

No. 17 - THE DRAFT UNIVERSITY ACT, STATUTES AND REGULATIONS:
ADMINISTRATIVE ASPECTS - By K. LUPTON, AG. DIRECTOR OF ADMINISTRATION

2nd May, 1984

I n t r o d u c t i o n

Universities are not covered by any general legislation such as the Companies Act, Education Laws etc. To give them full legal status and a constitution they need their own legislation. In Nigeria this is by a Federal Act (Decree) or a State Law (Edict).

There is no Act yet covering the Federal Universities of Technology (cf. the 1976 Universities, covered by Decrees in 1979). Three drafts are known, the first prepared by the Federal ^{Ministry} of Education, a second, shorter one, gazetted as a Bill in March 1983 for consideration by the National Assembly but never taken by it, and a third one, combining better aspects of the first two, put forward to the Federal Ministry of Education by the Vice-Chancellors of the Federal Universities of Technology jointly. This is not yet finalised, and there are a few details I hope may still be modified, but it is all we have to work with now.

It is too long for me to copy all of it, but attached is a list of the sections, and extracts from some sections most likely to be of frequent concern to administrators. The rest is also important but less often in active use.

Structure of Federal University Acts

Federal University Acts now tend all to follow a common pattern, with some variations mainly in the Universities' functions and some details of their internal constitutions. The attached list of contents is more or less standard.

It shows a main Act and three Schedules. Two important principles are:

- (i) Subject only to the Constitution, an Act of the Legislature is a supreme authority. Any other authorisation on the same topic is subject to the Act and will be invalid if inconsistent with the Act.
- (ii) Normally an Act can only be modified by another Act at the same legislative level.

Acts often provide for the making of subsidiary legislation by the Executive, through regulations, rules or orders. These are separate from the Main Act and (Usually) do not have to be approved by the legislature, but they must be consistent with the Act. Subsidiary legislation by a Government or a Public Corporation is a matter of general public interest and is always published in the Official Gazette. Universities are authorised to make their own regulations but as they are an internal matter they do not need such publication, or any approval outside the University, but they could be challenged in the courts if inconsistent with the University Act (or statutes).

A Schedule to an Act is normally a part of the main Act, only separating off matter that is thought to be too complex or detailed to include in the main Act. In the latest draft University Act, Schedules 1 and 2 are like this. Once passed as part of the Act, they could only be amended by another Act of the Federal Legislature. Schedule 3, which is also headed "Statute No. 1", is different. It sets out an initial Statute for the University but the main Act provides for it to be modified or added to in ways not requiring another Act, which we will look at more closely later. This is usual for University Statutes, and gives them an exceptional status (though not unique), initially contained in the basic Act, unlike most subsidiary legislation, but amendable as if they were subsidiary legislation. Any amended Statute must, however, be consistent with the rest of the Act. An amendment is normally gazetted, as a matter of public concern.

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A serious defect of the gazetted Bill was that, although it allowed for the making of statutes, it did not specify the corresponding Schedule as being the initial statute, open to amendment in the usual way. If the Bill had been passed as drafted, the Federal Universities of Technology might have found themselves involved with an unsatisfactorily prepared Schedule which could only be amended by another Act. This is taken care of in the third draft Act.

Contents of the main (draft) Act

Section 1 - Names the University, makes it a legal person, and specifies its objects.

Section 2 - Lists main bodies and Principal Officers, units and members of the University, and links up with 1st and 3rd Schedules for more details.

Section 3 - Lists all the expected functions of a University. Includes power to sue or be sued, and "all such acts or things as may advance the objects of the University". Sub-sections (2) and (3) are quoted in the attachment. (2) makes the Act and statutes supreme in guiding University actions. (3) limits the establishment of campuses and colleges by requiring a statute to be made.

Section 4 - Defines the ceremonial role of the Chancellor, and of the Pro-Chancellor as second in rank and also Chairman of the Council.

