



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Thursday, 27 April, 2017

1. The House met at 11.18 a.m. Mr Speaker read the Prayers.
2. **Votes and Proceedings**
Mr Speaker announced that he had examined and approved the *Votes and Proceedings* of Wednesday, 26 April, 2017.

The Votes and Proceedings was adopted by unanimous consent.

3. **Announcement**
 - (a) **Visitors in the Gallery:**
Mr Speaker recognized the presence of *Niger Delta Student Union Government (NIDSUG) Worldwide*.
 - (b) **Bereavement:**
Mr Speaker read a communication from Hon. Kolade Victor Akinjo (*Ilaje/Ese-Odo Federal Constituency*), announcing the demise of his father, Pa Michael Olawumi Akinjo, on Saturday, 15 April, 2017.

The House observed a minute silence in honour of the deceased.

4. **Petitions**
 - (i) A petition from A. O. Ijeri & Co. (Legal Practitioners & Consultants), on behalf of Duru Aragbu Kindred, Umunna-Ma village in Orsu-Obodo Autonomous Community, Imo State, on the refusal of Addax Petroleum Development (Nigeria) Limited, to pay compensation for their land, was presented and laid by Hon. Opiah Goodluck (*Ohaji/Egbema/OgutaOru West Federal Constituency*); and
 - (ii) A petition from Albert Opara, on the termination of his appointment, and non-payment of his salary and gratuity by the Nigeria-German Chemicals Plc, Sango Otta, Abeokuta, Ogun State, was presented and laid by Hon. Bede Uchenna Eke (*Abok/ Mbaise/Ngor Okpala Federal Constituency*).

Petitions referred to the Committee on Public Petitions.

5. Presentation of Reports**(i) Committees on Insurance and Actuarial Matters, Finance, and Labour, Employment and Productivity:**

Motion made and Question proposed, “That the House do receive the Report of the Committees on Insurance and Actuarial Matters, Finance and Labour, Employment and Productivity on the Need to Avert the Impending Strike Action at the National Insurance Commission (NAICOM) and to Investigate the Protracted Face-off between the Management and the Labour Union over Cases of Intimidation, Victimization and Discrimination (**HR. 26/2017**)” (*Hon. Olufemi Fakeyi — Boluwaduro/Ifedayo/Ila Federal Constituency*).

Agreed to.

Report laid.

(ii) Committee on Public Petitions:**Report on the Petition by Reuben E. Wanogho and Company on behalf of Independent Petroleum Marketers Association of Nigeria:**

Motion made and Question proposed, “That the House do receive the Report of the Committee on Public Petitions on the petition by Reuben E. Wanogho and Company on behalf of Independent Petroleum Marketers Association of Nigeria (IPMAN) against the Nigerian National Petroleum Corporation (NNPC)/Pipelines and Products Marketing Company Limited (PPMC) on the Present Position in the Leadership Crisis within the Association and the Need for Urgent Intervention” (*Hon. Uzoma Nkem-Abonta — Ukwa East/Ukwa West Federal Constituency*).

Agreed to.

Report laid.

6. Need to Prevent the Erosion of the Doctrine of Separation of Powers in the Nation's Democratic Practice

Motion made and Question proposed;

The House:

Notes that under the Doctrine of Separation of Powers in a democracy and in line with Section 4 (2) of the Constitution of the Federal Republic of Nigeria, 1999 (as amended), it is the function of the National Assembly to make laws for the peace, order and good governance of the Federation or any part thereof;

Also notes that Section 5 of the Constitution vests powers to execute laws passed by the National Assembly on the Executive Arm while Section 6 vests judicial powers on the Judiciary, thus constituting the three Arms of Government;

Further notes the imminent threat to, and the erosion of the Doctrine of Separation of Powers in our democratic practice through statements by highly placed government officials in the Presidency;

Aware that while the feud over the confirmation of the Chairman of the Economic and Financial Crimes Commission (EFCC) lasted, a statement was credited to the Vice President of the Federal Republic of Nigeria, Prof. Yemi Osinbajo to the effect that the appointment of the Chairman of the EFCC does not require confirmation of the Senate, in line with Section 171 of the Constitution;

Also aware that by the clear provision of Section 2 (3) of the Economic and Financial Crimes Commission Act, the Chairman of the anti-corruption agency shall be nominated by the President subject to the confirmation of the Senate;

Convinced that the EFCC Act is an Act of the National Assembly that can only be set aside by a Court of competent jurisdiction, and until that happens, the law remains in force and binding on all persons and authorities in the country;

Further aware that the Executive Arm of Government has not filed any proceeding in any court to challenge the provision of Section 2 (3) of the EFCC (Establishment) Act of 2004;

Also convinced that under the Doctrine of Separation of Powers, the interpretation of the Constitution and Acts of Parliament is the sole responsibility of the Judiciary and not that of any person or official of the other Arms of Government;

Concerned that the statement credited to the Vice President is capable of eroding the Doctrine of Separation of Powers in our democracy, with its obvious implication of instituting a dictatorship in the country;

Resolves to:

- (i) urge Officials of the Executive Arm of Government to refrain from making statements that connote the usurpation of the powers of the Judiciary, with their negative effects on the Doctrine of Separation of Powers;
- (ii) also urge Mr. President to approach the Court for interpretation of any contrived conflict in the EFCC Act, which is an existing law in the country; and
- (iii) mandate the Committee on Special Duties to ensure implementation (*Hon. Leo Ogor — Isoko North/Isoko South Federal Constituency*).

Debate.

Amendments Proposed:

- (i) *Leave out* all the Prayers and *insert* a new prayer as follows:
“Mandate the Committee on Information, Culture and National Orientation, to investigate the veracity of the information and report back in two weeks for further legislative action” (*Hon. Muhammed Sani Zorro — Gumel/Maigatari/S/Tankar/Gagarawa Federal Constituency*).

Question that the amendment be made — Negatived.

- (ii) *Leave out* Prayer (iii) and *insert* a new Prayer as follows:
“Mandate the Committee on Legislative Compliance to ensure implementation, and report back in four weeks” (*Hon. Ossai Nicholas Ossai — Ndokwa East/Ndokwa West/Ukwuani Federal Constituency*).

Question that the amendment be made — Agreed to.

- (iii) *Leave out* Prayer (iii) as amended and *insert* a new Prayer as follows:
“Invite the Attorney-General and the Vice President of the Federal Republic of Nigeria, for further explanation on the action of government to the legislature, to enable the House take further legislative action” (*Hon. Chinda Kingsley — Obio/Akpor Federal Constituency*).

Question that the amendment be made — Negatived.

- (iv) *Insert* a new Prayer (iv) as follows:
“That the Acting Chairman of the Economic and Financial Crimes Commission (EFCC) be relieved of his duty pending the determination of the matter by the Supreme Court; fear being that actions being taken by him could be challenged in court for want of duly constituted authority” (*Hon. Nkem-Abonta Uzoma — Ukwa East/Ukwa West Federal Constituency*).

Question that the amendment be made — Negatived.

- (v) *Leave out* Prayer (ii) and *insert* a new Prayer (ii) as follows:
“That the National Assembly should approach the court since it is the aggrieved party” (*Hon. Yakubu Abiodun Balogun — Lagos Island II Federal Constituency*).

Question that the amendment be made — Negatived.

Question on the Motion as amended — Agreed to.

