



THE SENATE  
FEDERAL REPUBLIC OF NIGERIA

**FEDERAL UNIVERSITY OF EDUCATION, OKENE BILL, 2022**

**(SB 933)**

A BILL  
FOR

AN ACT TO UPGRADE THE FEDERAL COLLEGE OF EDUCATION, OKENE TO FEDERAL  
UNIVERSITY OF EDUCATION, KOGI STATE, AND FOR CONNECTED MATTERS  
(ESTABLISHMENT, ETC, BILL 2022)

FIRST READING

TUESDAY, 22<sup>ND</sup> FEBRUARY, 2022.

SECOND READING

TUESDAY, 14<sup>TH</sup> JULY, 2022.

THIRD READING

WEDNESDAY, 7<sup>TH</sup> DECEMBER, 2022.

FEDERAL UNIVERSITY OF EDUCATION, OKENE BILL, 2022.



*Arrangement of Clauses*

Clauses

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A  
BILL FOR  
AN ACT TO UPGRADE THE FEDERAL COLLEGE OF EDUCATION, OKENE TO FEDERAL  
UNIVERSITY OF EDUCATION, KOGI STATE, AND FOR CONNECTED MATTERS  
(ESTABLISHMENT, ETC, BILL 2022)

PART I – ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF THE FEDERAL  
UNIVERSITY OF EDUCATION, OKENE

1. (1) The Federal College of Education, Okene is upgraded and established as the Federal University of Education, Okene (hereinafter referred to as the University). It shall:
- Establishment  
of the Federal  
University of  
Education,  
Okene
- (a) be a body corporate with perpetual succession and a common seal and may sue or be sued in its corporate name; and
- (b) be a training institution for the development of teacher education in the country.
- (2) The University shall be supervised by the Federal Ministry of Education through the National Universities Commission (NUC) who shall be responsible for approving and regulating all academic programmes run in the University, to ensure quality compliance and provide funds for academic and research programmes, infrastructures and remunerations of employees.
2. The objects of the University shall be-
- Objectives of  
the Federal  
University of  
Education,  
Okene
- (a) to encourage the advancement of learning and to hold out to all persons without distinction of race, creed, sex or political conviction.
- (b) to 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 education, technology, applied science, agriculture, commerce, arts, social science, humanities, management and allied professional disciplines.
- (c) to produce socially mature educational men and women with capabilities not to only understand educational need of Nigeria as a nation, but also to exploit existing educational infrastructure and improve on it to develop new ones.

(d) to act as agents and catalysts for effective educational system, through post graduate training , research and innovation, for effective economic utilization and conservation of the country's human resources.

(e) to bring quality change in education by focusing on teacher education through teaching and learning innovations.

(f) to collaborate with other national and international institutions involved in training, research and development of education with a view to promoting governance, leadership and management skills among educational managers.

(g) to identify educational needs of the society with a view to finding solutions to them within the context of overall national development.

(h) to 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) to provide higher education and foster a systematic advancement of the science and art of teacher education. to provide for instruction in such branches of teacher education as it may deem necessary to make provision for research advancement and dissemination of knowledge in such manner as it may determine.

(j) to provide teachers with operational competence for teaching in pre-tertiary institutions, basic, senior secondary schools and non-formal education institutions.

(k) to undertake any other activities that is appropriate for a university of education of the highest standard.

3.

(1) The university shall consist of:

(a) A Chancellor;

(b) A Pro-Chancellor and a Council;

Other  
Principal  
Officers of the  
University

- (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 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 of the university; and
- (j) All other persons who are members of the university in accordance with provisions 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) The first schedule to this Bill provision shall be made by statute with respect to the constitution of the Council, the Senate, congregation and convocation.

4.

(1) For the carrying out of its objects as specified in clause 1 of this Bill, Federal; University of Education Okene shall have power:

Powers of the University

(a) to offer courses of instruction, training and research in education and allied areas for the production of quality and skilled teachers required to teach at lower, middle and higher levels of education in Nigeria in particular and the world at large.