Section 5 - Defines functions of Council and Finance and General Purposes Committee (sub-sections (1) and (2) quoted, while

Section 6 - Defines functions of Senate (all quoted). Council functions appear broad, since "general control and superintendence of policy" could cover everything. However, by convention it is accepted that Senate's authority is final on academic matters, while Council considers policy in a broad way, plus finance, property matters, buildings and staff matters.

Points to note under functions of Senate include:

- (i) Section 6(2)(c) specifies only examinations in connection with degrees awards, through section 6(6) allows for depriving a person of an awarded degree for certain bad conduct in the course of getting the degree.
- (ii) Section 6(2)(d) involves both Senate and Council in awarding honorary degrees.
- (iii) Section 6(3) says that Senate has to get Council's approval to establish new academic units or halls of residence.
- (iv) Section 6(2)(f) gives Senate supervision of students' welfare and power to regulate their conduct, but Section 17 makes the Vice-Chancellor responsible for specific disciplinary action.
- (v) Section 6(5) makes the appointment of external examiners obligatory for final or professional examinations.

Section 7 - Defines the status of the Vice-Chancellor and his role as Chief Executive.

Section 8 - With Schedule 2, covers the transition from the time before the Act is passed to afterwards, as regards property and office-holders.

Section 9 - (Sub-section (1) is quoted) - shows that the University may make Statutes in effect on anything, but mainly on the composition and constitution of any authority in the University..

Section 10 - Specifies how statutes are to be made. Both Council and Senate must approve by $\frac{2}{3}$ majorities - important to records votes - and in most cases a Statute has also to be approved by the Head of State and does not come into effect until he does so.

Sections 11 and 12 - are mainly formal provisions concerning statutes, but the Visitor can give, if asked, binding rulings on the meaning of any statute.

Section 13 - makes the Head of State the Visitor and expects him to cause visitations to be made at least once every 5 years.

Section 14 - is a formal provision for removing members of Council.

Section 15 - provides for removing members of staff, providing in certain cases for a formal enquiry by a Council-Senate committee, and also specifying the meaning of "good cause". This is a standard provision now in University Acts in Nigeria, but I am uncertain how far its provisions have been legally clarified and tested.

Section 16 - A formal provision for removing examiners.

Section 17 - An important section on Students' discipline. In cases of expulsion or rustication there is an appeal to Council. The Vice-Chancellor has set up a committee to advise him, but has not delegated powers under 17(4). Section 17(5) distinguishes disciplinary from academic grounds for terminating a student's activities.

Section 18 - Bans discrimination of various kinds.

Section 19 - Prohibits the University disposing of land except on certain kinds of lease.

Section 20 - Gives bodies established by the Act powers to determine procedures, subject to statutes and regulations.

Section 21 - Gives bodies established by the Act powers to establish and regulate Committees, including joint Committees. It is the superior body which says whether a Committee may coopt. Powers may be delegated to committees (another omission in the gazetted Bill) except to approve statutes or to confer degrees. Under Sub-section (5) the Pro-Chancellor or Vice-Chancellor are members of all Council Committees, and the Vice-Chancellor is a member of all Senate Committees, standing or ad hoc.

Section 22 - covers various mainly formal provisions, but the sub-sections of widest application have been quoted.

A Secretary to a committee would be acting rightly to draw the Committee's attention to Section 22(5) in any case where he thought it applicable.

Section 23 - gives definitions. Worth looking over when in doubt.

Schedule 1

Mainly concerned with the mode of appointment and tenure of the Officers, but also specifies some functions from Deputy Vice-Chancellor onwards.

Note that the list of "Other Officers" goes beyond what has previously been standard, has changed in each draft, and may not be final.

Schedule 2

See Section 8 of main Act - a formal set of provisions.

Schedule 3, or Statute No. 1

Divided into 15 Articles. Large parts of them have been quoted, but a few comments are added below:

Article 1 - The composition shown for Council differs from that previously adopted. It may not be final.