The House:

Noted that under the Doctrine of Separation of Powers in a democracy and in line with Section 4 (2) of the Constitution of the Federal Republic of Nigeria, 1999 (as amended), it is the function of the National Assembly to make laws for the peace, order and good governance of the Federation or any part thereof;

Also noted that Section 5 of the Constitution vests powers to execute laws passed by the National Assembly on the Executive Arm while Section 6 vests judicial powers on the Judiciary, thus constituting the three Arms of Government;

Further noted the imminent threat to, and the erosion of the Doctrine of Separation of Powers in our democratic practice through statements by highly placed government officials in the Presidency;

Aware that while the feud over the confirmation of the Chairman of the Economic and Financial Crimes Commission (EFCC) lasted, a statement was credited to the Vice President of the Federal Republic of Nigeria, Prof. Yemi Osinbajo to the effect that the appointment of the Chairman of the EFCC does not require confirmation of the Senate, in line with Section 171 of the Constitution;

Also aware that by the clear provision of Section 2 (3) of the Economic and Financial Crimes Commission Act, the Chairman of the anti-corruption agency shall be nominated by the President subject to the confirmation of the Senate;

Convinced that the EFCC Act is an Act of the National Assembly that can only be set aside by a Court of competent jurisdiction, and until that happens, the law remains in force and binding on all persons and authorities in the country;

Further aware that the Executive Arm of Government has not filed any proceeding in any court to challenge the provision of Section 2 (3) of the EFCC (Establishment) Act of 2004;

Also convinced that under the Doctrine of Separation of Powers, the interpretation of the Constitution and Acts of Parliament is the sole responsibility of the Judiciary and not that of any person or official of the other Arms of Government;

Concerned that the statement credited to the Vice President is capable of eroding the Doctrine of Separation of Powers in our democracy, with its obvious implication of instituting a dictatorship in the country;

Resolved to:

- (i) urge Officials of the Executive Arm of Government to refrain from making statements that connote the usurpation of the powers of the Judiciary, with their negative effects on the Doctrine of Separation of Powers;
- (ii) also urge Mr President to approach the Court for interpretation of any contrived conflict in the EFCC Act, which is an existing law in the country; and
- (iii) mandate the Committee on Legislative Compliance to ensure implementation, and report back to the House in four weeks (**HR. 172/2017**).

7. Assassination Attempt on Senator Dino Melaye at his Residence*Motion made and Question proposed;**The House:*

Notes that Senator Dino Melaye arrived his country home at Aiyetero Gbedde around 6.00 p.m. on Friday, 14 April, 2017 and around mid night, unknown gunmen stormed the residence and started shooting sporadically at the buildings and cars for over an hour;

Also notes that the six (6) Police Officers attached to Senator Melaye did not engage the gunmen who fired over two hundred rounds of bullet at his residence and despite several calls to the Divisional Police Officer (DPO) of Aiyetero Gbedde Police Division, the police did not come until the gunmen exhausted themselves and escaped;

Observes that the Government of Kogi State is yet to make any categorical statement on the incident or condemn the attack;

Believes that Senator Melaye survived what appeared to have been an attempted assassination only by the sheer Grace of God;

Resolves to:

- (i) condemn the attack at the residence of Senator Dino Melaye in its entirety;
- (ii) urge the Inspector-General of Police to apprehend the people involved or connected with that criminal act and prosecute them as required by law; and
- (iii) mandate the Committees on Legislative Compliance, and Police Affairs to ensure implementation and report back within four (4) weeks for further legislative action (*Hon. Herman Hembe — Konshisha/Vandekiya Federal Constituency*).

*Debate.**Agreed to.**The House:*

Noted that Senator Dino Melaye arrived his country home at Aiyetero Gbedde around 6.00 p.m. on Friday, 14 April, 2017 and around mid night, unknown gunmen stormed the residence and started shooting sporadically at the buildings and cars for over an hour;

Also noted that the six (6) Police Officers attached to Senator Melaye did not engage the gunmen who fired over two hundred rounds of bullets at the residence and despite several calls to the Divisional Police Officer (DPO) of Aiyetero Gbedde Police Division, the police did not come until the gunmen exhausted themselves and escaped;

Observed that the Government of Kogi State is yet to make any categorical statement on the incident or condemn the attack;

Believed that Senator Melaye survived what appeared to have been an attempted assassination only by the sheer Grace of God;

Resolved to:

- (i) condemn the attack at the residence of Senator Dino Melaye in its entirety;
- (ii) urge the Inspector-General of Police to apprehend the people involved or connected with that criminal act and prosecute them as required by law; and
- (iii) mandate the Committees on Legislative Compliance, and Police Affairs to ensure implementation and report back within four (4) weeks for further legislative action (**HR. 173/2017**).

8. Electrocution of Football Fans at a Viewing Centre at Nyakassang Community in Calabar Municipality, Cross River State

Motion made and Question proposed;

The House:

Notes that on Thursday, 20 April, 2017, many football fans assembled at a viewing centre in Nyakassang Atimnbo, Calabar, to watch on Europa Football match between Manchester United Football Club and the Royal Sporting Club Anderlecht;

Also notes that in the course of the match, a nearby transformer exploded, causing one of the high tension cables connected to the transformer to snap and fall on the zinc of the viewing centre and in the process, electrocuted over thirty (30) people, with several others sustaining various degrees of injury from the fire occasioned by the incident;

Aware that many other transformers dotting the landscape of our various cities are not properly maintained, and are, as a result, tragedies waiting to happen;

Also aware that high tension wires crisscross the length and breadth of our cities and indiscriminately pass over residential and other buildings, thus posing grave risks to occupants and passersby;

Resolves to:

- (i) observe a minute silence for the souls of those departed Nigerians;
- (ii) urge the National Emergency Management Agency (NEMA) to provide relief materials for the victims, and also take inventory of damages caused with a view to assisting the victims who are still receiving treatment at the hospitals;
- (iii) call on Town Planning and Regulatory Agencies to strictly enforce regulations and ensure that buildings are not raised under high tension cables to avoid similar occurrence; and

- (iv) mandate the Committee on Emergency and Disaster Preparedness to visit the community and make recommendations within two (2) weeks on how to prevent reoccurrence (*Hon. Nnufam Eta Mbora — Calabar Municipal/Odukpani Federal Constituency*).

Agreed to.

(HR. 174/2017).

The House observed a minute silence in their honour.

Motion referred to the Committee on Emergency and Disaster Preparedness, pursuant to Order Eight, Rule 9 (5).

9. **Need to Investigate the Disappearance of Eleven (11) Billion Naira worth of Petroleum Products belonging to the Nigerian National Petroleum Corporation (NNPC)**
Motion made and Question proposed;

The House:

Notes the reports, sometime in February 2017 that about 84 million litres of petroleum products belonging to the NNPC, which market value is about ₦11 billion stored in a private Tank Farm somewhere in Lagos had disappeared;

Also notes that the sudden disappearance of the petroleum products has led to humongous revenue loss to the Federal Government at a time when the country is experiencing massive economic downturn;

Aware that in its bid to make petroleum products readily available for consumers, NNPC on a regular basis has subsisting agreements with owners of Tank Farms for storage of petroleum products;

Also aware that the owner of the Tank Farm, when confronted, confessed to having lifted the products without authorization and agreed to either return the products or pay the monetary value within seven (7) days but has failed to do so, hence the NNPC had to report the incident to relevant security agencies;

Cognizant that the owner of the Tank Farm was invited by the Department of State Service which released him after a few days and the NNPC set up a fact finding panel which merely recommended the retirement of a few of its officials who may have connived in the deal;

Concerned that the levity with which the matter is being handled may embolden other owners of Tank Farms that have storage agreements with NNPC to divert products to the detriment of the nation's finances;

Resolves to:

Mandate the Committee on Petroleum Resources (Downstream) to investigate the matter and report back in four (4) weeks for further legislative action (*Hon. Yusuf Ayo Tajudeen — Ijumu/Kabba-Bunu Federal Constituency*).

Debate.

Agreed to.