(b) to establish such colleges, campuses, institutes, schools, departments and other teaching and research units within the University as may from time to time be

deemed necessary or desirable subject to the approval of National Universities Commission;

(c) to institute professorships, readerships or associate professorships, lectureships, and other posts and offices and to make appointments thereto;

(d) to institute and award fellowships, scholarships, exhibitions, bursaries, medals, prizes and other titles, distinctions, awards and forms of assistance;

(e) to provide for the discipline and welfare of members of the University;

(f) 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;

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

(h) to demand and receive from any student or any other person attending the University for the purposes of instruction, such fees as the University may from time to time determine subject to the overall directives of the Minister;

(i) subject to clause 20 of this Bill, to acquire, hold, grant, charge or otherwise deal with or dispose of movable and immovable property wherever it is situate;

(j) to accept gifts, legacies and donations, but without obligation to accept the same for a particular purpose unless it approves the terms and conditions attached thereto;

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

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

(m) to hold public lectures and to undertake printing, publishing and book selling;

(n) subject to any limitations or conditions imposed by statute, to invest any moneys appertaining to the University by way of endowment it, not being 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 to deposit any moneys for the time being not invested with any bank on deposit or current account;

(o) 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;

(p) to make gifts for any charitable purpose;

(q) to do anything which it is authorized 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 many other manners which may be authorized by the 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/she 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 for the Vice Chancellor when acting as Chairman of Congregation or Convocation, the Pro-Chancellor shall, when he/she is present, be the Chairman at all meetings of the Council.

The Council of the university shall consist of:

6.

(a) the Pro-Chancellor;

(b) the Vice-Chancellor;

(c) the Deputy Vice-Chancellor

(d) one person from the ministry responsible for education;

(e) four persons representing a variety of interests and broadly representative of the whole federation to be appointed by the president;

(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

Composition  
of the Council  
of the  
University

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.

(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.

Functions of  
the Council  
and  
its Finance  
and General  
Purpose  
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 an independent firm of auditors approved by the Council 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 and 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 sub-clause (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 direction 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 respectively of the Council, the Finance and General Purposes Committee and of any other committee set up by the Council, allowances in respect of travelling and other reasonable expenses, at such rates as may from time to time be fixed by the Minister.

(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 28 days after the receipt of such request call a meeting of the Council.

(10) Any request made under sub-clause (9) of this clause 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 6 of this Bill and subclauses (3) and (4) of this clause and the

Functions of  
the Senate of  
the University

provisions of this Bill relating to the Visitor, it shall be the general function of the Senate to organize and control the teaching by the University, the admission of student where no other enactment provides to the contrary and the discipline of students; and to promote research at the University.

(2) Without prejudice to the generality of subclause (1) of this clause and subject as therein mentioned, it shall in particular be the function of the Senate to make provision for:

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

(b) the organization 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, organization 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 regulation 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, school, department, 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 regulations is authorized 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 or a person engaged in practicing the profession in a reputable organization or institution.

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

9. (1) There shall be a general fund for the University which shall consist of the following:

General Funds  
of the  
University

(2) Annual budgetary allocation by the Federal Government through;

(a) Appropriation by the National Assembly,

(b) University shall not later than 30th September in each financial year prepare and forward to the Minister for presentation to the National Assembly for approval a statement of estimated income and expenditure to augment sub clause (a);

(c) grants-in-aid;

- (d) fees;
- (e) income derived from investments;
- (f) gifts, legacies, endowments and donations not accepted for a particular purpose;
- (g) income derived from the exercise of any functions conferred or imposed on the University by this Bill;
- (h) 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
- (l) regular Tetfund interventions.

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

Functions of  
the Vice  
Chancellor

(2) Subject to the provisions of this Bill, the Vice Chancellor shall have general function, in addition to any other function 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.

**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 to  
the University

(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 II – STATUTES OF THE UNIVERSITY

12. Subject to this Bill, the University may make Statutes for any of the following purposes-- Status of The University

(a) Making provision with respect to the composition and construction 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 there-under; and

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

(2) Subject to Clause 24 (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 this Bill.

(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 by the University.

(4) The power to make Statute 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 Second Schedule to this Bill.

13.

(1) The power of the University to make Statutes shall be exercised in accordance with the provisions of this Clause.