Article 3 - The sub-sections not quoted contain fairly complicated rules for elections by Congregation to Senate. (The gazetted Bill substituted elections by School Boards).

Article 10 and 11 - On appointments of certain Officers and Academic Staff: not quoted, as I am uncertain whether they have reached a final form. The Appointments and Promotions Committee in Article 11 has a more practicable composition than that in the original draft.

When we have an approved Act to work with, it should be an essential reference document for all Administrative staff.

CONTENTS OF THIRD DRAFT OF
FEDERAL UNIVERSITY OF TECHNOLOGY, OWERRI
ACT AND STATUTES

IN THE MAIN ACT

Section CONSTITUTION AND FUNCTIONS OF THE UNIVERSITY CONSTITUENT BODIES

1. Incorporation and Objects of the University.
2. Constitution and Principal Officers of the University.
- *3 Powers of the University and their exercise.
4. Functions of the Chancellor and Pro-Chancellor
- *5. Functions of the Council and its finance and general purposes committee.
- *6. Functions of the Senate.
- *7. Functions of the Vice-Chancellor.

TRANSFER OF PROPERTY ETC. TO THE UNIVERSITY

8. Transfer of property, functions etc. (from the Provisional Council).

STATUTES OF THE UNIVERSITY

- *9. Statutes of the University.
- *10. Mode of exercising power to make statutes.
11. Proof of Statutes.
12. Power of Visitor to decide meaning of statutes.

SUPERVISION AND DISCIPLINE

13. The Visitor
14. Removal of certain members of Council.
- *15. Removal and discipline of staff
16. Removal of examiners.
- *17. Discipline of students.

MISCELLANEOUS AND GENERAL

18. Exclusion of discrimination on account of race, religion etc.
19. Restriction on disposal of land by University.
- *20. Quorum and procedure of bodies established by this Act.
- *21. Appointment of Committees.
- *22. Miscellaneous administrative provisions.
23. Definitions.
24. Citation.

Note: *means Section is partly or wholly reproduced in the attachment.

SCHEDULES

SCHEDULE I

OFFICERS OF THE UNIVERSITY

PRINCIPAL OFFICERS

1. The Chancellor
2. The Pro-Chancellor
3. The Vice-Chancellor
4. The Deputy Vice-Chancellor(s)

OTHER OFFICERS

- *5. List of Officers
6. Resignation and Re-appointment.

SCHEDULE 2

TRANSITIONAL PROVISION AS TO PROPERTY, FUNCTIONS ETC.

SCHEDULE 3

STATUTE NO. 1

Articles

- *1. The Council
- *2. The Finance and General Purposes Committee
- *3. The Senate
- *4. Congregation.
5. Convocation.
6. Conferment of Degrees and Academic Titles
- *7-8. Organisation of Schools Boards of Studies and Branches thereof.
- *9. The Dean.
10. Selection of certain officers of the University.
11. Creation of Academic Posts.
12. Appointment of Academic Staff.
- *13. Appointment of Administrative and Professional Staff.
14. Interpretation.
15. Citation.

EXTRACTS FROM THE TEXT OF THE THIRD DRAFT ACT

AND STATUTES

IN THE MAIN ACT:

Section

2. Powers of the University and their exercise:

(Sub-section (1) not quoted)

- (2) Schedule I to this Act shall have effect with respect to the principal officers of the University therein mentioned.
- (3) Provision shall be made by statute with respect to the constitution of the following bodies, namely the Council, the Senate, Congregation and Convocation.