The House:

Noted the reports, sometime in February 2017 that about 84 million litres of petroleum products belonging to the NNPC, which market value is about ₦11 billion stored in a private Tank Farm somewhere in Lagos had disappeared;

Also noted that the sudden disappearance of the petroleum products has led to humongous revenue loss to the Federal Government at a time when the country is experiencing massive economic downturn;

Aware that in its bid to make petroleum products readily available for consumers, NNPC on a regular basis has subsisting agreements with owners of Tank Farms for storage of petroleum products;

Also aware that the owner of the Tank Farm, when confronted, confessed to having lifted the products without authorization and agreed to either return the products or pay the monetary value within seven (7) days but has failed to do so, hence the NNPC had to report the incident to relevant security agencies;

Cognizant that the owner of the Tank Farm was invited by the Department of State Service which released him after a few days and the NNPC set up a fact finding panel which merely recommended the retirement of a few of its officials who may have connived in the deal;

Concerned that the levity with which the matter is being handled may embolden other owners of Tank Farms that have storage agreements with NNPC to divert products to the detriment of the nation's finances;

Resolved to:

Mandate the Committee on Petroleum Resources (Downstream) to investigate the matter and report back in four (4) weeks for further legislative action (HR. 175/2017).

10. **Call on the National Agency for Food and Drug Administration and Control (NAFDAC) to Ban the Use of Lisinopril Drug**

Order read; deferred by leave of the House.

11. **Need to Create more Divisions of the Nigeria Police Force in Borgu-Agwara Federal Constituency of Niger State**

Order read; deferred by leave of the House.

12. **A Bill for an Act to Amend the Psychiatric Hospitals Management Board Act, Cap. P34, Laws of the Federation of Nigeria, 2004 (HB. 352) — Third Reading**
Motion made and Question proposed, "That a Bill for an Act to Amend the Psychiatric Hospitals Management Board Act, Cap. P34, Laws of the Federation of Nigeria, 2004 (HB. 352) be now read the Third Time" (Hon. Mohammed Tahir Monguno — Munguno/Marte/Nganzai Federal Constituency).

Agreed to.

Bill read the Third Time, and passed.

13. **A Bill for an Act to Amend the Animal Diseases (Control) Act, Cap. A17, Laws of the Federation of Nigeria, 2004 to Increase some Penalties and for Other Related Matters (HB. 682) — Second Reading**

Order read; deferred by leave of the House.

14. **A Bill for an Act to Amend the Nigerian National Petroleum Corporation Act, Cap. N123, Laws of the Federation of Nigeria, 2004 to Enshrine Legislative Approval for Budgetary Expenditure and for Other Related Matters (HB. 571) — Second Reading**

Order read; deferred by leave of the House.

15. **A Bill for an Act to Establish the Institute of Healthcare Management Practitioners and to make Provisions, among Other Things, for the Membership and Control of the Profession of Healthcare Management and for Other Related Matters (HB. 904) — Second Reading**

Order read; deferred by leave of the House.

16. **A Bill for an Act to Authorize the Provision of Free Pre-Natal and Post Natal Health Services to every Nigerian Woman Pregnant in Government Hospitals and for Other Related Matters (HB. 717) — Second Reading**

Motion made and Question proposed, "That a Bill for an Act to Authorize the Provision of Free Pre-Natal and Post Natal Health Services to every Nigerian Woman Pregnant in Government Hospitals and for Other Related Matters (HB. 717) be now read a Second Time" (Hon. Tony Nwoye — Anambra East/Anambra West Federal Constituency).

Debate.

Question that the Bill be read a Second Time — Agreed to.

Bill read the Second Time.

Bill referred to the Committee on Healthcare Services.

17. **Consideration of Reports**

- (i) **A Bill for an Act to Establish the Federal University, Wukari and to make Comprehensive Provisions for its Management and Administration and for Other Related Matters (HB. 810) (Committee of the Whole):**

Motion made and Question proposed, "That the House do consider the Report of the Committee of the Whole on a Bill for an Act to establish the Federal University, Wukari and to make Comprehensive Provisions for its Management and Administration and for Other Related Matters (HB. 810) and approve the recommendations therein" (Hon. Mohammed Tahir Munguno — Monguno/Marte/Nganzai Federal Constituency).

Question agreed to.

Question that the House do resolve into the Committee of the Whole to consider the Report — Agreed to.

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

**A BILL FOR AN ACT TO ESTABLISH THE FEDERAL UNIVERSITY, WUKARI
AND TO MAKE COMPREHENSIVE PROVISIONS FOR DUE MANAGEMENT
AND ADMINISTRATION AND FOR OTHER RELATED MATTERS**

PART I — ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF FEDERAL UNIVERSITY, WUKARI

Clause 1: Establishment of the University.

There is established the Federal University, Wukari (in this Bill referred to as "the University") (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

Question that Clause 1 stand part of the Bill — Agreed to.

Clause 2: Objects of the University.

(1) The University —

- (a) shall be a body corporate with perpetual succession and a common seal; and
- (b) may sue or be sued in its corporate name.

(2) The objects of the University shall be to:

- (a) encourage the advancement of learning and to hold out to all persons without distinction of race, creed, sex or political conviction the opportunity of acquiring higher and liberal education;
- (b) provide courses of instruction and other facilities for the pursuit of learning in all its branches, and to make those facilities available on proper terms to such persons as are equipped to benefit from them;
- (c) encourage and promote scholarship and conduct research in restricted fields of learning and human endeavour;
- (d) relate its activities to the social, cultural and economic needs of the people of Nigeria; and
- (e) undertake other activities appropriate for a University of the highest standard (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

Question that Clause 2 stand part of the Bill — Agreed to.

Clause 3: Constitution of members of Council.

(1) The University shall consist of —

- (a) a Chancellor;
- (b) a Pro-Chancellor and a Council;
- (c) a Vice Chancellor and a Senate;
- (d) a Deputy Vice Chancellor;
- (e) a body to be called Congregation;
- (f) a body to be called Convocation;
- (g) the campuses and colleges of the University;
- (h) the faculties, schools, institutes and other teaching and research units of the University;

- (i) the persons holding the offices constituted by the First Schedule to this Bill other than those mentioned in paragraphs (a) to (c) of this subsection;
 - (j) all graduates and undergraduates; and
 - (k) 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 mentioned therein.
- (3) Provision shall be made by Statute with respect to the constitution of the following bodies, namely:
- (a) the Council;
 - (b) the Senate;
 - (c) the Congregation; and
 - (d) the Convocation (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

Question that Clause 3 stand part of the Bill — Agreed to.

Clause 4: Powers of the University.

- (1) For the carrying out its objects as specified in Section 2 of this Bill, the University shall have power to —
- (a) 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 deem necessary or desirable, subject to the approval of the National Universities Commission;
 - (b) institute professorships, readerships and associate professorships, lectureships and other posts and offices and to make appointments thereto;
 - (c) institute and award fellowships, scholarships, exhibitions, bursaries, medals, prizes and other titles, distinctions, awards and forms of assistance;
 - (d) provide for the residence, discipline and welfare of members of the University;
 - (e) hold examinations and award 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) award honorary degrees, fellowships or academic titles;

- (g) 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 appropriate authority;
 - (h) subject to section 22 of this Bill, to acquire, hold, grant, charge or otherwise deal with or dispose of movable and immovable property wherever situated;
 - (i) 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) enter into contracts, establish trusts, act as trustee, solely or jointly with any other person, and employ and act through agents;
 - (k) erect, provide, equip and maintain libraries, laboratories, 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;
 - (l) hold public lectures and undertake printing, publishing and book selling;
 - (m) subject to any limitations or conditions imposed by Statute, to invest any moneys appertaining to the University by law of endorsement, 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 deposit any moneys for the time being un-invested with any bank on deposit or current account;
 - (n) 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 necessary or expedient to borrow or to guarantee any loan, advances or credit facilities;
 - (o) make gifts for any charitable purpose;
 - (p) do anything which it is authorized or required by this Bill or by any other Statute to do; and
 - (q) 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 made there under and without prejudice to Section 9 (2) of this Bill, the powers conferred on the University by subsection (1) of this section shall be exercisable on behalf of the University by the Council or by the Senate or in any other manner which may be authorized by this Bill (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

Question that Clause 4 stand part of the Bill — Agreed to.