Mode of  
Exercising  
Power to  
Make Statutes

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

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

(b) 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 Council, and may be approved as required by sub-Clause (2) of this Clause by both bodies in no particular order.

(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 Visitor.

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

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

Proof of  
Statute

Secretary to the Council to the effect that the copy is a true copy of a statute of the University.

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/she deems fit.

Visitor's  
Decision in  
Case of  
Dispute

(2) The decision of the Visitor on any matter referred to him 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 other authority in Nigeria, provided that nothing in this sub-clause shall affect the 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.

(3) The 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 non-academic matter as they apply in relation to any such doubt or dispute as is mentioned in sub-clause (1) of this Clause, and accordingly the reference in sub-clause (2) of this Clause to any question as to the meaning of any provision of the Statute shall include references to any question as to whether any matter is for the said purposes an academic or non-academic matter.

#### PART IV - SUPERVISION AND DISCIPLINE

16. (1) The President shall be the Visitor of the University.

Visitor

(2) The Visitor shall cause a visitation to the University when necessary, at least every five years, or direct that such a visitation be conducted by such person or 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 to make available to the Visitor and to any other person 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.

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

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 office or employment, the Council shall make a recommendation to that effect through the Minister to the President, and the President, after making such enquiries (if any) as he may consider appropriate approves the recommendation, he 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 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, administrative or professional staff of the University, other than the Vice-Chancellor, should be removed from his office or employment on the ground of misconduct or of professional inability to perform the functions of his office or employment, the Council shall:-

Removal and discipline of academic, administrative and professional staff

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

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

(c) 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 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 interest of the University, suspend such member and any such suspension shall forthwith be reported to the Council.

(3) For good cause, any member of the staff may be suspended from his duties or his appointment may be terminated by the 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 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 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 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 office or to comply with the terms and conditions of his service; or

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

(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:

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

(b) whether to reinstate such person, in which case the Council shall restore his full emoluments to him 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 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 emoluments that might have been withheld) as the Council may determine.

(5) 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 a final determination in respect of the case concerning any such person.

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

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

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

(b) prevent the Council from making regulations for the discipline of other categories of 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 office or appointment, then, except in such cases as may be

Removal of  
examiners

prescribed by the Vice-Chancellor may, after affording the examiner an opportunity of making representations 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.

2) Subject to the provisions of regulations made in pursuance of clause 7(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 subclause (1) of this clause.

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

20.

(1) The Students shall be:

(a) represented in the University's Students Welfare Board and other committees that deal with the affairs of students;

(b) Participate in various aspects of curriculum development;

(c) Participate in the process of assessing academic staff in respect of teaching;  
and

(d) Be encouraged to be more self-assured as part of the national development process.

(2) 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 by statute or regulations, direct:

Participation  
and Discipline  
of Students

(a) that the student shall not, during such period as may be specified in the directions, 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.

(3) Where a direction is given under subclause (1)(c) or (d) of this clause in respect of any student, that student may, within the prescribed period and in the prescribed manner, appeal 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.

(4) The fact that an appeal from a direction is brought in pursuance to subclause (2) of this clause shall not affect the operation of the direction while the appeal is pending:

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

(b) Nothing in this clause shall be construed as preventing the restriction or termination of students' activities at the University otherwise than on the ground of misconduct.

(c) A direction under subclause (2)(a) of this clause may be combined with a direction under subclause (2)(b) of this clause.

21.

(1) Notwithstanding anything to the contrary in the Pensions Reform Act, the compulsory retiring age of an academic staff in the Professorial Cadre of a University shall be seventy (70) years and non-academic staff is sixty five (65) years.

Retiring age  
of Academic  
Staff

(2) A law or rule requiring a person to retire from the public service after serving for thirty-five (35) years or sixty years whichever comes first shall not apply to an academic staff of the University.

#### PART V - MISCELLANEOUS AND GENERAL

22. (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, account of race, 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 subject to any disadvantage or accorded any advantage relation to the University, by reference to any of those matters.