5. Functions of the Council and its finance and general purposes committee

- (1) Subject to the provision of this Act 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 University and perform such other functions of the Council as the Council may from time to time delegate to it. (Sub-sections 3-9 not quoted)

6. Functions of the Senate

- (1) Subject to section 5 of this Act and subsection (3) and (4) below, and to the provision of this Act relating to the Visitor, it shall be the general function of the Senate to organise and control the teaching by the University, the admission of students (where no other enactment provides to the contrary) and the discipline of students; and to promote research at the University.
- (2) Without prejudice to the generality of sub-section (1) above and subject as there mentioned, it shall in particular be the function of the Senate to make provision for:
 - (a) the establishment, organisation and control of campuses, colleges, schools, institutes and other teaching and research units of the University, and the allocation of responsibility for different branches of learning;
 - (b) the organisation and control of courses of study at the University and of the examinations held in conjunction with those courses, including the appointment of examiners, both internal and external;
 - (c) the award of degrees, and such other qualifications as may be prescribed, in connection with examinations held as aforesaid;
 - (d) the making of recommendations to the council with respect to the award to any person of an honorary fellowship or honorary degree or the title of professor emeritus;

- (e) the establishment, organisation and control of halls of residence and similar institutions at the University.
 - (f) the supervision of the welfare of students at the University and the regulation of their conduct;
 - (g) the granting of fellowships, scholarships, prizes and similar awards in so far as the awards are within the control of the University; and
 - (h) determining what descriptions of dress shall be academic dress for the purposes of the University, and regulating the use of academic dress.
- (3) The Senate shall not establish any new campus, college, school, institute or other teaching research units of the University, or any hall of residence or similar institution at the University, without the approval of the Council.
- (4) Subject to this Act and the statutes, the Senate may make regulations for the purpose of exercising any function conferred on it either by the foregoing provisions of this section or otherwise or for the purpose of making provision for any matter for which provision by regulations is authorised or required by this Act or by statute.
- (5) Regulations shall provide that at least one of the persons appointed as the examiners at each final or professional examination held in conjunction with any course of study at the University is not a teacher at the University but is a teacher of the branch of learning to which the course relates at some other University of high repute or engaged in practising his profession in a reputable organisation.
- (6) 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 upon him if after due enquiry he is shown to have been guilty of dishonourable or scandalous conduct in gaining admission into the University or obtaining that award.

7.

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 1 of this Act, except the Pro-Chancellor and any other person for the time being acting as Chairman of Council.
- (2) Subject to section 5, 6 and 13 of this Act, the Vice-Chancellor shall, to the exclusion of any other person or authority, have the general function, in addition to any other functions conferred on him by this Act or otherwise, of directing the activities of the University, and shall be the chief executive and academic officer of the University and ex-officio chairman of the Senate.

9.

Statutes of the University

- (1) Subject to this Act, the University may make statutes for any of the following purposes, that is to say:
 - (a) making provision with respect to the composition and constitution of any authority of the University.
 - (b) specifying and regulating the powers and duties of any authority of the University, and regulating any other matter connected with the University or any of its authorities;
 - (c) regulating the admission of students (where no other enactment provides to the contrary) and their discipline and welfare;

- (d) determining whether any particular matter is to be treated as an academic or a non-academic matter for the purpose of this Act and of any statute, regulation or other instrument; or
- (e) making provision for any other matter for which provision by statute is authorised or required by the Act.

(Sub-sections (2)-(4) not quoted).

10. Mode of exercising power to make statutes

- (1) The power of the University to make statutes shall be exercised in accordance with the provisions of this section and not otherwise.
- (2) A proposed statute shall not become law unless it has been approved:
 - (a) at a meeting of the Senate, by the votes of not less than two-thirds of the members present and voting; and
 - (b) at a meeting of the Council, by the votes of not less than two-thirds of the members present and voting.
- (3) A proposed statute may originate either in the Senate or in the Council, and may be approved as required by subsection (2) above by either one of those bodies before the other.
- (4) A statute which:
 - (a) makes provision for or alters the composition or constitution of the Council, the senate or any other authority of the University; or
 - (b) provides for the establishment of a new campus or college or for the amendment or revocation of any statute whereby a campus or college is established, shall not come into operation unless it has been approved by the President.
- (5) For the purposes of section 1(2) of the interpretation Act 1964, a statute shall be treated as being made on the date on which it is duly approved Council after having been duly approved by Senate or on the date on which it is duly approved by Senate after having been duly approved by the Council, as the case may be or, in the case of a statute falling within subsection (4) above, on the date on which it is approved by the President.