Clause 5: Functions of the Chancellor and Pro-Chancellor.

- (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.
- (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, and the Pro-Chancellor shall when he is present, be the Chairman at all meetings of the Council (*Hon. Mohammed Tahir Monguno — Monguno Marte Nganzai Federal Constituency*).

Question that Clause 5 stand part of the Bill — Agreed to.

Clause 6: Establishment and composition of Council.

- (1) There shall be a Council for the University consisting of:
 - (a) the Pro-Chancellor;
 - (b) the Vice-Chancellor;
 - (c) the Deputy Vice-Chancellor;
 - (d) one person from the Federal Ministry responsible for Education;
 - (e) four persons representing a variety of interest 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 the Congregation from among its members; and
 - (h) one person appointed by Convocation from among its members
- (2) Persons to be appointed to the Council shall be persons of proven integrity, knowledgeable and familiar with the affairs and tradition of the University (*Hon. Mohammed Tahir Monguno — Monguno Marte Nganzai Federal Constituency*).

Question that Clause 6 stand part of the Bill — Agreed to.

Clause 7: Functions of the Council and its Finance and General purpose.

- (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.
- (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 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 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 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 subsection (5) of this section by the Finance and General Purposes Committee shall not come into force unless approved by the Council, and where any rule so made by the Committee conflict with any directions given by the Council (whether before or after the coming into force of the rules in question), the direction of the Council shall prevail.
- (7) There shall be paid to the members 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 extant government circulars.
- (8) The Council shall meet as and when necessary for the performance of its functions under this Bill, and shall meet at least four times every year.
- (9) If required 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;

PROVIDED that if after 28 days of the receipt or delivering to him of such request, the chairman fails or neglects to call a meeting, the Registrar shall within 14 days thereof, cause a meeting of the Council to be convened for that purpose. The request shall specify the business to be considered at the meeting and no business not so specified shall be transacted at that meeting (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

Question that Clause 7 stand part of the Bill — Agreed to.

Clause 8: Functions of the Senate.

- (1) Subject to section 5 of this Bill and subsections (3) and (4) of this section and to the provisions of this Bill relating to the Visitor, it shall be the general function of the Senate to organize and control teaching in the University, admission to Post-graduate courses and other admission of students, the discipline of students and to promote research in the University.
- (2) Without prejudice to the generality of the provisions of subsection (1) of this section, it shall in particular be the function of the Senate to make provision for the —
 - (a) establishment, organization 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) organization and control of courses of study in the University and of the examinations held in conjunction with those courses, including the appointment of examiners, both internal and external;
 - (c) award of degrees, and such other qualifications as may be prescribed, in connection with examinations conducted by the University;
 - (d) making or 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) establishment, organization and control of halls of residence and similar institutions in the University;
 - (f) supervision of the welfare of students in the University and the regulation of their conduct;
 - (g) granting of fellowships, scholarships, prizes and similar awards in so far as the awards are within the control of the University; and
 - (h) determination of what description 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) (a) 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 provisions of this section or for the purpose of providing for any matter for which provision by regulation is authorized or required by this Bill or by Statute.
- (b) The Senate shall, by regulation, provide that at least one of the persons appointed as examiners at each final or professional examination held in conjunction with any course of study in the University is not a teacher at the University but is a teacher at the branch of learning to which the course relates in some other University of high repute.
- (5) Subject to a right of appeal to the Council from a decision of the Senate under this subsection, the Senate may deprive any person of any degree, diploma or other award of the University which has been conferred on him if after due enquiry he is shown to have been guilty of any dishonorable or scandalous conduct in gaining admission into the University or obtaining that award (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

Question that Clause 8 stand part of the Bill — Agreed to.

Clause 9: Functions of the Vice-Chancellor.

- (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 section 5 of this Bill, the Pro Chancellor and any other person for the time being acting as Chairman of the Council.
- (2) Subject to the provisions of this Bill, the Vice-Chancellor shall have general function, in addition to any other functions conferred on him 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 (*Hon. Mohammed Tahir Monguno — Monguno/Marte Nganzai Federal Constituency*).

Question that Clause 9 stand part of the Bill — Agreed to.

PART II — TRANSFER OF PROPERTY**Clause 10: Transfer of property.**

- (1) All property held by or on behalf of the Provisional Council shall, by virtue of this subsection and without further assurance, vest in the University and be held by it for the purpose of the University.
- (2) The provisions of the Second Schedule to this Bill shall have effect with respect to the transfer of property by this section and to matters arising therefrom and with respect to other matters mentioned in that Schedule (*Hon. Mohammed Tahir Monguno — Monguno/Marte Nganzai Federal Constituency*).

Question that Clause 10 stand part of the Bill — Agreed to.

PART III — STATUTES OF THE UNIVERSITY**Clause 11: Power of the University to make Statutes.**

- (1) Subject to this Bill, the University may make Statutes for any of the following purposes:
 - (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 there-under; and
 - (e) making provision for other matters for which provision by Statute is authorized or required by this Bill.

- (2) Subject to section 25 (6) of this Bill, the Interpretation Act shall apply in relation to any Statute made under this section as it applies to a subsidiary instrument within the meaning of section 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 section by the University.
- (4) The power to make Statute conferred by this section 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 (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

Question that Clause 11 stand part of the Bill — Agreed to.

Clause 12: Mode of exercising the power to make Statutes.

- (1) The power of the University to make Statutes shall be exercised in accordance with the provisions of this section.
- (2) A proposed Statute shall not have the force of 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 subsection (2) of this section 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 section 2 (2) of the Interpretation Act, a Statute shall be treated as being made on the date on which it is approved by the Council and the Senate in accordance with subsection (3) of this section 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 (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

Question that Clause 12 stand part of the Bill — Agreed to.

Clause 13: Proof of Statute.

A Statute may be proved in any court by the production of a copy thereof bearing or having affixed to it a certificate signed by the Vice-Chancellor or the Registrar to the effect that the copy is a true copy of a Statute of that University (*Hon. Mohammed Tahir Monguno -- Monguno/Marte/Nganzai Federal Constituency*).

Question that Clause 13 stand part of the Bill — Agreed to.

Clause 14: Power to decide the meaning of Statute.

- (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 deems fit.
- (2) The decision of the Visitor on any matter referred to him under 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 this section, no question as to the meaning of that provision shall be entertained by any other authority in Nigeria:

PROVIDED that nothing in this subsection 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 foregoing provisions of this section shall apply in relation to any doubt or dispute as to whether any matter is, for the purposes of this Bill, academic or non-academic matter as they apply in relation to any such doubt or dispute as is mentioned in subsection (1) of this section, and accordingly the reference in subsection (2) of this section 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 non-academic matter (*Hon. Mohammed Tahir Monguno -- Monguno/Marte/Nganzai Federal Constituency*).

Question that Clause 14 stand part of the Bill — Agreed to.

PART IV — SUPERVISION AND DISCIPLINE**Clause 15: Supervision and Discipline.**

- (1) The President shall be the Visitor of the University.
- (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 to:
 - (a) make available to the Visitor, and to any other persons conducting a visitation in pursuance of this section, such facilities and assistance as he or they may reasonably require for the purpose of the visitation; and

- (b) give effect to any instructions consistent with the provisions of this Bill which may be given by the Visitor in consequence of the visitation (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

Question that Clause 15 stand part of the Bill — Agreed to.

Clause 16: Removal of certain Members of the Council.