Exclusion of  
Discrimination  
on Account of  
Race, Religion  
etc

(2) Nothing in subclause (1) of this clause shall be construed as preventing the University from imposing any disability or restriction on any of the persons mentioned in that subclause where such person willfully refuses or fails on grounds of religious belief to undertake any duty generally and uniformly imposed on all such person 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.

23. 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 Governor: 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 21 years or any lease or tenancy to a member of the University for residential purpose.

Restriction on  
disposal of  
land by  
University

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.

Transfer of  
Land to the  
University

(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. Except as may be otherwise provided by Statute or by regulation, the quorum and procedure of any body of persons established by this Bill shall be such as may be determined by that body.

Quorum and procedure of bodies established

26. (1) Committees body, have power to appoint committees, which need not consist exclusively of members of that body and authorize a committee established by it—

Appointment of committee, etc

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

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

(2) Any two or more of such bodies may arrange for 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 dealing with it or of reporting on it to those bodies or any of them.

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

(4) The Pro-Chancellor and 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 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 Senate.

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

(a) Statutes to be made otherwise than in accordance with Clause 11 of this Bill;

or

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

27.

(1) A person who retires as a professor having served: -

Special  
Provisions  
Relating to  
Pension of  
Professors

(a) an academic staff who retires as a professor in a recognized university shall be entitled to pension at a rate equivalent to his/her annual salary provided that the professor has served continuously in a recognized university up to retirement age

(b) Notwithstanding subclause (1) where the professor has not served up to retirement age, he/she shall be entitled to the rate of pension mentioned under subclause (1) provided that he/she has served a minimum of 20 years as a professor in a recognized university

(c) where an academic joins Nigerian University as a professor, such a professor shall have served continuously for at least 20 years in a recognized university

28.

(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—

Miscellaneous  
Administrative  
Provisions

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

(b) in the case of any other document, be authenticated by any member of Council, the Vice Chancellor and the 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 without seal.

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

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

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

(c) 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 disclose his/her interest to the body and shall not vote on any question relating to that matter.

(6) Nothing in Clause 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 under this Bill.

(7) The power conferred by this Bill on anybody to make Statutes or Regulations shall include power to revoke or vary any—

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

(b) Regulation by a subsequent Statute or Regulation as the case may be, provided that the Statutes and Regulations may have 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 Clauses 10, 21, and the Second Schedule to this Bill.

(9) 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.



29. Where in any provisions 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, every such intermediate authority shall forward any proposal or recommendation received by it pursuant to that provision to the appropriate authority; but any such intermediate authority may, if it thinks fit, forward therewith its own comments thereon.

Proposal and  
Recommendation

30. A person who has a cause of action against the University shall—

Pre-Action  
Notice

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

(b) Commence the legal action within two years from the date the cause of action arose.

31. (1) On the commencement of this Bill, any person employed by or serving in, Federal University of Education Okene, shall be deemed to have been employed or serving in the University established under this Bill.

Savings and  
Transitional  
Provisions

(2) All Assets or liabilities belonging to Federal University of Education Okene shall be deemed to belong to the University established under this Bill.

32. (1) In this Bill, unless the context otherwise requires:-

Interpretation

"Campus" means any campus which may be established by the University;

"College" means the College established pursuant to clause 2 (1) (b) of this Bill for the University;

"Council" means the Governing Council of the University established by clause 5 of this Bill.

"Functions" includes powers and duties

"Graduate" means a person on whom a degree, other than an honorary degree, has been conferred by the University and any other person as may be designated as a graduate by the Council, acting in accordance with the recommendation of the Senate;

(Erroneously omitted)

'Minister" means the Hon. Minister of Education; '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 provisions made in that behalf by statute or by regulations;

"Property" includes rights, liabilities and obligations;

"Provisional Council" means the provisional council appointed for the University.

"Regulations" means regulations made by the Senate or the Council;

"Senate" means the Senate of the University established pursuant to clause 2(1)(e) of this Bill;

"School" means a unit of closely related academic programmes;

"Statute" means a statute made by each University under clause 10 of this Bill and in accordance with the provisions of clause 11 of this Bill, and

"the statutes" 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 registered as a student undergoing a course of study for a first degree of the University or such other course in the University as may be approved by the Senate as qualifying a student undergoing it for the status of an under-graduate;

"University" means Federal University of Education, Okene established and incorporated by clause I of this Bill.