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15. Removal and discipline of staff

- (1) If it appears to the Council that there are reasons for believing that any person employed as a member of the academic or administrative or professional staff of the University, other than the Vice-Chancellor, should be removed from his office or employment on the ground of misconduct or of inability to perform the functions of his office or employment, the council shall:
 - (a) give notice of those reasons in writing to the person in question;
 - (b) afford him an opportunity of replying in writing or making representations in person on the matter to the Council; and
 - (c) if he or any three members of the Council so request within the period of one month beginning with the date of the notice, make arrangements:
 - (i) for a joint committee of the Council and the Senate to investigate the matter and to report on it to the Council; and
 - (ii) for the person in question to be afforded an opportunity of appearing before and being heard by the investigating committee with respect to the matter;

and if the Council, after considering the report of the investigating committee, is satisfied that the person in question should be removed as aforesaid, the Council may so remove him by an instrument in writing signed on the directives of the Council.

- (2) The Vice-Chancellor may, in a case of misconduct by a member of the staff which in the opinion of the Vice-Chancellor is prejudicial to the interests of the University, suspend such member and any such suspension shall forthwith be reported to the Council.
- (3) For good cause, any member of staff may be suspended from his duties or his appointment may be terminated by Council; 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; or
 - (b) any physical or mental incapacity which the Council, after obtaining medical advice, considers to be such as to render the person concerned unfit to continue to hold his office; or
 - (c) conduct of a scandalous or other disgraceful nature which the Council considers to be such as to render the person concerned unfit to continue to hold his office; or
 - (d) conduct which the Council considers to be such as to constitute failure or inability of the persons concerned to discharge the functions of his office or to comply with the terms and conditions of his service;
 - (e) conduct which the Council considers to be generally of such nature as to render the continued appointment or service of the person concerned prejudicial or detrimental to the interest of the University.
- (4) Any person suspended pursuant to subsection (2) or (3) above shall be on half pay and the Council shall before the expiration of a period of three months after the date of such suspension consider the case against that person and come to a decision as to:
 - (a) whether to continue such person's suspension and if so on what terms (including the proportion of his emoluments to be paid to him);
 - (b) whether to reinstate such person in which case the Council shall restore his full emoluments to him with effect from the date of suspension;
 - (c) whether to terminate the appointment of the person concerned in which case such a person will not be entitled to the proportion of his emoluments withheld during the period of suspension; or
 - (d) whether to take such lesser disciplinary action against such person (including the restoration of such proportion of his emoluments that might have been withheld) as the Council may determine;

and in any case where the Council, pursuant to this section, decided to continue a person's suspension or decides to take further disciplinary action against a person, the Council shall before the expiration of a period of three months from such decision come to a final determination in respect of the case concerning any such person.

- (5) It shall be the duty of the person by whom an instrument of removal is signed in pursuant of subsection (1) above to use his best endeavours to cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it relates.
- (6) Nothing in the foregoing provisions of this section shall:
 - (a) apply to any directive given by the Visitor in consequence of any visitation;
 - (b) prevent the Council from making regulations for the discipline of other categories of staff and workers of the University as may be prescribed.