- (1) If it appears to the Council that a member (other than the Pro-Chancellor or the Vice-Chancellor) should be removed from office on grounds of misconduct or inability to perform the functions of his office, the Council shall make a recommendation to that effect through the Minister to the Federal Executive Council and if the Federal Executive Council, after making such enquiries (if any) as may be considered necessary, approves the recommendation it may direct the removal of the member from office.
- (2) It shall be the duty of the Minister to use his best endeavors to cause a copy of the instrument embodying a direction under subsection (1) of this section to be served as soon as reasonably practicable on the person to whom it relates (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

Question that Clause 16 stand part of the Bill — Agreed to.

Clause 17: Removal and Discipline of Academic, Administrative and Professional Staff.

- (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 office or on grounds of misconduct or inability to perform the functions of his office Council shall -
 - (a) give notice of those reasons to the person in question;
 - (b) afford such person an opportunity of making representation in person on the matter to the Council; and
 - (c) take a decision to terminate or not to terminate the appointment.
- (2) If the affected staff or any three members of the Council so request within a period of one month from the date of receipt of the notice of the Council's decision, the Council shall make arrangements for:
 - (a) a joint committee of the Council and the Senate to review the matter and to report on it to the Council;
 - (b) the person in question to be afforded an opportunity to appear before and be heard by an 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, the Council may so remove him by an instrument in writing signed on the directions of the Council.
- (3) The Vice-Chancellor may, in a case of gross misconduct by a member of 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 immediately be reported to the Council.

- (4) Any member of staff may be suspended from duty or his appointment may be terminated by Council for a good cause and for the purposes of this subsection "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;
 - (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 office.
 - (c) conduct of a scandalous or disgraceful nature which the Council considers to be such as to render the person concerned unfit to continue to hold office; and
 - (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.
- (5) Any person suspended pursuant to subsection (3) of this section shall be on half pay and the Council shall before the expiration of a period of three months from the date of such suspension consider the case against that person and come to a decision as to whether to :
- (a) continue such person's suspension and if so on what terms (including the proportion of his emoluments to be paid to him);
 - (b) reinstate such person in which case the Council shall restore his full emoluments with effect from the date of suspension;
 - (c) terminate the appointment of the person concerned in which case such a person will not be entitled to the proportion of his emoluments withheld during the period of suspension ; or
 - (d) 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.
- (6) Where the Council, pursuant to this section, decides to continue a person's suspension or decides to take further disciplinary action against the person, the Council shall, before the expiration of three months from such decision come to a final determination in respect of the case concerning such a person.
- (7) It shall be the duty of the person by whom an instrument of removal is signed in pursuance of subsection (1) above to use his best endeavors' to cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it relates.
- (8) Nothing in the foregoing provisions of this section shall prevent the Council from making regulations for the discipline of staff and workers of the University as may be appropriate (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

Question that Clause 17 stand part of the Bill — Agreed to.

Clause 18: Removal of Examiners.

- (1) If, on the recommendation of the Vice-Chancellor, it appears to the Senate that a person appointed as an examiner for any examination of the University ought to be removed from his office or appointment, then, the Senate may, after affording the examiner an opportunity of making representations in person on the matter, direct the Vice-Chancellor to remove the examiner by an instrument in writing signed by the Registrar.
- (2) Subject to the provisions of any regulation made pursuant to section 8 (4) of this Bill, the Vice-Chancellor may, on the recommendation of Senate, appoint an appropriate person as examiner in the place of the examiner removed.
- (3) It shall be the duty of the Registrar on signing an instrument of removal pursuant to this section, to use his best endeavors to cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it relates. (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

Question that Clause 18 stand part of the Bill — Agreed to.

Clause 19: Discipline of Students.

- (1) Subject to the provisions of this section, where it appears to the Vice-Chancellor that any student is guilty of misconduct, the Vice-Chancellor may, without prejudice to any other disciplinary powers conferred on him by Statute or regulations, direct that the :
 - (a) 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.
 - (b) 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;
 - (c) student be rusticated for such period as may be specified in the direction; or
 - (d) Student be expelled from the University.
- (2) Where a direction is given under subsection (1) paragraphs (c) or (d) of this section in respect of any student, the student may, within the prescribed period and in the prescribed manner, appeal against the direction to the Senate.
- (3) Where an appeal is brought pursuant to subsection (2) of this section, the Senate shall, after causing such inquiry to be made in the matter as the Senate considers just, either confirm or set aside the direction or modify it in such manner as the Senate thinks fit.
- (4) The fact that an appeal from a direction is brought pursuant to subsection (2) of this section shall not affect the operation of the direction while the appeal is pending.

- (5) The Vice-Chancellor may delegate his powers under this section to a disciplinary board consisting of such members of the University as he may nominate.
- (6) Nothing in this section shall be construed as preventing the restriction or termination of a student's activities at the University for conduct which in the opinion of Senate is prejudicial to the interest of the University or to its corporate objective or image.
- (7) A direction under subsection (1) (a) of this section may be combined with a direction under subsection (1) (b) of this section (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

Question that Clause 19 stand part of the Bill — Agreed to.

PART V — MISCELLANEOUS AND GENERAL PROVISIONS

Clause 20: Exclusion or discrimination on account of race, religion, etc.

- (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, family origin, religious or political persuasion, as a condition for becoming or continuing to be a —
 - (a) student in the University;
 - (b) holder of any degree, appointment or employment in the University; or
 - (c) member of any body established by virtue of this Bill.
- (2) No person shall be subjected to any disadvantage or accorded any advantage in relation to the University by reference to any of the matters referred to in subsection (1) of this section.
- (3) Nothing in subsection (1) of this section shall be construed as preventing the University from imposing any disability or restriction on any of the persons specified in subsection (1) of this section where such persons willfully refuse or fail 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, is in the opinion of the University reasonably justifiable in the national interest (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

Question that Clause 20 stand part of the Bill — Agreed to.

Clause 21: Transfer of land to the University.

- (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 section, the Government may, by a certificate under the hand and seal of the Chief Federal Lands Officer or any other person authorized in that behalf transfer it to the University (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

Question that Clause 21 stand part of the Bill — Agreed to.

Clause 22: Restriction on disposal of land by University.

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 Visitor;

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 of any lease or tenancy to a member of the University for residential purpose (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

Question that Clause 22 stand part of the Bill — Agreed to.

Clause 23: Quorum and procedure of bodies established by this Bill.

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 (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

Question that Clause 23 stand part of the Bill — Agreed to.

Clause 24: Appointment of Committees, etc.

- (1) Any body of persons established by this Bill 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 authorize a committee established by it to -
 - (a) exercise on its behalf, such of its functions as it may determine, and
 - (b) co-opt members and direct whether or not co-opted members 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 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 Regulations, the quorum and procedure of a committee established or meeting held pursuant to this section 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 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.
- (5) Nothing in the foregoing provisions of this section shall be construed as enabling —

- (a) statutes to be made otherwise than in accordance with section 11 or this Bill; or
- (b) the Senate to empower any other body to make Regulations or to award degrees or other qualifications (*Hon. Mohammed Tahir Monguno -- Monguno/Marte/Nganzai Federal Constituency*).

Question that Clause 24 stand part of the Bill — Agreed to.

Clause 25: 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 —
 - (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 or 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 any body 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 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 pursuant to this Bill.
- (7) The power conferred by this Bill on any body to make Statute or Regulations shall include power to revoke or vary any:
 - (a) Statute (including the Statute contained in the Third 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 sections 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 (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

Question that Clause 25 stand part of the Bill — Agreed to.

Clause 26: Interpretation.

- (1) In this Bill:

"appropriate authority" means any person, body or authority authorized by law to act in a specific or general capacity in relation to a subject matter (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

Question that the meaning of the words "appropriate authority" be as defined in the interpretation to this Bill — Agreed to.

"campus" means any campus which may be established by the University (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

Question that the meaning of the word "campus" be as defined in the interpretation to this Bill — Agreed to.

"college" means any college which may be established by the University (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

Question that the meaning of the word "college" be as defined in the interpretation to this Bill — Agreed to.