(2) It is hereby declared that where in any provision of this Bill it is laid down that the proposals are to be submitted or a recommendation is to be made by one authority or another through one or more intermediate authorities, it shall be the duty of every such intermediate authority to forward any proposals of that 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.

33. This Bill may be cited as the Federal University of Education, Okene Bill, 2022.

Short Title

## SCHEDULE

### FIRST SCHEDULE PRINCIPAL OFFICERS OF THE UNIVERSITY

1. The Chancellor  
(1) The Chancellor shall be appointed by and hold office at the pleasure of the president.

(2) If it appears to the Visitor that the Chancellor should be removed from his/her office on the grounds of misconduct or of inability to perform the functions of his/her office for insanity or otherwise illness of incapacitation, the visitor may by notice in the Federal Gazette remove the chancellor from office

## 2. The Pro-Chancellor

(1) The Pro-Chancellor who shall be the Chairman of Council shall be appointed or removed from office by Mr President upon recommendation by the Minister of Education.

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

## 3. The Vice-Chancellor

(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 of 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 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 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 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.

#### 4. Deputy Vice-Chancellor

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

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

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

(4) A Deputy Vice-Chancellor shall:-

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

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

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

(5) A Deputy Vice-Chancellor:

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

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

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

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

#### 5. Office of the Registrar

(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 administrative work of the University except as regards matters for which the Bursar is responsible in accordance with paragraph 6(2) of this Schedule.

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

#### 6. 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, who shall be appointed by the Council on the recommendation of the Selection Board constituted under paragraph 7 of this Schedule.

(2) 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 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 the library services in the University and its campuses, colleges, schools, departments, institutes and other teaching or research units.

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

#### 7. Functions of the Registrar and Tenure

(1) The Registrar shall keep the records and conduct the correspondence of the Council and shall perform such other duties as the Council subject thereto as the Vice-Chancellor 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, Senate, Convocation and Congregation 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 University;

(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 University.

8. Functions of the Bursar and Tenure

(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 and 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;

(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 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.

9. Functions of the University Librarian and Tenure

(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.

10. Director of Works

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

11. Director of Health Services

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.

12. Resignation and Re-Appointment

(1) 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. Transfer of Property to University

Without prejudice to the generality of clause 10(1) of this Bill:-

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

(b) all debts and liabilities of the Provisional Council outstanding shall become debts or liabilities of the University.

(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 had been a party thereto in place of the Provisional Council.

(2) Documents not falling within subclause (1) of this paragraph, including enactment which refer, whether specially or generally, to the Provisional Council, shall be construed in accordance with that sub-clause 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

2. Registration of transfers

(1) If the law in force at the place where any property transferred by this Bill is situate 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 or any other matter) apply, with necessary modifications, to the property aforesaid.

(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 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 as set up under the Third Schedule to this Bill shall have been duly constituted.
- (3) The first meeting of the Senate as constituted by this Bill shall be convened by the Vice-Chancellor on such date and in such manner as he may determine.
- (4) The persons who were members of the Academic Board 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 to this Bill shall 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 schools, school boards and students of the University immediately before the coming into force of this Bill shall on that day become schools, school boards and students of the University as constituted by this Bill.
- (6) Persons who were Deans of schools and Heads of Academic Departments shall continue to be Deans or HODs of the corresponding School/Department, until new appointments are made in pursuance of the statutes.
- (7) Any person who was a member of the staff of the University as established or was otherwise employed by the Provisional Council shall become the holder of an appointment at the University with the status, designation and functions which correspond as nearly as may be to those which appertained to him as member of that staff or as such an employee.

#### 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 persons 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.



(2) Any member of the Council holding office otherwise than in pursuance of paragraph (l) (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 Chancellors;
- (c) all Professors of the University;
- (d) all Deans, Provosts 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), the Senate may regulate its own procedure.

(4) If so, requested in writing by any 10 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) The Congregation shall consist of—

- (a) The Vice Chancellor and the Deputy Vice Chancellors;
- (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 Institute 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 the Congregation for the purposes of any particular meeting or meetings of the 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 provision of this Schedule, the Congregation may regulate its own procedure.