17. Discipline of Students

- (1) Subject to the provisions of this section, where it appears to the Vice-Chancellor that any student of the University has been guilty of misconduct, the Vice-Chancellor may, without prejudice to any other disciplinary powers conferred on him by statute or regulations, direct:
 - (a) that the student shall not, during such period as may be specified in the direction, participate in such activities of the University, or make use of such facilities of the University, as may be so specified; or
 - (b) that the activities of the student shall, during such period as may be specified in the direction, be restricted in such a manner as may be so specified; or
 - (c) that the student be rusticated for such period as may be specified in the direction; or
 - (d) that the student be expelled from the University.
- (2) Where a direction is given under subsection (1)(c) or (d) above in respect of any student, the student may, within the prescribed period and in the prescribed manner appeal to the Council; and where such an appeal is brought, the Council shall, after causing such inquiry to be made in the matter as the Council considers just, either confirm or set aside the direction or modify it in such manner as the Council thinks fit.
- (3) The fact that an appeal against a direction is brought in pursuance of the last foregoing subsection shall not affect the question of the direction while the appeal is pending.
- (4) The Vice-Chancellor may delegate his powers under this section to the disciplinary board consisting of such members of the University as he may nominate.
- (5) Nothing in this section shall be construed as preventing the restriction or termination of a student's activities at the University otherwise than on the ground of misconduct.
- (6) It is hereby declared that a direction under subsection (1)(a) above may be combined with a direction under subsection (1)(b) above.

20. Quorum and procedure of bodies established by this Act

Except as may be otherwise provided by statute or by regulations, the quorum and procedure of any body of persons established by this Act shall be such as may be determined by that body.

Appointment of Committees

- (1) Any body of persons established by this Act shall, without prejudice to the generality of the powers of that body, have power to appoint committees, which need not consist exclusively of members of that body, and to authorise a committee established by it:
- (a) to exercise, on its behalf, such of its functions as it may determine;
 - (b) to co-opt members;
- and may direct whether or not co-opted members (if any) shall be entitled to vote in that committee.
- (2) Any two or more such bodies may arrange for the holding of joint meetings of those bodies, or for the appointment of committees consisting of members of those bodies, for the purpose of considering any matter within the competence of those bodies or any of them, and either of dealing with it or of reporting on it to those bodies or any of them.
- (3) Except as may be otherwise provided by statute or by regulations, the quorum and procedure of a committee established or meeting held in pursuance of this section shall be such as may be determined by the body or bodies which have decided to establish the Committee or hold the meeting.
- (4) Nothing in the foregoing provisions of this section shall be construed as:
- (a) enabling statutes to be made otherwise than in accordance with section 10 of this Act; or
 - (b) enabling the Senate to empower any other body to make regulations or to award degrees or other qualifications.
- (5) The Pro-Chancellor and the Vice-Chancellor shall be members of every committee of which the members are wholly or partly appointed by the Council (other than a committee appointed to inquire into the conduct of the officer in question); and the Vice-Chancellor shall be a member of every committee of which the members are wholly or partly appointed by the Senate.

Miscellaneous administrative provisions

- (1) The seal of the University shall be such as may be determined by the Council and approved by the Chancellor; and the affixing of the seal shall be authenticated by any member of the Council or any other person authorised by statute.
- (4) The validity of any proceedings of any body established in pursuance of this Act shall not be affected by any vacancy in the membership of the body, or by any defect in the appointment of a member of the body or by reason that any person not entitled to do so took part in the proceedings.
- (5) Any member of any such body who has a personal interest in any matter proposed to be considered by that body shall forthwith disclose his interest to the body and shall not vote on any question relating to that matter.

(Sub-sections (2), (3), (6)-(8) not quoted).

EXTRACTS FROM SCHEDULE I - OFFICERS OF THE UNIVERSITY

Other Officers

- (1) There shall be:
 - (i) Deans of Schools
 - (ii) Directors of Institutes
 - (iii) a University Librarian
 - (iv) a Director of Administration
 - (v) An Academic Registrar
 - (vi) a Dean of Students Affairs
 - (vii) a Bursar
 - (viii) Director(s) of Planning
 - (ix) a Director of Works
 - (x) a Director of Health Services

all of whom shall be responsible to the Vice-Chancellor for the day-to-day administrative work of the University.