"graduate" means a person on whom a degree (other than an honorary degree) has been conferred by the University (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

Question that the meaning of the word "graduate" be as defined in the interpretation to this Bill — Agreed to.

"gross misconduct" means any act of misconduct and improper behavior that may be designated as gross misconduct by any Statute or Regulation made, pursuant to this Bill (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

Question that the meaning of the words "gross misconduct" be as defined in the interpretation to this Bill — Agreed to.

"Minister" mean's the Minister charged with responsibility for education (Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency).

Question that the meaning of the word "Minister" be as defined in the interpretation to this Bill — Agreed to.

"misconduct" means any conduct which is prejudicial to the good name of the University and or discipline and the proper administration of the business of the University (Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency).

Question that the meaning of the word "misconduct" be as defined in the interpretation to this Bill — Agreed to.

"notice" means notice in writing (Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency).

Question that the meaning of the word "notice" be as defined in the interpretation to this Bill — Agreed to.

"officer" does not include the Visitor (Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency).

Question that the meaning of the word "officer" be as defined in the interpretation to this Bill — Agreed to.

"prescribed" means prescribed by Statute or Regulation made under this Bill (Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency).

Question that the meaning of the word "prescribed" be as defined in the interpretation to this Bill — Agreed to.

"professor" means a person designated as a professor of the University in accordance with provisions made in that behalf by Statute or by Regulations (Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency).

Question that the meaning of the word "professor" be as defined in the interpretation to this Bill — Agreed to.

"property" includes rights, liabilities and obligations (Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency).

Question that the meaning of the word "property" be as defined in the interpretation to this Bill — Agreed to.

"the provisional Council" means the provisional Council appointed for the University by the President with effect from September 2011 (Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency).

Question that the meaning of the words "the provisional Council" be as defined in the interpretation to this Bill — Agreed to.

"regulations" means regulations made by the Senate or Council (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

Question that the meaning of the word "regulations" be as defined in the interpretation to this Bill — Agreed to.

"Senate" means the Senate of the University establish by the Act (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

Question that the meaning of the word "Senate" be as defined in the interpretation to this Bill — Agreed to.

"Statute" means a Statute made by the University under section 11 of this Bill and in accordance with the provisions of section 12 of this Bill (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

Question that the meaning of the word "Statute" be as defined in the interpretation to this Bill — Agreed to.

"the Statutes" means all such Statutes as are in force from time to time (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

Question that the meaning of the words "the Statutes" be as defined in the interpretation to this Bill — Agreed to.

"teacher" means a person holding a full time appointment as a member of the teaching or research staff of the University (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

Question that the meaning of the word "teacher" be as defined in the interpretation to this Bill — Agreed to.

"Government" means the Federal Government of Nigeria (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

Question that the meaning of the word "Government" be as defined in the interpretation to this Bill — Agreed to.

"Constitution" means the Constitution of the Federal Republic of Nigeria (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

Question that the meaning of the word "Constitution" be as defined in the interpretation to this Bill — Agreed to.

"undergraduate" means a person in *statu pupilaris* in the University, other than —

(a) a graduate; and

- (b) a person of such description as may be prescribed for the purposes of this definition (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

Question that the meaning of the word “undergraduate” be as defined in the interpretation to this Bill — Agreed to.

“the University” the Federal University, Wukari as incorporated and constituted by this Bill; and (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

Question that the meaning of the words “the University” be as defined in the interpretation to this Bill — Agreed to.

“the Act” means the Federal University, Wukari Act (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

Question that the meaning of the words “the Act” be as defined in the interpretation to this Bill — Agreed to.

- (2) 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, it shall be the duty of every such intermediate authority to forward any proposals or recommendations 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 (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

Question that Clause 26 stand part of the Bill — Agreed to.

Clause 27: Short Title.

This Bill may be cited as the Federal University, Wukari (Establishment, etc.) Bill, 2017 (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

Question that Clause 27 stand part of the Bill — Agreed to.

SCHEDULES

FIRST SCHEDULE

Section 3 (2)

PRINCIPAL OFFICERS OF THE UNIVERSITY

The Chancellor

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

The Pro-Chancellor

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

The Vice Chancellor

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

Deputy Vice Chancellor

4. (1) There shall be for the University, two Deputy Vice-Chancellor 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 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 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.

Office of the Registrar

5. (1) There shall be for the University, a Registrar, who shall be the Chief Administrative Officer of the University and shall be responsible to the Vice-Chancellor for the day-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 to emoluments as may be specified in his letter of appointment.

Other Principal Officers, Bursar, the University Librarian

6. (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 as to emoluments as may be specified in his letter of appointment.

Other Officers of the University

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

Health Centre

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

Resignation and Appointment

9. (1) Any officer mentioned in the foregoing provisions of this schedule may resign his office in —
 - (a) the case of the Chancellor or Pro-Chancellor, by notice to the Visitor;
 - (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 (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

Question that the provisions of the First Schedule stand part of the Bill — Agreed to.

SECOND SCHEDULE

Section 10 (2)

TRANSITIONAL PROVISIONS AS TO PROPERTY, FUNCTIONS, ETC.

1. Without prejudice to the generality of Section 10 (1) of this Bill —
 - (a) the reference in the subsection to property held by the provisional Council and the University 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 and the University; and
 - (b) all outstanding debts and liabilities of the provisional Council shall become debts and liabilities of the University established by this Bill.

The Provisional Council

2. (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 subparagraph (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.

Registration of Transfers

3. (1) If the law in force at the place where any property transferred by this Act 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.

Meeting

4. (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 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 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.

The Staff

5. 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 as a member of that staff or as such an employee.

The Scope

6. Questions as to the scope of the responsibilities of the aforesaid officers shall be determined by the Vice-Chancellor (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

Question that the provisions of the Second Schedule stand part of the Bill — Agreed to.

THIRD SCHEDULE

Section 11 (3)

FEDERAL UNIVERSITY, WUKARI

STATUTE NO. 1

The Council

1. (1) Any member of Council holding office pursuant to section 6 (e), (f), (g) or (h) of this Bill may, by notice to the Council resign his office.
- (2) A member of Council holding office pursuant to section 6 (e), (f), (g) or (h) of this Bill shall, unless he previously vacates it, vacate that office on the expiration of a period of four years starting from 1st August in the year in which he was appointed.
- (3) Where a member of Council holding office pursuant to section 6 (e), (f), (g), or (h) of this Bill vacates office before the expiration of his tenure, the body that appointed him may appoint a successor to hold office for the residue of his unexpired term.
- (4) A person ceasing to hold office as a member of Council otherwise than by removal for misconduct shall be eligible for re-appointment for only one further period of four years.
- (5) The quorum of the Council shall be five, at least one of whom shall be a member pursuant to Section 6 (d) and (e) of this Bill.
- (6) If the Pro-Chancellor is not present at a meeting of the Council, the members present at the meeting may appoint one of them to be the Chairman at that meeting, and subject to section 5 of this Bill and the provisions of this paragraph the Council may regulate its own procedure.
- (7) Where the Council desires to obtain advice with respect to any particular matter, it may co-opt not more than two persons for that purpose; and the persons co-opted may take part in the deliberations of the Council at any meeting but shall not be entitled to vote.

- (8) The Council constituted by this Bill shall have a four year tenure from the date of its inauguration, provided that where a Council is found to be incompetent and corrupt, it shall be dissolved by the visitor and a new Council shall be immediately constituted for the effective functioning of the University.
- (9) The powers of the Council shall be exercised in accordance with the laws and Statutes of the University, and to that extent, establishment circulars that are inconsistent with the laws and Statutes of the University shall not apply to the University.