(6) The 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

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

(ii) All teachers within the meaning of this Bill; function of electing a member of the Council, as may be provided by Statute or regulations.

## 5. Convocation

(1) Convocation shall consist of:-

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

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

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

(b) he applies for the registration of his name in the prescribed manner and pay the prescribed fees.

(3) Regulations shall provide for the establishment and maintenance of a register for the purpose of this paragraph and subject to paragraph (4) of this article 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 the Convocation by virtue of paragraph (1)

(a) or (b) of this article are entered and retained on the register.

(5) A person who reasonably claims that he is entitled to have his name on the register shall be entitled on demand to inspect the register or a copy of the register at the principal times 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 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 or the whole number of members of Convocation whichever is less.

(8) Subject to clause 4 of the Act, the Chancellor shall be chairman at all meetings of Convocation when he is present, and in his 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 or regulations

#### 6. 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, by the Vice-Chancellor or by 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 eight 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 to any provision made by regulations in that behalf, the Board may regulate its own procedure.

#### 7. Division of Schools

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

#### 8. 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 such information as the Council may direct.

#### 9. School Boards

(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.

#### 10. Gifts and Donations

(1) The Council may on behalf of the University accept by way of grants, gifts, testamentary disposition or otherwise, property and moneys in aid of the finances of the University on such conditions as it may approve.

(2) 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.

(3) 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.

#### 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 and may 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 shall 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 shall 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. Payment into Bank

The Council shall arrange that all moneys received on account of the University shall be paid into such bank as may be approved by the Council to the credit of one or other of the accounts of the University to be opened with such bank or banks in accordance with the directions of the Council.

#### 13. 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.

#### 14. 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—

(a) The Pro-Chancellor;

(b) The Vice Chancellor;

(c) Two members appointed by the Council, not being members of the Senate; and

(d) Two members appointed by the Senate not being members of the 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.

#### 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 Purpose Committee.

#### 16. Appointment of Academic Staff

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

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

(3) For appointments to professorships, associate professorship or readerships or equivalent posts, a board of selection, with power to appoint, shall consist of—

(a) the Vice-Chancellor;

(b) two members appointed by the Council;

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

(d) if the post is tenable at a college, the Provost of the college;

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

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

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

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

#### 17. 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.

#### 18. 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.

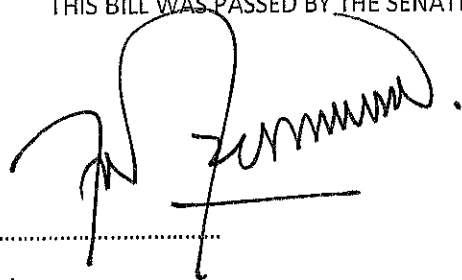
(2) In the case of administrative or technical staff that has close and important contacts with the academic staff, there shall be Senate participation in the process of selection.



EXPLANATORY MEMORANDUM

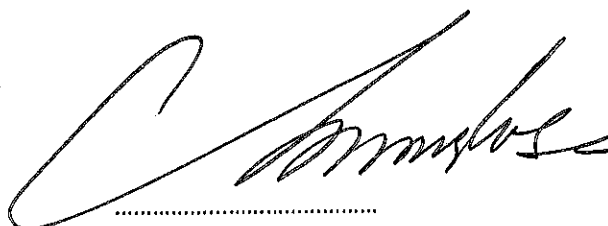
This Bill seeks to provide for the Upgrade of the Federal College of Education Okene Kogi State to a Fully-Pledged Federal University of Education, Okene, Kogi State, to provide for training and teaching instructions in every aspect of education and such other fields of Applied Learning relevant to the needs of development of education in Nigeria to meet the learning and research needs of prospective students, researchers and specialists in education sector.

THIS BILL WAS PASSED BY THE SENATE ON WEDNESDAY 7<sup>TH</sup> DECEMBER, 2022



.....  
President,

Senate of the Federal Republic of Nigeria



.....  
Clerk,

Senate of the Federal Republic of Nigeria