- (2) Director of Administration shall be virtue of that office be secretary to Council and the Academic Registrar by virtue of that office shall be secretary to the Senate, Congregation and Convocation.
- (3) The Bursar shall by virtue of that office 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.
- (4) 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, Schools and Institutes and other teaching and research Unit
- (5) The Officers aforesaid shall be appointed in such manner as may be specified by statute and shall hold office for such period and on such terms as to the emoluments of their offices and otherwise as may be specified.
- (6) The scope of the responsibilities of these officers and how they relate to each other shall be determined by statute.
- (7) Any question as to the scope of the responsibilities of the aforesaid officers shall be determined by the Vice-Chancellor.

EXTRACTS FROM SCHEDULES - STATUTE NO. I

Articles

1. The Council

- (1) The Council shall consist of:
 - (a) the Pro-Chancellor;
 - (b) the Vice-Chancellor and the deputy Vice-Chancellor

- (c) four persons representing a variety of interests and broadly representative of the whole Federation appointed by the President;
 - (d) four persons appointed by the Senate from among the members of that body;
 - (e) two persons appointed by Congregation among the members of that body;
 - (f) one person appointed by Convocation from among the members of that body;
 - (g) the Permanent Secretary, Federal Ministry of Education or, in his absence, such member of his Ministry as he may designate to represent him; and
 - (h) the Permanent Secretary, Federal Ministry of Science and Technology or, in his absence, such member of his Ministry as he may designate to represent him.
- (2) Any member of the Council holding office otherwise than in pursuance of paragraph (1)(a), (b), (g) or (h) above may, by notice to the Council, resign his office.
 - (3) A member of the Council holding office otherwise than in pursuance of paragraph (1)(a), (b), (g) or (h) above shall unless he previously vacates it, vacate that office on the expiration of the period of four years beginning with effect from the 1st of August in the year in which he was appointed.
 - (4) Where a member of the Council holding office otherwise than in pursuance of paragraph (1)(a), (b), (g) or (h) above vacates office before the expiration of the period aforesaid, the body or person by whom he was appointed may appoint a successor to hold office for the residue of the term of his predecessor.
 - (5) A person ceasing to hold office as a member of the Council otherwise than by removal for misconduct shall be eligible for re-appointment for only one further period of four years.
 - (6) The quorum of the Council shall be seven at least one of whom shall be a member appointed pursuant to paragraph 1 (c), (f), (g) or (h) above.
 - (7) If the Pro-Chancellor is not present at a meeting of the Council such other member of the Council present at the meeting as the Council may appoint as respects that meeting shall be the chairman at that meeting, and subject to section 4 of the Act and the foregoing provisions of this paragraph, the Council may regulate its own procedure.
 - (8) 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.

2.

The Finance and General Purposes Committee

- (1) The Finance and General Purposes Committee of the Council shall consist of:
 - (a) the Pro-Chancellor, who shall be the chairman of the Committee at any meeting at which he is present;
 - (b) the Vice-Chancellor and the deputy Vice-Chancellor(s);

- (c) five other members of the council appointed by the Council, two of whom shall be selected from among the four members of the Council appointed by the senate and one member from among the two members appointed to Council by the Congregation.
 - (d) the Permanent Secretary, Federal Ministry of Education or, in his absence, such member of his Ministry as he may designate to represent him;
 - (e) the Permanent Secretary, Federal Ministry of Science and Technology or, in his absence, such member of his Ministry as he may designate to represent him;
- (2) The quorum of the committee shall be five.
- (3) Subject to any directions given by the Council, the committee may regulate its own procedure.

3. The Senate

- (1) The Senate shall consist of:
- (a) the Vice-Chancellor and Deputy Vice-Chancellor(s);
 - (b) the Deans of the several Schools;
 - (c) the Directors of the several Institutes;
 - (d) the professors
 - (e) the provosts of the several colleges;
 - (f) the Librarian;
 - (g) the persons for the time being holding such other appointments on the staff of the University as may be specified by the Vice-Chancellor;
 - (h) such teachers, not being more than one third of the total number of non-elected members, elected by Congregation and distributed in such a manner as to give the Schools comparable representation; and
 - (i) two members representing the interest of professional bodies outside the University appointed by the Senate on the recommendation of the Vice-Chancellor
- (2) The Vice-Chancellor shall be the chairman at all meetings of the Senate when he is present; and in his absence a deputy Vice-Chancellor or when no deputy Vice-Chancellor is present such other member of the Senate present at the meeting as the Senate may appoint for that meeting 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) An elected member may, by notice to the Senate, resign his office.