The Finance And General Purpose Committee

2. (1) The Finance and General Purpose Committee of the Council shall consist of —
- (a) the Pro-Chancellor, who shall be the Chairman of the Committee at any meeting at which he is present;
- (b) the Vice-Chancellor and a Deputy Vice-Chancellor;
- (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 of whom shall be selected from among members of the Council appointed by the congregation; and
- (d) the Permanent Secretary, Federal Ministry of Education or, in his absence, such member of his Ministry as he may designate to represent him.
- (2) The quorum of the Committee shall be six.
- (3) Subject to any directions given by the Council, the Committee may regulate its own procedure.

The Senate

3. (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, 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 is present and in his absence, one of the Deputy Vice-Chancellors appointed by him 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 absence a person duly appointed by him, shall convene a meeting of the Senate to be held not later than the tenth day following that on which the request was received.

Congregation

- 4. (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 section 5 of this Bill, the Vice-Chancellor shall be the Chairman at all meetings of congregation when he is present, and in his absence one of the Deputy Vice-Chancellors appointed by him 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 or Regulations.

Convocation

- 5. (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 name registered as a member of convocation if he —
 - (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 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 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 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 section 5 of this Bill, 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.

Organization of Faculties and Branches thereof

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

The Faculty Board

7. (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.

The Dean of the Faculty

- 8.
 - (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 will be eligible for re-election for another term of two years after which he 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 is present and he 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 section 17 (4) of this Bill.

Selection of Certain Principal and other Key Officers

9. (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 letter of appointment.

Creation of Academic Post

10. 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.

Appointment of Academic Staff

11. 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.

Appointment of Administrative and Technical Staff

12. (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 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 (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

Question that the provisions of the Third Schedule stand part of the Bill — Agreed to.

Explanatory Memorandum:

This Bill seeks to establish the Federal University, Wukari to ensure equity and access to tertiary education in the country. The University is a conventional University with restricted programmes and limited and focused faculties (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

Agreed to.

Long Title:

A Bill for an Act to Establish the Federal University, Wukari and to Make Comprehensive Provisions for Due Management and Administration and for Other Related Matters (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to establish the Federal University, Wukari and to make Comprehensive Provisions for its Management and Administration and for Other Related Matters (HB. 810), and approved Clauses 1 - 27, the Schedules, the Explanatory Memorandum, and the Long Title of the Bill.

Question that the House do adopt the Report of the Committee of the Whole — Agreed to.

(ii) Committee on Gas Resources:

Motion made and Question proposed, “That the House do consider the Report of the Committee on Gas Resource on a Bill for an Act to Amend the Nigeria Liquefied Natural Gas (Fiscal Incentives, Guarantees and Assurances) Act, Cap. N87, Laws of the Federation of Nigeria, 2004 to empower the NLNG Ltd to make its Statutory Contributions to the NDDC Fund and for Other Matters Connected Therewith (HB. 397), and approve the recommendations therein” (*Hon. Fredrick Y. Agbedi — Ekeremor/Sagbama Federal Constituency*).

Question agreed to.

Question that the House do resolve into the Committee of the Whole to consider the Report — Agreed to.

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

A BILL FOR AN ACT TO AMEND THE NIGERIA LNG (FISCAL INCENTIVES, GUARANTEES AND ASSURANCES) ACT, CAP. N87, LFN, 2004 TO EMPOWER THE NLNG LTD TO MAKE ITS STATUTORY CONTRIBUTIONS TO THE NDDC FUND AND FOR OTHER MATTERS CONNECTED THEREWITH

Committee Recommendation:

Clause 1: Amendment of Cap. N87, LFN, 2004.

The Nigeria LNG (Fiscal Incentives, Guarantees and Assurances) Act, Cap. N87, Laws of the Federation of Nigeria, 2004 (hereinafter referred to as the “Principal Act”) is hereby amended as set out in this Bill (*Hon. Fredrick Y. Agbedi — Ekeremor/Sagbama Federal Constituency*).

Question that Clause 1 stand part of the Bill — Agreed to.

Committee Recommendation:**Clause 2: Amendment of section 7.**

The Principal Act is amended in section 7 by inserting new sections 7A and 7B to the Principal Act to read as follows —

"7A. Exemption from Customs duties.

"7B. Mandatory contributions to the NDDC Fund
The Nigeria Liquefied Natural Gas Limited shall pay 3% of its total annual budget to the Niger Delta Development Commission (NDDC) Fund (*Hon. Fredrick Y. Agbedi — Ekeremor/Sagbama Federal Constituency*).

Question that Clause 2 stand part of the Bill — Agreed to.

Committee Recommendation:**Clause 3: Amendment of the Second Schedule.**

The Second Schedule to the Principal Act is amended by -

(a) deleting paragraphs 1, 2, 3 and 6; and

(b) renumbering paragraphs 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 and 22 as paragraphs 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18 respectively (*Hon. Fredrick Y. Agbedi — Ekeremor/Sagbama Federal Constituency*).

Question that Clause 3 stand part of the Bill — Agreed to.

Committee Recommendation:**Clause 4: Short Title.**

This Bill may be cited as the Nigeria LNG (Fiscal Incentives, Guarantees and Assurances) Act (Amendment) Bill, 2017 (*Hon. Fredrick Y. Agbedi — Ekeremor/Sagbama Federal Constituency*).

Question that Clause 4 stand part of the Bill — Agreed to.

Explanatory Memorandum:

This Bill seeks to amend the Nigeria LNG (Fiscal Incentives, Guarantees and Assurances) Act, Cap N87 LFN, 2004 so as to empower the Nigeria LNG Ltd to make its statutory contribution to the NDDC Fund (*Hon. Fredrick Y. Agbedi — Ekeremor/Sagbama Federal Constituency*).

Agreed to.

Long Title:

A Bill for an Act to Amend the Nigeria LNG (Fiscal Incentives, Guarantees and Assurances) Act, Cap. N87, LFN, 2004 to Empower the NLNG Ltd to Make its Statutory Contributions to the NDDC Fund and for Other Matters Connected Therewith (*Hon. Fredrick Y. Agbedi — Ekeremor/Sagbama Federal Constituency*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committee on Gas Resource on a Bill for an Act to Amend the Nigeria Liquefied Natural Gas (Fiscal Incentives, Guarantees and Assurances) Act, Cap. N87, Laws of the Federation of Nigeria, 2004 to empower the NLNG Ltd to make its Statutory Contributions to the NDDC Fund and for Other Matters Connected Therewith (HB. 397), and approved Clauses 1 - 4, the Explanatory Memorandum, and the Long Title of the Bill.

Question that the House do adopt the Report of the Committee of the Whole — Agreed to.

(iii) Committee on Public Petitions:

Report on the Petition by P. C Rose Samuel:

Motion made and Question proposed, “That the House do consider the Report of the Committee on Public Petitions on the petition by P. C. Rose Samuel against the Nigeria Police Force on alleged unlawful dismissal from the Force and approve the recommendation therein” (Hon. Uzoma Nkem-Abonta — Ukwa East/Ukwa West Federal Constituency).

Question agreed to.

Question that the House do resolve into the Committee of the Whole to consider the Report — Agreed to.

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

Recommendation:

“Urge the Nigeria Police Force to reinstate P. C. Rose Samuel forthwith” (Hon. Uzoma Nkem-Abonta — Ukwa East/Ukwa West Federal Constituency).

Agreed to.

Chairman to report proceeding.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committee on Public Petitions on the petition by P. C. Rose Samuel against the Nigeria Police Force on alleged unlawful dismissal from the Force, and approved the Recommendation of the Report.

Question that the House do adopt the Report of the Committee of the Whole — Agreed to.

(iv) Committee on Public Petitions:

Report on the Petition by Onyeme Felix:

Motion made and Question proposed, “That the House do consider the Report of the Committee on Public Petitions on the petition by Onyeme Felix against Midwestern Oil and Gas Company Limited over unlawful termination of employment and approve the recommendations therein” (Hon. Uzoma Nkem-Abonta — Ukwa East/Ukwa West Federal Constituency).

Question agreed to.

