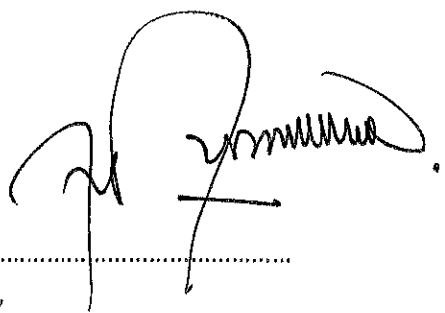
[1] The administrative and technical staff of the University, other than those mentioned in paragraph 9 of this schedule shall be appointed by the Council or on its behalf by the Vice-Chancellor or the Registrar in accordance with any delegation of powers made by the Council in that behalf.

[2] In the case of administrative or technical staff that has close and important contacts with the academic staff, there shall be Senate participation in the process of selection.

EXPLANATORY MEMORANDUM

The core object of the Bill is to provide for the upgrade of Federal Polytechnic Offa to a Full-Fledged Federal University of Technology, Offa by providing institutional requirements for running a world class Federal University of Technology with a view to calibrating the spread of educational infrastructural needs of Nigerians while balancing access to education among diverse and multicultural demographics in the country to context and relative equilibrium, thereby closing the gap in technological know-how required to compete favorably with the rest of the world and as well meet the learning and research needs of prospective students of the host communities and researchers in Nigeria and the world over.

THIS BILL WAS PASSED BY THE SENATE ON TUESDAY, 1ST FEBRUARY, 2022



.....
President,
Senate of the Federal Republic of Nigeria



.....
Clerk,
Senate of the Federal Republic of Nigeria