(Sub-sections (5)-(9) not quoted).

4. Congregation

- (1) Congregation shall consist of:
- (a) the Vice-Chancellor and the Deputy Vice-Chancellor(s);
 - (b) the full time members of the academic staff;
 - (c) Director of Administration;
 - (d) the Academic Registrar;
 - (e) the Dean of Students Affairs
 - (f) the University Librarian
 - (g) the Bursar
 - (h) the Director(s) of Planning;
 - (i) the Directors of Works;
 - (j) the Director of Health Services; and

- (k) every member of the administrative staff who holds a degree of any university recognised for the purposes of this statute by the Vice-Chancellor, not being an honorary degree.
- (2) Subject to section 4 of the Act, the Vice-Chancellor shall be the chairman at all meetings of Congregation when he is present; and in his absence a deputy Vice-Chancellor, or, when no deputy Vice-Chancellor is present such other member of Congregation present at the meeting as Congregation may appoint for that meeting, shall be the Chairman at the meeting.
- (3) The quorum of the Congregation shall be one-third (or the whole number nearest to one-third) of the total number of members of the Congregation or fifty, whichever is less.

(Sub-section (4) not quoted).

7-8 Organisation of Schools Boards of Studies and Branches Thereof

7. Each School shall comprise of such number of closely related branches of learning or disciplines as may be prescribed.
8. (1) There shall be established in respect of each School a Board of Studies, which, subject to the provisions of this statute, 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 School;
 - (b) deal with any other matter assigned to it by statute or by the Vice-Chancellor or by the Senate; and
 - (c) advise the Vice-Chancellor or the Senate on any matter referred to it by the Vice-Chancellor or the Senate.
- (2) Each Board of Studies shall consist of:
- (a) the Vice-Chancellor;
 - (b) the Dean;
 - (c) the persons severally in charge of the branches of learning within the School;
 - (d) such of the teachers assigned to the School and having prescribed qualifications as the Board may determine; and
 - (e) such persons whether or not members of the University as the Board may determine with the general or special approval of the Senate.
- (3) The quorum of the Board shall be eight members or one-quarter (whichever is greater) of the members for the time being of the Board; and subject to the provisions of this statute and to any provision made by regulations in that behalf, the Board may regulate its own procedure.

9. The Dean of the School

- (1) The Board of Studies of each School shall at a meeting in the last term of any academic year in which the term of office of the Dean expires, nominate one of its members, being one of the professors assigned to that teaching unit for appointment by Senate as Dean of the School. The person so appointed shall act as Dean of the School and Chairman at all meetings of the School's Board of Studies when he is present, and shall be a member of all committees and other Boards appointed by the School.

- (2) The Dean shall hold office for two years and shall be eligible for re-appointment for one further period of two years. Thereafter he will not be eligible for re-appointment until two years have elapsed.
- (3) The Dean of a School shall exercise general superintendence over the academic and administrative affairs of the School. It shall be the function of the Dean to present to Convocation for the conferment of degrees to 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 School.

(Sub-sections (4)-(6) not quoted.)

13. Appointment of Administrative and Professional Staff

- (1) The administrative and technical staff of the University, other than those mentioned in article 10 of this statute, shall be appointed by the Council or on its behalf by the Vice-Chancellor or the Director of Administration or any other officer in accordance with any delegation of powers made by the Council in that behalf.
- (2) In the case of administrative or technical staff who have close and important contacts with the academic staff, there shall be participation of the appropriate School in the process of selection.