Question that the House do resolve into the Committee of the Whole to consider the Report — Agreed to.

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

Recommendation (i):

“Urge Midwestern Oil and Gas Co. Ltd to pay Onyeme Felix his salaries from 2016 till date as his last salary was sixty-five thousand Naira (₦65,000.00)” (*Hon. Uzoma Nkem-Abonta — Ukwa East/Ukwa West Federal Constituency*).

Agreed to.

Recommendation (ii):

“That since the Committee cannot compel Midwestern Oil and Gas Co. Ltd to take Onyeme Felix back as its employee, it should disengage him properly, if his services are no longer required” (*Hon. Uzoma Nkem-Abonta — Ukwa East/Ukwa West Federal Constituency*).

Agreed to.

Chairman to report proceedings.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committee on Public Petitions on the petition by Onyeme Felix against Midwestern Oil and Gas Company Limited over unlawful termination of employment, and approved Recommendations (i) and (ii) of the Report.

Question that the House do adopt the Report of the Committee of the Whole — Agreed to.

(v) Committee on Public Petitions:**Report on the Petition by Workers of Julius Berger Nigeria Plc:**

Motion made and Question proposed, “That the House do consider the Report of the Committee on Public Petitions on the petition by Workers of Julius Berger Nigeria Plc on inhuman and degrading treatment meted out to workers affected by Redundancy Circular of 28 June, 1999 and approve the recommendation therein” (*Hon. Uzoma Nkem-Abonta — Ukwa East/Ukwa West Federal Constituency*).

Question agreed to.

Question that the House do resolve into the Committee of the Whole to consider the Report — Agreed to.

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

Recommendation:

“That the House do discountenance the petition owing to the fact that it lacks merit on pure legal ground” (*Hon. Uzoma Nkem-Abonta — Ukwa East/Ukwa West Federal Constituency*).

Agreed to.

Chairman to report proceeding.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committee on Public Petitions on the petition by Workers of Julius Berger Nigeria Plc on inhuman and degrading treatment meted out to workers affected by Redundancy Circular of 28 June, 1999, and approved the Recommendation of the Report.

Question that the House do adopt the Report of the Committee of the Whole — Agreed to.

(vi) **Committee on Public Petitions:**

Report on the Petition by Rev. David Abdulrah Mohammed:

Motion made and Question proposed, “That the House do consider the Report of the Committee on Public Petitions on the petition by Rev. David Abdulrah Mohammed against Lugbe District, Federal Capital Territory, Abuja on alleged threat to life and approve the recommendation therein” (*Hon. Uzoma Nkem-Abonta — Ukwu East/Ukwu West Federal Constituency*).

Question agreed to.

Question that the House do resolve into the Committee of the Whole to consider the Report — Agreed to.

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

Recommendation:

“Urge the House to adopt the peace accord submitted to the Committee as the parties duly consented to it to ensure that peace be restored in Lugbe District FCT, Abuja” (*Hon. Uzoma Nkem-Abonta — Ukwu East/Ukwu West Federal Constituency*).

Agreed to.

Chairman to report proceeding.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committee on Public Petitions on the petition by Rev. David Abdulrah Mohammed against Lugbe District, Federal Capital Territory, Abuja on alleged threat to life, and approved the Recommendation of the Report.

Question that the House do adopt the Report of the Committee of the Whole — Agreed to.

(vii) **Committee on Public Petitions:**

Report on the Petition by Isa Abdullahi and Augustine Adamu:

Motion made and Question proposed, “That the House do consider the Report of the Committee on Public Petitions on the petition by Isa Abdullahi and Augustine Adamu against the Federal Medical Centre, Jalingo on Allegation of Extortion of Money from unsuspecting members of the public for employment and approve the recommendations therein” (*Hon. Uzoma Nkem-Abonta — Ukwu East/Ukwu West Federal Constituency*).

Question agreed to.

Question that the House do resolve into the Committee of the Whole to consider the Report — Agreed to.

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

Recommendation (i):

“Urge the Federal Medical Centre, Jalingo to reinstate Mr Isa Abdulahi and Augustine Adamu” (*Hon. Uzoma Nkem-Abonta — Ukwa East/Ukwa West Federal Constituency*).

Agreed to.

Recommendation (ii):

“Pay all their entitlements with effect from May 2012, when their appointments were wrongfully terminated, on their last salary of ninety-three thousand, six hundred and seventy-six Naira, two hundred and nineteen Kobo (₦93,676,219) per month” (*Hon. Uzoma Nkem-Abonta — Ukwa East/Ukwa West Federal Constituency*).

Agreed to.

Chairman to report proceedings.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committee on Public Petitions on the petition by Isa Abdullahi and Augustine Adamu against the Federal Medical Centre, Jalingo on Allegation of Extortion of Money from unsuspecting members of the public for employment, and approved Recommendations (i) and (ii) of the Report.

Question that the House do adopt the Report of the Committee of the Whole — Agreed to.

(viii) Committee on Public Petitions:

Report on the Petition by Mr Pewe Phillip Kindel:

Motion made and Question proposed, “That the House do consider the Report of the Committee on Public Petitions on the petition by Mr Pewe Phillip Kindel against the Nigerian Security Printing and Minting Plc and approve the recommendation therein” (*Hon. Uzoma Nkem-Abonta — Ukwa East/Ukwa West Federal Constituency*).

Question agreed to.

Question that the House do resolve into the Committee of the Whole to consider the Report — Agreed to.

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

Recommendation:

“That the House do discountenance the petition for lack of merit, as the petitioner failed to establish strongly that he was not found wanting as charged” (*Hon. Uzoma Nkem-Abonta — Ukwa East/Ukwa West Federal Constituency*).

Agreed to.

Chairman to report proceeding.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committee on Public Petitions on the petition by Mr Pewe Phillip Kindel against the Nigerian Security Printing and Minting Plc, and approved the Recommendation of the Report.

Question that the House do adopt the Report of the Committee of the Whole — Agreed to.

(ix) Committee on Public Petitions:

Report on the Petition by Nwanokwara Eugene C.:

Motion made and Question proposed. “That the House do consider the Report of the Committee on Public Petitions on the petition by Nwanokwara Eugene C. against the National Steel Raw Material Exploration Agency on non-payment of the Sum of ₦4,031,408.02, being the balance of the contract sum owed and approve the recommendation therein” (Hon. Uzoma Nkem-Abonta — Ukwa East/Ukwa West Federal Constituency).

Question agreed to.

Question that the House do resolve into the Committee of the Whole to consider the Report — Agreed to.

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

Recommendation:

“Urge the National Steel Raw Materials Exploration Agency to pay the sum of four million, thirty-one thousand, four hundred and eight Naira, two Kobo (₦4,031,408.02) only being the balance of the contract sum owed the petitioner with immediate effect” (Hon. Uzoma Nkem-Abonta — Ukwa East/Ukwa West Federal Constituency).

Agreed to.

Chairman to report proceeding.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committee on Public Petitions on the petition by Nwanokwara Eugene C. against the National Steel Raw Material Exploration Agency on non-payment of the Sum of ₦4,031,408.02, being the balance of the contract sum owed, and approved the Recommendation of the Report.

Question that the House do adopt the Report of the Committee of the Whole — Agreed to.

18. Adjournment

That the House do adjourn till Tuesday, 2 May, 2017 at 11.00 a.m. (Hon. Mohammed Tahir Munguno — Monguno/Marte/Nganzai Federal Constituency).

The House adjourned accordingly at 2.40 p.m.

Yakubu Dogara
Speaker

CORRIGENDUM

In the *Votes and Proceedings* of Tuesday, 14 March, 2017, item 7 (i), immediately after the word and figure (HB. 509), *leave out* the following words:

“a Bill for an Act to Regulate the Establishment, Registration, Provision and Management of Services and Residential Facilities for Elderly Persons and for Other Related Matters (HB. 602)”.